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Part 1

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 questionnaires 2010-2012-2013-2014-2015-2016

Study prepared 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)

Part 1 - Data tables per indicator for all EU member States

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Abstract

The European Commission has requested the European Commission for the Efficiency of Justice (CEPEJ), Council of Europe to conduct a study by 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 questionnaire for evaluating judicial systems to be filled by the CEPEJ's national correspondents (main contact point within national judicial systems), whose responses are statistically processed analyzed and validated by the evaluation working group (GT-EVAL) 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 separate sheet per country.

La Commission européenne a demandé à la Commission européenne pour l'efficacité de la justice (CEPEJ) du Conseil de l'Europe de réaliser une étude visant à collecter et à fournir des données relatives au fonctionnement des systèmes judiciaires dans les Etats membres de l'UE. Cette étude, basée sur des faits et chiffres collectés, 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 biennaux, en utilisant un questionnaire d'évaluation des systèmes judiciaires. Ce questionnaire est rempli par les correspondants nationaux de la CEPEJ (qui sont les points de contact au sein de chaque système judiciaire national) et les réponses fournies font l'objet d'un traitement statistique, d'une analyse et d'une validation par le groupe de travail évaluation (GT-EVAL) 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) of the 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 analysing the situation of the judicial systems in the EU member States.

This study is based on the processing and analysing data and comments provided by member States through four evaluation cycles (2010, 2012, 2014 and 2016) and two specific questionnaire (2013, 2015). It will constitute one of the sources used by the European Commission for the « EU justice Scoreboard ».

Structure of the study

Following the technical specifications provided by the European Commission, the study, based on 2016 data and also presenting the evolution in relation to 2010, 2012, 2013, 2014 and 2015 data, is structured in two main parts:

- the first part examines the judicial systems in the European Union (EU) member States providing data tables per indicator for the member States ;
- the second part contains country sheets, with a contextual analysis.

Main elements

The study provides 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

To start with, it has to be distinguished the two concepts used by the CEPEJ for the analysis of the resources allocated to justice in order to obtain an overview of the EU member States budgets.

There are indeed, depending on the State, common or separate financing mechanisms for the courts, the prosecution services and legal aid. Nevertheless, these three elements have been broken down as far as possible to allow comparisons, not only of the resources allocated to the prosecutorial or trial functions, despite the difference in the organisation of systems, but also of the amounts budgeted for access to justice.

Thus, the budget allocated to the « judicial system » consists of the addition of resources allocated:

- to courts;
- to legal aid;
- to the prosecution service.

It must be emphasized that the judicial system budget and the court budget, as precisely defined by the CEPEJ methodology to provide the most rigorous assessment of the effort of the member States, is not comparable with other indicators available by other European institutions.

The CEPEJ obtains a wider analysis of justice system with another calculation: the budgets of other services involved in the functioning of the public service of justice (prison, system of enforcement of court decisions, judicial protection of juveniles, etc.) are added to the judicial system budget to evaluate the « whole justice system ».

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 remuneration of interpreters or experts), costs for the rental and running of premises, real estate investments and training.

Specifically between 2010 and 2016, the analysis of the data sent by the member States shows that a wide majority of the EU States have increased the contribution to their judicial system (in absolute value), even in a persistent context of control of public expenditure (median of judicial system approved budget has increase around 4%).

In general, the evolution of the exchange rate in 7 countries outside the euro zone, which is indicated on the table related to the general data, has been incorporated in a separate table in all the budgetary comparisons between 2010, 2012, 2013, 2014, 2015 and 2016.

Human resources

Different categories of judges (permanent, occasional, non-professional) can serve the justice system. The 2016 study focused on professional judges sitting permanently, whose number has an European average of 21,2 judges per 100 000 inhabitants (the median is 23,6 judges per 100 000 inhabitants). Even if these indicators has slightly increased between 2015 and 2016, the distribution of the evolution (increase / decrease) between all the countries is quite equal: the number of judges per 100 000 inhabitants has decreased in 11 member States ; conversely this number has increased in 15 member States.

Especially, it should be keep in mind that Austria has changed their methodology and the increase of number of judges is not linked to new recruitments as such. These changes explains the increase of median and average of professional judges between 2015 and 2016.

Moreover, this number varies considerably from country to country according to the organisation of the judicial system and the existence of occasional judges, non-professional judges or even Rechtspfleger.

In most member States, judges receive initial training given the extent of the necessary knowledge to exercise this function. Almost all countries then propose through the course of a career ongoing general or specialised training formations in order to maintain a high level of legal technicality. However, these trainings are mandatory in less than half of the member States (around 10 countries). The existence alongside judges of competent staff with defined functions and a recognised status is essential for the quality and efficiency of a judicial system. A difference is made between the five types of non-judge staff:

- the "Rechtspfleger" function (defined by the European Union of Rechtspfleger (EUR) as an independent judicial body),
- the non-judge staff whose function is to assist judges directly,
- the staff responsible for administrative matters such as court management,
- the technical staff,
- and other types of non-judge staff that fall outside of all the categories mentioned above.

Two observations can be made following an analysis of data provided by the member States. Firstly, the median number of non-judge staff per 100 000 inhabitants has decreased between 2012 and 2016 (variation of the median: -11,6%), thus reflecting the continued decline of non-judge staff human resources to suit more closely to the needs of the courts. Secondly, 12 countries have staff with "Rechtspfleger" functions (or equivalent - no modification between 2012 and 2016). The median number of staff in this specialised body has increased within the studied period while the number of more simple assistant decreased: it may reveal an increase of the training level expected to assist judges nowadays.

Judicial organisation

The study distinguishes three types of courts:

- ordinary courts of first instance with jurisdiction in all matters for which jurisdiction has not been assigned to a specialised court – their enumeration is made as legal entities
- specialised courts of first instance (also considered as legal entities)
- courts (at all levels) as geographic locations

The geographical locations per 100 000 inhabitants has decreased in most of the member States (the median is 1,52 courts per 100 000 inhabitants in 2015 and 1,38 in 2016). Since 2015, 4 countries have reduced their number of geographical locations (and 3 have slightly increased this number). The trend is stronger since 2010: 15 have decreased the number of geographical locations (up to 50%) and clearly shows the pursuit of the reforms of the judicial maps.

As regards to the distribution of the disputes between legal entities, almost all the States have specialised courts of first instance.

The existing specialised courts deal mainly with administrative cases, commercial cases and with disputes related to the application of labour legislation.

Methodology

The methodology used for this study is completely following CEPEJ methodology for its biennial evaluation using a questionnaire for evaluating judicial systems. This Scheme is filled by the CEPEJ's members/national correspondents (main contact point within national judicial systems), whose responses are statistically processed and analysed by the Secretariat of the CEPEJ.

With the data collected, the CEPEJ has built a database to compare situations and developments between the member states (when such comparisons are scientifically consistent).

Such inter-governmental work requires permanent dialogue and full transparency with the member States of the Council of Europe.

- **Data collection, validation and analysis**

Numbers indicated between brackets following the letter Q (for example Q12) refer 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 collection is primarily assigned to the CEPEJ's national correspondents. The national correspondents are the unique interlocutors of the Secretariat when collecting new data. States providing such data are liable for the quality of data used in the survey. The data provided has then been validated by the CEPEJ Secretariat according to CEPEJ methodology.

It should be noted that, in order to constantly improve the data quality, some of the data appear as "Not Available" ("NA") for this exercise while, in the same situation, quantified figures were given in previous exercises. For instance, in certain cases, the total was the sum of the available numeric values even if some answers were indicated "NA". In this exercise, when the answer of one (and in some cases more than one) sub-category is "NA", the total should be "NA".

The report is based on data from 2016. In order to be able to follow trends, data from 2010, 2012, 2013, 2014 and 2015 have also been provided in certain cases.

- **The quality of data**

The reader should bear in mind and always interpret statistical figures presented (including in the country fiches) in the light of their attached narrative comments.

The CEPEJ has chosen to process and present only the data which offered a high level of quality and accountability: it decided to disregard figures which were too different from one country to another or from one exercise to another, or when they did not present sufficient guarantees of reliability. For some issues covered by this study, no data could be provided. This could mean that none were available, that the data could not be collected as such or that no data meeting these requirements had been provided within the deadline set.

- The following abbreviations have been used in this report:
NA: data not available;
NAP: data non applicable;
CR: Clearance Rate;
DT: Disposition Time.

Methodological disclaimer

1) The data analysed have been provided by the member states until end of September 2017 and have then been validated by the CEPEJ members during quality control finalised end of November 2017. Amendments provided by member states after the delivery of this study may appear in future reports, as CEPEJ's database is regularly updated. This also explains why 2010, 2012, 2013, 2014 and 2015 data included in this study, which are the most updated as for day of publishing, may not always coincide with the data published in previous CEPEJ reports and studies.

The validation has been made according to CEPEJ's methodology. However, the full reliability of data depends mostly on the data providers. It should be kept in mind that the accuracy of some entries was confirmed by national correspondents without specific explanation on potential discrepancies.

Germany provided some data for 2016 on 22 of December, 10 of January and 5 of February. Following CEPEJ methodology, due to some inconsistency and the lack of time for full quality control some data were replaced by "NA".

2) Some data cannot be compared with 2010 data since the questionnaire was modified between the different evaluation cycles.

3) It should be noted that some budgetary data or its variations may be explained by the exchange rates between different national currencies and the Euro.

4) For better understanding of some variations between budgets over years the inflation rate was included only as a reference value,

5) It should also be noted that the minimum, maximum, average and median values in certain tables are calculated with quantified data (excluding answers "NA" or "NAP").

6) Data and comments in country sheet correspond to 2016. The state of play of reforms was reported at the end of September 2017 and may therefore not be fully up to date.

General data: economic and demographic data in 2016, in absolute values and variation of exchange rate between 2010 to 2016 (Q1, Q3, Q5)

States	Population in 2016	GDP* per capita (in €) in 2016	Exchange rate** in 2010 (on 1st Jan. 2011)	Exchange rate** in 2012 (on 1st Jan. 2013)	Exchange rate** in 2013 (on 1st Jan. 2014)	Exchange rate** in 2014 (on 1st Jan. 2015)	Exchange rate** in 2015 (on 1st Jan. 2016)	Exchange rate** in 2016 (on 1st Jan. 2017)	Variation of exchange rate 2010-2012	Variation of exchange rate 2012-2013	Variation of exchange rate 2013-2014	Variation of exchange rate 2014-2015	Variation of exchange rate 2015-2016	Variation of exchange rate 2010-2016	Inflation*** 2010	Inflation*** 2012	Inflation*** 2013	Inflation*** 2014
Austria	8 739 806	40 420 €	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	1,70%	2,60%	2,10%	1,50%
Belgium	11 322 088	37 407 €	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	2,30%	2,60%	1,20%	0,50%
Bulgaria	7 101 859	6 645 €	1,95583	1,95583	1,95583	1,95583	1,95583	1,95583	0,00%	0,00%	0,00%	0,00%	0,00%	0,00%	3,00%	2,40%	0,40%	-1,60%
Croatia	4 154 213	10 965 €	7,38430	7,54659	7,62726	7,65771	7,63500	7,55779	2,20%	1,07%	0,40%	-0,30%	-1,01%	2,35%	1,10%	3,40%	2,30%	0,20%
Cyprus	848 300	21 282 €	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	2,60%	3,10%	0,40%	-0,30%
Czech Republic	10 578 820	16 700 €	25,06000	25,14000	27,42500	27,72500	27,02500	27,02000	0,32%	9,09%	1,09%	-2,52%	-0,02%	7,82%	1,20%	3,50%	1,40%	0,40%
Denmark	5 748 769	48 474 €	7,45310	7,46040	7,45840	7,44360	7,46010	7,43490	0,10%	-0,03%	-0,20%	0,22%	-0,34%	-0,24%	2,20%	2,40%	0,50%	0,40%
Estonia	1 315 635	16 034 €	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	2,70%	4,20%	3,20%	0,50%
Finland	5 503 297	38 959 €	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	1,70%	3,20%	2,20%	1,20%
France	64 859 599	33 337 €	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	1,70%	2,20%	1,00%	0,60%
Germany	82 175 684	37 997 €	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	1,10%	2,10%	1,60%	0,80%
Greece	10 783 748	16 181 €	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	4,70%	1,00%	-0,90%	-1,40%
Hungary	9 797 561	11 200 €	278,85000	292,96000	296,91000	315,00000	315,68000	309,40000	5,06%	1,35%	6,09%	0,22%	-1,99%	10,96%	4,70%	5,70%	1,70%	0,00%
Ireland	4 673 700	58 961 €	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	-1,60%	1,90%	0,50%	0,30%
Italy	60 589 445	27 587 €	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	1,60%	3,30%	1,20%	0,20%
Latvia	1 968 957	12 762 €	0,70280	0,70280	0,70280	NAP	NAP	NAP	0,00%	0,00%	NAP	NAP	NAP	NAP	-1,20%	2,30%	0,00%	0,70%
Lithuania	2 847 904	13 468 €	3,45280	3,45280	3,45280	3,45280	NAP	NAP	0,00%	0,00%	0,00%	NAP	NAP	NAP	1,20%	3,20%	1,20%	0,20%
Luxembourg	590 700	92 900 €	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	2,80%	2,90%	1,70%	0,70%
Malta	440 433	22 664 €	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	2,00%	3,20%	1,00%	0,80%
Netherlands	17 081 507	41 258 €	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	0,90%	2,80%	2,60%	0,30%
Poland	38 433 000	11 370 €	3,96030	4,08820	-	4,26230	-	-	3,23%	-	-	-	NAP	NAP	2,60%	3,70%	0,80%	0,10%
Portugal	10 309 573	17 905 €	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	1,40%	2,80%	0,40%	-0,20%
Romania	19 638 309	8 600 €	4,28480	4,41530	4,48470	4,48210	4,52450	4,54110	3,05%	1,57%	-0,06%	0,95%	0,37%	5,98%	6,10%	3,40%	3,20%	1,40%
Slovakia	5 435 343	14 910 €	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	0,70%	3,70%	1,50%	-0,10%
Slovenia	2 065 895	19 262 €	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	2,10%	2,80%	1,90%	0,40%
Spain	46 528 966	23 985 €	NAP	NAP	-	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	2,00%	2,40%	1,50%	-0,20%
Sweden	9 995 153	46 125 €	8,95000	8,56880	8,86130	9,43230	9,19840	9,56100	-4,26%	3,41%	6,44%	-2,48%	3,94%	6,83%	1,90%	0,90%	0,40%	0,20%
Sum	443 528 264	747 358 €																
Average	16 426 973	27 680 €																
Median	8 739 806	21 282 €																
Standard deviation		19 173 €																
Minimum	440 433	6 645 €																
Maximum	82 175 684	92 900 €																
Nb of values	27	27																
% of NA	0%	0%																
% of NAP	0%	0%																

* In current prices

** Local currency needed to obtain 1 €

*** Source: EUROSTAT(2016), HICP (Harmonised Index of Consumer Prices) - These figures are only shown for contextualisation and are not used in this study

Latvia: Euro is the national currency since 1st Jan.2014

General data

Comments provided by the national correspondents

General data: economic and demographic data in 2016, in absolute values and variation of exchange rate between 2010 to 2016 (Q1, Q3, Q5)

Question 1: Number of inhabitants

Question 3: GDP per capita

Question 5: Exchange rate of national currency (non-euro zone)

Belgium

Q001 (2016): population 1/1/2017

Cyprus

Q003 (2016): Per Capita GDP (current prices)

Total GDP (current prices)

The revised figures provided by the statistical service are

Per Capita GDP (current prices) Total GDP (current prices 2015 20.931 euro 17.742,0 million euro

2016 21.282 euro 18.122,5 million euro

France

Q001 (2016): Source: INSEE, estimation of population

Q003 (General Comment): Source: INSEE, national accounts

Q003 (2016): Source: INSEE, national accounts

Germany

Q1 (2014): The data for 2013 and 2014 is the same reference. Because no significant difference has been expected for the year 2014, 2013 data is provided in the frame of the present evaluation.

Q1 (2012): The information refers to the number of inhabitants on 31 December 2012 determined on the basis of the 2011 census.

Q003 (2016): The circumstances have changed since the last campaign.

Q3 (2014): The data for 2013 and 2014 is the same reference. Because no significant difference has been expected for the year 2014, 2013 data is provided in the frame of the present evaluation.

Greece

Q003 (2016): Data are available only up to 2015

Hungary

Q005 (2016): Source: Magyar Nemzeti Bank (Hungarian National Bank) exchange rate of 02. January 2017

<https://www.mnb.hu/arfolyam->

[tablaza?deviza=rbCurrencyActual&devizaSelected=EUR&datefrom=2017.01.01.&datetill=2017.01.02.&order=1](https://www.mnb.hu/arfolyam-tablaza?deviza=rbCurrencyActual&devizaSelected=EUR&datefrom=2017.01.01.&datetill=2017.01.02.&order=1)

Ireland

Q003 (General Comment): Taken from the National Income and Expenditure Annual Results 2016.

Q3 (2015): The 2015 GDP figure was considerable higher compared to other years and at the time of release attracted a lot of media attention and continues to do so.

Latvia

Q001 (2016): On 2016 1st January - 1 968 957

On 2017 1st January - 1 950 116

Lithuania

Q005 (2016): Lithuania is in an Euro zone.

Netherlands

Q001 (2016): 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. Compared to previous questionnaires (before 2014) these figures have been adjusted according to new rules of the European system of national accounts (illegal activities are now included)

Q003 (2016): The per capita GDP is calculated by dividing total GDP by the average population ($=\frac{\text{population on jan 1st current year} + \text{population on jan 1st next year}}{2}$). Note: the explanatory notes say anything on how to calculate per capita GDP.

Romania

Q001 (2016): Provisional data which will be completed when the National Institute of Statistics will finalize population data

Q003 (2016): Provisional data

Q3 (2014): For the 2012 and 2014 evaluations, was used the resident population on 1 July of each year, estimated in terms of comparability with the final results of the Population and Housing Census – 2011.

Q3 (2012): For the 2012 and 2014 evaluations, was used the resident population on 1 July of each year, estimated in terms of comparability with the final results of the Population and Housing Census – 2011.

Sweden

Q3 (2010): With regard to the 2010 exercise, it should be mentioned that in 2008 the exchange course for 1 Euro was 10,8405 Swedish crowns and in 2010 it was 8,95 Swedish crowns. This explains the increase of the total annual public expenditure by 24,3%. The calculation of the GDP per capita in Swedish crowns reveals an increase by 2,59 %.

Table 1.1.1 Approved budget of the judicial system (budget allocated to courts, legal aid and public prosecution) in 2016, in € (Q1, Q6, Q7, Q12, Q13)

States	Total annual approved budget allocated to				Total annual approved public budget allocated to	
	€ Courts*	(2) Legal aid	(3) Public prosecution system	Judicial system** (1) + (2) + (3)	Courts* per capita	Judicial system** per capita
Austria	NA	19 500 000 €	NA	937 499 939 €	NA	107,3 €
Belgium	NA	78 826 000 €	NA	897 935 000 €	NA	79,3 €
Bulgaria	154 970 220 €	4 202 804 €	103 474 815 €	262 647 839 €	21,8 €	37,0 €
Croatia	166 408 056 €	10 810 000 €	45 315 977 €	222 534 033 €	40,1 €	53,6 €
Cyprus	28 107 307 €	2 076 200 €	21 953 972 €	52 137 479 €	33,1 €	61,5 €
Czech Republic	411 012 953 €	NA	93 217 029 €	504 229 982 €	38,9 €	47,7 €
Denmark	242 289 742 €	NA	99 406 787 €	341 696 529 €	42,1 €	59,4 €
Estonia	41 340 192 €	3 835 000 €	11 533 359 €	56 708 551 €	31,4 €	43,1 €
Finland	285 425 000 €	89 400 000 €	46 243 000 €	421 068 000 €	51,9 €	76,5 €
France	3 238 063 225 €	400 832 233 €	809 515 806 €	4 448 411 264 €	49,9 €	68,6 €
Germany	NA	690 047 549 €	NA	NA	NA	NA
Greece	NA	10 321 925 €	NA	445 529 139 €	NA	41,3 €
Hungary	299 893 343 €	804 784 €	128 900 776 €	429 598 903 €	30,6 €	43,8 €
Ireland	113 172 000 €	82 390 000 €	38 886 000 €	234 448 000 €	24,2 €	50,2 €
Italy	2 971 094 830 €	NA	1 400 480 991 €	4 544 426 956 €	49,0 €	75,0 €
Latvia	53 365 154 €	2 514 338 €	22 557 706 €	78 437 198 €	27,1 €	39,8 €
Lithuania	74 237 182 €	5 500 227 €	34 962 778 €	114 700 187 €	26,1 €	40,3 €
Luxembourg	NAP	4 000 000 €	NAP	92 895 711 €	NAP	157,3 €
Malta	13 879 800 €	100 000 €	2 200 000 €	16 179 800 €	31,5 €	36,7 €
Netherlands	1 046 578 000 €	440 400 000 €	549 596 000 €	2 036 574 000 €	61,3 €	119,2 €
Poland	1 445 686 000 €	65 738 000 €	480 141 000 €	1 991 565 000 €	37,6 €	51,8 €
Portugal	441 024 845 €	31 816 000 €	110 412 452 €	583 253 297 €	42,8 €	56,6 €
Romania	392 582 194 €	10 306 534 €	194 760 300 €	597 649 028 €	20,0 €	30,4 €
Slovakia	187 347 666 €	NA	83 121 003 €	270 468 669 €	34,5 €	49,8 €
Slovenia	162 731 138 €	3 200 000 €	19 383 835 €	185 314 973 €	78,8 €	89,7 €
Spain	3 145 396 555 €	260 079 600 €	272 791 497 €	3 678 267 652 €	67,6 €	79,1 €
Sweden	NA	332 168 392 €	156 090 472 €	NA	NA	NA
Average	710 219 305 €	110 820 417 €	214 770 253 €	937 767 085 €	40,0 €	63,8 €
Median	242 289 742 €	10 810 000 €	96 311 908 €	421 068 000 €	37,6 €	53,6 €
Minimum	13 879 800 €	100 000 €	2 200 000 €	16 179 800 €	20,0 €	30,4 €
Maximum	3 238 063 225 €	690 047 549 €	1 400 480 991 €	4 544 426 956 €	78,8 €	157,3 €
Nb of values	27	27	27	27	27	27
% of NA	19%	15%	15%	7%	19%	7%
% of NAP	4%	0%	4%	0%	4%	0%

* The budget of courts excludes legal aid and public prosecution services.

** The budget of judicial systems is the sum of the budget allocated to courts, legal aid and public prosecution services.

Czech Republic, Denmark, Romania and Slovakia: The calculation of the budget of the judicial system is a sum of budget of courts and budget of prosecution system since the court budget already includes the Legal Aid

Austria, Belgium, Greece and Luxembourg can not separate the budget of courts from budget of prosecution system and calculation of the judicial system budget is based on question 7 on

Italy: The regional administrative courts, regional audit commissions, local tax commissions and military courts are not taken into consideration

Table 1.1.1i Implemented budget of the judicial system (budget allocated to courts, legal aid and public prosecution) in 2016, in € (Q1, Q6, Q7, Q12-1, Q13)

States	Total annual implemented budget allocated to				Total annual implemented public budget allocated to	
	€ Courts*	(2) Legal aid	(3) Public prosecution system	Judicial system** (1) + (2) + (3)	Courts* per capita	Judicial system** per capita
Austria	NA	19 700 000 €	NA	1 033 578 643 €	NA	118,3 €
Belgium	NA	82 832 590 €	NA	958 677 420 €	NA	84,7 €
Bulgaria	150 207 650 €	4 197 520 €	102 876 460 €	257 281 630 €	21,2 €	36,2 €
Croatia	165 459 629 €	10 809 907 €	45 263 844 €	221 533 380 €	39,8 €	53,3 €
Cyprus	24 232 459 €	1 907 617 €	36 139 641 €	62 279 717 €	28,6 €	73,4 €
Czech Republic	430 378 322 €	21 135 536 €	107 167 590 €	558 681 448 €	40,7 €	52,8 €
Denmark	243 066 115 €	NA	110 435 917 €	353 502 032 €	42,3 €	61,5 €
Estonia	40 318 426 €	3 835 000 €	11 322 578 €	55 476 004 €	30,6 €	42,2 €
Finland	273 337 188 €	89 400 000 €	46 243 000 €	408 980 188 €	49,7 €	74,3 €
France	3 228 642 019 €	312 268 327 €	807 160 505 €	4 348 070 851 €	49,8 €	67,0 €
Germany	NA	663 094 352 €	NA	NA	NA	NA
Greece	NA	6 120 564 €	NA	450 328 632 €	NA	41,8 €
Hungary	351 868 612 €	1 140 272 €	133 882 353 €	486 891 237 €	35,9 €	49,7 €
Ireland	112 365 000 €	91 666 000 €	38 626 000 €	242 657 000 €	24,0 €	51,9 €
Italy	2 866 753 985 €	233 477 724 €	1 367 145 490 €	4 467 377 199 €	47,3 €	73,7 €
Latvia	52 936 937 €	2 035 197 €	22 533 408 €	77 505 542 €	26,9 €	39,4 €
Lithuania	71 082 338 €	5 494 755 €	34 948 538 €	111 525 631 €	25,0 €	39,2 €
Luxembourg	NAP	NA	NAP	NA	NAP	NA
Malta	13 828 990 €	161 662 €	2 340 000 €	16 330 652 €	31,4 €	37,1 €
Netherlands	1 139 346 000 €	468 300 000 €	598 708 000 €	2 206 354 000 €	66,7 €	129,2 €
Poland	1 428 927 000 €	27 427 000 €	478 772 000 €	1 935 126 000 €	37,2 €	50,4 €
Portugal	NA	60 335 899 €	126 441 757 €	NA	NA	NA
Romania	389 594 829 €	10 173 620 €	192 213 562 €	591 982 011 €	19,8 €	30,1 €
Slovakia	212 482 178 €	NA	95 238 564 €	307 720 742 €	39,1 €	56,6 €
Slovenia	161 139 870 €	3 091 043 €	19 351 893 €	183 582 806 €	78,0 €	88,9 €
Spain	NA	262 316 223 €	NA	NA	NA	NA
Sweden	682 093 650 €	361 941 952 €	150 418 994 €	1 194 454 596 €	68,2 €	119,5 €
Average	601 903 060 €	114 285 948 €	215 582 385 €	892 604 233 €	40,1 €	64,0 €
Median	227 774 147 €	20 417 768 €	102 876 460 €	408 980 188 €	38,1 €	53,3 €
Minimum	13 828 990 €	161 662 €	2 340 000 €	16 330 652 €	19,8 €	30,1 €
Maximum	3 228 642 019 €	663 094 352 €	1 367 145 490 €	4 467 377 199 €	78,0 €	129,2 €
Nb of values	27	27	27	27	27	27
% of NA	22%	11%	19%	15%	22%	15%
% of NAP	4%	0%	4%	0%	4%	0%

* The budget of courts excludes legal aid and public prosecution services.

** The budget of judicial systems is the sum of the budget allocated to courts, legal aid and public prosecution services.

Czech Republic, Denmark, Romania and Slovakia: The calculation of the budget of the judicial system is a sum of budget of courts and budget of prosecution system since the court budget already includes the Legal Aid

Austria, Belgium, Greece and Luxembourg can not separate the budget of courts from budget of prosecution system and calculation of the judicial system budget is based on question 7 on

Italy: The regional administrative courts, regional audit commissions, local tax commissions and military courts are not taken into consideration

Sweden: The increase of the legal aid budget this cycle is because of legal aid for cases involving aliens.

Table 1.1.2 Approved public budget of the judicial system (budget allocated to courts, legal aid and public prosecution) in 2015, in € (Q1, Q6, Q7, Q12, Q13)

States	Total annual approved budget allocated to				Total annual approved public budget allocated to	
	€ Courts*	(2) Legal aid	(3) Public prosecution system	Judicial system** (1) + (2) + (3)	Courts* per capita	Judicial system** per capita
Austria	NA	19 000 000 €	NA	829 507 000 €	NA	95,3 €
Belgium	NA	77 891 000 €	NA	963 946 000 €	NA	85,5 €
Bulgaria	137 642 507 €	4 785 010 €	95 590 817 €	238 018 334 €	19,2 €	33,3 €
Croatia	164 695 034 €	11 529 667 €	40 018 315 €	216 243 016 €	39,3 €	51,6 €
Cyprus	26 616 189 €	NA	18 562 103 €	NA	31,4 €	NA
Czech Republic	366 091 233 €	NA	93 199 782 €	NA	34,7 €	NA
Denmark	242 248 763 €	NA	99 140 896 €	NA	42,4 €	NA
Estonia	40 621 755 €	3 838 326 €	11 042 407 €	55 502 488 €	30,9 €	42,2 €
Finland	266 049 000 €	77 700 000 €	43 800 000 €	387 549 000 €	48,5 €	70,6 €
France	3 097 049 120 €	389 200 710 €	774 262 280 €	4 260 512 110 €	46,5 €	63,9 €
Germany	NA	673 149 670 €	NA	NA	NA	NA
Greece	NA	12 010 629 €	NA	427 689 615 €	NA	39,4 €
Hungary	286 826 137 €	788 773 €	126 336 480 €	413 951 390 €	29,2 €	42,1 €
Ireland	107 965 000 €	79 971 000 €	37 834 000 €	225 770 000 €	23,1 €	48,4 €
Italy	3 084 813 712 €	NA	1 582 477 640 €	NA	50,8 €	NA
Latvia	53 110 804 €	1 863 989 €	22 491 558 €	77 466 351 €	27,0 €	39,3 €
Lithuania	71 697 851 €	5 925 285 €	28 810 734 €	106 433 870 €	24,8 €	36,8 €
Luxembourg	NA	3 500 000 €	NA	84 178 350 €	NA	149,5 €
Malta	13 575 554 €	51 000 €	2 116 000 €	15 742 554 €	31,3 €	36,2 €
Netherlands	1 087 375 000 €	417 100 000 €	525 593 000 €	2 030 068 000 €	64,0 €	119,6 €
Poland	-	-	-	-	-	-
Portugal	418 190 844 €	35 466 326 €	96 054 391 €	549 711 561 €	40,4 €	53,2 €
Romania	469 843 530 €	8 877 666 €	228 155 155 €	706 876 351 €	23,8 €	35,8 €
Slovakia	160 877 873 €	NA	76 888 494 €	NA	29,6 €	NA
Slovenia	157 386 726 €	3 043 999 €	18 276 528 €	178 707 253 €	76,2 €	86,6 €
Spain	2 966 652 534 €	254 818 057 €	266 685 555 €	3 488 156 146 €	63,9 €	75,1 €
Sweden	NA	268 378 957 €	151 769 003 €	NA	NA	NA
Average	660 966 458 €	111 851 908 €	206 624 054 €	802 948 915 €	38,9 €	63,4 €
Median	203 471 899 €	12 010 629 €	93 199 782 €	387 549 000 €	33,0 €	51,6 €
Minimum	13 575 554 €	51 000 €	2 116 000 €	15 742 554 €	19,2 €	33,3 €
Maximum	3 097 049 120 €	673 149 670 €	1 582 477 640 €	4 260 512 110 €	76,2 €	149,5 €
Nb of values	26	26	26	26	26	26
% of NA	23%	19%	19%	27%	23%	27%
% of NAP	0%	0%	0%	0%	0%	0%

* The budget of courts excludes legal aid and public prosecution services.

** The budget of judicial systems is the sum of the budget allocated to courts, legal aid and public prosecution services.

Czech Republic, Denmark and Slovakia: The calculation of the budget of the judicial system is a sum of budget of courts and budget of prosecution system since the court budget already includes the Legal Aid

Germany: No information available for some Länder. Accordingly, the information provided here is incomplete. All data concerning the budget should be construed in the light of the federal State structure of Germany. Accordingly, variations for which no particular explanation has been notified are often due to the fact that for the different evaluation cycles a different number of Länder provided a reply. Owing to this peculiarity, the information remains most of the time incomplete. Figures include the federal budget as well as the budgets indicated by the respondent Länder.

Italy: Administrative justice is not taken into account concerning the budget in the above table

Table 1.1.2i Implemented budget of the judicial system (budget allocated to courts, legal aid and public prosecution) in 2015, in € (Q1, Q6, Q7, Q12-1, Q13)

States	Total annual implemented budget allocated to				Total annual implemented public budget allocated to	
	☞ Courts*	(2) Legal aid	(3) Public prosecution system	Judicial system** (1) + (2) + (3)	Courts* per capita	Judicial system** per capita
Austria	NA	20 800 000 €	NA	937 341 686 €	NA	107,7 €
Belgium	NA	81 734 000 €	NA	1 005 882 923 €	NA	89,3 €
Bulgaria	136 945 724 €	4 660 132 €	94 966 603 €	236 572 459 €	19,1 €	33,1 €
Croatia	162 814 137 €	11 529 654 €	39 923 058 €	214 266 849 €	38,9 €	51,1 €
Cyprus	24 546 841 €	NA	NA	NA	28,9 €	NA
Czech Republic	432 824 571 €	20 622 005 €	107 147 762 €	560 594 338 €	41,0 €	53,1 €
Denmark	241 823 481 €	NA	101 749 306 €	NA	42,4 €	NA
Estonia	39 758 114 €	3 838 326 €	10 761 496 €	54 357 936 €	30,2 €	41,3 €
Finland	273 705 900 €	77 700 000 €	42 200 000 €	393 605 900 €	49,9 €	71,7 €
France	3 114 361 892 €	319 155 587 €	778 590 473 €	4 212 107 952 €	46,7 €	63,2 €
Germany	NA	711 636 303 €	NA	NA	NA	NA
Greece	NA	6 788 015 €	NA	452 072 343 €	NA	41,6 €
Hungary	295 148 802 €	NA	NA	NA	30,0 €	NA
Ireland	107 204 000 €	87 308 145 €	37 622 987 €	232 135 132 €	23,0 €	49,8 €
Italy	2 987 748 544 €	172 851 135 €	1 549 305 236 €	4 709 904 915 €	49,2 €	77,6 €
Latvia	52 685 854 €	1 691 382 €	22 478 776 €	76 856 012 €	26,8 €	39,0 €
Lithuania	67 860 535 €	5 917 807 €	28 810 734 €	102 589 076 €	23,5 €	35,5 €
Luxembourg	NA	NA	NA	NA	NA	NA
Malta	13 677 789 €	51 000 €	2 350 041 €	16 078 830 €	31,5 €	37,0 €
Netherlands	1 038 694 000 €	403 110 000 €	607 219 000 €	2 049 023 000 €	61,2 €	120,7 €
Poland	-	-	-	-	-	-
Portugal	NA	59 549 714 €	121 925 994 €	NA	NA	NA
Romania	466 267 785 €	8 824 399 €	225 564 926 €	700 657 110 €	23,6 €	35,5 €
Slovakia	187 420 014 €	NA	83 902 472 €	NA	34,5 €	NA
Slovenia	160 883 575 €	3 184 217 €	18 134 349 €	182 202 141 €	77,9 €	88,3 €
Spain	NA	NA	NA	NA	NA	NA
Sweden	686 514 080 €	276 604 518 €	147 410 202 €	1 110 528 800 €	69,7 €	112,7 €
Average	552 151 876 €	113 877 817 €	223 336 856 €	958 154 300 €	39,4 €	63,8 €
Median	187 420 014 €	20 711 003 €	89 434 538 €	422 839 122 €	34,5 €	52,1 €
Minimum	13 677 789 €	51 000 €	2 350 041 €	16 078 830 €	19,1 €	33,1 €
Maximum	3 114 361 892 €	711 636 303 €	1 549 305 236 €	4 709 904 915 €	77,9 €	120,7 €
Nb of values	26	26	26	26	26	26
% of NA	27%	23%	31%	31%	27%	31%
% of NAP	0%	0%	0%	0%	0%	0%

* The budget of courts excludes legal aid and public prosecution services.

** The budget of judicial systems is the sum of the budget allocated to courts, legal aid and public prosecution services.

Czech Republic, Denmark and Slovakia: The calculation of the budget of the judicial system is a sum of budget of courts and budget of prosecution system since the court budget already includes the Legal Aid

Germany: No information available for some Länder. Accordingly, the information provided here is incomplete. All data concerning the budget should be construed in the light of the federal State structure of Germany. Accordingly, variations for which no particular explanation has been notified are often due to the fact that for the different evaluation cycles a different number of Länder provided a reply. Owing to this peculiarity, the information remains most of the time incomplete. Figures include the federal budget as well as the budgets indicated by the respondent Länder

Italy: Administrative justice is not taken into account concerning the budget in the above table

Table 1.1.3 Approved budget of the judicial system (budget allocated to courts, legal aid and public prosecution) in 2014, in € (Q1, Q6, Q7, Q12, Q13)

States	Total annual approved budget allocated to				Total annual approved public budget allocated to	
	€ Courts*	(2) Legal aid	(3) Public prosecution system	Judicial system** (1) + (2) + (3)	Courts* per capita	Judicial system** per capita
Austria	NA	19 000 000 €	NA	823 053 000 €	NA	95,9 €
Belgium	NA	84 628 000 €	NA	958 368 000 €	NA	85,5 €
Bulgaria	136 407 333 €	4 306 647 €	93 698 490 €	234 412 470 €	18,9 €	32,5 €
Croatia	163 302 114 €	11 464 658 €	40 820 393 €	215 587 165 €	38,6 €	51,0 €
Cyprus	26 287 423 €	NA	15 798 704 €	NA	30,6 €	NA
Czech Republic	345 730 027 €	NA	85 213 339 €	NA	32,8 €	NA
Denmark	240 945 242 €	NA	97 116 986 €	NA	42,6 €	NA
Estonia	38 589 501 €	3 835 000 €	10 627 825 €	53 052 326 €	29,4 €	40,4 €
Finland	277 295 000 €	65 276 000 €	46 223 000 €	388 794 000 €	50,7 €	71,1 €
France	3 123 051 554 €	345 406 000 €	780 762 888 €	4 249 220 442 €	47,1 €	64,1 €
Germany	NA	686 978 779 €	NA	NA	NA	NA
Greece	NA	10 225 994 €	NA	475 976 539 €	NA	43,9 €
Hungary	283 479 317 €	570 980 €	119 744 000 €	403 794 297 €	28,8 €	41,0 €
Ireland	104 565 000 €	80 126 000 €	37 813 000 €	222 504 000 €	22,6 €	48,1 €
Italy	2 945 513 378 €	NA	1 460 367 057 €	NA	48,4 €	NA
Latvia	51 305 248 €	1 650 291 €	21 771 366 €	74 726 905 €	25,6 €	37,3 €
Lithuania	62 969 474 €	5 900 767 €	28 563 485 €	97 433 726 €	21,6 €	33,4 €
Luxembourg	NA	3 000 000 €	NA	78 492 650 €	NA	139,4 €
Malta	13 115 766 €	70 000 €	1 900 000 €	15 085 766 €	30,5 €	35,1 €
Netherlands	1 068 474 000 €	430 000 000 €	568 734 000 €	2 067 208 000 €	63,2 €	122,3 €
Poland	1 405 850 000 €	25 029 000 €	437 424 395 €	1 868 303 395 €	36,5 €	48,5 €
Portugal	414 114 841 €	33 403 315 €	88 786 150 €	536 304 306 €	39,9 €	51,7 €
Romania	533 090 063 €	9 518 975 €	238 801 232 €	781 410 270 €	23,9 €	35,1 €
Slovakia	151 291 595 €	NA	70 099 751 €	NA	27,9 €	NA
Slovenia	164 850 383 €	3 414 646 €	16 730 967 €	184 995 996 €	80,0 €	89,8 €
Spain	3 050 594 663 €	237 581 907 €	270 480 209 €	3 558 656 779 €	65,7 €	76,6 €
Sweden	NA	244 442 713 €	138 456 474 €	NA	NA	NA
Average	695 277 234 €	104 810 440 €	212 269 714 €	864 369 002 €	38,4 €	62,1 €
Median	240 945 242 €	15 232 329 €	86 999 745 €	396 294 149 €	32,8 €	49,8 €
Minimum	13 115 766 €	70 000 €	1 900 000 €	15 085 766 €	18,9 €	32,5 €
Maximum	3 123 051 554 €	686 978 779 €	1 460 367 057 €	4 249 220 442 €	80,0 €	139,4 €
Nb of values	27	27	27	27	27	27
% of NA	22%	19%	19%	26%	22%	26%
% of NAP	0%	0%	0%	0%	0%	0%

* The budget of courts excludes legal aid and public prosecution services.

** The budget of judicial systems is the sum of the budget allocated to courts, legal aid and public prosecution services.

Czech Republic, Denmark and Slovakia: The calculation of the budget of the judicial system is a sum of budget of courts and budget of prosecution system since the court budget already incl

Italy: Administrative justice is not taken into account concerning the budget in the above table

Table 1.1.3i Implemented budget of the judicial system (budget allocated to courts, legal aid and public prosecution) in 2014, in € (Q1, Q6, Q7, Q12-1, Q13)

States	Total annual implemented budget allocated to				Total annual implemented public budget allocated to	
	☞ Courts*	(2) Legal aid	(3) Public prosecution system	Judicial system** (1) + (2) + (3)	Courts* per capita	Judicial system** per capita
Austria	NA	21 070 101 €	NA	NA	NA	NA
Belgium	NA	91 998 158 €	NA	965 705 158 €	NA	86,2 €
Bulgaria	135 443 721 €	4 796 175 €	93 356 800 €	233 596 696 €	18,8 €	32,4 €
Croatia	162 524 318 €	10 939 335 €	40 782 068 €	214 245 721 €	38,5 €	50,7 €
Cyprus	24 843 386 €	895 700 €	NA	NA	29,0 €	NA
Czech Republic	364 825 574 €	20 433 489 €	85 249 102 €	470 508 165 €	34,7 €	44,7 €
Denmark	245 688 859 €	NA	115 870 009 €	NA	43,4 €	NA
Estonia	37 893 295 €	3 989 764 €	9 774 016 €	51 657 075 €	28,9 €	39,3 €
Finland	269 771 805 €	65 276 000 €	46 223 000 €	381 270 805 €	49,3 €	69,7 €
France	3 173 252 685 €	364 191 674 €	793 313 171 €	4 330 757 530 €	47,8 €	65,3 €
Germany	NA	647 401 631 €	NA	NA	NA	NA
Greece	NA	7 348 223 €	NA	505 518 753 €	NA	46,6 €
Hungary	271 123 933 €	970 353 €	117 130 667 €	389 224 953 €	27,5 €	39,5 €
Ireland	105 399 000 €	85 346 304 €	37 675 000 €	228 420 304 €	22,8 €	49,4 €
Italy	2 845 480 557 €	143 915 571 €	1 428 912 997 €	4 418 309 125 €	46,8 €	72,7 €
Latvia	51 050 079 €	1 159 625 €	21 393 412 €	73 603 116 €	25,5 €	36,8 €
Lithuania	61 787 585 €	5 883 027 €	28 622 712 €	96 293 324 €	21,2 €	33,0 €
Luxembourg	NA	NA	NA	NA	NA	NA
Malta	NA	70 000 €	NA	NA	NA	NA
Netherlands	1 053 417 000 €	455 000 000 €	586 562 000 €	2 094 979 000 €	62,3 €	123,9 €
Poland	1 397 725 000 €	23 328 000 €	441 872 463 €	1 862 925 463 €	36,3 €	48,4 €
Portugal	NA	68 342 718 €	114 412 314 €	NA	NA	NA
Romania	530 035 828 €	9 511 348 €	236 693 083 €	776 240 259 €	23,8 €	34,8 €
Slovakia	165 291 143 €	NA	83 601 297 €	NA	30,5 €	NA
Slovenia	166 508 710 €	3 492 487 €	17 244 379 €	187 245 576 €	80,8 €	90,8 €
Spain	NA	NA	NA	NA	NA	NA
Sweden	609 190 589 €	257 883 019 €	138 875 248 €	1 005 948 856 €	62,5 €	103,2 €
Average	614 276 477 €	99 706 204 €	233 555 986 €	1 015 913 882 €	38,4 €	59,3 €
Median	245 688 859 €	20 433 489 €	93 356 800 €	429 866 559 €	34,7 €	48,9 €
Minimum	24 843 386 €	70 000 €	9 774 016 €	51 657 075 €	18,8 €	32,4 €
Maximum	3 173 252 685 €	647 401 631 €	1 428 912 997 €	4 418 309 125 €	80,8 €	123,9 €
Nb of values	27	27	27	27	27	27
% of NA	30%	15%	30%	33%	30%	33%
% of NAP	0%	0%	0%	0%	0%	0%

* The budget of courts excludes legal aid and public prosecution services.

** The budget of judicial systems is the sum of the budget allocated to courts, legal aid and public prosecution services.

Czech Republic, Denmark and Slovakia: The calculation of the budget of the judicial system is a sum of budget of courts and budget of prosecution system since the court budget already include

Italy: Administrative justice is not taken into account concerning the budget in the above table

Table 1.1.4 Approved budget of the judicial system (budget allocated to courts, legal aid and public prosecution) in 2013, in € (Q1, Q6, Q7, Q12, Q13)

States	Total annual approved budget allocated to				Total annual approved public budget allocated to	
	€ Courts*	(2) Legal aid	(3) Public prosecution system	Judicial system** (1) + (2) + (3)	Courts* per capita	Judicial system** per capita
Austria	NA	19 000 000 €	NA	836 500 000 €	NA	98,6 €
Belgium	NA	85 241 000 €	NA	1 053 259 000 €	NA	94,5 €
Bulgaria	129 931 055 €	4 588 828 €	83 191 279 €	217 711 162 €	17,9 €	30,0 €
Croatia	182 292 546 €	6 694 673 €	40 667 128 €	229 654 347 €	42,9 €	54,1 €
Cyprus	27 375 949 €	1 098 226 €	16 600 696 €	45 074 871 €	31,9 €	52,5 €
Czech Republic	355 754 925 €	20 805 554 €	83 826 142 €	460 386 621 €	33,8 €	43,8 €
Denmark	241 147 979 €	NA	94 400 000 €	335 547 979 €	42,9 €	59,7 €
Estonia	33 212 717 €	3 835 000 €	9 798 246 €	46 845 963 €	25,2 €	35,6 €
Finland	250 978 604 €	71 208 000 €	45 947 000 €	368 133 604 €	46,0 €	67,5 €
France	2 970 817 971 €	369 270 787 €	742 704 493 €	4 082 793 251 €	45,1 €	62,0 €
Germany	7 943 572 314 €	345 878 597 €	510 067 405 €	8 799 518 316 €	98,3 €	108,9 €
Greece	NA	7 970 370 €	NA	NA	NA	NA
Hungary	299 097 315 €	612 980 €	128 848 473 €	428 558 768 €	30,3 €	43,4 €
Ireland	107 959 000 €	84 623 000 €	38 389 000 €	230 971 000 €	23,5 €	50,2 €
Italy	2 935 413 547 €	160 755 405 €	1 302 805 287 €	4 398 974 239 €	49,2 €	73,7 €
Latvia	48 157 273 €	962 294 €	20 498 625 €	69 618 192 €	23,8 €	34,4 €
Lithuania	53 120 077 €	4 561 226 €	25 428 485 €	83 109 788 €	18,0 €	28,2 €
Luxembourg	NA	3 000 000 €	NA	81 492 650 €	NA	148,2 €
Malta	12 278 300 €	49 500 €	1 757 000 €	14 084 800 €	28,9 €	33,1 €
Netherlands	1 039 027 000 €	498 200 000 €	627 057 000 €	2 164 284 000 €	61,7 €	128,6 €
Poland	-	-	-	-	-	-
Portugal	442 879 701 €	42 241 300 €	96 640 967 €	581 761 968 €	42,5 €	55,8 €
Romania	377 801 754 €	8 739 157 €	169 122 126 €	555 663 037 €	18,9 €	27,9 €
Slovakia	156 488 854 €	1 687 629 €	65 324 149 €	223 500 632 €	28,9 €	41,3 €
Slovenia	161 730 711 €	4 059 128 €	17 086 402 €	182 876 241 €	78,5 €	88,7 €
Spain	-	-	-	-	-	-
Sweden	640 850 593 €	255 679 979 €	142 719 691 €	1 039 250 263 €	66,4 €	107,8 €
Average	876 661 342 €	83 365 110 €	202 994 266 €	1 105 398 779 €	40,7 €	65,4 €
Median	241 147 979 €	8 354 764 €	83 191 279 €	351 840 792 €	33,8 €	54,9 €
Minimum	12 278 300 €	49 500 €	1 757 000 €	14 084 800 €	17,9 €	27,9 €
Maximum	7 943 572 314 €	498 200 000 €	1 302 805 287 €	8 799 518 316 €	98,3 €	148,2 €
Nb of values	25	25	25	25	25	25
% of NA	16%	4%	16%	4%	16%	4%
% of NAP	0%	0%	0%	0%	0%	0%

* The budget of courts excludes legal aid and public prosecution services.

** The budget of judicial systems is the sum of the budget allocated to courts, legal aid and public prosecution services.

Czech Republic, Denmark and Slovakia: The calculation of the budget of the judicial system is a sum of budget of courts and budget of prosecution system since the court budget already in

Italy: Administrative justice is not taken into account concerning the budget in the above table

Table 1.1.5 Approved budget of the judicial system (budget allocated to courts, legal aid and public prosecution) in 2012, in € (Q1, Q6, Q7, Q12, Q13)

States	Total annual approved budget allocated to				Total annual approved public budget allocated to	
	€ Courts*	(2) Legal aid	(3) Public prosecution system	Judicial system** (1) + (2) + (3)	Courts* per capita	Judicial system** per capita
Austria	NA	19 000 000 €	NA	770 790 000 €	NA	91,2 €
Belgium	NA	87 024 000 €	NA	998 125 000 €	NA	89,4 €
Bulgaria	124 911 954 €	3 579 030 €	81 248 370 €	209 739 354 €	17,1 €	28,8 €
Croatia	156 601 458 €	8 071 016 €	42 040 323 €	206 712 797 €	36,7 €	48,5 €
Cyprus	30 611 480 €	1 526 738 €	17 971 759 €	50 109 977 €	35,4 €	57,9 €
Czech Republic	370 751 152 €	24 142 835 €	84 706 722 €	479 600 709 €	35,3 €	45,6 €
Denmark	243 294 736 €	83 643 048 €	94 400 000 €	421 337 784 €	43,4 €	75,2 €
Estonia	29 728 350 €	3 835 000 €	9 256 322 €	42 819 672 €	23,1 €	33,3 €
Finland	249 704 356 €	67 697 000 €	45 312 000 €	362 713 356 €	46,0 €	66,8 €
France	2 917 700 110 €	367 180 000 €	729 425 027 €	4 014 305 137 €	44,5 €	61,2 €
Germany	8 302 304 846 €	344 535 431 €	523 346 503 €	9 170 186 780 €	103,5 €	114,3 €
Greece	NA	8 300 000 €	NA	450 970 924 €	NA	40,8 €
Hungary	325 687 695 €	907 974 €	125 851 993 €	452 447 662 €	32,9 €	45,7 €
Ireland	107 090 000 €	83 159 000 €	40 528 000 €	230 777 000 €	23,3 €	50,3 €
Italy	2 986 521 397 €	153 454 322 €	1 435 025 477 €	4 575 001 196 €	50,0 €	76,7 €
Latvia	44 494 921 €	962 294 €	20 495 958 €	65 953 173 €	21,8 €	32,3 €
Lithuania	53 138 612 €	4 543 826 €	26 101 135 €	83 783 573 €	17,7 €	27,9 €
Luxembourg	NA	3 500 000 €	NA	79 964 334 €	NA	152,3 €
Malta	11 527 427 €	49 500 €	1 828 559 €	13 405 486 €	27,4 €	31,8 €
Netherlands	1 068 773 500 €	495 300 000 €	636 924 000 €	2 200 997 500 €	63,7 €	131,2 €
Poland	1 379 338 000 €	24 107 000 €	424 128 567 €	1 827 573 567 €	35,8 €	47,4 €
Portugal	476 924 836 €	55 184 100 €	97 551 326 €	629 660 262 €	45,5 €	60,0 €
Romania	324 611 610 €	7 958 050 €	148 321 292 €	480 890 952 €	15,2 €	22,6 €
Slovakia	152 715 786 €	1 771 287 €	60 309 536 €	214 796 609 €	28,2 €	39,7 €
Slovenia	160 526 569 €	5 514 089 €	17 655 253 €	183 695 911 €	78,0 €	89,2 €
Spain	3 258 327 418 €	253 034 641 €	211 352 960 €	3 722 715 019 €	70,8 €	80,9 €
Sweden	637 246 965 €	236 399 146 €	144 485 809 €	1 018 131 920 €	66,7 €	106,5 €
Average	1 017 936 225 €	86 828 864 €	218 185 517 €	1 220 637 246 €	41,8 €	64,7 €
Median	249 704 356 €	19 000 000 €	84 706 722 €	450 970 924 €	35,8 €	57,9 €
Minimum	11 527 427 €	49 500 €	1 828 559 €	13 405 486 €	15,2 €	22,6 €
Maximum	8 302 304 846 €	495 300 000 €	1 435 025 477 €	9 170 186 780 €	103,5 €	152,3 €
Nb of values	27	27	27	27	27	27
% of NA	15%	0%	15%	0%	15%	0%
% of NAP	0%	0%	0%	0%	0%	0%

* The budget of courts excludes legal aid and public prosecution services.

** The budget of judicial systems is the sum of the budget allocated to courts, legal aid and public prosecution services.

Czech Republic, Denmark and Slovakia: The calculation of the budget of the judicial system is a sum of budget of courts and budget of prosecution system since the court budget already inc

Italy: Administrative justice is not taken into account concerning the budget in the above table

Table 1.1.6 Approved budget of the judicial system (budget allocated to courts, legal aid and public prosecution) in 2010, in € (Q1, Q6, Q7, Q12, Q13)

States	Total annual approved budget allocated to				Total annual approved public budget allocated to	
	€ Courts*	(2) Legal aid	(3) Public prosecution system	Judicial system** (1) + (2) + (3)	Courts* per capita	Judicial system** per capita
Austria	NA	18 400 000 €	NA	709 980 000 €	NA	84,6 €
Belgium	NA	75 326 000 €	NA	934 837 000 €	NA	86,2 €
Bulgaria	112 211 184 €	3 867 730 €	79 203 203 €	195 282 117 €	15,2 €	26,5 €
Croatia	211 304 301 €	11 160 557 €	41 296 176 €	263 761 034 €	47,9 €	59,8 €
Cyprus	33 546 827 €	NA	15 964 412 €	NA	41,7 €	NA
Czech Republic	346 497 809 €	28 361 213 €	83 446 289 €	458 305 311 €	32,9 €	43,6 €
Denmark	216 795 693 €	87 896 311 €	NAP	NA	39,0 €	NA
Estonia	26 797 340 €	2 982 213 €	9 135 614 €	38 915 167 €	20,0 €	29,0 €
Finland	243 066 350 €	58 100 000 €	42 937 000 €	344 103 350 €	45,2 €	64,0 €
France	2 859 480 770 €	361 197 138 €	714 870 193 €	3 935 548 101 €	44,0 €	60,5 €
Germany	7 789 169 914 €	NA	479 916 106 €	NA	95,3 €	NA
Greece	NA	2 500 000 €	NA	623 500 911 €	NA	55,1 €
Hungary	259 501 133 €	304 823 €	102 321 320 €	362 127 276 €	26,0 €	36,3 €
Ireland	148 722 000 €	87 435 000 €	43 854 000 €	280 011 000 €	32,5 €	61,1 €
Italy	3 051 375 987 €	127 055 510 €	1 249 053 619 €	4 427 485 116 €	50,3 €	73,0 €
Latvia	36 919 820 €	842 985 €	15 913 545 €	53 676 350 €	16,6 €	24,1 €
Lithuania	50 567 945 €	3 906 105 €	29 555 000 €	84 029 050 €	15,6 €	25,9 €
Luxembourg	NA	3 000 000 €	NA	73 458 676 €	NA	143,5 €
Malta	8 355 400 €	85 000 €	2 569 000 €	11 009 400 €	20,0 €	26,4 €
Netherlands	993 086 000 €	481 655 000 €	615 642 000 €	2 090 383 000 €	59,6 €	125,5 €
Poland	1 365 085 000 €	23 244 000 €	312 514 570 €	1 700 843 570 €	35,7 €	44,5 €
Portugal	528 943 165 €	51 641 260 €	119 901 622 €	700 486 047 €	49,7 €	65,9 €
Romania	355 246 737 €	7 915 238 €	162 428 333 €	525 590 308 €	16,6 €	24,5 €
Slovakia	139 851 564 €	1 357 776 €	63 702 886 €	204 912 226 €	25,7 €	37,7 €
Slovenia	178 158 919 €	5 834 338 €	19 263 376 €	203 256 633 €	86,9 €	99,1 €
Spain	NA	237 898 199 €	NA	3 654 891 484 €	NA	79,5 €
Sweden	557 260 358 €	195 683 782 €	127 316 425 €	880 260 565 €	59,2 €	93,5 €
Average	886 906 555 €	75 106 007 €	206 228 795 €	948 193 904 €	39,8 €	61,2 €
Median	229 931 022 €	18 400 000 €	79 203 203 €	410 216 294 €	37,4 €	60,2 €
Minimum	8 355 400 €	85 000 €	2 569 000 €	11 009 400 €	15,2 €	24,1 €
Maximum	7 789 169 914 €	481 655 000 €	1 249 053 619 €	4 427 485 116 €	95,3 €	143,5 €
Nb of values	27	27	27	27	27	27
% of NA	19%	7%	19%	11%	19%	11%
% of NAP	0%	0%	4%	0%	0%	0%

* The budget of courts excludes legal aid and public prosecution services.

** The budget of judicial systems is the sum of the budget allocated to courts, legal aid and public prosecution services.

Czech Republic, Denmark and Slovakia: The calculation of the budget of the judicial system is a sum of budget of courts and budget of prosecution system since the court budget already includes Administrative justice is not taking into account concerning the budget in the above table

Table 1.2.1 Variation of the approved budget of the judicial system (budget allocated to courts, legal aid and public prosecution) between 2015 and 2016, in % (Q1, Q5, Q6, Q7, Q12, Q13)

States	Variation of total annual approved budget (in €)						Variation of total annual approved budget (in local currency for countries which are not in Euro zone)					
	€ Courts*	(2) Legal aid	(3) Public prosecution system	Judicial system** (1) + (2) + (3)	Courts* per capita	Judicial system** per capita	€ Courts*	(2) Legal aid	(3) Public prosecution system	Judicial system** (1) + (2) + (3)	Courts** per capita	Judicial system** per capita
Austria	NA	2,6%	NA	13,0%	NA	12,5%	NAP	NAP	NAP	NAP	NAP	NAP
Belgium	NA	1,2%	NA	-6,8%	NA	-7,3%	NAP	NAP	NAP	NAP	NAP	NAP
Bulgaria	12,6%	-12,2%	8,2%	10,3%	13,4%	11,2%	12,6%	-12,2%	8,2%	10,3%	13,4%	11,2%
Croatia	1,0%	-6,2%	13,2%	2,9%	1,9%	3,8%	-1,3%	-8,4%	10,6%	0,5%	-0,4%	1,4%
Cyprus	5,6%	NA	18,3%	NA	5,6%	NA	NAP	NAP	NAP	NAP	NAP	NAP
Czech Republic	12,3%	NA	0,0%	NA	12,0%	NA	4,1%	NA	-7,2%	NA	3,9%	NA
Denmark	0,0%	NA	0,3%	NA	-0,7%	NA	0,3%	NA	0,5%	NA	-0,5%	NA
Estonia	1,8%	-0,1%	4,4%	2,2%	1,8%	2,2%	NAP	NAP	NAP	NAP	NAP	NAP
Finland	7,3%	15,1%	5,6%	8,6%	7,0%	8,3%	NAP	NAP	NAP	NAP	NAP	NAP
France	4,6%	3,0%	4,6%	4,4%	7,4%	7,3%	NAP	NAP	NAP	NAP	NAP	NAP
Germany	NA	2,5%	NA	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	NAP
Greece	NA	-14,1%	NA	4,2%	NA	4,9%	NAP	NAP	NAP	NAP	NAP	NAP
Hungary	4,6%	2,0%	2,0%	3,8%	4,9%	4,1%	-5,8%	-8,0%	-8,0%	-6,5%	-5,5%	-6,2%
Ireland	4,8%	3,0%	2,8%	3,8%	4,6%	3,6%	NAP	NAP	NAP	NAP	NAP	NAP
Italy	-3,7%	NA	-11,5%	NA	-3,6%	NA	NAP	NAP	NAP	NAP	NAP	NAP
Latvia	0,5%	34,9%	0,3%	1,3%	0,5%	1,3%	NAP	NAP	NAP	NAP	NAP	NAP
Lithuania	3,5%	-7,2%	21,4%	7,8%	5,0%	9,3%	NAP	NAP	NAP	NAP	NAP	NAP
Luxembourg	NA	14,3%	NA	10,4%	NA	5,2%	NAP	NAP	NAP	NAP	NAP	NAP
Malta	2,2%	96,1%	4,0%	2,8%	0,8%	1,4%	NAP	NAP	NAP	NAP	NAP	NAP
Netherlands	-3,8%	5,6%	4,6%	0,3%	-4,3%	-0,3%	NAP	NAP	NAP	NAP	NAP	NAP
Poland	NA	NA	NA	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	NAP
Portugal	5,5%	-10,3%	14,9%	6,1%	5,8%	6,4%	NAP	NAP	NAP	NAP	NAP	NAP
Romania	-16,4%	16,1%	-14,6%	-15,5%	-15,9%	-14,9%	-21,2%	9,5%	-19,5%	-20,2%	-20,7%	-19,7%
Slovakia	16,5%	NA	8,1%	NA	16,3%	NA	NAP	NAP	NAP	NAP	NAP	NAP
Slovenia	3,4%	5,1%	6,1%	3,7%	3,3%	3,6%	NAP	NAP	NAP	NAP	NAP	NAP
Spain	6,0%	2,1%	2,3%	5,5%	5,8%	5,2%	NAP	NAP	NAP	NAP	NAP	NAP
Sweden	NA	23,8%	2,8%	NA	NA	NA	NA	15,9%	-3,7%	NA	NA	NA
Average	3,4%	8,4%	4,7%	3,6%	3,6%	3,6%	-1,9%	-0,6%	-2,7%	-3,9%	-1,6%	-3,3%
Median	4,0%	2,6%	4,4%	3,8%	4,8%	4,1%	-0,5%	-8,0%	-3,7%	-3,0%	-0,4%	-2,4%
Minimum	-16,4%	-14,1%	-14,6%	-15,5%	-15,9%	-14,9%	-21,2%	-12,2%	-19,5%	-20,2%	-20,7%	-19,7%
Maximum	16,5%	96,1%	21,4%	13,0%	16,3%	12,5%	12,6%	15,9%	10,6%	10,3%	13,4%	11,2%
Nb of values	27	27	27	27	27	27	27	27	27	27	27	27
% of NA	26%	22%	22%	30%	26%	30%	4%	7%	0%	11%	4%	11%
% of NAP	0%	0%	0%	0%	0%	0%	74%	74%	74%	74%	74%	74%

** The budget of judicial systems is the sum of the budget allocated to courts, legal aid and public prosecution services

Malta: till 2015, there was not a specific budget intended to legal aid.

Sweden: The increase of the legal aid budget this cycle is because of legal aid for cases involving aliens.

Table 1.2.2 Approved budget of the judicial system (budget allocated to courts, legal aid and public prosecution) in 2010 to 2016 (Q1, Q5, Q6, Q7, Q12, Q13)

States	2010		2012		2013		2014		2015		2016	
	Total annual approved budget allocated to judicial system*	Budget allocated to the judicial system* per capita	Total annual approved budget allocated to judicial system*	Budget allocated to the judicial system* per capita	Total annual approved budget allocated to judicial system*	Budget allocated to the judicial system* per capita	Total annual approved budget allocated to judicial system*	Budget allocated to the judicial system* per capita	Total annual approved budget allocated to judicial system*	Budget allocated to the judicial system* per capita	Total annual approved budget allocated to judicial system*	Budget allocated to the judicial system* per capita
Austria	709 980 000 €	84,6 €	770 790 000 €	91,2 €	836 500 000 €	98,6 €	823 053 000 €	95,9 €	829 507 000 €	95,3 €	937 499 939,0 €	107,3 €
Belgium	934 837 000 €	86,2 €	998 125 000,0 €	89,4 €	1 053 259 000 €	94,5 €	958 368 000 €	85,5 €	963 946 000 €	85,5 €	897 935 000,0 €	79,3 €
Bulgaria	195 282 117 €	26,5 €	209 739 354,0 €	28,8 €	217 711 162 €	30,0 €	234 412 470 €	32,5 €	238 018 334 €	33,3 €	262 647 839,0 €	37,0 €
Croatia	263 761 034 €	59,8 €	206 712 797,0 €	48,5 €	229 654 347 €	54,1 €	215 587 165 €	51,0 €	216 243 016 €	51,6 €	222 534 033,0 €	53,6 €
Cyprus	NA	NA	50 109 977,0 €	57,9 €	45 074 871 €	52,5 €	NA	NA	NA	NA	52 137 479,0 €	61,5 €
Czech Republic	458 305 311 €	43,6 €	479 600 709,0 €	45,6 €	460 386 621 €	43,8 €	NA	NA	NA	NA	504 229 982,0 €	47,7 €
Denmark	NA	NA	421 337 784,0 €	75,2 €	335 547 979 €	59,7 €	NA	NA	NA	NA	341 696 529,0 €	59,4 €
Estonia	38 915 167 €	29,0 €	42 819 672,0 €	33,3 €	46 845 963 €	35,6 €	53 052 326 €	40,4 €	55 502 488 €	42,2 €	56 708 551,0 €	43,1 €
Finland	344 103 350 €	64,0 €	362 713 356,0 €	66,8 €	368 133 604 €	67,5 €	388 794 000 €	71,1 €	387 549 000 €	70,6 €	421 068 000,0 €	76,5 €
France	3 935 548 101 €	60,5 €	4 014 305 137,0 €	61,2 €	4 082 793 251 €	62,0 €	4 249 220 442 €	64,1 €	4 260 512 110 €	63,9 €	4 448 411 264,0 €	68,6 €
Germany	NA	NA	9 170 186 780,0 €	114,3 €	8 799 518 316 €	108,9 €	NA	NA	NA	NA	NA	NA
Greece	623 500 911 €	55,1 €	450 970 924,0 €	40,8 €	NA	NA	475 976 539 €	43,9 €	427 689 615 €	39,4 €	445 529 139,0 €	41,3 €
Hungary	362 127 276 €	36,3 €	452 447 662,0 €	45,7 €	428 558 768 €	43,4 €	403 794 297 €	41,0 €	413 951 390 €	42,1 €	429 598 903,0 €	43,8 €
Ireland	280 011 000 €	61,1 €	230 777 000,0 €	50,3 €	230 971 000 €	50,2 €	222 504 000 €	48,1 €	225 770 000 €	48,4 €	234 448 000,0 €	50,2 €
Italy	4 427 485 116 €	73,0 €	4 575 001 196,0 €	76,7 €	4 398 974 239 €	73,7 €	NA	NA	NA	NA	4 544 426 956,0 €	75,0 €
Latvia	53 676 350 €	24,1 €	65 953 172,9 €	32,3 €	69 618 192 €	34,4 €	74 726 905 €	37,3 €	77 466 351 €	39,3 €	78 437 198,0 €	39,8 €
Lithuania	84 029 050 €	25,9 €	83 783 573,0 €	27,9 €	83 109 788 €	28,2 €	97 433 726 €	33,4 €	106 433 870 €	36,8 €	114 700 187,0 €	40,3 €
Luxembourg	73 458 676 €	143,5 €	79 964 334,0 €	152,3 €	81 492 650 €	148,2 €	78 492 650 €	139,4 €	84 178 350 €	149,5 €	92 895 711,0 €	157,3 €
Malta	11 009 400 €	26,4 €	13 405 486,0 €	31,8 €	14 084 800 €	33,1 €	15 085 766 €	35,1 €	15 742 554 €	36,2 €	16 179 800,0 €	36,7 €
Netherlands	2 090 383 000 €	125,5 €	2 200 997 500,0 €	131,2 €	2 164 284 000 €	128,6 €	2 067 208 000 €	122,3 €	2 030 068 000 €	119,6 €	2 036 574 000,0 €	119,2 €
Poland	1 700 843 570 €	44,5 €	1 827 573 567,0 €	47,4 €	-	-	1 868 303 395 €	48,5 €	-	-	1 991 565 000,0 €	51,8 €
Portugal	700 486 047 €	65,9 €	629 660 262,0 €	60,0 €	581 761 968 €	55,8 €	536 304 306 €	51,7 €	549 711 561 €	53,2 €	583 253 297,0 €	56,6 €
Romania	525 590 308 €	24,5 €	480 890 952,0 €	22,6 €	555 663 037 €	27,9 €	781 410 270 €	35,1 €	706 876 351 €	35,8 €	597 649 028,0 €	30,4 €
Slovakia	204 912 226 €	37,7 €	214 796 609,0 €	39,7 €	223 500 632 €	41,3 €	NA	NA	NA	NA	270 468 669,0 €	49,8 €
Slovenia	203 256 633 €	99,1 €	183 695 911,0 €	89,2 €	182 876 241 €	88,7 €	184 995 996 €	89,8 €	178 707 253 €	86,6 €	185 314 973,0 €	89,7 €
Spain	3 654 891 484 €	79,5 €	3 722 715 019,0 €	80,9 €	-	-	3 558 656 779 €	76,6 €	3 488 156 146 €	75,1 €	3 678 267 652,0 €	79,1 €
Sweden	880 260 565 €	93,5 €	1 018 131 920,0 €	106,5 €	1 039 250 263 €	107,8 €	NA	NA	NA	NA	NA	NA
Average	948 193 904 €	61,2 €	1 220 637 246 €	64,7 €	1 105 398 779 €	65,4 €	864 369 002 €	62,1 €	802 948 915,2 €	63,4 €	937 767 085,2 €	63,8 €
Median	410 216 294 €	60,2 €	450 970 924 €	57,9 €	351 840 792 €	54,9 €	396 294 149 €	49,8 €	387 549 000,0 €	51,6 €	421 068 000,0 €	53,6 €
Minimum	11 009 400 €	24,1 €	13 405 486 €	22,6 €	14 084 800 €	27,9 €	15 085 766 €	32,5 €	15 742 554,0 €	33,3 €	16 179 800,0 €	30,4 €
Maximum	4 427 485 116 €	143,5 €	9 170 186 780 €	152,3 €	8 799 518 316 €	148,2 €	4 249 220 442 €	139,4 €	4 260 512 110,0 €	149,5 €	4 544 426 956,0 €	157,3 €
Nb of values	27	27	27	27	25	25	27	27	26	26	27	27
% of NA	11%	11%	0%	0%	4%	4%	26%	26%	27%	27%	7%	7%
% of NAP	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

For some countries, the variation of the exchange rate (cf. General data table) between years may be also taken into account for comparison.

Malta: till 2015, there was not a specific budget intended to legal aid.

Sweden: The increase of the legal aid budget this cycle is because of legal aid for cases involving aliens.

Table 1.2.3 Approved public budget allocated to courts* (in €) by components in 2016 (Q6)

*Budget allocated to the courts does not include legal aid and public prosecution services

States	Components of the total annual approved public budget allocated to all courts						
	Annual public budget allocated to (gross) salaries	Annual public budget allocated to computerisation (equipment, investments, maintenance)	Annual public budget allocated to justice expenses	Annual public budget allocated to buildings (maintenance, operation cost)	Annual public budget allocated to investments in new buildings	Annual public budget allocated to training and education	Other
Austria	NA	NA	NA	NA	NA	NA	NA
Belgium	NA	NA	NA	NA	NA	NA	NA
Bulgaria	124 012 010 €	2 251 935 €	1 810 000 €	11 834 293 €	NAP	35 231 €	15 026 751 €
Croatia	133 850 561 €	10 003 698 €	4 149 123 €	6 709 077 €	1 567 420 €	441 551 €	9 686 626 €
Cyprus	22 908 424 €	25 944 €	98 901 €	2 570 318 €	2 420 000 €	83 720 €	NAP
Czech Republic	330 379 494 €	3 351 381 €	NA	3 331 408 €	2 837 963 €	139 504 €	70 973 203 €
Denmark	147 844 992 €	20 416 666 €	12 266 473 €	47 804 968 €	NA	2 152 013 €	11 804 630 €
Estonia	32 387 989 €	122 425 €	1 715 388 €	5 713 780 €	NAP	303 662 €	1 096 948 €
Finland	NA	NA	NA	NA	NAP	NA	NA
France	2 044 038 579 €	NA	414 531 231 €	293 590 205 €	98 299 284 €	NA	295 174 280 €
Germany	NA	NA	NA	NA	NA	NA	NA
Greece	NA	NA	NA	NA	NA	NA	NA
Hungary	148 579 949 €	5 512 977 €	31 675 598 €	6 555 265 €	26 142 534 €	NAP	81 427 020 €
Ireland	49 726 000 €	8 320 000 €	4 278 000 €	14 986 000 €	4 723 000 €	310 000 €	30 829 000 €
Italy	2 211 784 141 €	95 386 242 €	292 973 603 €	233 207 302 €	0 €	256 310 €	137 487 232 €
Latvia	38 010 043 €	1 387 988 €	2 802 714 €	9 982 438 €	0 €	288 054 €	893 917 €
Lithuania	59 529 302 €	5 729 000 €	539 495 €	1 801 881 €	1 217 000 €	755 369 €	4 665 135 €
Luxembourg	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Malta	10 650 000 €	32 700 €	1 112 000 €	1 661 000 €	NAP	1 000 €	423 100 €
Netherlands	779 287 000 €	86 115 000 €	3 736 000 €	100 692 000 €	NAP	20 229 000 €	56 520 000 €
Poland	1 001 598 000 €	45 499 000 €	143 525 000 €	96 375 000 €	39 151 000 €	5 718 000 €	113 818 000 €
Portugal	379 868 175 €	9 499 613 €	1 006 000 €	43 560 800 €	NAP	7 090 257 €	NAP
Romania	249 022 263 €	2 627 777 €	1 100 614 €	30 122 878 €	11 352 536 €	140 935 €	98 215 190 €
Slovakia	98 883 930 €	346 390 €	10 736 946 €	16 148 549 €	0 €	771 455 €	60 456 382 €
Slovenia	116 782 957 €	2 171 864 €	30 280 892 €	12 721 710 €	131 000 €	642 715 €	NAP
Spain	2 324 558 841 €	NA	NA	210 071 494 €	55 984 925 €	17 345 639 €	NA
Sweden	NA	NA	NA	NA	NAP	NA	NA
Average	515 185 133 €	16 600 033 €	53 240 999 €	57 472 018 €	17 416 190 €	3 150 245 €	61 781 088 €
Median	140 847 777 €	4 432 179 €	3 942 562 €	13 853 855 €	2 628 982 €	375 776 €	43 674 500 €
Minimum	10 650 000 €	25 944 €	98 901 €	1 661 000 €	0 €	1 000 €	423 100 €
Maximum	2 324 558 841 €	95 386 242 €	414 531 231 €	293 590 205 €	98 299 284 €	20 229 000 €	295 174 280 €
Nb of values	27	27	27	27	27	27	27
% of NA	22%	30%	30%	22%	19%	26%	26%
% of NAP	4%	4%	4%	4%	30%	7%	15%

* The budget of courts excludes legal aid and public prosecution services.

** The budget of judicial systems is the sum of the budget allocated to courts, legal aid and public prosecution services.

Denmark: The approved and implemented budget for "Investments in new court buildings" is included under "Court buildings".

Italy: The regional administrative courts, regional audit commissions, local tax commissions and military courts are not taken into consideration.

Table 1.3.1 Annual approved and implemented budgets allocated to the whole justice system and the judicial system in 2016, in € (Q6, Q12, Q12-1, Q13, Q15.1, Q15.2)

States	Total annual approved budget allocated to the whole justice system	Total annual approved budget allocated to the judicial system*	% of the judicial system* budget in the whole justice system budget	% of the other elements in the whole justice system budget	Number of other elements** in the whole justice system budget	Total annual implemented budget allocated to the whole justice system
Austria	1 462 689 939 €	937 499 939 €	64,1%	35,9%	7	1 606 971 615 €
Belgium	1 740 631 000 €	897 935 000 €	51,6%	48,4%	7	1 821 808 000 €
Bulgaria	377 099 680 €	262 647 839 €	69,6%	30,4%	11	367 019 677 €
Croatia	323 169 516 €	222 534 033 €	68,9%	31,1%	9	320 891 780 €
Cyprus	279 943 425 €	52 137 479 €	18,6%	81,4%	13	267 527 698 €
Czech Republic	547 388 294 €	504 229 982 €	92,1%	7,9%	7	590 474 176 €
Denmark	1 932 211 597 €	341 696 529 €	17,7%	82,3%	11	1 871 349 985 €
Estonia	151 571 987 €	56 708 551 €	37,4%	62,6%	11	143 028 913 €
Finland	925 500 000 €	421 068 000 €	45,5%	54,5%	9	NA
France	8 887 412 229 €	4 448 411 264 €	50,1%	49,9%	9	8 721 899 705 €
Germany	15 446 079 387 €	NA	NA	NA	8	15 219 037 565 €
Greece	619 318 531 €	445 529 139 €	71,9%	28,1%	11	614 012 525 €
Hungary	1 341 550 100 €	429 598 903 €	32,0%	68,0%	11	1 481 702 163 €
Ireland	2 418 240 000 €	234 448 000 €	9,7%	90,3%	12	2 436 408 000 €
Italy	8 039 945 941 €	4 544 426 956 €	56,5%	43,5%	10	7 895 556 203 €
Latvia	194 261 318 €	78 437 198 €	40,4%	59,6%	10	191 611 390 €
Lithuania	214 590 000 €	114 700 187 €	53,5%	46,5%	6	205 678 600 €
Luxembourg	149 652 235 €	92 895 711 €	62,1%	37,9%	12	NA
Malta	107 865 200 €	16 179 800 €	15,0%	85,0%	15	NA
Netherlands	11 700 989 000 €	2 036 574 000 €	17,4%	82,6%	14	13 192 070 000 €
Poland	2 639 249 000 €	1 991 565 000 €	75,5%	24,5%	9	2 575 272 000 €
Portugal	1 624 770 130 €	583 253 297 €	35,9%	64,1%	11	1 672 253 585 €
Romania	908 247 781 €	597 649 028 €	65,8%	34,2%	8	896 566 276 €
Slovakia	443 323 127 €	270 468 669 €	61,0%	39,0%	8	493 301 707 €
Slovenia	250 570 939 €	185 314 973 €	74,0%	26,0%	8	245 460 527 €
Spain	5 302 201 029 €	3 678 267 652 €	69,4%	30,6%	13	NA
Sweden	4 591 423 491 €	NA	NA	NA	8	4 562 181 466 €
Average	2 689 625 736 €	937 767 085 €	50,2%	49,8%	10	2 930 090 589 €
Median	925 500 000 €	421 068 000 €	53,5%	46,5%	10	1 481 702 163 €
Minimum	107 865 200 €	16 179 800 €	9,7%	7,9%	6	143 028 913 €
Maximum	15 446 079 387 €	4 544 426 956 €	92,1%	90,3%	15	15 219 037 565 €
Nb of values	27	27	27	27	27	27
% of NA	0%	7%	7%	7%	0%	15%
% of NAP	0%	0%	0%	0%	0%	0%

* The budget of judicial systems is the sum of the budget allocated to courts, legal aid and public prosecution services

Italy: Administrative justice is not taking into account concerning the budget in the above table

Table 1.3.2 Budgetary elements of the budget allocated to the whole justice system in 2016 (Q15.2)

States	Whole justice system																	
	Judicial system*			Prison system	Functioning of Ministry of Justice	Probation services	Judicial management body	Enforcement services	Judicial protection of juveniles	Forensic services	Council of the judiciary	Constitutional court	Some police services	Refugees and asylum seekers services	State advocacy	Notariat	Other	Total number of elements
Courts	Legal aid	Public prosecution services																
Austria																		7
Belgium																		7
Bulgaria																		11
Croatia																		9
Cyprus																		13
Czech Republic																		7
Denmark																		11
Estonia																		11
Finland																		9
France																		9
Germany																		8
Greece																		11
Hungary																		11
Ireland																		12
Italy																		10
Latvia																		10
Lithuania																		6
Luxembourg																		12
Malta																		15
Netherlands																		14
Poland																		9
Portugal																		11
Romania																		8
Slovakia																		8
Slovenia																		8
Spain																		13
Sweden																		8
Nb of Yes	27	27	27	26	22	15	10	18	6	15	5	16	13	26	4	1	10	

* The budget of judicial systems is the sum of the budget allocated to courts, legal aid and public prosecution services

■ Data is non available (NA)

■ Element not included in the whole justice system (No or NAP)

Figure 1.4 Correlation between the GDP per capita and the total approved budget of judicial system (courts, legal aid and public prosecution) in 2015 (Q1, Q3, Q6, Q12, Q13)

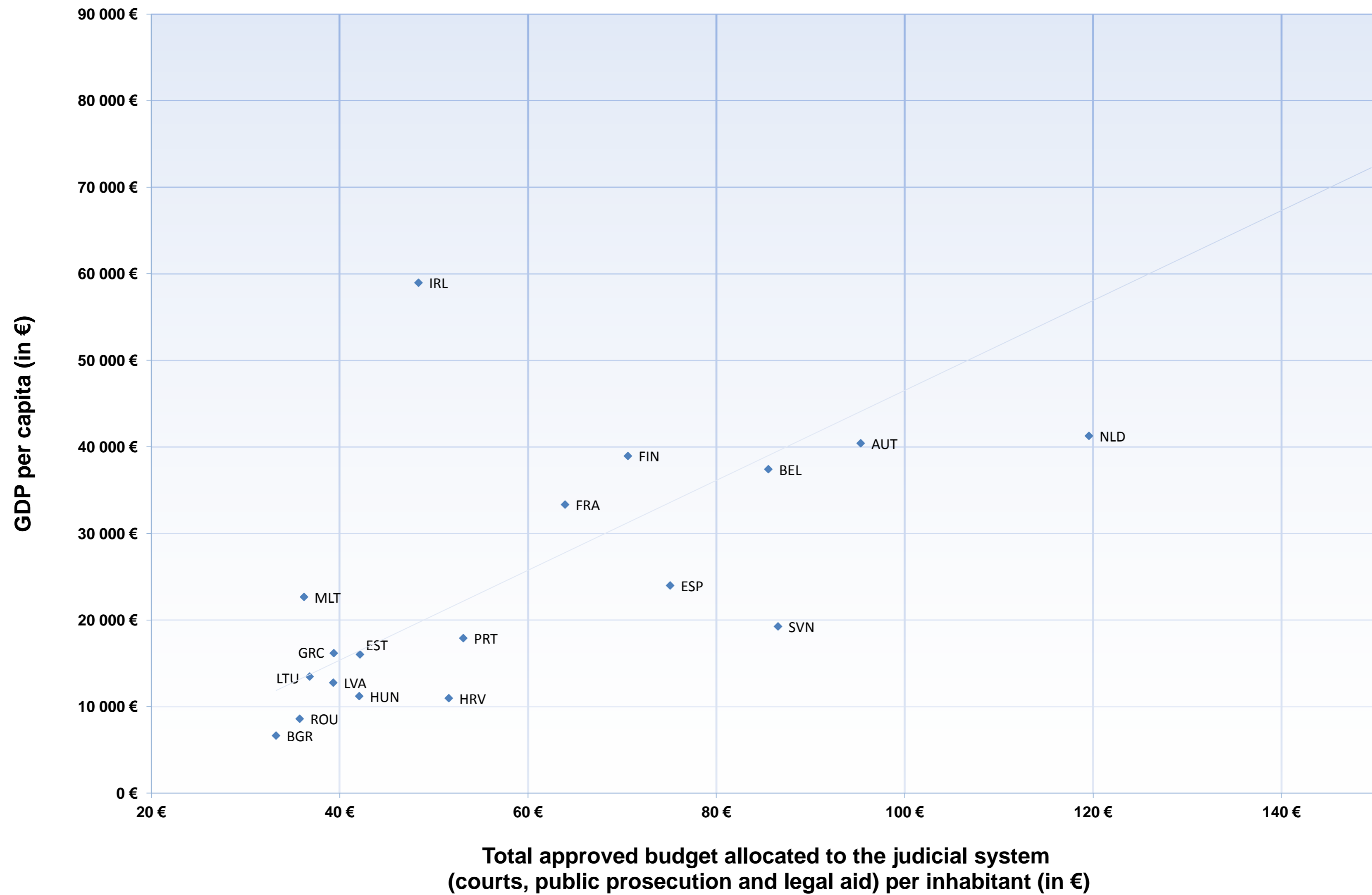


Table 1.5 ICT: Computerisation budget as part of the total approved budget allocated to the courts* in 2010 to 2016 (Q6, Q7)

States	2010			2012			2013			2014			2015			2016		
	Budget allocated to the courts	Computerisation budget	Part in %	Budget allocated to the courts	Computerisation budget	Part in %	Budget allocated to the courts	Computerisation budget	Part in %	Budget allocated to the courts	Computerisation budget	Part in %	Budget allocated to the courts	Computerisation budget	Part in %	Budget allocated to the courts	Computerisation budget	Part in %
Austria	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Belgium	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Bulgaria	112 211 184 €	322 123 €	0,3%	124 911 954 €	375 878 €	0,3%	129 931 055 €	391 660 €	0,3%	136 407 333 €	848 593 €	0,6%	137 642 507 €	881 125 €	0,6%	154 970 220 €	2 251 935 €	1,5%
Croatia	211 304 301 €	11 684 416 €	3,9%	156 601 458 €	6 134 132 €	3,9%	182 292 546 €	9 034 210 €	5,0%	163 302 114 €	5 880 600 €	3,6%	164 695 034 €	6 490 963 €	3,9%	166 408 056 €	10 003 698 €	6,0%
Cyprus	33 546 827 €	116 180 €	0,4%	30 611 480 €	124 970 €	0,4%	27 375 949 €	71 080 €	0,3%	26 287 423 €	70 028 €	0,3%	26 616 189 €	53 310 €	0,2%	28 107 307 €	25 944 €	0,1%
Czech Republic	346 497 809 €	7 412 689 €	1,7%	370 751 152 €	6 332 315 €	1,7%	355 754 925 €	4 167 430 €	1,2%	345 730 027 €	1 345 503 €	0,4%	366 091 233 €	3 412 359 €	0,9%	411 012 953 €	3 351 381 €	0,8%
Denmark	216 795 693 €	17 053 306 €	6,6%	243 294 736 €	16 162 826 €	6,6%	241 147 979 €	16 311 393 €	6,8%	240 945 242 €	19 770 571 €	8,2%	242 248 763 €	18 333 464 €	7,6%	242 289 742 €	20 416 666 €	8,4%
Estonia	26 797 340 €	271 414 €	2,7%	29 728 350 €	812 487 €	2,7%	33 212 717 €	739 520 €	2,2%	38 589 501 €	93 140 €	0,2%	40 621 755 €	133 188 €	0,3%	41 340 192 €	122 425 €	0,3%
Finland	243 066 350 €	NA	5,1%	249 704 356 €	12 726 529 €	5,1%	250 978 604 €	11 690 733 €	4,7%	277 295 000 €	15 748 982 €	5,7%	266 049 000 €	NA	NA	285 425 000 €	NA	NA
France	2 859 480 770 €	38 468 900 €	1,4%	2 917 700 110 €	40 365 745 €	1,4%	2 970 817 971 €	42 272 000 €	1,4%	3 123 051 554 €	40 911 690 €	1,3%	3 097 049 120 €	41 505 353 €	1,3%	3 238 063 225 €	NA	NA
Germany	7 789 169 914 €	161 650 654 €	2,1%	8 302 304 846 €	173 261 525 €	2,1%	7 943 572 314 €	143 596 561 €	1,8%	NA	NA	NA	NA	NA	NA	NA	NA	NA
Greece	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Hungary	259 501 133 €	7 532 956 €	0,4%	325 687 695 €	1 195 000 €	0,4%	299 097 315 €	5 232 074 €	1,7%	283 479 317 €	5 556 563 €	2,0%	286 826 137 €	4 758 418 €	1,7%	299 893 343 €	5 512 977 €	1,8%
Ireland	148 722 000 €	5 457 000 €	5,2%	107 090 000 €	5 581 000 €	5,2%	107 959 000 €	4 381 000 €	4,1%	104 565 000 €	3 820 000 €	3,7%	107 965 000 €	4 820 000 €	4,5%	113 172 000 €	8 320 000 €	7,4%
Italy	3 051 375 987 €	58 083 534 €	2,2%	2 986 521 397 €	64 830 009 €	2,2%	2 935 413 547 €	62 643 101 €	2,1%	2 945 513 378 €	60 047 075 €	2,0%	3 084 813 712 €	105 230 573 €	3,4%	2 971 094 830 €	95 386 242 €	3,2%
Latvia	36 919 820 €	1 807 390 €	2,4%	44 494 921 €	1 049 170 €	2,4%	48 157 273 €	1 405 669 €	2,9%	51 305 248 €	2 167 737 €	4,2%	53 110 804 €	1 307 698 €	2,5%	53 365 154 €	1 387 988 €	2,6%
Lithuania	50 567 945 €	779 367 €	0,7%	53 138 612 €	397 069 €	0,7%	53 120 077 €	362 894 €	0,7%	62 969 474 €	806 013 €	1,3%	71 697 851 €	5 966 882 €	8,3%	74 237 182 €	5 729 000 €	7,7%
Luxembourg	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Malta	8 355 400 €	NAP	NAP	11 527 427 €	NA	NA	12 278 300 €	38 300 €	0,3%	13 115 766 €	33 600 €	0,3%	13 575 554 €	35 454 €	0,3%	13 879 800 €	32 700 €	0,2%
Netherlands	993 086 000 €	87 769 000 €	7,9%	1 068 773 500 €	84 448 000 €	7,9%	1 039 027 000 €	66 569 000 €	6,4%	1 068 474 000 €	75 462 000 €	7,1%	1 087 375 000 €	91 734 000 €	8,4%	1 046 578 000 €	86 115 000 €	8,2%
Poland	1 365 085 000 €	10 512 000 €	4,1%	1 379 338 000 €	56 686 000 €	4,1%	-	-	-	1 405 850 000 €	53 535 000 €	3,8%	-	-	-	1 445 686 000 €	45 499 000 €	3,1%
Portugal	528 943 165 €	10 565 978 €	5,0%	476 924 836 €	23 857 353 €	5,0%	442 879 701 €	20 056 577 €	4,5%	414 114 841 €	13 177 591 €	3,2%	418 190 844 €	6 362 184 €	1,5%	441 024 845 €	9 499 613 €	2,2%
Romania	355 246 737 €	774 286 €	0,2%	324 611 610 €	682 766 €	0,2%	377 801 754 €	450 197 €	0,1%	533 090 063 €	809 219 €	0,2%	469 843 530 €	2 330 879 €	0,5%	392 582 194 €	2 627 777 €	0,7%
Slovakia	139 851 564 €	2 152 994 €	2,3%	152 715 786 €	3 555 096 €	2,3%	156 488 854 €	2 834 628 €	1,8%	151 291 595 €	2 754 090 €	1,8%	160 877 873 €	1 796 935 €	1,1%	187 347 666 €	346 390 €	0,2%
Slovenia	178 158 919 €	4 074 203 €	2,4%	160 526 569 €	3 841 867 €	2,4%	161 730 711 €	2 614 064 €	1,6%	164 850 383 €	1 763 606 €	1,1%	157 386 726 €	2 252 090 €	1,4%	162 731 138 €	2 171 864 €	1,3%
Spain	NA	158 163 660 €	NA	3 258 327 418 €	NA	NA	-	0 €	-	3 050 594 663 €	NA	NA	2 966 652 534 €	NA	NA	3 145 396 555 €	NA	NA
Sweden	557 260 358 €	13 108 158 €	2,4%	637 246 965 €	15 379 625 €	2,4%	640 850 593 €	15 006 256 €	2,3%	NA	8 137 313 €	NA	NA	NA	NA	NA	NA	NA
Average	886 906 555 €	28 464 772 €	0 €	1 017 936 225 €	24 657 112 €	2,8%	876 661 342 €	18 630 379,4 €	2,5%	695 277 234 €	14 892 329 €	2,5%	660 966 458 €	16 522 493 €	2,7%	710 219 305 €	16 600 033 €	3,1%
Median	229 931 022 €	7 532 956 €	0 €	249 704 356 €	6 134 132 €	2,4%	241 147 979 €	4 274 215,0 €	1,8%	240 945 242 €	3 820 000 €	1,9%	203 471 899 €	4 085 389 €	1,5%	242 289 742 €	4 432 179 €	2,0%
Minimum	8 355 400 €	116 180 €	0 €	11 527 427 €	124 970 €	0,2%	12 278 300 €	0,0 €	0,1%	13 115 766 €	33 600 €	0,2%	13 575 554 €	35 454 €	0,2%	13 879 800 €	25 944 €	0,1%
Maximum	7 789 169 914 €	161 650 654 €	0 €	8 302 304 846 €	173 261 525 €	7,9%	7 943 572 314 €	143 596 561,0 €	6,8%	3 123 051 554 €	75 462 000 €	8,2%	3 097 049 120 €	105 230 573 €	8,4%	3 238 063 225 €	95 386 242 €	8,4%
Nb of values	27	27	27	27	27	27	25	26	25	27	27	27	26	26	26	27	27	27
% of NA	19%	19%	19%	15%	22%	22%	16%	15%	16%	22%	22%	26%	23%	31%	31%	19%	30%	30%
% of NAP	0%	4%	4%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	4%	4%	4%

For concerned countries, the variation of the exchange rate (cf. General data table) between years may be also taken into account for comparison.

* The budget of courts excludes legal aid and public prosecution services.

** The budget of judicial systems is the sum of the budget allocated to courts, legal aid and public prosecution services.

Germany: No information available for some Länder. Accordingly, the information provided here is incomplete. All data concerning the budget should be construed in the light of the federal State structure of Germany. Accordingly, variations for which no particular explanation has been notified are often due to the fact that for the different evaluation cycles a different number of Lander provided a reply. Owing to this peculiarity, the information remains most of the time incomplete. Figures include the federal budget as well as the budgets indicated by the respondent Landers.

Italy: Administrative justice is not taking into account concerning the budget in the above table

Slovakia: the legal aid expenses paid in the criminal procedure cannot be separated from the budget of courts

Table 1.6 (EC) Budget for courts and judicial system* in €, per inhabitant in 2010, to 2016 (Q1, Q6, Q7, Q12, Q13)

States	EC Code	2010		2012		2013		2014		2015		2016	
		Budget for courts, per capita	Budget for judicial system, per capita	Budget for courts, per capita	Budget for judicial system, per capita	Budget for courts, per capita	Budget for judicial system, per capita	Budget for courts, per capita	Budget for judicial system, per capita	Budget for courts, per capita	Budget for judicial system, per capita	Budget for courts, per capita	Budget for judicial system, per capita
Austria	20	NA	84,6 €	NA	91,2 €	NA	98,6 €	NA	95,9 €	NA	95,3 €	NA	107,3 €
Belgium	1	NA	86,2 €	NA	89,4 €	NA	94,5 €	NA	85,5 €	NA	85,5 €	NA	79,3 €
Bulgaria	2	15,2 €	26,5 €	17,1 €	28,8 €	17,9 €	30,0 €	18,9 €	32,5 €	19,2 €	33,3 €	21,8 €	37,0 €
Croatia	11	47,9 €	59,8 €	36,7 €	48,5 €	42,9 €	54,1 €	38,6 €	51,0 €	39,3 €	51,6 €	40,1 €	53,6 €
Cyprus	13	41,7 €	NA	35,4 €	57,9 €	31,9 €	52,5 €	30,6 €	NA	31,4 €	NA	33,1 €	61,5 €
Czech Republic	3	32,9 €	43,6 €	35,3 €	45,6 €	33,8 €	43,8 €	32,8 €	NA	34,7 €	53,1 €	38,9 €	47,7 €
Denmark	4	39,0 €	NA	43,4 €	75,2 €	42,9 €	59,7 €	42,6 €	NA	42,4 €	NA	42,1 €	59,4 €
Estonia	6	20,0 €	29,0 €	23,1 €	33,3 €	25,2 €	35,6 €	29,4 €	40,4 €	30,9 €	42,2 €	31,4 €	43,1 €
Finland	26	45,2 €	64,0 €	46,0 €	66,8 €	46,0 €	67,5 €	50,7 €	71,1 €	48,5 €	70,6 €	51,9 €	76,5 €
France	10	44,0 €	60,5 €	44,5 €	61,2 €	45,1 €	62,0 €	47,1 €	64,1 €	46,5 €	63,9 €	49,9 €	68,6 €
Germany	5	95,3 €	NA	103,5 €	114,3 €	98,3 €	108,9 €	NA	NA	NA	NA	NA	NA
Greece	8	NA	55,1 €	NA	40,8 €	NA	NA	NA	43,9 €	NA	39,4 €	NA	41,3 €
Hungary	17	26,0 €	36,3 €	32,9 €	45,7 €	30,3 €	43,4 €	28,8 €	41,0 €	29,2 €	42,1 €	30,6 €	43,8 €
Ireland	7	32,5 €	61,1 €	23,3 €	50,3 €	23,5 €	50,2 €	22,6 €	48,1 €	23,1 €	48,4 €	24,2 €	50,2 €
Italy	12	50,3 €	73,0 €	50,0 €	76,7 €	49,2 €	73,7 €	48,4 €	NA	50,8 €	77,6 €	49,0 €	75,0 €
Latvia	14	16,6 €	24,1 €	21,8 €	32,3 €	23,8 €	34,4 €	25,6 €	37,3 €	27,0 €	39,3 €	27,1 €	39,8 €
Lithuania	15	15,6 €	25,9 €	17,7 €	27,9 €	18,0 €	28,2 €	21,6 €	33,4 €	24,8 €	36,8 €	26,1 €	40,3 €
Luxembourg	16	NA	143,5 €	NA	152,3 €	NA	148,2 €	NA	139,4 €	NA	149,5 €	NAP	157,3 €
Malta	18	20,0 €	26,4 €	27,4 €	31,8 €	28,9 €	33,1 €	30,5 €	35,1 €	31,3 €	36,2 €	31,5 €	36,7 €
Netherlands	19	59,6 €	125,5 €	63,7 €	131,2 €	61,7 €	128,6 €	63,2 €	122,3 €	64,0 €	119,6 €	61,3 €	119,2 €
Poland	21	35,7 €	44,5 €	35,8 €	47,4 €	-	-	36,5 €	48,5 €	-	-	37,6 €	51,8 €
Portugal	22	49,7 €	65,9 €	45,5 €	60,0 €	42,5 €	55,8 €	39,9 €	51,7 €	40,4 €	53,2 €	42,8 €	56,6 €
Romania	23	16,6 €	24,5 €	15,2 €	22,6 €	18,9 €	27,9 €	23,9 €	35,1 €	23,8 €	35,8 €	20,0 €	30,4 €
Slovakia	25	25,7 €	37,7 €	28,2 €	39,7 €	28,9 €	41,3 €	27,9 €	NA	29,6 €	NA	34,5 €	49,8 €
Slovenia	24	86,9 €	99,1 €	78,0 €	89,2 €	78,5 €	88,7 €	80,0 €	89,8 €	76,2 €	86,6 €	78,8 €	89,7 €
Spain	9	NA	79,5 €	70,8 €	80,9 €	-	-	65,7 €	76,6 €	63,9 €	75,1 €	67,6 €	79,1 €
Sweden	27	59,2 €	93,5 €	66,7 €	106,5 €	66,4 €	107,8 €	NA	NA	69,7 €	112,7 €	68,2 €	119,5 €

* The budget of courts excludes legal aid and public prosecution services.

** The budget of judicial systems is the sum of the budget allocated to courts, legal aid and public prosecution services.

Within the meaning of the CEPEJ's methodology:

- As the budget for courts is a subset of the judicial system budget, data cannot be mixed together. Hence, NA values of "Budget for courts, per capita" cannot be replaced by values of "Budget for judicial system, per capita" and are not comparable.

- For concerned countries, the variation of the exchange rate (cf. General data table) between years may be also taken into account for comparison.

Italy: The regional administrative courts, regional audit commissions, local tax commissions and military courts are not taken into consideration

Table 1.7 Evolution of annual income from court taxes and fees in 2010 to 2016 in € (Q1, Q9)

States	Annual income of court taxes					Annual income of court taxes per inhabitant				
	2010	2012	2014	2015	2016	2010	2012	2014	2015	2016
Austria	779 840 000 €	834 870 000 €	915 619 924 €	1 036 336 100 €	1 099 812 161 €	92,97 €	98,78 €	106,65 €	119,11 €	125,84 €
Belgium	34 408 250 €	34 917 000 €	35 781 147 €	40 931 536,0 €	46 522 120,0 €	3,17 €	3,13 €	3,19 €	3,63 €	4,11 €
Bulgaria	58 354 136 €	61 595 758 €	53 967 580 €	51 616 390,0 €	49 902 118,0 €	7,92 €	8,46 €	7,49 €	7,22 €	7,03 €
Croatia	25 168 311 €	28 759 251 €	26 359 795 €	19 468 903,0 €	17 300 109,0 €	5,70 €	6,75 €	6,24 €	4,65 €	4,16 €
Cyprus	9 802 960 €	11 377 030 €	7 851 964 €	9 166 370,0 €	8 221 486,0 €	12,18 €	13,14 €	9,15 €	10,81 €	9,69 €
Czech Republic	37 452 793 €	59 014 432 €	47 868 874 €	47 312 657,0 €	45 005 572,0 €	3,56 €	5,62 €	4,55 €	4,48 €	4,25 €
Denmark	95 933 236 €	98 520 187 €	57 764 476 €	55 924 183,0 €	56 367 754,0 €	17,25 €	17,58 €	10,21 €	9,80 €	9,81 €
Estonia	12 909 414 €	7 219 348 €	13 801 463 €	14 161 498,0 €	10 014 384,0 €	9,63 €	5,61 €	10,51 €	10,76 €	7,61 €
Finland	31 284 003 €	33 833 367 €	33 455 279 €	32 416 004,0 €	35 596 248,0 €	5,82 €	6,23 €	6,11 €	5,91 €	6,47 €
France	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Germany	3 515 706 357 €	3 567 436 506 €	3 600 787 657 €	3 442 704 519,0 €	4 336 886 963,0 €	43,00 €	44,46 €	44,57 €	42,10 €	52,78 €
Greece	88 340 000 €	99 050 000 €	145 783 667 €	78 521 382,0 €	106 539 586,0 €	7,81 €	8,95 €	13,44 €	7,23 €	9,88 €
Hungary	17 274 015 €	6 159 824 €	6 691 245 €	7 396 653,0 €	8 625 404,0 €	1,73 €	0,62 €	0,68 €	0,75 €	0,88 €
Ireland	47 325 000 €	43 720 000 €	44 302 000 €	44 136 000,0 €	47 780 000,0 €	10,33 €	9,52 €	9,58 €	9,46 €	10,22 €
Italy	326 163 179 €	465 147 222 €	463 052 628 €	453 626 000,0 €	513 761 705,0 €	5,38 €	7,79 €	7,62 €	7,48 €	8,48 €
Latvia	17 650 016 €	16 573 777 €	16 697 327 €	14 460 678,0 €	14 460 678,0 €	7,92 €	8,11 €	8,34 €	7,34 €	7,34 €
Lithuania	6 950 880 €	7 600 585 €	7 695 204 €	7 399 000,0 €	10 119 000,0 €	2,14 €	2,53 €	2,63 €	2,56 €	3,55 €
Luxembourg	NA	NA	NAP	NAP	NA	NA	NA	NAP	NAP	NA
Malta	6 702 000 €	6 399 974 €	6 583 082 €	6 665 908,0 €	6 904 081,0 €	16,05 €	15,19 €	15,33 €	15,34 €	15,68 €
Netherlands	190 743 000 €	237 570 000 €	217 194 000 €	198 293 000,0 €	194 428 000,0 €	11,45 €	14,16 €	12,85 €	11,68 €	11,38 €
Poland	530 161 000 €	408 787 000 €	407 715 000 €	-	415 418 000,0 €	13,88 €	10,61 €	10,59 €	-	10,81 €
Portugal	217 961 874 €	207 899 840 €	171 890 423 €	137 412 266,0 €	148 596 268,0 €	20,49 €	19,82 €	16,57 €	13,29 €	14,41 €
Romania	46 177 039 €	54 301 587 €	60 935 285 €	56 498 813,0 €	59 499 517,0 €	2,15 €	2,55 €	2,74 €	2,86 €	3,03 €
Slovakia	57 661 794 €	53 448 064 €	49 053 890 €	NA	NA	10,61 €	9,88 €	9,05 €	NA	NA
Slovenia	50 858 000 €	40 461 043 €	41 131 998 €	36 992 780,0 €	33 239 643,0 €	24,81 €	19,65 €	19,96 €	17,92 €	16,09 €
Spain	173 486 000 €	172 950 000 €	304 416 000 €	214 613 000,0 €	117 458 000,0 €	3,77 €	3,76 €	6,56 €	4,62 €	2,52 €
Sweden	4 469 274 €	5 134 908 €	9 011 588 €	13 480 605,0 €	12 802 008,0 €	0,47 €	0,54 €	0,92 €	1,37 €	1,28 €
Average	255 311 301 €	262 509 868 €	269 816 460 €	261 718 880,2 €	308 135 866,9 €	13,6 €	13,7 €	13,8 €	13,9 €	14,5 €
Median	47 325 000 €	53 448 064 €	47 868 874 €	44 136 000,0 €	47 151 060,0 €	7,9 €	8,5 €	9,0 €	7,3 €	8,0 €
Minimum	4 469 274 €	5 134 908 €	6 583 082 €	6 665 908,0 €	6 904 081,0 €	0,5 €	0,5 €	0,7 €	0,8 €	0,9 €
Maximum	3 515 706 357 €	3 567 436 506 €	3 600 787 657 €	3 442 704 519,0 €	4 336 886 963,0 €	93,0 €	98,8 €	106,7 €	119,1 €	125,8 €
Nb of values	27	27	27	26	27	27	27	27	26	27
% of NA	4%	4%	0%	4%	7%	4%	4%	0%	4%	7%
% of NAP	4%	4%	7%	8%	4%	4%	4%	7%	8%	4%

Table 1.8 Participation of the annual income of court taxes and fees in the budget of the judicial system for 2010 to 2016 in € (Q1, Q6, Q9)

States	Annual income of court taxes				
	2010	2012	2014	2015	2016
Austria	109,8%	108,3%	111,2%	124,9%	117,3%
Belgium	3,7%	3,5%	3,7%	4,2%	5,2%
Bulgaria	29,9%	29,4%	23,0%	21,7%	19,0%
Croatia	9,5%	13,9%	12,2%	9,0%	7,8%
Cyprus	NA	22,7%	NA	NA	15,8%
Czech Republic	8,2%	12,3%	NA	NA	8,9%
Denmark	NA	23,4%	NA	NA	16,5%
Estonia	33,2%	16,9%	26,0%	25,5%	17,7%
Finland	9,1%	9,3%	8,6%	8,4%	8,5%
France	NA	NA	NA	NA	NA
Germany	NA	38,9%	NA	NA	NA
Greece	14,2%	22,0%	30,6%	18,4%	23,9%
Hungary	4,8%	1,4%	1,7%	1,8%	2,0%
Ireland	16,9%	18,9%	19,9%	19,5%	20,4%
Italy	7,4%	10,2%	NA	NA	11,3%
Latvia	32,9%	25,1%	22,3%	18,7%	18,4%
Lithuania	8,3%	9,1%	7,9%	7,0%	8,8%
Luxembourg	NA	NA	NA	NA	NA
Malta	60,9%	47,7%	43,6%	42,3%	42,7%
Netherlands	9,1%	10,8%	10,5%	9,8%	9,5%
Poland	31,2%	22,4%	21,8%	-	20,9%
Portugal	31,1%	33,0%	32,1%	25,0%	25,5%
Romania	8,8%	11,3%	7,8%	8,0%	10,0%
Slovakia	28,1%	24,9%	NA	NA	NA
Slovenia	25,0%	22,0%	22,2%	20,7%	17,9%
Spain	4,7%	4,6%	8,6%	6,2%	3,2%
Sweden	0,5%	0,5%	NA	NA	NA
Average	22%	22%	23%	22%	20%
Median	12%	19%	21%	18%	16%
Minimum	1%	1%	2%	2%	2%
Maximum	110%	108%	111%	125%	117%
Nb of values	27	27	27	26	27
% of NA	19%	7%	33%	35%	19%
% of NAP	0%	0%	0%	0%	0%

Table 1.9 Taxes or fees to start a court procedure in 2016 (Q8, Q8-2)

	Are litigants in general required to pay a court tax or fee to start a proceeding at a court of general jurisdiction		Amount of fees needed to start a n action for 3000 recovery
	for criminal cases	for other than criminal cases	
Austria			163 €
Belgium			NAP
Bulgaria			120 €
Croatia			76 €
Cyprus			48 €
Czech Republic			150 €
Denmark			54 €
Estonia			275 €
Finland			500 €
France			0 €
Germany			324 €
Greece			NA
Hungary			180 €
Ireland			25 €
Italy			98 €
Latvia			355 €
Lithuania			90 €
Luxembourg			NAP
Malta			54 €
Netherlands			471 €
Poland			150 €
Portugal			204 €
Romania			173 €
Slovakia			180 €
Slovenia			125 €
Spain			150 €
Sweden			293 €
Average			177,4
Median			150,0
Minimum			-
Maximum			500,0
Nb of Yes	4	24	

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

Comments provided by the national correspondents

organised by country

Question 1: Population

Question 5 Exchange rate

Question 6: Budget of all courts

Question 9: Revenues from court taxes

Question 12: Budget for Legal Aid

Question 13: Budget of the Public Prosecution

Question 14: Authority responsible for the budget of the courts

Question 15-1: Budget of the whole justice system

Question 15-2: Elements of the budget of the whole justice system

Austria

Q7 (2014): Category “other”, it covers in 2014 – postal services (€ 35,57 Mio approved/€ 34,64 Mio implemented), Trustee-Attorney (€ 32,28 Mio approved/€ 33,98 Mio implemented), victims assistance (€ 5,59 Mio approved/€ 7,30 Mio implemented).

Q7 (2013): Category “other”, it covers in 2013 – postal services (€ 42,25 Mio), Trustee-Attorney (€ 32,28 Mio), victims assistance (€ 5,59 Mio);

Q7 (2012): Category “other”, it covers in 2012 – 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;

Q7 (2010): Category “other”, it covers in 2010 – postal services (€ 35,6 Mio), traineeship (€ 15,06 Mio), office equipment, lump-sum payment for legal representation (€ 18,4 Mio), travel expenses, other small expenses;

Q009 (2016): 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 trial detention; • during the entire procedure on the confinement in an institution for mentally abnormal offenders; • during the trial on the confinement in an institution for addicted offenders i need of curing and on the confinement in an institution for dangerous subsequent offender;

• during the trial in front of a jury or of a court of lay assessors;

• during the trial 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 of 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 trial 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 base of the minimum living wage which may not be provided since by sec 5 of

Q012 (2016): A lump sum of € 19.500.000 represents the approved public budget for payment to the bar for "pro bono" representation of parties. The implemented public budget for payment to the bar for "pro bono" representation of parties is € 19.700.000. The difference between these two figures is mainly due to advance payments to the bar for "pro bono" representation in overlong cases.

These figures do, however, not include court fees for expertise or interpretation, which are also covered by legal aid, but not isolated within the budget. Therefore, no figures can be provided as regards the whole regime of legal aid.

Q12-1 (General Comment): The indicated 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. Accordingly, no figures can be provided as regards the whole regime of legal aid.

Q012-1 (2016): A lump sum of € 19.500.000 represents the approved public budget for payment to the bar for "pro bono" representation of parties. The implemented public budget for payment to the bar for "pro bono" representation of parties is € 19.700.000. The difference between these two figures is mainly due to advance payments to the bar for "pro bono" representation in overlong cases.

These figures do, however, not include court fees for expertise or interpretation, which are also covered by legal aid, but not isolated within the budget. Therefore, no figures can be provided as regards the whole regime of legal aid.

Q12-1 (2015): A lump sum of € 19.000.000 represents the approved public budget for payment to the bar for "pro bono" representation of parties. The implemented public budget for payment to the bar for "pro bono" representation of parties is € 20.800.000. The difference between these two figures is mainly due to advance payments to the bar for "pro bono" representation in overlong cases.

These figures do, however, not include court fees for expertise or interpretation, which are also covered by legal aid, but not isolated within the budget. Therefore, no figures can be provided as regards the whole regime of legal aid.

Q12-1 (2014): In the frame of the 2014 exercise, a lump sum of € 19 Mio represents the approved public budget for payment to the bar for "pro bono" representation of parties. The implemented public budget in this respect is € 21 070 101. The difference between these two figures is mainly due to advance payments to the bar for "pro bono" representation in overlong cases.

Q13 (2015): The total sum in Question 6 includes the Public Prosecution services and legal aid. The presidents of the higher regional court administrate the budget of the public prosecution services.”

“Other: e.g. postal services (35.571.000 € approved / 35.790.326 € implemented), „Sachwalter- und Patientenanwaltschaft“ (32.284.000 € approved / 34.756.627 € implemented), „Opferhilfe“ (5.589.000 € approved / 5.998.449 € implemented).

Q013 (2016): A lump sum of € 19.500.000 represents the approved public budget for payment to the bar for “pro bono” representation of parties. The implemented public budget for payment to the bar for “pro bono” representation of parties is € 19.700.000. The difference between these two figures is mainly due to advance payments to the bar for “pro bono” representation in overlong cases.

These figures do, however, not include court fees for expertise or interpretation, which are also covered by legal aid, but not isolated within the budget. Therefore, no figures can be provided as regards the whole regime of legal aid.

Q14 (General Comment): The category “other” refers to the Ministry of Finance which is involved in the preparation of the total court budget. The Minister of Justice splits the budget allocated by the Federal Financial Law – among others – to the Supreme Court and the Higher Regional courts. The president of the Supreme Court and the presidents of the four Higher Regional courts manage and evaluate the allocated court budget.

The so-called Federal Financial Framework Law including the limit for federal spending for the following four financial years is the basis for the annually drawn up Federal Financial Law including the federal budget for a financial year. Usually the Minister of Finance draws up the draft of the Federal Financial Law after negotiations with every minister. The draft of the Federal Financial Law is submitted to the Federal Government and to the National Council of the Austrian Parliament. The Council of Ministers and the National Council of the Austrian Parliament approve the budget.

Q14 (2015): Description of the competences of the different authorities responsible for the budget process:

The so-called Federal Financial Framework Law including the limit for federal spendings for the following four financial years is the basis for the annually drawn up Federal Financial Law including the federal budget for a financial year. Usually the Minister of Finance draws up the draft of the Federal Financial Law after negotiations with every minister. The draft of the Federal Financial Law is submitted to the Federal Government and to the National Council of the Austrian Parliament. The Council of Ministers and the National Council of the Austrian Parliament approve the budget.

Q015-1 (2016): The higher figure of the implemented budget compared to the approved budget is mainly a result of an increase in costs for health care and hospitalization in the prison system, interpretation, drug rehabilitation, medical or therapeutic follow-up care for former prisoners on probation.

Q15-1 (2015): The higher figure of the implemented budget compared to the approved budget is mainly a result of an increase in costs for interpretation, drug rehabilitation, medical or therapeutic follow-up care for former prisoners on probation. In 2015 there was also a non-budgeted increase in salaries.

Q015-3 (2016): This cycle the budget of the whole justice system also includes state funding concerning guardianship (EUR 35.853.000 approved/EUR 36.143.000 implemented) and grants to victim assistance facilities (EUR 5.589.000 approved/EUR 6.850.674 implemented).

Q15-2 (2015): Q15.1

The higher figure of the implemented budget compared to the approved budget is mainly a result of an increase in costs for health care and hospitalization in the prison system, interpretation, drug rehabilitation, medical or therapeutic follow-up care for former prisoners on probation. In 2015 there was also a non-budgeted increase in salaries.

Source 15-1 and 15-2: “Bundesrechnungsabschluss 2015,” dated June 29th 2015

Belgium

Q001 (2016): population 1/1/2017

Q6 (2015): The budget of courts includes public prosecution services, but it does not include legal aid.

Q6 (2010): Several increases are to be noticed between 2008 and 2010: in the budget allocated to computerization due to an overall increase concerning investments and costs; in the budget allocated to new court buildings on account of delays in real estate programs and cutbacks on investment plans; in the budget for training following the establishment of the Institute of Judicial Training; in other expenses as a result of new legislation.

Q007 (2016): The indicated figures encompass both budget allocated to courts and budget allocated to public prosecution services. To date, it is not possible to distinguish one from the other. The difference between 2016 data and 2015 data (namely, as concerns the item “justice expenses”) is due to an ad hoc correction of the arrears that were paid in 2015.

Q7 (2014): 2014: The annual public budget allocated to the functioning of all courts includes the budget allocated to the public prosecution services.

2012, 2013, 2014: the category 'other' includes attendance fees, mediation, legal aid, the financial information processing unit and the National technical support unit (which handles the payment of telephone tapping set up by the police).

Q7 (2013): 2010, 2012, 2013: The annual public budget allocated to the functioning of all courts includes the budgets allocated to the public prosecution services and to legal aid.

2012, 2013, 2014: the category 'other' includes attendance fees, mediation, legal aid, the financial information processing unit and the National technical support unit (which handles the payment of telephone tapping set up by the police).

Q7 (2012): 2010, 2012, 2013: The annual public budget allocated to the functioning of all courts includes the budgets allocated to the public prosecution services and to legal aid.

2012, 2013, 2014: the category 'other' includes attendance fees, mediation, legal aid, the financial information processing unit and the National technical support unit (which handles the payment of telephone tapping set up by the police).

Q7 (2010): 2010, 2012, 2013: The annual public budget allocated to the functioning of all courts includes the budgets allocated to the public prosecution services and to legal aid.

Q009 (2016): The observed increase (about 30%) between 2014 and 2016 is due to the new methodology of calculation established by the legislation of June 2015 and providing for a calculation based on the level of the court receiving the application and the value of the latter (declared void by the Constitutional Court in 2017).

Q12 (2012): 2010: The 25% increase of the approved budget allocated to legal aid between 2008 and 2010 can be explained by an increase in costs and expenses.

Q13 (2015): In 2015, the judicial budget has been allocated several million euros following the transfer of competence, for example from the houses of justice (75 million euro in 2014) from the national level to the federated states (Flemish, French and German-speaking)

Q013 (2016): Currently, it is not possible to distinguish the budget allocated to the functioning of all courts from the budget allocated to public prosecution services.

Q14 (General Comment): The other Ministry is the Ministry of budget.

Q015-1 (2016): The communicated data corresponds to the total of budgetary credits foreseen and adjusted for 2016.

Expenditures foreseen for investments and/or rent of buildings are part of the budget of the Building Authority (Régie des bâtiments) entrusted with the responsibility of the real estate portfolio at federal level.

Q015-3 (2016): Specialized commissions: e.g. Information Center on Harmful Sectarian Organizations, Bioethics Commission and Euthanasia Commission, Victims Assistance Commission, Hazard Games Commission, Arbitration – Construction and Rental Litigation

National Commission on Children Rights, Federal Mediation Commission

State security

Cults and Secularism

The budget for staff responsible for the transfer of prisoners and prisoners' security in courts is included within the budget of the prison system.

Probation services ("maisons de justice") have been entrusted to the regional authorities.

Q15-2 (2015): budget for personnel responsible for the transfer of prisoners and prisoners security in the court is included in the budget of the prison system

en 2015, le budget de la justice a été imputé de au moins 75 million d'euro suite au transfert de la compétence des maisons de la justice du niveau national vers les états fédérés (communautés flamande, française et germanophones)

two judicial management bodies are created in 2014.

Q15-2 (2014): 2014: Two services of management system have been created by a law in 2014, but the two colleges, on one hand for courts and tribunals and on another hand for the public prosecution service, are formally made up only at the end of 2014 and do not function yet as autonomous managers.

Q15-2 (2012): The National Institute of Criminalistics and Criminology is partly financed by the budget of Justice.

Bulgaria

Q006 (2016): In Category 2 Annual public budget allocated to computerisation (approved and implemented) the amount of 631830 euro has been included, which is used for purchase of computers for the courts from the budget of the Supreme Judicial Council. The significant difference between approved and implemented budget allocated to computerisation comes from the impossibility of spending the ensured funds for purchase of computers, because of pending procedures under the Public Procurement Act.

The difference between the approved budget for computerisation between 2015 and 2016 is a result of the additional funds of 631830 euro that have been included for purchase of computers for the courts from the budget of the Supreme Judicial Council, as well as other investments in IT. However due to the delays in procurement procedures, these funds were not spent and this is reflected also in the difference with implemented budget for computerisation for 2016.

In Category 7 Other, the amounts for compensations under the Employment Code and Judiciary System Act, costs for apparel, social and cultural services and payments paid for sickness absence has been paid at the expense of the employer. For 2016 this category also includes the amounts for major renovations of court buildings - respectively 119690 euro in implemented budget column and 142954 in approved budget column. The last is due to the amendments in the Judiciary System Act according to which the budget for investments in new (court) buildings and for major renovations of court buildings is allocated to the Judiciary, not to the Ministry of Justice.

Regarding the approved annual public budget to "court buildings" the increase between 2015 and 2016 is due to the necessary amounts for the maintenance and running costs for the newly acquired building for Sofia regional court (Sofia first instance court) on "Tsar Boris" boulevard, which is used for first time for a full year .

Q6 (2015): Under item 3 - The difference in the amount compared to the previous evaluation cycle appears due to the entry into force in July 2015 of a new Ordinance on Registration, Qualification and Remuneration of Court Experts, pursuant to which is increased the hourly rate of remuneration of court experts.

Under item 6 - The difference in the amount compared to the previous evaluation cycle appears due to the approved funds for the courts by the Act for the State Budget of the Republic of Bulgaria for 2015 which allows spending more money for training in comparison to 2014.

Under item "other" are included the amounts for benefits/compensations due under the Labour Code and the Judiciary System Act, expenses for clothing, SWCS (social, welfare and cultural services) and benefits for temporary disability of workers on the expense of the employer.

Q6 (2014): In the frame of the 2013 exercise, several explanations have been provided.

With regard to the budget allocated to “new court buildings”, the sum of 7402177 € (which is not encompassed in the table) was allocated by the State budget to the Ministry of Justice.

It has been specified that the approved annual public budget allocated to the functioning of the courts is a common value (114 102 964 € for 2013) and no breakdown of salaries, court costs, buildings, expertise, insurance and others can be carried out. The indicated total in the table is the executed budget because data related to the different components are taken from the cash account report for the budget implementation of the judiciary.

Besides, for 2012 and 2013 the budget of the Judiciary, including this allocated to courts, has been increased pursuant to Decrees of the Council of Ministers.

It is noteworthy that for the 2012 cycle, the amount allocated to the social insurance contributions is included in the item 'other', while for the 2013 exercise it is encompassed in the “gross salaries”. As a result of this new distribution, in 2013, the annual public budget allocated to the category “other” has considerably decreased, while the budget of the category “gross salaries” has increased.

Finally, it should be noticed that for 2010, the budget allocated to “justice expenses” subsumes amounts for expertise and ongoing maintenance of buildings, while the budget allocated to “court buildings” encompasses only the cost of current repair of buildings. On the contrary, for 2012 and 2013, the former includes only amounts for expertise, while ongoing maintenance of buildings and the cost of current repair of buildings are included in the latter. Consequently, the important decrease of the budget allocated to “justice expenses” between 2010 and 2013 and the meaningful increase of the budget allocated to “court buildings” for the same period are only the consequence of the transfer of the costs of current repair and on-going maintenance of buildings from one category to another.

In the frame of the 2014 exercise, several clarifications have been provided.

As for the budget allocated to gross salaries, the variation observed for the period 2013-2014 has two justifications. On the one hand, the Public Social Insurance Budget Act has been modified in 2014. Accordingly, the maximum amount of social security income has been raised. On the other hand, the Military Courts of Varna and Pleven were closed.

With regard to the category “computerization”, the difference in the amount compared to the previous evaluation cycle is justified by the renewal of the obsolete computer equipment and the replacement of the one that is not beyond repair.

As for the category “investments in new court buildings”, the sum was allocated by the State budget to the Ministry of Justice under Investments of Judiciary Bodies Programme.

Finally, in respect of the category “other”, the variation between 2013 and 2014 is justified by the amount of benefits due under the Labour Code and the Law on the Judiciary, paid at a higher rate. Over the years, this amount varies depending on the number of persons leaving the system and the time they have worked in it. The amount of benefits paid during the previous evaluation cycle is € 1 667 350, and in this evaluation cycle - € 3 368 650. The benefits paid in connection with the closing of the two military courts also have an impact.

Q6 (2013): In the frame of the 2013 exercise, several explanations have been provided.

With regard to the budget allocated to “new court buildings”, the sum of 7402177 € (which is not encompassed in the table) was allocated by the State budget to the Ministry of Justice.

It has been specified that the approved annual public budget allocated to the functioning of the courts is a common value (114 102 964 € for 2013) and no breakdown of salaries, court costs, buildings, expertise, insurance and others can be carried out. The indicated total in the table is the executed budget because data related to the different components are taken from the cash account report for the budget implementation of the judiciary.

Besides, for 2012 and 2013 the budget of the Judiciary, including this allocated to courts, has been increased pursuant to Decrees of the Council of Ministers.

It is noteworthy that for the 2012 cycle, the amount allocated to the social insurance contributions is included in the item 'other', while for the 2013 exercise it is encompassed in the “gross salaries”. As a result of this new distribution, in 2013, the annual public budget allocated to the category “other” has considerably decreased, while the budget of the category “gross salaries” has increased.

Finally, it should be noticed that for 2010, the budget allocated to “justice expenses” subsumes amounts for expertise and ongoing maintenance of buildings, while the budget allocated to “court buildings” encompasses only the cost of current repair of buildings. On the contrary, for 2012 and 2013, the former includes only amounts for expertise, while ongoing maintenance of buildings and the cost of current repair of buildings are included in the latter. Consequently, the important decrease of the budget allocated to “justice expenses” between 2010 and 2013 and the meaningful increase of the budget allocated to “court buildings” for the same period are only the consequence of the transfer of the costs of current repair and on-going maintenance of buildings from one category to another.

Q6 (2012): In the frame of the 2012 exercise, the attention was drawn on three points.

Firstly, with regard to the budget allocated to new court buildings, the sum of 5828727 € (which is not encompassed in the table) was allocated by the State budget to the Ministry of Justice under Investments of Judiciary Bodies Programme. The latter includes activities on improving the material basis of Judiciary Bodies (court and prosecution), namely: acquisition of buildings; rehabilitation, reconstruction and major repairs of buildings; design and construction of new buildings.

Secondly, it has been specified that the approved annual public budget allocated to the functioning of the courts is a common value (114 000 706 € for 2012) and no breakdown of salaries, court costs, buildings, expertise, insurance and others can be carried out. The indicated total in the table is the executed budget because data related to the different components are taken from the cash account report for the budget implementation of the judiciary.

Finally, during the 2012 and 2013 the budget of the Judiciary, including the courts, has been increased pursuant to Decrees of the Council of Ministers.

Q12 (2014): In the frame of the 2014 exercise, it has been specified that the implemented budget of legal aid exceeds the approved one because of a large number of criminal cases of serious crimes and a large number of civil cases with high material interest justifying higher legal fees.

Q12 (2012): In the frame of the 2012 exercise, it has been explained that the increase of the budget allocated to legal aid between 2010 and 2012 was due to the increase of the number of poor citizens.

Q13 (2014): It is noteworthy that in 2014, to the Prosecutor's Office of the Republic of Bulgaria from the Ministry of Justice moved a new structure – Protection Bureau. Accordingly, the budget of the Prosecutor's Office of the Republic of Bulgaria for 2014 was increased by funds in connection with this structural change.

Q14 (2014): For 2014, the category "other" refers to the Ministry of Finance.

Q14 (2010): For 2010, the category "other" referred to the Ministry of Finance and the National Audit Office, which adopt and certify the accounts for the cash budget implementation of the judiciary.

Q15-1 (2014): In the ambit of the 2014 exercise, it has been specified that the difference between the implemented and approved budget was financed with part of the additional resources from the State budget for judiciary.

Q15-2 (2015): The budget allocated for the whole justice system includes the budget for the Judiciary (budgets of the courts, Prosecutor's office of the Republic of Bulgaria, Supreme Judicial Council, The Inspectorate at the Supreme Judicial Council and the National Institute of Justice. The budget of courts includes the costs for forensic services, state enforcement services), Legal Aid, Registry agency (property register, commercial register, BULSTAD register and Register of the Property Relations between Spouses), General Directorate Execution of Sanctions (includes the costs for probation services), General Directorate Security (security of the judicial system bodies), Central administration of the Ministry of Justice, Constitutional court.

Q15-2 (2014): For 2014, the budget (approved/implemented) allocated for the whole justice system includes the budget for the Judiciary (courts (including forensic services and State enforcement services), Prosecutor's office of the Republic of Bulgaria, Supreme Judicial Council, Inspectorate at the Supreme Judicial Council and the National Institute of Justice) – 237 789 709 €/235 421 896 €, Legal Aid – 4 306 647 €/4 796 175 €, Registry agency (property register, commercial register, BULSTAD register and Register of the Property Relations between Spouses) – 8 534 524 €/8 274 378 €, General Directorate Execution of Sanctions (includes the costs for probation services) – 60 670 876 €/60 229 567 €, General Directorate Security (security of the judicial system bodies) – 15 508 519 €/15 508 059 €, Central administration of the Ministry of Justice – 9 313 711 €/9 010 504 €, Constitutional court – 1 656 600 €/1 656 600 €.

Q15-2 (2013): For 2013, the budget allocated for the whole justice system includes the budget for the Judiciary (Courts (including forensic services and State enforcement services), Prosecutor's office, Supreme Judicial Council, the Inspectorate at the Supreme Judicial Council and the National Institute of Justice) - 225 753 988 €, Legal Aid - 5 292 135 €, Registry agency (property register, commercial register, BULSTAD register and Register of the Property Relations between Spouses) – 9 448 009 €, General Directorate Execution of Sanctions (includes the costs for probation services) – 52 982 312 €, General Directorate Security (security of the judicial system bodies)– 15 528 857 €, Central administration of the Ministry of Justice – 13 999 008 €, Constitutional court – 1 056 000 €.

Croatia

Q006 (2016): The total budget has not changed much but there are differences within categories. The gross salaries increase is due to the regresses and Christmas bonuses, which did not exist in 2015.

Larger budget have been approved for computerisation.

The amount for justice expenses is smaller because bigger amount had been allocated to state attorney's offices so less remained for the courts.

6.4.&6.6. - The implemented and approved budget in these two categories differ because during the year a need for a larger amount had arisen in budget allocated for training and was compensated by the another.

Q6 (2015): No. 1: In the said amount gross salaries, benefits, transportation costs and other expenses for employees (jubilee awards, severance pay, help) are included.

No. 4: The above mentioned amount refers to the costs of current maintenance and investments of buildings, utilities, phone, inventory, energy.

No. 5 the declared amount also includes investments and renovations of the existing buildings.

No. 5 includes investments in buildings. Considering that there were no investments in new buildings in 2015, the amount of investments for adaptation and restructuring of existing buildings was included into item no 4.

No. 7 includes postal services, office materials, insurance premiums, banking and health services. Budget of courts and budget of the public prosecution services are presented separately.

Q6 (2014): • In the 2014 exercise, it has been specified that the category “gross salaries” includes benefits, transportation costs and other expenses for employees (jubilee awards, severance pay, help).

- The category “justice expenses” encompasses as in 2013 expenses related to intellectual services, postal and telephone services, office equipment, witness and interpreters, as well as smaller amounts for other justice expenses.
- The budget allocated to “court buildings” refers to the costs of current maintenance of buildings and investments, utilities, phone, inventory, energy etc. The stated amount is significantly different from this indicated for 2012 because of a different presentation of data. By contrast to the 2012 evaluation, the category is construed in a wider way and subsumes also the operating expenses. Out of that figure, the total amount of investments is 709.245,75 Euro.
- Concerning the item “new court buildings”, provided that there were no investments in new buildings in 2014, the amount of investments for adaptation and restructuring of existing buildings was added to item n° 4.

Q6 (2013): • In the 2013 exercise, the category “justice expenses” subsumes expenses related to intellectual services, postal and telephone services, office equipment, witness and interpreters, as well as smaller amounts for other justice expenses.

- As to the budget allocated to “court buildings”, in 2013, in contrast with the 2012 exercise, it also encompasses investments and renovations of the existing buildings.
- As to the category “new court buildings”, in 2012 it was interpreted narrowly, while for the 2013 evaluation, it encompasses all investments related to the court buildings.
- Besides, the budget allocated to “justice expenses” and “new buildings”, has significantly decreased between 2010 and 2013 as a result of the economic situation and public expenditure rationalization, as well as the effects of the reorganization and reduction of the number of courts.
- Variations noticed in respect of the budget allocated to “computerization” for the period 2010-2012-2013 are the consequence of reduced investments but also of the implementation of measures intended to rationalize costs and savings related to computerization (e.g., maintenance of IT equipment is carried out under more favourable financial conditions than in 2010).
- As for the budget allocated to “training” and its decrease between 2010 and 2013, it should be noticed that in 2013, there was no recruitment of judicial and state attorney’s trainees, unlike in 2010. Therefore, the budget for 2013 did not allocate funds for the educational activities of judicial and state attorney’s trainees. In addition, due to the smaller number of students, the budget for educational activities for the purposes of the National School for the Judicial Officials was reduced.

Q6 (2012): Concerning the categories “new court buildings”, “justice expenses” and “other”, in 2012 they have been construed in a restrictive way which explains the reply NA.

Q6 (2010): The apparent decrease of the budget allocated to “justice expenses” between 2008 and 2010 was due to the fact that in 2008 the sums paid for compensation and cost in action were considered as justice expenses whereas in 2010 these were included in the heading “other”. □

As to the meaningful increase of the budget intended to “new court buildings” for the same period, the figures indicated for 2010 include the sum for the final settlement for the new building of the Supreme Court.

Q7 (2014): For 2013 and 2014, the category “other” encompasses the execution of final court judgments reimbursement of expenses incurred by allocation of a case to another court of competent jurisdiction, violation of the right to a fair trial within reasonable time, costs of transport to work and from work as well as other employees expenses (severance payments, grants), promotional, medical and other services, membership fees, representation, banking services and other unmentioned financial expenditure.

Q7 (2013): For 2013 and 2014, the category “other” encompasses the execution of final court judgments reimbursement of expenses incurred by allocation of a case to another court of competent jurisdiction, violation of the right to a fair trial within reasonable time, costs of transport to work and from work as well as other employees expenses (severance payments, grants), promotional, medical and other services, membership fees, representation, banking services and other unmentioned financial expenditure.

Q7 (2010): For 2010, the category "other" subsumes transportation to and from work (6386421 €); other expenditures for employees such as compensations based on collective agreement for civil servants (3615791 €), advertising services (122088 €), other services (508004 €), health services (152324 €); banking services, default interests and membership subscriptions (110692 €); insurance premiums (69353 €), entertainment allowance (73078€).

Q012 (2016): The annual approved public budget allocated in other than criminal cases to primary legal aid (for non-litigious cases or cases not brought to court) in 2016 was significantly reduced, which results in great differences in total amount approved in other than criminal cases to legal aid in 2014/2015 and 2016.

Q12 (2014): In the 2014 exercise, it has been specified that the amount of legal aid approved and also allocated to the cases brought before the court (primary legal aid) was 1.450.000,00 kuna, and legal aid for non-litigious cases or cases not brought to court (secondary legal aid) was 2.570.000,00 kuna. The figures provided in the table are calculated according to the currency for 31st December 2014 which was 1 €=7,6577 kuna.

Q12 (2013): In the 2013 exercise, it is explained that the budget for legal aid was increased as a response to the observed trend of increased number of requests for granting legal aid. Besides, it is specified that 253 750 euro represent the funds allocated to legal aid in the budget of Croatia intended for free legal aid under the Free Legal Aid Act (civil and administrative proceedings). There also exist funds paid as per submitted requests for granting legal aid - 236 000 euro which could be registered in the following categories: "other than criminal law cases" – 210000; "annual public budget allocated to legal aid for non-litigious cases or cases not brought to court" – 26000.

Q12 (2012): In 2012, due to the decreased budget planned for the Ministry of Justice, the amount allocated to legal aid is lower than in 2010. More precisely, the reduction of the budget for legal aid in administrative and civil proceedings was due to the economic situation.

Q012-1 (2016): In the Ministry of Justice of the RoC there is a Department for legal aid in other than criminal cases and it keeps records on the total annual and implemented budget for legal aid in other than criminal cases in detail. The costs for the legal aid in other than criminal cases are paid after the end of the dispute before the first instance court.

The amount in 2016 for "other than criminal cases brought to court" is higher because more bills had to be paid in 2016. Namely, court proceedings last for several years, and probably in 2016 more bills for paying the costs of court experts and interpreters had been received since the Free Legal Aid Act (OG 143/13), which grants the exemption from paying the costs of court experts and interpreters, came into force on 1 January 2014.

Different methodologies were used in 2014 and 2016 for non-litigious cases or cases not brought to court. According to the methodology used in 2016, the total amount for non-litigious cases or cases not brought to court in 2014 would be 346779, while the amount for criminal cases would be 255 830.

Q12-1 (2015): The Ministry of Justice of the RoC keeps statistical records on the total annual approved and implemented budget for legal aid (separate for the other than criminal cases and separate for courts and public prosecution services). Since in the Ministry of Justice there is a Department for legal aid in other than criminal cases, it is possible to keep a track record on these cases in detail. However, it is not possible to present in detail all the other data for approved and implemented budget (total - cases brought to court and cases not brought to court; criminal cases - cases brought to court and cases not brought to court).

Q14 (General Comment): 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.

Q15-1 (2010): The increase of the annual approved public budget allocated to the whole justice system between 2008 and 2010 was justified by the more needs of the judiciary as well as by the payment for the building of the Supreme Court.

Q15-2 (2014): In 2014, the difference between allocated and implemented public budget is not significant.

Q15-2 (2013): For 2012 the Ministry of Justice envisaged special costs related to the establishment of the Public Bailiff Service. However, following the amendments to the Enforcement Act, the introduction of the Public Bailiff Service was abandoned, pursuant to which this category is not included in the budget of the judiciary for 2013.

Q15-2 (2010): For 2010, the total annual public budget allocated to the whole justice system includes also the budget of the Judicial Academy.

Cyprus

Q006 (2016): The annual public budget (approved and implemented) allocated to computerization decreased between 2015 and 2016 because no new computers were purchased.

Concerning the annual public budget (approved and implemented) allocated to justice expenses, the discrepancy with previous data is due to the fact that in the last cycles (2014 and 2015) legal aid could not be isolated.

The annual public approved budget allocated to training increased between 2015 and 2016 because more training activities were organised. In 2016 the budget allocated to new buildings included a budget for the erection of a new district court of Pafos. However this was not achieved in 2016 therefore there is a big difference between the approved and the implemented budget.

Q6 (2015): Regarding the approved budget:

Before 2015, new computers were installed explaining the variations regarding the category "computerisation" between 2015 and the previous years.

Starting in 2014 there was a difference in methodology calculating different categories and for that the category justice expenses increased enormously. From 2014 the amount for cost in action as well as for publishing were included in "justice expenses" while in the previous cycle this was included in the category "other".

In 2015, there was no new building built.

The budget allocated to training decreased over the years due to austerity measures. From 2015, this budget has been increased again.

Q6 (2014): 2014: - The supreme Court is also the constitutional court and the High council of the judiciary, therefore the budget is the same.

Variations:

In 2014 there was a difference in methodology calculating different categories and for that the category justice expenses increased enormously. In 2014 the amount for cost in action as well as for publishing were included in "justice expenses" while in the previous cycle this was included in the "other" and mentioned in the comments. Now it is corrected and included in justice expenses.

The numbers for new buildings decreased because in 2012 new district court was built and there are no new buildings in 2013 or 2014.

The budget allocated to training is decreasing over the years due to austerity measures. However that amount was the approved amount and not the implemented. The implemented budget is substantially bigger than approved.

Q6 (2013): 2013 The numbers for new buildings decreased because in 2012 new district court was built and there are no new buildings in 2013.

2010, 2012, 2013 The amount for cost in action as well as for publishing were included category "other".

Q6 (2012): 2010, 2012, 2013 The amounts for cost in legal action as well as for publishing were included within the category "other".

Q6 (2010): 2010, 2012, 2013 The amount for cost in legal action as well as for publishing were included within the category "other".

Q12 (2013): 2013: The decrease in the Legal Aid budget is as a result of the austerity measures and in relation to the budget there were less applications for legal aid.

Q012-1 (2016): In 2016 there was an increase in the number of legal aid cases.

Q013 (2016): The difference between the approved budget in 2014 and 2016 was the fact that following the bail in 2013 the cases that were tried in 2016 had increased enormously. The reason for the difference between the approved budget and the implemented budget for 2016 was the increase in the services rendered to the prosecution service as well as the compensation and cost. In 2014 the amount for services rendered was 954,000 whereas in 2016 13,036,139. The amount for compensation in 2014 was 6431646 and in 2016 it was 14623187.

Q13 (2012): This amount includes only the budget of the Law Office of the Republic headed by the Attorney General.

Q14 (2014): According to 2014 data, the Accountant general and the Chief registrar are responsible for the management of the budget, while the auditor General evaluates the use of the budget.

Q15-2 (2015): STATE BUDGET

Q15-2 (2014): In 2014 there is substantial increase of the budget of the judicial system due to inclusion of budgets of the attorney general's office, the police, the prison, Ministry of justice, enforcement and forensic services.

Czech Republic

Q006 (2016): The data on approved budget allocated to justice expenses cannot be separated from category "Other" in the approved budget.

The approved Legal Aid budget is included in the court budget and cannot be separated at this stage.

Q6 (2015): The data on approved budget allocated to justice expenses do not exist, the approval budget is not divided to this level. The data on implemented budget are obtained from individual courts from their economic system.

Please note that budget allocated to training and education does not include education realized by the Judicial Academy.

Q6 (2014): In the frame of the 2014 exercise, it was specified that the implemented budget covers also means which were not spent in the previous period. Data related to the approved budget allocated to justice expenses do not exist because the approval budget is not divided to this level. Owing to the impossibility to identify the approved public budget with regard to justice expenses, the reply in respect of this category is NA. Data on implemented budget are obtained from individual courts from their respective economic systems.

Q6 (2013): Within the ambit of the 2013 exercise, it was explained that the justification of the observed discrepancies for the period 2012-2013 lies in the course of the exchange rate.

Moreover, according to the Economic department of the Ministry of Justice there were some investments to new buildings in 2013 contrary to the previous year.

As for the category "training and education", although the difference is quite significant, the data are correct.

Q6 (2010): Several clarifications have been provided in the frame of the 2010 exercise.

Firstly, in 2009 and 2010, considerable investments were granted to computerization relating to the implementation of electronic data boxes (for all courts), to the new interactive forms of registration to the business register, to the development of the electronic payment order, etc.

Secondly, cuts in the justice expenses have been done due to the economic crisis.

As to the budget allocated to court buildings, the variation noticed between 2008 and 2010 is a result of the escalation of prices of energy, VAT, water and gas on the one hand, and of the variation of the exchange rate between national currency and EURO, on the other hand. Besides, the repairing works are more expensive due to smaller volume of investments.

Q012 (2016): The data on approved budget allocated to legal aid do not exist, the approved budget is not divided to this level.

Q12 (2014): Specifically, as concerns the 2014 exercise, it is indicated that data on approved budget allocated to legal aid do not exist because the approval budget is not divided to this level. Owing to the impossibility to identify the approved public budget for legal aid, the reply in respect of this question is NA.

Q12-1 (General Comment): The provided data covers only financial means from the State budget and only cases brought to court. Besides, legal aid is also provided by the Czech Bar Association on its own expenses (or on the expenses of the individual lawyers) and it could cover also cases not brought to court.

Q012-1 (2016): The data on implemented budget are obtained from individual courts from their economic system.

The provided data covers only financial means from the State budget and only cases brought to court. Besides, legal aid is also provided by the Czech Bar Association on its own expenses (or on the expenses of the individual lawyers) and it could cover also cases not brought to court.

Q12-1 (2015): The data on approved budget allocated to legal aid do not exist, the approval budget is not divided to this level. The data on implemented budget are obtained from individual courts from their economic system.

The provided data covers only financial means from the State budget and only cases brought to court. Besides, legal aid is also provided by the Czech Bar Association on its own expenses (or on the expenses of the individual lawyers) and it could cover also cases not brought to court.

Q12-1 (2012): In the frame of the 2014 exercise, it has been indicated that data on implemented budget are obtained from individual courts from their respective economic systems.

Q14 (2012): On the occasion of the 2014 exercise, it has been pointed out that the Ministry of Justice secures funding and money management of individual courts, controls economic activities of the courts and determines the means of public expenditure for regional courts. The Presidents of the latter itemize the means of the State budget for the management of the regional court and district courts in their respective region.

Q15-2 (2015): Ministry of Justice

Denmark

Q006 (2016): The approved and implemented budget for 5) Investments in new court buildings are included under 4) Court buildings. The category "other" includes the courts expenses in connection to case handling, including postage costs, purchases of goods and services and any extraordinary expenses not directly attributable to other items. The category "Other" shows a decrease of 30% between 2014 and 2016, primarily due to exceptional circumstances in 2014, which necessitated large financial provisions.

Q6 (2015): Building-related expenses, including rent, increased greatly during the years 2013-2014, when 4 district courts and 1 High Court moved into new courthouses.

The budget for new court buildings are included in the budget "court buildings".

Regarding the category "other", the variation between 2010 and 2015 result to the fact that in 2010 there were extraordinary high costs to consultants in connection to several tenderings' proceedings.

Q6 (2010): In the frame of the 2010 exercise, it has been explained that the increase observed in respect of the annual public budget allocated to computerization between 2008 and 2010 was mainly due to increased investments with regard to new technology and the introduction of a new legal case management system.

Besides, the considerable increase of the budget allocated to the category "other" was justified by the increased expenditures in connection to courts moving into new buildings.

Q9 (2015): The decrease between 2010 and 2015 in the annual income of court taxes or fees received by the State is due to the fact that from mid-2013 there were no longer taxes in connection with access to the land register.

Q9 (2014): In 2013, the revenue from advertisements and queries in the land registration system was reorganized. It is now free to make advertisements in the digital land registration system, while other revenues related to land registration are collected directly by the Treasury. Fees from land register amounted to approximately 32 percent of total revenue in 2012. Revenue from court fees makes up the rest corresponding to approximately 65,000,000 €. From 2012 to 2014 the revenues from court fees dropped to 57,000,000 € representing a decrease of approximately 11 percent.

Q12 (2014): In the frame of the 2014 exercise, it has been indicated that the budget foreseen for legal aid in 2012 and 2013 proved to be far less than the actual costs these years. Accordingly, the 2014 budget was increased considerably. Thus, there is not a significant increase in expenditure rather that budget is adapted to the actual consumption. This applies to the cost of both criminal and other cases.

Q12 (2013): In the ambit of the 2013 exercise, it has been noticed that the 2012 budget was well below the actual result for this year and that accordingly, the 2013 budget has been increased.

Q14 (General Comment): The category "other" refers to the Danish Court Administration.

Q015-1 (2016): Expenditures on the Refugees and asylum seekers and the Immigration Service are from 2016 no longer a part of the justice system. The total expenditure in 2016 allocated to the whole justice system is therefore significantly lower compared to the corresponding data for 2015.

Q015-3 (2016): Concerning the Refugees and asylum services, due to an reorganisation the area, in 2016 it is no longer part of the whole justice system.

Q15-2 (2012): The category "other" encompasses the budget of the Danish Court Administration.

Estonia

Q006 (2016): The approved annual public budget allocated to training was bigger than the year before because the implemented budget was taken into account.

Investment in court buildings is done by Public Real Estate Company and does not appear in courts' budget. Only Supreme Court's investment budget has been shown in previous years. In 2016 they did not invest in court buildings.

Q6 (2015): For the 2015 exercise (as for 2014), the total annual public budget allocated to courts includes the Supreme Court's budget which resulted in variations compared to the previous evaluations.

Regarding the budget allocated to computerisation, the main expenses of first and second instance courts are not part of the court's budget but are included in the budget of the Center of Registers and Information Systems. The budget allocated to computerisation mentioned refers mainly to the budget of the Supreme Court. In 2015, the Supreme Court developed its own system in the Court Information System.

The budget allocated to justice expenses is very difficult to predict. In recent years, the trend is that expenses are increasing (partly due to the influx of cases which need translators). If the budget allocated to justice expenses is not sufficient, it is possible to apply for more budgets from the reserves.

Most investments in court buildings are done by State Real Estate Ltd and is not included in the courts' budget.

If by the end of the year, there are funds left from one category of the courts' budget, these funds are transferred to the budget allocated to training.

As for the sub-category "other", the meaningful increase of the budget between 2010 and 2015 is due to the difference of content. From 2012, more components were included in the category "other".

Q6 (2014): For the 2014 exercise, the annual public budget allocated to all courts does not include the budget of legal aid, neither the budget of public prosecution services. Moreover, the indicated total does not subsume the following budgets: prison and probation systems; Ministry of Justice (and/or any other institution which deals with the administration of justice); other institutions (other than courts) attached to the Ministry of Justice; judicial protection of youth (social workers, etc.); High Council for the Judiciary; annual income of court fees or taxes received by the State.

Besides, some of the expenses for the installation, use and maintenance of computers in first and second instance courts are not included since the Center of Registers and Information systems has a separate budget.

On the contrary, in the frame of the 2014 exercise, the total annual public budget allocated to courts includes the Supreme Court's budget which resulted in variations compared to the previous evaluations. Namely, the figures indicated for investments in new court buildings concern only the Supreme Court's budget, while 1st and 2nd instance courts don't have any investments. Likewise, training costs of 1st and 2nd instance judges are encompassed within the budget of the Supreme Court.

In 2014, there was a slight increase of the salaries in general. Moreover, the methodology of calculation of judges' salaries has changed resulting in an increase. Additionally, in 2013 a project related to the position of assistant to judge (per each judge of first and second instance) was launched. The salary of a judge's assistant is at least half of the first instance judge's salary. □

The significant decrease of the budget allocated to "computerization" since 2013 has a double explanation. On the one hand, in 2013 there were costs of developing the 2nd generation Court Information system. On the other hand, in 2014, the main costs are in the budget of the Center of Registers and Information Systems which is a separate one.

As for the budget allocated to "justice expenses", the observed increase between 2012 and 2014 results mainly from the significant increase of the translation costs (asylum seekers cases) and other costs related to court proceedings.

As for the category "other", the observed increase for the period 2012-2014 is due to the increase of judges' pensions.

Q6 (2013): In the frame of the 2013 exercise, several variations are noticed with regard to different budgetary sub-categories. Relevant explanations are provided in this respect.

As for the budget allocated to "justice expenses", the observed increase between 2012 and 2013 stems mainly from the significant increase of interpretation and translation costs. On the one hand, the number of cross-border cases has increased within the years, which requires more interpretation and translation services to be provided in court proceedings. On the other hand, in the Supreme Court the way of payment of translation costs has changed (before, the translation service was ordered and paid on the basis of labour contracts and was a part of the personnel costs; after the change, the translation service is ordered as a service and it is paid on the basis of the invoice and it is considered to make part of the justice expenses). In addition, costs of expertise and costs related to bankruptcy proceedings have been increased during the last years.

As for the budget allocated to training (only judges and not court staff), its increase between 2012 and 2013 is a result of the increased need of training of judges. The latter is justified by the new or changed legislation and the new IT systems implemented lately in the judicial field (new court information system, State claims payment information system).

Q6 (2012): For 2012, the budget allocated to "computerization" has significantly increased due to the large IT development projects like the 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 other projects.

As to the budget allocated to "justice expenses", it has considerably decreased due to the fact that before the expenses of expertise were included in the budget allocated to the functioning of courts, while now they are a part of the Estonian Forensic Science Institute's budget. □

As for the sub-category "other", the meaningful increase of the budget between 2010 and 2012 is due to the difference of content. If for 2010 this item includes only unpredictable expenses, for 2012 it encompasses numerous components. With regard to the latter, the main increase is caused by including the pensions of former Supreme Court justices. Basically, before 2012 all the pensions of public officials were in the budget of the Ministry of Social Affairs. From 2012, the pension has to be included in the budget of the institution where the pension receiver has worked. Therefore the funds for the pensions of the former justices of the Supreme Court are now included in the budget of the Supreme Court.

Q009 (2016): The biggest income of court taxes is due to big tax cases where it depends on the case and whether the case is won or not.

Q9 (2014): The variations over the years 2010, 2012 and 2014 are probably due to the fact that in 2012 only the income of court fees was submitted, excluding the registries. By comparison, for 2014, the annual income of court fees without the registries was 4 227 968.

Q9 (2012): The decrease in the income of court taxes can be explained by the fact that in 2012 State fees regarding court procedures have been reduced significantly (from 1-2% to almost 500%).

Q12 (2013): For 2013, according to the executed budget, the sums paid to lawyers represent 2 980 235 euros from the total (3 835 000). From these 2 980 235 euros, 2 226 315 euros were allocated to legal aid for criminal cases and 718 922 euros were allocated to legal aid for civil and administrative cases, the rest was allocated to legal aid for misdemeanor, enforcement procedure, administrative procedure and review procedure cases and legal consultation.

Q12 (2012): The variation observed between 2010 and 2012 should be explained in the light of the above-mentioned clarifications. For 2012, the sums paid to lawyers represent 2 857 850 euros from the total (3 835 000). In this respect, the difference with the amount provided for 2010 is not such important (2 307 334 euros). On the contrary, the IT costs included in the budget of legal aid for both of the exercises are especially high in 2012 due to the implementation of a new IT system. Basically, the increase of this specific part of the legal aid budget affects the total.

Q13 (2013): The approved public budget allocated to the public prosecution services has increased in 2013 compared to the budget of 2012 due to the increased costs of rent of buildings on the one hand, and the increased budget of salaries, on the other hand.

Q14 (General Comment): The Ministry of Justice prepares the budget for courts of first and second instance. 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. Concretely, the Supreme Court prepares its budget and presents it to the Ministry of Finance, which prepares the budgets of the constitutional institutions (Supreme Court, Chancellor of Justice, National Audit Office, Office of the President). 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.

The budgets are evaluated by the Ministry of Finance and the National Audit Office.

In the column "Preparation of the total court budget" the answer is positive for the "High judicial council" as the Council for Administration of Courts has to give its opinion on the principles of the formation of annual budgets of courts of first and second instance and on the conformity of the funds allocated to these courts in the budget of the Ministry of Justice with the principles of the formation of annual budgets of courts.

Q15-1 (2014): In 2014, the implemented budget is higher than the approved budget because of larger amounts carried over for execution of the previous year expenditures which were higher than the planned grants.

Finland

Q6 (2015): For 2015, the costs of computerisation have increased. Also, the budget allocated to justice expenses includes expenses for the interpretation which have increased.

Q6 (2014): The increase of the budget allocated to "justice expenses" between 2013 and 2014 is mainly due to the increase of translation and interpreting costs as well as the increase of the compensation paid from State funds to witnesses for their necessary travel and maintenance expenses as well as for loss of earnings.

As to the significant increase of the budget allocated to the category "other" between 2013 and 2014, it is not possible to identify the specific reason because there is no available detailed information on each of the components of this category.

Q6 (2010): Clarifications have been provided in respect of the 2010 exercise. On the one hand, the increase observed between 2008 and 2010 with regard to the category "computerization", results mainly from the planning and the preparation of the implementation of the new criminal case management system. On the other hand, all the expenses subsumed in the category "justice expenses" (interpretation and translation expenses, court mediator expenses, expert expenses, witnesses fees borne by State, damages borne by State) have increased considerably which explains the observed variation with regard to this category between 2008 and 2010. Finally, for the 2010 evaluation cycle, there are fewer expenses which cannot be distributed between the items 1 to 6 and are encompassed in the item 7.

Q7 (2013): For the 2013 exercise, besides industrial health services, postage, office supplies, telephone and telecommunications services, the category "other" includes also the budget intended to training and education.

Q012 (2016): The legal aid expenses has been increasing. This is due to the 4 % increase made in the legal fees. Also the number of refugees getting legal aid has been risen.

Q12 (2014): Legal aid expenses have been increasing. In 2014 this was due to the 4 % increase made in the legal fees. In 2015 this is due to the increase in the number of refugees to whom legal aid was granted.

Q012-1 (2016): A part of the expenses of the legal aid comes from cases which are not heard in the courts. The total amount includes the expenses of the public legal aid offices (net EUR 23 million) and the expenses paid to the private lawyers. Private lawyers were paid EUR 66.4 million as fees and compensations in legal aid matters, which is 24 per cent more than in the previous year. Expenses have grown as the number of clients has grown. In 74 per cent of the 15,600 legal aid decisions made concerning asylum seekers applying for international protection, the applicant was assisted by a private lawyer.

Q12-1 (2015): Q12: A part of the expenses of the legal aid comes from cases which are not heard in the courts. The total amount includes the expenses of the legal aid offices (24,2 milj. €) and the expenses paid to the Private lawyers (53,5 milj. €).

Q14 (General Comment): The other Ministry is the Ministry of Finance, while the inspection body is the National Audit Office of Finland

Q015-3 (2016): Other elements included in the budget: election expenditure. There are also some other offices under the administrative sector of the Ministry of Justice like Legal Register Centre, Offices of several different Ombudsmen, Council for Crime Prevention and Safety Investigation Authority.

Q15-2 (2010): For 2010, the item "other" includes also the enforcement agents (included, since 2012, in the specific item of the table).

France

Q001 (2016): Source: INSEE, estimation of population

Q006 (2016): The budget allocated to the functioning of all courts cannot be distinguished from the one allocated to public prosecution services. The distribution key that has been used results in the following proportion: 80% for courts and 20% for public prosecution services. Besides the budget allocated to the civil and criminal justice, the indicated amount encompasses also:

- an evaluation of expenditures pertaining to transfer of individuals under escort, security of courtrooms, and public prosecution officials supported by the Ministry of the Interior (160 million of euros);
- an evaluation of the rental value of court buildings made available to the justice by the regional authorities (55 million of euros);
- an evaluation of the credits related to the staff working in specialized courts in labour matters: Social Security courts (TASS) and Incapacity Dispute courts (TCI) (19,5 million of euros); this estimation is an addition compared to the estimation for previous years of the annual public budget allocated to the functioning of all courts;
- 68 million of euros corresponding to the contribution of the central administration to the functioning of courts (namely, legislative directorates).

Q6 (2015): Data shown correspond to the expenditure of judicial and administrative courts carried by separate programs.

Data entered for the approved budget allocated are those voted in the initial budget act for 2015. For the data mentioned for the implemented budget, they correspond to those indicated in the annual performance report for 2015.

Although the budget of the public prosecution services merges with that of the courts, an allocation key has been applied so as to distinguish between the budget allocated to the activity of the courts and that allocated to the public prosecution services. The implemented budget is different from the approved and allocated annual public budget.

Personnel costs :

As in previous years, there are margins on personnel costs. An under-consumption of full-time equivalents worked as well as a different distribution of jobs by category explain this discrepancy.

Justice expenses :

In 2015, expenditures regarding justice expenses rose slightly, by 1.2% compared with 2014.

Real estate :

Real estate credits of judicial courts have grown by 13% compared to the 2014 implemented. Nevertheless they have incurred a significant portion of the arbitrations rendered in management which explains the discrepancy between the budget act and the 2015 implemented.

The "other expenses" refer to:

- an estimate of the cost for the transfer of an accused under escort, the costs of on-call for courtrooms, cost of officers of the public prosecution service incurred by the Ministry of Interior;
- an estimate of the rental value of judicial buildings made available to the courts by local and regional authorities;
- an estimate of the costs related to the staff of specialised judicial courts in the social field: social security courts (TASS) and incapacity dispute courts (TCI). This estimate is an addition to the estimate of previous years of the annual public budget allocated to all courts.
- the contribution of the central administration to the functioning of the courts

Q6 (2014): The data indicated for the approved and allocated budget are those passed in the initial Finance Law for 2014. Regarding the data reported for the executed budget, they correspond to those indicated in the annual performance report for 2014. The executed budget is different from the annual approved and allocated public budget.

Regarding staff costs, as in previous years, there are margins. Underconsumption of full-time equivalent of working and a different distribution of jobs by category between the Finance Law and the Annual Performance Report 2014 explain this discrepancy.

The budget allocated to computerisation decreased by 23% between 2013 and 2014. The distribution key applied this year explains this fall, since part of the budget is in the public prosecution services budget. Also, if the allocated budget fell slightly, the executed budget is below the allocated one.

The increase of the budget allocated to training is explained by the massive increase in recruitment (from 105 in 2010 to 212 in 2012 and 273 in 2014).

Recruitment without competition has also increased. The measures to train these future judges and public prosecutors has been adapted with the recruitment of staff for the School. This is to compensate retirements that have been more important than recruitment in the recent years, as illustrated by the number of judges and public prosecutors. It is noteworthy that the National School intervention field of the judiciary is also expanding to non-professional judges: judges of commercial courts, delegates of the public prosecutor.

Q6 (2010): The strong and continuous increase observed in the 2010 budget allocated to investment in new buildings can be explained by the implementation of the reform of the judicial system. This reform is accompanied by significant real estate investments in order to welcome assembled and created courts to provide better working conditions for employees, and to improve the reception of court users.

As for training costs, it should be noted that part of the variation observed between the 2008 and 2010 data can be explained, apart from further fiscal efforts made by France to the training of judges, by the transfer of the remuneration of justice auditors from the operating grant for the public service allocated to the National School of Magistrates, to pay credits, amounting up to 25 million euros (the public budget allocated to salaries being mentioned in point 1 of the question 6).

Q7 (2014): For 2014, the "other expenses" correspond to:

- an assessment of the cost of transfer of individuals under escort, the cost of guards in courtrooms, the cost of prosecuting officers supported by the Ministry of Interior;
- an assessment of the rental value of court buildings made available to justice by local authorities;
- an assessment of personal credits of judicial specialised jurisdictions in the social field: courts of incapability litigations (Tribunal du contentieux de l'incapacité). This estimate is an addition to the estimate of the previous years in the contribution of central administration functioning of the jurisdiction (in particular legislative directions).

Q7 (2013): For 2013, the "other expenses" correspond to:

- an assessment of the cost of transfer of individuals under escort, the cost of guards in courtrooms, and the cost of prosecuting officers supported by the Ministry of Interior (203 million euros);
- an evaluation of the rental value of court buildings made available to justice by local authorities (69 million euros);
- 77.8 million euros corresponding to the contribution of the central administration to the functioning of jurisdictions (in particular legislative directions).

Q7 (2012): For 2012, the "other expenses" correspond to:

- an assessment of the cost of transfer of individuals under escort, the cost of guards in courtrooms, and the cost of prosecuting officers supported by the Ministry of Interior (203 million euros)
- an assessment of the rental value of court buildings made available to justice by local authorities (69 million euros)
- 69.5 million euros corresponding to the contribution of the central administration to the functioning of the jurisdictions (in particular legislative directorates).

Q7 (2010): For 2010, the "other expenses" encompass: the cost of transfer of individuals under escort, the cost of guards in courtrooms, and the cost of prosecuting officers supported by the Ministry of the Interior; the rental value of court buildings made available to justice by local authorities; a part of the costs incurred by the central administration of the Ministry of Justice. More broadly, this category covers expenses pertaining to interventions (helping lawyers whose bar is abolished as part of the reform of the judicial map, grant to the National Council of the Bars, financing the public institution managing the automated land register, transfers to local authorities, grant to the Public institution of the courthouse in Paris).

Q12 (2015): Thus the implemented budget for legal aid allocated to criminal cases increased significantly between 2014 and 2015 (by 141%).

The 90% decrease between 2014 and 2015 regarding the annual implemented public budget relating to legal aid for non-litigious cases or cases not brought to court results from the different presentation. The related legal aid costs, including those attributed to custody, have been included in the annual implemented public budget allocated to legal aid for cases brought to courts.

This also explains the decrease in other than criminal cases (by 53%). In the basis of calculation have been included the expenses relating to criminal field, the costs for custody (*garde à vue*), mediation and penal composition, assistance to prisoners, protocols art. 91 and the custodial agreements. The portion of other than criminal expenses is reduced by the same amount.

Q12 (2012): The methodology of presentation of data is different for 2010 and 2012. For 2012, legal aid for non-litigious proceedings amounts to 49,732,000 euros. Therefore, for all criminal cases (brought to court and out of court) 49,732,000 euros should be added to the 88,730,000 euros, bringing the figure to 138,462,000 euros. The increase stems from increased custody costs as a result of the 2011 reform.

Q12 (2010): The 2010 budget of legal aid takes into account budgetary credit derived from the recovery of credits (11.5 million euros) and fiscal expenses linked with the implementation of a 5.5% reduced VAT rate for services provided by lawyers as part of legal aid. Indeed, legal aid expenditure is reduced by the amount recovered by the Treasury services on the losing party when the latter is not granted legal aid. In addition, lawyers are paid by the Lawyers' Pecuniary Payment Fund whose evolution constitutes an adjustment variable (+ 10.8 million euros in 2010).

Q012-1 (2016): The discrepancy between the approved and the implemented annual public budget allocated to legal aid is due to the annulment of credits because of an overvaluation of the allocated budget.

Q15-2 (2015): The annual public budget above includes the data of the entire justice system, attached to the Ministry of Justice and the Presidency of the Republic.

Other: Access to law and assistance to victims

Germany

Q1 (2014): The data for 2013 and 2014 is the same reference. Because no significant difference has been expected for the year 2014, 2013 data is provided in the frame of the present evaluation.

Q1 (2012): The information refers to the number of inhabitants on 31 December 2012 determined on the basis of the 2011 census.

Q006 (2016): Data without the Länder Mecklenburg-Vorpommern and Schleswig-Holstein.

Rhineland-Palatinate:

A separation between courts and prosecutors is after the local System not possible. The expenses therefore include those of the public prosecutor's offices.

Other expenses are e.g. Expenses for business needs, motor vehicles, investments

into moving objects. The additions to the pension fund are no longer included in comparison to the year 2015.

Expenditure on the supply of former judges is not included in the expenditure and officials and for sickness benefits.

Q6 (2015): The data refer to the year 2014. At present, no more recent data are available. Inasmuch as sub-questions 6.2, 6.4, 6.5, 6.6, and 6.7 were answered by "NA," this is due to the fact that most of the Länder were unable to provide information, meaning that any amount cited would not be meaningful in substantive terms. Re. 6.1 and 6.3: Some of the Länder were unable to provide data in this regard. Accordingly, the information provided here is incomplete and is not comparable with the previous data.

Re. 6.1: The background for the difference made by the Federation between the approved budget and the implemented budget is that the departments have been granted funds for augmenting their staff in the context of their budget management in 2014. It is not possible to separate the budget of the public prosecution offices for a number of Federal Länder.

Q6 (2014): On the occasion of the 2014 exercise, several clarifications have been provided.

Firstly, the difference between the approved budget and the implemented one stems from the fact that the departments have been granted funds for augmenting their staff in the context of their budget management in 2014.

Secondly, in 2014, the Federal Landers of Hamburg, Saarland, and Thuringia did not provide any answers to Question 6. Accordingly, the information is incomplete.

As to the other categories, namely “computerization”, “court buildings”, “new court buildings”, “training” and “other”, a considerable number of Landers were not able to provide figures for 2014. The reply NA was preferred in order to avoid inconsistent figures.

Q6 (2013): In the frame of the 2013 exercise, it has been recalled, as in 2012, that since individual Landers were unable to provide specific data with regard to all of the sub-categories, the information remained incomplete.

Moreover, some Lander indicated total amounts that were higher than the sum of all data provided under items 6.1 to 6.7. Accordingly, a total of € 102,320,057 could not be attributed to individual items. Therefore, this amount was not included in the amount indicated as total budget allocated to the functioning of all courts.

For 2013, the federal Landers of Hamburg and Saarland did not provide any reply to question 6. Accordingly, the information was incomplete.

On the other hand, Berlin, Schleswig-Holstein, North-Rhine/Westphalia, Brandenburg and Saxony provided general comments on the content of some of the sub-categories.

The Lander of Mecklenburg-Western Pomerania pointed out the difficulty to provide detailed data in respect of the different items, due to the peculiarity of its budgetary system.

The decrease of the budget allocated to “computerization” between 2012 and 2013 was due to the different number of Landers that had replied respectively for both evaluations.

As to the considerable variation noticed in respect of the category “training”, it was the result of variations in this specific budget in four individual Landers (Bade-Wurtemberg, Berlin, Rhineland-Palatinate and Saarland). Only Bade-Wurtemberg and Berlin provided explanations. The latter mentioned that the budget related to training of candidates to a judicial position was encompassed in the category “other”. The former referred to a change of the consideration of remuneration of trainees and candidates to a judicial position.

On the occasion of the 2013 evaluation, the North Rhine-Westphalia mentioned in respect of the reform of the budget system implying the gradual introduction of an integrated combined accounting) described in 2010 that the first courts will begin to operate under the new accounting system in April 2015.

Q6 (2012): In the frame of the 2012 exercise, it has been explained that since individual Lander were unable to provide specific data with regard to all of the sub-categories, the information remained incomplete.

Moreover, some Lander indicated total amounts that were higher than the sum of all data provided under items 6.1 to 6.7. Accordingly, a total of € 123,382,583 could not be attributed to individual items. Therefore, this amount was not included in the amount indicated as total budget allocated to the functioning of all courts.

Additionally, it has been confirmed that the variation observed in respect of the category “other” between 2010 and 2012 was due to the different number of Landers that had replied respectively for both evaluations. A speculative comparison between comparable data for this period revealed an increase of only 14%. Besides, considerable variations characterized the budgets allocated to the category “other” in Berlin and Hesse over the period 2010-2012. However, both Landers could not provide in time explanations in this respect.

The Lander of Saxony highlighted the difficulty to provide detailed data in respect of all the items, due to the peculiarity of its budgetary system.

Q6 (2010): In the frame of the 2010 exercise, only several Landers provided additional general comments on the specificity of their respective systems or the content of some of the subcategories. For example, the North Rhine-Westphalia indicated that a reform of the budget system was being introduced implying the gradual introduction of an integrated combined accounting. The latter was intended to modernize the budget and accounting system in the Land administration with the components “statement of government income and expenditure”, “statement of results”, “cost and performance accounting”, as well as “financial accounting” forming the basis for product-orientated budget management. The blanket expansion in the Land administration was planned to be carried out by 2016.

Q007 (2016): Data without the Laender Mecklenburg-Vorpommern and Schleswig-Holstein.

Q7 (2014): In the frame of the 2014 exercise, it has been stressed that it was impossible to separate the budget of public prosecution services for a number of Federal Landers.

Q7 (2013): In 2013, 11 Landers provided detailed information in respect of the category “other”. More specifically, Mecklenburg-Western Pomerania encompassed expenditures based on contracts of work and services or other types of contracts in the field of victim-offender mediation and compensation to accused persons in criminal matters; Brandenburg subsumed compensation to victims of unconstitutional prosecution, etc.

For a considerable number of the respondent Landers, it was impossible to separate the budget of legal aid and especially the budget of public prosecution services. Brandenburg indicated that the budget of legal aid and the budget of public prosecution were not encompassed in the total. In Schleswig-Holstein, the budget of legal aid was subsumed in the total, while the budget of public prosecution services could be separated.

Q7 (2012): In 2012, 13 Landers provided detailed information on the content of the category “other”. More specifically, Berlin and Hamburg included some training costs. Berlin subsumed also compensation to civil servants on probation; Saxony indicated also compensation to honorary judges and staff; Mecklenburg-Western Pomerania encompassed expenditures based on contracts of work and services or other types of contracts in the field of victim-offender mediation and compensation to accused persons in criminal matters akin to Saxony, etc.

For a considerable number of the respondent Landers, it was impossible to separate the budget of legal aid and especially the budget of public prosecution services from the total. In Saarland, the budget of legal aid could be identified, while only estimates for the staffing and materials expenditure budget could be shown separately for the office of the public prosecutor general and the public prosecution office (not including statutory expenditure). In Hesse and Brandenburg the budget of legal aid and the budget of public prosecution services were not encompassed in the total. In Schleswig-Holstein, the budget of legal aid was subsumed in the total, while the budget of public prosecution services could be separated.

Q7 (2010): In 2010, 3 Landers did not communicate any information. 11 Landers provided detailed data on the content of the category “other”. More specifically, Hamburg included in the category “other” training costs, while Saxony referred also to compensation to honorary judges and lay-judges as well as to remuneration for over time and additional work. Likewise, Saxony and Schleswig-Holstein subsumed enforcement agents’ fees.

For a considerable number of the respondent Landers, the budget of legal aid and especially the budget of public prosecution services could not be separated from the total of the budget allocated to courts.

Q009 (2016): Comments on question 9:

Data without the Laender Mecklenburg-Vorpommern and Schleswig-Holstein.

Bremen:

No information

North Rhine-Westphalia

It is not possible to provide separate statistics on court fees alone. This is because income from court fees in criminal/regulatory proceedings is captured as part of a consolidated estimation and accounting system, which also includes income from criminal/regulatory fines as well as monetary payments by accused persons in return for the provisional non-preferment of public charges in the case of misdemeanours.

Lower Saxony

No information can be provided since court fees are accounted for as one item together with criminal and regulatory fines (11210).

Thuringia

These are legal fees, including repayments of legal aid (installment payments).

Q9 (2015):

Some of the Länder were unable to provide data in this regard. Accordingly, the information provided here is incomplete and is not comparable with the 2013 data.

Q012 (2016): Data without the Laender Mecklenburg-Vorpommern and Schleswig-Holstein.

Q12 (2015): Re. Question 12:

The data refer to the year 2014. At present, no more recent data are available. Some of the Länder were unable to provide data regarding question 12. Accordingly, the information provided here is incomplete and is not comparable with the 2013 data. Inasmuch as the other Federal Länder have provided data, these were added to the aggregate amount. Since a number of Länder have provided the aggregate amount, but have otherwise indicated “NA” in all or some of the cases, it is not possible to form a sum total under 12.1 or 12.2. For this reason, “NA” was indicated.

Q12 (2014): In 2014, there was no information available from Hamburg, Saarland, and Thuringia.

In as much as the other Federal Landers have provided data, these were added to the aggregate amount. In contrast to the previous cycles, figures indicated by individual Landers only in respect of the total are encompassed in the total which explains the considerable variation between 2013 and 2014 (which is not real and disappears when comparing comparable data (in 2012 the sum of € 304,584,278 was not included in the total and in 2013 - € 316,707,568). Since a number of Landers have provided the aggregate amount, but have otherwise indicated "NA" in all or some of the cases, it is not possible to form a sum total under 12.1 or 12.2. For this reason, "NA" was indicated.

Q12 (2013): In the frame of the 2013 exercise, 10 Landers provided data accompanied by comments.

As in 2012, only figures concerning Landers which provided complete data for the total and the sub-categories were represented in the total (Berlin, Mecklenburg-Western Pomerania, North Rhine/Westphalia, Rhineland-Palatinate, Saxony-Anhalt, and Thuringia). As to individual Landers that communicated only totals (Baden-Württemberg, Bavaria, Brandenburg, Bremen, Hesse, Lower Saxony, Saxony, and Schleswig-Holstein), these amounts were not taken into account (a sum of € 316,707,568). Therefore, the information remained incomplete.

Q12 (2012): In the frame of the 2012 exercise, it has been specified that according to the Legal Advice and Assistance Act, the so-called legal advice and assistance is a social benefit provided by the State to persons seeking justice who cannot afford the assistance of or representation by a lawyer and who have no other reasonable possibility of obtaining assistance. Legal advice and assistance is granted for asserting one's rights outside of court proceedings as well as for obligatory conciliation proceedings pursuant to section 15a of the Act on the Introduction of the Code of Civil Procedure.

In 2012, Bremen, Saarland and Schleswig-Holstein did not provide any information. Only figures concerning Landers which provided complete data for the total and the sub-categories were represented in the total. As to individual Landers that communicated only totals, these amounts were not taken into account (a sum of € 304,584,278). Therefore, the information remained incomplete.

Q12 (2010): In 2010, the sum of 285 625 euros corresponded to the part of the federal budget allocated to legal aid (47 885 for criminal matters and 237 740 for other than criminal matters).

Two Landers did not provide information. Data were not available for a considerable number of Landers in respect of the total or the sub-categories. Accordingly, the information is not complete.

Q012-1 (2016): Data without the Laender Mecklenburg-Vorpommern and Schleswig-Holstein.

Q12-1 (2015): The data refer to the year 2014. At present, no more recent data are available. Some of the Länder were unable to provide data regarding question 12.1. Accordingly, the information provided here is incomplete and is not comparable with the 2013 data. Inasmuch as the other Federal Länder have provided data, these were added to the aggregate amount. Since a number of Länder have provided the aggregate amount, but have otherwise indicated "NA" in all or some of the cases, it is not possible to form a sum total under 12.1 or 12.2. For this reason, "NA" was indicated.

Q13 (2015): Most of the Länder were unable to provide information in this regard, meaning that it is not possible to provide an answer to the question that is meaningful in substantive terms

Q013 (2016): Data without the Laender Mecklenburg-Vorpommern and Schleswig-Holstein.

Q13 (2014): In 2014, the reply NA is justified by the fact that most of the Landers were unable to provide information in this regard, meaning that it is not possible to provide an answer to the question that is meaningful in substantive terms.

Q13 (2013): In 2013, data was not available or not provided by 8 Landers. The indicated total subsumed figures communicated by 8 Landers and the operating budget of the Office of the Federal Public Prosecutor General. The information was incomplete.

Q13 (2012): In 2012, data was not available for 6 Landers. The total subsumed figures communicated by nine other Landers and the operating budget of the Office of the Federal Public Prosecutor General. The information was incomplete.

Q13 (2010): In 2010, two Landers did not provide a reply, while six other Landers had not available data. Accordingly, the information remained incomplete reflecting data from only 8 Landers. Besides, the sum of € 15,374,219 corresponding to the part of the federal budget allocated to public prosecution services was encompassed in the total.

Q14 (General Comment): The category "other ministry" refers to the Federal Ministry of Finance and the Federal Ministry of Labour and Social Affairs. The other authority auditing the use of funds is the Bundesrechnungshof (German supreme audit institution).

Q015-1 (2016): Data without the Laender Mecklenburg-Vorpommern and Schleswig-Holstein.
Bavaria

The figure provided covers the budget for the justice system and the administrative jurisdiction
Fiscal, labour and social jurisdictions: NA

Administrative jurisdiction: Question 15-1 includes the overall allocation for the administrative jurisdiction incl. further-training costs

Berlin

Consumer-protection matters, Bar Examinations Office

Brandenburg

Budget plan for 2015/2016 assumed greater expenditure. Total budget calculation for EPL 04 did not include chapter for Europe and consumer-protection departments, Land Office for Occupational Health and Safety, Consumer Protection and Health (LAVG) and INTERREG. Budget indicated includes Land and federal funds only.

Bremen

Figures take account of expenditure in product plan justice as well as justice expenditure in product plan 96, IT budget, of the Free Hanseatic City of Bremen.

Actual expenditure over the financial year fell behind the approved funds.

Lower Saxony

No information

Rhineland-Palatinate

Rhineland-Palatinate Constitutional Court

Saarland

NO INFORMATION

Saxony

Expenditure for the justice system in the Free State of Saxony is estimated in section 06 of the Land budget, with the exception of building and maintenance works/management and rental of real estate. This section thus accounts for all expenditure falling within the portfolio of the Saxony State Ministry of Justice. This portfolio includes the courts and public prosecution offices, prisons, Bobritzsch Training Centre, the Central Office for Information Technology of the Saxon Justice System, and (up until 31 December 2016) the Land Commissioner for the Records of the State Security Service of the Former GDR.

Section 06 is split into various chapters, including chapters for each individual jurisdiction and for the public prosecution offices en bloc. However, it is not possible to provide a detailed breakdown of the funds approved in the budget plan and those actually spent over the financial year on each individual branch of the justice system. This is because part of the expenditure earmarked for each branch is estimated in a central chapter and parts of these funds are centrally managed. Budget planning for these funds is also centralised. Expenditure on building and maintenance, as well as management and rental of real estate, is estimated in section 14 of the Land budget for the entire of Saxony. Any such expenditure falling within the remit of the Saxony State Ministry of Justice is consolidated into a single chapter within this section. Offices within the remit of the Saxony State Ministry of Finance are responsible for planning and managing funds under section 14. Investment related expenditure

Q15-1 (2014): For 2014, no information was available from Hamburg, Saarland, and Thuringia. Six Landers communicated detailed information on the content of their individual budgetary plans. Inasmuch as the other Federal Landers have provided data, these were added to the aggregate amount. Accordingly, the information provided here is incomplete.

Q15-1 (2012): In 2012, six Landers communicated detailed information on the content of their individual budgetary plans. Berlin did not provide any information. Data provided by Bavaria did not include the public annual budget approved and granted for labor, social and finance jurisdiction.

Q15-1 (2010): Data provided for 2010 do not include information from Mecklenburg-Western Pomerania and Thuringia. Three Landers developed the content of the budget foreseen within their respective individual plans (Saxony, Saxony-Anhalt and Brandenburg).

Q015-3 (2016): Training centres for the administration of justice, such as the German Judicial Academy, the Northern German College for the Administration of Justice and educational / further training centres.

Q15-2 (2015): The data refer to the year 2014. At present, no more recent data are available.

Hesse:

Essentially, higher payroll costs.

Schleswig-Holstein:

Explanatory remarks on the significant deviations of the actual figures for 2014 as opposed to the target figures for 2014:

Additional receipts in particular by court fees;

Reduced expenditures in particular for payroll costs, the expenses in court cases and miscellaneous expenditures (the explanations provided for Questions 6 and 13 are included herein by reference).

Saxony:

The expenditures depend on the number and scope of the court proceedings and criminal proceedings, as well as on the number of inmates of correctional institutions, none of which the Land department of justice is able to control. Furthermore, the staff numbers will fluctuate in the context of the ongoing personnel management (new hires, parental leave, long-term illness, etc.), while it is only possible to estimate wage increases as collectively bargained, and projects pursued in the fields of IT or construction are constantly subject to changes. Accordingly, the target figure is based on a forecast and, as a general rule, will deviate from the actual figure.

Re Question 15.2: Other:

Brandenburg: Deutsche Richterakademie (German Judicial Academy) Wustrau

Hesse: IT department of the judiciary of Hesse

Lower Saxony: Norddeutsche Hochschule für Rechtspflege (Northern German University for the Administration of Justice)

Rhineland-Palatinate: Constitutional Court of the Rhineland-Palatinate

Saxony: Besides the items set out above, the area of responsibility of the Ministry of Justice and for European Affairs of the Free State of Saxony includes the following budget elements that are to be allocated to the justice system: information technology response service of the Saxonian judiciary, Bobritzsch training centre, Land Commissioner for the Files of the State Security Service of the former German Democratic Republic.

Saxony-Anhalt: The area of responsibility of the Land Ministry of Justice includes the Land Commissioner for the Files of the State Security Service of the former German Democratic Republic.

Thuringia: Emoluments of the legal students pursuing their practical legal training after having passed the First State's Examination, expenditures of the Judicial Examinations Office.

Q15-2 (2014): In 2013 and 2014, 7 Landers provided information as for the category "other": Brandenburg (German Judicial Academy); Hesse (IT office of the Hessian Ministry of Justice); Lower Saxony (Northern German University for the Administration of Justice); Rhineland-Palatinate (Constitutional Court of the Rhineland-Palatinate); Saxony (information technology response service of the Saxonian judiciary, Bobritzsch training centre, Land Commissioner for the Files of the State Security Service of the former German Democratic Republic); Saxony-Anhalt (area of responsibility of the Land Ministry of Justice includes the Land Commissioner for the Files of the State Security Service of the former German Democratic Republic); Thuringia (Judicial Examinations Office).

Q15-2 (2013): In 2013 and 2014, 7 Landers provided information as for the category "other": Brandenburg (German Judicial Academy); Hesse (IT office of the Hessian Ministry of Justice); Lower Saxony (Northern German University for the Administration of Justice); Rhineland-Palatinate (Constitutional Court of the Rhineland-Palatinate); Saxony (information technology response service of the Saxonian judiciary, Bobritzsch training centre, Land Commissioner for the Files of the State Security Service of the former German Democratic Republic); Saxony-Anhalt (area of responsibility of the Land Ministry of Justice includes the Land Commissioner for the Files of the State Security Service of the former German Democratic Republic); Thuringia (Judicial Examinations Office).

Q15-2 (2010): In 2010, 8 Landers provided information in respect of the category "other". For example: Bavaria (legal aid for finance courts); Bremen (Judicial examination office); Hamburg (the Hamburg Data Protection Commissioner and the Equality Office); Lower Saxony (Northern German College for the Administration of Justice); North Rhine-Westphalia (basic and further training facilities for the judiciary, expenditure on pensions for the judicial civil servants of the Land and their surviving dependents, general approvals (e.g. medical expenses payments, pension payments and the like); Saarland (Saarland Clinic for Forensic Psychiatry (SKFP)); Saxony-Anhalt (the Land Commissioner for the Documents of the State Security Service of the Former GDR).

Greece

Q6 (2014): The approved budget allocated to “gross salaries” for 2014 was not sufficient. It is within the Ministry of Finance competence to adjust the amount, which it did towards the end of the year 2014.

The increase of the approved budget allocated to “computerization” was the result of the undertaking of new (larger) projects in this specific field.

No specific reason explains the decrease of the approved budget allocated to “court buildings”. Generally, it depends each time on the needs. It should be noted though, that the last years there is a general demand (from the Ministry of Finance) for cutting on public expenses.

As to the meaningful decrease of the budget allocated to “new court buildings” between 2012 and 2014, it is noteworthy that this budget refers completely to the budget of the Courts Building Fund. Thus, the variation does not reflect any public policies, but is merely the outcome of the Fund’s programming of expenses.

Q6 (2012): The decrease in all categories in 2012 was justified by the budgetary adjustment that Greece has been going through during the last years.

It has been specified that the annual budget allocated to training and education was mostly the budget of the National School of Judges, responsible for the prefatory training of judges to be appointed and the conduct of seminars attended by the already appointed judges (lifelong training). The budget of this State body 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.

Q6 (2010): The budget allocated to the functioning of all courts in 2010 was drawn within the context of program budgeting.

In contrast to the previous exercise, the budget allocated to “gross salaries” in 2010 included also the budget approved for the Court of Auditors. Besides, the new law 3691/08 which entered into force in August 2008 set an increase in judges’ gross salaries.

As for the category “justice expenses”, in 2008 it subsumed payments of lawyers, experts and interpreters (4.500.000 euro, of which 2.000.000 for payments of lawyers or other legal aid and 2.500.000 euro for experts and interpreters). The reply provided for 2010, according to the stricter formulation of the question “justice expenses without legal aid” included only payments of experts and interpreters (5.900.000 euro in total, of which 2.500.000 for payments of lawyers or other legal aid and 2.500.000 euro for experts and interpreters). The increase of the budget for both lawyers and experts/interpreters derived from the increased need and relative requests of payment.

As to the annual budget allocated to “court buildings”, in 2008 it had not include the budget approved for the Court of Auditors (Courts: 8.245.000 euro and Court of Auditors: 1.276.000 euro) which was the case in 2010 (Courts: 8.747.000 euro and Court of Auditors: 1.669.000 euro). Moreover, the slight increase noted was due to increases of rents, heating fuel etc.

As to the budget intended to “new court buildings”, in 2008 it had not included the budget related to a supervised (by the Ministry) entity of public law (Courts Buildings Fund-CBF). In 2008, it encompassed: Public Investments Program (862.000 euro) and CBF (15.380.004 euro). In 2010, it included: Public Investments Program (0 euro) and CBF (9.379.911 euro). The noticed decrease was not due to a specific cause. The budget simply depends on the investment programming of the political hierarchy.

The increase of the budget allocated to “training” between 2008 and 2010 was decided in order to support the potential demand.

Q009 (2016): There is no specific reason explaining the increase for the period 2015-2016.

Q9 (2012): The increase of 47% between 2012 and 2014 of the annual income of court taxes or fees received by the State is mostly due to an increase in revenues from judicial stamp fees. Even though the prices of the fees were increased in the beginning of the year 2011 (some of them doubled or tripled), the increase of the revenues was at its peak in 2013. In 2012 the revenues for these particular fees were estimated at 30.000.000 euros, whereas 41.000.000 euros were actually collected. In 2013, a total of about 81.000.000 euros was collected from these fees, and as a consequence the estimation for 2014 was 81.650.000 euros.

Q012 (2016): A reassessment of the annual budgetary needs in legal aid was made by the Courts Building Fund. The annual cost is not a stable amount and depends on the number of cases where the legal aid is used.

Q12 (2014): The increase of the budget allocated to legal aid between 2013 and 2014 resulted to some extent from time limitations. In 31 December 2014 there were unpaid expenses. Generally, legal aid is entirely paid from the budget of the Courts Building Fund, a legal entity of public law, which draws its budget according to its expected annual revenues and its expected annual needs.

Q12 (2012): The observed increase of the budget allocated to legal aid in 2012 was due to accumulated debts from previous years.

Q12 (2010): The increase of the budget for lawyers in 2010 derived from the increased need and relative requests of payment.

Q14 (2012): The other Ministry is the Ministry of Finance, while the category “other” refers to the Court of Audit.

Q15-1 (2010): In the frame of the 2010 exercise, details were provided in respect of the components of the budget allocated to the whole justice system for 2008 and 2010. Namely, in 2008, it encompassed the sum of the budgets allocated respectively to the functioning of courts, legal aid and the Council of the Judiciary (overall 409.266.004 euro), as well as the budget of the prison system (101.304.000 euro) and the budget of the Head Division (16.452.000). In 2010, it included the sum of the budgets allocated respectively to the functioning of courts, legal aid and the Council of the Judiciary (overall 584.010.911 euro), as well as the budget of the prison system (113.565.000 euro) and the budget of the Head Division (17.146.000).

Hungary

Q005 (2016): Source: Magyar Nemzeti Bank (Hungarian National Bank) exchange rate of 02. January 2017
<https://www.mnb.hu/arfolyam-tablazat?deviza=rbCurrencyActual&devizaSelected=EUR&datefrom=2017.01.01.&datetill=2017.01.02.&order=1>

Q006 (2016): The main difference derives from the following:

1. Some positions are not filled (at least for a while) during the year and some people are on a leave for a longer time (e.g. serious illness, maternity leave) and get benefits from other sources.
2. The approved budget was modified during the year.
4. The approved budget was modified during the year. The reason of the increase in the implemented annual public budget allocated to court buildings is that many small and some large building reconstruction and modernization projects have been implemented during the year.
5. Some new court building projects take more years to finish, so although the budget has been provided specially for these it takes more years to finish these projects.
7. "Other" includes taxes, unpredicted personal (salary) expenditures, trainings, other maintenance costs. The implemented public budget allocated to the category "other" increased between 2015 and 2016 because there has been an increase in the basis of the salary of judicial employees in 2016 and it was included in this category.

Q6 (2015): Budget allocated to training (Nr.6) is included in Nr.1. and Nr. 7.

Other: Among other elements are miscellaneous maintenance expenses, unexpected personal (salary) expenses, training's budget, etc.

Before 2013, in the budget allocated to "gross salaries" were included non regular allowances, employers' contributions due to employees and trustees fees. From 2013, these amounts were included in the category "other".

The decrease between 2010 and 2015 in the approved budget allocated to "computerisation", is due to the fact previously some developments were carried out through project financing (such as EU funding, which are not part of the court budget).

The decrease in the approved budget allocated to "court buildings" between 2010 and 2014, is due to the inclusion of the category "new court buildings" from 2014. "

The increase between 2014 and 2015 in the implemented public budget allocated to "computerisation" is the result of an increase in the number of implemented projects (not part of the budget of the court system).

The increase between 2014 and 2015 of the implemented public budget allocated to "court buildings" is due to the fact that some developments were carried out from funds approved during the previous years, but implemented in later years.

Q6 (2014): The decrease in the approved budget allocated to "court buildings" between 2010 and 2014, is due to the inclusion of the category "new court buildings" in 2014.

For the 2014 evaluation cycle, the budget allocated to "training" could not be identified as a separate value and constitutes a part of the items "gross salaries" and "other".

Due to changes in the methodology of presentation of data, some items that were included in 2013 in the category "other" are subsumed in 2014 in the category "justice expenses" which explains the variations observed in respect of both categories between 2013 and 2014.

The difference between the approved budget and the implemented one derives mainly from the following:

some positions are not filled (at least for a while) during the year and some staff are on leave for a longer time (e.g. serious illness, maternity leave) and get benefits from other sources;

justice expenses are not exactly foreseeable as they mainly depend on the number and the nature of incoming cases;

some new court building projects take more years to be finalized.

Q6 (2013): In the frame of the 2013 exercise, the attention was drawn on the endeavors of the Hungarian Government in recent years to improve the infrastructural conditions and develop appropriate standards in respect of the IT working environment.

In contrast with the 2012 evaluation, in 2013, the budget allocated to "gross salaries" did not encompass non regular allowances, employers' contributions due to employees and trustees fees. These amounts were included in 2013 in the category "other". More specifically, it was highlighted that according to the Act (CLXII) 2011 on the Status and Remuneration of Judges, the salaries of the latter should be determined in the Act on the Central Budget in such a way that the amount should not be lower than it had been in the previous year.

As to the category "computerisation" and the considerable increase of the budget allocated in its respect in 2013, it was indicated that the Swiss Contribution covered some IT and security developments between August 2012 and January 2015, within a total amount of 1,98 billion HUF. Likewise, ongoing projects (co-) founded by the EU also covered a part of the IT development.

As for the budget allocated to "training", it increased between 2010 and 2012, and especially between 2012 and 2013. The main reason is that training courses for magistrates are more and more numerous and diversified. Besides, the number of participants increased radically in 2013 (2010 - 5 153; 2012 - 5 671; 2013 - 14 241).

The closing of the preparatory phase of the return of the Supreme Court to its original building and the preparation of the placement of the Budapest Environs Regional Court in a property complex were indicated as major successes in 2013. A number of important projects and refurbishments also took place throughout the country (e.g. refurbishment of the Salgótarján District Court and the Salgótarján Administrative and Labour Court, start of construction of the building of the Debrecen District Court).

Q6 (2012): In 2012, the budget allocated to "computerization" continued to decrease in comparison with 2010 and especially with 2008 when a specific project had been financed in this area. As to the budget intended to "court buildings", for long time there were not sufficient investments in this respect. In 2012, this budget was increased.

Q6 (2010): The budget allocated to "computerization" decreased in 2010 due to the termination of a project financed in 2008. □ As to the significant increase of the budget allocated to "justice expenses" in 2010, it was a result of the increase of experts' fees due to legislative amendments entered into force in 2009.

As for the category "court buildings" the budget was increased due to the significant number of court buildings needing to be refurbished.

Q7 (2014): For 2014, the category "other" included among other elements miscellaneous maintenance expenses, unexpected personal (salary) expenses etc. Besides, it subsumed a part of the budget allocated to "training".

Q7 (2013): For 2013, the category "other" included among other elements miscellaneous maintenance expenses, unexpected personal (salary) expenses etc.

Q9 (2015): The decrease between 2010-2015 in the approved budget allocated to legal aid is the result of a 2012 law amendment which led to the fact the fines are no longer part of the budget of the courts.

Q9 (2012): The reason for the decrease in the figures between 2010 and 2012 is the amendment of the law in 2012. Accordingly, the fines are no longer part of the budget of the courts.

Q12 (2013): The annual public budget allocated to legal aid decreased with 33% between 2012 and 2013 as a consequence of the strengthening of the legal aid service.

Q12-1 (2015): Annual implemented public budget of 2015 not yet approved.

Q13 (2015): Annual implemented public budget of 2015 not yet approved.

Q13 (2012): In 2012, 84% of the budget were spent on salaries, income taxes, health insurance and social insurance for the staff, 13.5% were spent on functional costs including maintenance of office buildings and 2.5 % constituted a reserve.

Q14 (2014): According to 2012 and 2014 data, the President of the National Office for the Judiciary, in the scope of his/her general duties of central administration, elaborates a proposal on the courts budget and a report on its implementation, 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. He/she is bound by duties in connection with the financial management of the heading of courts and directs the internal control of the courts. Besides, the National Council of Justice (NCJ) provides an opinion on the proposal and the report and more generally controls the financial management of the courts. As to the President of the Curia, he/she forms an opinion to the extent the Curia is concerned.

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. □

Finally, the Parliament decides upon the budget of the courts as part of the national budget, with the restriction, that the budget of the courts cannot be lowered as it was possible before 2012.

Q14 (2012): According to 2012 and 2014 data, the President of the National Office for the Judiciary, in the scope of his/her general duties of central administration, elaborates a proposal on the courts budget and a report on its implementation, 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. He/she is bound by duties in connection with the financial management of the heading of courts and directs the internal control of the courts. Besides, the National Council of Justice (NCJ) provides an opinion on the proposal and the report and more generally controls the financial management of the courts. As to the President of the Curia, he/she forms an opinion to the extent the Curia is concerned.

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. □

Finally, the Parliament decides upon the budget of the courts as part of the national budget, with the restriction, that the budget of the courts cannot be lowered as it was possible before 2012.

Q14 (2010): In the frame of the 2010 exercise, it has been specified that the inspection body in question was the Court of Auditors.

Q15-1 (2015): Annual implemented public budget of 2015 not yet approved.

Q15-1 (2010): In the ambit of the 2010 exercise, it has been specified that in 2008, the important amount of budget of the Ministry of Justice was due to the fact that it included the budget allocated to police services.

Among the components of the budget allocated to the whole justice system in 2010, were mentioned the budget allocated to all courts, the budget of prison services, the budget dedicated to the judicial protection of juveniles, the budget of the Ministry of Justice etc.

Q15-2 (2015): Act C of 2014 on the budget of Hungary in 2015,
Act CLXI of 2011 on the organisation and administration of courts
Act CLXII of 2011 on the legal status and remuneration of judges,
Act CXCV of 2011 on the state finance,
Act LXVI of 2011 on the State Audit Office

Q15-1 Annual implemented public budget of 2015 not yet approved.

Q15-2 (2012): In 2012, as in 2010, the budget allocated to the whole justice system included also the total budget of the Ministry of Justice.

Q15-2 (2010): In 2010, the category “other” includes the sum corresponding to the compensation to crime victims (473 373EUR).

Ireland

Q006 (2016): The full budget allocated for training was not spent during the year.

The budget originally approved differs from that implemented due to additional provision made during the year for ICT expenditure. Additional funding of €2.5m was provided to the Courts Service in 2016 by way of Supplementary Estimate. The additional €2.5m spent in 2016 was across the following headings: New video conferencing installations; replacement of equipment - €1.1m; Fines Act - €0.630m; DAR refresh - €0.350m and Prepayment of the ICT managed services charge for Q1 2017 - €0.500m

Q6 (2015): On agreement with the Department of Justice and Equality, the Courts Service allocation for training was adjusted to bring it in line with requirements for 2015

Q6 (2014): 2014: Variations:

The approved budgets allocated to computerisation and the investments in new court buildings remained areas where austerity measures continued to be applied. It should also be noted that since 1999 there had been significant capital investment in the courts.

In addition, it has been decided that the provision of new courthouse buildings and also major refurbishment and extension of certain existing courthouses will be progressed by way of Public Private Partnership Programmes and this also has implications for the annual capital budget.

There have been 7 Public Private Partnership Projects commenced, however the majority of this work has been done in 2015 rather than 2014.

Regarding the increase in the approved public budget allocated to justice expenses between 2013 and 2014 is due to the fact that in 2014, this category includes the significant amount for travel and subsistence expenses which was not included in the 2013 figure.

The increase of the approved budget allocated to the category 'other' can be explained by the fact that in 2014 it includes the allocation provided for the Public Private Partnership Unitary Payment which did not exist in 2013.

Q6 (2013): 2013 Variation: The budget for computerisation was still significantly decreased as a result of economic climate and in line with the Government commitment to on-going strong expenditure control to enable the exit of the bailout programme at the end of 2013.

Q6 (2012): 2012: Variation: The total approved budget of the court decreased as a result of the economic climate and in line with the Government commitment to on-going strong expenditure control, budget allocations across the public sector generally decreased compared with previous cycle. Measures needed to be put in place to ensure that Ireland was in a position to stabilise the economy, meet its international commitments and ensure a timely exit from the bailout programme which was achieved at the end of 2013. This is also visible in different categories of the budget except in justice expenses where the increase is due to the change in how the Courts Service is categorising the expenses. For example, in 2010 the costs for interpretation were included under “other” since 2012 they are included under justice expenses. As to the considerable increase in the budget allocated to justice expenses, it should be noted that in 2010, the only budget subhead included in this category related to medical reports. From 2012 onwards the following budget subheads were included under Justice expenses - jury minding, interpreting, medical reports, digital audio recording, judges’ attire, law books and meals for jurors. It is believed that these subheads are more appropriate to be included under Justice expenses as they all relate directly to court business.

Q007 (2016): NAP

Q12-1 (2015): In the answer to Question 12 - the category 'other than criminal cases' is the amount as per the Grant in Aid which the Legal Aid Board received for the Government

In the answer to Question 12.1 - under the category 'Total annual public budget implemented regarding legal aid - other criminal cases' this amount includes the Grant in Aid, Client Contributions, Costs Recovered and Other Incomes

'The annual approved public budget allocated to legal aid in other than criminal cases is the state funding received by the Legal Aid Board in 2015. The annual public budget implemented regarding legal aid is the total expenditure of the Legal Aid Board. Please note that:

- (1) the Legal Aid Board receives funding from sources other than state funding, in the form of contributions paid by legally aided persons and costs recovered from legally aided persons. This funding is paid into the same Legal Aid Fund as the state funding and therefore it is not possible to distinguish expenditure funded from this source as distinct as from state funding.
- (2) The Legal Aid Board does not separately account for the money it spends on the provision of legal advice to the money it spends on the provision of legal representation. Nor does it separately account for the costs of the mediation service from that of the law centre service, and even if it did, that would not represent the full total of the Board’s spending on non-litigious cases for the above reason.'

Q13 (2012): The values reported are the gross figures as voted and it is comparable between years.

Q14 (2012): The item inspection body refers to the Comptroller and Auditor General and the Public Accounts Committee.

Q015-3 (2016): Ireland does not have a Judicial Council, however the costs of the Judiciary are included under Q15. Legislation to provide for a Judicial Council is under preparation.

Q15-2 (2015): Ireland does not have a Judicial Council, however, the costs of the Judiciary are included under Q 15.

'Other' includes Administration costs, various Commissions, Equality, Disability, various Public Agencies.

Italy

Q006 (2016): As far as the annual public budget allocated to training (point 6) both approved budget and implemented budget are considerably higher compared to 2015. In 2016 extra funds were destined to the training of around one thousand employees who joined the justice system from other administrations.

Q6 (2015): 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 itself. The figures provided in this chapter are the result of a re-classification of the budget statements which takes into consideration several criteria.

As far as point 6 in Italy there are two different public schools that deal with the training of both judges/prosecutors on one hand and civil servants on the other.

Both the School for the Judiciary (<http://www.scuolamagistratura.it/>) and the National School of Administration (<http://sna.gov.it/nc/en/>) have their own budget. The above figure (point 6) is just the budget of the Ministry of Justice in terms of training and it doesn't include the budget of these schools.

In 2015 extra funds were allocated to IT compared to 2014 in order to further modernize the IT systems.

In 2015 the Ministry of Justice has experienced a significant increment of costs related to the maintenance of buildings that were previously borne by the local administrations.

'Other' includes for instance compensation, reimbursement, document issuing, etc. Luncheon vouchers are included in “gross salaries”.

Q6 (2014): For 2014, it has been specified that generally speaking the difference between “approved budget” and “implemented budget” is mainly due to the salary of personnel as the retirement age is not exactly foreseeable. For all the other areas (such as IT, training, etc.) there are other elements which may affect the gap but they are not easy to identify precisely. Currently the Government is investing in new IT solutions that require appropriate training. One hypothesis might be that such training process is running slightly behind its schedule because the modernization of the IT infrastructure is still undergone.

Besides, it has been specified that in Italy, there are two different public schools that deal with the training of both judges/prosecutors on one hand and civil servants on the other. Both the School for the Judiciary (which became fully operational in 2013) and the National School of Administration have their own budgets which are not included in the figure indicated for the category “training”. The latter encompasses only the budget of the Ministry of Justice in terms of training.

Q6 (2013): In the ambit of the 2013 exercise, the attention was drawn to the variations observed in respect of the category “other” for the periods 2010-2012 and 2012-2013. This fluctuation was justified by the accountability factor on the one hand, and by the fact that some costs are not spread uniformly across time, on the other hand. Moreover, considered at the long run (2 years), such variations would disappear.

With regard to the category “training”, as already explained on the occasion of the 2012 evaluation cycle, the successive decrease in the budget allocated to it between 2010, 2012 and 2013 results from the spending review carried out by the Italian Government, which affected education and training considerably more than other costs. Besides, it has been specified that in Italy, there are two different public schools that deal with the training of both judges/prosecutors on one hand and civil servants on the other. Both the School for the Judiciary (which became fully operational in 2013) and the National School of Administration have their own budgets which are not included in the figure indicated for the category “training”. The latter encompasses only the budget of the Ministry of Justice in terms of training.

Q6 (2012): In the frame of the 2012 exercise, it is explained that the economic crisis had a meaningful impact on the country and the public sector in particular. The spending review carried out by the Italian Government deeply affected budgets of all the Italian Ministers. The overall reduction of the approved annual public budget allocated to the functioning of the courts was approximately of 2%. However, strong measures had been adopted only in specific areas (i.e. maintenance of buildings, training and education), in other words, in areas where cuts were possible.

With regard to the category “training”, it has been explained that in Italy there is a specific school for civil servants. The National School of Administration has its own budget which is not included in the figure indicated for the category “training”. The latter encompasses only the budget of the Ministry of Justice in terms of training.

Q6 (2010): In the frame of the 2010 exercise, the decrease of the total budget allocated to the functioning of all courts was justified by the necessity to carry out general cuts particularly in respect of the budget allocated to computerization (along with goods and services).

With regard to the category “training”, it has been explained that in Italy there is a specific school for civil servants. The National School of Administration has its own budget which is not included in the figure indicated for the category “training”. The latter encompasses only the budget of the Ministry of Justice in terms of training.

Q012 (2016): In Italy there isn't a specific budget allocated to legal aid. Legal aid is part of the general budget allocated to justice expenses.

Q12 (2013): On the occasion of the 2013 exercise, it has been stressed that the impact of the “annual public budget allocated to legal aid for cases not brought to court” on the total is extremely low. Therefore -essentially- the figures indicated in the frame of 12.1 may be considered as the total budget allocated to legal aid, even though -strictly speaking- it is not so.

Q012-1 (2016): The increase experienced during the period 2014-2016 is very likely due to the higher number of cases for which legal aid was granted.

Q13 (2014): For the 2014 evaluation, it has been stressed that the difference between allocated budget and implemented budget is mainly due to the salary of personnel as the retirement age is not exactly foreseeable.

Q14 (General Comment): For the last three evaluations, the category “other” refers to the Ministry of Economy and Finance.

Q14 (2014): In the frame of the 2014 exercise, it has been specified that the relevant department of the Ministry of Justice is the Budget and Accounts Department (Direzione Generale del Bilancio).

Q15-1 (2014): In the ambit of the 2014 exercise, it has been explained that the difference between allocated and implemented budgets is mainly due to the salary of personnel as the retirement age is not exactly foreseeable.

Q15-2 (2015): Some kind of police services are included such as the surveillance of the Ministry of Justice and other specific courts.

Q15-2 (2014): In the ambit of the 2014 exercise, it has been specified that the category “police services” subsumes some kinds of police services related to the surveillance of the Ministry of Justice and other specific courts.

Latvia

Q001 (2016): On 2016 1st January - 1 968 957

On 2017 1st January - 1 950 116

Q006 (2016): In the section "other" are included following items: taxes, administrative expenditure, purchase of furniture, rent of vehicles, its maintenance. In 2015 there unused funds for category "other" and that's why this budget line was decreased in 2016.

Q6 (2015): 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, administrative expenditure, purchase of furniture, rent of vehicles, its maintenance.

Budget for computerisation decreased in 2015 compared with 2014 because the investment that was intensive in the previous period is now going back to normal.

Category other increased in 2015 due to acquisition of equipment and its maintenance. In the frames of the pilot project - "Security in the courts" one court received security equipment while for other courts archive systems were purchased.

Q6 (2014): The increase of the approved budget allocated to "computerization" between 2013 and 2014 is due to the fact that totally 750 new computers with the appropriate operating system were purchased. Basically, computers were obsolete and old computer slow activity hampered performance. Also in connection with implementation of e-services approximately 200 courtrooms were equipped with a computer for a judge. Besides, the increase of the approved budget allocated to "computerization" over the period 2012-2014 is due to the fact that in 2013 servers and copiers were purchased for courts and land registry departments, as well as computer equipment were purchased in 2014 for courts and land registry departments, as explained above.

The increase of the approved budget allocated to "court buildings" between 2013 and 2014 is due to the fact that in 2014 additional funding was scheduled to cover the rent of Rezekne Court, Riga City Kurzeme District Court, the District Court in Valmiera, Vidzeme Regional Court, the Court of Jelgava, Aizkraukle District Court, Latgale Regional Court. These court buildings are transferred to a State stock company "Courthouse Agency" and financing lease payment was required in addition to the State budget. Besides, in 2014, physical guarding was ensured and financed in 47 court objects in order to warrant the protection of the existing property and staff safety and inviolability.

The decrease of the budget allocated to the category "other" between 2013 and 2014 is due to the fact that in 2013 the budget was earmarked for one-time expenses for the purchase of furniture and equipment in connection with the Administrative District Court of Riga court house and the Riga Ziemeļu District Court movement to other premises, which were not planned in 2014, respectively.

Q6 (2013): The enumerated factors explain also the increase of the annual public budget allocated to "gross salaries" between 2010 and 2013.

As concerns the annual public budget allocated to "computerization", the noticed variations are due to the fact that a new hardware was purchased, while the out-dated hardware was gradually replaced. Moreover, every year servers are purchased and refurbished and additional licenses are purchased for a different amount of money. Funding for these purposes is used in accordance with the financial capacity and budget savings in other expenditure items.

In 2013, the budget allocated to "training" increased by 33% compared to 2012 due to the fact that the training seminars organized by the Latvian Judicial Training Centre were attended more by court clerks. Additionally, in 2013 were reimbursed the expenses for judges' internship in the European Court of Human Rights. The number of seminars organized by the Latvian Judicial Training Centre increased and judges attended courses of French language.

The variations between 2010, 2012 and 2013 noticed with regard to the budget allocated to the category "other" are explained by the fact that in 2010 were purchased more furniture and equipment, stock shelves for courts and Land Registry Offices, including for the new court building for the Jurmala City Court. On the other hand, expenses in 2013 increased because of the purchase of furniture and archival system in accordance with the priority measures - provision of new working premises for the Administrative District Court Riga Court House and the Riga City Northern District Court.

Q6 (2012): The total annual approved budget allocated to the functioning of all courts increased between 2010 and 2012 owing to different factors: 1) since 2011, the remuneration of judges is determined according to the unified remuneration system as a result of which it increased by an average of 43%; 2) the monthly salary of court employees increased by an average of 28.46 euros; 3) the funding related to the remuneration increased, providing that a judge must receive a premium up to 20% in connection with his/her functions within the judicial self-government institutions; 4) the minimum wage has been increased up to 284.57 euros; 5) court maintenance and operating costs increased in order to restore payments for premise rent and other payments for the period 2009-2010; 6) the postal costs increased due to the proceeds of the trial-related expenses; 7) Microsoft licenses were purchased.

Besides, this budget increased with 30% between 2010 and 2013 because in 2013, in addition to the above mentioned factors, there were: 1) an increase of the monthly salary of court employees more than 56.91 euros and a guarantee of a health insurance policy for court employees; 2) an increase of the expenditure on rents, utilities and removal expenses due to the move to new premises for the Administrative District Court Riga Court House and the Riga City Northern District Court.

In 2012, the total funding granted to Latvia from the European Union and other financial instruments for its court system development was of 5 360 613 euros. This sum concerns all international projects for 2012 and includes financing from the Latvian and Swiss cooperation programme, the EU specific programme „Criminal Justice”, the European Regional Development Fund, the Nordic Baltic mobility programme for „State Administration”. This figure is not subsumed in the total.

Q6 (2010): In 2010, the budget dedicated to “gross salaries” was reduced by 15 % due to the financial crisis.

On the contrary, the budget allocated to “computerization” was increased in order to ensure the partial replacement of the morally and physically out-dated hardware. For this purpose, funds were diverted from unused funds intended for remuneration of judges and court staff related to temporary incapacity (sickness), as well as vacancies. Besides, in 2010 the costs for computer maintenance, namely outsourced service, appeared higher because the advanced payment for the first half of the year 2008 was made already in 2007.

As for the increase of the budget allocated to “justice expenses”, it resulted from the significant increase of the number of order for payment procedures due to the financial crisis. For example, the expenditure for post increased with about 1 044 283 euros.

As to the budget allocated to “training”, it decreased in 2010 because of the financial crisis. As a matter of fact, starting from 2008, the budget of all public institutions was reduced. Likewise, owing to the financial crisis, the budget intended to “other” expenses decreased. Namely, the administrative expenditure was reduced in order to ensure the procedural costs.

Q7 (2014): In the frame of the 2014 exercise, it has been specified that the Supreme Court in previous years was indicating communication services within the position “other”, but for the 1st and 2nd instance courts this position is indicated for all of the evaluations within the category “justice expenses”.

Q012 (2016): Through developing the state ensured legal aid system, the Cabinet of Ministers of the Republic of Latvia has revised amount of the payment due to the legal aid providers for the provision of legal aid, anticipating an annual increase starting with January 1, 2014, January 1, 2015 and July 1, 2016. Moreover additional funds were allocated from the state budget in 2014 to extend the provision of legal aid to the victims (Amendments to the Criminal Procedure Law on May 29, 2014).

Q12 (2014): Through developing the State ensured legal aid system, the Latvian Cabinet of Ministers has revised compensation for the provision of legal aid, anticipating an annual increase starting with January 1, 2014 and January 1, 2015. From 1 May, 2015 it has reached the maximum limit.

Q012-1 (2016): The Cabinet of Ministers Regulations No. 1493 “Regulations on the Extent of the state Ensured Legal Aid, the Amount of the Payment Due to the Legal Aid Providers, Reimbursable Expenses and Payment Procedure Thereof” of December 22, 2009 provides for the types and extent of legal aid, the amount of payment to be paid to the legal aid providers and the reimbursable expenses arising from the provision of legal aid, as well as the amount and payment procedure thereof. Through developing the state ensured legal aid system, the Latvian Cabinet of Ministers has revised amount of payment to be paid to the legal aid providers from 1 July, 2016.

Q12-1 (2015): The Cabinet of Ministers Regulations No. 1493 “Regulations on the Extent of the state Ensured Legal Aid, the Amount of the Payment Due to the Legal Aid Providers, Reimbursable Expenses and Payment Procedure Thereof” of December 22, 2009 provides for the types and extent of legal aid, the amount of payment to be paid to the legal aid providers and the reimbursable expenses arising from the provision of legal aid, as well as the amount and payment procedure thereof. Through developing the state ensured legal aid system, the Latvian Cabinet of Ministers has revised amount of payment to be paid to the legal aid providers from 1 May, 2015 and 1 July, 2016.

Q13 (2012): In the ambit of the 2012 exercise, it has been explained that the budget allocated to the General Prosecutor Office was reduced significantly during the economic crises. Financial means were reduced in almost all budget positions, for example the salaries of prosecutors and staff. Nevertheless, starting from 2012, the consequences of the economic crisis have been diminishing and the budget increased up to almost 5 000 000 EUR.

Q14 (General Comment): The other ministry is the Ministry of Finance. The inspection body is the State Audit Office. The category "other" refers to the Court Administration. □

According to the Law on Judicial Power, the Judicial Council provides an opinion about the budget application in respect of courts and land registry offices. The Court Administration is responsible for the financial resources of district (city) courts, regional courts and Land registry Offices, as well as for preparing the budget request for courts and Land Registry Offices. The management of the finances of the Supreme Court is of the competence of the Supreme Court's Administration. The funding of the Supreme Court constitutes a separate item in the State budget. The Court accounts for the use of its budget to the Ministry of Finance, to the State Treasury and to the State Auditor.

Q015-1 (2016): Budget of Prosecution and Constitutional court were not usually included in this question since these are separate institutions with individual budgets. Prosecution budget is provided in Q13 and Approved budget of Constitutional court is 1484895, but we were not able to acquire implemented budget. We will however include Prosecution office and Constitutional court budgets in this question in next cycles and have marked them in Q15-2 and Q15-3, while we did not change sums given above.

Q15-2 (2015): Judicial management body is meant Court Administration.

Enforcement services - in the Ministry of Justice budget are includes compensation for bailiffs for the enforcement activities.

In the section 'other' are included budget for institutions what are under supervision of the Ministry of Justice. Data doesn't include budget for prosecutor system.

Data includes also budget means for financing projects from the EU structural funds and other financial instruments co-financed projects: Approved budget - EUR 6 945 797, implemented EUR 5 610 619.

Q15-2 (2014): For 2014, data includes also the budget means for financing projects from the EU structural funds and other financial instruments co-financed projects (approved budget: 2 127 919 euros/implemented budget: 1 763 536 euros).

Lithuania

Q005 (2016): Lithuania is in an Euro zone.

Q006 (2016): Taxes related to the salaries (social insurance) paid by employer are included in 1. Finances for 2 (computerisation), for 5 (investment in new buildings), also partly for 3 (expertise), 4 (building repair), 6 (training) are allocated to the budget of the National Courts Administration. "Other" includes other finances for expenses of the courts (telecommunications, post, transport, paper, etc.). The National Courts Administration is implementing programme dedicated to the courts, financed by Norway funds. That hugely influences budgets for 2 (computerisation), 6 (training) and 7 (security devices) in 2016. The approved and implemented budget may differ because of the public procurement procedures.

Q6 (2015): Taxes related to the salaries (social insurance) paid by employer are included in 1.

Finances for 2 (computerisation), for 5 (investment in new buildings), also partly for 3 (expertise), 4 (building repair), 6 (training) are allocated to the budget of the National Courts Administration. "Other" includes other finances for expenses of the courts (telecommunications, post, transport, paper, etc.).

The National Courts Administration is implementing 2 internationally financed programmes dedicated to the courts, one – financed by Switzerland, another – by Norway funds. That hugely influences budgets for 2 (computerisation), 6 (training) and 7 (security devices) in 2015.

The main difference between allocation and implementation of the budget is because of long procurement procedures in the projects.

Q6 (2014): In the frame of the 2014 exercise, akin to the 2012 evaluation cycle, taxes related to the salaries (insurance) paid by the employer are included in the item “gross salaries”. Likewise, finances related to the categories “computerization”, also partly “justice expenses” (expertise), “court buildings” (building repair), “new court buildings” (building repair) and “training” have been allocated to the budget of the National Courts Administration. The category “other” includes other finances for expenses of the courts (telecommunications, post, transport, paper, etc.).

The implemented annual public budget allocated to the functioning of all courts differs from the approved annual public budget, mainly because of the budget allocated to “investments in new (court) buildings” and the long procurement procedures.

Several explanations have been provided in respect of the variations noticed with regard to some items:

An additional budget was provided to Lithuanian courts information system LITEKO investment programme which resulted in an increase of the budget allocated to “computerisation”.

As for the sub-category “justice expenses”, courts were provided with additional budget for court expenses and additionally 103 000 EUR were allocated to National Courts Administration to cover debts with regard to judicial expertise.

An additional budget was provided to investment programme of court buildings which resulted in an increase of the budget allocated to “new court buildings”.

As for the budget allocated to “training”, in 2014, in contrast with the previous cycles, it does not include the budget of the Judicial Training Centre.

It should be noted, that National Courts Administration (later referred as NCA) also implements international projects for the judiciary system.

The NCA also implements international projects for the judiciary system. In 2014 it worked on individual project “The Creation and Implementation of the System for Video Transmission, Recording and Storage in Courts” which was funded by the Lithuanian-Swiss Cooperation programme and the Republic of Lithuania (1 907 935,6 Euro). NCA also started the implementation of 3 projects under the Norwegian Financial Mechanism 2009-2014 Programme LT13 “Efficiency, Quality and Transparency in Lithuanian Courts”(8 210 465 Euro). These 3 projects are: “Modernization of the Courts Information System (System for Case-Handling and Audio Recording for Courts Hearings)”, “Improved Support to Witnesses and Crime Victims During the Court Procedure Including Strengthening of Security in Court Buildings”, “Strengthening the Competence of Representatives of Judicial System (Including Judges, Court Staff and Representatives of NCA (training))”. The use of funds of the projects mentioned above is planned for 2015 and it will be reflected in the statistics of 2015.

In 2014 NCA also worked on two other projects:

“Electronic Services in the Implementation of Justice”, funded by the European Regional Fund and the Republic of Lithuania (2 661 097,6 Euro),

“Implementation of Quality Management Models in Lithuanian National Courts Administration and Courts and Their Certification” (699 715,6 Euro).

Funds of these projects are not allocated in a specific year budget. They are not allocated to the NCA’s budget nor to courts’ budgets. Financing of these EU funded projects is gained in accordance with the costs incurred and obtained through the requests for payment submitted to the authorities responsible for the administration of the EU structural support.

Q6 (2013): The Trainings division (now Trainings and International relations division) has been established at the National Courts Administration in January 2013. It is responsible for trainings of judges, chairpersons. With the establishment of this division, international trainings are also available to judges (we are members of the EJTN, ERA).

Q6 (2012): In the ambit of the 2012 exercise, the attention has been drawn on the fact that taxes related to the salaries (insurance) paid by the employer were included in the item “gross salaries”. Finances related to the categories “computerization”, also partly “justice expenses” (expertise), “court buildings” (building repair) and “training” were allocated to the budget of the National Courts Administration. On the contrary, finances for the item “investments in new buildings” in 2012 were allocated to the Ministry of Justice. The category “other” included for 2012 other finances for expenses of the courts (telecommunications, post, transport, paper, etc.).

Owing to this distribution of the budget, it is possible to notice a considerable increase of the budget intended to “gross salaries” which in contrast with the 2010 exercise encompasses the insurance paid by the employer. Besides, the increase of the budget allocated to “justice expenses” is due to the fact that for the previous exercise, a big part of the sum was indicated as “other”. For 2012, a special accounting program made it possible to distinguish the expenses. Accordingly, the budget allocated to the category “other” has decreased in a meaningful way.

As to the annual public budget allocated to “computerization”, the decrease noticed in 2012 is explained by the fact that in 2010 there were more investments in this field which, afterwards due to the crisis decreased. From 2014, it is expected to grow.

Finally, the reason of the increase of the annual public budget allocated to training in 2012 is that the Training center of the National Courts Administration (later - Training center) was established in 2007 and was under the control of the Ministry of Justice until 2011 (therefore the budget of this training centre was included in the budget of the Ministry of Justice). From October 2011, the rights and duties of the Training center are assigned to the National Courts Administration.

Q6 (2010): In the frame of the 2010 exercise, the category “justice expenses” encompassed only expertise examinations, while the category “court buildings” subsumed public utilities and repairs. As to the items “new court buildings” and “training”, it is noteworthy that in 2010 the respective budgets (721 154 Euros and 234 882 Euros) were a part of the Ministry of Justice’s budget and were not included in the budget allocated to courts as approved by the Parliament. Finally, the category “other” subsumed all other justice expenses (paper, communication, etc.) and taxes related to the salaries (insurance) which were not encompassed in the item “gross salaries” and which present a huge percentage from the salaries. □

The distribution of the budget by categories of courts was presented in the following way: Supreme Court – 3 032 901 Euro; Supreme Administrative Court – 1 540 489 Euro; Court of Appeal – 2 337 233 Euro; district and regional courts – 43 422 440 Euro.

Q009 (2016): The increase of annual income of court taxes or fees received by the state might be because of the increased number of litigious cases and the sums of disputes.

Q12 (2014): In the ambit of the 2014 evaluation, it has been explained that within the approved public budget for legal aid (5900767,4 EUR), 560753,59 EUR concern primary legal aid and 5340013,9 EUR concern secondary legal aid.

The implemented public budget in 2014 is 5 43013,22 EUR for primary legal aid and 5340013,9 EUR for secondary legal aid.

It should be noticed that 17740,39 EUR of funds allocated to primary legal aid remained unused and were returned to the State budget.

The approved and the implemented public budget for secondary legal aid comprise remuneration for lawyers and, in contrast with 2012 and akin to 2013, other secondary legal aid costs. In 2014, 1985027 EUR were paid to lawyers providing legal aid in criminal cases and 1583728,53 EUR were paid to lawyers providing legal aid in civil and administrative cases.

Q12 (2013): In the frame of the 2013 exercise, it has been indicated that the annual approved public budget for primary legal aid was 519 868 EUR and this for secondary legal aid was 4 041 358 EUR. Besides, the approved public budget for secondary legal aid comprises remuneration for lawyers and, in contrast with 2012, other secondary legal aid costs.

Q12 (2012): In the ambit of the 2012 evaluation cycle, it has been indicated that the total encompasses the budget of both primary (513 681,15 €) and secondary legal aid (4 030 144,9 €). The budget of secondary legal aid includes the remuneration for lawyers and excludes other State-guaranteed legal aid expenses (e.g. costs related to collection of evidence, interpretation etc.). Moreover, according to the types of cases, information about the amounts paid for lawyers who provide secondary legal aid has been provided: in civil and administrative cases – 1 350 333,83 €, in criminal cases – 1 955 879,07 €.

Q12 (2010): In the frame of the 2010 exercise, it has been explained that the decrease in the budget allocated to legal aid is due to the general budgetary cuts.

Q012-1 (2016): Approved public budget for legal aid was € 5500227 (€ 563000 for primary legal aid and € 4937227 for secondary legal aid). Implemented public budget in 2016 was € 5494755 as €5472 of funds allocated to primary legal aid were unused and given back to the state budget.

Q12-1 (2015): Approved public budget for legal aid was 5 925 285 € (562 356 € for primary legal aid and 5 362 929 € for secondary legal aid). Implemented public budget in 2015 was 5 917 807,4 € (554 878,4 € for primary legal aid and 5 362 929 € for secondary legal aid). 7 477,6 € of funds allocated to primary legal aid were unused and returned to the state budget.

Q13 (2014): For the 2014 evaluation, it is specified that the approved public budget allocated to the prosecution services has been approved according to the Law on the approval of State and municipal budget financial rates for 2014 (Law of 12th December, 2013 n° XII-659). The implemented budget differs, as the prosecution services have been granted funds from the reserve fund of the Government and funds from incomes.

Q13 (2010): In the frame of the 2010 exercise, it has been explained that the decrease in the budget allocated to public prosecution services is due to the general budgetary cuts justified by the financial crisis.

Q14 (General Comment): The other ministry is the Ministry of Finance. The inspection body is the National Audit Office and the Division of Internal Audit of the National Courts Administration.

Q015-1 (2016): The data is presented according to the Law on the approval of State and municipal budget financial rates for 2016 (Law of 10th December, 2015 No. XII-2161):

- Courts (excluding the budget of National Courts Administration for computerisation, investment in new buildings, expertise, building repair, trainings, which is included in the budget item of National Courts Administration) - budget approved 63 983 000 (budget specified - 64 215 400, implemented 64 181 700).

- Public prosecution services - budget approved 34 944 000 (budget specified - 34 962 800, implemented 34 948 500).

- Ministry of Justice – budget approved 30 510 000 (budget specified - 30 722 700, implemented 27 530 700). The budget for secondary legal aid is included in the budget of the Ministry of Justice. The budget for whole justice system as presented does not include budget for primary legal aid.

The Ministry of Justice implemented less budget because of the economy of the salaries in the subordinate institutions (change of the staff, free vacancies, illness), economy of the budget for the goods and services, for the acquisition of long-term assets, for the repair of premises, decreased workload of the advocates providing secondary legal aid.

- Prison system - budget approved 69 302 000 (budget specified - 69 526 600, implemented 66 477 500). The discrepancies arise because of the public procurement procedures.

- The Constitutional Court – budget approved 2 019 000 (budget specified - 2 022 600, implemented 2 018 300). The Constitutional Court implemented less budget than approved because the budget for investment was not implemented at the whole scale.

- The National Courts Administration – budget approved 13 832 000 (budget specified - 34 962 800, implemented 10 521 900). The difference arises because not all the LITEKO services were acquired, the public procurement procedures prolonged, not all the budget for investments was implemented.

Q015-2 (2016): Legal aid - only the secondary legal aid, that falls within the budget of the Ministry of Justice.

Q015-3 (2016): National Courts Administration

Q15-2 (2015): Other – National Courts Administration.

The data is presented according to the Law on the approval of State and municipal budget financial rates for 2015 (Law of 11th December, 2014 No. XII-1408):

- Courts (excluding the budget of National Courts Administration for computerisation, investment in new buildings, expertise, building repair, trainings, which is included in the budget item of National Courts Administration) - budget approved 61 675 389 (budget implemented 61 793 221)

-Public prosecution services - budget approved 28 810 734 budget (implemented 28 835 957)

-Prison system - budget approved 64 271 866 (implemented 64 685 999)

-Constitutional court – budget approved 1 845 285 (budget implemented 1 817 674)

-Ministry of Justice – budget approved 31 916 616 (budget implemented 32 426 279)

-National Courts Administration – budget approved 13 489 687 (budget implemented 9 330 743) □

The budget for secondary legal aid is included in the budget of the Ministry of Justice. The budget for whole justice system as presented does not include budget for primary legal aid.

It should be noted, that the implemented budget of the Constitutional Court is less than approved due to non-implementation of assets for investments. Due to protracted public procurement procedures, the National Courts Administration didn't assimilate part of assets of Norway grants. The Ministry of Justice also didn't assimilate the assets of Norway grants and the fees, received from the Central Mortgage Office.

Q15-2 (2014): In the frame of the 2014 evaluation it is specified that data are presented according to the Law on the approval of State and municipal budget financial rates for 2014 (Law of 12th December, 2013 No. XII-659). The following detailed information could be provided:

Courts (excluding the budget of National Courts Administration for computerisation, investment in new buildings, expertise, building repair, trainings, which is included in the budget item of National Courts Administration) - budget approved 58 389 133/budget implemented 59 883 804;

Public prosecution services - budget approved 28 563 485/ budget implemented 28 622 712;

Prison system - budget approved 58 697 579/budget implemented 58 436 457;

Constitutional court – budget approved 1 794 485/budget implemented 1 801 060; □

Ministry of Justice – budget approved 30 150 070/budget implemented 30 210 177; □

National Courts Administration – budget approved 9 531 974/budget implemented 5 496 061. □

The budget for secondary legal aid is included in the budget of the Ministry of Justice. The budget for whole justice system also includes budget for primary legal aid (approved budget 560753,59/implemented budget - 5 43013,22).

Q15-2 (2010): In the ambit of the 2010 exercise, the following detailed information was provided: Supreme Court - 3032901 Euro; Supreme Administrative Court - 1540489 Euro; Court of Appeal - 2337233 Euro; district and regional courts – 43422440 Euro; Ministry of Justice - 18515118 Euro; Prison department - 54980305 Euro; Prosecutor General's Office - 29555722 Euro; National Courts Administration - 1992875 Euro.

Luxembourg

Q6 (2015): Investments in new buildings (category #5) are included in the budget of the Ministry of Sustainable Development and Infrastructure.

Expenditure on initial training of judges is included in the expenditure of the Ministry of Justice per se and not in the total expenditure of the judicial services.

The category "other" includes expenditure related to legal aid, postal and telecommunications costs, traveling expenses, operating costs, purchases of equipment...

Possible significant variations in certain budget items are explained by the introduction of new accounting within the State in 2014/15.

The judicial system of Luxembourg cannot distinguish between the budget allocated to courts and the budget allocated to public prosecution services.

Q6 (2014): The decrease in the budget allocated to "other expenses" is due to a different methodology of categorisation used in 2014. More expenses could be distributed among the specific sub-categories.

Q6 (2012): 2012: The figures regarding computerisation, justice expenses, court buildings, and new court buildings have to be nuanced because these expenditure items are mainly paid by departments other than the Ministry of Justice or by other budget items. Thus, the establishment of a new court will not appear at all in the budget of the Ministry of Justice. In addition, the program for establishing a new statistical collection system was funded by another budget item than the one worded "computerisation".

Q6 (2010): 2010: Luxembourg has built a new Courthouse in 2008, hosting the Supreme Court, the Constitutional Court, the Court of Appeal, the Luxembourg District Court, the Luxembourg Peace Justice and the prosecutors' offices and specialised courts (labour, youth, commerce).

This year were also inaugurated the new buildings of the Peace of Justice of Esch-sur-Alzette.

Although these projects have cost more than 100 million for one and around 15 million euros for the other, these figures are not included in the budget of justice but in the one of public buildings and as it is spread over several years, it is not possible to indicate any quantitative data.

Q007 (2016): The bill containing the implemented budget of 2016 has not been approved yet.

Q7 (2013): 2013: The budget allocated to the training does not appear in the budget for the functioning of the courts but in the budget of the Ministry of Justice.

The category 'other' includes legal aid which can be distinguished from the court budget (which is not the case of the prosecution budget).

Q7 (2010): 2010: The budget for legal aid is of € 3,000,000. The latter is included in the 'other' category including the allowances of the employees (€ 4.97 million), workers (€ 1,000,000), guarding fees (€ 1.409 million), purchases of goods (€ 1.68 million), trainee lawyers (€ 1.6 million), etc.

Q012 (2016): There is no isolated budget for non-litigious cases or criminal cases.

Q12 (2012): It is not possible to differentiate the amount of legal aid allocated to criminal and non-criminal cases, whether they are contentious or not.

Q012-1 (2016): The bill containing the implemented budget of 2016 has not been approved yet.

Q013 (2016): There is no isolated budget for the public prosecution services.

Q015-1 (2016): The bill containing the implemented budget 2016 has not been approved yet.

Malta

Q006 (2016): The expenditure under Sub-section 7 refers to Payment to Criminal Court Jurors and expenses related to their accommodation and transport, payments to transcribers of the civil and criminal courts, payment of overtime to judicial teams, remuneration to mediators in the Family Court, payment to Child Advocates, payments to architects under the reletting of urban property and agricultural leases, and payments related to the Small Claims Tribunal. In addition, this year, we are also incorporating the training budget allocated to the Judicial Studies Committee, which is an independent entity that provides for the training of the judiciary. Despite the fact that this budget is itemised under the court budget, its management and expenditure falls within the remit of the Chief Justice and not the court administration. Regarding "4. Annual public budget allocated to court buildings (maintenance, operating costs)": Prior to the 2014 budget, a financial request was lodged in respect of a major project that involved the renovation of the Sir Thomas Moore building. Hence, the 2014 budget had a dedicated line item for new court buildings. The 2015 and 2016 budgets showed only an implemented budget because no pre-programmed expense was being forecasted at the time of the budget planning. Hence the implemented budget relates to new court building requirements that emerged during the year in question (hence implemented not forecasted) and that required an injection of additional funds specifically for that purpose.

The variations regarding the "annual public budget allocated to justice expenses" might be related to a possible increase in the number of court experts and translators.

Q6 (2015): The expenditure under Sub-section 7 refers to Payment to Criminal Court Jurors and expenses related to their accommodation and transport, Payments to transcribers of the civil and criminal courts, payment of overtime to judicial teams, remuneration to mediators in the Family Court, payment to Child Advocates, payments to architects under the reletting of urban property and agricultural leases, and payments related to the Small Claims Tribunal.

The budget of the Public Prosecution Services and that of Legal Aid are not incorporated in the above allocations.

Before 2015, the approved budget allocated to the category "new court buildings" was linked to a specific project which ended in 2014.

As for the budget allocated to "computerization", the figure indicated for 2014 and 2015 do not include the allocation of capital IT which the information management unit at the responsible Ministry pays to MITA (the government agency responsible for ICT) on behalf of the courts.

Q6 (2014): Two observations have been made in respect of the 2014 data.

As for the budget allocated to "computerization", the figure indicated for 2014 does not include the allocation of capital IT which the information management unit at the responsible Ministry pays to MITA (the government agency responsible for ICT) on behalf of the Courts of Justice.

The budget allocated to "new court buildings" decreased since the bulk of architectural and restoration works including mechanical and electrical installations for the new judiciary building called Sir Thomas More were carried out in 2013. This building was inaugurated and first used in 2014.

Q6 (2010): In the frame of the 2010 evaluation, the attention was drawn on the fact that training was not compulsory as a result of which the budget allocated to "training" was rather low. Nevertheless, in comparison with 2008, the budget for 2010 was doubled, and in the following years, it was further increased.

Q007 (2016): The budget of the court administration is separate from that of the Public Prosecution Services and from that of Legal Aid.

Q7 (2014): In 2014, the sub-section "other" refers to expenditure related to payments under Programmes and Initiatives category including payments of criminal courts juries, accommodation and transport of jurors, remuneration of mediators at the Family Court and remuneration of children advocates; payment of architects with regard to urban property and agricultural leases and expenditure related to the Small Claims Tribunal.

Q012 (2016): The Legal Aid budget does not differentiate between the services offered for criminal cases or the services offered for non-criminal cases. However Legal Aid in Malta is offered mainly for litigation purposes, and not for consultation, and hence the NAP response to question 12.2. 2016 was the first year in which the legal Aid Agency had a budget of its' own. The actual financial requirements needed to run the Agency.

Q12 (2012): In contrast with the 2010 exercise for which the provided figures were more generic, data communicated for 2012 are more accurate.

Q12 (2010): In 2010, funds were allocated in a different manner compared to the previous exercise. Basically, in 2008, a part of the legal aid funding was catered for by a different Ministry and such data was not then available.

Q012-1 (2016): The difference between the approved budget and the implemented budget for the Legal Aid Agency results from additional funds requested in 2016 in order to cover the increase in the honoraria of the lawyers and legal procurators offering their services to the Agency (also see answer to Q208)

It is possible that there will be an additional increase in the budget in the forthcoming evaluations.

It is not possible to differentiate between the budget allocated to criminal and 'other than criminal cases' and that is why it is marked as NAP (There are no means to distinguish between the two).

Q12-1 (2015): Up to 2015, the funds allocated to Legal Aid were not itemised separately from the budget of the Office of the Attorney General. Therefore whilst there was no approved a priori Legal Aid budget, any related costs were borne out of the budget of the Office of the Attorney General. The cost of Legal Aid throughout 2015 is the amount outlined in Question 12.1, and it does not discriminate on whether the funds were used for other-than-criminal or criminal cases.

Q13 (2015): The difference between the implemented budget and the approved budget results from some additional funds requested to meet recurrent costs, and other funds credited to the account of the Office of the Attorney General derived from reimbursements.

Q13 (2012): In 2012, funds allocated to the Attorney General's Office were reduced due to reorganization purposes.

Q14 (General Comment): The preparation of the total court budget results from a collaborative process between the Ministry of Justice and the Ministry of Finance. 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.

Q15-1 (2014): In 2014, the budget allocations listed within the table relate to recurrent expenditure and do not include capital expenditure.

Q015-3 (2016): - the Malta Arbitration Centre (MAC)

- the Malta Mediation Centre

- the Commission against Corruption

- the Law Commissioner

- the Justice Reform Commission

Q15-2 (2015): The implemented budget could not be compiled because not all the items listed in the Approved budget could be traced for their Implemented budget. Thus the total provided would not compare to the total of the Approved budget.

The total Approved budget is less than the previous year mainly because of historical factors that lie beyond the control of the data collector. Before 2014, the Ministry for Justice was integrated in the Ministry for Home Affairs, and its budget was incorporated within this larger Ministry (previously known as Ministry for Justice and Home Affairs). In 2014, the Ministry for Justice became an independent Ministry (incorporating also Culture and Local Government), and for the first time, was allocated its own budget in 2015. Thus, the budget quoted in this evaluation is a more true reflection of the actual budget of the Ministry for Justice despite the fact that it still incorporates elements that fall outside the remit of justice.

In 2015, the category "notariat" has been included as line item "Notary to Government" within the budget of the Ministry of Justice, Culture and Local Government.

The budget of forensic services outside the budget allocation of the police force (enforcement services) is not available.

The components of the item referring to "police services" are incorporated in the budget of either the "enforcement services" or the "prison system".

Q15-2 (2014): In 2014, the category "other" includes: Justice Reform Commission (€55,000); Malta Mediation Centre (€25,000); Malta Arbitration Centre (€67,000); Refugees and asylum seekers services which encompasses: Detention Services (€2,800,000), European Asylum Support Office (€250,000) and Commissioner for Refugee Office (€600,000).□

Enforcement services specifically reflect the recurrent budget of the Malta Police Force.

It is important to note that most of the budgets listed above fall under the remit of different ministries. Thus for example, the recurrent budgets pertaining to the Ministry of Home Affairs are: Malta Police Force under Enforcement Services (€53, 108, 000); Prison System (€8,874,000); Probation Services (Euros 763, 000); Detention Services for refugees (€2, 800, 000).

Q15-2 (2013): In 2013, akin to 2012, the approved budgets were spread between different ministries and a breakdown of the amount indicated in accordance with the various information collected was provided for clarity: Attorney General's Office (€1,757,000); Courts (€12,305,000); Probation and Parole Services (€778,000); Prison system (€9,059,000); Commissioner for Refugees Office (€600,000); Commission for the Administration of Justice (€30,000); Police (€51,743,000); Budget for Parliamentary Secretary of Justice (€492,000); Legal Aid (€49500).

Q15-2 (2012): As in 2012 the approved budgets were spread between different ministries, a breakdown of the amount indicated in accordance with the various information collected was provided for clarity: Attorney General's Office (€1,828,559); Courts (€11 527 427); Probation and Parole Services (€655,079); Prison system (€8,974,218); Commissioner for Refugees Office (€125,841); Commission for the Administration of Justice (€29,928).

Q15-2 (2010): In 2010, the Police Force also fell under the remit of the Ministry of Justice and Home Affairs. Its budget represented €45,013,000.

Netherlands

Q001 (2016): 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. Compared to previous questionnaires (before 2014) these figures have been adjusted according to new rules of the European system of national accounts (illegal activities are now included)

Q006 (2016): Q6.3. Council of Judiciary only. Justice expenses are excluding the justice expenses for criminal cases. Other: depreciation, interest, administration, service centre, etc., since 2012 incl. justice expenses of the Supreme Court. Ad Q6.4 Exceptionally, a one time, and extra amount of 65.1 million was planned for the new government housing system” (Report Annual Budget).

Q6 (2015): The total annual approved budget allocated to all courts includes the budget allocated to the courts and prosecution services.

Q6 (2014): The total annual approved budget allocated to all courts includes the budget allocated to the courts, legal aid and prosecution services.

The total budget provided for 2014 excludes the judiciary part of the Council of State. It has been explained that the budget allocated to “justice expenses” does not include legal aid, except for taxes and fees to be paid by the parties.

Q6 (2013): The indicated total for 2013 excluded the budget of the Council of State but included this of the Supreme Court. The total budget of the Council of the Judiciary, excluding the Supreme Court and the Council of State, was 10.10.913.000 euro. Figures provided in respect of all the sub categories, except for item “other” were related to the budget of the Council of the Judiciary. The budget of the Supreme Court was subsumed in item “other”.

Q6 (2012): As in 2010, figures reported for 2012 did not include the budget for the High Council which is the highest appeal court, as well as expenditure related to the justice tasks of the Council of State general (which is not available, only the total expenditure being published). The latter does not fall under the budget of the Ministry of security and Justice but under the budget of the High colleges of State.

Q6 (2010): The total annual approved budget allocated to all courts includes the budget allocated to the courts, legal aid and prosecution services.

In the frame of the 2010 exercise, the attention was drawn on several points.

Firstly, the budget allocated to “justice expenses” (a relative minor budget item) subsumed e.g. advertisement and other expenses in connection with external parties related to cases dealt with by the courts. It showed fluctuations over the years.

Secondly, the intensification of the computerization led to the increase of the budget intended to this purpose.

As a general remark, it was highlighted that the reported figures did not include the budget for the High Council which is the highest appeal court, as well as expenditure related to the justice tasks of the Council of State general.

Q7 (2014): For 2014, the approved budget for the category “other” includes investments in computerisation, court buildings, training, depreciation, interest, administration, service centre, etc. The implemented budget encompasses depreciation, interest, administration, service centre etc.

Q7 (2013): For 2013 the category “other” subsumed depreciation, interest, administration, service centre etc., including the Supreme Court. According to the provided details, the communicated figure was the sum of 36.901.000 euro related to the Council of Judiciary (depreciation, interest, administration, service center, etc.) and 28.114.000 euro related to the Supreme Court (including justice expenses).

Q7 (2012): For 2010 and 2012 the category “other” encompassed depreciation and interest. It should be noticed that justice expenses considered within this item were excluding expenses related to criminal cases.

Q7 (2010): For 2010 and 2012 the category “other” encompassed depreciation and interest. It should be noticed that justice expenses considered within this item were excluding expenses related to criminal cases.

Q12 (2014): On the occasion of the 2014 evaluation, it has been explained that the ongoing decrease over the period 2012-2014 concerning the annual approved public budget allocated to legal aid for other than criminal cases brought to court might be due to shortening in budget. The State Secretary for Security and Justice developed a policy intended to result in structural savings of 85 million euros annually. On February 1st 2015, the following measures took effect: temporary elimination of annual indexation with respect to the lawyers’ fees and the client contribution; reassessment of a fixed number of paid working hours for specific parts of the criminal process and limitation of the legal aid commissioned by the court if the custody is suspended immediately after it is ordered; reduction of the hourly legal aid rate; reduction of lawyer’s fee in time consuming cases. Other proposed cutbacks have been suspended because the Senate filed a number of motions in the beginning of 2015. A special commission is established that will issue an opinion after extensive research.

Q12 (2013): In 2013, the indicated amount does not include expenditures related to detention of illegal aliens, forced hospitalization by psychiatric problems, divorce and legal guardianship of children.

Q013 (2016): including justice expenses, including public prosecution before the Supreme Court and Council of State in criminal cases;

Q14 (General Comment): The category "other" refers to the judiciary part of the Council of State.

Q015-1 (2016): Excluding the judiciary part of the Council of State

Q015-2 (2016): Comment : 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.

Q015-3 (2016): Other: Police, secret service (both since 2011).

Q15-2 (2012): In the frame of the 2012 exercise, it has been specified that the difference of data between 2010 and 2012 is due to a major reorganization in 2010. On January 1st 2011 the budget of the police services, 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.

Poland

Q006 (2016): Point 7 contains expenditures on personal benefits, current expenditures related to purchases of goods and services, investment spendings (construction, purchases), housing loans for judges, various fees and contributions.

In relation to reduction of the amount of funds allocated and spent on computerization in 2016 we would like to inform that the planning and implementation of IT spending is mainly dependent on the additional tasks that the public sector faces in the budgetary year, especially technological development in common court proceedings and purchasing of equipment necessary for the implementation of planned IT projects.

We also would like to indicate that in 2014, IT systems have been modified and maintained, in particular in the area of e-payments, integrated accounting and human resources management systems in the common courts and the Ministry of Justice, the electronic protocol, the Land Registry, the Judicial Decisions Portal, the Information Portal , The Central Bankruptcy Register and IT System for the Support of Substantive Processes.

In addition, when we analyze the judicial budgets in 2014 and 2016 in euro, it should be considered that in 2016 the euro exchange rate of the National Bank of Poland (NBP) on 30 Dec. 2016 was PLN 4.4240 / €. Whereas the exchange rate of the NBP on 31 Dec. 2014 was PLN 4.2623 / €. therefore amounts presented in the CEPEJ 2016 are lower.

It should be noted that the spendings on training are planned on the basis of the training needs reported by the presidents of the courts, and that annual increase demonstrates the growing need for training of staff in common courts, mainly due to the additional tasks imposed on judicial staff in connection with legislative changes.

Q6 (2010): All the budgetary data for 2010 were affected by two important factors: the change of the exchange rate polish zloty-Euro (approx raise 7%) and the EU financed programs which covered many of the national expenditures.

The increase of the budget dedicated to salaries resulted from the major change in legal rules: in 2010, judges and prosecutors' salaries were based on the average gross salary from the second quarter of the previous year. □

The computerization budget decreased between 2008 and 2010. In fact, the figure communicated for 2008 reflected the major investment process in the Polish judiciary which was founded from the Ministry of Justice budgeted. Data gathered in 2008 referred to the computerization reform. In 2010, another major computerization project was launched and is reflected in the 2012 evaluation cycle.

The decrease in training and education budget was due to the fact that since 2009, the Polish National School for Judiciary and Prosecution has been fully operational. Since judicial training is financed by the National School, the courts expenditures have decreased subsequently. Moreover since 2008, many EU financed training programs have been implemented.

The structural reform in Poland affected also the modernization of court buildings (as well as investments in new buildings and costs of preservation). Most of the investments were completed before 2010.

As to the category "other" and the observed decrease, it was probably due to the decrease of the investment cost.

Q012-1 (2016): In 2016 the costs of implementing changes in the Code of Criminal Procedure in the field of free legal aid granted ex officio were lower than expected . The amount of funds disbursed by the courts for defense is directly attributable to the number of incoming cases and the number of beneficiaries of unpaid legal aid granted ex officio, therefore implementation of the plan in this group of expenses during the financial year is independent of the activities of the financial services of individual courts.

Q13 (2010): The budget allocated to public prosecution services was separated from the justice budgetary part for 2010. The provided sum is an outcome of budgetary transfers caused by the separation of the Public Prosecution Service from the Ministry of Justice.

Q14 (General Comment): The category “other” refers to the Minister of Finance National Supervisory Board.

Q015-1 (2016): The above data include the budgetary sections of which responsible is the Minister of Justice (part 15 - Common Courts and Part 37 - Justice). Section 15 covers expenditures of common courts, retired judges and the payment of compensation paid from the National Treasury. Part of the expenses are related to the functioning of the Ministry of Justice, prison units, scientific institutes of the Ministry of Justice, the National School of Judiciary and Public Prosecution, correctional institutions and juvenile shelters and retirement and disability benefits for prison officials.

Q015-3 (2016): Expenditure on payments of compensations from national budget.

Expenditure related to the functioning of research institutes of the Ministry of Justice and National School of Judiciary and Public Prosecution.

Q15-2 (2013): In 2010 and 2012 the category “other” encompasses damages paid by the State, other forms of education, social security benefits, the budget of the National School for Judges and Prosecutors.

Q15-2 (2012): In 2010 and 2012 the category “other” encompasses damages paid by the State, other forms of education, social security benefits, the budget of the National School for Judges and Prosecutors.

Portugal

Q006 (2016): The increase in the approved budget allocated to computerization is explained by the increase of the foreseen investment in IT and software equipment in the Financial and Equipment Institute (Instituto de Gestão Financeira e Equipamentos da Justiça), in administrative equipment and buildings in the Institute of Registry and Notary (Instituto dos Registos e do Notariado) and in administrative equipment and informatics software in the Directorate-General for Justice Administration (Direcção-Geral da Administração da Justiça);

The decrease in the implemented budget allocated to justice expenses is explained by the decrease in the number of judicial proceedings in relation to 2015.

The decrease in the implemented budget allocated to court buildings is explained by the reduction of construction works carried out to guarantee the normal functioning of the courts.

Q6 (2015): Q6.2 – This value decrease in relation to 2014 is explained by the conclusion of a project called Tribunal XXI. This project aimed to centralize and store data of the Citius platform in a data center structure, as well as the development of IT platforms, digitalization and integration of ongoing court cases, integration of video recordings of hearings and installation of centralized counters citizen service.

Q.6.3 – the value increase results of the entry into force of Law 23/2013, 5th February, regulated by Ordinance n.46/2015, of 23rd February and Ordinance 278 of 26th August that established the payment of notary fees related to the inventory process.

Q6 (2014): On the occasion of the 2014 exercise, it has been explained that there was a decrease between 2012 and 2013, as well as between 2013 and 2014. This decrease is explained by the decrease of the budget allocated to the project Court XXI (which aim is the dematerialization of court proceedings), as well as by the fusion of the Informatics Justice Institute (Instituto das Tecnologias Informáticas da Justiça -ITIJ) and the Financial and Equipment Institute (Instituto de Gestão Financeira e Equipamentos da Justiça) which resulted in a significant budget reduction for the Ministry of Justice between 2012-2013.

As for the budget allocated to court buildings, the noticed increase stems from the preparation needed to the set-up of the judicial organization reform that took place in 2013 and implied a major relocation and reform of court buildings.

Concerning the budget allocated to training, the decrease observed between 2013 and 2014 is explained by the reduction of the number of staff of the Centre for Judicial Studies, as well as by the fact that during 2013, there was a significant number of judges still under training that performed services for this Centre.

Q6 (2013): In 2013 the budget allocated to the category “computerization” increased in a significant way owing to the preparation work related to the set-up of the judicial organization reform that took place in 2013 and the IT project attached to it.

Q6 (2012): In the ambit of the 2012 exercise, it has been specified that for 2010, the category “justice expenses” was also including, by mistake, costs related to computerization, while for 2012 it encompasses only costs of expertise and interpretation. Besides, it has been stressed that in the past years, the Portuguese government had some financial constraints that are reflected in the Justice budget and that explain the decrease in the budget allocated to “computerisation” and to “training and education” between 2010 and 2012.

Q6 (2010): In the frame of the 2010 exercise, it has been explained that the increase of the annual public budget intended to “computerization” between 2008 and 2010 was due to a major political investment in this area related to computer innovations. One of the governments’ key objectives was to consolidate, strengthen and expand the computer applications available to the justice’s agents, such as the CITIUS application (case management program).

Q7 (2013): For 2013, it was possible to identify the content of the category “other” including office materials (4 731 473€), communication expenses (26 648 839€), other expenses such as transport expenses, technical assistance, books and technical documents, specialized work etc. (23 084 281€).

Q12 (2014): The decrease in the approved budget allocated to legal aid between 2012 and 2014 can be explained by the current economic and financial situation that led to budget limitations. However, it should be stressed that in the past years, the approved budget allocated to legal aid has been revised and increased on the course of the year. In fact, legal aid expenses have not decreased, quite the opposite, if one checks the implemented budget.

For 2014, the implemented public budget regarding legal aid differs from the annual approved budget allocated to legal aid because the latter was in deficit regarding the needs of the year. Therefore it was necessary to strengthen an endowment by the Ministry of Finance.

Q12 (2013): The decrease of the budget of legal aid in 2013 has been justified by the financial constraints faced by the Portuguese government in the past years.

Q12 (2010): In the frame of the 2010 exercise, two main reasons have been pointed out in respect of the increase of the budget of legal aid between 2008 and 2010. Firstly, the amendments to the existing legislation granted a greater effectiveness to the fundamental right of access to the law and to the courts which resulted in a very marked increase in the granting of legal protection. Secondly, the elimination of the discretionary nature of setting fees, the table being set in the maximum amounts, and the fact that the service was no longer provided by trainee lawyers, who had a reduction in their salary, also contributed to the increased amounts budgeted.

Q12-1 (2015): The public budget implemented regarding legal aid is different from the annual approved budget allocated to legal aid because the annual approved budget was in deficit regarding the needs of the year, therefore it was necessary to strengthen an endowment by the Ministry of Finance

Q13 (2014): In the frame of the 2014 exercise, it has been explained that the differences between the approved and the implemented budget are due to the declaration of unconstitutionality of some of the measures of the State budget, namely measures regarding remunerations.

Q015-1 (2016): Q.15.1 - The approved budget has increased because the salary cuts that were made in 2012 have been replaced.

Q15-1 (2010): The increase of the annual public budget allocated to the whole justice system between 2008 and 2010 stemmed from a political decision and was due to a large investment in IT applications.

Q15-2 (2015): Before 2015 the budget of the judicial police was included in the category "other services". In 2015, the Criminal Investigation Police (Policia Judiciária) has been included in the new category “some police services”.

Q15-2 (2014): Since 2014, a reference to the Criminal Investigation Police is made within the specific category “some police services” and not in the category “other” which was the case for the previous exercises. Accordingly, there were no changes regarding the budgetary elements for 2014.

Q15-2 (2013): For the 2010, 2012 and 2013 exercises, the category “other” covers the Criminal Investigation Police (Policia Judiciária).

Q15-2 (2012): For the 2010, 2012 and 2013 exercises, the category “other” covers the Criminal Investigation Police (Policia Judiciária).

Q15-2 (2010): For the 2010, 2012 and 2013 exercises, the category “other” covers the Criminal Investigation Police (Policia Judiciária).

Romania

Q001 (2016): Provisional data which will be completed when the National Institute of Statistics will finalize population data

Q006 (2016): The category "other" includes other salary expenses such as for example temporary transfer in the employer's interest and secondment pays, contributions owed by the employer, other rights which judges and ancillary staff are entitled to (reimbursement of the sums paid for medicines, transportation, rent, travel expenses, fuel and lubricants expenses, periodical medical checks, labor protection etc.), the amounts (allocated in 2016) provided in the writs of execution, having as object the granting of salary rights for the judiciary staff.

As to the category "other", the allocated funds for payment of wage rights established by court decisions allocated in 2016 were lower than those allocated in 2015.

The significant difference between the approved and implemented budgets allocated to "training" is mainly due to the fact that during the development of the activities organised within the training programs were made savings that could not be predicted at the time of the budget allocation.

The increase in funds for "annual public budget allocated to training" in 2016 is mainly explained by the significant increase in the percentage of participation in training courses, especially for the economists in the courts (participation permitted by the modification of legislation in the financial accounting field and the implementation of the FOREXEBUG system).

The decrease of the amounts of "annual public budget allocated to investments in new (court) buildings" in 2016 is mainly explained by the fact that in 2015 larger funds were allocated for the rehabilitation of several court offices- these buildings have been received in early 2016, thus the funds provided for this destination in 2016 (the payments to be made in the course of 2016) were lower.

Q6 (2015): The significant increase of the approved and implemented budgets allocated to "computerisation" in 2015 compared to 2014 is mainly due to the fact that additional funds were allocated for the purchase of IT equipment and software for the courts

The decrease between 2014 and 2015 in the approved and implemented budgets allocated to training is mainly due to the fact that in 2015 a smaller number of professional training courses were organised.

The budget for "justice expenses" increased due to the entry into force in 2014 of the new Code of Criminal Procedure requiring for a notification to all defendants of a certified copy of the indictment act and of the authorized translation.

The budget allocated to "other" subsumes also allocated funds for payment of wage rights established by court decisions.

The approved budget for 2014 was allocated both to pay the 25% instalment for the year 2014 and the 25% instalment for the year 2015, while the budget approved for 2015 was allocated only to pay the 35 % instalment for the year 2013.

Q6 (2014): In 2014 funds were allocated for the purchase of equipment for the courts which resulted in an increase of the approved budget allocated to "computerization".

Besides, the approved budget for "justice expenses" increased due to the entry into force in February 2014 of the new Code of Criminal Procedure requiring for a notification to all defendants of a certified copy of the indictment act, and, where appropriate, of the authorized translation generating additional costs of translation and interpreting.

As to the decrease of the approved budget allocated to "training", in 2013 the funds allocated for continuous training of judges and prosecutors were also included whereas in 2014, as specified in the explanatory note CEPEJ, those funds have not been reported in question 6.

The significant increase of the approved budget allocated to "other" in 2014 was due to the inclusion of allocated funds for payment of wage rights established by court decisions. The approved budget for 2014 was allocated both to pay the 25% installment for the year 2014 and the 25% installment for the year 2015, while the budget approved for 2013 was allocated only to pay the 10 % installment for 2013. Also, due to the increasing number of occupied posts in 2014 compared to 2013, increased funds were allocated to pay contributions due from the employer, allowances for delegation/secondment allowances for transport, rents, medication, regular medical checks.

Q6 (2013): In 2013, the figure provided in respect of the category “computerization” corresponded to funds allocated from the State budget. However, Romania has also benefited in this field from projects implemented by EU and structural funds.

As to the item “justice expenses”, starting with 2013, it includes expenses related to interpretation services. For the previous cycles, the latter were encompassed in the category “other”.

Concerning the category “new court buildings”, the Judicial Reform Program with the World Bank was aimed at building up new court buildings. This program benefited of greater funding in 2013 compared with 2012 (the funding is required to complete investment objectives, for example the Pitesti Court of Appeal, the Tribunal and Court of First Instance Tulcea).

As for the budget of the National Institute of Magistracy (NIM), the assessment of the total amount for training of judges was based on the assumption that all activities of continuous training organized by NIM have close values as far as judges and prosecutors are concerned. As to the budget of the National School for Clerks, it does not include costs of decentralized courses held at the premises of the Courts of Appeal, nor costs of E-learning

Q6 (2012): The decrease of the total approved budget allocated to courts and the budget intended to the category “other” in 2012 stemmed from legislative amendments referring to the wage rights established by court decision and paid to court staff in the period 2010-2012. The approved budget for 2010 contained a bigger part (approximately 32 million euros) of the amounts provided in the writs of execution than the approved budget for 2012 (approximately 18.8 million euros). Besides, according to the Law 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 283/2011.

There was an increase in the budget allocated to salaries in 2012 compared to 2010. Basically, after a reduction in June 2010, there was an increase in January 2011 as well as in June and December 2012.

Additionally, 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 September 2012, funds were 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 were also allocated funds to courts for purchasing furniture for the new personnel (about 113.379 euros), IT equipment (407937 euros) as well as for redevelopment works necessary for creating council chambers and offices within courts of appeal and law courts facing disturbances in their 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 (285.034 euros).

Q6 (2010): Several clarifications have been provided in the frame of the 2010 exercise.

As to the budget allocated to “gross salaries”, it has been stressed that in 2008, wage rights established by court decisions were paid (50% neuropsychological and risk overstress supplement and 15% confidentiality supplement). Such amounts had been neither provided nor paid with respect to 2009 budget and in 2010 they represented approximately 39% of the rights paid in 2008. Starting with 2010, based on the Unitary Salary Law of 2009, the salary rights for magistrates and other judiciary staff include, as a monetary value, the supplements obtained through the case law (50% neuropsychological and risk overstress supplement and 15% confidentiality supplement). Some supplements were included in the base salary and others were considered as a supplement in addition to the base salary.

The decrease of the budget allocated to “computerization” was due to the international and national economic situation, combined with the existence of alternative sources for financing IT (EU, Structural funding – MAI PO DCA, MCSI OIPSI). □

The increase of the budget intended to “court buildings” was explained by the investments made in terms of security and stability (total repair works and consolidations), modernization, improvement of the present court buildings. Likewise, the budget allocated to “new court buildings” increased in 2010 as a result of investments made (rooms, flow separations, specific endowment) in respect of Courts of Appeal in accordance with the amendments brought by the New codes (increase of the staff number; modification of competences).

Due to the macroeconomic context, in 2010, the government limited the expenditure for each main credit chief accountant, especially the budget intended to “goods and services” encompassing the budget of “training”. □

As to the category “other” the observed variation was due to the salary increase in 2009, as explained above, to the increase of the number of beneficiaries of other personnel rights, as well as to the evolution of the prices for accommodation, fuel, etc.

Q9 (2014): Figures provided for 2012 and 2014 refer to the amounts resulting from judicial stamp duties which constitute revenues to the State budget and also the local budget.

Q9 (2012): The figures provided for 2012 and 2014 refer to the amounts resulting from judicial stamp duties which constitute revenues to the State budget and also the local budget.

Q012 (2016): Despite the reply NA in respect of the category 12.2, the indicated totals are correct. In fact, the budget of this item is included in the budget concerning “other than criminal law cases”. There is no separate budget classification for the moment with regard to litigious and non-litigious matters. Expenditure on legal aid covers costs incurred for beneficiaries’ justice. Thus, they do not have the character of regularity and depend on different factors (number of cases, such legal assistance: in civil, criminal, international judicial cooperation in civil and criminal matters, the service provided, the number of persons the court accepts the application for legal aid and the amount granted, etc.).

Q012-1 (2016): Despite the reply NA in respect of the category 12.2, the indicated totals are correct. In fact, the budget of this item is included in the budget concerning “other than criminal law cases”. There is no separate budget classification for the moment with regard to litigious and non-litigious matters. Expenditure on legal aid covers costs incurred for beneficiaries’ justice. Thus, they do not have the character of regularity and depend on different factors (number of cases, such legal assistance: in civil, criminal, international judicial cooperation in civil and criminal matters, the service provided, the number of persons the court accepts the application for legal aid and the amount granted, etc.).

Q13 (2014): In 2014, the difference between the approved public budget and the implemented one is mainly caused by fluctuations in human resources; funding allotted for pending judicial proceedings which is estimated before the start of the budget execution; debt recovery based on definitive court decisions favorable to the Public Ministry. According to the Public Ministry, the differences are mainly reflected in the following categories of budgetary outgoes:

personnel outgoes representing the equivalent of the salaries and contributions quota for persons who have been in medical leave, as well as the financial rights for delegations and other social financial rights which have not been solicited for payment in December 2014;

goods and services representing amounts coming from the completion of the sting operations fund for December 2014 with the amounts which have been opened but remained unused during 2014 for organizing and carrying out, according to the law, of the sting operations for corruption offences, as well as from the payment of the expenditures for judiciary and extra judiciary expertise;

post-accession projects with external non-refundable funds financing (FEN) concluded with the European Commission, for which during the implementation the services stipulated within the projects have been contracted to smaller prices than the initial budget provided for.

The main explanation of the increase of the annual approved public budget allocated to the public prosecution services in 2014 is that funds allocated for the payment of wage rights established by court decisions were higher than in previous years (increasing gradually). For example, in 2014, these amounts covered both the installment for the year 2014 (25% of the total amounts stipulated in the writs of execution) and the installment for the year 2015 (25% of the total amounts stipulated in the writs of execution).

Q13 (2010): In the frame of the 2010 exercise, it was specified that the public prosecution services’ budget included staff expenditure (wages cost and contributions), capital expenditure (investments, capital repairs, equipment and facilities), goods and services expenditure (expenses concerning the maintenance of the prosecutor’s offices under law courts, professional training, rents for rented headquarters).

Q14 (2012): According to 2012 data, the other Ministry is the Ministry of Public Finances. The category “other” refers to the Romanian Court of Accounts.

Q14 (2010): According to 2010 data, the other Ministry is the Ministry of Public Finances. The category “other” refers to the Romanian Court of Accounts.

Q15-1 (2014): In 2014, funds allocated for the payment of wage rights of the judiciary staff established by court decisions were even higher than in 2013. Namely, they covered both the installment for the year 2014 (25% of the total amounts stipulated in the writs of execution) and the installment for the year 2015 (25% of the total amounts stipulated in the writs of execution). On the contrary, in 2013, these amounts covered only the installment for the year 2013 (10% of the total amounts stipulated in the writs of execution).

Besides, due to the increasing number of occupied posts in 2014 compared to 2013, funds allocated for the payment of employer contributions due, allowances delegation/secondment allowances for transport, rent, medicines, regular medical checks etc. increased.

Finally, the entry into force in February 2014 of the new Code of Criminal Procedure has generated additional costs for translation and interpretation services.

Q15-1 (2013): The increase of the budget allocated to the whole justice system between 2010 and 2013 had a double justification. On the one hand, in 2013, funds allocated for the payment of wage rights of the judiciary staff established by court decisions were higher than in previous years. On the other hand, in 2010 the budgetary staff salaries were reduced by 25%, starting with 2011 they increased by 15% and in 2012 they successively increased by 8% and 7.4%.

Q15-1 (2010): In the ambit of the 2010 exercise, it has been noticed that the amount of the total annual public expenditure had significantly and constantly increased until 2009, when the budget allocated amounts for all sectors were affected by the decrease by almost 8% of the gross domestic product in the first semester of the year, as a consequence of the economic crisis.

Q015-3 (2016): Other institutions coordinated by the Ministry of Justice: the National Trade Register, the National Authority for Citizenship

Q15-2 (2015): Other institutions coordinated by the Ministry of Justice: the National Trade Register, the National Authority for Citizenship

Q15-2 (2014): For the last three exercises (2012, 2013 and 2014), the category “other” encompasses other institutions coordinated by the Ministry of Justice, namely the National Trade Register and the National Authority for Citizenship.

Q15-2 (2010): In 2010, the category “other” encompassed expenditure in connection with ensuring food and other social contributions for the persons in custody.

Slovakia

Q006 (2016): The budget allocated to salaries was increased by providing the funds for increasing salaries, functional surcharges and lump sum compensation for judges and increasing the salaries of employees of the state budget chapters based on the application of Art. 5 of Act no. 411/2015 Z. z. on the state budget for 2016. The increase of budget allocated to IT - the budget was increased by European funds and co-financing. The approved budget anticipated the EU funding. The decrease of the budget allocated to court buildings compared with the year 2015 was caused by the lower investments to reconstruction of court premises.

The budget allocated to training represents solely the budget of the Judicial Academy which is the only training institution for judges, prosecutors and the court staff. In the category "Other" we include the expenditures on social insurance and the health insurance, the supplements to sickness benefit for judges, the supplement to maternity pay for judges, the severance payment. In this sum there is included the expenditures paid by the state upon the findings of the Constitutional court as a financial satisfaction for the violation of the right to hear the case within a reasonable time.

Q6 (2015): The difference between the approved and the implemented budget has been covered by the budgetary measures of the Ministry of finance from the interdepartmental programs 'Financing of the judicial system', 'Formation and the implementation of politics'.

The legal aid expenses paid in the criminal procedure cannot be separated from the budget of courts.

Q6 (2014): Several reasons explain the increase of the implemented budget allocated to the courts functioning in 2014, namely:

financing of the projects of Operational Program “Informatisation of society” – covering three components: electronic collection of laws (SLOV-LEX); development of electronic services related to the judiciary; electronic system of monitoring of persons; payment of the salaries of judges for 2011 on the basis of a judgment of the Constitutional Court of the Slovak Republic; increase of the salaries of non-judge court staff; procurement of software and project works; reconstructions of court buildings.

Q6 (2013): For 2012, 2013 and 2014, expenses in connection with ex officio appointed counsels in criminal matters were incorporated within the category “justice expenses”. On the contrary, for the 2010 exercise, these expenses were included in the category “other”.

For the 2012 and 2013 evaluation cycles, all investments related to court building were included in the sum indicated as annual public budget allocated to court buildings (therefor, investments in new court buildings were encompassed within line 4).

Q6 (2012): In 2012, there were investments in respect of several court buildings.

For the 2012 and 2013 evaluation cycles, all investments related to court building were included in the sum indicated as annual public budget allocated to court buildings (therefor, investments in new court buildings were encompassed within line 4).

For 2012, 2013 and 2014, expenses in connection with ex officio appointed counsels in criminal matters were incorporated within the category “justice expenses”. On the contrary, for the 2010 exercise, these expenses were included in the category “other”.

Q6 (2010): In 2010, the budget allocated to “computerization” meaningfully decreased compared to 2008, but significant investments in this field were expected for 2011 and 2012.

Q9 (2015): The annual income of the court fees is not available. As of the year 2015 all court fees are collected through the external partner 'Slovak post company' who transfer the fees directly to the state budget.

Q13 (2015): The difference between total annual approved budget and implemented one allocated to the Public Prosecution Office of the Slovak Republic in the year 2015 is 7 013 978 €.

The increase in budget was caused by following items:

- allocated funds to implement the project 'Electronic services of the General prosecution office' - 4 763 606 €,
- allocated funds to finance the increased number of the public prosecutors - 969 690 €
- allocated funds to finance the approved adjustment of the salaries of administrative staff - 251 071 €,
- allocated funds to overall modernization of IT system (hardware and internal network) - 1 029 611 €.

Q013 (2016): The difference between the total approved budget and the implemented budget in 2016 for the General Prosecutor's Office of the Slovak Republic is € 12,117,561.

Main reasons for this difference:

- for the settlement of the salary requirements of the prosecutors in 2015 according to the finding of the Constitutional Court of SR sp. no. PL. ÚS 27/2015 for a total amount of € 4,224,311,
- for reconstruction and modernization of the office premises and buildings of district prosecutors and regional prosecutors in the amount of € 195,966,
- to increase salaries, functional surcharges, lump sum compensation of prosecutors, salary and lump sum compensation of the Attorney General and to increase the salaries of other employees of the Chapter of the Prosecutor General's Office in connection with the application of Section 5 of Act no. 411/2015 Z. z. on the state budget of 2016 for € 6 299 638,
- to accomplish the tasks related to the Presidency of the SR in the EU Council - SK PRES 2016 in the amount of € 105,338,
- to finance the project OPIS - Electronic Services of the General Prosecutor's Office in the amount of € 877,500,
- for paying damages according to the amendment to Act no. 514/2003 Z. z. on liability of the state for damage caused by the public authorities in the amount of € 100,000,
- Other costs of € 314,808 provided for the operation of GP SR

Q13 (2014): In 2014, the difference between the approved budget and the implemented one is of 13 501 546 euros. It is justified by several reasons:

Financing of the project "Developing global IT services for public administration and development of electronic services on central level of the Ministry of Finance of the Slovak Republic – General Prosecutor's Office of the Slovak Republic" (total amount: 8 618 909 euros);

Payment of prosecutors' salaries for 2011 on the basis of a judgment of the Constitutional Court, file number PL US 99/2011 of 11 December 2013 (total amount: 2 316 973 euros);

Increase of salaries for employees/staff in application of the Act No. 473/2013,Coll., par. 5 on State Budget for 2014 and the Government Directive of the Slovak Republic intended to adapt the scale of salary rates and salary rates to collective agreements of higher level for 2014 (total amount: 242 552 euros);

Co-financing of the project "Developing global IT services for public administration and development of electronic services on central level of the Ministry of finance and the General Prosecutor's Office of the Slovak Republic" (total amount: 800 000 euros);

Other expenditures covering the functioning of the General Prosecutor's Office of the Slovak Republic (total amount: 1 523 112 euros).

Q13 (2013): In 2013, the implemented budget of public prosecution services was of 71.015.906 euros.

Q13 (2012): In 2012, the implemented budget of public prosecution services was of 69 947 692 euros.

Q14 (2014): According to 2012 and 2014 data, the Inspection body is the Supreme Audit Office of the Slovak republic which is entitled to inspect the use of budget in any budgetary subject.

Q14 (2012): According to 2012 and 2014 data, the Inspection body is the Supreme Audit Office of the Slovak republic which is entitled to inspect the use of budget in any budgetary subject.

Q015-3 (2016): In the category "other" the budget of the Judicial Academy is subsumed.

Q15-2 (2015): The stated sum for the approved budget allocated to whole justice system consists of the overall budget of the Ministry of justice (310 602 195 €) and the budget of the Supreme Court of the Slovak Republic (8 662 521 €).

The implemented budget of the Ministry of justice increased to 400 609 479 € and the implemented budget of the Supreme court increased to 8 700 158 €.

Q15-2 (2014): For 2014, the approved budget of the Ministry of justice was 315 788 884 euros and the approved budget of the Supreme Court was 5 979 697 euros.

Q15-2 (2013): For 2013, the approved budget of the Ministry of justice was 311 166 599 euros and the approved budget of the Supreme Court was 8 788 394 euros.

Q15-2 (2012): In 2012, the increase of the total budget allocated to the whole justice system is due mainly to the increased budget of the prison service.

Slovenia

Q006 (2016): The figures above represent the budget, approved by the Parliament, while financing from EU sources is not included (in 2016, no EU funds were spent).

According to the Courts Act the funds for the salaries of judges and court staff and for the operational costs of courts, as well as funds for the computerisation of courts are provided at the budget user the Supreme Court of the Republic of Slovenia, while funds for providing the equipment of the courts and the spatial conditions of courts and provided at the ministry, responsible for justice. For additional comments on categories, see below.

4. and 5. - Court buildings:

The figures include funds that were approved/implemented at the Supreme Court and expenses of the Ministry of Justice.

6. Training:

The figures include only the funds for education of judges and court staff that are provided in the budget of courts (expenses for professional education of employees, expenses for business travels, expenses of conferences, seminars and symposiums, expenses for training for the use of information technologies in courts, the Central Judicial Library of the Supreme Court). We did not include the funds of the Judicial Training Centre (JTC), which is part of the Ministry of Justice, because it provides the education for all functionaries and public officials in judiciary, not only to judges and public prosecutors. The approved budget of the JTC was 220.000 EUR and implemented budget was 412.020 EUR and is included at Q15.1.

Differences to 2015 within categories Computerisation and Training:

In past years, the annual amount was cut down due to austerity measures and several activities were somehow impeded due to the limited budget. In the recent year, the spending returned close to the level before austerity measures.

Q6 (2015): The figures above represent the budget, approved by the Parliament, while financing from EU sources is not included.

According to the Courts Act the funds for the salaries of judges and court staff and for the operational costs of courts, as well as funds for the computerisation of courts are provided at the budget user the Supreme Court of the Republic of Slovenia, while funds for providing the equipment of the courts and the spatial conditions of courts and provided at the ministry, responsible for justice. For additional comments on categories, see below.

3. Computerisation:

The major part of the informatisation projects (computerisation) are financed from EU sources (project "E-pravosodje"), as well as the alternative dispute resolution (ADR) programmes. Apart from the figures above, courts spent an additional 1.312.301 EUR of EU funds for informatisation (should be considered at category 2. Computerisation) and 374.510 EUR for ADR (should be considered at category 3. Justice expenses) – these funds are not included at Q6 (functioning of all courts), and are reported as a part of the budget of Ministry of Justice (see answer and comment to Q15.2).

4. Court buildings:

The figures include funds that were approved/implemented at the Supreme Court and expenses of the Ministry of Justice as stated below:

general (approved budget 132.800 EUR / implemented budget 132.798 EUR),

building rental costs (4.780.000 EUR / 4.772.487,59 EUR);

equipment incl. technical security equipment (16.500 EUR / 16.439 EUR) and

energy renovation of buildings (20.900 EUR / 20.876 EUR).

6. Training:

The figures include only the funds for education of judges and court staff that are provided in the budget of courts (expenses for professional education of employees, expenses for business travels, expenses of conferences, seminars and symposiums, expenses for training for the use of information technologies in courts, the Central Judicial Library of the Supreme Court). We did not include the funds of the Judicial Training Centre (JTC), which is part of the Ministry of Justice, because it provides the education for all functionaries and public officials in judiciary, not only to judges and public prosecutors. The approved budget of the JTC was 160.000 EUR and implemented budget was 164.698,74 EUR and is included at Q15.1.

The Centre for informatics at the Supreme Courts estimates the annual amount for a regular functioning and maintenance of equipment (5 year equipment renewing cycle) at 2.400.000 EUR. However, with austerity measures in place, the amount was cut down to approximately 1.800.000 EUR per year. The 5 year cycle is strictly followed for server equipment. On the other hand the investments in infrastructure at the side of the users (workstations) were somehow impeded due to the limited budget. The increase in spending for 2015 is due to a planned major investment in server equipment (data storage). In future years, the spending will probably return close to the level before the austerity measures.

Q6 (2014): In 2014 the data in Q6 for 2010 to 2013 was corrected and approved budget was reported instead of implemented. All comments were adjusted accordingly.

The variation of the budget for computerisation occurs because the reported figures represent the budget, approved by the Parliament, while financing from EU sources is not included.

Regarding computerisation: It is important to note that the majority of the informatisation projects are financed from EU sources. The Centre for informatics at the Supreme Court (refer to comment at Q62) spends 3.500.000 to 4.000.000 EUR per year for informatisation projects. The clarifications below apply only to the reported number (budget as approved by Parliament and corresponding implementation).

Approved (adopted) budget (computerisation):

The approved (adopted) budget we reported for 2014 was lower than 2013 mostly on the account of the following categories: maintenance, purchasing of equipment, office inventory and services and lastly, purchasing of non-material assets.

Implemented budget (computerisation):

Most notably, fewer means were spent on the account of the maintenance.

Q6 (2013): 2013: The decrease of the budget allocated to computerisation from 3.454.684 EUR in 2012 to 1.863.576 EUR in 2013 can be attributed to short-cuts of investments in public sector'.

The considerable decrease in the figures allocated to "new court buildings" is a result of the economic crisis and postponement of the construction of the new court palace in Ljubljana. Consequently the budget for investments in new court buildings in 2013 was considerably lower and includes only the funds for acquiring new premises for the District court in Celje and the District prosecution office in Celje and for documentation in the new court palace in Ljubljana.

The considerable increase of the budget in the category 'court buildings' between 2012 and 2013 is due to the fact that, unlike to the 2012 exercise, in 2013, it was possible to report the exact amount of the budget allocated specifically to courts for equipment and provision of spatial conditions (maintenance investments, audits on energy efficiency ...). Additionally, in 2013 the value for the so called "small" investments (investments which cannot exceed a certain value) was also included. The both amounts have been included to in the 4th category of Q 6'.

Q6 (2012): In 2012: It is 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.

Q6 (2010): In 2010, the considerable difference in the figures allocated to new court buildings (60.000 EUR in 2008 and 1.077.240 EUR in 2010) because of a new court palace in Ljubljana that would accommodate first instance courts that are now scattered between different locations. The funds in 2008 (60.000 EUR) were spent for research of the terrain (geo-mechanical and archaeological research) that would be used for the project documentation. In 2009 1.831.200 EUR were spent for project documentation, while in 2010 the figure devoted to project documentation was 1.077.240 EUR. None of the funds were devoted to the actual construction of the new court building, as the construction itself has not started yet. Given the economic situation the question remains, if and when the actual construction might start. The funds devoted for documentation were allocated as required by the contracts that were signed in 2008.

The difference in the budget allocated to training and education (1.835.8080 in 2008 and 1.229.741 EUR in 2010) 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 (2013): In 2013, the funds for the acquisition on new premises for both the courts and public prosecution services are provided by the Ministry of Justice and were included in the 5th category of Q 6. No clear separation is possible.

Q12 (2014): 2014: The further decrement in the budget for legal aid in 2014 can be attributed to the amendment of insolvency legislation in 2013, which abolished the right for legal persons to apply for legal aid for financing the advances of the costs of the bankruptcy proceedings (legal persons are now exempt from paying the advance in bankruptcy proceedings in all cases, without having to apply for legal aid)."

Q12-1 (2015): According to art. 26 of the Free Legal Aid Act, legal aid may (in addition to expenses, related to cases, brought to court) also be granted for:

- legal advice;
- the formulation, verification and certification of documents on legal relations, facts and statements;
- legal advice and representation in cases of out-of-court settlement;
- legal advice and representation involving constitutional action;
- legal advice and representation before international courts;
- legal advice and representation involving the filing of a petition for the assessment of constitutionality and
- in form of exemption from payment of the costs of the extrajudicial proceedings.

No distinction is possible for the budget allocated to legal aid for:

- cases brought to court and cases not brought to court or
- civil or criminal matters.

Q13 (2015): The data includes all spending for public prosecution services except for the State Prosecution Council (approved budget: 116.148 EUR EUR, implemented budget 115.811 EUR EUR).

The State Prosecution Council (institution) is analogue to the Judicial Council, therefore we feel that its budget should be reported at Q15.1 and Q15.2, rather being included at Q13 (similar as the Judicial Council spending is not reported at Q6, but it is included at Q15.1 and Q15.2).

Q013 (2016): The indicated amount of approved and implemented budget is allocated for the overall functioning of State Prosecutor's Office of the Republic of Slovenia. The increase of budget comparing to previous exercise is due to employment of additional 40 Judicial Advisors in the autumn of 2014 and nomination of 30 new state prosecutors in the autumn of 2015.

The amount includes budget for alternative resolution of criminal cases (approved: 90000 EUR, implemented: 71587 EUR). It does not include budget for functioning of the State Prosecution Council (approved:126023 EUR, implemented: 97881 EUR).

Q13 (2014): In 2014, contrary to 2012 and 2013, the data includes the State Prosecution Council (approved budget: 95.249 EUR, amended budget 99.612 EUR, implemented budget 92.753 EUR).

The initially approved budget for functioning of the public prosecution services in 2014 was 16.830.579 EUR. After the decision to appoint a large number of new state prosecutors was taken, the budget was amended to 17.559.460 EUR. The appointment procedures were not carried out as soon as they were planned, therefore the actually implemented budget was 17.337.132 EUR.

Q13 (2013): In 2013, The figure does not include the amount for the State Prosecution Council (89401 EUR in 2013)

Q13 (2012): 2012: The figure we provided does not include the amount for the State Prosecution Council.

Q14 (General Comment): The legal bases 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 budget is established through an eight step scheme: establishing of a macroeconomic framework; specifying of the development priorities and tasks of the Government; setting up of a framework cross section of the budget in accordance with the program and the plans; budgetary Manual of the Ministry of Finance; preparing of detailed financial plans of direct budget users; negotiations with the Ministry of Finance; governmental proposal of the State budget; discussion and adoption of the budget and the Law on Execution of the Budget, within Parliament.

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 for examination. The Supreme Court 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. If the Ministry of Finance agrees, the additionally provided funds shall be distributed among the courts in line with the proposed priorities. If not, the proposed budget of the courts shall be submitted to Parliament, which takes the final decision.

It is noteworthy that, virtually, the Supreme Court has limited access to the first four phases of establishment of the budget, which are crucial. During these phases, only the Ministry of Justice 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. Once the priorities are set, it is impossible to reach important changes in the volume of financial resources. 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, regarding the judiciary for the following two years.

Q14 (2015): 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 establishing of the budget may be shown through an eight step scheme:

- Establishing of a macroeconomic framework
- Specifying of the development priorities and tasks of the Government
- Setting up of a framework cross section of the budget in accordance with the program and the plans
- Budgetary Manual of the Ministry of Finance
- Preparing of detailed financial plans of direct budget users
- Negotiations with the Ministry of Finance
- Governmental proposal of the state budget
- Discussion and adoption of the budget and the Law on Execution of the Budget, within Parliament.

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, 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

Q015-3 (2016): Public budget for the whole justice system includes:

- Courts: total at Q6 without the amounts financed by the Ministry of Justice - Legal aid: amount at Q12
- Public prosecution services: amount at Q13
- Prison system: Prison Administration of the Republic of Slovenia (approved 36.441.312 EUR / implemented 35.027.181 EUR),
- Council of the judiciary: the Judicial Council of the Republic of Slovenia (371.793 EUR/ 369.456 EUR),
- Constitutional court: Constitutional Court of the Republic of Slovenia (4.071.218 EUR / 3.912.332 EUR),
- State advocacy: State Attorney's Office of the Republic of Slovenia (12.418.832 EUR/ 12.292.591 EUR),
- Functioning of the Ministry of justice: the Ministry of Justice (including JTC) without prison system (17.731.134 EUR/15.923.488 EUR) and
- Other: the Public Prosecution Council (101.677 EUR/97.882 EUR).

Q15-2 (2015): Public budget for the whole justice system includes:

- Courts: total at Q6 without the amounts financed by the Ministry of Justice (approved budget 152.436.526 EUR / implemented budget 155.940.974 EUR),
- Legal aid: amount at Q12 (3.043.999 EUR / 3.184.217 EUR),
- Public prosecution services: amount at Q13 (18.276.528 EUR / 18.134.349 EUR),
- Prison system: Prison Administration of the Republic of Slovenia (36.758.054 EUR / 36.048.907 EUR),
- Council of the judiciary: the Judicial Council of the Republic of Slovenia (343.776 EUR / 343.266 EUR),
- Constitutional court: Constitutional Court of the Republic of Slovenia (3.955.730 EUR / 3.955.730 EUR),
- State advocacy: State Attorney's Office of the Republic of Slovenia (7.119.832 EUR / 6.981.242 EUR),
- Functioning of the Ministry of justice: the Ministry of Justice (including JTC) without prison system (54.713.839 EUR / 52.990.192 EUR) - the budget includes the EU funds (for EU funds, spent on courts on computerisation and ADR see comment to Q6) and
- Other: the Public Prosecution Council (116.148 EUR / 115.811 EUR).

Q15-2 (2010): In 2010, Public budget of 263 million EUR for the whole justice system includes:

- Coordination of the justice system and general administrative tasks: 21 million EUR;
- Coordination of the Supreme Court and the functioning of courts: 177 million EUR;
- Functioning of the State Prosecutor's Office and the State Attorney's Office: 25 million EUR; □
- Management and maintenance of prisons: 40 million EUR;

The amount for "Restitutions" of 11 million EUR is not included in the annual budget to the whole justice system: □

The main reason for the difference in the budget allocated to legal aid is the increased number of incoming cases. This increase is due on one hand of the increased awareness of the general public about the possibility of free legal aid and on the other, a higher amount of funds dedicated to legal aid in 2010 compared to 2008. The higher amount can be attributed to the effect of the economic crisis, which hit individuals that are parties in court proceedings. Additionally, there was a big increase in the number of bankruptcy cases. The biggest increase in the budget allocated to legal aid took place between the years 2009 and 2010, which is mainly the consequence of the adoption of the new Financial Operations, Insolvency Proceedings and Compulsory Dissolution Act. This Act introduced the procedure of personal bankruptcy, while the 2009 amendment introduced the possibility of getting legal aid in the form of the prepayment for the initial costs of bankruptcy proceedings. According to evaluations by the courts the prepayment costs for personal bankruptcy amount to approximately 2.000 EUR, while they are even higher for bankruptcy proceedings of legal persons.

Spain

Q6 (2015): The breakdown of the budget as presented by the CEPEJ is very complex. In 2015 an effort has been made to improve the accuracy of the answer, and from this can derive the differences and decreases between 2014 and 2015.

'Other' includes: Functioning of peace judges, payments for wrongful functioning of the justice system, judicial archives, functioning of the forensics, expenses in meetings, conferences, telephonic costs, costs of the post services, protocol costs and working material

Q6 (2012): In the frame of the 2012 exercise, the budget of legal aid and this of public prosecution services have been separated from the budget allocated to the functioning of courts.

The provided data concern the approved budget.

Q6 (2010): The figure for 2010 includes courts and prosecution service.

Q7 (2014): The data provided concerns the budget of the Ministry of Justice and that of the Autonomous Communities.

The category other encompasses: functioning of peace judges, payments for wrongful functioning of the justice system, judicial archives, functioning of the forensics, expenses in meetings, conferences, telephonic costs, costs of the post services, protocol costs and working material.

Q7 (2012): In the frame of the 2012 exercise, the budget of legal aid and this of public prosecution services have been separated from the budget allocated to the functioning of courts and are not included in the indicated total in the ambit of question 6.

The category other encompasses: functioning of peace judges, payments for wrongful functioning of the justice system, judicial archives, functioning of the forensics, expenses in meetings, conferences, telephonic costs, costs of the post services, protocol costs and working material.

Q7 (2010): In 2010, the budget of legal aid as well as the budget of public prosecution services were included in the total annual public budget allocated to courts both at national level (Ministry of Justice's budget) and at the level of the autonomous regions. Since 2010, the Public Prosecutor's Office has a single budgetary line allocated to staff costs, current expenses and current transfers to families and non-profit organizations. Nevertheless, this line is a part of the national budget allocated to courts and public prosecution and does not constitute an autonomous budget for public prosecution services.

In the frame of the 2010 exercise, the category other encompasses: current transfers to local administrations, families and non-profit organizations; capital transfers to autonomous regions; financial expenses, legal aid expenses, etc.

Q009 (2016): Royal Decree 1/2015 meant the exemption of fees to natural persons. And the judgment of the Constitutional Court 140/2016 suppressed the fees in appeals and in the filing of administrative cases. All of this has produced a reduction in tax collection

Q12 (2014): The significant increase in the budget intended to legal aid between 2012 and 2014 stems from the fact that, by contrast to data provided for 2014, for the 2012 exercise, the budget allocated by the autonomous communities for legal aid was not included in the indicated figures. The total budget for legal aid in 2012 was 253.034.641 euros. It includes the budget allocated by the autonomous communities for legal aid.

Q13 (2015): The budget for prosecution service is partial and includes only the budget allocated for personnel and training which can be clearly separated, but there are other expenses referred to the public prosecution service the budget of which is part of the total budget of the Ministry of Justice or it is part of budget approved by the Regions with competences over the justice system. This is the case for items such as buildings and material resources and these costs are included in the budget of courts

Q13 (2014): The increase of the total budget between 2012 and 2014 results mainly from a different estimation of the budget allocated to the public prosecution services.

Q14 (General Comment): As explained within the ambit of question 6, Spain has a decentralized administrative structure divided into autonomous regions with wide legislative and executive powers, their own legislative assemblies and governing councils. Accordingly, 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, the Assemblies and Regional Governments with powers in the justice system have the same role as the Parliament and the Ministry of Justice but at their regional level.

Q14 (2015): Spain is a highly decentralized country. 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 judicial counsellors). The State still holds powers in matters of justice in the Autonomous Region 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 are played by the regional ministries and assemblies respectively.

This way, the figures above are the sum of the budget allocated for the functioning of courts by the Spanish Parliament and Ministry of Justice and by the Assemblies and ministries of the regions holding power on the justice system.

Q015-3 (2016): Regarding the probation services, depending on the phase of the proceeding (Judgement or Enforcement), the Court competent to order the suspension of the prison penalty can be the Court that has judged the case or other specialized Courts (on Prison Supervision). The subsequent control of the compliance by the person sentenced of the legal conditions is followed by the Police, and by the 'Penalty and Alternative Measures Management Services' (both of them within the Ministry of Interior) and also by the competent Court. The Budget for the judicial system includes only the part for Courts and civil servants that serve in Courts. Not the control carried out by bodies within the Ministry of Interior.

Regarding forensic services, these services are under the competences of the Ministry of Justice, and their buildings, material resources and main professionals are part of the budget for Justice provided. In 2016 the Notariat is included in the whole justice system budget whereas it was not the case for previous cycles.

Q15-2 (2015): The budget approved for the National Agency of the Personal Data Protection and for the Public Registers for the Justice Administration are also included.

In 2014 and 2015, the protection of juveniles was included only partly in the whole justice system budget.

Q15-2 (2014): In the frame of the 2014 exercise, the category "other" encompasses compensation to peace judges, compensation to psychologists, transferences to autonomous regions and also the budget approved for the National Agency of the Personal Data Protection.

For 2014, the budget allocated to the prison system has been included in the figure provided, even though it is of the competence of the Ministry of Internal Affairs and not of the competence of the Ministry of Justice. Furthermore, we have included the budget allocated by Cataluña since this region holds competences over the prison system (by the way, in this case the Justice Department holds the competences over the prison system).

Q15-2 (2012): In the ambit of the 2012 exercise, the category "other" includes the following components: compensation to peace judges (2 107 761€); compensation to psychologists (560 610€); transferences to autonomous regions (3 527 352, 85€).

Sweden

Q006 (2016): 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. Annual implemented budget allocated to training now excludes expenses for food and lodging, these expenses are now included in "Other".

Q6 (2014): In the frame of the 2014 exercise, it has been pointed out that courts de facto did not invest as much in "computerization" as the previous year, hence the decrease. □

As for the category "other" (which contains a large number of different posts, only the main posts being specified in the comment under question 7), the explanation of the noticed decrease lies partly in the decreasing costs for consulting services.

Q6 (2013): In the frame of the 2010, 2012 and 2013 exercises, the indicated figures do not reflect the approved budget but the implemented expenses.

Q6 (2012): In the frame of the 2010, 2012 and 2013 exercises, the indicated figures do not reflect the approved budget but the implemented expenses.

Q6 (2010): With regard to the increase of 17,20% observed between 2008 and 2010 in respect of the category "computerization", it is noteworthy that calculated in Swedish crowns, it would actually be a decrease of 3,24%. On the same note, in 2008, the exchange course for 1 Euro was 10,8405 Swedish crowns while in 2010 it was 8,95 Swedish crowns. This variation may explain the increase of the annual approved budget allocated to court buildings by 33,71 % between 2008 and 2010. The calculation of this budget in Swedish crowns reveals an increase of only 10,45 %.

In the frame of the 2010, 2012 and 2013 exercises, the indicated figures do not reflect the approved budget but the implemented expenses.

Q007 (2016): Public Prosecution offices not included.

Q9 (2015): The increase in annual income of court fees are due to a raise of the fees from July 1st 2014.

Q012 (2016): The numbers for 2016 include legal aid in cases involving aliens and aliens cases.

Q12 (2012): As concerns the observed differences between the figures provided respectively for the 2010 and 2012 exercises, more funds have been allocated in 2012 on the one hand, and the exchange rate has varied between the two years, on the other hand. Actually, the increase which could be noticed appears more significant in Euro than in Swedish kronor.

Q12 (2010): The increase of the annual approved public budget allocated to legal aid between 2008 and 2010 was a result of the increase of the number of incoming and pending criminal cases in which a public defender was appointed and the complexity of these cases.

Q012-1 (2016): The numbers for 2016 include legal aid in cases involving aliens and aliens cases.

Q13 (2012): As concerns the observed differences between the figures provided respectively for the 2010 and 2012 exercises, more funds have been allocated in 2012 on the one hand, and the exchange rate has varied between the two years, on the other hand. Actually, the increase which could be noticed appears more significant in Euro than in Swedish kronor.

Q14 (General Comment): The other Ministry is the Ministry of Finance. The inspection body is the Swedish National Audit office and the category "other" refers to the National Courts Administration.

Q15-1 (2010): The increase of approximately 14% of the annual approved public budget allocated to the whole justice system between 2008 and 2010 is a result of the government's economic investments in the judiciary. The latter have been undertaken in order to increase the number of police officers, to safeguard effective public prosecution services, to safeguard the quality of the judiciary, to safeguard effective prison and probation systems and to strengthen the victim perspective throughout the justice system.

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

Comments provided by the national correspondents

organised by question no.

Question 1: Population

Question 5 Exchange rate

Question 6: Budget of all courts

Question 9: Revenues from court taxes

Question 12: Budget for Legal Aid

Question 13: Budget of the Public Prosecution

Question 14: Authority responsible for the budget of the courts

Question 15-1: Budget of the whole justice system

Question 15-2: Elements of the budget of the whole justice system

Question 001

Belgium

(2016): population 1/1/2017

France

(2016): Source: INSEE, estimation of population

Germany

(2014): The data for 2013 and 2014 is the same reference. Because no significant difference has been expected for the year 2014, 2013 data is provided in the frame of the present evaluation.

(2012): The information refers to the number of inhabitants on 31 December 2012 determined on the basis of the 2011 census.

Latvia

(2016): On 2016 1st January - 1 968 957

On 2017 1st January - 1 950 116

Netherlands

(2016): 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. Compared to previous questionnaires (before 2014) these figures have been adjusted according to new rules of the European system of national accounts (illegal activities are now included)

Romania

(2016): Provisional data which will be completed when the National Institute of Statistics will finalize population data

Question 005

Hungary

(2016): Source: Magyar Nemzeti Bank (Hungarian National Bank) exchange rate of 02. January 2017
<https://www.mnb.hu/arfolyam-tablázat?deviza=rbCurrencyActual&devizaSelected=EUR&datefrom=2017.01.01.&datetill=2017.01.02.&order=1>

Lithuania

(2016): Lithuania is in an Euro zone.

Question 6

Belgium

(2015): The budget of courts includes public prosecution services, but it does not include legal aid.

(2010): Several increases are to be noticed between 2008 and 2010: in the budget allocated to computerization due to an overall increase concerning investments and costs; in the budget allocated to new court buildings on account of delays in real estate programs and cutbacks on investment plans; in the budget for training following the establishment of the Institute of Judicial Training; in other expenses as a result of new legislation.

Bulgaria

(2016): In Category 2 Annual public budget allocated to computerisation (approved and implemented) the amount of 631830 euro has been included, which is used for purchase of computers for the courts from the budget of the Supreme Judicial Council. The significant difference between approved and implemented budget allocated to computerisation comes from the impossibility of spending the ensured funds for purchase of computers, because of pending procedures under the Public Procurement Act.

The difference between the approved budget for computerisation between 2015 and 2016 is a result of the additional funds of 631830 euro that have been included for purchase of computers for the courts from the budget of the Supreme Judicial Council, as well as other investments in IT. However due to the delays in procurement procedures, these funds were not spent and this is reflected also in the difference with implemented budget for computerisation for 2016.

In Category 7 Other, the amounts for compensations under the Employment Code and Judiciary System Act, costs for apparel, social and cultural services and payments paid for sickness absence has been paid at the expense of the employer. For 2016 this category also includes the amounts for major renovations of court buildings - respectively 119690 euro in implemented budget column and 142954 in approved budget column. The last is due to the amendments in the Judiciary System Act according to which the budget for investments in new (court) buildings and for major renovations of court buildings is allocated to the Judiciary, not to the Ministry of Justice.

Regarding the approved annual public budget to "court buildings" the increase between 2015 and 2016 is due to the necessary amounts for the maintenance and running costs for the newly acquired building for Sofia regional court (Sofia first instance court) on "Tsar Boris" boulevard, which is used for first time for a full year .

(2015): Under item 3 - The difference in the amount compared to the previous evaluation cycle appears due to the entry into force in July 2015 of a new Ordinance on Registration, Qualification and Remuneration of Court Experts, pursuant to which is increased the hourly rate of remuneration of court experts.

Under item 6 - The difference in the amount compared to the previous evaluation cycle appears due to the approved funds for the courts by the Act for the State Budget of the Republic of Bulgaria for 2015 which allows spending more money for training in comparison to 2014.

Under item "other" are included the amounts for benefits/compensations due under the Labour Code and the Judiciary System Act, expenses for clothing, SWCS (social, welfare and cultural services) and benefits for temporary disability of workers on the expense of the employer.

(2014): In the frame of the 2013 exercise, several explanations have been provided.

With regard to the budget allocated to "new court buildings", the sum of 7402177 € (which is not encompassed in the table) was allocated by the State budget to the Ministry of Justice.

It has been specified that the approved annual public budget allocated to the functioning of the courts is a common value (114 102 964 € for 2013) and no breakdown of salaries, court costs, buildings, expertise, insurance and others can be carried out. The indicated total in the table is the executed budget because data related to the different components are taken from the cash account report for the budget implementation of the judiciary.

Besides, for 2012 and 2013 the budget of the Judiciary, including this allocated to courts, has been increased pursuant to Decrees of the Council of Ministers.

It is noteworthy that for the 2012 cycle, the amount allocated to the social insurance contributions is included in the item 'other', while for the 2013 exercise it is encompassed in the "gross salaries". As a result of this new distribution, in 2013, the annual public budget allocated to the category "other" has considerably decreased, while the budget of the category "gross salaries" has increased.

Finally, it should be noticed that for 2010, the budget allocated to "justice expenses" subsumes amounts for expertise and ongoing maintenance of buildings, while the budget allocated to "court buildings" encompasses only the cost of current repair of buildings. On the contrary, for 2012 and 2013, the former includes only amounts for expertise, while ongoing maintenance of buildings and the cost of current repair of buildings are included in the latter. Consequently, the important decrease of the budget allocated to "justice expenses" between 2010 and 2013 and the meaningful increase of the budget allocated to "court buildings" for the same period are only the consequence of the transfer of the costs of current repair and on-going maintenance of buildings from one category to another.

In the frame of the 2014 exercise, several clarifications have been provided.

As for the budget allocated to gross salaries, the variation observed for the period 2013-2014 has two justifications. On the one hand, the Public Social Insurance Budget Act has been modified in 2014. Accordingly, the maximum amount of social security income has been raised. On the other hand, the Military Courts of Varna and Pleven were closed.

With regard to the category "computerization", the difference in the amount compared to the previous evaluation cycle is justified by the renewal of the obsolete computer equipment and the replacement of the one that is not beyond repair.

As for the category "investments in new court buildings", the sum was allocated by the State budget to the Ministry of Justice under Investments of Judiciary Bodies Programme.

Finally, in respect of the category "other", the variation between 2013 and 2014 is justified by the amount of benefits due under the Labour Code and the Law on the Judiciary, paid at a higher rate. Over the years, this amount varies depending on the number of persons leaving the system and the time they have worked in it. The amount of benefits paid during the previous evaluation cycle is € 1 667 350, and in this evaluation cycle - € 3 368 650. The benefits paid in connection with the closing of the two military courts also have an impact.

(2013): In the frame of the 2013 exercise, several explanations have been provided.

With regard to the budget allocated to “new court buildings”, the sum of 7402177 € (which is not encompassed in the table) was allocated by the State budget to the Ministry of Justice.

It has been specified that the approved annual public budget allocated to the functioning of the courts is a common value (114 102 964 € for 2013) and no breakdown of salaries, court costs, buildings, expertise, insurance and others can be carried out. The indicated total in the table is the executed budget because data related to the different components are taken from the cash account report for the budget implementation of the judiciary.

Besides, for 2012 and 2013 the budget of the Judiciary, including this allocated to courts, has been increased pursuant to Decrees of the Council of Ministers.

It is noteworthy that for the 2012 cycle, the amount allocated to the social insurance contributions is included in the item 'other', while for the 2013 exercise it is encompassed in the “gross salaries”. As a result of this new distribution, in 2013, the annual public budget allocated to the category “other” has considerably decreased, while the budget of the category “gross salaries” has increased.

Finally, it should be noticed that for 2010, the budget allocated to “justice expenses” subsumes amounts for expertise and ongoing maintenance of buildings, while the budget allocated to “court buildings” encompasses only the cost of current repair of buildings. On the contrary, for 2012 and 2013, the former includes only amounts for expertise, while ongoing maintenance of buildings and the cost of current repair of buildings are included in the latter. Consequently, the important decrease of the budget allocated to “justice expenses” between 2010 and 2013 and the meaningful increase of the budget allocated to “court buildings” for the same period are only the consequence of the transfer of the costs of current repair and on-going maintenance of buildings from one category to another.

(2012): In the frame of the 2012 exercise, the attention was drawn on three points.

Firstly, with regard to the budget allocated to new court buildings, the sum of 5828727 € (which is not encompassed in the table) was allocated by the State budget to the Ministry of Justice under Investments of Judiciary Bodies Programme. The latter includes activities on improving the material basis of Judiciary Bodies (court and prosecution), namely: acquisition of buildings; rehabilitation, reconstruction and major repairs of buildings; design and construction of new buildings.

Secondly, it has been specified that the approved annual public budget allocated to the functioning of the courts is a common value (114 000 706 € for 2012) and no breakdown of salaries, court costs, buildings, expertise, insurance and others can be carried out. The indicated total in the table is the executed budget because data related to the different components are taken from the cash account report for the budget implementation of the judiciary.

Finally, during the 2012 and 2013 the budget of the Judiciary, including the courts, has been increased pursuant to Decrees of the Council of Ministers.

Croatia

(2016): The total budget has not changed much but there are differences within categories. The gross salaries increase is due to the regresses and Christmas bonuses, which did not exist in 2015.

Larger budget have been approved for computerisation.

The amount for justice expenses is smaller because bigger amount had been allocated to state attorney's offices so less remained for the courts.

6.4.&6.6. - The implemented and approved budget in these two categories differ because during the year a need for a larger amount had arisen in budget allocated for training and was compensated by the another.

(2015): No. 1: In the said amount gross salaries, benefits, transportation costs and other expenses for employees (jubilee awards, severance pay, help) are included.

No. 4: The above mentioned amount refers to the costs of current maintenance and investments of buildings, utilities, phone, inventory, energy.

No. 5 the declared amount also includes investments and renovations of the existing buildings.

No. 5 includes investments in buildings. Considering that there were no investments in new buildings in 2015, the amount of investments for adaptation and restructuring of existing buildings was included into item no 4.

No. 7 includes postal services, office materials, insurance premiums, banking and health services.

Budget of courts and budget of the public prosecution services are presented separately.

(2014): • In the 2014 exercise, it has been specified that the category “gross salaries” includes benefits, transportation costs and other expenses for employees (jubilee awards, severance pay, help).

• The category “justice expenses” encompasses as in 2013 expenses related to intellectual services, postal and telephone services, office equipment, witness and interpreters, as well as smaller amounts for other justice expenses.

• The budget allocated to “court buildings” refers to the costs of current maintenance of buildings and investments, utilities, phone, inventory, energy etc. The stated amount is significantly different from this indicated for 2012 because of a different presentation of data. By contrast to the 2012 evaluation, the category is construed in a wider way and subsumes also the operating expenses. Out of that figure, the total amount of investments is 709.245,75 Euro.

• Concerning the item “new court buildings”, provided that there were no investments in new buildings in 2014, the amount of investments for adaptation and restructuring of existing buildings was added to item n° 4.

(2013): • In the 2013 exercise, the category “justice expenses” subsumes expenses related to intellectual services, postal and telephone services, office equipment, witness and interpreters, as well as smaller amounts for other justice expenses.

• As to the budget allocated to “court buildings”, in 2013, in contrast with the 2012 exercise, it also encompasses investments and renovations of the existing buildings.

• As to the category “new court buildings”, in 2012 it was interpreted narrowly, while for the 2013 evaluation, it encompasses all investments related to the court buildings.

• Besides, the budget allocated to “justice expenses” and “new buildings”, has significantly decreased between 2010 and 2013 as a result of the economic situation and public expenditure rationalization, as well as the effects of the reorganization and reduction of the number of courts.

• Variations noticed in respect of the budget allocated to “computerization” for the period 2010-2012-2013 are the consequence of reduced investments but also of the implementation of measures intended to rationalize costs and savings related to computerization (e.g., maintenance of IT equipment is carried out under more favourable financial conditions than in 2010).

• As for the budget allocated to “training” and its decrease between 2010 and 2013, it should be noticed that in 2013, there was no recruitment of judicial and state attorney’s trainees, unlike in 2010. Therefore, the budget for 2013 did not allocate funds for the educational activities of judicial and state attorney’s trainees. In addition, due to the smaller number of students, the budget for educational activities for the purposes of the National School for the Judicial Officials was reduced.

(2012): Concerning the categories “new court buildings”, “justice expenses” and “other”, in 2012 they have been construed in a restrictive way which explains the reply NA.

(2010): The apparent decrease of the budget allocated to “justice expenses” between 2008 and 2010 was due to the fact that in 2008 the sums paid for compensation and cost in action were considered as justice expenses whereas in 2010 these were included in the heading “other”. □

As to the meaningful increase of the budget intended to “new court buildings” for the same period, the figures indicated for 2010 include the sum for the final settlement for the new building of the Supreme Court.

Cyprus

(2016): The annual public budget (approved and implemented) allocated to computerization decreased between 2015 and 2016 because no new computers were purchased.

Concerning the annual public budget (approved and implemented) allocated to justice expenses, the discrepancy with previous data is due to the fact that in the last cycles (2014 and 2015) legal aid could not be isolated.

The annual public approved budget allocated to training increased between 2015 and 2016 because more training activities were organised. In 2016 the budget allocated to new buildings included a budget for the erection of a new district court of Pafos. However this was not achieved in 2016 therefore there is a big difference between the approved and the implemented budget.

(2015): Regarding the approved budget:

Before 2015, new computers were installed explaining the variations regarding the category "computerisation" between 2015 and the previous years.

Starting in 2014 there was a difference in methodology calculating different categories and for that the category justice expenses increased enormously. From 2014 the amount for cost in action as well as for publishing were included in "justice expenses" while in the previous cycle this was included in the category "other".

In 2015, there was no new building built.

The budget allocated to training decreased over the years due to austerity measures. From 2015, this budget has been increased again.

(2014): 2014: - The supreme Court is also the constitutional court and the High council of the judiciary, therefore the budget is the same.

Variations:

In 2014 there was a difference in methodology calculating different categories and for that the category justice expenses increased enormously. In 2014 the amount for cost in action as well as for publishing were included in "justice expenses" while in the previous cycle this was included in the "other" and mentioned in the comments. Now it is corrected and included in justice expenses.

The numbers for new buildings decreased because in 2012 new district court was built and there are no new buildings in 2013 or 2014.

The budget allocated to training is decreasing over the years due to austerity measures. However that amount was the approved amount and not the implemented. The implemented budget is substantially bigger than approved.

(2013): 2013 The numbers for new buildings decreased because in 2012 new district court was built and there are no new buildings in 2013.

2010, 2012, 2013 The amount for cost in action as well as for publishing were included category "other".

(2012): 2010, 2012, 2013 The amounts for cost in legal action as well as for publishing were included within the category "other".

(2010): 2010, 2012, 2013 The amount for cost in legal action as well as for publishing were included within the category "other".

Czech Republic

(2016): The data on approved budget allocated to justice expenses cannot be separated from category "Other" in the approved budget.

The approved Legal Aid budget is included in the court budget and cannot be separated at this stage.

(2015): The data on approved budget allocated to justice expenses do not exist, the approval budget is not divided to this level. The data on implemented budget are obtained from individual courts from their economic system.

Please note that budget allocated to training and education does not include education realized by the Judicial Academy.

(2014): In the frame of the 2014 exercise, it was specified that the implemented budget covers also means which were not spent in the previous period. Data related to the approved budget allocated to justice expenses do not exist because the approval budget is not divided to this level. Owing to the impossibility to identify the approved public budget with regard to justice expenses, the reply in respect of this category is NA. Data on implemented budget are obtained from individual courts from their respective economic systems.

(2013): Within the ambit of the 2013 exercise, it was explained that the justification of the observed discrepancies for the period 2012-2013 lies in the course of the exchange rate.

Moreover, according to the Economic department of the Ministry of Justice there were some investments to new buildings in 2013 contrary to the previous year.

As for the category "training and education", although the difference is quite significant, the data are correct.

(2010): Several clarifications have been provided in the frame of the 2010 exercise.

Firstly, in 2009 and 2010, considerable investments were granted to computerization relating to the implementation of electronic data boxes (for all courts), to the new interactive forms of registration to the business register, to the development of the electronic payment order, etc.

Secondly, cuts in the justice expenses have been done due to the economic crisis.

As to the budget allocated to court buildings, the variation noticed between 2008 and 2010 is a result of the escalation of prices of energy, VAT, water and gas on the one hand, and of the variation of the exchange rate between national currency and EURO, on the other hand. Besides, the repairing works are more expensive due to smaller volume of investments.

Denmark

(2016): The approved and implemented budget for 5) Investments in new court buildings are included under 4) Court buildings. The category "other" includes the courts expenses in connection to case handling, including postage costs, purchases of goods and services and any extraordinary expenses not directly attributable to other items. The category "Other" shows a decrease of 30% between 2014 and 2016, primarily due to exceptional circumstances in 2014, which necessitated large financial provisions.

(2015): Building-related expenses, including rent, increased greatly during the years 2013-2014, when 4 district courts and 1 High Court moved into new courthouses.

The budget for new court buildings are included in the budget "court buildings".

Regarding the category "other", the variation between 2010 and 2015 result to the fact that in 2010 there were extraordinary high costs to consultants in connection to several tenderings' proceedings.

(2010): In the frame of the 2010 exercise, it has been explained that the increase observed in respect of the annual public budget allocated to computerization between 2008 and 2010 was mainly due to increased investments with regard to new technology and the introduction of a new legal case management system.

Besides, the considerable increase of the budget allocated to the category "other" was justified by the increased expenditures in connection to courts moving into new buildings.

Estonia

(2016): The approved annual public budget allocated to training was bigger than the year before because the implemented budget was taken into account.

Investment in court buildings is done by Public Real Estate Company and does not appear in courts' budget. Only Supreme Court's investment budget has been shown in previous years. In 2016 they did not invest in court buildings.

(2015): For the 2015 exercise (as for 2014), the total annual public budget allocated to courts includes the Supreme Court's budget which resulted in variations compared to the previous evaluations.

Regarding the budget allocated to computerisation, the main expenses of first and second instance courts are not part of the court's budget but are included in the budget of the Center of Registers and Information Systems. The budget allocated to computerisation mentioned refers mainly to the budget of the Supreme Court. In 2015, the Supreme Court developed its own system in the Court Information System.

The budget allocated to justice expenses is very difficult to predict. In recent years, the trend is that expenses are increasing (partly due to the influx of cases which need translators). If the budget allocated to justice expenses is not sufficient, it is possible to apply for more budgets from the reserves.

Most investments in court buildings are done by State Real Estate Ltd and is not included in the courts' budget.

If by the end of the year, there are funds left from one category of the courts' budget, these funds are transferred to the budget allocated to training.

As for the sub-category "other", the meaningful increase of the budget between 2010 and 2015 is due to the difference of content. From 2012, more components were included in the category "other".

(2014): For the 2014 exercise, the annual public budget allocated to all courts does not include the budget of legal aid, neither the budget of public prosecution services. Moreover, the indicated total does not subsume the following budgets: prison and probation systems; Ministry of Justice (and/or any other institution which deals with the administration of justice); other institutions (other than courts) attached to the Ministry of Justice; judicial protection of youth (social workers, etc.); High Council for the Judiciary; annual income of court fees or taxes received by the State.

Besides, some of the expenses for the installation, use and maintenance of computers in first and second instance courts are not included since the Center of Registers and Information systems has a separate budget.

On the contrary, in the frame of the 2014 exercise, the total annual public budget allocated to courts includes the Supreme Court's budget which resulted in variations compared to the previous evaluations. Namely, the figures indicated for investments in new court buildings concern only the Supreme Court's budget, while 1st and 2nd instance courts don't have any investments. Likewise, training costs of 1st and 2nd instance judges are encompassed within the budget of the Supreme Court.

In 2014, there was a slight increase of the salaries in general. Moreover, the methodology of calculation of judges' salaries has changed resulting in an increase. Additionally, in 2013 a project related to the position of assistant to judge (per each judge of first and second instance) was launched. The salary of a judge's assistant is at least half of the first instance judge's salary. □

The significant decrease of the budget allocated to "computerization" since 2013 has a double explanation. On the one hand, in 2013 there were costs of developing the 2nd generation Court Information system. On the other hand, in 2014, the main costs are in the budget of the Center of Registers and Information Systems which is a separate one.

As for the budget allocated to "justice expenses", the observed increase between 2012 and 2014 results mainly from the significant increase of the translation costs (asylum seekers cases) and other costs related to court proceedings.

As for the category "other", the observed increase for the period 2012-2014 is due to the increase of judges' pensions.

(2013): In the frame of the 2013 exercise, several variations are noticed with regard to different budgetary sub-categories. Relevant explanations are provided in this respect.

As for the budget allocated to "justice expenses", the observed increase between 2012 and 2013 stems mainly from the significant increase of interpretation and translation costs. On the one hand, the number of cross-border cases has increased within the years, which requires more interpretation and translation services to be provided in court proceedings. On the other hand, in the Supreme Court the way of payment of translation costs has changed (before, the translation service was ordered and paid on the basis of labour contracts and was a part of the personnel costs; after the change, the translation service is ordered as a service and it is paid on the basis of the invoice and it is considered to make part of the justice expenses). In addition, costs of expertise and costs related to bankruptcy proceedings have been increased during the last years.

As for the budget allocated to training (only judges and not court staff), its increase between 2012 and 2013 is a result of the increased need of training of judges. The latter is justified by the new or changed legislation and the new IT systems implemented lately in the judicial field (new court information system, State claims payment information system).

(2012): For 2012, the budget allocated to "computerization" has significantly increased due to the large IT development projects like the 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 other projects.

As to the budget allocated to "justice expenses", it has considerably decreased due to the fact that before the expenses of expertise were included in the budget allocated to the functioning of courts, while now they are a part of the Estonian Forensic Science Institute's budget. □

As for the sub-category "other", the meaningful increase of the budget between 2010 and 2012 is due to the difference of content. If for 2010 this item includes only unpredictable expenses, for 2012 it encompasses numerous components. With regard to the latter, the main increase is caused by including the pensions of former Supreme Court justices. Basically, before 2012 all the pensions of public officials were in the budget of the Ministry of Social Affairs. From 2012, the pension has to be included in the budget of the institution where the pension receiver has worked. Therefore the funds for the pensions of the former justices of the Supreme Court are now included in the budget of the Supreme Court.

Finland

(2015): For 2015, the costs of computerisation have increased. Also, the budget allocated to justice expenses includes expenses for the interpretation which have increased.

(2014): The increase of the budget allocated to “justice expenses” between 2013 and 2014 is mainly due to the increase of translation and interpreting costs as well as the increase of the compensation paid from State funds to witnesses for their necessary travel and maintenance expenses as well as for loss of earnings.

As to the significant increase of the budget allocated to the category “other” between 2013 and 2014, it is not possible to identify the specific reason because there is no available detailed information on each of the components of this category.

(2010): Clarifications have been provided in respect of the 2010 exercise. On the one hand, the increase observed between 2008 and 2010 with regard to the category “computerization”, results mainly from the planning and the preparation of the implementation of the new criminal case management system. On the other hand, all the expenses subsumed in the category “justice expenses” (interpretation and translation expenses, court mediator expenses, expert expenses, witnesses fees borne by State, damages borne by State) have increased considerably which explains the observed variation with regard to this category between 2008 and 2010. Finally, for the 2010 evaluation cycle, there are fewer expenses which cannot be distributed between the items 1 to 6 and are encompassed in the item 7.

France

(2016): The budget allocated to the functioning of all courts cannot be distinguished from the one allocated to public prosecution services. The distribution key that has been used results in the following proportion: 80% for courts and 20% for public prosecution services. Besides the budget allocated to the civil and criminal justice, the indicated amount encompasses also:

- an evaluation of expenditures pertaining to transfer of individuals under escort, security of courtrooms, and public prosecution officials supported by the Ministry of the Interior (160 million of euros);
- an evaluation of the rental value of court buildings made available to the justice by the regional authorities (55 million of euros);
- an evaluation of the credits related to the staff working in specialized courts in labour matters: Social Security courts (TASS) and Incapacity Dispute courts (TCI) (19,5 million of euros); this estimation is an addition compared to the estimation for previous years of the annual public budget allocated to the functioning of all courts;
- 68 million of euros corresponding to the contribution of the central administration to the functioning of courts (namely, legislative directorates).

(2015): Data shown correspond to the expenditure of judicial and administrative courts carried by separate programs.

Data entered for the approved budget allocated are those voted in the initial budget act for 2015. For the data mentioned for the implemented budget, they correspond to those indicated in the annual performance report for 2015.

Although the budget of the public prosecution services merges with that of the courts, an allocation key has been applied so as to distinguish between the budget allocated to the activity of the courts and that allocated to the public prosecution services. The implemented budget is different from the approved and allocated annual public budget.

Personnel costs :

As in previous years, there are margins on personnel costs. An under-consumption of full-time equivalents worked as well as a different distribution of jobs by category explain this discrepancy.

Justice expenses :

In 2015, expenditures regarding justice expenses rose slightly, by 1.2% compared with 2014.

Real estate :

Real estate credits of judicial courts have grown by 13% compared to the 2014 implemented. Nevertheless they have incurred a significant portion of the arbitrations rendered in management which explains the discrepancy between the budget act and the 2015 implemented.

The "other expenses" refer to:

- an estimate of the cost for the transfer of an accused under escort, the costs of on-call for courtrooms, cost of officers of the public prosecution service incurred by the Ministry of Interior;
- an estimate of the rental value of judicial buildings made available to the courts by local and regional authorities;
- an estimate of the costs related to the staff of specialised judicial courts in the social field: social security courts (TASS) and incapacity dispute courts (TCI). This estimate is an addition to the estimate of previous years of the annual public budget allocated to all courts.
- the contribution of the central administration to the functioning of the courts

(2014): The data indicated for the approved and allocated budget are those passed in the initial Finance Law for 2014. Regarding the data reported for the executed budget, they correspond to those indicated in the annual performance report for 2014. The executed budget is different from the annual approved and allocated public budget.

Regarding staff costs, as in previous years, there are margins. Underconsumption of full-time equivalent of working and a different distribution of jobs by category between the Finance Law and the Annual Performance Report 2014 explain this discrepancy.

The budget allocated to computerisation decreased by 23% between 2013 and 2014. The distribution key applied this year explains this fall, since part of the budget is in the public prosecution services budget. Also, if the allocated budget fell slightly, the executed budget is below the allocated one.

The increase of the budget allocated to training is explained by the massive increase in recruitment (from 105 in 2010 to 212 in 2012 and 273 in 2014).

Recruitment without competition has also increased. The measures to train these future judges and public prosecutors has been adapted with the recruitment of staff for the School. This is to compensate retirements that have been more important than recruitment in the recent years, as illustrated by the number of judges and public prosecutors. It is noteworthy that the National School intervention field of the judiciary is also expanding to non-professional judges: judges of commercial courts, delegates of the public prosecutor.

(2010): The strong and continuous increase observed in the 2010 budget allocated to investment in new buildings can be explained by the implementation of the reform of the judicial system. This reform is accompanied by significant real estate investments in order to welcome assembled and created courts to provide better working conditions for employees, and to improve the reception of court users.

As for training costs, it should be noted that part of the variation observed between the 2008 and 2010 data can be explained, apart from further fiscal efforts made by France to the training of judges, by the transfer of the remuneration of justice auditors from the operating grant for the public service allocated to the National School of Magistrates, to pay credits, amounting up to 25 million euros (the public budget allocated to salaries being mentioned in point 1 of the question 6).

Germany

(2016): Data without the Laender Mecklenburg-Vorpommern and Schleswig-Holstein.

Rhineland-Palatinate:

A separation between courts and prosecutors is after the local System not possible. The expenses therefore include those of the public prosecutor's offices.

Other expenses are e.g. Expenses for business needs, motor vehicles, investments

into moving objects. The additions to the pension fund are no longer included in comparison to the year 2015.

Expenditure on the supply of former judges is not included in the expenditure and officials and for sickness benefits.

(2015): The data refer to the year 2014. At present, no more recent data are available. Inasmuch as sub-questions 6.2, 6.4, 6.5, 6.6, and 6.7 were answered by "NA," this is due to the fact that most of the Länder were unable to provide information, meaning that any amount cited would not be meaningful in substantive terms. Re. 6.1 and 6.3: Some of the Länder were unable to provide data in this regard. Accordingly, the information provided here is incomplete and is not comparable with the previous data.

Re. 6.1: The background for the difference made by the Federation between the approved budget and the implemented budget is that the departments have been granted funds for augmenting their staff in the context of their budget management in 2014. It is not possible to separate the budget of the public prosecution offices for a number of Federal Länder.

(2014): On the occasion of the 2014 exercise, several clarifications have been provided.

Firstly, the difference between the approved budget and the implemented one stems from the fact that the departments have been granted funds for augmenting their staff in the context of their budget management in 2014.

Secondly, in 2014, the Federal Landers of Hamburg, Saarland, and Thuringia did not provide any answers to Question 6. Accordingly, the information is incomplete.

As to the other categories, namely "computerization", "court buildings", "new court buildings", "training" and "other", a considerable number of Landers were not able to provide figures for 2014. The reply NA was preferred in order to avoid inconsistent figures.

(2013): In the frame of the 2013 exercise, it has been recalled, as in 2012, that since individual Landers were unable to provide specific data with regard to all of the sub-categories, the information remained incomplete.

Moreover, some Lander indicated total amounts that were higher than the sum of all data provided under items 6.1 to 6.7. Accordingly, a total of € 102,320,057 could not be attributed to individual items. Therefore, this amount was not included in the amount indicated as total budget allocated to the functioning of all courts.

For 2013, the federal Landers of Hamburg and Saarland did not provide any reply to question 6. Accordingly, the information was incomplete.

On the other hand, Berlin, Schleswig-Holstein, North-Rhine/Westphalia, Brandenburg and Saxony provided general comments on the content of some of the sub-categories.

The Lander of Mecklenburg-Western Pomerania pointed out the difficulty to provide detailed data in respect of the different items, due to the peculiarity of its budgetary system.

The decrease of the budget allocated to "computerization" between 2012 and 2013 was due to the different number of Landers that had replied respectively for both evaluations.

As to the considerable variation noticed in respect of the category "training", it was the result of variations in this specific budget in four individual Landers (Bade-Wurtemberg, Berlin, Rhineland-Palatinate and Saarland). Only Bade-Wurtemberg and Berlin provided explanations. The latter mentioned that the budget related to training of candidates to a judicial position was encompassed in the category "other". The former referred to a change of the consideration of remuneration of trainees and candidates to a judicial position.

On the occasion of the 2013 evaluation, the North Rhine-Westphalia mentioned in respect of the reform of the budget system implying the gradual introduction of an integrated combined accounting) described in 2010 that the first courts will begin to operate under the new accounting system in April 2015.

(2012): In the frame of the 2012 exercise, it has been explained that since individual Lander were unable to provide specific data with regard to all of the sub-categories, the information remained incomplete.

Moreover, some Lander indicated total amounts that were higher than the sum of all data provided under items 6.1 to 6.7. Accordingly, a total of € 123,382,583 could not be attributed to individual items. Therefore, this amount was not included in the amount indicated as total budget allocated to the functioning of all courts.

Additionally, it has been confirmed that the variation observed in respect of the category “other” between 2010 and 2012 was due to the different number of Landers that had replied respectively for both evaluations. A speculative comparison between comparable data for this period revealed an increase of only 14%. Besides, considerable variations characterized the budgets allocated to the category “other” in Berlin and Hesse over the period 2010-2012. However, both Landers could not provide in time explanations in this respect.

The Lander of Saxony highlighted the difficulty to provide detailed data in respect of all the items, due to the peculiarity of its budgetary system.

(2010): In the frame of the 2010 exercise, only several Landers provided additional general comments on the specificity of their respective systems or the content of some of the subcategories. For example, the North Rhine-Westphalia indicated that a reform of the budget system was being introduced implying the gradual introduction of an integrated combined accounting. The latter was intended to modernize the budget and accounting system in the Land administration with the components “statement of government income and expenditure”, “statement of results”, “cost and performance accounting”, as well as “financial accounting” forming the basis for product-orientated budget management. The blanket expansion in the Land administration was planned to be carried out by 2016.

Greece

(2014): The approved budget allocated to “gross salaries” for 2014 was not sufficient. It is within the Ministry of Finance competence to adjust the amount, which it did towards the end of the year 2014.

The increase of the approved budget allocated to “computerization” was the result of the undertaking of new (larger) projects in this specific field.

No specific reason explains the decrease of the approved budget allocated to “court buildings”. Generally, it depends each time on the needs. It should be noted though, that the last years there is a general demand (from the Ministry of Finance) for cutting on public expenses.

As to the meaningful decrease of the budget allocated to “new court buildings” between 2012 and 2014, it is noteworthy that this budget refers completely to the budget of the Courts Building Fund. Thus, the variation does not reflect any public policies, but is merely the outcome of the Fund’s programming of expenses.

(2012): The decrease in all categories in 2012 was justified by the budgetary adjustment that Greece has been going through during the last years.

It has been specified that the annual budget allocated to training and education was mostly the budget of the National School of Judges, responsible for the prefatory training of judges to be appointed and the conduct of seminars attended by the already appointed judges (lifelong training). The budget of this State body 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.

(2010): The budget allocated to the functioning of all courts in 2010 was drawn within the context of program budgeting. In contrast to the previous exercise, the budget allocated to "gross salaries" in 2010 included also the budget approved for the Court of Auditors. Besides, the new law 3691/08 which entered into force in August 2008 set an increase in judges' gross salaries.

As for the category "justice expenses", in 2008 it subsumed payments of lawyers, experts and interpreters (4.500.000 euro, of which 2.000.000 for payments of lawyers or other legal aid and 2.500.000 euro for experts and interpreters). The reply provided for 2010, according to the stricter formulation of the question "justice expenses without legal aid" included only payments of experts and interpreters (5.900.000 euro in total, of which 2.500.000 for payments of lawyers or other legal aid and 2.500.000 euro for experts and interpreters). The increase of the budget for both lawyers and experts/interpreters derived from the increased need and relative requests of payment.

As to the annual budget allocated to "court buildings", in 2008 it had not include the budget approved for the Court of Auditors (Courts: 8.245.000 euro and Court of Auditors: 1.276.000 euro) which was the case in 2010 (Courts: 8.747.000 euro and Court of Auditors: 1.669.000 euro). Moreover, the slight increase noted was due to increases of rents, heating fuel etc.

As to the budget intended to "new court buildings", in 2008 it had not included the budget related to a supervised (by the Ministry) entity of public law (Courts Buildings Fund-CBF). In 2008, it encompassed: Public Investments Program (862.000 euro) and CBF (15.380.004 euro). In 2010, it included: Public Investments Program (0 euro) and CBF (9.379.911 euro). The noticed decrease was not due to a specific cause. The budget simply depends on the investment programming of the political hierarchy.

The increase of the budget allocated to "training" between 2008 and 2010 was decided in order to support the potential demand.

Hungary

(2016): The main difference derives from the following:

1. Some positions are not filled (at least for a while) during the year and some people are on a leave for a longer time (e.g. serious illness, maternity leave) and get benefits from other sources.
2. The approved budget was modified during the year.
4. The approved budget was modified during the year. The reason of the increase in the implemented annual public budget allocated to court buildings is that many small and some large building reconstruction and modernization projects have been implemented during the year.
5. Some new court building projects take more years to finish, so although the budget has been provided specially for these it takes more years to finish these projects.
7. "Other" includes taxes, unpredicted personal (salary) expenditures, trainings, other maintenance costs. The implemented public budget allocated to the category "other" increased between 2015 and 2016 because there has been an increase in the basis of the salary of judicial employees in 2016 and it was included in this category.

(2015): Budget allocated to training (Nr.6) is included in Nr.1. and Nr. 7.

Other: Among other elements are miscellaneous maintenance expenses, unexpected personal (salary) expenses, training's budget, etc.

Before 2013, in the budget allocated to "gross salaries" were included non regular allowances, employers' contributions due to employees and trustees fees. From 2013, these amounts were included in the category "other".

The decrease between 2010 and 2015 in the approved budget allocated to "computerisation", is due to the fact previously some developments were carried out through project financing (such as EU funding, which are not part of the court budget).

The decrease in the approved budget allocated to "court buildings" between 2010 and 2014, is due to the inclusion of the category "new court buildings" from 2014. "

The increase between 2014 and 2015 in the implemented public budget allocated to "computerisation" is the result of an increase in the number of implemented projects (not part of the budget of the court system).

The increase between 2014 and 2015 of the implemented public budget allocated to "court buildings" is due to the fact that some developments were carried out from funds approved during the previous years, but implemented in later years.

(2014): The decrease in the approved budget allocated to "court buildings" between 2010 and 2014, is due to the inclusion of the category "new court buildings" in 2014.

For the 2014 evaluation cycle, the budget allocated to "training" could not be identified as a separate value and constitutes a part of the items "gross salaries" and "other".

Due to changes in the methodology of presentation of data, some items that were included in 2013 in the category "other" are subsumed in 2014 in the category "justice expenses" which explains the variations observed in respect of both categories between 2013 and 2014.

The difference between the approved budget and the implemented one derives mainly from the following:

some positions are not filled (at least for a while) during the year and some staff are on leave for a longer time (e.g. serious illness, maternity leave) and get benefits from other sources;

justice expenses are not exactly foreseeable as they mainly depend on the number and the nature of incoming cases;

some new court building projects take more years to be finalized.

(2013): In the frame of the 2013 exercise, the attention was drawn on the endeavors of the Hungarian Government in recent years to improve the infrastructural conditions and develop appropriate standards in respect of the IT working environment.

In contrast with the 2012 evaluation, in 2013, the budget allocated to "gross salaries" did not encompass non regular allowances, employers' contributions due to employees and trustees fees. These amounts were included in 2013 in the category "other". More specifically, it was highlighted that according to the Act (CLXII) 2011 on the Status and Remuneration of Judges, the salaries of the latter should be determined in the Act on the Central Budget in such a way that the amount should not be lower than it had been in the previous year.

As to the category "computerisation" and the considerable increase of the budget allocated in its respect in 2013, it was indicated that the Swiss Contribution covered some IT and security developments between August 2012 and January 2015, within a total amount of 1,98 billion HUF. Likewise, ongoing projects (co-) founded by the EU also covered a part of the IT development.

As for the budget allocated to "training", it increased between 2010 and 2012, and especially between 2012 and 2013. The main reason is that training courses for magistrates are more and more numerous and diversified. Besides, the number of participants increased radically in 2013 (2010 - 5 153; 2012 - 5 671; 2013 - 14 241).

The closing of the preparatory phase of the return of the Supreme Court to its original building and the preparation of the placement of the Budapest Environs Regional Court in a property complex were indicated as major successes in 2013. A number of important projects and refurbishments also took place throughout the country (e.g. refurbishment of the Salgótarján District Court and the Salgótarján Administrative and Labour Court, start of construction of the building of the Debrecen District Court).

(2012): In 2012, the budget allocated to "computerization" continued to decrease in comparison with 2010 and especially with 2008 when a specific project had been financed in this area. As to the budget intended to "court buildings", for long time there were not sufficient investments in this respect. In 2012, this budget was increased.

(2010): The budget allocated to "computerization" decreased in 2010 due to the termination of a project financed in 2008. □

As to the significant increase of the budget allocated to "justice expenses" in 2010, it was a result of the increase of experts' fees due to legislative amendments entered into force in 2009.

As for the category "court buildings" the budget was increased due to the significant number of court buildings needing to be refurbished.

Ireland

(2016): The full budget allocated for training was not spent during the year.

The budget originally approved differs from that implemented due to additional provision made during the year for ICT expenditure. Additional funding of €2.5m was provided to the Courts Service in 2016 by way of Supplementary Estimate. The additional €2.5m spent in 2016 was across the following headings: New video conferencing installations; replacement of equipment - €1.1m; Fines Act - €0.630m; DAR refresh - €0.350m and Prepayment of the ICT managed services charge for Q1 2017 - €0.500m

(2015): On agreement with the Department of Justice and Equality, the Courts Service allocation for training was adjusted to bring it in line with requirements for 2015

(2014): 2014: Variations:

The approved budgets allocated to computerisation and the investments in new court buildings remained areas where austerity measures continued to be applied. It should also be noted that since 1999 there had been significant capital investment in the courts.

In addition, it has been decided that the provision of new courthouse buildings and also major refurbishment and extension of certain existing courthouses will be progressed by way of Public Private Partnership Programmes and this also has implications for the annual capital budget.

There have been 7 Public Private Partnership Projects commenced, however the majority of this work has been done in 2015 rather than 2014.

Regarding the increase in the approved public budget allocated to justice expenses between 2013 and 2014 is due to the fact that in 2014, this category includes the significant amount for travel and subsistence expenses which was not included in the 2013 figure.

The increase of the approved budget allocated to the category 'other' can be explained by the fact that in 2014 it includes the allocation provided for the Public Private Partnership Unitary Payment which did not exist in 2013.

(2013): 2013 Variation: The budget for computerisation was still significantly decreased as a result of economic climate and in line with the Government commitment to on-going strong expenditure control to enable the exit of the bailout programme at the end of 2013.

(2012): 2012: Variation: The total approved budget of the court decreased as a result of the economic climate and in line with the Government commitment to on-going strong expenditure control, budget allocations across the public sector generally decreased compared with previous cycle. Measures needed to be put in place to ensure that Ireland was in a position to stabilise the economy, meet its international commitments and ensure a timely exit from the bailout programme which was achieved at the end of 2013. This is also visible in different categories of the budget except in justice expenses where the increase is due to the change in how the Courts Service is categorising the expenses. For example, in 2010 the costs for interpretation were included under "other" since 2012 they are included under justice expenses. As to the considerable increase in the budget allocated to justice expenses, it should be noted that in 2010, the only budget subhead included in this category related to medical reports. From 2012 onwards the following budget subheads were included under Justice expenses - jury minding, interpreting, medical reports, digital audio recording, judges' attire, law books and meals for jurors. It is believed that these subheads are more appropriate to be included under Justice expenses as they all relate directly to court business.

Italy

(2016): As far as the annual public budget allocated to training (point 6) both approved budget and implemented budget are considerably higher compared to 2015. In 2016 extra funds were destined to the training of around one thousand employees who joined the justice system from other administrations.

(2015): 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 itself. The figures provided in this chapter are the result of a re-classification of the budget statements which takes into consideration several criteria.

As far as point 6 in Italy there are two different public schools that deal with the training of both judges/prosecutors on one hand and civil servants on the other.

Both the School for the Judiciary (<http://www.scuolamagistratura.it/>) and the National School of Administration (<http://sna.gov.it/nc/en/>) have their own budget. The above figure (point 6) is just the budget of the Ministry of Justice in terms of training and it doesn't include the budget of these schools.

In 2015 extra funds were allocated to IT compared to 2014 in order to further modernize the IT systems.

In 2015 the Ministry of Justice has experienced a significant increment of costs related to the maintenance of buildings that were previously borne by the local administrations.

'Other' includes for instance compensation, reimbursement, document issuing, etc. Luncheon vouchers are included in "gross salaries".

(2014): For 2014, it has been specified that generally speaking the difference between “approved budget” and “implemented budget” is mainly due to the salary of personnel as the retirement age is not exactly foreseeable. For all the other areas (such as IT, training, etc.) there are other elements which may affect the gap but they are not easy to identify precisely. Currently the Government is investing in new IT solutions that require appropriate training. One hypothesis might be that such training process is running slightly behind its schedule because the modernization of the IT infrastructure is still undergone.

Besides, it has been specified that in Italy, there are two different public schools that deal with the training of both judges/prosecutors on one hand and civil servants on the other. Both the School for the Judiciary (which became fully operational in 2013) and the National School of Administration have their own budgets which are not included in the figure indicated for the category “training”. The latter encompasses only the budget of the Ministry of Justice in terms of training.

(2013): In the ambit of the 2013 exercise, the attention was drawn to the variations observed in respect of the category “other” for the periods 2010-2012 and 2012-2013. This fluctuation was justified by the accountability factor on the one hand, and by the fact that some costs are not spread uniformly across time, on the other hand. Moreover, considered at the long run (2 years), such variations would disappear.

With regard to the category “training”, as already explained on the occasion of the 2012 evaluation cycle, the successive decrease in the budget allocated to it between 2010, 2012 and 2013 results from the spending review carried out by the Italian Government, which affected education and training considerably more than other costs. Besides, it has been specified that in Italy, there are two different public schools that deal with the training of both judges/prosecutors on one hand and civil servants on the other. Both the School for the Judiciary (which became fully operational in 2013) and the National School of Administration have their own budgets which are not included in the figure indicated for the category “training”. The latter encompasses only the budget of the Ministry of Justice in terms of training.

(2012): In the frame of the 2012 exercise, it is explained that the economic crisis had a meaningful impact on the country and the public sector in particular. The spending review carried out by the Italian Government deeply affected budgets of all the Italian Ministers. The overall reduction of the approved annual public budget allocated to the functioning of the courts was approximately of 2%. However, strong measures had been adopted only in specific areas (i.e. maintenance of buildings, training and education), in other words, in areas where cuts were possible.

With regard to the category “training”, it has been explained that in Italy there is a specific school for civil servants. The National School of Administration has its own budget which is not included in the figure indicated for the category “training”. The latter encompasses only the budget of the Ministry of Justice in terms of training.

(2010): In the frame of the 2010 exercise, the decrease of the total budget allocated to the functioning of all courts was justified by the necessity to carry out general cuts particularly in respect of the budget allocated to computerization (along with goods and services).

With regard to the category “training”, it has been explained that in Italy there is a specific school for civil servants. The National School of Administration has its own budget which is not included in the figure indicated for the category “training”. The latter encompasses only the budget of the Ministry of Justice in terms of training.

Latvia

(2016): In the section "other" are included following items: taxes, administrative expenditure, purchase of furniture, rent of vehicles, its maintenance. In 2015 there unused funds for category "other" and that's why this budget line was decreased in 2016.

(2015): 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, administrative expenditure, purchase of furniture, rent of vehicles, its maintenance.

Budget for computerisation decreased in 2015 compared with 2014 because the investment that was intensive in the previous period is now going back to normal.

Category other increased in 2015 due to acquisition of equipment and its maintenance. In the frames of the pilot project - "Security in the courts" one court received security equipment while for other courts archive systems were purchased.

(2014): The increase of the approved budget allocated to “computerization” between 2013 and 2014 is due to the fact that totally 750 new computers with the appropriate operating system were purchased. Basically, computers were obsolete and old computer slow activity hampered performance. Also in connection with implementation of e-services approximately 200 courtrooms were equipped with a computer for a judge. Besides, the increase of the approved budget allocated to “computerization” over the period 2012-2014 is due to the fact that in 2013 servers and copiers were purchased for courts and land registry departments, as well as computer equipment were purchased in 2014 for courts and land registry departments, as explained above.

The increase of the approved budget allocated to “court buildings” between 2013 and 2014 is due to the fact that in 2014 additional funding was scheduled to cover the rent of Rezekne Court, Riga City Kurzeme District Court, the District Court in Valmiera, Vidzeme Regional Court, the Court of Jelgava, Aizkraukle District Court, Latgale Regional Court. These court buildings are transferred to a State stock company “Courthouse Agency” and financing lease payment was required in addition to the State budget. Besides, in 2014, physical guarding was ensured and financed in 47 court objects in order to warrant the protection of the existing property and staff safety and inviolability.

The decrease of the budget allocated to the category “other” between 2013 and 2014 is due to the fact that in 2013 the budget was earmarked for one-time expenses for the purchase of furniture and equipment in connection with the Administrative District Court of Riga court house and the Riga Ziemeļu District Court movement to other premises, which were not planned in 2014, respectively.

(2013): The enumerated factors explain also the increase of the annual public budget allocated to “gross salaries” between 2010 and 2013.

As concerns the annual public budget allocated to “computerization”, the noticed variations are due to the fact that a new hardware was purchased, while the out-dated hardware was gradually replaced. Moreover, every year servers are purchased and refurbished and additional licenses are purchased for a different amount of money. Funding for these purposes is used in accordance with the financial capacity and budget savings in other expenditure items.

In 2013, the budget allocated to “training” increased by 33% compared to 2012 due to the fact that the training seminars organized by the Latvian Judicial Training Centre were attended more by court clerks. Additionally, in 2013 were reimbursed the expenses for judges’ internship in the European Court of Human Rights. The number of seminars organized by the Latvian Judicial Training Centre increased and judges attended courses of French language.

The variations between 2010, 2012 and 2013 noticed with regard to the budget allocated to the category “other” are explained by the fact that in 2010 were purchased more furniture and equipment, stock shelves for courts and Land Registry Offices, including for the new court building for the Jurmala City Court. On the other hand, expenses in 2013 increased because of the purchase of furniture and archival system in accordance with the priority measures - provision of new working premises for the Administrative District Court Riga Court House and the Riga City Northern District Court.

(2012): The total annual approved budget allocated to the functioning of all courts increased between 2010 and 2012 owing to different factors: 1) since 2011, the remuneration of judges is determined according to the unified remuneration system as a result of which it increased by an average of 43%; 2) the monthly salary of court employees increased by an average of 28.46 euros; 3) the funding related to the remuneration increased, providing that a judge must receive a premium up to 20% in connection with his/her functions within the judicial self-government institutions; 4) the minimum wage has been increased up to 284.57 euros; 5) court maintenance and operating costs increased in order to restore payments for premise rent and other payments for the period 2009-2010; 6) the postal costs increased due to the proceeds of the trial-related expenses; 7) Microsoft licenses were purchased.

Besides, this budget increased with 30% between 2010 and 2013 because in 2013, in addition to the above mentioned factors, there were: 1) an increase of the monthly salary of court employees more than 56.91 euros and a guarantee of a health insurance policy for court employees; 2) an increase of the expenditure on rents, utilities and removal expenses due to the move to new premises for the Administrative District Court Riga Court House and the Riga City Northern District Court.

In 2012, the total funding granted to Latvia from the European Union and other financial instruments for its court system development was of 5 360 613 euros. This sum concerns all international projects for 2012 and includes financing from the Latvian and Swiss cooperation programme, the EU specific programme „Criminal Justice”, the European Regional Development Fund, the Nordic Baltic mobility programme for „State Administration”. This figure is not subsumed in the total.

(2010): In 2010, the budget dedicated to “gross salaries” was reduced by 15 % due to the financial crisis.

On the contrary, the budget allocated to “computerization” was increased in order to ensure the partial replacement of the morally and physically out-dated hardware. For this purpose, funds were diverted from unused funds intended for remuneration of judges and court staff related to temporary incapacity (sickness), as well as vacancies. Besides, in 2010 the costs for computer maintenance, namely outsourced service, appeared higher because the advanced payment for the first half of the year 2008 was made already in 2007.

As for the increase of the budget allocated to “justice expenses”, it resulted from the significant increase of the number of order for payment procedures due to the financial crisis. For example, the expenditure for post increased with about 1 044 283 euros.

As to the budget allocated to “training”, it decreased in 2010 because of the financial crisis. As a matter of fact, starting from 2008, the budget of all public institutions was reduced. Likewise, owing to the financial crisis, the budget intended to “other” expenses decreased. Namely, the administrative expenditure was reduced in order to ensure the procedural costs.

Lithuania

(2016): Taxes related to the salaries (social insurance) paid by employer are included in 1. Finances for 2 (computerisation), for 5 (investment in new buildings), also partly for 3 (expertise), 4 (building repair), 6 (training) are allocated to the budget of the National Courts Administration. “Other” includes other finances for expenses of the courts (telecommunications, post, transport, paper, etc.). The National Courts Administration is implementing programme dedicated to the courts, financed by Norway funds. That hugely influences budgets for 2 (computerisation), 6 (training) and 7 (security devices) in 2016. The approved and implemented budget may differ because of the public procurement procedures.

(2015): Taxes related to the salaries (social insurance) paid by employer are included in 1.

Finances for 2 (computerisation), for 5 (investment in new buildings), also partly for 3 (expertise), 4 (building repair), 6 (training) are allocated to the budget of the National Courts Administration. “Other” includes other finances for expenses of the courts (telecommunications, post, transport, paper, etc.).

The National Courts Administration is implementing 2 internationally financed programmes dedicated to the courts, one – financed by Switzerland, another – by Norway funds. That hugely influences budgets for 2 (computerisation), 6 (training) and 7 (security devices) in 2015.

The main difference between allocation and implementation of the budget is because of long procurement procedures in the projects.

(2014): In the frame of the 2014 exercise, akin to the 2012 evaluation cycle, taxes related to the salaries (insurance) paid by the employer are included in the item “gross salaries”. Likewise, finances related to the categories “computerization”, also partly “justice expenses” (expertise), “court buildings” (building repair), “new court buildings” (building repair) and “training” have been allocated to the budget of the National Courts Administration. The category “other” includes other finances for expenses of the courts (telecommunications, post, transport, paper, etc.).

The implemented annual public budget allocated to the functioning of all courts differs from the approved annual public budget, mainly because of the budget allocated to “investments in new (court) buildings” and the long procurement procedures.

Several explanations have been provided in respect of the variations noticed with regard to some items:

An additional budget was provided to Lithuanian courts information system LITEKO investment programme which resulted in an increase of the budget allocated to “computerisation”.

As for the sub-category “justice expenses”, courts were provided with additional budget for court expenses and additionally 103 000 EUR were allocated to National Courts Administration to cover debts with regard to judicial expertise.

An additional budget was provided to investment programme of court buildings which resulted in an increase of the budget allocated to “new court buildings”.

As for the budget allocated to “training”, in 2014, in contrast with the previous cycles, it does not include the budget of the Judicial Training Centre.

It should be noted, that National Courts Administration (later referred as NCA) also implements international projects for the judiciary system.

The NCA also implements international projects for the judiciary system. In 2014 it worked on individual project “The Creation and Implementation of the System for Video Transmission, Recording and Storage in Courts” which was funded by the Lithuanian-Swiss Cooperation programme and the Republic of Lithuania (1 907 935,6 Euro). NCA also started the implementation of 3 projects under the Norwegian Financial Mechanism 2009-2014 Programme LT13 “Efficiency, Quality and Transparency in Lithuanian Courts”(8 210 465 Euro). These 3 projects are: “Modernization of the Courts Information System (System for Case-Handling and Audio Recording for Courts Hearings)”, “Improved Support to Witnesses and Crime Victims During the Court Procedure Including Strengthening of Security in Court Buildings”, “Strengthening the Competence of Representatives of Judicial System (Including Judges, Court Staff and Representatives of NCA (training))”. The use of funds of the projects mentioned above is planned for 2015 and it will be reflected in the statistics of 2015.

In 2014 NCA also worked on two other projects:

“Electronic Services in the Implementation of Justice”, funded by the European Regional Fund and the Republic of Lithuania (2 661 097,6 Euro),

“Implementation of Quality Management Models in Lithuanian National Courts Administration and Courts and Their Certification” (699 715,6 Euro).

Funds of these projects are not allocated in a specific year budget. They are not allocated to the NCA’s budget nor to courts’ budgets. Financing of these EU funded projects is gained in accordance with the costs incurred and obtained through the requests for payment submitted to the authorities responsible for the administration of the EU structural support.

(2013): The Trainings division (now Trainings and International relations division) has been established at the National Courts Administration in January 2013. It is responsible for trainings of judges, chairpersons. With the establishment of this division, international trainings are also available to judges (we are members of the EJTN, ERA).

(2012): In the ambit of the 2012 exercise, the attention has been drawn on the fact that taxes related to the salaries (insurance) paid by the employer were included in the item “gross salaries”. Finances related to the categories “computerization”, also partly “justice expenses” (expertise), “court buildings” (building repair) and “training” were allocated to the budget of the National Courts Administration. On the contrary, finances for the item “investments in new buildings” in 2012 were allocated to the Ministry of Justice. The category “other” included for 2012 other finances for expenses of the courts (telecommunications, post, transport, paper, etc.).

Owing to this distribution of the budget, it is possible to notice a considerable increase of the budget intended to “gross salaries” which in contrast with the 2010 exercise encompasses the insurance paid by the employer. Besides, the increase of the budget allocated to “justice expenses” is due to the fact that for the previous exercise, a big part of the sum was indicated as “other”. For 2012, a special accounting program made it possible to distinguish the expenses. Accordingly, the budget allocated to the category “other” has decreased in a meaningful way.

As to the annual public budget allocated to “computerization”, the decrease noticed in 2012 is explained by the fact that in 2010 there were more investments in this field which, afterwards due to the crisis decreased. From 2014, it is expected to grow.

Finally, the reason of the increase of the annual public budget allocated to training in 2012 is that the Training center of the National Courts Administration (later - Training center) was established in 2007 and was under the control of the Ministry of Justice until 2011 (therefore the budget of this training centre was included in the budget of the Ministry of Justice). From October 2011, the rights and duties of the Training center are assigned to the National Courts Administration.

(2010): In the frame of the 2010 exercise, the category “justice expenses” encompassed only expertise examinations, while the category “court buildings” subsumed public utilities and repairs. As to the items “new court buildings” and “training”, it is noteworthy that in 2010 the respective budgets (721 154 Euros and 234 882 Euros) were a part of the Ministry of Justice’s budget and were not included in the budget allocated to courts as approved by the Parliament. Finally, the category “other” subsumed all other justice expenses (paper, communication, etc.) and taxes related to the salaries (insurance) which were not encompassed in the item “gross salaries” and which present a huge percentage from the salaries. □

The distribution of the budget by categories of courts was presented in the following way: Supreme Court – 3 032 901 Euro; Supreme Administrative Court – 1 540 489 Euro; Court of Appeal – 2 337 233 Euro; district and regional courts – 43 422 440 Euro.

Luxembourg

(2015): Investments in new buildings (category #5) are included in the budget of the Ministry of Sustainable Development and Infrastructure.

Expenditure on initial training of judges is included in the expenditure of the Ministry of Justice per se and not in the total expenditure of the judicial services.

The category "other" includes expenditure related to legal aid, postal and telecommunications costs, traveling expenses, operating costs, purchases of equipment...

Possible significant variations in certain budget items are explained by the introduction of new accounting within the State in 2014/15.

The judicial system of Luxembourg cannot distinguish between the budget allocated to courts and the budget allocated to public prosecution services.

(2014): The decrease in the budget allocated to "other expenses" is due to a different methodology of categorisation used in 2014. More expenses could be distributed among the specific sub-categories.

(2012): 2012: The figures regarding computerisation, justice expenses, court buildings, and new court buildings have to be nuanced because these expenditure items are mainly paid by departments other than the Ministry of Justice or by other budget items. Thus, the establishment of a new court will not appear at all in the budget of the Ministry of Justice. In addition, the program for establishing a new statistical collection system was funded by another budget item than the one worded "computerisation".

(2010): 2010: Luxembourg has built a new Courthouse in 2008, hosting the Supreme Court, the Constitutional Court, the Court of Appeal, the Luxembourg District Court, the Luxembourg Peace Justice and the prosecutors' offices and specialised courts (labour, youth, commerce).

This year were also inaugurated the new buildings of the Peace of Justice of Esch-sur-Alzette.

Although these projects have cost more than 100 million for one and around 15 million euros for the other, these figures are not included in the budget of justice but in the one of public buildings and as it is spread over several years, it is not possible to indicate any quantitative data.

Malta

(2016): The expenditure under Sub-section 7 refers to Payment to Criminal Court Jurors and expenses related to their accommodation and transport, payments to transcribers of the civil and criminal courts, payment of overtime to judicial teams, remuneration to mediators in the Family Court, payment to Child Advocates, payments to architects under the reletting of urban property and agricultural leases, and payments related to the Small Claims Tribunal. In addition, this year, we are also incorporating the training budget allocated to the Judicial Studies Committee, which is an independent entity that provides for the training of the judiciary. Despite the fact that this budget is itemised under the court budget, its management and expenditure falls within the remit of the Chief Justice and not the court administration. Regarding "4. Annual public budget allocated to court buildings (maintenance, operating costs)": Prior to the 2014 budget, a financial request was lodged in respect of a major project that involved the renovation of the Sir Thomas Moore building. Hence, the 2014 budget had a dedicated line item for new court buildings. The 2015 and 2016 budgets showed only an implemented budget because no pre-programmed expense was being forecasted at the time of the budget planning. Hence the implemented budget relates to new court building requirements that emerged during the year in question (hence implemented not forecasted) and that required an injection of additional funds specifically for that purpose.

The variations regarding the "annual public budget allocated to justice expenses" might be related to a possible increase in the number of court experts and translators.

(2015): The expenditure under Sub-section 7 refers to Payment to Criminal Court Jurors and expenses related to their accommodation and transport, Payments to transcribers of the civil and criminal courts, payment of overtime to judicial teams, remuneration to mediators in the Family Court, payment to Child Advocates, payments to architects under the reletting of urban property and agricultural leases, and payments related to the Small Claims Tribunal.

The budget of the Public Prosecution Services and that of Legal Aid are not incorporated in the above allocations.

Before 2015, the approved budget allocated to the category "new court buildings" was linked to a specific project which ended in 2014.

As for the budget allocated to "computerization", the figure indicated for 2014 and 2015 do not include the allocation of capital IT which the information management unit at the responsible Ministry pays to MITA (the government agency responsible for ICT) on behalf of the courts.

(2014): Two observations have been made in respect of the 2014 data.

As for the budget allocated to "computerization", the figure indicated for 2014 does not include the allocation of capital IT which the information management unit at the responsible Ministry pays to MITA (the government agency responsible for ICT) on behalf of the Courts of Justice.

The budget allocated to "new court buildings" decreased since the bulk of architectural and restoration works including mechanical and electrical installations for the new judiciary building called Sir Thomas More were carried out in 2013. This building was inaugurated and first used in 2014.

(2010): In the frame of the 2010 evaluation, the attention was drawn on the fact that training was not compulsory as a result of which the budget allocated to "training" was rather low. Nevertheless, in comparison with 2008, the budget for 2010 was doubled, and in the following years, it was further increased.

Netherlands

(2016): Q6.3.Council of Judiciary only. Justice expenses are excluding the justice expenses for criminal cases.

Other: depreciation, interest, administration, service centre, etc., since 2012 incl. justice expenses of the Supreme Court.

Ad Q6.4 Exceptionally, a one time, and extra amount of 65.1 million was planned for the new government housing system" (Report Annual Budget).

(2015): The total annual approved budget allocated to all courts includes the budget allocated to the courts and prosecution services.

(2014): The total annual approved budget allocated to all courts includes the budget allocated to the courts, legal aid and prosecution services.

The total budget provided for 2014 excludes the judiciary part of the Council of State. It has been explained that the budget allocated to "justice expenses" does not include legal aid, except for taxes and fees to be paid by the parties.

(2013): The indicated total for 2013 excluded the budget of the Council of State but included this of the Supreme Court. The total budget of the Council of the Judiciary, excluding the Supreme Court and the Council of State, was 10.10.913.000 euro. Figures provided in respect of all the sub categories, except for item “other” were related to the budget of the Council of the Judiciary. The budget of the Supreme Court was subsumed in item “other”.

(2012): As in 2010, figures reported for 2012 did not include the budget for the High Council which is the highest appeal court, as well as expenditure related to the justice tasks of the Council of State general (which is not available, only the total expenditure being published). The latter does not fall under the budget of the Ministry of security and Justice but under the budget of the High colleges of State.

(2010): The total annual approved budget allocated to all courts includes the budget allocated to the courts, legal aid and prosecution services.

In the frame of the 2010 exercise, the attention was drawn on several points.

Firstly, the budget allocated to “justice expenses” (a relative minor budget item) subsumed e.g. advertisement and other expenses in connection with external parties related to cases dealt with by the courts. It showed fluctuations over the years. Secondly, the intensification of the computerization led to the increase of the budget intended to this purpose.

As a general remark, it was highlighted that the reported figures did not include the budget for the High Council which is the highest appeal court, as well as expenditure related to the justice tasks of the Council of State general.

Poland

(2016): Point 7 contains expenditures on personal benefits, current expenditures related to purchases of goods and services, investment spendings (construction, purchases), housing loans for judges, various fees and contributions.

In relation to reduction of the amount of funds allocated and spent on computerization in 2016 we would like to inform that the planning and implementation of IT spending is mainly dependent on the additional tasks that the public sector faces in the budgetary year, especially technological development in common court proceedings and purchasing of equipment necessary for the implementation of planned IT projects.

We also would like to indicate that in 2014, IT systems have been modified and maintained, in particular in the area of e-payments, integrated accounting and human resources management systems in the common courts and the Ministry of Justice, the electronic protocol, the Land Registry, the Judicial Decisions Portal, the Information Portal , The Central Bankruptcy Register and IT System for the Support of Substantive Processes.

In addition, when we analyze the judicial budgets in 2014 and 2016 in euro, it should be considered that in 2016 the euro exchange rate of the National Bank of Poland (NBP) on 30 Dec. 2016 was PLN 4.4240 / €. Whereas the exchange rate of the NBP on 31 Dec. 2014 was PLN 4.2623 / €. therefore amounts presented in the CEPEJ 2016 are lower.

It should be noted that the spendings on training are planned on the basis of the training needs reported by the presidents of the courts, and that annual increase demonstrates the growing need for training of staff in common courts, mainly due to the additional tasks imposed on judicial staff in connection with legislative changes.

(2010): All the budgetary data for 2010 were affected by two important factors: the change of the exchange rate Polish zloty-Euro (approx raise 7%) and the EU financed programs which covered many of the national expenditures.

The increase of the budget dedicated to salaries resulted from the major change in legal rules: in 2010, judges and prosecutors' salaries were based on the average gross salary from the second quarter of the previous year. □

The computerization budget decreased between 2008 and 2010. In fact, the figure communicated for 2008 reflected the major investment process in the Polish judiciary which was founded from the Ministry of Justice budgeted. Data gathered in 2008 referred to the computerization reform. In 2010, another major computerization project was launched and is reflected in the 2012 evaluation cycle.

The decrease in training and education budget was due to the fact that since 2009, the Polish National School for Judiciary and Prosecution has been fully operational. Since judicial training is financed by the National School, the courts expenditures have decreased subsequently. Moreover since 2008, many EU financed training programs have been implemented.

The structural reform in Poland affected also the modernization of court buildings (as well as investments in new buildings and costs of preservation). Most of the investments were completed before 2010.

As to the category "other" and the observed decrease, it was probably due to the decrease of the investment cost.

Portugal

(2016): The increase in the approved budget allocated to computerization is explained by the increase of the foreseen investment in IT and software equipment in the Financial and Equipment Institute (Instituto de Gestão Financeira e Equipamentos da Justiça), in administrative equipment and buildings in the Institute of Registry and Notary (Instituto dos Registos e do Notariado) and in administrative equipment and informatics software in the Directorate-General for Justice Administration (Direcção-Geral da Administração da Justiça);

The decrease in the implemented budget allocated to justice expenses is explained by the decrease in the number of judicial proceedings in relation to 2015.

The decrease in the implemented budget allocated to court buildings is explained by the reduction of construction works carried out to guarantee the normal functioning of the courts.

(2015): Q6.2 – This value decrease in relation to 2014 is explained by the conclusion of a project called Tribunal XXI. This project aimed to centralize and store data of the Citius platform in a data center structure, as well as the development of IT platforms, digitalization and integration of ongoing court cases, integration of video recordings of hearings and installation of centralized counters citizen service.

Q.6.3 – the value increase results of the entry into force of Law 23/2013, 5th February, regulated by Ordinance n.46/2015, of 23rd February and Ordinance 278 of 26th August that established the payment of notary fees related to the inventory process.

(2014): On the occasion of the 2014 exercise, it has been explained that there was a decrease between 2012 and 2013, as well as between 2013 and 2014. This decrease is explained by the decrease of the budget allocated to the project Court XXI (which aim is the dematerialization of court proceedings), as well as by the fusion of the Informatics Justice Institute (Instituto das Tecnologias Informáticas da Justiça -ITIJ) and the Financial and Equipment Institute (Instituto de Gestão Financeira e Equipamentos da Justiça) which resulted in a significant budget reduction for the Ministry of Justice between 2012-2013.

As for the budget allocated to court buildings, the noticed increase stems from the preparation needed to the set-up of the judicial organization reform that took place in 2013 and implied a major relocation and reform of court buildings.

Concerning the budget allocated to training, the decrease observed between 2013 and 2014 is explained by the reduction of the number of staff of the Centre for Judicial Studies, as well as by the fact that during 2013, there was a significant number of judges still under training that performed services for this Centre.

(2013): In 2013 the budget allocated to the category "computerization" increased in a significant way owing to the preparation work related to the set-up of the judicial organization reform that took place in 2013 and the IT project attached to it.

(2012): In the ambit of the 2012 exercise, it has been specified that for 2010, the category “justice expenses” was also including, by mistake, costs related to computerization, while for 2012 it encompasses only costs of expertise and interpretation. Besides, it has been stressed that in the past years, the Portuguese government had some financial constraints that are reflected in the Justice budget and that explain the decrease in the budget allocated to “computerisation” and to “training and education” between 2010 and 2012.

(2010): In the frame of the 2010 exercise, it has been explained that the increase of the annual public budget intended to “computerization” between 2008 and 2010 was due to a major political investment in this area related to computer innovations. One of the governments’ key objectives was to consolidate, strengthen and expand the computer applications available to the justice’s agents, such as the CITIUS application (case management program).

Romania

(2016): The category “other” includes other salary expenses such as for example temporary transfer in the employer’s interest and secondment pays, contributions owed by the employer, other rights which judges and ancillary staff are entitled to (reimbursement of the sums paid for medicines, transportation, rent, travel expenses, fuel and lubricants expenses, periodical medical checks, labor protection etc.), the amounts (allocated in 2016) provided in the writs of execution, having as object the granting of salary rights for the judiciary staff.

As to the category “other”, the allocated funds for payment of wage rights established by court decisions allocated in 2016 were lower than those allocated in 2015.

The significant difference between the approved and implemented budgets allocated to “training” is mainly due to the fact that during the development of the activities organised within the training programs were made savings that could not be predicted at the time of the budget allocation.

The increase in funds for “annual public budget allocated to training” in 2016 is mainly explained by the significant increase in the percentage of participation in training courses, especially for the economists in the courts (participation permitted by the modification of legislation in the financial accounting field and the implementation of the FOREXEBUG system).

The decrease of the amounts of “annual public budget allocated to investments in new (court) buildings” in 2016 is mainly explained by the fact that in 2015 larger funds were allocated for the rehabilitation of several court offices- these buildings have been received in early 2016, thus the funds provided for this destination in 2016 (the payments to be made in the course of 2016) were lower.

(2015): The significant increase of the approved and implemented budgets allocated to “computerisation” in 2015 compared to 2014 is mainly due to the fact that additional funds were allocated for the purchase of IT equipment and software for the courts

The decrease between 2014 and 2015 in the approved and implemented budgets allocated to training is mainly due to the fact that in 2015 a smaller number of professional training courses were organised.

The budget for “justice expenses” increased due to the entry into force in 2014 of the new Code of Criminal Procedure requiring for a notification to all defendants of a certified copy of the indictment act and of the authorized translation.

The budget allocated to “other” subsumes also allocated funds for payment of wage rights established by court decisions.

The approved budget for 2014 was allocated both to pay the 25% instalment for the year 2014 and the 25% instalment for the year 2015, while the budget approved for 2015 was allocated only to pay the 35 % instalment for the year 2013.

(2014): In 2014 funds were allocated for the purchase of equipment for the courts which resulted in an increase of the approved budget allocated to “computerization”.

Besides, the approved budget for “justice expenses” increased due to the entry into force in February 2014 of the new Code of Criminal Procedure requiring for a notification to all defendants of a certified copy of the indictment act, and, where appropriate, of the authorized translation generating additional costs of translation and interpreting.

As to the decrease of the approved budget allocated to “training”, in 2013 the funds allocated for continuous training of judges and prosecutors were also included whereas in 2014, as specified in the explanatory note CEPEJ, those funds have not been reported in question 6.

The significant increase of the approved budget allocated to “other” in 2014 was due to the inclusion of allocated funds for payment of wage rights established by court decisions. The approved budget for 2014 was allocated both to pay the 25% installment for the year 2014 and the 25% installment for the year 2015, while the budget approved for 2013 was allocated only to pay the 10 % installment for 2013. Also, due to the increasing number of occupied posts in 2014 compared to 2013, increased funds were allocated to pay contributions due from the employer, allowances for delegation/secondment allowances for transport, rents, medication, regular medical checks.

(2013): In 2013, the figure provided in respect of the category “computerization” corresponded to funds allocated from the State budget. However, Romania has also benefited in this field from projects implemented by EU and structural funds.

As to the item “justice expenses”, starting with 2013, it includes expenses related to interpretation services. For the previous cycles, the latter were encompassed in the category “other”.

Concerning the category “new court buildings”, the Judicial Reform Program with the World Bank was aimed at building up new court buildings. This program benefited of greater funding in 2013 compared with 2012 (the funding is required to complete investment objectives, for example the Pitesti Court of Appeal, the Tribunal and Court of First Instance Tulcea).

As for the budget of the National Institute of Magistracy (NIM), the assessment of the total amount for training of judges was based on the assumption that all activities of continuous training organized by NIM have close values as far as judges and prosecutors are concerned. As to the budget of the National School for Clerks, it does not include costs of decentralized courses held at the premises of the Courts of Appeal, nor costs of E-learning

(2012): The decrease of the total approved budget allocated to courts and the budget intended to the category “other” in 2012 stemmed from legislative amendments referring to the wage rights established by court decision and paid to court staff in the period 2010-2012. The approved budget for 2010 contained a bigger part (approximately 32 million euros) of the amounts provided in the writs of execution than the approved budget for 2012 (approximately 18.8 million euros). Besides, according to the Law 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 283/2011.

There was an increase in the budget allocated to salaries in 2012 compared to 2010. Basically, after a reduction in June 2010, there was an increase in January 2011 as well as in June and December 2012.

Additionally, 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 September 2012, funds were 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 were also allocated funds to courts for purchasing furniture for the new personnel (about 113.379 euros), IT equipment (407937 euros) as well as for redevelopment works necessary for creating council chambers and offices within courts of appeal and law courts facing disturbances in their 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 (285.034 euros).

(2010): Several clarifications have been provided in the frame of the 2010 exercise.

As to the budget allocated to “gross salaries”, it has been stressed that in 2008, wage rights established by court decisions were paid (50% neuropsychological and risk overstress supplement and 15% confidentiality supplement). Such amounts had been neither provided nor paid with respect to 2009 budget and in 2010 they represented approximately 39% of the rights paid in 2008. Starting with 2010, based on the Unitary Salary Law of 2009, the salary rights for magistrates and other judiciary staff include, as a monetary value, the supplements obtained through the case law (50% neuropsychological and risk overstress supplement and 15% confidentiality supplement). Some supplements were included in the base salary and others were considered as a supplement in addition to the base salary.

The decrease of the budget allocated to “computerization” was due to the international and national economic situation, combined with the existence of alternative sources for financing IT (EU, Structural funding – MAI PO DCA, MCSI OIPSI). □

The increase of the budget intended to “court buildings” was explained by the investments made in terms of security and stability (total repair works and consolidations), modernization, improvement of the present court buildings. Likewise, the budget allocated to “new court buildings” increased in 2010 as a result of investments made (rooms, flow separations, specific endowment) in respect of Courts of Appeal in accordance with the amendments brought by the New codes (increase of the staff number; modification of competences).

Due to the macroeconomic context, in 2010, the government limited the expenditure for each main credit chief accountant, especially the budget intended to “goods and services” encompassing the budget of “training”. □

As to the category “other” the observed variation was due to the salary increase in 2009, as explained above, to the increase of the number of beneficiaries of other personnel rights, as well as to the evolution of the prices for accommodation, fuel, etc.

Slovakia

(2016): The budget allocated to salaries was increased by providing the funds for increasing salaries, functional surcharges and lump sum compensation for judges and increasing the salaries of employees of the state budget chapters based on the application of Art. 5 of Act no. 411/2015 Z. z. on the state budget for 2016. The increase of budget allocated to IT - the budget was increased by European funds and co-financing. The approved budget anticipated the EU funding. The decrease of the budget allocated to court buildings compared with the year 2015 was caused by the lower investments to reconstruction of court premises.

The budget allocated to training represents solely the budget of the Judicial Academy which is the only training institution for judges, prosecutors and the court staff. In the category "Other" we include the expenditures on social insurance and the health insurance, the supplements to sickness benefit for judges, the supplement to maternity pay for judges, the severance payment. In this sum there is included the expenditures paid by the state upon the findings of the Constitutional court as a financial satisfaction for the violation of the right to hear the case within a reasonable time.

(2015): The difference between the approved and the implemented budget has been covered by the budgetary measures of the Ministry of finance from the interdepartmental programs 'Financing of the judicial system', 'Formation and the implementation of politics'.

The legal aid expenses paid in the criminal procedure cannot be separated from the budget of courts.

(2014): Several reasons explain the increase of the implemented budget allocated to the courts functioning in 2014, namely: financing of the projects of Operational Program “Informatisation of society” – covering three components: electronic collection of laws (SLOV-LEX); development of electronic services related to the judiciary; electronic system of monitoring of persons; payment of the salaries of judges for 2011 on the basis of a judgment of the Constitutional Court of the Slovak Republic; increase of the salaries of non-judge court staff; procurement of software and project works; reconstructions of court buildings.

(2013): For 2012, 2013 and 2014, expenses in connection with ex officio appointed counsels in criminal matters were incorporated within the category “justice expenses”. On the contrary, for the 2010 exercise, these expenses were included in the category “other”.

For the 2012 and 2013 evaluation cycles, all investments related to court building were included in the sum indicated as annual public budget allocated to court buildings (therefor, investments in new court buildings were encompassed within line 4).

(2012): In 2012, there were investments in respect of several court buildings.

For the 2012 and 2013 evaluation cycles, all investments related to court building were included in the sum indicated as annual public budget allocated to court buildings (therefor, investments in new court buildings were encompassed within line 4).

For 2012, 2013 and 2014, expenses in connection with ex officio appointed counsels in criminal matters were incorporated within the category “justice expenses”. On the contrary, for the 2010 exercise, these expenses were included in the category “other”.

(2010): In 2010, the budget allocated to “computerization” meaningfully decreased compared to 2008, but significant investments in this field were expected for 2011 and 2012.

Slovenia

(2016): The figures above represent the budget, approved by the Parliament, while financing from EU sources is not included (in 2016, no EU funds were spent).

According to the Courts Act the funds for the salaries of judges and court staff and for the operational costs of courts, as well as funds for the computerisation of courts are provided at the budget user the Supreme Court of the Republic of Slovenia, while funds for providing the equipment of the courts and the spatial conditions of courts and provided at the ministry, responsible for justice. For additional comments on categories, see below.

4. and 5. - Court buildings:

The figures include funds that were approved/implemented at the Supreme Court and expenses of the Ministry of Justice.

6. Training:

The figures include only the funds for education of judges and court staff that are provided in the budget of courts (expenses for professional education of employees, expenses for business travels, expenses of conferences, seminars and symposiums, expenses for training for the use of information technologies in courts, the Central Judicial Library of the Supreme Court). We did not include the funds of the Judicial Training Centre (JTC), which is part of the Ministry of Justice, because it provides the education for all functionaries and public officials in judiciary, not only to judges and public prosecutors. The approved budget of the JTC was 220.000 EUR and implemented budget was 412.020 EUR and is included at Q15.1.

Differences to 2015 within categories Computerisation and Training:

In past years, the annual amount was cut down due to austerity measures and several activities were somehow impeded due to the limited budget. In the recent year, the spending returned close to the level before austerity measures.

(2015): The figures above represent the budget, approved by the Parliament, while financing from EU sources is not included.

According to the Courts Act the funds for the salaries of judges and court staff and for the operational costs of courts, as well as funds for the computerisation of courts are provided at the budget user the Supreme Court of the Republic of Slovenia, while funds for providing the equipment of the courts and the spatial conditions of courts and provided at the ministry, responsible for justice. For additional comments on categories, see below.

3. Computerisation:

The major part of the informatisation projects (computerisation) are financed from EU sources (project "E-pravosodje"), as well as the alternative dispute resolution (ADR) programmes. Apart from the figures above, courts spent an additional 1.312.301 EUR of EU funds for informatisation (should be considered at category 2. Computerisation) and 374.510 EUR for ADR (should be considered at category 3. Justice expenses) – these funds are not included at Q6 (functioning of all courts), and are reported as a part of the budget of Ministry of Justice (see answer and comment to Q15.2).

4. Court buildings:

The figures include funds that were approved/implemented at the Supreme Court and expenses of the Ministry of Justice as stated below:

general (approved budget 132.800 EUR / implemented budget 132.798 EUR),
building rental costs (4.780.000 EUR / 4.772.487,59 EUR);
equipment incl. technical security equipment (16.500 EUR / 16.439 EUR) and
energy renovation of buildings (20.900 EUR / 20.876 EUR).

6. Training:

The figures include only the funds for education of judges and court staff that are provided in the budget of courts (expenses for professional education of employees, expenses for business travels, expenses of conferences, seminars and symposiums, expenses for training for the use of information technologies in courts, the Central Judicial Library of the Supreme Court). We did not include the funds of the Judicial Training Centre (JTC), which is part of the Ministry of Justice, because it provides the education for all functionaries and public officials in judiciary, not only to judges and public prosecutors. The approved budget of the JTC was 160.000 EUR and implemented budget was 164.698,74 EUR and is included at Q15.1.

The Centre for informatics at the Supreme Courts estimates the annual amount for a regular functioning and maintenance of equipment (5 year equipment renewing cycle) at 2.400.000 EUR. However, with austerity measures in place, the amount was cut down to approximately 1.800.000 EUR per year. The 5 year cycle is strictly followed for server equipment. On the other hand the investments in infrastructure at the side of the users (workstations) were somehow impeded due to the limited budget. The increase in spending for 2015 is due to a planned major investment in server equipment (data storage). In future years, the spending will probably return close to the level before the austerity measures.

~~The answer at Q6 does not include public prosecution services and/or court aid~~

(2014): In 2014 the data in Q6 for 2010 to 2013 was corrected and approved budget was reported instead of implemented. All comments were adjusted accordingly.

The variation of the budget for computerisation occurs because the reported figures represent the budget, approved by the Parliament, while financing from EU sources is not included.

Regarding computerisation: It is important to note that the majority of the informatisation projects are financed from EU sources. The Centre for informatics at the Supreme Court (refer to comment at Q62) spends 3.500.000 to 4.000.000 EUR per year for informatisation projects. The clarifications below apply only to the reported number (budget as approved by Parliament and corresponding implementation).

Approved (adopted) budget (computerisation):

The approved (adopted) budget we reported for 2014 was lower than 2013 mostly on the account of the following categories: maintenance, purchasing of equipment, office inventory and services and lastly, purchasing of non-material assets.

Implemented budget (computerisation):

Most notably, fewer means were spent on the account of the maintenance.

(2013): 2013: The decrease of the budget allocated to computerisation from 3.454.684 EUR in 2012 to 1.863.576 EUR in 2013 can be attributed to short-cuts of investments in public sector'.

The considerable decrease in the figures allocated to "new court buildings" is a result of the economic crisis and postponement of the construction of the new court palace in Ljubljana. Consequently the budget for investments in new court buildings in 2013 was considerably lower and includes only the funds for acquiring new premises for the District court in Celje and the District prosecution office in Celje and for documentation in the new court palace in Ljubljana.

The considerable increase of the budget in the category 'court buildings' between 2012 and 2013 is due to the fact that, unlike to the 2012 exercise, in 2013, it was possible to report the exact amount of the budget allocated specifically to courts for equipment and provision of spatial conditions (maintenance investments, audits on energy efficiency ...). Additionally, in 2013 the value for the so called "small" investments (investments which cannot exceed a certain value) was also included. The both amounts have been included to in the 4th category of Q 6'."

(2012): In 2012: It is 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.

(2010): In 2010, the considerable difference in the figures allocated to new court buildings (60.000 EUR in 2008 and 1.077.240 EUR in 2010) because of a new court palace in Ljubljana that would accommodate first instance courts that are now scattered between different locations. The funds in 2008 (60.000 EUR) were spent for research of the terrain (geo-mechanical and archaeological research) that would be used for the project documentation. In 2009 1.831.200 EUR were spent for project documentation, while in 2010 the figure devoted to project documentation was 1.077.240 EUR. None of the funds were devoted to the actual construction of the new court building, as the construction itself has not started yet. Given the economic situation the question remains, if and when the actual construction might start. The funds devoted for documentation were allocated as required by the contracts that were signed in 2008.

The difference in the budget allocated to training and education (1.835.8080 in 2008 and 1.229.741 EUR in 2010) 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

(2015): The breakdown of the budgetas presented by the CEPEJ is very complex. In 2015 an effort has been made to improve the accuracy of the answer, and from this can derivate the differences and decreases between 2014 and 2015.

'Other' includes: Functioning of peace judges, payments for wrongful functioning of the justice system, judicial archives, functioning of the forensics, expenses in meetings, conferences, telephonic costs, costs of the post services, protocol costs and working material

(2012): In the frame of the 2012 exercise, the budget of legal aid and this of public prosecution services have been separated from the budget allocated to the functioning of courts.

The provided data concern the approved budget.

(2010): The figure for 2010 includes courts and prosecution service.

Sweden

(2016): 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. Annual implemented budget allocated to training now excludes expenses for food and lodging, these expenses are now included in "Other".

(2014): In the frame of the 2014 exercise, it has been pointed out that courts de facto did not invest as much in “computerization” as the previous year, hence the decrease. □

As for the category “other” (which contains a large number of different posts, only the main posts being specified in the comment under question 7), the explanation of the noticed decrease lies partly in the decreasing costs for consulting services.

(2013): In the frame of the 2010, 2012 and 2013 exercises, the indicated figures do not reflect the approved budget but the implemented expenses.

(2012): In the frame of the 2010, 2012 and 2013 exercises, the indicated figures do not reflect the approved budget but the implemented expenses.

(2010): With regard to the increase of 17,20% observed between 2008 and 2010 in respect of the category “computerization”, it is noteworthy that calculated in Swedish crowns, it would actually be a decrease of 3,24%. On the same note, in 2008, the exchange course for 1 Euro was 10,8405 Swedish crowns while in 2010 it was 8,95 Swedish crowns. This variation may explain the increase of the annual approved budget allocated to court buildings by 33,71 % between 2008 and 2010. The calculation of this budget in Swedish crowns reveals an increase of only 10,45 %.

In the frame of the 2010, 2012 and 2013 exercises, the indicated figures do not reflect the approved budget but the implemented expenses.

Question 7

Austria

(2014): Category “other”, it covers in 2014 – postal services (€ 35,57 Mio approved/€ 34,64 Mio implemented), Trustee-Attorney (€ 32,28 Mio approved/€ 33,98 Mio implemented), victims assistance (€ 5,59 Mio approved/€ 7,30 Mio implemented).

(2013): Category “other”, it covers in 2013 – postal services (€ 42,25 Mio), Trustee-Attorney (€ 32,28 Mio), victims assistance (€ 5,59 Mio);

(2012): Category “other”, it covers in 2012 – 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;

(2010): Category “other”, it covers in 2010 – postal services (€ 35,6 Mio), traineeship (€ 15,06 Mio), office equipment, lump-sum payment for legal representation (€ 18,4 Mio), travel expenses, other small expenses;

Belgium

(2016): The indicated figures encompass both budget allocated to courts and budget allocated to public prosecution services. To date, it is not possible to distinguish one from the other. The difference between 2016 data and 2015 data (namely, as concerns the item “justice expenses”) is due to an ad hoc correction of the arrears that were paid in 2015.

(2014): 2014: The annual public budget allocated to the functioning of all courts includes the budget allocated to the public prosecution services.

2012, 2013, 2014: the category 'other' includes attendance fees, mediation, legal aid, the financial information processing unit and the National technical support unit (which handles the payment of telephone tapping set up by the police).

(2013): 2010, 2012, 2013: The annual public budget allocated to the functioning of all courts includes the budgets allocated to the public prosecution services and to legal aid.

2012, 2013, 2014: the category 'other' includes attendance fees, mediation, legal aid, the financial information processing unit and the National technical support unit (which handles the payment of telephone tapping set up by the police).

(2012): 2010, 2012, 2013: The annual public budget allocated to the functioning of all courts includes the budgets allocated to the public prosecution services and to legal aid.

2012, 2013, 2014: the category 'other' includes attendance fees, mediation, legal aid, the financial information processing unit and the National technical support unit (which handles the payment of telephone tapping set up by the police).

(2010): 2010, 2012, 2013: The annual public budget allocated to the functioning of all courts includes the budgets allocated to the public prosecution services and to legal aid.

Croatia

(2014): For 2013 and 2014, the category "other" encompasses the execution of final court judgments reimbursement of expenses incurred by allocation of a case to another court of competent jurisdiction, violation of the right to a fair trial within reasonable time, costs of transport to work and from work as well as other employees expenses (severance payments, grants), promotional, medical and other services, membership fees, representation, banking services and other unmentioned financial expenditure.

(2013): For 2013 and 2014, the category "other" encompasses the execution of final court judgments reimbursement of expenses incurred by allocation of a case to another court of competent jurisdiction, violation of the right to a fair trial within reasonable time, costs of transport to work and from work as well as other employees expenses (severance payments, grants), promotional, medical and other services, membership fees, representation, banking services and other unmentioned financial expenditure.

(2010): For 2010, the category "other" subsumes transportation to and from work (6386421 €); other expenditures for employees such as compensations based on collective agreement for civil servants (3615791 €), advertising services (122088 €), other services (508004 €), health services (152324 €); banking services, default interests and membership subscriptions (110692 €); insurance premiums (69353 €), entertainment allowance (73078€).

Finland

(2013): For the 2013 exercise, besides industrial health services, postage, office supplies, telephone and telecommunications services, the category "other" includes also the budget intended to training and education.

France

(2014): For 2014, the "other expenses" correspond to:

- an assessment of the cost of transfer of individuals under escort, the cost of guards in courtrooms, the cost of prosecuting officers supported by the Ministry of Interior;
- an assessment of the rental value of court buildings made available to justice by local authorities;
- an assessment of personal credits of judicial specialised jurisdictions in the social field: courts of incapability litigations (Tribunal du contentieux de l'incapacité). This estimate is an addition to the estimate of the previous years in the contribution of central administration functioning of the jurisdiction (in particular legislative directions).

(2013): For 2013, the "other expenses" correspond to:

- an assessment of the cost of transfer of individuals under escort, the cost of guards in courtrooms, and the cost of prosecuting officers supported by the Ministry of Interior (203 million euros);
- an evaluation of the rental value of court buildings made available to justice by local authorities (69 million euros);
- 77.8 million euros corresponding to the contribution of the central administration to the functioning of jurisdictions (in particular legislative directions).

(2012): For 2012, the "other expenses" correspond to:

- an assessment of the cost of transfer of individuals under escort, the cost of guards in courtrooms, and the cost of prosecuting officers supported by the Ministry of Interior (203 million euros)
- an assessment of the rental value of court buildings made available to justice by local authorities (69 million euros)
- 69.5 million euros corresponding to the contribution of the central administration to the functioning of the jurisdictions (in particular legislative directorates).

(2010): For 2010, the "other expenses" encompass: the cost of transfer of individuals under escort, the cost of guards in courtrooms, and the cost of prosecuting officers supported by the Ministry of the Interior; the rental value of court buildings made available to justice by local authorities; a part of the costs incurred by the central administration of the Ministry of Justice. More broadly, this category covers expenses pertaining to interventions (helping lawyers whose bar is abolished as part of the reform of the judicial map, grant to the National Council of the Bars, financing the public institution managing the automated land register, transfers to local authorities, grant to the Public institution of the courthouse in Paris).

Germany

(2016): Data without the Länder Mecklenburg-Vorpommern and Schleswig-Holstein.

(2014): In the frame of the 2014 exercise, it has been stressed that it was impossible to separate the budget of public prosecution services for a number of Federal Länder.

(2013): In 2013, 11 Länder provided detailed information in respect of the category "other". More specifically, Mecklenburg-Western Pomerania encompassed expenditures based on contracts of work and services or other types of contracts in the field of victim-offender mediation and compensation to accused persons in criminal matters; Brandenburg subsumed compensation to victims of unconstitutional prosecution, etc.

For a considerable number of the respondent Länder, it was impossible to separate the budget of legal aid and especially the budget of public prosecution services. Brandenburg indicated that the budget of legal aid and the budget of public prosecution were not encompassed in the total. In Schleswig-Holstein, the budget of legal aid was subsumed in the total, while the budget of public prosecution services could be separated.

(2012): In 2012, 13 Länder provided detailed information on the content of the category "other". More specifically, Berlin and Hamburg included some training costs. Berlin subsumed also compensation to civil servants on probation; Saxony indicated also compensation to honorary judges and staff; Mecklenburg-Western Pomerania encompassed expenditures based on contracts of work and services or other types of contracts in the field of victim-offender mediation and compensation to accused persons in criminal matters akin to Saxony, etc.

For a considerable number of the respondent Länder, it was impossible to separate the budget of legal aid and especially the budget of public prosecution services from the total. In Saarland, the budget of legal aid could be identified, while only estimates for the staffing and materials expenditure budget could be shown separately for the office of the public prosecutor general and the public prosecution office (not including statutory expenditure). In Hesse and Brandenburg the budget of legal aid and the budget of public prosecution services were not encompassed in the total. In Schleswig-Holstein, the budget of legal aid was subsumed in the total, while the budget of public prosecution services could be separated.

(2010): In 2010, 3 Länder did not communicate any information. 11 Länder provided detailed data on the content of the category "other". More specifically, Hamburg included in the category "other" training costs, while Saxony referred also to compensation to honorary judges and lay-judges as well as to remuneration for over time and additional work. Likewise, Saxony and Schleswig-Holstein subsumed enforcement agents' fees.

For a considerable number of the respondent Länder, the budget of legal aid and especially the budget of public prosecution services could not be separated from the total of the budget allocated to courts.

Hungary

(2014): For 2014, the category "other" included among other elements miscellaneous maintenance expenses, unexpected personal (salary) expenses etc. Besides, it subsumed a part of the budget allocated to "training".

(2013): For 2013, the category "other" included among other elements miscellaneous maintenance expenses, unexpected personal (salary) expenses etc.

Ireland

(2016): NAP

Latvia

(2014): In the frame of the 2014 exercise, it has been specified that the Supreme Court in previous years was indicating communication services within the position "other", but for the 1st and 2nd instance courts this position is indicated for all of the evaluations within the category "justice expenses".

Luxembourg

(2016): The bill containing the implemented budget of 2016 has not been approved yet.

(2013): 2013: The budget allocated to the training does not appear in the budget for the functioning of the courts but in the budget of the Ministry of Justice.

The category 'other' includes legal aid which can be distinguished from the court budget (which is not the case of the prosecution budget).

(2010): 2010: The budget for legal aid is of € 3,000,000. The latter is included in the 'other' category including the allowances of the employees (€ 4.97 million), workers (€ 1,000,000), guarding fees (€ 1.409 million), purchases of goods (€ 1.68 million), trainee lawyers (€ 1.6 million), etc.

Malta

(2016): The budget of the court administration is separate from that of the Public Prosecution Services and from that of Legal Aid.

(2014): In 2014, the sub-section "other" refers to expenditure related to payments under Programmes and Initiatives category including payments of criminal courts juries, accommodation and transport of jurors, remuneration of mediators at the Family Court and remuneration of children advocates; payment of architects with regard to urban property and agricultural leases and expenditure related to the Small Claims Tribunal.

Netherlands

(2014): For 2014, the approved budget for the category "other" includes investments in computerisation, court buildings, training, depreciation, interest, administration, service centre, etc. The implemented budget encompasses depreciation, interest, administration, service centre etc.

(2013): For 2013 the category "other" subsumed depreciation, interest, administration, service centre etc., including the Supreme Court. According to the provided details, the communicated figure was the sum of 36.901.000 euro related to the Council of Judiciary (depreciation, interest, administration, service center, etc.) and 28.114.000 euro related to the Supreme Court (including justice expenses).

(2012): For 2010 and 2012 the category "other" encompassed depreciation and interest. It should be noticed that justice expenses considered within this item were excluding expenses related to criminal cases.

(2010): For 2010 and 2012 the category "other" encompassed depreciation and interest. It should be noticed that justice expenses considered within this item were excluding expenses related to criminal cases.

Portugal

(2013): For 2013, it was possible to identify the content of the category “other” including office materials (4 731 473€), communication expenses (26 648 839€), other expenses such as transport expenses, technical assistance, books and technical documents, specialized work etc. (23 084 281€).

Slovenia

(2013): In 2013, the funds for the acquisition on new premises for both the courts and public prosecution services are provided by the Ministry of Justice and were included in the 5th category of Q 6. No clear separation is possible.

Spain

(2014): The data provided concerns the budget of the Ministry of Justice and that of the Autonomous Communities. The category other encompasses: functioning of peace judges, payments for wrongful functioning of the justice system, judicial archives, functioning of the forensics, expenses in meetings, conferences, telephonic costs, costs of the post services, protocol costs and working material.

(2012): In the frame of the 2012 exercise, the budget of legal aid and this of public prosecution services have been separated from the budget allocated to the functioning of courts and are not included in the indicated total in the ambit of question 6. The category other encompasses: functioning of peace judges, payments for wrongful functioning of the justice system, judicial archives, functioning of the forensics, expenses in meetings, conferences, telephonic costs, costs of the post services, protocol costs and working material.

(2010): In 2010, the budget of legal aid as well as the budget of public prosecution services were included in the total annual public budget allocated to courts both at national level (Ministry of Justice’s budget) and at the level of the autonomous regions. Since 2010, the Public Prosecutor’s Office has a single budgetary line allocated to staff costs, current expenses and current transfers to families and non-profit organizations. Nevertheless, this line is a part of the national budget allocated to courts and public prosecution and does not constitute an autonomous budget for public prosecution services. In the frame of the 2010 exercise, the category other encompasses: current transfers to local administrations, families and non-profit organizations; capital transfers to autonomous regions; financial expenses, legal aid expenses, etc.

Sweden

(2016): Public Prosecution offices not included.

Question 009

Austria

(2016): 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 trial detention; • during the entire procedure on the confinement in an institution for mentally abnormal offenders; • during the trial on the confinement in an institution for addicted offenders i need of curing and on the confinement in an institution for dangerous subsequent offender; •during the trial in front of a jury or of a court of lay assessors; • during the trial 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 of 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 trial 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 base of the minimum living wage which must be provided given by sec 5 of

Belgium

(2016): The observed increase (about 30%) between 2014 and 2016 is due to the new methodology of calculation established by the legislation of June 2015 and providing for a calculation based on the level of the court receiving the application and the value of the latter (declared void by the Constitutional Court in 2017).

Denmark

(2015): The decrease between 2010 and 2015 in the annual income of court taxes or fees received by the State is due to the fact that from mid-2013 there were no longer taxes in connection with access to the land register.

(2014): In 2013, the revenue from advertisements and queries in the land registration system was reorganized. It is now free to make advertisements in the digital land registration system, while other revenues related to land registration are collected directly by the Treasury. Fees from land register amounted to approximately 32 percent of total revenue in 2012. Revenue from court fees makes up the rest corresponding to approximately 65,000,000 €. From 2012 to 2014 the revenues from court fees dropped to 57,000,000 € representing a decrease of approximately 11 percent.

Estonia

(2016): The biggest income of court taxes is due to big tax cases where it depends on the case and whether the case is won or not.

(2014): The variations over the years 2010, 2012 and 2014 are probably due to the fact that in 2012 only the income of court fees was submitted, excluding the registries. By comparison, for 2014, the annual income of court fees without the registries was 4 227 968.

(2012): The decrease in the income of court taxes can be explained by the fact that in 2012 State fees regarding court procedures have been reduced significantly (from 1-2% to almost 500%).

Germany

(2016): Comments on question 9:

Data without the Laender Mecklenburg-Vorpommern and Schleswig-Holstein.

Bremen:

No information

North Rhine-Westphalia

It is not possible to provide separate statistics on court fees alone. This is because income from court fees in criminal/regulatory proceedings is captured as part of a consolidated estimation and accounting system, which also includes income from criminal/regulatory fines as well as monetary payments by accused persons in return for the provisional non-preferment of public charges in the case of misdemeanours.

Lower Saxony

No information can be provided since court fees are accounted for as one item together with criminal and regulatory fines (11210).

Thuringia

These are legal fees, including repayments of legal aid (installment payments).

(2015):

Some of the Länder were unable to provide data in this regard. Accordingly, the information provided here is incomplete and is not comparable with the 2013 data.

Greece

(2016): There is no specific reason explaining the increase for the period 2015-2016.

(2012): The increase of 47% between 2012 and 2014 of the annual income of court taxes or fees received by the State is mostly due to an increase in revenues from judicial stamp fees. Even though the prices of the fees were increased in the beginning of the year 2011 (some of them doubled or tripled), the increase of the revenues was at its peak in 2013. In 2012 the revenues for these particular fees were estimated at 30.000.000 euros, whereas 41.000.000 euros were actually collected. In 2013, a total of about 81.000.000 euros was collected from these fees, and as a consequence the estimation for 2014 was 81.650.000 euros.

Hungary

(2015): The decrease between 2010-2015 in the approved budget allocated to legal aid is the result of a 2012 law amendment which led to the fact the fines are no longer part of the budget of the courts.

(2012): The reason for the decrease in the figures between 2010 and 2012 is the amendment of the law in 2012. Accordingly, the fines are no longer part of the budget of the courts.

Lithuania

(2016): The increase of annual income of court taxes or fees received by the state might be because of the increased number of litigious cases and the sums of disputes.

Romania

(2014): Figures provided for 2012 and 2014 refer to the amounts resulting from judicial stamp duties which constitute revenues to the State budget and also the local budget.

(2012): The figures provided for 2012 and 2014 refer to the amounts resulting from judicial stamp duties which constitute revenues to the State budget and also the local budget.

Slovakia

(2015): The annual income of the court fees is not available. As of the year 2015 all court fees are collected through the external partner 'Slovak post company' who transfer the fees directly to the state budget.

Spain

(2016): Royal Decree 1/2015 meant the exemption of fees to natural persons. And the judgment of the Constitutional Court 140/2016 suppressed the fees in appeals and in the filing of administrative cases. All of this has produced a reduction in tax collection

Sweden

(2015): The increase in annual income of court fees are due to a raise of the fees from July 1st 2014.

Question 012

Austria

(2016): A lump sum of € 19.500.000 represents the approved public budget for payment to the bar for "pro bono" representation of parties. The implemented public budget for payment to the bar for "pro bono" representation of parties is € 19.700.000. The difference between these two figures is mainly due to advance payments to the bar for "pro bono" representation in overlong cases.

These figures do, however, not include court fees for expertise or interpretation, which are also covered by legal aid, but not isolated within the budget. Therefore, no figures can be provided as regards the whole regime of legal aid.

Belgium

(2012): 2010: The 25% increase of the approved budget allocated to legal aid between 2008 and 2010 can be explained by an increase in costs and expenses.

Bulgaria

(2014): In the frame of the 2014 exercise, it has been specified that the implemented budget of legal aid exceeds the approved one because of a large number of criminal cases of serious crimes and a large number of civil cases with high material interest justifying higher legal fees.

(2012): In the frame of the 2012 exercise, it has been explained that the increase of the budget allocated to legal aid between 2010 and 2012 was due to the increase of the number of poor citizens.

Croatia

(2016): The annual approved public budget allocated in other than criminal cases to primary legal aid (for non-litigious cases or cases not brought to court) in 2016 was significantly reduced, which results in great differences in total amount approved in other than criminal cases to legal aid in 2014/2015 and 2016.

(2014): In the 2014 exercise, it has been specified that the amount of legal aid approved and also allocated to the cases brought before the court (primary legal aid) was 1.450.000,00 kuna, and legal aid for non-litigious cases or cases not brought to court (secondary legal aid) was 2.570.000,00 kuna. The figures provided in the table are calculated according to the currency for 31st December 2014 which was 1 €=7,6577 kuna.

(2013): In the 2013 exercise, it is explained that the budget for legal aid was increased as a response to the observed trend of increased number of requests for granting legal aid. Besides, it is specified that 253 750 euro represent the funds allocated to legal aid in the budget of Croatia intended for free legal aid under the Free Legal Aid Act (civil and administrative proceedings). There also exist funds paid as per submitted requests for granting legal aid - 236 000 euro which could be registered in the following categories: "other than criminal law cases" – 210000; "annual public budget allocated to legal aid for non-litigious cases or cases not brought to court" – 26000.

(2012): In 2012, due to the decreased budget planned for the Ministry of Justice, the amount allocated to legal aid is lower than in 2010. More precisely, the reduction of the budget for legal aid in administrative and civil proceedings was due to the economic situation.

Cyprus

(2013): 2013: The decrease in the Legal Aid budget is as a result of the austerity measures and in relation to the budget there were less applications for legal aid.

Czech Republic

(2016): The data on approved budget allocated to legal aid do not exist, the approved budget is not divided to this level.

(2014): Specifically, as concerns the 2014 exercise, it is indicated that data on approved budget allocated to legal aid do not exist because the approval budget is not divided to this level. Owing to the impossibility to identify the approved public budget for legal aid, the reply in respect of this question is NA.

Denmark

(2014): In the frame of the 2014 exercise, it has been indicated that the budget foreseen for legal aid in 2012 and 2013 proved to be far less than the actual costs these years. Accordingly, the 2014 budget was increased considerably. Thus, there is not a significant increase in expenditure rather that budget is adapted to the actual consumption. This applies to the cost of both criminal and other cases.

(2013): In the ambit of the 2013 exercise, it has been noticed that the 2012 budget was well below the actual result for this year and that accordingly, the 2013 budget has been increased.

Estonia

(2013): For 2013, according to the executed budget, the sums paid to lawyers represent 2 980 235 euros from the total (3 835 000). From these 2 980 235 euros, 2 226 315 euros were allocated to legal aid for criminal cases and 718 922 euros were allocated to legal aid for civil and administrative cases, the rest was allocated to legal aid for misdemeanor, enforcement procedure, administrative procedure and review procedure cases and legal consultation.

(2012): The variation observed between 2010 and 2012 should be explained in the light of the above-mentioned clarifications. For 2012, the sums paid to lawyers represent 2 857 850 euros from the total (3 835 000). In this respect, the difference with the amount provided for 2010 is not such important (2 307 334 euros). On the contrary, the IT costs included in the budget of legal aid for both of the exercises are especially high in 2012 due to the implementation of a new IT system. Basically, the increase of this specific part of the legal aid budget affects the total.

Finland

(2016): The legal aid expenses has been increasing. This is due to the 4 % increase made in the legal fees. Also the number of refugees getting legal aid has been risen.

(2014): Legal aid expenses have been increasing. In 2014 this was due to the 4 % increase made in the legal fees. In 2015 this is due to the increase in the number of refugees to whom legal aid was granted.

France

(2015): Thus the implemented budget for legal aid allocated to criminal cases increased significantly between 2014 and 2015 (by 141%).

The 90% decrease between 2014 and 2015 regarding the annual implemented public budget relating to legal aid for non-litigious cases or cases not brought to court results from the different presentation. The related legal aid costs, including those attributed to custody, have been included in the annual implemented public budget allocated to legal aid for cases brought to courts.

This also explains the decrease in other than criminal cases (by 53%). In the basis of calculation have been included the expenses relating to criminal field, the costs for custody (*garde à vue*), mediation and penal composition, assistance to prisoners, protocols art. 91 and the custodial agreements. The portion of other than criminal expenses is reduced by the same amount.

(2012): The methodology of presentation of data is different for 2010 and 2012. For 2012, legal aid for non-litigious proceedings amounts to 49,732,000 euros. Therefore, for all criminal cases (brought to court and out of court) 49,732,000 euros should be added to the 88,730,000 euros, bringing the figure to 138,462,000 euros. The increase stems from increased custody costs as a result of the 2011 reform.

(2010): The 2010 budget of legal aid takes into account budgetary credit derived from the recovery of credits (11.5 million euros) and fiscal expenses linked with the implementation of a 5.5% reduced VAT rate for services provided by lawyers as part of legal aid. Indeed, legal aid expenditure is reduced by the amount recovered by the Treasury services on the losing party when the latter is not granted legal aid. In addition, lawyers are paid by the Lawyers' Pecuniary Payment Fund whose evolution constitutes an adjustment variable (+ 10.8 million euros in 2010).

Germany

(2016): Data without the Länder Mecklenburg-Vorpommern and Schleswig-Holstein.

(2015): Re. Question 12:

The data refer to the year 2014. At present, no more recent data are available. Some of the Länder were unable to provide data regarding question 12. Accordingly, the information provided here is incomplete and is not comparable with the 2013 data. Inasmuch as the other Federal Länder have provided data, these were added to the aggregate amount. Since a number of Länder have provided the aggregate amount, but have otherwise indicated "NA" in all or some of the cases, it is not possible to form a sum total under 12.1 or 12.2. For this reason, "NA" was indicated.

(2014): In 2014, there was no information available from Hamburg, Saarland, and Thuringia.

In as much as the other Federal Landers have provided data, these were added to the aggregate amount. In contrast to the previous cycles, figures indicated by individual Landers only in respect of the total are encompassed in the total which explains the considerable variation between 2013 and 2014 (which is not real and disappears when comparing comparable data (in 2012 the sum of € 304,584,278 was not included in the total and in 2013 - € 316,707,568). Since a number of Landers have provided the aggregate amount, but have otherwise indicated "NA" in all or some of the cases, it is not possible to form a sum total under 12.1 or 12.2. For this reason, "NA" was indicated.

(2013): In the frame of the 2013 exercise, 10 Landers provided data accompanied by comments.

As in 2012, only figures concerning Landers which provided complete data for the total and the sub-categories were represented in the total (Berlin, Mecklenburg-Western Pomerania, North Rhine/Westphalia, Rhineland-Palatinate, Saxony-Anhalt, and Thuringia). As to individual Landers that communicated only totals (Baden-Württemberg, Bavaria, Brandenburg, Bremen, Hesse, Lower Saxony, Saxony, and Schleswig-Holstein), these amounts were not taken into account (a sum of € 316,707,568). Therefore, the information remained incomplete.

(2012): In the frame of the 2012 exercise, it has been specified that according to the Legal Advice and Assistance Act, the so-called legal advice and assistance is a social benefit provided by the State to persons seeking justice who cannot afford the assistance of or representation by a lawyer and who have no other reasonable possibility of obtaining assistance. Legal advice and assistance is granted for asserting one's rights outside of court proceedings as well as for obligatory conciliation proceedings pursuant to section 15a of the Act on the Introduction of the Code of Civil Procedure.

In 2012, Bremen, Saarland and Schleswig-Holstein did not provide any information. Only figures concerning Landers which provided complete data for the total and the sub-categories were represented in the total. As to individual Landers that communicated only totals, these amounts were not taken into account (a sum of € 304,584,278). Therefore, the information remained incomplete.

(2010): In 2010, the sum of 285 625 euros corresponded to the part of the federal budget allocated to legal aid (47 885 for criminal matters and 237 740 for other than criminal matters).

Two Landers did not provide information. Data were not available for a considerable number of Landers in respect of the total or the sub-categories. Accordingly, the information is not complete.

Greece

(2016): A reassessment of the annual budgetary needs in legal aid was made by the Courts Building Fund. The annual cost is not a stable amount and depends on the number of cases where the legal aid is used.

(2014): The increase of the budget allocated to legal aid between 2013 and 2014 resulted to some extent from time limitations. In 31 December 2014 there were unpaid expenses. Generally, legal aid is entirely paid from the budget of the Courts Building Fund, a legal entity of public law, which draws its budget according to its expected annual revenues and its expected annual needs.

(2012): The observed increase of the budget allocated to legal aid in 2012 was due to accumulated debts from previous years.

(2010): The increase of the budget for lawyers in 2010 derived from the increased need and relative requests of payment.

Hungary

(2013): The annual public budget allocated to legal aid decreased with 33% between 2012 and 2013 as a consequence of the strengthening of the legal aid service.

Italy

(2016): In Italy there isn't a specific budget allocated to legal aid. Legal aid is part of the general budget allocated to justice expenses.

(2013): On the occasion of the 2013 exercise, it has been stressed that the impact of the "annual public budget allocated to legal aid for cases not brought to court" on the total is extremely low. Therefore -essentially- the figures indicated in the frame of 12.1 may be considered as the total budget allocated to legal aid, even though -strictly speaking- it is not so.

Latvia

(2016): Through developing the state ensured legal aid system, the Cabinet of Ministers of the Republic of Latvia has revised amount of the payment due to the legal aid providers for the provision of legal aid, anticipating an annual increase starting with January 1, 2014, January 1, 2015 and July 1, 2016. Moreover additional funds were allocated from the state budget in 2014 to extend the provision of legal aid to the victims (Amendments to the Criminal Procedure Law on May 29, 2014).

(2014): Through developing the State ensured legal aid system, the Latvian Cabinet of Ministers has revised compensation for the provision of legal aid, anticipating an annual increase starting with January 1, 2014 and January 1, 2015. From 1 May, 2015 it has reached the maximum limit.

Lithuania

(2014): In the ambit of the 2014 evaluation, it has been explained that within the approved public budget for legal aid (5900767,4 EUR), 560753,59 EUR concern primary legal aid and 5340013,9 EUR concern secondary legal aid. The implemented public budget in 2014 is 5 43013,22 EUR for primary legal aid and 5340013,9 EUR for secondary legal aid.

It should be noticed that 17740,39 EUR of funds allocated to primary legal aid remained unused and were returned to the State budget.

The approved and the implemented public budget for secondary legal aid comprise remuneration for lawyers and, in contrast with 2012 and akin to 2013, other secondary legal aid costs. In 2014, 1985027 EUR were paid to lawyers providing legal aid in criminal cases and 1583728,53 EUR were paid to lawyers providing legal aid in civil and administrative cases.

(2013): In the frame of the 2013 exercise, it has been indicated that the annual approved public budget for primary legal aid was 519 868 EUR and this for secondary legal aid was 4 041 358 EUR. Besides, the approved public budget for secondary legal aid comprises remuneration for lawyers and, in contrast with 2012, other secondary legal aid costs.

(2012): In the ambit of the 2012 evaluation cycle, it has been indicated that the total encompasses the budget of both primary (513 681,15 €) and secondary legal aid (4 030 144,9 €). The budget of secondary legal aid includes the remuneration for lawyers and excludes other State-guaranteed legal aid expenses (e.g. costs related to collection of evidence, interpretation etc.). Moreover, according to the types of cases, information about the amounts paid for lawyers who provide secondary legal aid has been provided: in civil and administrative cases – 1 350 333,83 €, in criminal cases – 1 955 879,07 €.

(2010): In the frame of the 2010 exercise, it has been explained that the decrease in the budget allocated to legal aid is due to the general budgetary cuts.

Luxembourg

(2016): There is no isolated budget for non-litigious cases or criminal cases.

(2012): It is not possible to differentiate the amount of legal aid allocated to criminal and non-criminal cases, whether they are contentious or not.

Malta

(2016): The Legal Aid budget does not differentiate between the services offered for criminal cases or the services offered for non-criminal cases. However Legal Aid in Malta is offered mainly for litigation purposes, and not for consultation, and hence the NAP response to question 12.2. 2016 was the first year in which the legal Aid Agency had a budget of its' own. The actual financial requirements needed to run the Agency.

(2012): In contrast with the 2010 exercise for which the provided figures were more generic, data communicated for 2012 are more accurate.

(2010): In 2010, funds were allocated in a different manner compared to the previous exercise. Basically, in 2008, a part of the legal aid funding was catered for by a different Ministry and such data was not then available.

Netherlands

(2014): On the occasion of the 2014 evaluation, it has been explained that the ongoing decrease over the period 2012-2014 concerning the annual approved public budget allocated to legal aid for other than criminal cases brought to court might be due to shortening in budget. The State Secretary for Security and Justice developed a policy intended to result in structural savings of 85 million euros annually. On February 1st 2015, the following measures took effect: temporary elimination of annual indexation with respect to the lawyers' fees and the client contribution; reassessment of a fixed number of paid working hours for specific parts of the criminal process and limitation of the legal aid commissioned by the court if the custody is suspended immediately after it is ordered; reduction of the hourly legal aid rate; reduction of lawyer's fee in time consuming cases. Other proposed cutbacks have been suspended because the Senate filed a number of motions in the beginning of 2015. A special commission is established that will issue an opinion after extensive research.

(2013): In 2013, the indicated amount does not include expenditures related to detention of illegal aliens, forced hospitalization by psychiatric problems, divorce and legal guardianship of children.

Portugal

(2014): The decrease in the approved budget allocated to legal aid between 2012 and 2014 can be explained by the current economic and financial situation that led to budget limitations. However, it should be stressed that in the past years, the approved budget allocated to legal aid has been revised and increased on the course of the year. In fact, legal aid expenses have not decreased, quite the opposite, if one checks the implemented budget.

For 2014, the implemented public budget regarding legal aid differs from the annual approved budget allocated to legal aid because the latter was in deficit regarding the needs of the year. Therefore it was necessary to strengthen an endowment by the Ministry of Finance.

(2013): The decrease of the budget of legal aid in 2013 has been justified by the financial constraints faced by the Portuguese government in the past years.

(2010): In the frame of the 2010 exercise, two main reasons have been pointed out in respect of the increase of the budget of legal aid between 2008 and 2010. Firstly, the amendments to the existing legislation granted a greater effectiveness to the fundamental right of access to the law and to the courts which resulted in a very marked increase in the granting of legal protection. Secondly, the elimination of the discretionary nature of setting fees, the table being set in the maximum amounts, and the fact that the service was no longer provided by trainee lawyers, who had a reduction in their salary, also contributed to the increased amounts budgeted.

Romania

(2016): Despite the reply NA in respect of the category 12.2, the indicated totals are correct. In fact, the budget of this item is included in the budget concerning "other than criminal law cases". There is no separate budget classification for the moment with regard to litigious and non-litigious matters. Expenditure on legal aid covers costs incurred for beneficiaries' justice. Thus, they do not have the character of regularity and depend on different factors (number of cases, such legal assistance: in civil, criminal, international judicial cooperation in civil and criminal matters, the service provided, the number of persons the court accepts the application for legal aid and the amount granted, etc.).

Slovenia

(2014): 2014: The further decrement in the budget for legal aid in 2014 can be attributed to the amendment of insolvency legislation in 2013, which abolished the right for legal persons to apply for legal aid for financing the advances of the costs of the bankruptcy proceedings (legal persons are now exempt from paying the advance in bankruptcy proceedings in all cases, without having to apply for legal aid)."

Spain

(2014): The significant increase in the budget intended to legal aid between 2012 and 2014 stems from the fact that, by contrast to data provided for 2014, for the 2012 exercise, the budget allocated by the autonomous communities for legal aid was not included in the indicated figures. The total budget for legal aid in 2012 was 253.034.641 euros. It includes the budget allocated by the autonomous communities for legal aid.

Sweden

(2016): The numbers for 2016 include legal aid in cases involving aliens and aliens cases.

(2012): As concerns the observed differences between the figures provided respectively for the 2010 and 2012 exercises, more funds have been allocated in 2012 on the one hand, and the exchange rate has varied between the two years, on the other hand. Actually, the increase which could be noticed appears more significant in Euro than in Swedish kronor.

(2010): The increase of the annual approved public budget allocated to legal aid between 2008 and 2010 was a result of the increase of the number of incoming and pending criminal cases in which a public defender was appointed and the complexity of these cases.

Question 12-1

Austria

(General Comment): The indicated 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. Accordingly, no figures can be provided as regards the whole regime of legal aid.

(2016): A lump sum of € 19.500.000 represents the approved public budget for payment to the bar for "pro bono" representation of parties. The implemented public budget for payment to the bar for "pro bono" representation of parties is € 19.700.000. The difference between these two figures is mainly due to advance payments to the bar for "pro bono" representation in overlong cases.

These figures do, however, not include court fees for expertise or interpretation, which are also covered by legal aid, but not isolated within the budget. Therefore, no figures can be provided as regards the whole regime of legal aid.

(2015): A lump sum of € 19.000.000 represents the approved public budget for payment to the bar for "pro bono" representation of parties. The implemented public budget for payment to the bar for "pro bono" representation of parties is € 20.800.000. The difference between these two figures is mainly due to advance payments to the bar for "pro bono" representation in overlong cases.

These figures do, however, not include court fees for expertise or interpretation, which are also covered by legal aid, but not isolated within the budget. Therefore, no figures can be provided as regards the whole regime of legal aid.

(2014): In the frame of the 2014 exercise, a lump sum of € 19 Mio represents the approved public budget for payment to the bar for "pro bono" representation of parties. The implemented public budget in this respect is € 21 070 101. The difference between these two figures is mainly due to advance payments to the bar for "pro bono" representation in overlong cases.

Croatia

(2016): In the Ministry of Justice of the RoC there is a Department for legal aid in other than criminal cases and it keeps records on the total annual and implemented budget for legal aid in other than criminal cases in detail. The costs for the legal aid in other than criminal cases are paid after the end of the dispute before the first instance court.

The amount in 2016 for "other than criminal cases brought to court" is higher because more bills had to be paid in 2016. Namely, court proceedings last for several years, and probably in 2016 more bills for paying the costs of court experts and interpreters had been received since the Free Legal Aid Act (OG 143/13), which grants the exemption from paying the costs of court experts and interpreters, came into force on 1 January 2014.

Different methodologies were used in 2014 and 2016 for non-litigious cases or cases not brought to court. According to the methodology used in 2016, the total amount for non-litigious cases or cases not brought to court in 2014 would be 346779, while the amount for criminal cases would be 255 830.

(2015): The Ministry of Justice of the RoC keeps statistical records on the total annual approved and implemented budget for legal aid (separate for the other than criminal cases and separate for courts and public prosecution services). Since in the Ministry of Justice there is a Department for legal aid in other than criminal cases, it is possible to keep a track record on these cases in detail. However, it is not possible to present in detail all the other data for approved and implemented budget (total - cases brought to court and cases not brought to court; criminal cases - cases brought to court and cases not brought to court).

Cyprus

(2016): In 2016 there was an increase in the number of legal aid cases.

Czech Republic

(General Comment): The provided data covers only financial means from the State budget and only cases brought to court. Besides, legal aid is also provided by the Czech Bar Association on its own expenses (or on the expenses of the individual lawyers) and it could cover also cases not brought to court.

(2016): The data on implemented budget are obtained from individual courts from their economic system. The provided data covers only financial means from the State budget and only cases brought to court. Besides, legal aid is also provided by the Czech Bar Association on its own expenses (or on the expenses of the individual lawyers) and it could cover also cases not brought to court.

(2015): The data on approved budget allocated to legal aid do not exist, the approval budget is not divided to this level. The data on implemented budget are obtained from individual courts from their economic system. The provided data covers only financial means from the State budget and only cases brought to court. Besides, legal aid is also provided by the Czech Bar Association on its own expenses (or on the expenses of the individual lawyers) and it could cover also cases not brought to court.

(2012): In the frame of the 2014 exercise, it has been indicated that data on implemented budget are obtained from individual courts from their respective economic systems.

Finland

(2016): A part of the expenses of the legal aid comes from cases which are not heard in the courts. The total amount includes the expenses of the public legal aid offices (net EUR 23 million) and the expenses paid to the private lawyers. Private lawyers were paid EUR 66.4 million as fees and compensations in legal aid matters, which is 24 per cent more than in the previous year. Expenses have grown as the number of clients has grown. In 74 per cent of the 15,600 legal aid decisions made concerning asylum seekers applying for international protection, the applicant was assisted by a private lawyer.

(2015): Q12: A part of the expenses of the legal aid comes from cases which are not heard in the courts. The total amount includes the expenses of the legal aid offices (24,2 milj. €) and the expenses paid to the Private lawyers (53,5 milj. €).

France

(2016): The discrepancy between the approved and the implemented annual public budget allocated to legal aid is due to the annulment of credits because of an overvaluation of the allocated budget.

Germany

(2016): Data without the Laender Mecklenburg-Vorpommern and Schleswig-Holstein.

(2015): The data refer to the year 2014. At present, no more recent data are available. Some of the Länder were unable to provide data regarding question 12.1. Accordingly, the information provided here is incomplete and is not comparable with the 2013 data. Inasmuch as the other Federal Länder have provided data, these were added to the aggregate amount. Since a number of Länder have provided the aggregate amount, but have otherwise indicated “NA” in all or some of the cases, it is not possible to form a sum total under 12.1 or 12.2. For this reason, “NA” was indicated.

Hungary

(2015): Annual implemented public budget of 2015 not yet approved.

Ireland

(2015): In the answer to Question 12 - the category 'other than criminal cases' is the amount as per the Grant in Aid which the Legal Aid Board received for the Government

In the answer to Question 12.1 - under the category 'Total annual public budget implemented regarding legal aid - other criminal cases' this amount includes the Grant in Aid, Client Contributions, Costs Recovered and Other Incomes

'The annual approved public budget allocated to legal aid in other than criminal cases is the state funding received by the Legal Aid Board in 2015. The annual public budget implemented regarding legal aid is the total expenditure of the Legal Aid Board. Please note that:

(1) the Legal Aid Board receives funding from sources other than state funding, in the form of contributions paid by legally aided persons and costs recovered from legally aided persons. This funding is paid into the same Legal Aid Fund as the state funding and therefore it is not possible to distinguish expenditure funded from this source as distinct as from state funding.

(2) The Legal Aid Board does not separately account for the money it spends on the provision of legal advice to the money it spends on the provision of legal representation. Nor does it separately account for the costs of the mediation service from that of the law centre service, and even if it did, that would not represent the full total of the Board's spending on non-litigious cases for the above reason.'

Italy

(2016): The increase experienced during the period 2014-2016 is very likely due to the higher number of cases for which legal aid was granted.

Latvia

(2016): The Cabinet of Ministers Regulations No. 1493 “Regulations on the Extent of the state Ensured Legal Aid, the Amount of the Payment Due to the Legal Aid Providers, Reimbursable Expenses and Payment Procedure Thereof” of December 22, 2009 provides for the types and extent of legal aid, the amount of payment to be paid to the legal aid providers and the reimbursable expenses arising from the provision of legal aid, as well as the amount and payment procedure thereof. Through developing the state ensured legal aid system, the Latvian Cabinet of Ministers has revised amount of payment to be paid to the legal aid providers from 1 July, 2016.

(2015): The Cabinet of Ministers Regulations No. 1493 “Regulations on the Extent of the state Ensured Legal Aid, the Amount of the Payment Due to the Legal Aid Providers, Reimbursable Expenses and Payment Procedure Thereof” of December 22, 2009 provides for the types and extent of legal aid, the amount of payment to be paid to the legal aid providers and the reimbursable expenses arising from the provision of legal aid, as well as the amount and payment procedure thereof. Through developing the state ensured legal aid system, the Latvian Cabinet of Ministers has revised amount of payment to be paid to the legal aid providers from 1 May, 2015 and 1 July, 2016.

Lithuania

(2016): Approved public budget for legal aid was € 5500227 (€ 563000 for primary legal aid and € 4937227 for secondary legal aid). Implemented public budget in 2016 was € 5494755 as €5472 of funds allocated to primary legal aid were unused and given back to the state budget.

(2015): Approved public budget for legal aid was 5 925 285 € (562 356 € for primary legal aid and 5 362 929 € for secondary legal aid). Implemented public budget in 2015 was 5 917 807,4 € (554 878,4 € for primary legal aid and 5 362 929 € for secondary legal aid). 7 477,6 € of funds allocated to primary legal aid were unused and returned to the state budget.

Luxembourg

(2016): The bill containing the implemented budget of 2016 has not been approved yet.

Malta

(2016): The difference between the approved budget and the implemented budget for the Legal Aid Agency results from additional funds requested in 2016 in order to cover the increase in the honoraria of the lawyers and legal procurators offering their services to the Agency (also see answer to Q208)

It is possible that there will be an additional increase in the budget in the forthcoming evaluations.

It is not possible to differentiate between the budget allocated to criminal and 'other than criminal cases' and that is why it is marked as NAP (There are no means to distinguish between the two).

(2015): Up to 2015, the funds allocated to Legal Aid were not itemised separately from the budget of the Office of the Attorney General. Therefore whilst there was no approved a priori Legal Aid budget, any related costs were borne out of the budget of the Office of the Attorney General. The cost of Legal Aid throughout 2015 is the amount outlined in Question 12.1, and it does not discriminate on whether the funds were used for other-than-criminal or criminal cases.

Poland

(2016): In 2016 the costs of implementing changes in the Code of Criminal Procedure in the field of free legal aid granted ex officio were lower than expected . The amount of funds disbursed by the courts for defense is directly attributable to the number of incoming cases and the number of beneficiaries of unpaid legal aid granted ex officio, therefore implementation of the plan in this group of expenses during the financial year is independent of the activities of the financial services of individual courts.

Portugal

(2015): The public budget implemented regarding legal aid is different from the annual approved budget allocated to legal aid because the annual approved budget was in deficit regarding the needs of the year, therefore it was necessary to strengthen an endowment by the Ministry of Finance

Romania

(2016): Despite the reply NA in respect of the category 12.2, the indicated totals are correct. In fact, the budget of this item is included in the budget concerning "other than criminal law cases". There is no separate budget classification for the moment with regard to litigious and non-litigious matters. Expenditure on legal aid covers costs incurred for beneficiaries' justice. Thus, they do not have the character of regularity and depend on different factors (number of cases, such legal assistance: in civil, criminal, international judicial cooperation in civil and criminal matters, the service provided, the number of persons the court accepts the application for legal aid and the amount granted, etc.).

Slovenia

(2015): According to art. 26 of the Free Legal Aid Act, legal aid may (in addition to expenses, related to cases, brought to court) also be granted for:

- legal advice;
- the formulation, verification and certification of documents on legal relations, facts and statements;
- legal advice and representation in cases of out-of-court settlement;
- legal advice and representation involving constitutional action;
- legal advice and representation before international courts;
- legal advice and representation involving the filing of a petition for the assessment of constitutionality and
- in form of exemption from payment of the costs of the extrajudicial proceedings.

No distinction is possible for the budget allocated to legal aid for:

- cases brought to court and cases not brought to court or
- civil or criminal matters.

Sweden

(2016): The numbers for 2016 include legal aid in cases involving aliens and aliens cases.

Question 013

Austria

(2016): A lump sum of € 19.500.000 represents the approved public budget for payment to the bar for “pro bono” representation of parties. The implemented public budget for payment to the bar for “pro bono” representation of parties is € 19.700.000. The difference between these two figures is mainly due to advance payments to the bar for “pro bono” representation in overlong cases.

These figures do, however, not include court fees for expertise or interpretation, which are also covered by legal aid, but not isolated within the budget. Therefore, no figures can be provided as regards the whole regime of legal aid.

(2015): The total sum in Question 6 includes the Public Prosecution services and legal aid. The presidents of the higher regional court administrate the budget of the public prosecution services.”

“Other: e.g. postal services (35.571.000 € approved / 35.790.326 € implemented), „Sachwalter- und Patientenanwaltschaft“ (32.284.000 € approved / 34.756.627 € implemented), „Opferhilfe“ (5.589.000 € approved / 5.998.449 € implemented).

Belgium

(2016): Currently, it is not possible to distinguish the budget allocated to the functioning of all courts from the budget allocated to public prosecution services.

(2015): In 2015, the judicial budget has been allocated several million euros following the transfer of competence, for example from the houses of justice (75 million euro in 2014) from the national level to the federated states (Flemish, French and German-speaking)

Bulgaria

(2014): It is noteworthy that in 2014, to the Prosecutor’s Office of the Republic of Bulgaria from the Ministry of Justice moved a new structure – Protection Bureau. Accordingly, the budget of the Prosecutor’s Office of the Republic of Bulgaria for 2014 was increased by funds in connection with this structural change.

Cyprus

(2016): The difference between the approved budget in 2014 and 2016 was the fact that following the bail in 2013 the cases that were tried in 2016 had increased enormously. The reason for the difference between the approved budget and the implemented budget for 2016 was the increase in the services rendered to the prosecution service as well as the compensation and cost. In 2014 the amount for services rendered was 954,000 whereas in 2016 13,036,139. The amount for compensation in 2014 was 6431646 and in 2016 it was 14623187.

(2012): This amount includes only the budget of the Law Office of the Republic headed by the Attorney General.

Estonia

(2013): The approved public budget allocated to the public prosecution services has increased in 2013 compared to the budget of 2012 due to the increased costs of rent of buildings on the one hand, and the increased budget of salaries, on the other hand.

Germany

(2016): Data without the Laender Mecklenburg-Vorpommern and Schleswig-Holstein.

(2015): Most of the Länder were unable to provide information in this regard, meaning that it is not possible to provide an answer to the question that is meaningful in substantive terms

(2014): In 2014, the reply NA is justified by the fact that most of the Landers were unable to provide information in this regard, meaning that it is not possible to provide an answer to the question that is meaningful in substantive terms.

(2013): In 2013, data was not available or not provided by 8 Landers. The indicated total subsumed figures communicated by 8 Landers and the operating budget of the Office of the Federal Public Prosecutor General. The information was incomplete.

(2012): In 2012, data was not available for 6 Landers. The total subsumed figures communicated by nine other Landers and the operating budget of the Office of the Federal Public Prosecutor General. The information was incomplete.

(2010): In 2010, two Landers did not provide a reply, while six other Landers had not available data. Accordingly, the information remained incomplete reflecting data from only 8 Landers. Besides, the sum of € 15,374,219 corresponding to the part of the federal budget allocated to public prosecution services was encompassed in the total.

Hungary

(2015): Annual implemented public budget of 2015 not yet approved.

(2012): In 2012, 84% of the budget were spent on salaries, income taxes, health insurance and social insurance for the staff, 13.5% were spent on functional costs including maintenance of office buildings and 2.5 % constituted a reserve.

Ireland

(2012): The values reported are the gross figures as voted and it is comparable between years.

Italy

(2014): For the 2014 evaluation, it has been stressed that the difference between allocated budget and implemented budget is mainly due to the salary of personnel as the retirement age is not exactly foreseeable.

Latvia

(2012): In the ambit of the 2012 exercise, it has been explained that the budget allocated to the General Prosecutor Office was reduced significantly during the economic crises. Financial means were reduced in almost all budget positions, for example the salaries of prosecutors and staff. Nevertheless, starting from 2012, the consequences of the economic crisis have been diminishing and the budget increased up to almost 5 000 000 EUR.

Lithuania

(2014): For the 2014 evaluation, it is specified that the approved public budget allocated to the prosecution services has been approved according to the Law on the approval of State and municipal budget financial rates for 2014 (Law of 12th December, 2013 n° XII-659). The implemented budget differs, as the prosecution services have been granted funds from the reserve fund of the Government and funds from incomes.

(2010): In the frame of the 2010 exercise, it has been explained that the decrease in the budget allocated to public prosecution services is due to the general budgetary cuts justified by the financial crisis.

Luxembourg

(2016): There is no isolated budget for the public prosecution services.

Malta

(2015): The difference between the implemented budget and the approved budget results from some additional funds requested to meet recurrent costs, and other funds credited to the account of the Office of the Attorney General derived from reimbursements.

(2012): In 2012, funds allocated to the Attorney General's Office were reduced due to reorganization purposes.

Netherlands

(2016): including justice expenses, including public prosecution before the Supreme Court and Council of State in criminal cases;

Poland

(2010): The budget allocated to public prosecution services was separated from the justice budgetary part for 2010. The provided sum is an outcome of budgetary transfers caused by the separation of the Public Prosecution Service from the Ministry of Justice.

Portugal

(2014): In the frame of the 2014 exercise, it has been explained that the differences between the approved and the implemented budget are due to the declaration of unconstitutionality of some of the measures of the State budget, namely measures regarding remunerations.

Romania

(2014): In 2014, the difference between the approved public budget and the implemented one is mainly caused by fluctuations in human resources; funding allotted for pending judicial proceedings which is estimated before the start of the budget execution; debt recovery based on definitive court decisions favorable to the Public Ministry. According to the Public Ministry, the differences are mainly reflected in the following categories of budgetary outgoes:

personnel outgoes representing the equivalent of the salaries and contributions quota for persons who have been in medical leave, as well as the financial rights for delegations and other social financial rights which have not been solicited for payment in December 2014;

goods and services representing amounts coming from the completion of the sting operations fund for December 2014 with the amounts which have been opened but remained unused during 2014 for organizing and carrying out, according to the law, of the sting operations for corruption offences, as well as from the payment of the expenditures for judiciary and extra judiciary expertise;

post-accession projects with external non-refundable funds financing (FEN) concluded with the European Commission, for which during the implementation the services stipulated within the projects have been contracted to smaller prices than the initial budget provided for.

The main explanation of the increase of the annual approved public budget allocated to the public prosecution services in 2014 is that funds allocated for the payment of wage rights established by court decisions were higher than in previous years (increasing gradually). For example, in 2014, these amounts covered both the installment for the year 2014 (25% of the total amounts stipulated in the writs of execution) and the installment for the year 2015 (25% of the total amounts stipulated in the writs of execution).

(2010): In the frame of the 2010 exercise, it was specified that the public prosecution services' budget included staff expenditure (wages cost and contributions), capital expenditure (investments, capital repairs, equipment and facilities), goods and services expenditure (expenses concerning the maintenance of the prosecutor's offices under law courts, professional training, rents for rented headquarters).

Slovakia

(2016): The difference between the total approved budget and the implemented budget in 2016 for the General Prosecutor's Office of the Slovak Republic is € 12,117,561.

Main reasons for this difference:

- for the settlement of the salary requirements of the prosecutors in 2015 according to the finding of the Constitutional Court of SR sp. no. PL. ÚS 27/2015 for a total amount of € 4,224,311,
- for reconstruction and modernization of the office premises and buildings of district prosecutors and regional prosecutors in the amount of € 195,966,
- to increase salaries, functional surcharges, lump sum compensation of prosecutors, salary and lump sum compensation of the Attorney General and to increase the salaries of other employees of the Chapter of the Prosecutor General's Office in connection with the application of Section 5 of Act no. 411/2015 Z. z. on the state budget of 2016 for € 6 299 638,
- to accomplish the tasks related to the Presidency of the SR in the EU Council - SK PRES 2016 in the amount of € 105,338,
- to finance the project OPIS - Electronic Services of the General Prosecutor's Office in the amount of € 877,500,
- for paying damages according to the amendment to Act no. 514/2003 Z. z. on liability of the state for damage caused by the public authorities in the amount of € 100,000,
- Other costs of € 314,808 provided for the operation of GP SR

(2015): The difference between total annual approved budget and implemented one allocated to the Public Prosecution Office of the Slovak Republic in the year 2015 is 7 013 978 €.

The increase in budget was caused by following items:

- allocated funds to implement the project 'Electronic services of the General prosecution office' - 4 763 606 €,
- allocated funds to finance the increased number of the public prosecutors - 969 690 €
- allocated funds to finance the approved adjustment of the salaries of administrative staff - 251 071 €,
- allocated funds to overall modernization of IT system (hardware and internal network) - 1 029 611 €.

(2014): In 2014, the difference between the approved budget and the implemented one is of 13 501 546 euros. It is justified by several reasons:

Financing of the project "Developing global IT services for public administration and development of electronic services on central level of the Ministry of Finance of the Slovak Republic – General Prosecutor's Office of the Slovak Republic" (total amount: 8 618 909 euros);

Payment of prosecutors' salaries for 2011 on the basis of a judgment of the Constitutional Court, file number PL US 99/2011 of 11 December 2013 (total amount: 2 316 973 euros);

Increase of salaries for employees/staff in application of the Act No. 473/2013, Coll., par. 5 on State Budget for 2014 and the Government Directive of the Slovak Republic intended to adapt the scale of salary rates and salary rates to collective agreements of higher level for 2014 (total amount: 242 552 euros);

Co-financing of the project "Developing global IT services for public administration and development of electronic services on central level of the Ministry of finance and the General Prosecutor's Office of the Slovak Republic" (total amount: 800 000 euros);

Other expenditures covering the functioning of the General Prosecutor's Office of the Slovak Republic (total amount: 1 523 112 euros).

(2013): In 2013, the implemented budget of public prosecution services was of 71.015.906 euros.

(2012): In 2012, the implemented budget of public prosecution services was of 69 947 692 euros.

Slovenia

(2016): The indicated amount of approved and implemented budget is allocated for the overall functioning of State Prosecutor's Office of the Republic of Slovenia. The increase of budget comparing to previous exercise is due to employment of additional 40 Judicial Advisors in the autumn of 2014 and nomination of 30 new state prosecutors in the autumn of 2015.

The amount includes budget for alternative resolution of criminal cases (approved: 90000 EUR, implemented: 71587 EUR). It does not include budget for functioning of the State Prosecution Council (approved: 126023 EUR, implemented: 97881 EUR).

(2015): The data includes all spending for public prosecution services except for the State Prosecution Council (approved budget: 116.148 EUR EUR, implemented budget 115.811 EUR EUR).

The State Prosecution Council (institution) is analogue to the Judicial Council, therefore we feel that its budget should be reported at Q15.1 and Q15.2, rather being included at Q13 (similar as the Judicial Council spending is not reported at Q6, but it is included at Q15.1 and Q15.2).

(2014): In 2014, contrary to 2012 and 2013, the data includes the State Prosecution Council (approved budget: 95.249 EUR, amended budget 99.612 EUR, implemented budget 92.753 EUR).

The initially approved budget for functioning of the public prosecution services in 2014 was 16.830.579 EUR. After the decision to appoint a large number of new state prosecutors was taken, the budget was amended to 17.559.460 EUR. The appointment procedures were not carried out as soon as they were planned, therefore the actually implemented budget was 17.337.132 EUR.

(2013): In 2013, The figure does not include the amount for the State Prosecution Council (89401 EUR in 2013)

(2012): 2012: The figure we provided does not include the amount for the State Prosecution Council.

Spain

(2015): The budget for prosecution service is partial and includes only the budget allocated for personnel and training which can be clearly separated, but there are other expenses referred to the public prosecution service the budget of which is part of the total budget of the Ministry of Justice or it is part of budget approved by the Regions with competences over the justice system. This is the case for items such as buildings and material resources and these costs are included in the budget of courts

(2014): The increase of the total budget between 2012 and 2014 results mainly from a different estimation of the budget allocated to the public prosecution services.

Sweden

(2012): As concerns the observed differences between the figures provided respectively for the 2010 and 2012 exercises, more funds have been allocated in 2012 on the one hand, and the exchange rate has varied between the two years, on the other hand. Actually, the increase which could be noticed appears more significant in Euro than in Swedish kronor.

Question 14

Austria

(General Comment): The category “other” refers to the Ministry of Finance which is involved in the preparation of the total court budget. The Minister of Justice splits the budget allocated by the Federal Financial Law – among others – to the Supreme Court and the Higher Regional courts. The president of the Supreme Court and the presidents of the four Higher Regional courts manage and evaluate the allocated court budget.

The so-called Federal Financial Framework Law including the limit for federal spending for the following four financial years is the basis for the annually drawn up Federal Financial Law including the federal budget for a financial year. Usually the Minister of Finance draws up the draft of the Federal Financial Law after negotiations with every minister. The draft of the Federal Financial Law is submitted to the Federal Government and to the National Council of the Austrian Parliament. The Council of Ministers and the National Council of the Austrian Parliament approve the budget.

(2015): Description of the competences of the different authorities responsible for the budget process:

The so-called Federal Financial Framework Law including the limit for federal spendings for the following four financial years is the basis for the annually drawn up Federal Financial Law including the federal budget for a financial year. Usually the Minister of Finance draws up the draft of the Federal Financial Law after negotiations with every minister. The draft of the Federal Financial Law is submitted to the Federal Government and to the National Council of the Austrian Parliament. The Council of Ministers and the National Council of the Austrian Parliament approve the budget.

Belgium

(General Comment): The other Ministry is the Ministry of budget.

Bulgaria

(2014): For 2014, the category “other” refers to the Ministry of Finance.

(2010): For 2010, the category “other” referred to the Ministry of Finance and the National Audit Office, which adopt and certify the accounts for the cash budget implementation of the judiciary.

Croatia

(General Comment): 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.

Cyprus

(2014): According to 2014 data, the Accountant general and the Chief registrar are responsible for the management of the budget, while the auditor General evaluates the use of the budget.

Czech Republic

(2012): On the occasion of the 2014 exercise, it has been pointed out that the Ministry of Justice secures funding and money management of individual courts, controls economic activities of the courts and determines the means of public expenditure for regional courts. The Presidents of the latter itemize the means of the State budget for the management of the regional court and district courts in their respective region.

Denmark

(General Comment): The category “other” refers to the Danish Court Administration.

Estonia

(General Comment): The Ministry of Justice prepares the budget for courts of first and second instance. 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. Concretely, the Supreme Court prepares its budget and presents it to the Ministry of Finance, which prepares the budgets of the constitutional institutions (Supreme Court, Chancellor of Justice, National Audit Office, Office of the President). 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.

The budgets are evaluated by the Ministry of Finance and the National Audit Office.

In the column “Preparation of the total court budget” the answer is positive for the “High judicial council” as the Council for Administration of Courts has to give its opinion on the principles of the formation of annual budgets of courts of first and second instance and on the conformity of the funds allocated to these courts in the budget of the Ministry of Justice with the principles of the formation of annual budgets of courts.

Finland

(General Comment): The other Ministry is the Ministry of Finance, while the inspection body is the National Audit Office of Finland

Germany

(General Comment): The category “other ministry” refers to the Federal Ministry of Finance and the Federal Ministry of Labour and Social Affairs. The other authority auditing the use of funds is the Bundesrechnungshof (German supreme audit institution).

Greece

(2012): The other Ministry is the Ministry of Finance, while the category “other” refers to the Court of Audit.

Hungary

(2014): According to 2012 and 2014 data, the President of the National Office for the Judiciary, in the scope of his/her general duties of central administration, elaborates a proposal on the courts budget and a report on its implementation, 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. He/she is bound by duties in connection with the financial management of the heading of courts and directs the internal control of the courts. Besides, the National Council of Justice (NCJ) provides an opinion on the proposal and the report and more generally controls the financial management of the courts. As to the President of the Curia, he/she forms an opinion to the extent the Curia is concerned.

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. □

Finally, the Parliament decides upon the budget of the courts as part of the national budget, with the restriction, that the budget of the courts cannot be lowered as it was possible before 2012.

(2012): According to 2012 and 2014 data, the President of the National Office for the Judiciary, in the scope of his/her general duties of central administration, elaborates a proposal on the courts budget and a report on its implementation, 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. He/she is bound by duties in connection with the financial management of the heading of courts and directs the internal control of the courts. Besides, the National Council of Justice (NCJ) provides an opinion on the proposal and the report and more generally controls the financial management of the courts. As to the President of the Curia, he/she forms an opinion to the extent the Curia is concerned.

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. □

Finally, the Parliament decides upon the budget of the courts as part of the national budget, with the restriction, that the budget of the courts cannot be lowered as it was possible before 2012.

(2010): In the frame of the 2010 exercise, it has been specified that the inspection body in question was the Court of Auditors.

Ireland

(2012): The item inspection body refers to the Comptroller and Auditor General and the Public Accounts Committee.

Italy

(General Comment): For the last three evaluations, the category “other” refers to the Ministry of Economy and Finance.

(2014): In the frame of the 2014 exercise, it has been specified that the relevant department of the Ministry of Justice is the Budget and Accounts Department (Direzione Generale del Bilancio).

Latvia

(General Comment): The other ministry is the Ministry of Finance. The inspection body is the State Audit Office. The category “other” refers to the Court Administration. □

According to the Law on Judicial Power, the Judicial Council provides an opinion about the budget application in respect of courts and land registry offices. The Court Administration is responsible for the financial resources of district (city) courts, regional courts and Land registry Offices, as well as for preparing the budget request for courts and Land Registry Offices. The management of the finances of the Supreme Court is of the competence of the Supreme Court’s Administration. The funding of the Supreme Court constitutes a separate item in the State budget. The Court accounts for the use of its budget to the Ministry of Finance, to the State Treasury and to the State Auditor.

Lithuania

(General Comment): The other ministry is the Ministry of Finance. The inspection body is the National Audit Office and the Division of Internal Audit of the National Courts Administration.

Malta

(General Comment): The preparation of the total court budget results from a collaborative process between the Ministry of Justice and the Ministry of Finance. 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

(General Comment): The category “other” refers to the judiciary part of the Council of State.

Poland

(General Comment): The category “other” refers to the Minister of Finance National Supervisory Board.

Romania

(2012): According to 2012 data, the other Ministry is the Ministry of Public Finances. The category “other” refers to the Romanian Court of Accounts.

(2010): According to 2010 data, the other Ministry is the Ministry of Public Finances. The category “other” refers to the Romanian Court of Accounts.

Slovakia

(2014): According to 2012 and 2014 data, the Inspection body is the Supreme Audit Office of the Slovak republic which is entitled to inspect the use of budget in any budgetary subject.

(2012): According to 2012 and 2014 data, the Inspection body is the Supreme Audit Office of the Slovak republic which is entitled to inspect the use of budget in any budgetary subject.

Slovenia

(General Comment): The legal bases 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 budget is established through an eight step scheme: establishing of a macroeconomic framework; specifying of the development priorities and tasks of the Government; setting up of a framework cross section of the budget in accordance with the program and the plans; budgetary Manual of the Ministry of Finance; preparing of detailed financial plans of direct budget users; negotiations with the Ministry of Finance; governmental proposal of the State budget; discussion and adoption of the budget and the Law on Execution of the Budget, within Parliament.

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 for examination. The Supreme Court 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. If the Ministry of Finance agrees, the additionally provided funds shall be distributed among the courts in line with the proposed priorities. If not, the proposed budget of the courts shall be submitted to Parliament, which takes the final decision.

It is noteworthy that, virtually, the Supreme Court has limited access to the first four phases of establishment of the budget, which are crucial. During these phases, only the Ministry of Justice 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. Once the priorities are set, it is impossible to reach important changes in the volume of financial resources. 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, regarding the judiciary for the following two years.

(2015): 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 establishing of the budget may be shown through an eight step scheme:

- Establishing of a macroeconomic framework
- Specifying of the development priorities and tasks of the Government
- Setting up of a framework cross section of the budget in accordance with the program and the plans
- Budgetary Manual of the Ministry of Finance
- Preparing of detailed financial plans of direct budget users
- Negotiations with the Ministry of Finance
- Governmental proposal of the state budget
- Discussion and adoption of the budget and the Law on Execution of the Budget, within Parliament.

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, 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 justifications which reflect

Spain

(General Comment): As explained within the ambit of question 6, Spain has a decentralized administrative structure divided into autonomous regions with wide legislative and executive powers, their own legislative assemblies and governing councils. Accordingly, 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, the Assemblies and Regional Governments with powers in the justice system have the same role as the Parliament and the Ministry of Justice but at their regional level.

(2015): Spain is a highly decentralized country. 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 judicial counsellors). The State still holds powers in matters of justice in the Autonomous Region 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 are played by the regional ministries and assemblies respectively.

This way, the figures above are the sum of the budget allocated for the functioning of courts by the Spanish Parliament and Ministry of Justice and by the Assemblies and ministries of the regions holding power on the justice system.

Sweden

(General Comment): The other Ministry is the Ministry of Finance. The inspection body is the Swedish National Audit office and the category “other” refers to the National Courts Administration.

Question 015-1

Austria

(2016): The higher figure of the implemented budget compared to the approved budget is mainly a result of an increase in costs for health care and hospitalization in the prison system, interpretation, drug rehabilitation, medical or therapeutic follow-up care for former prisoners on probation.

(2015): The higher figure of the implemented budget compared to the approved budget is mainly a result of an increase in costs for interpretation, drug rehabilitation, medical or therapeutic follow-up care for former prisoners on probation. In 2015 there was also a non-budgeted increase in salaries.

Belgium

(2016): The communicated data corresponds to the total of budgetary credits foreseen and adjusted for 2016. Expenditures foreseen for investments and/or rent of buildings are part of the budget of the Building Authority (Régie des bâtiments) entrusted with the responsibility of the real estate portfolio at federal level.

Bulgaria

(2014): In the ambit of the 2014 exercise, it has been specified that the difference between the implemented and approved budget was financed with part of the additional resources from the State budget for judiciary.

Croatia

(2010): The increase of the annual approved public budget allocated to the whole justice system between 2008 and 2010 was justified by the more needs of the judiciary as well as by the payment for the building of the Supreme Court.

Denmark

(2016): Expenditures on the Refugees and asylum seekers and the Immigration Service are from 2016 no longer a part of the justice system. The total expenditure in 2016 allocated to the whole justice system is therefore significantly lower compared to the corresponding data for 2015.

Estonia

(2014): In 2014, the implemented budget is higher than the approved budget because of larger amounts carried over for execution of the previous year expenditures which were higher than the planned grants.

Germany

(2016): Data without the Laender Mecklenburg-Vorpommern and Schleswig-Holstein.

Bavaria

The figure provided covers the budget for the justice system and the administrative jurisdiction

Fiscal, labour and social jurisdictions: NA

Administrative jurisdiction: Question 15-1 includes the overall allocation for the administrative jurisdiction incl. further-training costs

Berlin

Consumer-protection matters, Bar Examinations Office

Brandenburg

Budget plan for 2015/2016 assumed greater expenditure. Total budget calculation for EPL 04 did not include chapter for Europe and consumer-protection departments, Land Office for Occupational Health and Safety, Consumer Protection and Health (LAVG) and INTERREG. Budget indicated includes Land and federal funds only.

Bremen

Figures take account of expenditure in product plan justice as well as justice expenditure in product plan 96, IT budget, of the Free Hanseatic City of Bremen.

Actual expenditure over the financial year fell behind the approved funds.

Lower Saxony

No information

Rhineland-Palatinate

Rhineland-Palatinate Constitutional Court

Saarland

NO INFORMATION

Saxony

Expenditure for the justice system in the Free State of Saxony is estimated in section 06 of the Land budget, with the exception of building and maintenance works/management and rental of real estate. This section thus accounts for all expenditure falling within the portfolio of the Saxony State Ministry of Justice. This portfolio includes the courts and public prosecution offices, prisons, Bobritzsch Training Centre, the Central Office for Information Technology of the Saxon Justice System, and (up until 31 December 2016) the Land Commissioner for the Records of the State Security Service of the Former GDR.

Section 06 is split into various chapters, including chapters for each individual jurisdiction and for the public prosecution offices en bloc. However, it is not possible to provide a detailed breakdown of the funds approved in the budget plan and those actually spent over the financial year on each individual branch of the justice system. This is because part of the expenditure earmarked for each branch is estimated in a central chapter and parts of these funds are centrally managed. Budget planning for these funds is also centralised. Expenditure on building and maintenance, as well as management and rental of real estate, is estimated in section 14 of the Land budget for the entire of Saxony. Any such expenditure falling within the remit of the Saxony State Ministry of Justice is consolidated into a single chapter within this section. Offices within the remit of the Saxony State Ministry of Finance are responsible for planning and managing funds under section 14. Investment related expenditure

(2014): For 2014, no information was available from Hamburg, Saarland, and Thuringia. Six Landers communicated detailed information on the content of their individual budgetary plans. Inasmuch as the other Federal Landers have provided data, these were added to the aggregate amount. Accordingly, the information provided here is incomplete.

(2012): In 2012, six Landers communicated detailed information on the content of their individual budgetary plans. Berlin did not provide any information. Data provided by Bavaria did not include the public annual budget approved and granted for labor, social and finance jurisdiction.

(2010): Data provided for 2010 do not include information from Mecklenburg-Western Pomerania and Thuringia. Three Landers developed the content of the budget foreseen within their respective individual plans (Saxony, Saxony-Anhalt and Brandenburg).

Greece

(2010): In the frame of the 2010 exercise, details were provided in respect of the components of the budget allocated to the whole justice system for 2008 and 2010. Namely, in 2008, it encompassed the sum of the budgets allocated respectively to the functioning of courts, legal aid and the Council of the Judiciary (overall 409.266.004 euro), as well as the budget of the prison system (101.304.000 euro) and the budget of the Head Division (16.452.000). In 2010, it included the sum of the budgets allocated respectively to the functioning of courts, legal aid and the Council of the Judiciary (overall 584.010.911 euro), as well as the budget of the prison system (113.565.000 euro) and the budget of the Head Division (17.146.000).

Hungary

(2015): Annual implemented public budget of 2015 not yet approved.

(2010): In the ambit of the 2010 exercise, it has been specified that in 2008, the important amount of budget of the Ministry of Justice was due to the fact that it included the budget allocated to police services.

Among the components of the budget allocated to the whole justice system in 2010, were mentioned the budget allocated to all courts, the budget of prison services, the budget dedicated to the judicial protection of juveniles, the budget of the Ministry of Justice etc.

Italy

(2014): In the ambit of the 2014 exercise, it has been explained that the difference between allocated and implemented budgets is mainly due to the salary of personnel as the retirement age is not exactly foreseeable.

Latvia

(2016): Budget of Prosecution and Constitutional court were not usually included in this question since these are separate institutions with individual budgets. Prosecution budget is provided in Q13 and Approved budget of Constitutional court is 1484895, but we were not able to acquire implemented budget. We will however include Prosecution office and Constitutional court budgets in this question in next cycles and have marked them in Q15-2 and Q15-3, while we did not change sums given above.

Lithuania

(2016): The data is presented according to the Law on the approval of State and municipal budget financial rates for 2016 (Law of 10th December, 2015 No. XII-2161):

- Courts (excluding the budget of National Courts Administration for computerisation, investment in new buildings, expertise, building repair, trainings, which is included in the budget item of National Courts Administration) - budget approved 63 983 000 (budget specified - 64 215 400, implemented 64 181 700).

- Public prosecution services - budget approved 34 944 000 (budget specified - 34 962 800, implemented 34 948 500).

- Ministry of Justice – budget approved 30 510 000 (budget specified - 30 722 700, implemented 27 530 700). The budget for secondary legal aid is included in the budget of the Ministry of Justice. The budget for whole justice system as presented does not include budget for primary legal aid.

The Ministry of Justice implemented less budget because of the economy of the salaries in the subordinate institutions (change of the staff, free vacancies, illness), economy of the budget for the goods and services, for the acquisition of long-term assets, for the repair of premises, decreased workload of the advocates providing secondary legal aid.

- Prison system - budget approved 69 302 000 (budget specified - 69 526 600, implemented 66 477 500). The discrepancies arise because of the public procurement procedures.

- The Constitutional Court – budget approved 2 019 000 (budget specified - 2 022 600, implemented 2 018 300). The Constitutional Court implemented less budget than approved because the budget for investment was not implemented at the whole scale.

- The National Courts Administration – budget approved 13 832 000 (budget specified - 34 962 800, implemented 10 521 900). The difference arises because not all the LITEKO services were acquired, the public procurement procedures prolonged, not all the budget for investments was implemented.

Luxembourg

(2016): The bill containing the implemented budget 2016 has not been approved yet.

Malta

(2014): In 2014, the budget allocations listed within the table relate to recurrent expenditure and do not include capital expenditure.

Netherlands

(2016): Excluding the judiciary part of the Council of State

Poland

(2016): The above data include the budgetary sections of which responsible is the Minister of Justice (part 15 - Common Courts and Part 37 - Justice). Section 15 covers expenditures of common courts, retired judges and the payment of compensation paid from the National Treasury. Part of the expenses are related to the functioning of the Ministry of Justice, prison units, scientific institutes of the Ministry of Justice, the National School of Judiciary and Public Prosecution, correctional institutions and juvenile shelters and retirement and disability benefits for prison officials.

Portugal

(2016): Q.15.1 - The approved budget has increased because the salary cuts that were made in 2012 have been replaced.

(2010): The increase of the annual public budget allocated to the whole justice system between 2008 and 2010 stemmed from a political decision and was due to a large investment in IT applications.

Romania

(2014): In 2014, funds allocated for the payment of wage rights of the judiciary staff established by court decisions were even higher than in 2013. Namely, they covered both the installment for the year 2014 (25% of the total amounts stipulated in the writs of execution) and the installment for the year 2015 (25% of the total amounts stipulated in the writs of execution). On the contrary, in 2013, these amounts covered only the installment for the year 2013 (10% of the total amounts stipulated in the writs of execution).

Besides, due to the increasing number of occupied posts in 2014 compared to 2013, funds allocated for the payment of employer contributions due, allowances delegation/secondment allowances for transport, rent, medicines, regular medical checks etc. increased.

Finally, the entry into force in February 2014 of the new Code of Criminal Procedure has generated additional costs for translation and interpretation services.

(2013): The increase of the budget allocated to the whole justice system between 2010 and 2013 had a double justification. On the one hand, in 2013, funds allocated for the payment of wage rights of the judiciary staff established by court decisions were higher than in previous years. On the other hand, in 2010 the budgetary staff salaries were reduced by 25%, starting with 2011 they increased by 15% and in 2012 they successively increased by 8% and 7.4%.

(2010): In the ambit of the 2010 exercise, it has been noticed that the amount of the total annual public expenditure had significantly and constantly increased until 2009, when the budget allocated amounts for all sectors were affected by the decrease by almost 8% of the gross domestic product in the first semester of the year, as a consequence of the economic crisis.

Sweden

(2010): The increase of approximately 14% of the annual approved public budget allocated to the whole justice system between 2008 and 2010 is a result of the government's economic investments in the judiciary. The latter have been undertaken in order to increase the number of police officers, to safeguard effective public prosecution services, to safeguard the quality of the judiciary, to safeguard effective prison and probation systems and to strengthen the victim perspective throughout the justice system.

Question 15-2

Austria

(2015): Q15.1

The higher figure of the implemented budget compared to the approved budget is mainly a result of an increase in costs for health care and hospitalization in the prison system, interpretation, drug rehabilitation, medical or therapeutic follow-up care for former prisoners on probation. In 2015 there was also a non-budgeted increase in salaries.

Source 15-1 and 15-2: "Bundesrechnungsabschluss 2015," dated June 29th 2015

Belgium

(2015): budget for personnel responsible for the transfer of prisoners and prisoners security in the court is included in the budget of the prison system

en 2015, le budget de la justice a été imputé de au moins 75 million d'euro suite au transfert de la compétence des maisons de la justice du niveau national vers les états fédérés (communautés flamande, française et germanophones)
two judicial management bodies are created in 2014.

(2014): 2014: Two services of management system have been created by a law in 2014, but the two colleges, on one hand for courts and tribunals and on another hand for the public prosecution service, are formally made up only at the end of 2014 and do not function yet as autonomous managers.

(2012): The National Institute of Criminalistics and Criminology is partly financed by the budget of Justice.

Bulgaria

(2015): The budget allocated for the whole justice system includes the budget for the Judiciary (budgets of the courts, Prosecutor's office of the Republic of Bulgaria, Supreme Judicial Council, The Inspectorate at the Supreme Judicial Council and the National Institute of Justice. The budget of courts includes the costs for forensic services, state enforcement services), Legal Aid, Registry agency (property register, commercial register, BULSTAD register and Register of the Property Relations between Spouses), General Directorate Execution of Sanctions (includes the costs for probation services), General Directorate Security (security of the judicial system bodies), Central administration of the Ministry of Justice, Constitutional court.

(2014): For 2014, the budget (approved/implemented) allocated for the whole justice system includes the budget for the Judiciary (courts (including forensic services and State enforcement services), Prosecutor's office of the Republic of Bulgaria, Supreme Judicial Council, Inspectorate at the Supreme Judicial Council and the National Institute of Justice) – 237 789 709 €/235 421 896 €, Legal Aid – 4 306 647 €/4 796 175 €, Registry agency (property register, commercial register, BULSTAD register and Register of the Property Relations between Spouses) – 8 534 524 €/8 274 378 €, General Directorate Execution of Sanctions (includes the costs for probation services) – 60 670 876 €/60 229 567 €, General Directorate Security (security of the judicial system bodies) – 15 508 519 €/15 508 059 €, Central administration of the Ministry of Justice – 9 313 711 €/9 010 504 €, Constitutional court – 1 656 600 €/1 656 600 €.

(2013): For 2013, the budget allocated for the whole justice system includes the budget for the Judiciary (Courts (including forensic services and State enforcement services), Prosecutor's office, Supreme Judicial Council, the Inspectorate at the Supreme Judicial Council and the National Institute of Justice) - 225 753 988 €, Legal Aid - 5 292 135 €, Registry agency (property register, commercial register, BULSTAD register and Register of the Property Relations between Spouses) – 9 448 009 €, General Directorate Execution of Sanctions (includes the costs for probation services) – 52 982 312 €, General Directorate Security (security of the judicial system bodies)– 15 528 857 €, Central administration of the Ministry of Justice – 13 999 008 €, Constitutional court – 1 056 000 €.

Croatia

(2014): In 2014, the difference between allocated and implemented public budget is not significant.

(2013): For 2012 the Ministry of Justice envisaged special costs related to the establishment of the Public Bailiff Service. However, following the amendments to the Enforcement Act, the introduction of the Public Bailiff Service was abandoned, pursuant to which this category is not included in the budget of the judiciary for 2013.

(2010): For 2010, the total annual public budget allocated to the whole justice system includes also the budget of the Judicial Academy.

Cyprus

(2015): STATE BUDGET

(2014): In 2014 there is substantial increase of the budget of the judicial system due to inclusion of budgets of the attorney general's office, the police, the prison, Ministry of justice, enforcement and forensic services.

Czech Republic

(2015): Ministry of Justice

Denmark

(2012): The category "other" encompasses the budget of the Danish Court Administration.

Finland

(2010): For 2010, the item "other" includes also the enforcement agents (included, since 2012, in the specific item of the table).

France

(2015): The annual public budget above includes the data of the entire justice system, attached to the Ministry of Justice and the Presidency of the Republic.

Other: Access to law and assistance to victims

Germany

(2015): The data refer to the year 2014. At present, no more recent data are available.

Hesse:

Essentially, higher payroll costs.

Schleswig-Holstein:

Explanatory remarks on the significant deviations of the actual figures for 2014 as opposed to the target figures for 2014:

Additional receipts in particular by court fees;

Reduced expenditures in particular for payroll costs, the expenses in court cases and miscellaneous expenditures (the explanations provided for Questions 6 and 13 are included herein by reference).

Saxony:

The expenditures depend on the number and scope of the court proceedings and criminal proceedings, as well as on the number of inmates of correctional institutions, none of which the Land department of justice is able to control. Furthermore, the staff numbers will fluctuate in the context of the ongoing personnel management (new hires, parental leave, long-term illness, etc.), while it is only possible to estimate wage increases as collectively bargained, and projects pursued in the fields of IT or construction are constantly subject to changes. Accordingly, the target figure is based on a forecast and, as a general rule, will deviate from the actual figure.

Re Question 15.2: Other:

Brandenburg: Deutsche Richterakademie (German Judicial Academy) Wustrau

Hesse: IT department of the judiciary of Hesse

Lower Saxony: Norddeutsche Hochschule für Rechtspflege (Northern German University for the Administration of Justice)

Rhineland-Palatinate: Constitutional Court of the Rhineland-Palatinate

Saxony: Besides the items set out above, the area of responsibility of the Ministry of Justice and for European Affairs of the Free State of Saxony includes the following budget elements that are to be allocated to the justice system: information technology response service of the Saxonian judiciary, Bobritzsch training centre, Land Commissioner for the Files of the State Security Service of the former German Democratic Republic.

Saxony-Anhalt: The area of responsibility of the Land Ministry of Justice includes the Land Commissioner for the Files of the State Security Service of the former German Democratic Republic.

Thuringia: Emoluments of the legal students pursuing their practical legal training after having passed the First State's Examination, expenditures of the Judicial Examinations Office.

(2014): In 2013 and 2014, 7 Landers provided information as for the category "other": Brandenburg (German Judicial Academy); Hesse (IT office of the Hessian Ministry of Justice); Lower Saxony (Northern German University for the Administration of Justice); Rhineland-Palatinate (Constitutional Court of the Rhineland-Palatinate); Saxony (information technology response service of the Saxonian judiciary, Bobritzsch training centre, Land Commissioner for the Files of the State Security Service of the former German Democratic Republic); Saxony-Anhalt (area of responsibility of the Land Ministry of Justice includes the Land Commissioner for the Files of the State Security Service of the former German Democratic Republic); Thuringia (Judicial Examinations Office).

(2013): In 2013 and 2014, 7 Landers provided information as for the category "other": Brandenburg (German Judicial Academy); Hesse (IT office of the Hessian Ministry of Justice); Lower Saxony (Northern German University for the Administration of Justice); Rhineland-Palatinate (Constitutional Court of the Rhineland-Palatinate); Saxony (information technology response service of the Saxonian judiciary, Bobritzsch training centre, Land Commissioner for the Files of the State Security Service of the former German Democratic Republic); Saxony-Anhalt (area of responsibility of the Land Ministry of Justice includes the Land Commissioner for the Files of the State Security Service of the former German Democratic Republic); Thuringia (Judicial Examinations Office).

(2010): In 2010, 8 Landers provided information in respect of the category "other". For example: Bavaria (legal aid for finance courts); Bremen (Judicial examination office); Hamburg (the Hamburg Data Protection Commissioner and the Equality Office); Lower Saxony (Northern German College for the Administration of Justice); North Rhine-Westphalia (basic and further training facilities for the judiciary, expenditure on pensions for the judicial civil servants of the Land and their surviving dependents, general approvals (e.g. medical expenses payments, pension payments and the like); Saarland (Saarland Clinic for Forensic Psychiatry (SKFP)); Saxony-Anhalt (the Land Commissioner for the Documents of the State Security Service of the Former GDR).

Hungary

(2015): Act C of 2014 on the budget of Hungary in 2015,
Act CLXI of 2011 on the organisation and administration of courts
Act CLXII of 2011 on the legal status and remuneration of judges,
Act CXCV of 2011 on the state finance,
Act LXVI of 2011 on the State Audit Office
Q15-1 Annual implemented public budget of 2015 not yet approved.

(2012): In 2012, as in 2010, the budget allocated to the whole justice system included also the total budget of the Ministry of Justice.

(2010): In 2010, the category "other" includes the sum corresponding to the compensation to crime victims (473 373EUR).

Ireland

(2015): Ireland does not have a Judicial Council, however, the costs of the Judiciary are included under Q 15.

'Other' includes Administration costs, various Commissions, Equality, Disability, various Public Agencies.

Italy

(2015): Some kind of police services are included such as the surveillance of the Ministry of Justice and other specific courts.

(2014): In the ambit of the 2014 exercise, it has been specified that the category "police services" subsumes some kinds of police services related to the surveillance of the Ministry of Justice and other specific courts.

Latvia

(2015): Judicial management body is meant Court Administration.

Enforcement services - in the Ministry of Justice budget are included compensation for bailiffs for the enforcement activities. In the section 'other' are included budget for institutions what are under supervision of the Ministry of Justice. Data doesn't include budget for prosecutor system.
Data includes also budget means for financing projects from the EU structural funds and other financial instruments co-financed projects: Approved budget - EUR 6 945 797, implemented EUR 5 610 619.

(2014): For 2014, data includes also the budget means for financing projects from the EU structural funds and other financial instruments co-financed projects (approved budget: 2 127 919 euros/implemented budget: 1 763 536 euros).

Lithuania

(2016): Legal aid - only the secondary legal aid, that falls within the budget of the Ministry of Justice.

(2015): Other – National Courts Administration.

The data is presented according to the Law on the approval of State and municipal budget financial rates for 2015 (Law of 11th December, 2014 No. XII-1408):

- Courts (excluding the budget of National Courts Administration for computerisation, investment in new buildings, expertise, building repair, trainings, which is included in the budget item of National Courts Administration) - budget approved 61 675 389 (budget implemented 61 793 221)
- Public prosecution services - budget approved 28 810 734 budget (implemented 28 835 957)
- Prison system - budget approved 64 271 866 (implemented 64 685 999)
- Constitutional court – budget approved 1 845 285 (budget implemented 1 817 674)
- Ministry of Justice – budget approved 31 916 616 (budget implemented 32 426 279)
- National Courts Administration – budget approved 13 489 687 (budget implemented 9 330 743) □

The budget for secondary legal aid is included in the budget of the Ministry of Justice. The budget for whole justice system as presented does not include budget for primary legal aid.

It should be noted, that the implemented budget of the Constitutional Court is less than approved due to non-implementation of assets for investments. Due to protracted public procurement procedures, the National Courts Administration didn't assimilate part of assets of Norway grants. The Ministry of Justice also didn't assimilate the assets of Norway grants and the fees, received from the Central Mortgage Office.

(2014): In the frame of the 2014 evaluation it is specified that data are presented according to the Law on the approval of State and municipal budget financial rates for 2014 (Law of 12th December, 2013 No. XII-659). The following detailed information could be provided:

Courts (excluding the budget of National Courts Administration for computerisation, investment in new buildings, expertise, building repair, trainings, which is included in the budget item of National Courts Administration) - budget approved 58 389 133/budget implemented 59 883 804;

Public prosecution services - budget approved 28 563 485/ budget implemented 28 622 712;

Prison system - budget approved 58 697 579/budget implemented 58 436 457;

Constitutional court – budget approved 1 794 485/budget implemented 1 801 060; □

Ministry of Justice – budget approved 30 150 070/budget implemented 30 210 177; □

National Courts Administration – budget approved 9 531 974/budget implemented 5 496 061. □

The budget for secondary legal aid is included in the budget of the Ministry of Justice. The budget for whole justice system also includes budget for primary legal aid (approved budget 560753,59/implemented budget - 5 43013,22).

(2010): In the ambit of the 2010 exercise, the following detailed information was provided: Supreme Court - 3032901 Euro; Supreme Administrative Court - 1540489 Euro; Court of Appeal - 2337233 Euro; district and regional courts – 43422440 Euro; Ministry of Justice - 18515118 Euro; Prison department - 54980305 Euro; Prosecutor General's Office - 29555722 Euro; National Courts Administration - 1992875 Euro.

Malta

(2015): The implemented budget could not be compiled because not all the items listed in the Approved budget could be traced for their Implemented budget. Thus the total provided would not compare to the total of the Approved budget.

The total Approved budget is less than the previous year mainly because of historical factors that lie beyond the control of the data collector. Before 2014, the Ministry for Justice was integrated in the Ministry for Home Affairs, and its budget was incorporated within this larger Ministry (previously known as Ministry for Justice and Home Affairs). In 2014, the Ministry for Justice became an independent Ministry (incorporating also Culture and Local Government), and for the first time, was allocated its own budget in 2015. Thus, the budget quoted in this evaluation is a more true reflection of the actual budget of the Ministry for Justice despite the fact that it still incorporates elements that fall outside the remit of justice.

In 2015, the category "notariat" has been included as line item "Notary to Government" within the budget of the Ministry of Justice, Culture and Local Government.

The budget of forensic services outside the budget allocation of the police force (enforcement services) is not available.

The components of the item referring to "police services" are incorporated in the budget of either the "enforcement services" or the "prison system".

(2014): In 2014, the category “other” includes: Justice Reform Commission (€55,000); Malta Mediation Centre (€25,000); Malta Arbitration Centre (€67,000); Refugees and asylum seekers services which encompasses: Detention Services (€2,800,000), European Asylum Support Office (€250,000) and Commissioner for Refugee Office (€600,000).□ Enforcement services specifically reflect the recurrent budget of the Malta Police Force.

It is important to note that most of the budgets listed above fall under the remit of different ministries. Thus for example, the recurrent budgets pertaining to the Ministry of Home Affairs are: Malta Police Force under Enforcement Services (€53, 108, 000); Prison System (€8,874,000); Probation Services (Euros 763, 000); Detention Services for refugees (€2, 800, 000).

(2013): In 2013, akin to 2012, the approved budgets were spread between different ministries and a breakdown of the amount indicated in accordance with the various information collected was provided for clarity: Attorney General’s Office (€1,757,000); Courts (€12,305,000); Probation and Parole Services (€778000); Prison system (€9,059,000); Commissioner for Refugees Office (€600,000); Commission for the Administration of Justice (€30,000); Police (€51,743,000); Budget for Parliamentary Secretary of Justice (€492,000); Legal Aid (€49500).

(2012): As in 2012 the approved budgets were spread between different ministries, a breakdown of the amount indicated in accordance with the various information collected was provided for clarity: Attorney General’s Office (€1,828,559); Courts (€11 527 427); Probation and Parole Services (€655,079); Prison system (€8,974,218); Commissioner for Refugees Office (€125,841); Commission for the Administration of Justice (€29,928).

(2010): In 2010, the Police Force also fell under the remit of the Ministry of Justice and Home Affairs. Its budget represented €45,013,000.

Netherlands

(2016): Comment : 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.

(2012): In the frame of the 2012 exercise, it has been specified that the difference of data between 2010 and 2012 is due to a major reorganization in 2010. On January 1st 2011 the budget of the police services, 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.

Poland

(2013): In 2010 and 2012 the category “other” encompasses damages paid by the State, other forms of education, social security benefits, the budget of the National School for Judges and Prosecutors.

(2012): In 2010 and 2012 the category “other” encompasses damages paid by the State, other forms of education, social security benefits, the budget of the National School for Judges and Prosecutors.

Portugal

(2015): Before 2015 the budget of the judicial police was included in the category "other services". In 2015, the Criminal Investigation Police (Policia Judiciária) has been included in the new category “some police services”.

(2014): Since 2014, a reference to the Criminal Investigation Police is made within the specific category “some police services” and not in the category “other” which was the case for the previous exercises. Accordingly, there were no changes regarding the budgetary elements for 2014.

(2013): For the 2010, 2012 and 2013 exercises, the category “other” covers the Criminal Investigation Police (Policia Judiciária).

(2012): For the 2010, 2012 and 2013 exercises, the category “other” covers the Criminal Investigation Police (Policia Judiciária).

(2010): For the 2010, 2012 and 2013 exercises, the category “other” covers the Criminal Investigation Police (Policia Judiciária).

Romania

(2015): Other institutions coordinated by the Ministry of Justice: the National Trade Register, the National Authority for Citizenship

(2014): For the last three exercises (2012, 2013 and 2014), the category “other” encompasses other institutions coordinated by the Ministry of Justice, namely the National Trade Register and the National Authority for Citizenship.

(2010): In 2010, the category “other” encompassed expenditure in connection with ensuring food and other social contributions for the persons in custody.

Slovakia

(2015): The stated sum for the approved budget allocated to whole justice system consists of the overall budget of the Ministry of justice (310 602 195 €) and the budget of the Supreme Court of the Slovak Republic (8 662 521 €). The implemented budget of the Ministry of justice increased to 400 609 479 € and the implemented budget of the Supreme court increased to 8 700 158 €.

(2014): For 2014, the approved budget of the Ministry of justice was 315 788 884 euros and the approved budget of the Supreme Court was 5 979 697 euros.

(2013): For 2013, the approved budget of the Ministry of justice was 311 166 599 euros and the approved budget of the Supreme Court was 8 788 394 euros.

(2012): In 2012, the increase of the total budget allocated to the whole justice system is due mainly to the increased budget of the prison service.

Slovenia

(2015): Public budget for the whole justice system includes:

- Courts: total at Q6 without the amounts financed by the Ministry of Justice (approved budget 152.436.526 EUR / implemented budget 155.940.974 EUR),
- Legal aid: amount at Q12 (3.043.999 EUR / 3.184.217 EUR),
- Public prosecution services: amount at Q13 (18.276.528 EUR / 18.134.349 EUR),
- Prison system: Prison Administration of the Republic of Slovenia (36.758.054 EUR / 36.048.907 EUR),
- Council of the judiciary: the Judicial Council of the Republic of Slovenia (343.776 EUR / 343.266 EUR),
- Constitutional court: Constitutional Court of the Republic of Slovenia (3.955.730 EUR / 3.955.730 EUR),
- State advocacy: State Attorney's Office of the Republic of Slovenia (7.119.832 EUR / 6.981.242 EUR),
- Functioning of the Ministry of justice: the Ministry of Justice (including JTC) without prison system (54.713.839 EUR / 52.990.192 EUR) - the budget includes the EU funds (for EU funds, spent on courts on computerisation and ADR see comment to Q6) and
- Other: the Public Prosecution Council (116.148 EUR / 115.811 EUR).

(2010): In 2010, Public budget of 263 million EUR for the whole justice system includes:

- Coordination of the justice system and general administrative tasks: 21 million EUR;
- Coordination of the Supreme Court and the functioning of courts: 177 million EUR;
- Functioning of the State Prosecutor's Office and the State Attorney's Office: 25 million EUR; □
- Management and maintenance of prisons: 40 million EUR;

The amount for "Restitutions" of 11 million EUR is not included in the annual budget to the whole justice system: □

The main reason for the difference in the budget allocated to legal aid is the increased number of incoming cases. This increase is due on one hand of the increased awareness of the general public about the possibility of free legal aid and on the other, a higher amount of funds dedicated to legal aid in 2010 compared to 2008. The higher amount can be attributed to the effect of the economic crisis, which hit individuals that are parties in court proceedings. Additionally, there was a big increase in the number of bankruptcy cases. The biggest increase in the budget allocated to legal aid took place between the years 2009 and 2010, which is mainly the consequence of the adoption of the new Financial Operations, Insolvency Proceedings and Compulsory Dissolution Act. This Act introduced the procedure of personal bankruptcy, while the 2009 amendment introduced the possibility of getting legal aid in the form of the prepayment for the initial costs of bankruptcy proceedings. According to evaluations by the courts the prepayment costs for personal bankruptcy amount to approximately 2.000 EUR, while they are even higher for bankruptcy proceedings of legal persons.

Spain

(2015): The budget approved for the National Agency of the Personal Data Protection and for the Public Registers for the Justice Administration are also included.

In 2014 and 2015, the protection of juveniles was included only partly in the whole justice system budget.

(2014): In the frame of the 2014 exercise, the category "other" encompasses compensation to peace judges, compensation to psychologists, transferences to autonomous regions and also the budget approved for the National Agency of the Personal Data Protection.

For 2014, the budget allocated to the prison system has been included in the figure provided, even though it is of the competence of the Ministry of Internal Affairs and not of the competence of the Ministry of Justice. Furthermore, we have included the budget allocated by Cataluña since this region holds competences over the prison system (by the way, in this case the Justice Department holds the competences over the prison system).

(2012): In the ambit of the 2012 exercise, the category "other" includes the following components: compensation to peace judges (2 107 761€); compensation to psychologists (560 610€); transferences to autonomous regions (3 527 352, 85€).

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Austria

(2016): This cycle the budget of the whole justice system also includes state funding concerning guardianship (EUR 35.853.000 approved/EUR 36.143.000 implemented) and grants to victim assistance facilities (EUR 5.589.000 approved/EUR 6.850.674 implemented).

Belgium

(2016): Specialized commissions: e.g. Information Center on Harmful Sectarian Organizations, Bioethics Commission and Euthanasia Commission, Victims Assistance Commission, Hazard Games Commission, Arbitration – Construction and Rental Litigation

National Commission on Children Rights, Federal Mediation Commission

State security

Cults and Secularism

The budget for staff responsible for the transfer of prisoners and prisoners' security in courts is included within the budget of the prison system.

Probation services ("maisons de justice") have been entrusted to the regional authorities.

Denmark

(2016): Concerning the Refugees and asylum services, due to an reorganisation the area, in 2016 it is no longer part of the whole justice system.

Finland

(2016): Other elements included in the budget: election expenditure. There are also some other offices under the administrative sector of the Ministry of Justice like Legal Register Centre, Offices of several different Ombudsmen, Council for Crime Prevention and Safety Investigation Authority.

Germany

(2016): Training centres for the administration of justice, such as the German Judicial Academy, the Northern German College for the Administration of Justice and educational / further training centres.

Ireland

(2016): Ireland does not have a Judicial Council, however the costs of the Judiciary are included under Q15. Legislation to provide for a Judicial Council is under preparation.

Lithuania

(2016): National Courts Administration

Malta

(2016): - the Malta Arbitration Centre (MAC)
- the Malta Mediation Centre
- the Commission against Corruption
- the Law Commissioner
- the Justice Reform Commission

Netherlands

(2016): Other: Police, secret service (both since 2011).

Poland

(2016): Expenditure on payments of compensations from national budget.
Expenditure related to the functioning of research institutes of the Ministry of Justice and National School of Judiciary and Public Prosecution.

Romania

(2016): Other institutions coordinated by the Ministry of Justice: the National Trade Register, the National Authority for Citizenship

Slovakia

(2016): In the category "other" the budget of the Judicial Academy is subsumed.

Slovenia

(2016): Public budget for the whole justice system includes:

- Courts: total at Q6 without the amounts financed by the Ministry of Justice - Legal aid: amount at Q12
- Public prosecution services: amount at Q13
- Prison system: Prison Administration of the Republic of Slovenia (approved 36.441.312 EUR / implemented 35.027.181 EUR),
- Council of the judiciary: the Judicial Council of the Republic of Slovenia (371.793 EUR/ 369.456 EUR),
- Constitutional court: Constitutional Court of the Republic of Slovenia (4.071.218 EUR / 3.912.332 EUR),
- State advocacy: State Attorney's Office of the Republic of Slovenia (12.418.832 EUR/ 12.292.591 EUR),
- Functioning of the Ministry of justice: the Ministry of Justice (including JTC) without prison system (17.731.134 EUR/15.923.488 EUR) and
- Other: the Public Prosecution Council (101.677 EUR/97.882 EUR).

Spain

(2016): Regarding the probation services, depending on the phase of the proceeding (Judgement or Enforcement), the Court competent to order the suspension of the prison penalty can be the Court that has judged the case or other specialized Courts (on Prison Supervision). The subsequent control of the compliance by the person sentenced of the legal conditions is followed by the Police, and by the 'Penalty and Alternative Measures Management Services' (both of them within the Ministry of Interior) and also by the competent Court. The Budget for the judicial system includes only the part for Courts and civil servants that serve in Courts. Not the control carried out by bodies within the Ministry of Interior.

Regarding forensic services, these services are under the competences of the Ministry of Justice, and their buildings, material resources and main professionals are part of the budget for Justice provided. In 2016 the Notariat is included in the whole justice system budget whereas it was not the case for previous cycles.

Table 2.1 Number of first instance courts (general and specialised) as legal entities and number of all courts (first, appeal and high courts) as geographic locations in 2010 to 2016 (Q42)

States	Total number of first instance courts in 2016 (1) + (2)	First instance courts of general jurisdiction (legal entities)						Specialised first instance courts (legal entities)						All the courts (geographic locations)					
		2010	2012	2013	2014	2015	2016 (1)	2010	2012	2013	2014	2015	2016 (2)	2010	2012	2013	2014	2015	2016
Austria	147	154	154	132	129	129	129	7	7	7	18	18	18	149	149	135	103	103	103
Belgium	238	27	27	27	13	13	13	262	262	262	225	225	225	288	288	288	288	288	267
Bulgaria	145	NA	113	113	113	113	113	34	34	34	32	32	32	184	170	170	168	175	182
Croatia	58	66	67	65	65	22	22	70	74	74	74	36	36	154	158	192	203	203	203
Cyprus	21	6	6	6	6	6	6	11	14	13	13	15	15	18	21	19	21	22	22
Czech Republic	86	86	86	86	86	86	86	NAP	NAP	NAP	NAP	NAP	NAP	98	98	98	98	98	98
Denmark	26	24	24	24	24	24	24	2	2	2	2	2	2	29	29	29	29	29	29
Estonia	6	4	4	4	4	4	4	2	2	2	2	2	2	22	22	22	22	22	21
Finland	36	27	27	27	27	27	27	11	11	11	9	9	9	82	82	78	81	79	73
France	1 872	774	778	783	786	786	786	1 157	1 156	1 089	1 094	1 094	1 086	630	640	641	643	643	641
Germany	1 008	777	765	765	761	754	761	256	250	248	247	247	247	1 126	1 108	1 107	1 101	1 095	1 102
Greece	298	462	402	NA	298	298	298	4	NA	NA	NA	NA	NA	462	402	NA	329	329	329
Hungary	131	131	131	131	111	111	111	20	20	20	20	20	20	157	157	157	157	157	157
Ireland	5	3	3	3	3	3	3	1	1	1	1	1	2	119	105	100	94	94	95
Italy	760	1 231	1 231	643	515	515	515	116	116	116	245	245	245	1 378	1 378	790	836	836	836
Latvia	29	34	34	34	34	28	28	1	1	1	1	5	1	48	48	48	48	49	42
Lithuania	59	59	59	54	54	54	54	5	5	5	5	5	5	67	67	62	62	62	62
Luxembourg	8	5	5	5	5	5	5	5	3	3	3	3	3	8	8	8	8	8	8
Malta	8	1	1	1	1	1	1	7	7	7	7	7	7	2	2	2	2	2	2
Netherlands	12	19	19	11	11	11	11	1	1	1	1	1	1	64	60	40	40	40	40
Poland	389	365	287	-	287	-	363	28	26	-	26	-	26	705	827	-	NA	-	401
Portugal	520	217	231	231	292	292	292	109	102	102	228	228	228	336	318	319	253	253	253
Romania	242	235	233	233	233	232	233	10	10	10	10	9	9	246	244	244	244	243	243
Slovakia	63	54	54	54	54	54	54	9	9	9	9	9	9	64	64	64	64	64	64
Slovenia	60	55	55	55	55	55	55	5	5	5	5	5	5	77	77	77	77	77	77
Spain	3 657	2 243	2 349	-	2 224	2 224	2 223	1 433	1 459	-	1 443	1 432	1 434	749	763	-	763	763	763
Sweden	70	60	60	60	60	60	60	12	12	12	12	12	10	95	95	95	95	95	95
Average	369	274	267	148	232	227	232	138	144	88	149	153	147	272	273	199	224	224	230
Median	70	60	60	55	60	55	55	11	11	10	12	11	10	119	105	97	97	97	98
Minimum	5	1	1	1	1	1	1	1	1	1	1	1	1	2	2	2	2	2	2
Maximum	3 657	2 243	2 349	783	2 224	2 224	2 223	1 433	1 459	1 089	1 443	1 432	1 434	1 378	1 378	1 107	1 101	1 095	1 102
Nb of values	27	27	27	25	27	26	27	27	27	25	27	26	27	27	27	25	27	26	27
% of NA	0%	4%	0%	4%	0%	0%	0%	0%	4%	4%	4%	4%	4%	0%	0%	4%	4%	0%	0%
% of NAP	0%	0%	0%	0%	0%	0%	0%	4%	4%	4%	4%	4%	4%	0%	0%	0%	0%	0%	0%

Croatia: The number of courts has been reduced in 2015 due to the rationalization of the court network, which began with the adoption of the Act on Territorial Jurisdiction and Seats of the Courts back in 2008

Italy: . Before 2014 only courts financed by Ministry of justice were included.

Latvia: different presentation of number of specialised courts in 2015. In reality there is one administrative court with 5 court houses

Poland: The increase of the number of first instance courts from 2014 is due to the restoration of District Courts, abolished and converted to divisions of larger units in 2013.

Table 2.1b Number of first instance courts (general and specialised) as legal entities and number of all courts (first, appeal and high courts) as geographic locations per 100 000 inhabitants in 2010 to 2016 (Q42)

States	Total number of first instance courts in 2016 (1) + (2)	First instance courts of general jurisdiction (legal entities)						Specialised first instance courts (legal entities)						All the courts (geographic locations)					
		2010	2012	2013	2014	2015	2016 (1)	2010	2012	2013	2014	2015	2016 (2)	2010	2012	2013	2014	2015	2016
Austria	1,68	1,84	1,82	1,56	1,50	1,48	1,48	0,08	0,08	0,08	0,21	0,21	0,21	1,78	1,76	1,59	1,20	1,18	1,18
Belgium	2,10	0,25	0,24	0,24	0,12	0,12	0,11	2,42	2,35	2,35	2,01	2,00	1,99	2,66	2,58	2,58	2,57	2,56	2,36
Bulgaria	2,04	NA	1,55	1,56	1,57	1,58	1,59	0,46	0,47	0,47	0,44	0,45	0,45	2,50	2,33	2,35	2,33	2,45	2,56
Croatia	1,40	1,50	1,57	1,53	1,54	0,52	0,53	1,59	1,74	1,74	1,75	0,86	0,87	3,49	3,71	4,52	4,80	4,84	4,89
Cyprus	2,48	0,75	0,69	0,70	0,70	0,71	0,71	1,37	1,62	1,52	1,52	1,77	1,77	2,24	2,43	2,21	2,45	2,59	2,59
Czech Republic	0,81	0,82	0,82	0,82	0,82	0,81	0,81	NAP	NAP	NAP	NAP	NAP	NAP	0,93	0,93	0,93	0,93	0,93	0,93
Denmark	0,45	0,43	0,43	0,43	0,42	0,42	0,42	0,04	0,04	0,04	0,04	0,04	0,03	0,52	0,52	0,52	0,51	0,51	0,50
Estonia	0,46	0,30	0,31	0,30	0,30	0,30	0,30	0,15	0,16	0,15	0,15	0,15	0,15	1,64	1,71	1,67	1,68	1,67	1,60
Finland	0,65	0,50	0,50	0,50	0,49	0,49	0,49	0,20	0,20	0,20	0,16	0,16	0,16	1,53	1,51	1,43	1,48	1,44	1,33
France	2,89	1,19	1,19	1,19	1,19	1,18	1,21	1,78	1,76	1,65	1,65	1,64	1,67	0,97	0,98	0,97	0,97	0,97	0,99
Germany	1,23	0,95	0,95	0,95	0,94	0,92	0,93	0,31	0,31	0,31	0,31	0,30	0,30	1,38	1,38	1,37	1,36	1,34	1,34
Greece	2,76	4,08	3,63	NA	2,75	2,74	2,76	0,04	NA	NA	NA	NA	NA	4,08	3,63	NA	3,03	3,03	3,05
Hungary	1,34	1,31	1,32	1,33	1,13	1,13	1,13	0,20	0,20	0,20	0,20	0,20	0,20	1,57	1,58	1,59	1,59	1,60	1,60
Ireland	0,11	0,07	0,07	0,07	0,06	0,06	0,06	0,02	0,02	0,02	0,02	0,02	0,02	2,60	2,29	2,17	2,03	2,02	2,03
Italy	1,25	2,03	2,06	1,08	0,85	0,85	0,85	0,19	0,19	0,19	0,40	0,40	0,40	2,27	2,31	1,32	1,38	1,38	1,38
Latvia	1,47	1,52	1,66	1,68	1,70	1,42	1,42	0,04	0,05	0,05	0,05	0,25	0,05	2,15	2,35	2,37	2,40	2,49	2,13
Lithuania	2,07	1,82	1,96	1,83	1,85	1,87	1,90	0,15	0,17	0,17	0,17	0,17	0,17	2,06	2,23	2,11	2,12	2,15	2,18
Luxembourg	1,35	0,98	0,95	0,91	0,89	0,89	0,85	0,98	0,57	0,55	0,53	0,53	0,51	1,56	1,52	1,45	1,42	1,42	1,35
Malta	1,82	0,24	0,24	0,24	0,23	0,23	0,23	1,68	1,66	1,65	1,63	1,61	1,59	0,48	0,47	0,47	0,47	0,46	0,45
Netherlands	0,07	0,11	0,11	0,07	0,07	0,06	0,06	0,01	0,01	0,01	0,01	0,01	0,01	0,38	0,36	0,24	0,24	0,24	0,23
Poland	1,01	0,96	0,74	-	0,75		0,94	0,07	0,07	-	0,07	-	0,07	1,85	2,15	-	NA	-	1,04
Portugal	5,04	2,04	2,20	2,22	2,81	2,82	2,83	1,02	0,97	0,98	2,20	2,20	2,21	3,16	3,03	3,06	2,44	2,45	2,45
Romania	1,23	1,10	1,09	1,17	1,05	1,17	1,19	0,05	0,05	0,05	0,04	0,05	0,05	1,15	1,15	1,22	1,10	1,23	1,24
Slovakia	1,16	0,99	1,00	1,00	1,00	1,00	0,99	0,17	0,17	0,17	0,17	0,17	0,17	1,18	1,18	1,18	1,18	1,18	1,18
Slovenia	2,90	2,68	2,67	2,67	2,67	2,66	2,66	0,24	0,24	0,24	0,24	0,24	0,24	3,76	3,74	3,74	3,74	3,73	3,73
Spain	7,86	4,88	5,11	-	4,79	4,79	4,78	3,12	3,17	-	3,11	3,08	3,08	1,63	1,66	-	1,64	1,64	1,64
Sweden	0,70	0,64	0,63	0,62	0,62	0,61	0,60	0,13	0,13	0,12	0,12	0,12	0,10	1,01	0,99	0,98	0,97	0,96	0,95
Average	1,79	1,31	1,32	1,03	1,21	1,19	1,18	0,63	0,66	0,56	0,69	0,69	0,66	1,87	1,87	1,75	1,77	1,79	1,74
Median	1,35	0,99	1,00	0,97	0,94	0,91	0,93	0,20	0,20	0,20	0,21	0,25	0,21	1,64	1,71	1,52	1,54	1,52	1,38
Standard deviation	1,60	1,15	1,14	0,68	1,06	1,08	1,06	0,85	0,87	0,70	0,88	0,86	0,86	0,98	0,95	1,02	1,03	1,04	1,03
Minimum	0,07	0,07	0,07	0,07	0,06	0,06	0,06	0,01	0,01	0,01	0,01	0,01	0,01	0,38	0,36	0,24	0,24	0,24	0,23
Maximum	7,86	4,88	5,11	2,67	4,79	4,79	4,78	3,12	3,17	2,35	3,11	3,08	3,08	4,08	3,74	4,52	4,80	4,84	4,89
Nb of values	27	27	27	25	27	26	27	27	27	25	27	26	27	27	27	25	27	26	27
% of NA	0%	4%	0%	4%	0%	0%	0%	0%	4%	4%	4%	4%	4%	0%	0%	4%	4%	0%	0%
% of NAP	0%	0%	0%	0%	0%	0%	0%	4%	4%	4%	4%	4%	4%	0%	0%	0%	0%	0%	0%

Croatia: The number of courts has been reduced in 2015 due to the rationalization of the court network, which began with the adoption of the Act on Territorial Jurisdiction and Seats of the Courts back in 2008

Italy: . Before 2014 only courts financed by Ministry of justice were included.

Poland: The increase of the number of first instance courts from 2014 is due to the restoration of District Courts, abolished and converted to divisions of larger units in 2013.

Table 2.2 Number of (legal entities) first instance specialised courts and its break-down in 2016 (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	19	2	NAP	1	NAP	NAP	2	NAP	NAP	11	1	NAP	2
Belgium	225	9	NAP	9	NAP	NAP	NAP	NAP	NAP	5	NAP	NAP	202
Bulgaria	32	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	28	NAP	3	1
Croatia	36	8	NAP	1	NAP	NAP	NAP	NAP	NAP	4	NAP	NAP	23
Cyprus	15	NAP	NAP	3	3	2	NAP	NAP	NAP	1	NAP	1	5
Czech Republic	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Denmark	2	1	1	NA	NA	NA	NAP	NA	NA	NA	NA	NA	NA
Estonia	2	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	2	NAP	NAP	NAP
Finland	9	1	NAP	1	NAP	NAP	NAP	NAP	NAP	6	1	NAP	NAP
France	1 086	143	NAP	216	NAP	281	50	8	NAP	42	141	NAP	200
Germany	247	NAP	NAP	110	NAP	NAP	NAP	NAP	NAP	51	68	NAP	18
Greece	NA	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	30	NAP	NA	NA
Hungary	20	NAP	NAP	20	NAP	NAP	NAP	NAP	NAP	20	NAP	NAP	NAP
Ireland	2	NAP	NAP	NAP	NAP	NAP	NAP	2	NAP	NAP	NAP	NAP	NAP
Italy	245	22	NAP	NAP	NAP	NAP	58	NAP	NAP	29	NAP	4	132
Latvia	1	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	1	NAP	NAP	NAP
Lithuania	5	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	5	NAP	NAP	NAP
Luxembourg	13	2	NAP	3	2	3	NAP	NAP	NAP	1	1	1	NAP
Malta	7	NAP	NAP	NAP	1	1	NAP	NAP	NAP	1	NAP	NAP	4
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	248	20	NAP	44	45	NAP	5	NAP	NAP	20	NAP	NAP	114
Romania	9	3	NAP	NAP	1	NAP	NAP	NAP	NAP	NAP	NAP	5	NAP
Slovakia	9	NAP	NAP	NAP	NAP	NAP	NAP	1	NAP	8	NAP	NAP	NAP
Slovenia	5	NAP	NAP	4	NAP	NAP	NAP	NAP	NAP	1	1	NAP	NAP
Spain	1 434	64	NAP	345	104	NAP	18	7	NAP	241	NAP	NAP	655
Sweden	10	NAP	NAP	1	NAP	8	NAP	NAP	NAP	NAP	NAP	NAP	1
Average	148	23	1	58	26	59	27	5		25	36	4	113
Median	13	6	1	4	3	3	18	5		8	1	4	21
Minimum	1	1		1	1	1	2	1		1	1	1	1
Maximum	1 434	143		345	104	281	58	8		241	141	9	655
Nb of values	27	27	27	27	27	27	27	27	27	27	27	27	27
% of NA	4%	0%	0%	4%	4%	4%	0%	4%	4%	4%	4%	7%	7%
% of NAP	4%	56%	96%	48%	74%	78%	81%	81%	96%	19%	74%	70%	48%

Slovenia: Although there are 4 labour courts, 1 insurance and/ or social welfare courts and 1 administrative court, the total number of courts does not equal 6, as one of the labour courts and social court form a single legal entity – Labour and social court in Ljubljana.

Italy: . Before 2014 only courts financed by Ministry of justice were included.

Poland: The increase of the number of first instance courts from 2014 is due to the restoration of District Courts, abolished and converted to divisions of larger units in 2013.

Table 2.3 (EC) Variation of the absolute number of all courts (geographic locations) between 2010-2016 and 2015-2016 (Q42)

States	EC Code	Variation 2015-2016	Variation 2010-2016
Austria	20	0,0%	-30,9%
Belgium	1	-7,3%	-7,3%
Bulgaria	2	4,0%	-1,1%
Croatia	11	0,0%	31,8%
Cyprus	13	0,0%	22,2%
Czech Republic	3	0,0%	0,0%
Denmark	4	0,0%	0,0%
Estonia	6	-4,5%	-4,5%
Finland	26	-7,6%	-11,0%
France	10	-0,3%	1,7%
Germany	5	0,6%	-2,1%
Greece	8	0,0%	-28,8%
Hungary	17	0,0%	0,0%
Ireland	7	1,1%	-20,2%
Italy	12	0,0%	-39,3%
Latvia	14	-14,3%	-12,5%
Lithuania	15	0,0%	-7,5%
Luxembourg	16	0,0%	0,0%
Malta	18	0,0%	0,0%
Netherlands	19	0,0%	-37,5%
Poland	21	-	-43,1%
Portugal	22	0,0%	-24,7%
Romania	23	0,0%	-1,2%
Slovakia	25	0,0%	0,0%
Slovenia	24	0,0%	0,0%
Spain	9	0,0%	1,9%
Sweden	27	0,0%	0,0%

Latvia: different presentation of number of specialised courts in 2015. In reality there is one administrative court with 5 court houses

Indicator 2: The judicial organisation

Comments provided by the national correspondents

organised by country

Question 42 Number of courts

Question 43 Number of specialised courts of first instance

Austria

Q42 (2014): On the occasion of the 2014 CEPEJ biannual evaluation Report (2012 data), it has been specified that from January 1st 2013 to July 1st, 2014 a number of district courts will be merged and that the total number of district courts would decline from 141 in 2012 to 115 as of July 1st, 2014. In 2014 there are 129 first instance district courts which is less than 132 (number communicated for the year 2013) but still not complying with the aim of 115. In fact, the objectives are depending on political agreements. Therefore they cannot be realized at the moment.

Q043 (2016): On principal every court has to deal with all judicial issues; in the biggest Austrian cities certain courts are specialised, i.e. five in Vienna (civil cases, criminal cases, commercial cases [2 x], employment- and social welfare cases) and two in Graz (criminal cases, remaining cases)

Belgium

Q042 (2016): The ongoing reform in respect of Justices of Peace is resulting in the reduction of the number of hearing venues.

Q42 (2014): The decrease of 52% in the number of ordinary courts of first instance between 2013 and 2014 is due to a reform of the judicial map. It relates to a reduction in legal entities: from 27 to 13 first instance courts, 27 to 9 labour courts, 27 to 9 commercial courts, and 34 to 15 police courts.

Q043 (2016): "Other": Justices of Peace and Police Courts.

Administrative courts: State Council, Alien Law Litigation Council, de Raad voor Vergunningsbetwistingen, het Milieuhandhavingscollege en de Raad voor Verkiezingsbetwistingen. Five first instance courts have specialised divisions for enforcement of sentences. The expression of Enforcement Courts is used, but actually these are specialised divisions. Besides, all first instance courts (13) have a specialized section "Family and Youth". Even if the expression of Family Court is used, it is a specialized section.

Q43 (2015): Other: justices of the peace and police courts

Administrative courts: the Council of State, the Council of the Litigation of Foreigners, Milieuhandhavingscollege, de Raad voor Vergunningsbetwistingen en de Raad voor Verkiezingsbetwistingen.

Q43 (2014): 2014: Among the other specialised courts are 15 police courts and 187 justices of the peace ("juges de paix"). The family courts are a section within 13 first instance courts.

Administrative courts are the Council of State, the Alien Litigation Council, "(Vlaamse)Raad voor Vergunningsbetwistingen", "het (Vlaamse) Milieuhandhavingscollege". Administrative courts are not part of the judicial system administered by the Federal Justice ("Service Fédéral Public de la Justice" - SPF). Thus, the total number of specialised courts is 220 for specialised courts of the judicial order and 224 if the 4 administrative courts are counted. The decrease of 52% in the number of ordinary courts of first instance between 2013 and 2014 is due to a reform of the judicial map. It relates to a reduction in legal entities: from 27 to 13 first instance courts, 27 to 9 labour courts, 27 to 9 commercial courts, and 34 to 15 police courts.

Bulgaria

Q043 (2016): 'Other specialised 1st instance courts' - 1 Specialized Criminal Court.

Croatia

Q42 (2014): In 2014, according to the Act on Territorial Jurisdiction and Seats of Courts there are 67 first instance courts but the Municipal Court in Novi Zagreb is not in function while the Municipal Criminal Court in Zagreb is a specialized court counted in Q42.2.". Accordingly, there are 65 actually functioning first instance courts of a general jurisdiction.

Q42 (2013): In 2013, the Ministry of Justice added to the number of geographic locations all offices of a specific court that are located outside of the main building (seat of the court), in which judicial activities are undertaken, i.e. the permanent offices, displaced Land Registry Departments and similar. The number of geographic locations of all the courts is different for the 2012 exercise (158) and the 2013 evaluation cycle (192) accordingly. It is important to emphasize that the real number of courts did not increase between 2012 and 2013.

Also, 66 municipal courts (65 municipal courts and 1 Municipal Criminal Court in Zagreb) were in function out of total 67 first instance courts prescribed by the Act on Territorial Jurisdiction and Seats of Courts. The Municipal Court in Novi Zagreb is still not in function. Accordingly, the reply in respect of the number of first instance general jurisdictions is 65.

Q043 (2016): Other specialised 1st instance courts are 22 Misdemeanour courts and a Municipal Criminal Court in Zagreb.

Q43 (2010): The decrease of the number of first instance specialised courts between 2008 and 2010 is a result of a judicial reform aiming to rationalize the judicial network in Croatia.

Cyprus

Q42 (2014): 2014 The number of courts changed in 2014. Instead one labour court in the district of Nicosia, there are three separate courts in different districts. This applies as well as for rent and tenancies court. One more family court was also established. The Assize court deals with serious criminal offences only.

Q043 (2016): Assize Courts

Q43 (2015): In 2015, two new Assize courts (now 5) and one administrative court were established and one Rent Control Tribunal was removed.

Czech Republic

Q042 (2016): There are no specialised first instance courts, but judges within individual courts are specialised (e.g. for family, labour and enforcement cases at district courts, and insolvency and administrative cases at regional courts as first instance courts).

Denmark

Q042 (2016): District courts are called 1st instance court, Land Registration court and Maritime and Commercial Court are considered a first instance specialized court. Second and third instance courts are the two High Courts and the Supreme Court.

Q043 (2016): Both insolvency and Commercial courts are marked with one court. In both cases it is Maritime and Commercial Court. Unfortunately the Maritime and Commercial Court is an insolvency court, but not ONLY an insolvency court, so it is also marked under Commercial Courts.

Estonia

Q042 (2016): A small courthouse was adjoined with another small courthouse. The distance between them was less than 50 km.

Finland

Q042 (2016): Some geographic locations of the District Courts has been shut down.

Q42 (2014): In 2014, in Finland there are 81 courts as geographic locations, namely 27 District Courts, 13 Branch offices of District Courts, 25 Auxiliary courtrooms of District Courts (23 till 2014), 3 specialized courts, 6 Administrative Courts (8 till 2014), 5 Courts of Appeal (6 till 2014), the Supreme Court and the Supreme Administrative Court.

Q42 (2010): In 2010, the network of the District Courts changed which entailed a reduction of their number from 51 to 27.

France

Q42 (2010): The 2010 data concerning the number of legal entities includes first instance courts but also the mainland and oversees local courts. The figure for all courts (category 3) encompasses only "geographic locations" that can group several jurisdictions.

Q043 (2016): Other specialized courts are:

- Juvenile courts – 155
- Military Pensions courts – 36
- Court for Navigation on the Rhine – 1
- Court for Navigation on the Moselle – 1
- Commercial Maritime courts – 6
- National Court of Asylum – 1

Moreover, the following reforms are under way:

- The court of Paris which should be functional on 14 May 2018, will encompass the overall services of the tribunal de grande instance which are currently scattered between 5 sites (la Cité, the police court and the tribunaux d'instance).
- Since 1 July 2017, hearings before the police court are taking place in the tribunal de grande instance instead of the tribunal d'instance. The pursued aim is to allow tribunaux d'instance focusing on everyday civil justice, while criminal litigation is centralized within the tribunal de grande instance.
- Since 1 July 2017 the jurisdictions de proximité are being suppressed (law n° 2011-1862 of 13 December 2011). Their competence is currently exercised by the tribunaux d'instance in civil matters and the police courts attached to the tribunaux de grande instance in criminal matters.
- Starting from 1 January 2019, the competence in social matters which is currently exercised by Social Security courts (TASS), Incapacity Dispute courts (TCI) and Departmental Commissions of Social Aid (CDAS) will be unified and entrusted to tribunaux de grande instance (first instance ordinary courts). The mentioned specialized jurisdictions will be suppressed.

Q43 (2015): Other specialised courts are:

- Juvenile courts : 155
- Military Pensions Courts: 36
- Court for navigation on the Rhine: 1
- Maritime Courts: 14
- National Court of Asylum: 1
- Court of First Instance for navigation on the Moselle: 1

Q43 (2014): The reduction of the number of specialised courts in 2014 is primarily due to the suppression of 70 military pensions courts.

2013, 2014: the other specialised courts are:

- children courts: 155
- military pensions courts: 36
- Rhine navigation court: 1
- commercial maritime courts: 14
- national court for asylum right: 1
- court of first instance for the navigation on the Moselle: 1

Compared to previous years, a part of the "other specialised courts" was distributed in the proposed categories. Therefore, the agricultural land courts appear in the category rental cases courts.

The specialised interregional jurisdictions, competent to judge organised crime cases have been added.

The category of insurance and/or social security courts comprises the 26 incapability litigations courts and the 115 social security cases courts.

The number of military pensions courts has been drastically reduced.

In 2013 and 2014, 281 courts of rental cases are mentioned, which was not the case in 2010 and 2012. It corresponds to agricultural land courts which were included in the comment and classified in the category "other specialised court".

It is the same for courts for execution of criminal sanctions. In 2013 and 2014, there were 8 of them. They correspond to the sentence enforcement courts which were included in 2010 and 2012 in the category "other specialised courts".

Concerning courts in terms of fight against terrorism, organised crime and corruption, in 2013, they were 50. It corresponds to the interregional jurisdictions specialised in terms of organised crime.

Between 2012 and 2013, a significant increase in the number of insurance and/or social security courts may be observed. This courts appeared in the category "other specialised courts", they correspond to social security courts and incapability litigation courts.

Regarding the category "others", a significant difference may be observed between the number and the type of specialised courts between 2012 and 2013 because this category was redistributed according the specific categories proposed for greater clarity.

Q43 (2013): 2013, 2014: the other specialised courts are:

- children courts: 155
- military pensions courts: 36
- Rhine navigation court: 1
- commercial maritime courts: 14
- national court for asylum right: 1
- court of first instance for the navigation on the Moselle: 1

In comparison with previous years, the part "other specialised courts" was distributed in the proposed categories. Thus, the agricultural land courts are included in the category of rental cases courts.

The specialised interregional jurisdictions, competent to judge cases of organised crime were added.

The category insurance and/or social security courts comprises the 26 courts of incapability litigation courts and the 115 courts responsible for social security cases.

The number of military pensions courts was drastically reduced.

In 2013 and 2014, 284 courts of rental cases are mentioned, which was not the case for 2010 and 2012. They refer to the agricultural land courts which were appearing in the comment and were classified in the category "other specialised courts".

It is the same for courts for execution of criminal sanctions. In 2013 and 2014, there are 8 of them. They correspond to the sentence enforcement courts which were appearing in 2010 and 2012 in the category "other specialised courts".

Concerning the courts in terms of fight against terrorism, organised crime or corruption, in 2013, they were less than 50. They correspond to interregional jurisdictions specialised in organised crime.

Between 2012 and 2013, a significant increase in the number of insurance and/or social security courts may be observed. This courts appeared in the category "other specialised courts", they correspond to social security courts and incapability litigation courts.

Regarding the category "others", a significant difference may be observed between the number and the type of specialised courts between 2012 and 2013 because this category was redistributed according the specific categories proposed for greater clarity.

Q43 (2012): 2010, 2012: Commercial Courts: 135

Mixed commercial courts 8: 6 in the departments and regions overseas and 2 in the communities overseas (the mixed commercial court of Mayotte is not included for the reference year).

The category "labour courts" brings together the 210 industrial courts and the 6 labour courts.

The category "insurance and/or social security courts" refers to the courts responsible for social security cases.

The other specialised courts of first instance are:

- District courts specialised in criminal matters (police courts): 3
- Local police courts: 3
- Children courts: 155
- Incapacity Dispute courts: 26
- Agricultural land courts: 281
- Sentence enforcement courts: 50
- Military pensions courts: 106
- Rhine navigation court: 1
- Commercial maritime courts: 14
- Court of first instance for the navigation on the Moselle: 1

- It should be noted that the military court of Paris (TAAP) was discontinued on 1st January 2012 by the Law n°2011-1862 of 13 December 2011 relating to the distribution of litigations and the relief of some court proceedings. Its functions were transferred to a pole specialised in military matters in the High Court of Paris. The pole is now the only one that has jurisdiction for offences committed by or against French military in time of peace and outside of the Republic territory. The TAAP is thus counted in 2011 but not in 2012.

Q43 (2010): 2010, 2012: Commercial Courts: 135

Mixed commercial courts 8: 6 in the departments and regions overseas and 2 in the communities overseas (the mixed commercial court of Mayotte is not included for the reference year).

The category "labour courts" brings together the 210 industrial courts and the 6 labour courts.

The category "insurance and/or social security courts" refers to the courts responsible for social security cases.

The other specialised courts of first instance are:

- District courts specialised in criminal matters (police courts): 3

- Local police courts: 3

- Children courts: 155

- Incapacity Dispute courts: 26

- Agricultural land courts: 281

- Sentence enforcement courts: 50

- Military pensions courts: 106

- Rhine navigation court: 1

- Commercial maritime courts: 14

- Court of first instance for the navigation on Moselle: 1

- It should be noted that the military court of Paris (TAAP) was discontinued on 1st January 2012 by the Law n°2011-1862 of 13 December 2011 relating to the distribution of litigations and the relief of some court proceedings. Its functions were transferred to a pole specialised in military matters in the High Court of Paris. The pole is now the only one that has jurisdiction for offences committed by or against French military in time of peace and outside of the Republic territory. The TAAP is thus counted in 2011 but not in 2012.

Germany

Q043 (2016): Other specialised 1st instance courts: Finance Courts

Q43 (2015): Other: Finance Courts

The data refer to the year 2014. At present, no more recent data are available.

This information relates to manpower percentages. There are no absolute figures for the number of persons. As to the information regarding manpower percentages, a judge working full-time is counted as 1. A judge who works part-time is counted as a portion of 1, depending upon his work hours as a percentage of full-time (e.g. 0.5 for a judge who works half of the full-time working hours).

As to 42.1. and 42.2.: The information is based upon summaries of the staff. This data is derived from a complex calculation key as an annual average value of the actual personnel deployed (for example, excluding employees who were not present more than 20 working days during a quarter for reasons other than holiday and/or training).

As to 42.3.: The number of professional judges at the highest courts of law is based upon judicial statistics. This data is collected every two years and compiled into an overview (most recent: 31 December 2014).

Q43 (2014): In 2014, in comparison with 2012, the number of specialized first instance courts decreased of three labour courts in two Landers.

Hungary

Q43 (2010): In 2010, the category "other" covered Companies Registry Courts as a part of county courts.

Ireland

Q042 (2016): The specialised courts referred to are the two Special Criminal Courts the jurisdiction of which generally relates to trial of terrorism- and organised crime-related offences.

The increase of one location over the figure provided for 2014 refers to the temporary relocation of the Dublin District Court's Drug Treatment Court in 2016.

Special Criminal Court No. 2 came into operation in 2016.

Italy

Q043 (2016): OTHER: 29 Minor (or Juvenile) Courts + 103 Local Tax Commissions

Q43 (2013): In September 2013, the Italian judicial system implemented an extensive reorganization of the territorial distribution of offices with the closing (by merger with other offices) of 30 Tribunals, 30 Prosecution offices, 220 branches of Tribunals and 346 Peace Judges.

Latvia

Q042 (2016): There is only one specialised court the administrative court with 5 court houses

Q42 (2010): In the ambit of the 2010 exercise, it was explained that the number of courts had not changed, but the Law on Judicial Power was amended and 5 court houses were established in respect of the Administrative district court, while 2 court houses were set up in respect of the regional courts. For the previous exercises, regional courts had only branches and were not considered in the total.

Q043 (2016): There is only one specialised court the administrative court with 5 court houses

Lithuania

Q42 (2014): As regional courts of Lithuania function not only as courts of appeal, but also as courts of first instance (Article 19 of the Law on Courts of the Republic of Lithuania), for 2014, the number of these courts is also included in the number of first instance courts of general jurisdiction. This was not the case in earlier years.

Luxembourg

Q042 (2016): 42.1: 3 justices of the peace and 2 district courts

42.2: see remarks under 043

Q043 (2016): Please note that the total of 043 is not identical to the total in 042, as most of the specialized courts are in fact specialized sections of a general court. E.g. the commercial courts (which also deal with insolvency cases) are specialized sections of the district court (tribunal d'arrondissement). Only the administrative, military and 1st instance social security courts are selfstanding.

Q43 (2014): Most of the areas mentioned in the question are within the competence of district courts (commercial cases, insolvency cases, family law cases and all criminal cases except for offenses that are under the jurisdiction of justices of peace) and justices of peace (labour law cases, rental cases). The indicated total is a purely statistical information which does not reflect the reality.

Q43 (2012): Matters concerning trade and family law are dealt with at the level of district courts, while matters pertaining to labour law and rental cases are within the competence of the justices of peace.

Malta

Q043 (2016): The other specialised 1st Instance courts include:

- the Civil Court, First Hall
- the Land Arbitration Board
- the Rural Leases Control Board
- the Small Claims Tribunal

Q43 (2010): In 2010, an additional reference was made to the Commission for Fair Trading.

Netherlands

Q42 (2010): In 2010 there were 19 district courts of general jurisdiction, 1 specialised first instance court, namely the Trade and Industry Tribunal, 1 Central Appeals Tribunal, 5 general appeal (second instance) courts, 1 Supreme Court and 1 High Court/Council. The 19 district courts also have 35 separate kanton locations that are not separate legal entities. Likewise, there are specialised chambers within certain courts, for instance a military tribunal at the court of Arnhem, but they are not legal entities.

Q43 (2015): Currently the commercial court in the Netherlands is the specialized court CBb. Per January first 2017 starts the Netherlands Commercial Court (NCC).

Poland

Q042 (2016): 42.1 First instance courts of general jurisdiction - common courts (318 regional courts, 45 district courts).

42.2 First instance specialised courts - 16 administrative courts, 9 military courts.

42.3 All the courts - the Supreme Court, common courts (318 regional courts, 45 district courts, 11 appeal courts), administrative courts (16 voivodship administrative courts. the Supreme Administrative Court), military courts (9 regional military courts, 2 district military courts). The differences between presented data and the data from 2014 edition is likely to occurred due to the restoration of District Courts, abolished and converted to divisions of larger units in 2013.

Q42 (2012): In 2012 there was a structural change concerning District courts. Some of them were transformed into divisions of other courts.

Portugal

Q42 (2014): As a result of the implementation of the new Judicial Organization Reform (Law n.62/2013, of 26th August and Decree-Law n.49/2013, 26th August), the number of specialized first instance courts increased in 2014, while the enlargement of the court districts has been promoted.

Three goals are pursued by this reform: to widen district court's geographic jurisdiction and relocate them according to social and economic criteria; to cover the whole territory with specific jurisdictions; to implement a new court management system. The reform melted the former judicial districts into 23 judicial districts, each containing two or more units, according to the demographic and economic reality of the geographical area in which they are located.

The difference between the numbers of question 42.2 (228) and 43 is due to the inclusion of the 20 administrative courts in question 43, obtaining a result of 248. In Portugal, the administrative jurisdiction is autonomous, independent from the civil jurisdiction.

Q43 (2015): In 2013-2014, the Reform of the Portuguese Judicial system was implemented. One of the major goals of this reform was to set up specialised courts on a national level, which led to a significant increase of commercial courts compared to previous years.

The difference between Q42.2 and Q43 is due to the inclusion of the 20 administrative courts in Q43. In Portugal, the administrative jurisdiction is autonomous, independent from the civil jurisdiction and cannot be considered as specialised courts.

Other courts:

Other specialised 1st instance courts include: Criminal Instruction Courts, Maritime Courts; Intellectual Property and Competition Court; Enforcement Courts.

Law 31/2012, 14 August, put in force the Rent and tenancy section (Balcão Nacional do Arrendamento) that is functioning since 8 January 2013

Q43 (2014): In 2013-2014, the Reform of the Portuguese Judicial system was implemented. One of the major goals of this reform was to set up specialised courts on a national level, which led to a significant increase of commercial courts compared to previous years.

For 2014, the category "other" subsumes as in 2012 Criminal Instruction Courts, Maritime Courts, Intellectual Property and Competition Court and Enforcement Courts. Additionally, the Rent and tenancy section (Balcão Nacional do Arrendamento) has been established by law in August 2012 and is functioning since 8 January 2013.

Q43 (2012): For 2012, the category "other" encompasses Criminal Instruction Courts, Maritime Courts, Intellectual Property and Competition Court and Enforcement Courts.

Q43 (2010): In the frame of the 2010 exercise, it has been specified that the category "other 1st instance specialized courts" includes 5 Criminal Instruction Courts, 1 Maritime Court and 3 Enforcement Courts.

Romania

Q042 (2016): There are 176 first instance courts, 42 tribunals and 15 courts of appeals. All of the first instance courts deal with cases in first instance, but also the tribunals and the courts of appeal may have material or personal jurisdiction in first instance.

Slovenia

Q042 (2016): First instance courts of general jurisdiction: 44 local courts + 11 district courts = 55

First instance specialised courts: 3 labour courts + 1 labour and social court + 1 Administrative court = 5

All courts: first instance courts of general jurisdiction (55, see Q42.1) + first instance specialised courts (4 labour courts + 1 social court + 7 branch offices of labour and social courts + 1 administrative court + 3 branch offices of administrative court) + second instance courts and courts of appeal (4 higher courts of general jurisdiction + 1 higher labour and social court) + the Supreme court = 77.

Q42 (2015): legal entities:

First instance courts of general jurisdiction: 44 local courts + 11 district courts = 55

First instance specialised courts: 3 labour courts + 1 labour and social court + 1 administrative court = 5

geographic locations:

All the courts = 77

- first instance courts of general jurisdiction = 55 (Q42.1); additionally

- first instance specialised courts = 4 labour courts + 1 social court + 7 branch offices of labour and social courts + 1 administrative court + 3 branch offices of administrative court = 16; additionally

- second instance courts and courts of appeal = 4 higher courts of general jurisdiction + 1 higher labour and social court = 5; and finally

- supreme court: the Supreme Court of the Republic of Slovenia = 1.

Spain

Q42 (2010): Within the frame of an overall reform process in respect of the judicial system, the Council of Ministers approved the creation of 150 new judicial units in 2010: 134 courts, 16 posts for judges (National High Court and Regional High Courts of Justice) and 50 posts for territorial judges. The latter are a new figure foreseen by the Strategic Plan for Modernization of the Justice System, intended to promote occupation of judicial posts by highly qualified professional judges.

Q043 (2016): - 335 Criminal courts

-30 Criminal courts specialized in violence against women

-106 violence against women courts

-83 juvenile courts

-51 Prison courts

-3 foreclosure proceedings courts

-1 Arbitration court

-18 Civil Capacity courts -28 Civil register courts

Q43 (2015): Other specialised courts include: 343 Penal courts; 23 Penal courts specialized in violence against women; 106 violence against women courts; 83 juvenile courts; 50 Prison courts; 3 foreclosure proceedings courts; 1 Arbitration court; 12 Civil Capacity courts and 28 Civil registry.

The Commercial Courts deal with insolvency issues.

Military Courts have not been accounted because they do not belong to the Judiciary (except the Supreme Court 5th room). There are other 26 Military Courts.

Q43 (2014): In 2014, the category "other specialized 1st instance courts" encompasses: 357 Penal courts; 23 Penal courts specialized in violence against women; 106 violence against women courts; 83 Juvenile courts; 50 Prison courts; 16 Courts for disabled people (capacity courts), 26 Civil Register Courts, 3 Foreclosure proceedings courts (mortgage courts); 1 Arbitration court.

The Decanatos exclusive are not included in this exercise because these organs are not courts and have rather administrative nature (units in charge of supporting the courts within their territory in matters such as assignment of cases or distribution of rogatory letters among courts).

Q43 (2012): In 2012, the category "other specialized 1st instance courts" encompasses: 380 Penal courts; 17 Penal courts specialised in violence against women; 106 Violence against women courts; 82 Juvenile courts; 1 Juvenile Enforcement court; 50 Prison courts; 9 Capacity courts; 26 Civil Register courts; 8 Decanatos exclusive; 4 Labour enforcement courts; 4 Mortgage courts and one Arbitration Court.

Q43 (2010): In 2010, the category "other specialized 1st instance courts" encompasses: 348 Penal courts; 17 Penal courts specialised in violence against women; 106 Violence against women courts; 82 Juvenile courts; 1 Juvenile Enforcement court; 50 Prison courts; 17 Capacity courts; 28 Civil Register courts; 8 Decanatos Exclusivos; 4 Labour enforcement courts; 3 Mortgage courts; 1 Arbitration court.

Sweden

Q42 (2010): A reform of the judicial map carried out between 2008 and 2010 resulted in a reduction of the number of first instance courts of general jurisdiction. Concretely, the administrative courts of first instance were merged and their number decreased from 23 to 12. Some of the general courts of first instance were also merged with others.

Q043 (2016): Other specialised 1st instance courts: the Defence Intelligence Court.

2 specialised 1st instance Courts, Market Court and the Court of Patent appeals are from September 1st 2016 replaced by one Patent and Market Court and a Patent and Market Court of Appeal which is a part of the Stockholm district Court and Svea Hovrätt Court of appeals.

Q43 (2015): Other specialised 1st instance courts: Market Court, the Court of Patent appeals and the Defence Intelligence Court.

N.b. The Market Court and the Court of Patent appeals are from September 1st 2016 replaced by one Patent and Market Court and a Patent and Market Court of Appeal, see Q 208.

Indicator 2: The judicial organisation

Comments provided by the national correspondents

organised by question no.

Question 42 Number of courts

Question 43 Number of specialised courts of first instance

Question 42

Austria

(2014): On the occasion of the 2014 CEPEJ biannual evaluation Report (2012 data), it has been specified that from January 1st 2013 to July 1st, 2014 a number of district courts will be merged and that the total number of district courts would decline from 141 in 2012 to 115 as of July 1st, 2014. In 2014 there are 129 first instance district courts which is less than 132 (number communicated for the year 2013) but still not complying with the aim of 115. In fact, the objectives are depending on political agreements. Therefore they cannot be realized at the moment.

Belgium

(2016): The ongoing reform in respect of Justices of Peace is resulting in the reduction of the number of hearing venues.

(2014): The decrease of 52% in the number of ordinary courts of first instance between 2013 and 2014 is due to a reform of the judicial map. It relates to a reduction in legal entities: from 27 to 13 first instance courts, 27 to 9 labour courts, 27 to 9 commercial courts, and 34 to 15 police courts.

Croatia

(2014): In 2014, according to the Act on Territorial Jurisdiction and Seats of Courts there are 67 first instance courts but the Municipal Court in Novi Zagreb is not in function while the Municipal Criminal Court in Zagreb is a specialized court counted in Q42.2.". Accordingly, there are 65 actually functioning first instance courts of a general jurisdiction.

(2013): In 2013, the Ministry of Justice added to the number of geographic locations all offices of a specific court that are located outside of the main building (seat of the court), in which judicial activities are undertaken, i.e. the permanent offices, displaced Land Registry Departments and similar. The number of geographic locations of all the courts is different for the 2012 exercise (158) and the 2013 evaluation cycle (192) accordingly. It is important to emphasize that the real number of courts did not increase between 2012 and 2013.

Also, 66 municipal courts (65 municipal courts and 1 Municipal Criminal Court in Zagreb) were in function out of total 67 first instance courts prescribed by the Act on Territorial Jurisdiction and Seats of Courts. The Municipal Court in Novi Zagreb is still not in function. Accordingly, the reply in respect of the number of first instance general jurisdictions is 65.

Cyprus

(2014): 2014 The number of courts changed in 2014. Instead one labour court in the district of Nicosia, there are three separate courts in different districts. This applies as well as for rent and tenancies court. One more family court was also established. The Assize court deals with serious criminal offences only.

Czech Republic

(2016): There are no specialised first instance courts, but judges within individual courts are specialised (e.g. for family, labour and enforcement cases at district courts, and insolvency and administrative cases at regional courts as first instance courts).

Denmark

(2016): District courts are called 1st instance court, Land Registration court and Maritime and Commercial Court are considered a first instance specialized court. Second and third instance courts are the two High Courts and the Supreme Court.

Estonia

(2016): A small courthouse was adjoined with another small courthouse. The distance between them was less than 50 km.

Finland

(2016): Some geographic locations of the District Courts has been shut down.

(2014): In 2014, in Finland there are 81 courts as geographic locations, namely 27 District Courts, 13 Branch offices of District Courts, 25 Auxiliary courtrooms of District Courts (23 till 2014), 3 specialized courts, 6 Administrative Courts (8 till 2014), 5 Courts of Appeal (6 till 2014), the Supreme Court and the Supreme Administrative Court.

(2010): In 2010, the network of the District Courts changed which entailed a reduction of their number from 51 to 27.

France

(2010): The 2010 data concerning the number of legal entities includes first instance courts but also the mainland and overseas local courts. The figure for all courts (category 3) encompasses only "geographic locations" that can group several jurisdictions.

Ireland

(2016): The specialised courts referred to are the two Special Criminal Courts the jurisdiction of which generally relates to trial of terrorism- and organised crime-related offences.

The increase of one location over the figure provided for 2014 refers to the temporary relocation of the Dublin District Court's Drug Treatment Court in 2016.

Special Criminal Court No. 2 came into operation in 2016.

Latvia

(2016): There is only one specialised court the administrative court with 5 court houses

(2010): In the ambit of the 2010 exercise, it was explained that the number of courts had not changed, but the Law on Judicial Power was amended and 5 court houses were established in respect of the Administrative district court, while 2 court houses were set up in respect of the regional courts. For the previous exercises, regional courts had only branches and were not considered in the total.

Lithuania

(2014): As regional courts of Lithuania function not only as courts of appeal, but also as courts of first instance (Article 19 of the Law on Courts of the Republic of Lithuania), for 2014, the number of these courts is also included in the number of first instance courts of general jurisdiction. This was not the case in earlier years.

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(2016): 42.1: 3 justices of the peace and 2 district courts
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(2010): In 2010 there were 19 district courts of general jurisdiction, 1 specialised first instance court, namely the Trade and Industry Tribunal, 1 Central Appeals Tribunal, 5 general appeal (second instance) courts, 1 Supreme Court and 1 High Court/Council. The 19 district courts also have 35 separate kanton locations that are not separate legal entities. Likewise, there are specialised chambers within certain courts, for instance a military tribunal at the court of Arnhem, but they are not legal entities.

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42.3 All the courts - the Supreme Court, common courts (318 regional courts, 45 district courts, 11 appeal courts), administrative courts (16 voivodship administrative courts, the Supreme Administrative Court), military courts (9 regional military courts, 2 district military courts). The differences between presented data and the data from 2014 edition is likely to occur due to the restoration of District Courts, abolished and converted to divisions of larger units in 2013.

(2012): In 2012 there was a structural change concerning District courts. Some of them were transformed into divisions of other courts.

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(2014): As a result of the implementation of the new Judicial Organization Reform (Law n.62/2013, of 26th August and Decree-Law n.49/2013, 26th August), the number of specialized first instance courts increased in 2014, while the enlargement of the court districts has been promoted.

Three goals are pursued by this reform: to widen district court's geographic jurisdiction and relocate them according to social and economic criteria; to cover the whole territory with specific jurisdictions; to implement a new court management system. The reform melted the former judicial districts into 23 judicial districts, each containing two or more units, according to the demographic and economic reality of the geographical area in which they are located.

The difference between the numbers of question 42.2 (228) and 43 is due to the inclusion of the 20 administrative courts in question 43, obtaining a result of 248. In Portugal, the administrative jurisdiction is autonomous, independent from the civil jurisdiction.

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Spain

(2010): Within the frame of an overall reform process in respect of the judicial system, the Council of Ministers approved the creation of 150 new judicial units in 2010: 134 courts, 16 posts for judges (National High Court and Regional High Courts of Justice) and 50 posts for territorial judges. The latter are a new figure foreseen by the Strategic Plan for Modernization of the Justice System, intended to promote occupation of judicial posts by highly qualified professional judges.

Sweden

(2010): A reform of the judicial map carried out between 2008 and 2010 resulted in a reduction of the number of first instance courts of general jurisdiction. Concretely, the administrative courts of first instance were merged and their number decreased from 23 to 12. Some of the general courts of first instance were also merged with others.

Question 043

Austria

(2016): On principal every court has to deal with all judicial issues; in the biggest Austrian cities certain courts are specialised, i.e. five in Vienna (civil cases, criminal cases, commercial cases [2 x], employment- and social welfare cases) and two in Graz (criminal cases, remaining cases)

Belgium

(2016): "Other": Justices of Peace and Police Courts.

Administrative courts: State Council, Alien Law Litigation Council, de Raad voor Vergunningsbetwistingen, het Milieuhandhavingscollege en de Raad voor Verkiezingsbetwistingen. Five first instance courts have specialised divisions for enforcement of sentences. The expression of Enforcement Courts is used, but actually these are specialised divisions. Besides, all first instance courts (13) have a specialized section "Family and Youth". Even if the expression of Family Court is used, it is a specialized section.

(2015): Other: justices of the peace and police courts

Administrative courts: the Council of State, the Council of the Litigation of Foreigners, Milieuhandhavingscollege, de Raad voor Vergunningsbetwistingen en de Raad voor Verkiezingsbetwistingen.

(2014): 2014: Among the other specialised courts are 15 police courts and 187 justices of the peace ("juges de paix"). The family courts are a section within 13 first instance courts.

Administrative courts are the Council of State, the Alien Litigation Council, "(Vlaamse)Raad voor Vergunningsbetwistingen", "het (Vlaamse) Milieuhandhavingscollege". Administrative courts are not part of the judicial system administered by the Federal Justice ("Service Fédéral Public de la Justice" - SPF). Thus, the total number of specialised courts is 220 for specialised courts of the judicial order and 224 if the 4 administrative courts are counted. The decrease of 52% in the number of ordinary courts of first instance between 2013 and 2014 is due to a reform of the judicial map. It relates to a reduction in legal entities: from 27 to 13 first instance courts, 27 to 9 labour courts, 27 to 9 commercial courts, and 34 to 15 police courts.

Bulgaria

(2016): 'Other specialised 1st instance courts' - 1 Specialized Criminal Court.

Croatia

(2016): Other specialised 1st instance courts are 22 Misdemeanour courts and a Municipal Criminal Court in Zagreb.

(2010): The decrease of the number of first instance specialised courts between 2008 and 2010 is a result of a judicial reform aiming to rationalize the judicial network in Croatia.

Cyprus

(2016): Assize Courts

(2015): In 2015, two new Assize courts (now 5) and one administrative court were established and one Rent Control Tribunal was removed.

Denmark

(2016): Both insolvency and Commercial courts are marked with one court. In both cases it is Maritime and Commercial Court. Unfortunately the Maritime and Commercial Court is an insolvency court, but not ONLY an insolvency court, so it is also marked under Commercial Courts.

France

(2016): Other specialized courts are:

- Juvenile courts – 155
- Military Pensions courts – 36
- Court for Navigation on the Rhine – 1
- Court for Navigation on the Moselle – 1
- Commercial Maritime courts – 6
- National Court of Asylum – 1

Moreover, the following reforms are under way:

- The court of Paris which should be functional on 14 May 2018, will encompass the overall services of the tribunal de grande instance which are currently scattered between 5 sites (la Cité, the police court and the tribunaux d'instance).
- Since 1 July 2017, hearings before the police court are taking place in the tribunal de grande instance instead of the tribunal d'instance. The pursued aim is to allow tribunaux d'instance focusing on everyday civil justice, while criminal litigation is centralized within the tribunal de grande instance.
- Since 1 July 2017 the jurisdictions de proximité are being suppressed (law n° 2011-1862 of 13 December 2011). Their competence is currently exercised by the tribunaux d'instance in civil matters and the police courts attached to the tribunaux de grande instance in criminal matters.
- Starting from 1 January 2019, the competence in social matters which is currently exercised by Social Security courts (TASS), Incapacity Dispute courts (TCI) and Departmental Commissions of Social Aid (CDAS) will be unified and entrusted to tribunaux de grande instance (first instance ordinary courts). The mentioned specialized jurisdictions will be suppressed.

(2015): Other specialised courts are:

Juvenile courts : 155
Military Pensions Courts: 36
Court for navigation on the Rhine: 1
Maritime Courts: 14
National Court of Asylum: 1
Court of First Instance for navigation on the Moselle: 1

(2014): The reduction of the number of specialised courts in 2014 is primarily due to the suppression of 70 military pensions courts.

2013, 2014: the other specialised courts are:

- children courts: 155
- military pensions courts: 36
- Rhine navigation court: 1
- commercial maritime courts: 14
- national court for asylum right: 1
- court of first instance for the navigation on the Moselle: 1

Compared to previous years, a part of the "other specialised courts" was distributed in the proposed categories. Therefore, the agricultural land courts appear in the category rental cases courts.

The specialised interregional jurisdictions, competent to judge organised crime cases have been added.

The category of insurance and/or social security courts comprises the 26 incapability litigations courts and the 115 social security cases courts.

The number of military pensions courts has been drastically reduced.

In 2013 and 2014, 281 courts of rental cases are mentioned, which was not the case in 2010 and 2012. It corresponds to agricultural land courts which were included in the comment and classified in the category "other specialised court".

It is the same for courts for execution of criminal sanctions. In 2013 and 2014, there were 8 of them. They correspond to the sentence enforcement courts which were included in 2010 and 2012 in the category "other specialised courts".

Concerning courts in terms of fight against terrorism, organised crime and corruption, in 2013, they were 50. It corresponds to the interregional jurisdictions specialised in terms of organised crime.

Between 2012 and 2013, a significant increase in the number of insurance and/or social security courts may be observed. This courts appeared in the category "other specialised courts", they correspond to social security courts and incapability litigation courts.

Regarding the category "others", a significant difference may be observed between the number and the type of specialised courts between 2012 and 2013 because this category was redistributed according the specific categories proposed for greater clarity.

(2013): 2013, 2014: the other specialised courts are:

- children courts: 155
- military pensions courts: 36
- Rhine navigation court: 1
- commercial maritime courts: 14
- national court for asylum right: 1
- court of first instance for the navigation on the Moselle: 1

In comparison with previous years, the part "other specialised courts" was distributed in the proposed categories. Thus, the agricultural land courts are included in the category of rental cases courts.

The specialised interregional jurisdictions, competent to judge cases of organised crime were added.

The category insurance and/or social security courts comprises the 26 courts of incapability litigation courts and the 115 courts responsible for social security cases.

The number of military pensions courts was drastically reduced.

In 2013 and 2014, 284 courts of rental cases are mentioned, which was not the case for 2010 and 2012. They refer to the agricultural land courts which were appearing in the comment and were classified in the category "other specialised courts".

It is the same for courts for execution of criminal sanctions. In 2013 and 2014, there are 8 of them. They correspond to the sentence enforcement courts which were appearing in 2010 and 2012 in the category "other specialised courts".

Concerning the courts in terms of fight against terrorism, organised crime or corruption, in 2013, they were less than 50. They correspond to interregional jurisdictions specialised in organised crime.

Between 2012 and 2013, a significant increase in the number of insurance and/or social security courts may be observed. This courts appeared in the category "other specialised courts", they correspond to social security courts and incapability litigation courts.

Regarding the category "others", a significant difference may be observed between the number and the type of specialised courts between 2012 and 2013 because this category was redistributed according the specific categories proposed for greater clarity.

(2012): 2010, 2012: Commercial Courts: 135

Mixed commercial courts 8: 6 in the departments and regions overseas and 2 in the communities overseas (the mixed commercial court of Mayotte is not included for the reference year).

The category "labour courts" brings together the 210 industrial courts and the 6 labour courts.

The category "insurance and/or social security courts" refers to the courts responsible for social security cases.

The other specialised courts of first instance are:

- District courts specialised in criminal matters (police courts): 3
- Local police courts: 3
- Children courts: 155
- Incapacity Dispute courts: 26
- Agricultural land courts: 281
- Sentence enforcement courts: 50
- Military pensions courts: 106
- Rhine navigation court: 1
- Commercial maritime courts: 14
- Court of first instance for the navigation on the Moselle: 1

- It should be noted that the military court of Paris (TAAP) was discontinued on 1st January 2012 by the Law n°2011-1862 of 13 December 2011 relating to the distribution of litigations and the relief of some court proceedings. Its functions were transferred to a pole specialised in military matters in the High Court of Paris. The pole is now the only one that has jurisdiction for offences committed by or against French military in time of peace and outside of the Republic territory. The TAAP is thus counted in 2011 but not in 2012.

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Germany

(2016): Other specialised 1st instance courts: Finance Courts

(2015): Other: Finance Courts

The data refer to the year 2014. At present, no more recent data are available.

This information relates to manpower percentages. There are no absolute figures for the number of persons. As to the information regarding manpower percentages, a judge working full-time is counted as 1. A judge who works part-time is counted as a portion of 1, depending upon his work hours as a percentage of full-time (e.g. 0.5 for a judge who works half of the full-time working hours).

As to 42.1. and 42.2.: The information is based upon summaries of the staff. This data is derived from a complex calculation key as an annual average value of the actual personnel deployed (for example, excluding employees who were not present more than 20 working days during a quarter for reasons other than holiday and/or training).

As to 42.3.: The number of professional judges at the highest courts of law is based upon judicial statistics. This data is collected every two years and compiled into an overview (most recent: 31 December 2014).

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(2010): In 2010, the category "other" covered Companies Registry Courts as a part of county courts.

Italy

(2016): OTHER: 29 Minor (or Juvenile) Courts + 103 Local Tax Commissions

(2013): In September 2013, the Italian judicial system implemented an extensive reorganization of the territorial distribution of offices with the closing (by merger with other offices) of 30 Tribunals, 30 Prosecution offices, 220 branches of Tribunals and 346 Peace Judges.

Latvia

(2016): There is only one specialised court the administrative court with 5 court houses

Luxembourg

(2016): Please note that the total of 043 is not identical to the total in 042, as most of the specialized courts are in fact specialized sections of a general court. E.g. the commercial courts (which also deal with insolvency cases) are specialized sections of the district court (tribunal d'arrondissement). Only the administrative, military and 1st instance social security courts are selfstanding.

(2014): Most of the areas mentioned in the question are within the competence of district courts (commercial cases, insolvency cases, family law cases and all criminal cases except for offenses that are under the jurisdiction of justices of peace) and justices of peace (labour law cases, rental cases). The indicated total is a purely statistical information which does not reflect the reality.

(2012): Matters concerning trade and family law are dealt with at the level of district courts, while matters pertaining to labour law and rental cases are within the competence of the justices of peace.

Malta

(2016): The other specialised 1st Instance courts include:

- the Civil Court, First Hall
- the Land Arbitration Board
- the Rural Leases Control Board
- the Small Claims Tribunal

(2010): In 2010, an additional reference was made to the Commission for Fair Trading.

Netherlands

(2015): Currently the commercial court in the Netherlands is the specialized court CBb. Per January first 2017 starts the Netherlands Commercial Court (NCC).

Portugal

(2015): In 2013-2014, the Reform of the Portuguese Judicial system was implemented. One of the major goals of this reform was to set up specialised courts on a national level, which led to a significant increase of commercial courts compared to previous years.

The difference between Q42.2 and Q43 is due to the inclusion of the 20 administrative courts in Q43. In Portugal, the administrative jurisdiction is autonomous, independent from the civil jurisdiction and cannot be considered as specialised courts.

Other courts:

Other specialised 1st instance courts include: Criminal Instruction Courts, Maritime Courts; Intellectual Property and Competition Court; Enforcement Courts.

Law 31/2012, 14 August, put in force the Rent and tenancy section (Balcão Nacional do Arrendamento) that is functioning since 8 January 2013

(2014): In 2013-2014, the Reform of the Portuguese Judicial system was implemented. One of the major goals of this reform was to set up specialised courts on a national level, which led to a significant increase of commercial courts compared to previous years.

For 2014, the category “other” subsumes as in 2012 Criminal Instruction Courts, Maritime Courts, Intellectual Property and Competition Court and Enforcement Courts. Additionally, the Rent and tenancy section (Balcão Nacional do Arrendamento) has been established by law in August 2012 and is functioning since 8 January 2013.

(2012): For 2012, the category “other” encompasses Criminal Instruction Courts, Maritime Courts, Intellectual Property and Competition Court and Enforcement Courts.

(2010): In the frame of the 2010 exercise, it has been specified that the category “other 1st instance specialized courts” includes 5 Criminal Instruction Courts, 1 Maritime Court and 3 Enforcement Courts.

Spain

(2016): - 335 Criminal courts
-30 Criminal courts specialized in violence against women
-106 violence against women courts
-83 juvenile courts
-51 Prison courts
-3 foreclosure proceedings courts
-1 Arbitration court
-18 Civil Capacity courts -28 Civil register courts

(2015): Other specialised courts include: 343 Penal courts; 23 Penal courts specialized in violence against women; 106 violence against women courts; 83 juvenile courts; 50 Prison courts; 3 foreclosure proceedings courts; 1 Arbitration court; 12 Civil Capacity courts and 28 Civil registry.

The Commercial Courts deal with insolvency issues.

Military Courts have not been accounted because they do not belong to the Judiciary (except the Supreme Court 5th room). There are other 26 Military Courts.

(2014): In 2014, the category “other specialized 1st instance courts” encompasses: 357 Penal courts; 23 Penal courts specialized in violence against women; 106 violence against women courts; 83 Juvenile courts; 50 Prison courts; 16 Courts for disabled people (capacity courts), 26 Civil Register Courts, 3 Foreclosure proceedings courts (mortgage courts); 1 Arbitration court.

The Decanatos exclusive are not included in this exercise because these organs are not courts and have rather administrative nature (units in charge of supporting the courts within their territory in matters such as assignment of cases or distribution of rogatory letters among courts).

(2012): In 2012, the category “other specialized 1st instance courts” encompasses: 380 Penal courts; 17 Penal courts specialised in violence against women; 106 Violence against women courts; 82 Juvenile courts; 1 Juvenile Enforcement court; 50 Prison courts; 9 Capacity courts; 26 Civil Register courts; 8 Decanatos exclusive; 4 Labour enforcement courts; 4 Mortgage courts and one Arbitration Court.

(2010): In 2010, the category “other specialized 1st instance courts” encompasses: 348 Penal courts; 17 Penal courts specialised in violence against women; 106 Violence against women courts; 82 Juvenile courts; 1 Juvenile Enforcement court; 50 Prison courts; 17 Capacity courts; 28 Civil Register courts; 8 Decanatos Exclusivos; 4 Labour enforcement courts; 3 Mortgage courts; 1 Arbitration court.

Sweden

(2016): Other specialised 1st instance courts: the Defence Intelligence Court.
2 specialised 1st instance Courts, Market Court and the Court of Patent appeals are from September 1st 2016 replaced by one Patent and Market Court and a Patent and Market Court of Appeal which is a part of the Stockholm district Court and Svea Hovrätt Court of appeals.

(2015): Other specialised 1st instance courts: Market Court, the Court of Patent appeals and the Defence Intelligence Court.
N.b. The Market Court and the Court of Patent appeals are from September 1st 2016 replaced by one Patent and Market Court and a Patent and Market Court of Appeal, see Q 208.

Table 3.1.1.1(2016): First instance courts, number of other than criminal law cases in 2016 - Pending cases on 1st Jan. (Q91)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases *	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases**
	1+2+3+4	1	2 = 2.1+2.2+2.3	2.1	2.2 = 2.2.1+2.2.2+2.2.3	2.2.1	2.2.2	2.2.3	2.3	3	4
Austria	524 240	33 222	388 908	356 361	32 547	28 491	4 056	NAP	NAP	48 297	53 813
Belgium	NA	NA	NA	NAP	NA	NAP	NA	NAP	NAP	32 080	NAP
Bulgaria	73 159	NA	NA	NA	NAP	NAP	NAP	NAP	NA	8 759	NA
Croatia	331 743	184 289	132 430	97 339	35 091	32 551	2 540	NAP	NAP	15 024	NAP
Cyprus	61 484	NA	NA	NA	NA	NA	NA	NA	NA	7 737	NA
Czech Republic	517 801	186 136	205 370	191 171	12 622	NAP	12 622	NAP	1 577	8 296	117 999
Denmark	122 137	20 790	73 598	66 980	6 618	971	5 647	NAP	NAP	NAP	27 749
Estonia	28 828	5 845	21 836	7 727	14 109	3 682	10 427	NAP	NAP	1 147	NAP
Finland	128 042	9 530	97 217	97 217	NAP	NAP	NAP	NAP	NAP	15 553	5 742
France	1 863 243	1 611 461	88 926	88 926	NAP	NAP	NAP	NAP	NAP	162 856	NAP
Germany	NA	754 864	NA	NA	NA	NA	1 657 420	NA	NA	644 890	1 468 300
Greece	NA	264 484	NA	NA	NA	NA	NA	NA	NA	263 476	NA
Hungary	148 425	76 124	31 335	30 442	893	NAP	NA	893	391	5 776	35 190
Ireland	NA	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	NAP	NA
Italy	4 215 937	2 687 388	1 287 283	1 287 283	NAP	NAP	NAP	NAP	NAP	241 266	NAP
Latvia	32 453	28 588	2 647	2 647	NAP	NAP	NAP	NAP	NAP	1 218	NAP
Lithuania	44 147	27 595	870	410	NAP	NAP	NAP	NAP	460	10 893	4 789
Luxembourg	NA	1 137	1 646	NAP	NAP	NAP	NAP	NAP	1 646	NA	NAP
Malta	9 459	9 041	NAP	NAP	NAP	NAP	NAP	NAP	NAP	418	NAP
Netherlands	299 580	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	47 570	NAP
Poland	1 704 622	646 250	918 002	372 500	388 816	298 505	90 311	NA	NA	33 167	107 203
Portugal	NA	312 255	NA	NA	NA	NAP	NAP	NA	NA	75 515	NA
Romania	649 920	597 721	11 750	3 049	8 701	4 788	3 913	NAP	NAP	40 449	NAP
Slovakia	320 952	158 706	71 485	24 605	6 946	NAP	6 946	NAP	39 934	6 575	84 186
Slovenia	192 231	45 550	118 604	113 760	4 844	4 442	402	NAP	NAP	1 619	26 458
Spain	1 382 963	840 840	365 705	365 705	NAP	NAP	NAP	NAP	NAP	176 418	NAP
Sweden	67 865	26 196	8 399	8 399	NAP	NAP	NAP	NAP	NAP	30 273	2 997
Average	605 678	387 637	212 556	183 207	51 119	53 347	179 428	893	8 802	78 303	175 857
Median	192 231	117 415	81 262	88 926	10 662	4 788	6 297	893	1 577	22 913	35 190
Minimum	9 459	1 137	870	410	893	971	402	893	391	418	2 997
Maximum	4 215 937	2 687 388	1 287 283	1 287 283	388 816	298 505	1 657 420	893	39 934	644 890	1 468 300
Nb of values	27	27	27	27	27	27	27	27	27	27	27
% of NA	22%	19%	30%	26%	19%	11%	15%	19%	22%	4%	19%
% of NAP	0%	0%	4%	11%	44%	63%	48%	78%	59%	7%	41%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Greece: Any deviations from the 2015 figures are due to a new way of collecting statistics.

Cyprus: The number of litigious and non-litigious cases cannot be separated and constitute one overall category of civil cases.

Denmark: The number of "administrative law cases" which are litigious is included in the number of "civil and commercial litigious cases".

Italy: Only since 2014 the 29 regional administrative courts data are taken into account in the number of cases on first instance.

Ireland: The low CR is a result of a specifics of the system where the cases resolved out of court are not obliged to report back to courts

Malta: Regarding the other than criminal cases, since 2014, the number of case categories used was increased, reflecting a more accurate representation of the caseload of the courts. Hence the comparability with previous cycles is not recommended.

Portugal: The category "civil (and commercial) litigious cases" does not include civil and labour enforcement cases.

Slovakia: The new structure of judicial data introduced in 2016 might cause the discrepancies and incompatibility of the data with the previous cycles.

Table 3.1.1.2(2016): First instance courts, number of other than criminal law cases in 2016 - Incoming cases (Q91)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases *	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases**
	1+2+3+4	1	2 = 2.1+2.2+2.3	2.1	2.2 = 2.2.1+2.2.2+2.2.3	2.2.1	2.2.2	2.2.3	2.3	3	4
Austria	3 284 414	84 708	2 641 124	1 670 674	970 450	683 624	286 826	NAP	NAP	56 583	501 999
Belgium	990 337	727 238	263 653	NAP	243 653	NAP	243 653	NAP	NAP	19 446	NAP
Bulgaria	340 272	NA	NA	NA	NAP	NAP	NAP	NAP	NA	25 072	NA
Croatia	963 825	135 583	813 903	183 550	630 353	490 091	140 262	NAP	NAP	14 339	NAP
Cyprus	25 291	NA	NA	NA	NA	NA	NA	NA	NA	1 543	NA
Czech Republic	1 039 521	332 407	660 677	490 606	167 963	NAP	167 963	NAP	2 108	11 416	35 021
Denmark	2 232 881	41 620	2 060 019	352 091	1 707 928	1 689 939	17 989	NAP	NAP	NAP	131 242
Estonia	325 147	16 408	305 783	43 717	262 066	107 351	154 715	NAP	NAP	2 956	NAP
Finland	451 430	8 587	393 960	393 960	NAP	NAP	NAP	NAP	NAP	38 831	10 052
France	2 253 976	1 698 704	361 740	361 740	NAP	NAP	NAP	NAP	NAP	193 532	NAP
Germany	3 518 265	1 308 135	NA	2 639 044	NA	NA	122 206	NA	NA	739 325	1 348 599
Greece	NA	146 821	NA	NA	NA	NA	NA	NA	NA	53 934	NA
Hungary	870 257	184 824	637 091	191 575	441 767	NAP	437 387	4 380	3 749	19 590	28 752
Ireland	233 058	127 395	104 848	104 848	NAP	NAP	NAP	NAP	NAP	NAP	815
Italy	3 657 690	1 554 837	2 048 288	2 048 288	NAP	NAP	NAP	NAP	NAP	54 565	NAP
Latvia	73 284	41 381	29 542	29 542	NAP	NAP	NAP	NAP	NAP	2 361	NAP
Lithuania	333 886	124 885	108 033	81 613	NAP	NAP	NAP	NAP	26 420	14 917	86 051
Luxembourg	10 911	4 533	5 195	1 111	NAP	NAP	NAP	NAP	4 084	1 183	NAP
Malta	6 730	6 640	NAP	NAP	NAP	NAP	NAP	NAP	NAP	90	NAP
Netherlands	1 245 537	161 171	971 332	971 332	NAP	NAP	NAP	NAP	NAP	113 034	NAP
Poland	11 145 551	1 124 383	9 694 247	4 815 988	4 683 663	3 578 837	1 104 826	NA	NA	76 692	250 229
Portugal	NA	308 880	NA	NA	NA	NAP	NAP	NA	NA	26 049	NA
Romania	1 477 959	1 335 498	25 099	18 421	6 678	5 904	774	NAP	NAP	117 362	NAP
Slovakia	922 805	201 368	256 154	61 557	114 075	NAP	114 075	NAP	80 522	8 861	456 422
Slovenia	710 366	51 659	483 065	184 457	298 608	240 849	57 759	NAP	NAP	2 972	172 670
Spain	1 972 326	999 383	808 117	808 117	NAP	NAP	NAP	NAP	NAP	164 826	NAP
Sweden	191 850	59 591	21 366	21 366	NAP	NAP	NAP	NAP	NAP	103 997	6 896
Average	1 531 103	431 466	1 080 630	736 838	866 109	970 942	237 370	4 380	23 377	74 539	252 396
Median	922 805	146 821	393 960	191 575	298 608	490 091	147 489	4 380	4 084	25 072	108 647
Minimum	6 730	4 533	5 195	1 111	6 678	5 904	774	4 380	2 108	90	815
Maximum	11 145 551	1 698 704	9 694 247	4 815 988	4 683 663	3 578 837	1 104 826	4 380	80 522	739 325	1 348 599
Nb of values	27	27	27	27	27	27	27	27	27	27	27
% of NA	7%	7%	19%	15%	15%	11%	7%	19%	22%	0%	15%
% of NAP	0%	0%	4%	7%	44%	63%	48%	78%	59%	7%	41%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Greece: Any deviations from the 2015 figures are due to a new way of collecting statistics.

Cyprus: The number of litigious and non-litigious cases cannot be separated and constitute one overall category of civil cases.

Denmark: The number of "administrative law cases" which are litigious is included in the number of "civil and commercial litigious cases".

Italy: Only since 2014 the 29 regional administrative courts data are taken into account in the number of cases on first instance.

Ireland: The low CR is a result of a specificity of the system where the cases resolved out of court are not obliged to report back to courts

Malta: Regarding the other than criminal cases, since 2014, the number of case categories used was increased, reflecting a more accurate representation of the caseload of the courts. Hence the comparability with previous cycles is not recommended.

Table 3.1.1.3(2016): First instance courts, number of other than criminal law cases in 2016 - Resolved cases (Q91)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases**
	1+2+3+4	1	2 = 2.1+2.2+2.3	2.1	2.2 = 2.2.1+2.2.2+2.2.3	2.2.1	2.2.2	2.2.3	2.3	3	4
Austria	3 298 090	86 398	2 656 631	1 676 141	980 490	693 404	287 086	NAP	NAP	51 395	503 666
Belgium	1 012 332	745 166	263 653	NAP	243 653	NAP	243 653	NAP	NAP	23 513	NAP
Bulgaria	336 056	NA	NA	NA	NAP	NAP	NAP	NAP	NA	26 117	NA
Croatia	980 816	160 153	804 991	185 317	619 674	479 167	140 507	NAP	NAP	15 672	NAP
Cyprus	26 358	NA	NA	NA	NA	NA	NA	NA	NA	1 740	NA
Czech Republic	1 093 080	365 678	692 231	517 490	173 069	NAP	173 069	NAP	1 672	9 157	26 014
Denmark	2 225 000	42 116	2 052 009	344 729	1 707 280	1 689 196	18 084	NAP	NAP	NAP	130 875
Estonia	317 757	16 007	298 627	44 042	254 585	106 635	147 950	NAP	NAP	3 123	NAP
Finland	442 641	10 718	390 607	390 607	NAP	NAP	NAP	NAP	NAP	30 815	10 501
France	2 219 465	1 682 166	345 602	345 602	NAP	NAP	NAP	NAP	NAP	191 697	NAP
Germany	NA	1 343 337	NA	NA	NA	NA	87 843	NA	NA	682 617	1 355 615
Greece	NA	144 998	NA	NA	NA	NA	NA	NA	NA	79 872	NA
Hungary	888 592	181 849	650 977	196 915	450 414	NAP	445 845	4 569	3 648	19 539	36 227
Ireland	177 247	75 463	100 969	100 969	NAP	NAP	NAP	NAP	NAP	NAP	815
Italy	3 822 644	1 760 695	1 978 213	1 978 213	NAP	NAP	NAP	NAP	NAP	83 736	NAP
Latvia	73 532	41 752	29 536	29 536	NAP	NAP	NAP	NAP	NAP	2 244	NAP
Lithuania	339 558	122 937	107 041	81 156	NAP	NAP	NAP	NAP	25 885	21 540	88 040
Luxembourg	11 095	4 534	5 405	1 111	NAP	NAP	NAP	NAP	4 290	1 156	NAP
Malta	7 231	7 128	NAP	NAP	NAP	NAP	NAP	NAP	NAP	103	NAP
Netherlands	1 247 910	162 270	977 958	977 958	NAP	NAP	NAP	NAP	NAP	107 682	NAP
Poland	10 936 456	1 111 776	9 481 429	4 155 304	4 569 089	3 489 148	1 079 941	NA	NA	78 992	264 259
Portugal	NA	346 863	NA	NA	NA	NAP	NAP	NA	NA	29 048	NA
Romania	1 496 900	1 362 471	26 737	19 714	7 023	6 499	524	NAP	NAP	107 692	NAP
Slovakia	979 689	265 746	246 135	57 312	112 579	NAP	112 579	NAP	76 244	9 927	457 881
Slovenia	753 615	54 982	518 674	220 914	297 760	240 018	57 742	NAP	NAP	2 589	177 370
Spain	2 062 884	1 030 805	848 098	848 098	NAP	NAP	NAP	NAP	NAP	183 981	NAP
Sweden	190 676	59 146	21 361	21 361	NAP	NAP	NAP	NAP	NAP	103 601	6 568
Average	1 455 818	447 406	1 071 280	609 624	855 965	957 724	232 902	4 569	22 348	74 702	254 819
Median	934 141	160 153	390 607	208 915	297 760	479 167	144 229	4 569	4 290	26 117	109 458
Minimum	7 231	4 534	5 405	1 111	7 023	6 499	524	4 569	1 672	103	815
Maximum	10 936 456	1 760 695	9 481 429	4 155 304	4 569 089	3 489 148	1 079 941	4 569	76 244	682 617	1 355 615
Nb of values	27	27	27	27	27	27	27	27	27	27	27
% of NA	11%	7%	19%	19%	15%	11%	7%	19%	22%	0%	15%
% of NAP	0%	0%	4%	7%	44%	63%	48%	78%	59%	7%	41%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Greece: Any deviations from the 2015 figures are due to a new way of collecting statistics.

Cyprus: The number of litigious and non-litigious cases cannot be separated and constitute one overall category of civil cases.

Denmark: The number of "administrative law cases" which are litigious is included in the number of "civil and commercial litigious cases".

Italy: Only since 2014 the 29 regional administrative courts data are taken into account in the number of cases on first instance.

Ireland: The low CR is a result of a specifics of the system where the cases resolved out of court are not obliged to report back to courts

Malta: Regarding the other than criminal cases, since 2014, the number of case categories used was increased, reflecting a more accurate representation of the caseload of the courts. Hence the comparability with previous cycles is not recommended.

Table 3.1.1.4(2016): First instance courts, number of other than criminal law cases in 2016 - Pending cases on 31 Dec. (Q91)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases**
	1+2+3+4	1	2 = 2.1+2.2+2.3	2.1	2.2 = 2.2.1+2.2.2+2.2.3	2.2.1	2.2.2	2.2.3	2.3	3	4
Austria	510 564	31 532	373 401	350 894	22 507	18 711	3 796	NAP	NAP	53 485	52 146
Belgium	NA	NA	NA	NAP	NA	NAP	NA	NAP	NAP	27 615	NAP
Bulgaria	77 375	NA	NA	NA	NAP	NAP	NAP	NAP	NA	7 714	NA
Croatia	313 515	159 713	140 109	95 943	44 166	42 009	2 157	NAP	NAP	13 693	NAP
Cyprus	60 417	NA	NA	NA	NA	NA	NA	NA	NA	7 540	NA
Czech Republic	464 242	152 865	173 816	164 287	7 516	NAP	7 516	NAP	2 013	10 555	127 006
Denmark	129 683	20 294	81 302	74 342	6 960	1 714	5 246	NAP	NAP	NAP	28 087
Estonia	35 078	6 110	28 047	7 326	20 721	3 674	17 047	NAP	NAP	921	NAP
Finland	136 831	7 399	100 570	100 570	NAP	NAP	NAP	NAP	NAP	23 569	5 293
France	1 897 754	1 627 999	105 064	105 064	NAP	NAP	NAP	NAP	NAP	164 691	NAP
Germany	NA	719 662	NA	NA	NA	NA	1 691 795	NA	NA	701 598	1 463 852
Greece	NA	266 307	NA	NA	NA	NA	NA	NA	NA	237 593	NA
Hungary	138 177	79 099	25 806	25 102	704	NAP	NA	704	492	5 827	27 445
Ireland	NA	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	NAP	NA
Italy	4 050 983	2 481 530	1 357 358	1 357 358	NAP	NAP	NAP	NAP	NAP	212 095	NAP
Latvia	32 205	28 217	2 653	2 653	NAP	NAP	NAP	NAP	NAP	1 335	NAP
Lithuania	38 475	29 543	1 862	867	NAP	NAP	NAP	NAP	995	4 270	2 800
Luxembourg	NA	1 136	1 440	NAP	NAP	NAP	NAP	NAP	1 440	NA	NAP
Malta	8 843	8 430	NAP	NAP	NAP	NAP	NAP	NAP	NAP	413	NAP
Netherlands	284 649	53 826	178 174	178 174	NAP	NAP	NAP	NAP	NAP	52 649	NAP
Poland	1 913 717	658 857	1 130 820	1 030 836	503 390	388 194	115 196	NA	NA	30 867	93 173
Portugal	NA	274 272	NA	NA	NA	NAP	NAP	NA	NA	72 516	NA
Romania	630 979	570 748	10 112	1 756	8 356	4 193	4 163	NAP	NAP	50 119	NAP
Slovakia	264 068	94 328	81 504	28 850	8 442	NAP	8 442	NAP	44 212	5 509	82 727
Slovenia	148 653	42 227	82 668	77 068	5 600	5 181	419	NAP	NAP	2 000	21 758
Spain	1 284 483	795 722	331 285	331 285	NAP	NAP	NAP	NAP	NAP	157 476	NAP
Sweden	69 039	26 641	8 404	8 404	NAP	NAP	NAP	NAP	NAP	30 669	3 325
Average	594 749	353 759	221 810	218 932	62 836	66 239	185 578	704	9 830	78 113	173 419
Median	148 653	79 099	82 668	86 506	8 399	5 181	6 381	704	1 440	25 592	28 087
Minimum	8 843	1 136	1 440	867	704	1 714	419	704	492	413	2 800
Maximum	4 050 983	2 481 530	1 357 358	1 357 358	503 390	388 194	1 691 795	704	44 212	701 598	1 463 852
Nb of values	27	27	27	27	27	27	27	27	27	27	27
% of NA	22%	15%	26%	22%	19%	11%	15%	19%	22%	4%	19%
% of NAP	0%	0%	4%	11%	44%	63%	48%	78%	59%	7%	41%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Greece: Any deviations from the 2015 figures are due to a new way of collecting statistics.

Cyprus: The number of litigious and non-litigious cases cannot be separated and constitute one overall category of civil cases.

Denmark: The number of "administrative law cases" which are litigious is included in the number of "civil and commercial litigious cases".

Italy: Only since 2014 the 29 regional administrative courts data are taken into account in the number of cases on first instance.

Ireland: The low CR is a result of a specifics of the system where the cases resolved out of court are not obliged to report back to courts

Malta: Regarding the other than criminal cases, since 2014, the number of case categories used was increased, reflecting a more accurate representation of the caseload of the courts. Hence the comparability with previous cycles is not recommended.

Table 3.1.1.5(2016): First instance courts, number of other than criminal law cases in 2016 - Pending cases older than 2 years. (Q91)

States	Pending cases older than 2 years					
	Other than criminal law cases		Civil (and commercial) litigious cases		Administrative law cases	
	Number	as a % of all pending cases on 31 Dec	Number	as a % of all pending cases on 31 Dec	Number	as a % of all pending cases on 31 Dec
Austria	21 845	4,3%	4 411	14,0%	12 917	24,2%
Belgium	NA	NA	NA	NA	NA	NA
Bulgaria	NA	NA	NA	NA	NA	NA
Croatia	NA	NA	52 400	32,8%	NA	NA
Cyprus	NA	NA	NA	NA	NA	NA
Czech Republic	NA	NA	NA	NA	NA	NA
Denmark	NA	NA	NA	NA	NAP	NAP
Estonia	112	0,3%	95	1,6%	14	1,5%
Finland	NA	NA	NA	NA	NA	NA
France	NA	NA	NA	NA	NA	NA
Germany	NA	NA	NA	NA	NA	NA
Greece	NA	NA	NA	NA	NA	NA
Hungary	NA	NA	NA	NA	NA	NA
Ireland	NA	NA	NA	NA	NAP	NAP
Italy	NA	NA	NA	NA	NA	NA
Latvia	0	0,0%	0	0,0%	0	0,0%
Lithuania	2 152	5,6%	1 882	6,4%	270	6,3%
Luxembourg	NA	NA	NA	NA	NA	NA
Malta	NA	NA	NA	NA	294	71,2%
Netherlands	NA	NA	NA	NA	NA	NA
Poland	NA	NA	NA	NA	NA	NA
Portugal	NA	NA	81 019	29,5%	NA	NA
Romania	26 623	4,2%	24 571	4,3%	1 731	3,5%
Slovakia	NA	NA	NA	NA	NA	NA
Slovenia	83 331	56,1%	9 660	22,9%	7	0,4%
Spain	NA	NA	NA	NA	NA	NA
Sweden	1 436	2,1%	763	2,9%	329	1,1%
Average	19 357	10,4%	19 422	12,7%	1 945	13,5%
Median	2 152	4,2%	4 411	6,4%	282	2,5%
Minimum	0	0,0%	0	0,0%	0	0,0%
Maximum	83 331	56,1%	81 019	32,8%	12 917	71,2%
Nb of values	27	27	27	27	27	27
% of NA	74%	74%	67%	67%	63%	63%
% of NAP	0%	0%	0%	0%	7%	7%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases. Non-litigious enforcement cases in 2014 are not comparable with General civil (and commercial) non-litigious cases.
** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Greece: Any deviations from the 2015 figures are due to a new way of collecting statistics.

Cyprus: The number of litigious and non-litigious cases cannot be separated and constitute one overall category of civil cases.

Italy: Only since 2014 the 29 regional administrative courts data are taken into account in the number of cases on first instance.

Malta: Regarding the other than criminal cases, since 2014, the number of case categories used was increased, reflecting a more accurate representation of the caseload of the courts. Hence the comparability with previous cycles is not recommended.

Portugal: The category "civil (and commercial) litigious cases" does not include civil and labour enforcement cases.

Romania: Cases older than 3 years are presented

Slovakia: The new structure of judicial data introduced in 2016 might cause the discrepancies and incompatibility of the data with the previous cycles.

Table 3.1.1.1(2015): First instance courts, number of other than criminal law cases in 2015 - Pending cases on 1st Jan. (Q91)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases *	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases**
	1+2+3+4	1	2 = 2.1+2.2+2.3	2.1	2.2 = 2.2.1+2.2.2+2.2.3	2.2.1	2.2.2	2.2.3	2.3	3	4
Austria	482 779	35 068	397 794	372 342	25 452	21 827	3 625	NAP	NAP	NAP	49 917
Belgium	NA	180 894	NA	NA	NA	NAP	NA	NAP	NA	37 624	NAP
Bulgaria	69 865	NA	NA	NA	NAP	NAP	NAP	NAP	NA	8 460	NA
Croatia	354 707	195 718	145 013	102 786	42 227	39 262	2 965	NAP	NAP	13 976	NAP
Cyprus	58 568	NA	NA	NA	NA	NA	NA	NA	NA	8 074	NA
Czech Republic	546 992	215 113	221 076	210 783	8 995	NAP	8 995	NAP	1 298	9 374	101 429
Denmark	116 296	20 933	66 789	60 220	6 569	1 616	4 953	NAP	NAP	NAP	28 574
Estonia	23 838	6 116	16 392	9 510	6 882	3 125	3 757	NAP	NAP	1 330	NAP
Finland	127 125	8 883	91 790	91 790	NAP	NAP	NAP	NAP	NAP	20 955	5 497
France	1 810 803	1 571 438	80 597	80 597	NAP	NAP	NAP	NAP	NAP	158 768	NAP
Germany	NA	782 964	NA	NA	NA	NA	NA	NA	NA	662 009	1 748 709
Greece	NA	246 691	NA	NA	NA	NA	NA	NA	NA	308 860	NA
Hungary	150 305	74 290	26 626	25 154	1 076	NAP	NA	1 076	396	6 734	42 655
Ireland	NA	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	NAP	NA
Italy	4 618 528	2 987 907	1 362 885	1 362 885	NAP	NAP	NAP	NAP	NAP	267 736	NAP
Latvia	36 604	30 867	4 186	4 186	NAP	NAP	NAP	NAP	NAP	1 551	NAP
Lithuania	45 735	30 149	1 041	729	NAP	NAP	NAP	NAP	312	10 845	3 700
Luxembourg	NA	1 382	NA	NAP	NAP	NAP	NAP	NAP	NA	NA	NAP
Malta	10 568	9 885	NAP	NAP	NAP	NAP	NAP	NAP	NAP	683	NAP
Netherlands	310 170	51 794	204 372	204 372	NAP	NAP	NAP	NAP	NAP	51 020	NAP
Poland	-	-	-	-	-	-	-	-	-	-	-
Portugal	NA	369 190	NA	NA	NA	NAP	NAP	NA	NA	68 332	NA
Romania	733 382	661 619	13 356	4 375	8 981	5 550	3 431	NAP	NAP	61 838	NAP
Slovakia	396 248	199 203	71 696	65 066	6 630	NAP	6 630	NAP	NA	16 271	109 078
Slovenia	251 889	48 384	170 745	164 736	6 009	5 376	633	NAP	NAP	1 668	31 092
Spain	1 445 180	857 047	384 727	384 727	NAP	NAP	NAP	NAP	NAP	203 406	NAP
Sweden	74 407	28 538	8 744	8 744	NAP	NAP	NAP	NAP	NAP	34 000	3 125
Average	583 199	374 525	192 225	185 471	12 536	12 793	4 374	1 076	669	88 796	212 378
Median	201 097	74 290	80 597	80 597	6 882	5 463	3 691	1 076	396	18 613	36 874
Minimum	10 568	1 382	1 041	729	1 076	1 616	633	1 076	312	683	3 125
Maximum	4 618 528	2 987 907	1 362 885	1 362 885	42 227	39 262	8 995	1 076	1 298	662 009	1 748 709
Nb of values	26	26	26	26	26	26	26	26	26	26	26
% of NA	23%	12%	31%	27%	19%	12%	19%	15%	31%	4%	19%
% of NAP	0%	0%	4%	8%	46%	65%	50%	81%	58%	12%	42%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Belgium: The pending cases of commercial courts, first instance (civil, youth, family) and justice of the peace are not included. Included in pending cases are: labor courts, police courts, courts of appeal.

Slovakia: In all evaluation cycles before 2016, it was not possible to distinguish number of pending cases solely on 1st instance since each case is considered pending until the moment a final decision is enacted and no further proceeding is possible.

Cyprus: The number of litigious and non-litigious cases cannot be separated and constitute one overall category of civil cases.

Germany: for civil and commercial litigious and administrative cases, the updated data is solely based on the statistics on the administration of justice published by the Federal Statistical Office. As far as the category "other", there are the most recent available data at the closing date of the CEPEJ data collection and involve information from the 2014 evaluation cycle.

Hungary: There is a difference between the number of pending cases on 31 December 2014 and the number of pending cases on 1 January 2015. The cause of this difference is the change of the calculation method at some regional courts.

Italy: Only since 2014 the 29 regional administrative courts data are taken into account in the number of cases on first instance.

Malta: Regarding the other than criminal cases, since 2014, the number of case categories used was increased, reflecting a more accurate representation of the caseload of the courts. Hence the comparability with previous cycles is not recommended.

Portugal: The category "civil (and commercial) litigious cases" does not include civil and labour enforcement cases.

Table 3.1.1.2(2015): First instance courts, number of other than criminal law cases in 2015 - Incoming cases (Q91)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases *	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases**
	1+2+3+4	1	2 = 2.1+2.2+2.3	2.1	2.2 = 2.2.1+2.2.2+2.2.3	2.2.1	2.2.2	2.2.3	2.3	3	4
Austria	3 287 147	91 057	2 684 699	1 721 024	963 675	684 737	278 938	NAP	NAP	NAP	511 391
Belgium	NA	767 875	NA	NA	240 044	NAP	240 044	NAP	NA	22 577	NAP
Bulgaria	345 327	NA	NA	NA	NAP	NAP	NAP	NAP	NA	26 472	NA
Croatia	903 398	160 537	728 522	157 484	571 038	449 321	121 717	NAP	NAP	14 339	NAP
Cyprus	29 667	NA	NA	NA	NA	NA	NA	NA	NA	1 694	NA
Czech Republic	1 136 003	398 243	690 653	508 617	179 997	NAP	179 997	NAP	2 039	9 143	37 964
Denmark	2 592 856	42 053	2 420 680	346 762	2 073 918	2 061 209	12 709	NAP	NAP	NAP	130 123
Estonia	236 230	15 189	217 670	44 407	173 263	72 800	100 463	NAP	NAP	3 371	NAP
Finland	441 823	11 108	393 554	393 554	NAP	NAP	NAP	NAP	NAP	27 112	10 049
France	2 288 643	1 740 302	356 334	356 334	NAP	NAP	NAP	NAP	NAP	192 007	NAP
Germany	NA	1 423 489	NA	NA	NA	NA	NA	NA	NA	657 108	1 203 321
Greece	NA	230 068	NA	NA	NA	NA	NA	NA	NA	54 402	NA
Hungary	902 411	176 407	678 103	212 034	463 007	NAP	459 210	3 797	3 062	18 149	29 752
Ireland	245 462	138 540	105 623	105 623	NAP	NAP	NAP	NAP	NAP	NAP	1 299
Italy	3 483 179	1 545 092	1 938 087	1 938 087	NAP	NAP	NAP	NAP	NAP	61 723	NAP
Latvia	69 946	42 425	25 152	25 152	NAP	NAP	NAP	NAP	NAP	2 369	NAP
Lithuania	321 474	102 793	103 334	90 640	NAP	NAP	NAP	NAP	12 694	16 923	98 424
Luxembourg	NA	4 555	NA	NAP	NAP	NAP	NAP	NAP	NA	1 264	NAP
Malta	6 991	6 916	NAP	NAP	NAP	NAP	NAP	NAP	NAP	75	NAP
Netherlands	1 253 987	161 950	991 752	991 752	NAP	NAP	NAP	NAP	NAP	100 285	NAP
Poland	-	-	-	-	-	-	-	-	-	-	-
Portugal	NA	316 060	NA	NA	NA	NAP	NAP	NA	NA	34 850	NA
Romania	1 443 850	1 353 189	26 313	19 224	7 089	6 001	1 088	NAP	NAP	65 436	NAP
Slovakia	535 414	111 489	222 348	115 467	106 881	NAP	106 881	NAP	NA	10 764	190 813
Slovenia	800 360	57 277	533 591	205 756	327 835	266 056	61 779	NAP	NAP	4 804	204 688
Spain	2 230 166	1 085 451	973 915	973 915	NAP	NAP	NAP	NAP	NAP	170 800	NAP
Sweden	189 467	60 313	21 489	21 489	NAP	NAP	NAP	NAP	NAP	101 889	5 776
Average	1 083 038	418 432	728 434	457 073	510 675	590 021	156 283	3 797	5 932	69 459	220 327
Median	800 360	149 539	463 573	208 895	283 940	357 689	114 299	3 797	3 062	22 577	98 424
Minimum	6 991	4 555	21 489	19 224	7 089	6 001	1 088	3 797	2 039	75	1 299
Maximum	3 483 179	1 740 302	2 684 699	1 938 087	2 073 918	2 061 209	459 210	3 797	12 694	657 108	1 203 321
Nb of values	26	26	26	26	26	26	26	26	26	26	26
% of NA	19%	8%	27%	23%	15%	12%	12%	15%	31%	0%	15%
% of NAP	0%	0%	4%	8%	46%	65%	50%	81%	58%	12%	42%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Belgium: The pending cases of commercial courts, first instance (civil, youth, family) and justice of the peace are not included. Included in pending cases are: labor courts, police courts, courts of appeal.

Slovakia: In all evaluation cycles before 2016, it was not possible to distinguish number of pending cases solely on 1st instance since each case is considered pending until the moment a final decision is enacted and no further proceeding is possible.

Cyprus: The number of litigious and non-litigious cases cannot be separated and constitute one overall category of civil cases.

Germany: for civil and commercial litigious and administrative cases, the updated data is solely based on the statistics on the administration of justice published by the Federal Statistical Office. As far as the category "other", there are the most recent available data at the closing date of the CEPEJ data collection and involve information provided by the 16 Länder on the basis of the query lodged with the judicial administrations of the Länder. Some of the Länder were unable to provide complete data regarding question 91. Accordingly, the information for this category is incomplete and is not comparable with the 2013 data.

Hungary: There is a difference between the number of pending cases on 31 December 2014 and the number of pending cases on 1 January 2015. The cause of this difference is the change of the calculation method at some regional courts.

Table 3.1.1.3(2015): First instance courts, number of other than criminal law cases in 2015 - Resolved cases (Q91)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases**
	1+2+3+4										
Austria	3 293 774	92 903	2 693 376	1 737 005	956 371	678 073	278 298	NAP	NAP	NAP	507 495
Belgium	NA	759 712	NA	NA	240 044	NAP	240 044	NAP	NA	26 377	NAP
Bulgaria	341 715	NA	NA	NA	NAP	NAP	NAP	NAP	NA	26 196	NA
Croatia	917 569	171 980	732 299	162 888	569 411	447 160	122 251	NAP	NAP	13 290	NAP
Cyprus	26 751	NA	NA	NA	NA	NA	NA	NA	NA	2 030	NA
Czech Republic	1 161 795	427 241	704 714	527 754	175 198	NAP	175 198	NAP	1 762	8 425	21 415
Denmark	2 592 317	42 867	2 418 335	344 907	2 073 428	2 061 886	11 542	NAP	NAP	NAP	131 115
Estonia	329 909	15 504	310 882	46 104	264 778	163 565	101 213	NAP	NAP	3 523	NAP
Finland	436 443	10 463	388 228	388 228	NAP	NAP	NAP	NAP	NAP	27 595	10 157
France	2 237 067	1 700 279	348 005	348 005	NAP	NAP	NAP	NAP	NAP	188 783	NAP
Germany	NA	1 451 589	NA	NA	NA	NA	NA	NA	NA	674 226	1 224 780
Greece	NA	233 954	NA	NA	NA	NA	NA	NA	NA	99 763	NA
Hungary	914 672	174 573	681 609	206 746	471 796	NAP	467 816	3 980	3 067	19 107	39 383
Ireland	187 987	87 505	99 183	99 183	NAP	NAP	NAP	NAP	NAP	NAP	1 299
Italy	3 890 953	1 855 663	2 035 290	2 035 290	NAP	NAP	NAP	NAP	NAP	87 594	NAP
Latvia	73 941	44 697	26 699	26 699	NAP	NAP	NAP	NAP	NAP	2 545	NAP
Lithuania	323 062	105 347	103 505	90 959	NAP	NAP	NAP	NAP	12 546	16 875	97 335
Luxembourg	NA	4 800	NA	1 104	NAP	NAP	NAP	NAP	NA	1 146	NAP
Malta	7 727	7 419	NAP	NAP	NAP	NAP	NAP	NAP	NAP	308	NAP
Netherlands	1 261 182	162 533	995 325	995 325	NAP	NAP	NAP	NAP	NAP	103 324	NAP
Poland	-	-	-	-	-	-	-	-	-	-	-
Portugal	NA	367 725	NA	NA	NA	NAP	NAP	NA	NA	27 810	NA
Romania	1 531 225	1 417 087	27 919	20 550	7 369	6 763	606	NAP	NAP	86 825	NAP
Slovakia	562 478	148 107	221 995	116 136	105 859	NAP	105 859	NAP	NA	13 361	179 015
Slovenia	859 760	60 082	585 504	256 504	329 000	266 990	62 010	NAP	NAP	4 853	209 321
Spain	2 222 912	1 028 225	994 312	994 312	NAP	NAP	NAP	NAP	NAP	200 375	NAP
Sweden	196 006	62 668	21 811	21 811	NAP	NAP	NAP	NAP	NAP	105 625	5 902
Average	1 112 821	434 705	743 833	443 132	519 325	604 073	156 484	3 980	5 792	75 650	220 656
Median	859 760	155 320	486 866	206 746	296 889	357 075	114 055	3 980	3 067	26 196	97 335
Minimum	7 727	4 800	21 811	1 104	7 369	6 763	606	3 980	1 762	308	1 299
Maximum	3 890 953	1 855 663	2 693 376	2 035 290	2 073 428	2 061 886	467 816	3 980	12 546	674 226	1 224 780
Nb of values	26	26	26	26	26	26	26	26	26	26	26
% of NA	19%	8%	27%	23%	15%	12%	12%	15%	31%	0%	15%
% of NAP	0%	0%	4%	4%	46%	65%	50%	81%	58%	12%	42%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Belgium: The pending cases of commercial courts, first instance (civil, youth, family) and justice of the peace are not included. Included in pending cases are: labor courts, police courts, courts of appeal.

Slovakia: In all evaluation cycles before 2016, it was not possible to distinguish number of pending cases solely on 1st instance since each case is considered pending until the moment a final decision is enacted and no further proceeding is possible.

Cyprus: The number of litigious and non-litigious cases cannot be separated and constitute one overall category of civil cases.

Table 3.1.1.4(2015): First instance courts, number of other than criminal law cases in 2015 - Pending cases on 31 Dec. (Q91)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases**
	1+2+3+4	1	2 = 2.1+2.2+2.3	2.1	2.2 = 2.2.1+2.2.2+2.2.3	2.2.1	2.2.2	2.2.3	2.3	3	4
Austria	476 152	33 222	389 117	356 361	32 756	28 491	4 265	NAP	NAP	NAP	53 813
Belgium	NA	180 480	NA	NA	NA	NAP	NAP	NAP	NA	32 080	NAP
Bulgaria	73 477	NA	NA	NA	NAP	NAP	NAP	NAP	NA	8 736	NA
Croatia	331 744	184 289	132 430	97 339	35 091	32 551	2 540	NAP	NAP	15 025	NAP
Cyprus	61 484	NA	NA	NA	NA	NA	NA	NA	NA	7 738	NA
Czech Republic	521 200	186 115	207 015	191 646	13 794	NAP	13 794	NAP	1 575	10 092	117 978
Denmark	119 689	20 458	71 458	64 876	6 582	939	5 643	NAP	NAP	NAP	27 773
Estonia	35 228	5 767	28 333	7 724	20 609	17 628	2 981	NAP	NAP	1 128	NAP
Finland	132 586	9 528	97 116	97 116	NAP	NAP	NAP	NAP	NAP	20 475	5 467
France	1 862 379	1 611 461	88 926	88 926	NAP	NAP	NAP	NAP	NAP	161 992	NAP
Germany	NA	754 864	NA	NA	NA	NA	NA	NA	NA	644 891	1 728 710
Greece	NA	242 209	NA	NA	NA	NA	NA	NA	NA	263 473	NA
Hungary	146 650	76 124	31 726	30 442	893	NAP	NA	893	391	5 776	33 024
Ireland	NA	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	NAP	NA
Italy	4 184 883	2 677 336	1 265 682	1 265 682	NAP	NAP	NAP	NAP	NAP	241 865	NAP
Latvia	32 609	28 595	2 639	2 639	NAP	NAP	NAP	NAP	NAP	1 375	NAP
Lithuania	44 147	27 595	870	410	NAP	NAP	NAP	NAP	460	10 893	4 789
Luxembourg	NA	1 137	NA	NAP	NAP	NAP	NAP	NAP	NA	NA	NAP
Malta	9 459	9 041	NAP	NAP	NAP	NAP	NAP	NAP	NAP	418	NAP
Netherlands	299 580	51 211	200 799	200 799	NAP	NAP	NAP	NAP	NAP	47 570	NAP
Poland	-	-	-	-	-	-	-	-	-	-	-
Portugal	NA	317 525	NA	NA	NA	NAP	NAP	NA	NA	75 372	NA
Romania	646 007	597 721	11 750	3 049	8 701	4 788	3 913	NAP	NAP	40 449	NAP
Slovakia	369 184	162 585	72 049	64 397	7 652	NAP	7 652	NAP	NA	13 674	120 876
Slovenia	192 153	45 579	118 497	113 655	4 842	4 440	402	NAP	NAP	1 619	26 458
Spain	1 452 434	914 273	364 330	364 330	NAP	NAP	NAP	NAP	NAP	173 831	NAP
Sweden	67 868	26 183	8 422	8 422	NAP	NAP	NAP	NAP	NAP	30 264	2 999
Average	552 946	354 926	181 833	173 989	14 547	14 806	5 149	893	809	82 215	212 189
Median	169 402	76 124	88 926	88 926	8 701	11 208	4 089	893	460	17 750	30 399
Minimum	9 459	1 137	870	410	893	939	402	893	391	418	2 999
Maximum	4 184 883	2 677 336	1 265 682	1 265 682	35 091	32 551	13 794	893	1 575	644 891	1 728 710
Nb of values	26	26	26	26	26	26	26	26	26	26	26
% of NA	23%	12%	31%	27%	19%	12%	15%	15%	31%	4%	19%
% of NAP	0%	0%	4%	8%	46%	65%	54%	81%	58%	12%	42%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Belgium: The pending cases of commercial courts, first instance (civil, youth, family) and justice of the peace are not included. Included in pending cases are: labor courts, police courts, courts of appeal.

Slovakia: In all evaluation cycles before 2016, it was not possible to distinguish number of pending cases solely on 1st instance since each case is considered pending until the moment a final decision is enacted and no further proceeding is possible.

Cyprus: The number of litigious and non-litigious cases cannot be separated and constitute one overall category of civil cases.

Germany: for civil and commercial litigious and administrative cases, the updated data is solely based on the statistics on the administration of justice published by the Federal Statistical Office. As far as the category "other", there are the most recent available data at the closing date of the CEPEJ data collection and involve information provided by the 48 Länder on the basis of the consolidated with the judicial administrations of the Länder. Cases of the 1st instance courts to provide complete data regarding question 04. Accordingly, the information for this category is incomplete and is not comparable with the 2010 data.

Hungary: There is a difference between the number of pending cases on 31 December 2014 and the number of pending cases on 1 January 2015. The cause of this difference is the change of the calculation method at some regional courts.

Italy: Only since 2014 the 29 regional administrative courts data are taken into account in the number of cases on first instance.

Table 3.1.1.1(2014): First instance courts, number of other than criminal law cases in 2014 - Pending cases on 1st Jan. (Q91)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases *	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases**
	1+2+3+4	1	2 = 2.1+2.2+2.3	2.1	2.2 = 2.2.1+2.2.2+2.2.3	2.2.1	2.2.2	2.2.3	2.3	3	4
Austria	NA	37 885	NA	381 808	NA	23 356	3 223	NA	NA	NA	48 324
Belgium	NA	NA	NA	NA	NA	NAP	NA	NAP	NA	32 255	NAP
Bulgaria	76 155	NA	NA	NA	NAP	NAP	NAP	NAP	NA	8 642	NA
Croatia	391 722	217 927	161 792	115 879	45 913	42 811	3 102	NAP	NAP	12 003	NAP
Cyprus	49 655	NA	NA	NA	NA	NA	NA	NA	NA	8 130	NA
Czech Republic	375 783	248 246	42 997	32 194	7 923	NAP	7 923	NAP	2 880	8 543	75 997
Denmark	114 483	21 282	64 939	57 523	7 416	1 680	5 736	NAP	NAP	NAP	28 262
Estonia	24 107	6 803	16 282	11 323	4 959	3 843	1 116	NAP	NAP	1 022	NAP
Finland	137 261	9 321	102 233	102 233	NAP	NAP	NAP	NAP	NAP	20 233	5 474
France	1 692 658	1 473 097	69 629	69 629	NAP	NAP	NAP	NAP	NAP	149 932	NAP
Germany	NA	785 606	NA	NA	NA	NA	NA	NA	NA	664 067	1 851 995
Greece	NA	278 913	NA	NA	NA	NA	NA	NA	NA	NA	NA
Hungary	162 126	82 107	28 503	27 373	962	NAP	NA	962	168	5 320	46 196
Ireland	NA	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	NAP	NA
Italy	4 885 347	3 063 946	1 518 708	1 518 708	NAP	NAP	NAP	NAP	NAP	302 693	NAP
Latvia	35 793	30 395	4 213	4 213	NAP	NAP	NAP	NAP	NAP	2 510	NAP
Lithuania	41 985	27 197	1 941	1 765	NA	NA	NA	NA	176	9 332	3 515
Luxembourg	NA	1 218	NA	NAP	NAP	NAP	NAP	NAP	NA	NA	NAP
Malta	10 845	10 092	NAP	NAP	NAP	NAP	NAP	NAP	NAP	753	NAP
Netherlands	305 520	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	49 800	NAP
Poland	1 721 758	667 984	910 148	667 530	242 618	203 662	38 956	NA	NA	20 070	115 556
Portugal	NA	NA	NA	NA	NA	NAP	NAP	NA	NA	NA	NA
Romania	918 286	793 683	14 940	6 418	8 522	5 601	2 921	NAP	NAP	109 663	NAP
Slovakia	407 586	186 707	74 501	66 370	8 131	NAP	8 131	NAP	NA	18 656	127 722
Slovenia	285 279	53 815	187 198	177 648	9 550	8 593	957	NAP	NAP	1 841	42 425
Spain	1 470 400	836 967	407 160	407 160	NAP	NAP	NAP	NAP	NAP	226 273	NAP
Sweden	80 562	31 035	9 128	9 128	NAP	NAP	NAP	NAP	NAP	37 003	3 396
Average	659 366	422 106	225 895	215 112	37 333	41 364	8 007	962	1 075	80 416	213 533
Median	223 703	82 107	67 284	66 370	8 131	8 593	3 223	962	176	18 656	46 196
Minimum	10 845	1 218	1 941	1 765	962	1 680	957	962	168	753	3 396
Maximum	4 885 347	3 063 946	1 518 708	1 518 708	242 618	203 662	38 956	962	2 880	664 067	1 851 995
Nb of values	27	27	27	27	27	27	27	27	27	27	27
% of NA	26%	22%	37%	30%	26%	15%	22%	26%	37%	15%	19%
% of NAP	0%	0%	4%	7%	41%	59%	44%	70%	52%	7%	41%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Slovakia: In all evaluation cycles before 2016, it was not possible to distinguish number of pending cases solely on 1st instance since each case is considered pending until the moment a final decision is enacted and no further proceeding is possible.

Cyprus: The number of litigious and non-litigious cases cannot be separated and constitute one overall category of civil cases.

Germany: for civil and commercial litigious and administrative cases, the updated data is solely based on the statistics on the administration of justice published by the Federal Statistical Office. As far as the category "other", there are the most recent available data at the closing date of the CEPEJ data collection and involve information provided by the 16 Länder on the basis of the query lodged with the judicial administrations of the Länder. Some of the Länder were unable to provide complete data regarding question 91. Accordingly, the information for this category is incomplete and is not comparable with the 2013 data.

Italy: Only since 2014 the 29 regional administrative courts data are taken into account in the number of cases on first instance.

Malta: Regarding the other than criminal cases, since 2014, the number of case categories used was increased, reflecting a more accurate representation of the caseload of the courts. Hence the comparability with previous cycles is not recommended.

Portugal: The category "civil (and commercial) litigious cases" does not include civil and labour enforcement cases.

Table 3.1.1.2: First instance courts, number of other than criminal law cases in 2014 - Incoming cases (Q91)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases *	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases**
	1+2+3+4	1	2 = 2.1+2.2+2.3	2.1	2.2 = 2.2.1+2.2.2+2.2.3	2.2.1	2.2.2	2.2.3	2.3	3	4
Austria	NA	95 412	NA	1 741 644	NA	648 601	285 996	NA	NA	NA	513 877
Belgium	NA	752 769	NA	NA	NA	NAP	NA	NAP	NA	25 092	NAP
Bulgaria	319 414	NA	NA	NA	NAP	NAP	NAP	NAP	NA	24 757	NA
Croatia	938 711	165 741	759 028	197 352	561 676	438 089	123 587	NAP	NAP	13 942	NAP
Cyprus	23 939	NA	NA	NA	NA	NA	NA	NA	NA	1 604	NA
Czech Republic	958 450	480 999	433 561	150 192	238 876	NAP	238 876	NAP	44 493	9 055	34 835
Denmark	2 288 883	41 717	2 115 501	359 920	1 755 581	1 744 916	10 665	NAP	NAP	NAP	131 665
Estonia	237 929	16 775	217 368	46 864	170 504	97 704	72 800	NAP	NAP	3 786	NAP
Finland	440 553	10 677	391 260	391 260	NAP	NAP	NAP	NAP	NAP	28 254	10 362
France	2 285 876	1 747 989	342 262	342 262	NAP	NAP	NAP	NAP	NAP	195 625	NAP
Germany	NA	1 439 072	NA	2 365 351	NA	5 490 219	117 251	NA	NA	655 687	1 622 446
Greece	NA	241 418	NA	NA	NA	NA	NA	NA	NA	NA	NA
Hungary	848 998	180 382	613 158	180 459	430 096	NAP	427 114	2 982	2 603	18 008	37 450
Ireland	250 402	143 993	105 215	105 215	NAP	NAP	NAP	NAP	NAP	NAP	1 194
Italy	3 999 586	1 585 740	2 350 123	2 350 123	NAP	NAP	NAP	NAP	NAP	63 723	NAP
Latvia	71 939	45 127	28 691	28 691	NAP	NAP	NAP	NAP	NAP	2 387	NAP
Lithuania	312 570	115 932	91 549	82 707	NA	NA	NA	NA	8 842	14 276	90 813
Luxembourg	NA	5 074	NA	NAP	NAP	NAP	NAP	NAP	NA	1 372	NAP
Malta	6 762	6 643	NAP	NAP	NAP	NAP	NAP	NAP	NAP	119	NAP
Netherlands	1 260 111	168 127	982 142	NA	NAP	NAP	NAP	NAP	NAP	109 842	NAP
Poland	9 991 816	1 226 470	8 395 454	4 408 257	3 987 197	3 245 962	741 235	NA	NA	84 161	285 731
Portugal	NA	NA	NA	NA	NA	NAP	NAP	NA	NA	NA	NA
Romania	1 632 597	1 526 483	27 733	19 973	7 760	6 821	939	NAP	NAP	78 381	NAP
Slovakia	614 273	151 315	225 116	119 088	106 028	NAP	106 028	NAP	NA	11 612	226 230
Slovenia	871 916	59 996	587 442	228 724	358 718	295 833	62 885	NAP	NAP	5 345	219 133
Spain	2 154 560	1 004 976	966 903	966 903	NAP	NAP	NAP	NAP	NAP	182 681	NAP
Sweden	197 953	63 902	22 382	22 382	NAP	NAP	NAP	NAP	NAP	106 085	5 584
Average	1 414 630	469 864	1 036 383	742 493	846 271	1 496 018	198 852	2 982	18 646	74 354	264 943
Median	848 998	158 528	412 411	197 352	358 718	543 345	117 251	2 982	8 842	21 383	111 239
Minimum	6 762	5 074	22 382	19 973	7 760	6 821	939	2 982	2 603	119	1 194
Maximum	9 991 816	1 747 989	8 395 454	4 408 257	3 987 197	5 490 219	741 235	2 982	44 493	655 687	1 622 446
Nb of values	27	27	27	27	27	27	27	27	27	27	27
% of NA	22%	11%	30%	22%	26%	11%	15%	26%	37%	11%	15%
% of NAP	0%	0%	4%	7%	41%	59%	44%	70%	52%	7%	41%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Slovakia: In all evaluation cycles before 2016, it was not possible to distinguish number of pending cases solely on 1st instance since each case is considered pending until the moment a final decision is enacted and no further proceeding is possible.

Cyprus: The number of litigious and non-litigious cases cannot be separated and constitute one overall category of civil cases.

Germany: for civil and commercial litigious and administrative cases, the updated data is solely based on the statistics on the administration of justice published by the Federal Statistical Office. As far as the category "other", there are the most recent available data at the closing date of the CEPEJ data collection and involve information provided by the 16 Länder on the basis of the query lodged with the judicial administrations of the Länder. Some of the Länder were unable to provide complete data regarding question 91. Accordingly, the information for this category is incomplete and is not comparable with the 2013 data.

Italy: Only since 2014 the 29 regional administrative courts data are taken into account in the number of cases on first instance.

Table 3.1.1.3(2014): First instance courts, number of other than criminal law cases in 2014 - Resolved cases (Q91)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases**
	1+2+3+4										
Austria	NA	98 229	NA	1 751 110	NA	626 850	285 594	NA	NA	NA	512 284
Belgium	NA	736 693	NA	NA	NA	NAP	NA	NAP	NA	22 139	NAP
Bulgaria	325 754	NA	NA	NA	NAP	NAP	NAP	NAP	NA	24 955	NA
Croatia	968 422	187 950	768 503	210 569	557 934	434 210	123 724	NAP	NAP	11 969	NAP
Cyprus	21 182	NA	NA	NA	NA	NA	NA	NA	NA	1 660	NA
Czech Republic	932 818	503 666	405 363	126 708	234 227	NAP	234 227	NAP	44 428	8 233	15 556
Denmark	2 288 504	42 638	2 114 440	357 102	1 757 338	1 745 063	12 275	NAP	NAP	NAP	131 426
Estonia	233 577	17 486	212 669	42 969	169 700	97 769	71 931	NAP	NAP	3 422	NAP
Finland	450 486	11 164	401 590	401 590	NAP	NAP	NAP	NAP	NAP	27 429	10 303
France	2 169 237	1 649 648	331 294	331 294	NAP	NAP	NAP	NAP	NAP	188 295	NAP
Germany	NA	1 441 714	NA	NA	NA	NA	88 326	NA	NA	657 745	1 418 949
Greece	NA	273 048	NA	NA	NA	NA	NA	NA	NA	NA	NA
Hungary	872 260	188 199	626 526	182 894	441 257	NAP	438 389	2 868	2 375	16 594	40 941
Ireland	182 409	80 027	101 188	101 188	NAP	NAP	NAP	NAP	NAP	NAP	1 194
Italy	4 373 441	1 891 595	2 382 677	2 382 677	NAP	NAP	NAP	NAP	NAP	99 169	NAP
Latvia	72 254	44 438	28 718	28 718	NAP	NAP	NAP	NAP	NAP	3 436	NAP
Lithuania	308 820	112 980	92 449	83 743	NA	NA	NA	NA	8 706	12 763	90 628
Luxembourg	NA	4 910	NA	1 044	NAP	NAP	NAP	NAP	NA	1 283	NAP
Malta	6 909	6 732	NAP	NAP	NAP	NAP	NAP	NAP	NAP	177	NAP
Netherlands	1 248 701	166 639	973 447	NA	NAP	NAP	NAP	NAP	NAP	108 615	NAP
Poland	10 177 708	1 217 579	8 598 250	4 620 175	3 987 075	3 248 343	729 732	NA	NA	81 240	280 639
Portugal	NA	NA	NA	NA	NA	NAP	NAP	NA	NA	NA	NA
Romania	1 814 070	1 658 547	29 317	22 016	7 301	6 872	429	NAP	NAP	126 206	NAP
Slovakia	626 110	138 819	227 921	120 392	107 529	NAP	107 529	NAP	NA	14 496	244 874
Slovenia	904 958	65 432	603 557	241 289	362 268	299 060	63 208	NAP	NAP	5 504	230 465
Spain	2 178 205	984 896	987 761	987 761	NAP	NAP	NAP	NAP	NAP	205 548	NAP
Sweden	204 109	66 421	22 726	22 726	NAP	NAP	NAP	NAP	NAP	109 102	5 860
Average	1 445 711	482 894	1 050 466	632 419	847 181	922 595	195 942	2 868	18 503	78 635	248 593
Median	872 260	152 729	403 477	182 894	362 268	434 210	107 529	2 868	8 706	19 367	111 027
Minimum	6 909	4 910	22 726	1 044	7 301	6 872	429	2 868	2 375	177	1 194
Maximum	10 177 708	1 891 595	8 598 250	4 620 175	3 987 075	3 248 343	729 732	2 868	44 428	657 745	1 418 949
Nb of values	27	27	27	27	27	27	27	27	27	27	27
% of NA	22%	11%	30%	26%	26%	15%	15%	26%	37%	11%	15%
% of NAP	0%	0%	4%	4%	41%	59%	44%	70%	52%	7%	41%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Slovakia: In all evaluation cycles before 2016, it was not possible to distinguish number of pending cases solely on 1st instance since each case is considered pending until the moment a final decision is enacted and no further proceeding is possible.

Cyprus: The number of litigious and non-litigious cases cannot be separated and constitute one overall category of civil cases.

Germany: for civil and commercial litigious and administrative cases, the updated data is solely based on the statistics on the administration of justice published by the Federal Statistical Office. As far as the category "other", there are the most recent available data at the closing date of the CEPEJ data collection and involve information provided by the 16 Länder on the basis of the query lodged with the judicial administrations of the Länder. Some of the Länder were unable to provide complete data regarding question 91. Accordingly, the information for this category is incomplete and is not comparable with the 2013 data.

Italy: Only since 2014 the 29 regional administrative courts data are taken into account in the number of cases on first instance.

Table 3.1.1.4(2014): First instance courts, number of other than criminal law cases in 2014 - Pending cases on 31 Dec. (Q91)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases**
	1+2+3+4	1	2 = 2.1+2.2+2.3	2.1	2.2 = 2.2.1+2.2.2+2.2.3	2.2.1	2.2.2	2.2.3	2.3	3	4
Austria	NA	35 068	NA	372 342	NA	21 827	3 625	NA	NA	NA	49 917
Belgium	NA	NA	NA	NA	NA	NAP	NA	NAP	NA	37 880	NAP
Bulgaria	69 815	NA	NA	NA	NAP	NAP	NAP	NAP	NA	8 444	NA
Croatia	354 707	195 718	145 013	102 786	42 227	39 262	2 965	NAP	NAP	13 976	NAP
Cyprus	52 412	NA	NA	NA	NA	NA	NA	NA	NA	8 074	NA
Czech Republic	401 415	225 579	71 195	55 678	12 572	NAP	12 572	NAP	2 945	9 365	95 276
Denmark	118 484	20 705	69 113	62 626	6 487	1 533	4 954	NAP	NAP	NAP	28 666
Estonia	21 252	5 991	13 935	9 147	4 788	3 758	1 030	NAP	NAP	1 326	NAP
Finland	127 328	8 834	91 903	91 903	NAP	NAP	NAP	NAP	NAP	21 058	5 533
France	1 809 297	1 571 438	80 597	80 597	NAP	NAP	NAP	NAP	NAP	157 262	NAP
Germany	NA	782 964	NA	NA	NA	NA	NA	NA	NA	662 009	1 838 550
Greece	NA	246 839	NA	NA	NA	NA	NA	NA	NA	NA	NA
Hungary	150 089	74 290	26 410	24 938	1 076	NAP	NA	1 076	396	6 734	42 655
Ireland	NA	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	NAP	NA
Italy	4 511 492	2 758 091	1 486 154	1 486 154	NAP	NAP	NAP	NAP	NAP	267 247	NAP
Latvia	35 478	31 084	4 186	4 186	NAP	NAP	NAP	NAP	NAP	1 461	NAP
Lithuania	45 735	30 149	1 041	729	NA	NA	NA	NA	312	10 845	90 628
Luxembourg	NA	1 382	NA	NAP	NAP	NAP	NAP	NAP	NA	NA	3 700
Malta	10 568	9 885	NAP	NAP	NAP	NAP	NAP	NAP	NAP	683	NAP
Netherlands	310 170	60 160	198 990	NA	NAP	NAP	NAP	NAP	NAP	51 020	NAP
Poland	1 533 930	676 875	707 352	455 612	251 740	201 281	50 459	NA	NA	30 991	118 712
Portugal	NA	NA	NA	NA	NA	NAP	NAP	NA	NA	NA	NA
Romania	736 813	661 619	13 356	4 375	8 981	5 550	3 431	NAP	NAP	61 838	NAP
Slovakia	395 749	199 203	71 696	65 066	6 630	NAP	6 630	NAP	NA	15 772	109 078
Slovenia	251 814	48 389	170 653	164 581	6 072	5 438	634	NAP	NAP	1 682	31 090
Spain	1 446 755	857 047	384 727	384 727	NAP	NAP	NAP	NAP	NAP	203 406	NAP
Sweden	74 406	28 516	8 784	8 784	NAP	NAP	NAP	NAP	NAP	33 986	3 120
Average	622 885	387 719	208 536	198 484	37 841	39 807	9 589	1 076	1 218	76 431	201 410
Median	200 952	67 225	71 696	65 066	6 630	5 550	3 625	1 076	396	15 772	46 286
Minimum	10 568	1 382	1 041	729	1 076	1 533	634	1 076	312	683	3 120
Maximum	4 511 492	2 758 091	1 486 154	1 486 154	251 740	201 281	50 459	1 076	2 945	662 009	1 838 550
Nb of values	27	27	27	27	27	27	27	27	27	27	27
% of NA	26%	19%	33%	30%	26%	15%	22%	26%	37%	15%	19%
% of NAP	0%	0%	4%	7%	41%	59%	44%	70%	52%	7%	37%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Slovakia: In all evaluation cycles before 2016, it was not possible to distinguish number of pending cases solely on 1st instance since each case is considered pending until the moment a final decision is enacted and no further proceeding is possible.

Cyprus: The number of litigious and non-litigious cases cannot be separated and constitute one overall category of civil cases.

Germany: for civil and commercial litigious and administrative cases, the updated data is solely based on the statistics on the administration of justice published by the Federal Statistical Office. As far as the category "other", there are the most recent available data at the closing date of the CEPEJ data collection and involve information provided by the 16 Länder on the basis of the query lodged with the judicial administrations of the Länder. Some of the Länder were unable to provide complete data regarding question 91. Accordingly, the information for this category is incomplete and is not comparable with the 2013 data.

Italy: Only since 2014 the 29 regional administrative courts data are taken into account in the number of cases on first instance.

Malta: Regarding the other than criminal cases, since 2014, the number of case categories used was increased, reflecting a more accurate representation of the caseload of the courts. Hence the comparability with previous cycles is not recommended.

Table 3.1.1.1(2013): First instance courts, number of other than criminal law cases in 2013 - Pending cases on 1st Jan. (Q91)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	General civil (and commercial) non-litigious cases *	Non-litigious enforcement cases*	Non-litigious land registry cases	Non-litigious business registry cases	Administrative law cases	Other cases**
	1+2+3+4+5+6+7	1	2	3	4	5	6	7
Austria	517 264	38 918	386 305	248 783	41 484	0	NAP	50 557
Belgium	NA	NA	NAP	NA	NA	NAP	NA	NAP
Bulgaria	79 157	NA	NA	NA	NA	NA	10 909	68 248
Croatia	415 939	220 356	131 065	105 713	54 928	2 515	7 075	NAP
Cyprus	NA	44 285	NA	NA	NA	NA	5 395	NA
Czech Republic	296 269	171 113	97 177	65 722	NAP	NAP	NAP	27 979
Denmark	117 611	23 845	56 974	54 292	2 460	6 841	NAP	27 491
Estonia	NA	8 412	11 553	NA	3 033	2 777	891	NAP
Finland	137 004	9 600	103 192	367	NAP	NAP	18 849	5 363
France	1 643 188	1 428 811	64 473	55 126	NAP	NAP	149 904	NAP
Germany	NA	736 340	NA	NA	NA	NA	643 094	1 851 995
Greece	NA	478 241	NA	NA	NA	NA	383 402	NA
Hungary	NA	78 381	27 684	23 157	NAP	NA	6 019	57 094
Ireland	NA	NA	NA	NA	NAP	NAP	NAP	NA
Italy	4 781 009	3 445 954	1 335 055	562 138	NAP	NAP	347 728	NAP
Latvia	41 425	33 818	3 185	NAP	NAP	NAP	4 422	NAP
Lithuania	33 908	26 005	1 079	210	NA	NA	3 128	3 696
Luxembourg	NA	5 007	NA	NA	NA	NAP	NA	NAP
Malta	9 789	9 238	NAP	NAP	NAP	NAP	551	NAP
Netherlands	287 474	NA	NA	NAP	NAP	NAP	50 084	NAP
Poland	-	-	-	-	-	-	-	-
Portugal	NA	362 099	NAP	1 259 450	NAP	NAP	NA	NAP
Romania	777 991	578 043	62 572	58 971	1 366	2 526	133 484	NAP
Slovakia	339 930	150 579	71 944	1 626	NAP	6 510	17 815	93 082
Slovenia	303 220	55 486	188 531	171 284	14 705	477	1 936	42 085
Spain	-	-	-	-	-	-	-	-
Sweden	81 916	31 686	9 337	NAP	NAP	NAP	37 724	3 169
Average	616 443	377 915	170 008	200 526	19 663	3 092	101 245	202 796
Median	291 872	55 486	64 473	58 971	8 869	2 526	14 362	42 085
Minimum	9 789	5 007	1 079	210	1 366	0	551	3 169
Maximum	4 781 009	3 445 954	1 335 055	1 259 450	54 928	6 841	643 094	1 851 995
Nb of values	25	25	25	25	25	25	25	25
% of NA	36%	16%	28%	32%	28%	24%	12%	12%
% of NAP	0%	0%	12%	16%	48%	48%	16%	44%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Malta: Regarding the other than criminal cases, since 2014, the number of case categories used was increased, reflecting a more accurate representation of the caseload of the courts. Hence the comparability with previous cycles is not recommended.

Slovakia: In all evaluation cycles, it was not possible to distinguish number of pending cases solely on 1st instance since each case is considered pending until the moment a final decision is enacted and no further proceeding is possible.

Cyprus: The number of litigious and non-litigious cases cannot be separated and constitute one overall category of civil cases.

Germany: With regard to the number of incoming non-litigious enforcement cases, the number of Länder taken into consideration within the reply is different for the 2012 and 2013 exercises. Consequently, data are not comparable.

Portugal: The category "civil (and commercial) litigious cases" does not include civil and labour enforcement cases.

Table 3.1.1.2(2013): First instance courts, number of other than criminal law cases in 2013 - Incoming cases (Q91)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	General civil (and commercial) non-litigious cases *	Non-litigious enforcement cases*	Non-litigious land registry cases	Non-litigious business registry cases	Administrative law cases	Other cases**
	1+2+3+4+5+6+7		1	2	3	4		
Austria	3 386 071	101 157	1 777 887	1 015 082	643 064	307 976	NAP	555 987
Belgium	NA	745 883	NAP	NA	NA	NAP	NA	NAP
Bulgaria	353 415	NA	NA	NA	NA	NA	26 441	326 974
Croatia	1 086 228	203 831	269 321	146 309	472 363	126 900	13 813	NAP
Cyprus	NA	38 473	NA	NA	NA	NA	6 653	NA
Czech Republic	1 734 290	469 054	894 145	787 405	NAP	NAP	NAP	371 091
Denmark	2 316 568	43 878	370 649	365 515	1 762 764	13 341	NAP	125 936
Estonia	NA	17 745	51 112	NA	92 832	90 012	2 957	NAP
Finland	519 154	10 644	470 137	1 232	NAP	NAP	28 214	10 159
France	2 288 177	1 789 902	322 513	230 062	NAP	NAP	175 762	NAP
Germany	NA	1 424 016	NA	2 365 351	5 490 219	NA	661 706	1 622 446
Greece	NA	688 859	NA	NA	NA	NA	71 568	NA
Hungary	1 164 682	180 813	201 578	134 734	NAP	726 545	16 189	39 557
Ireland	NA	195 299	NA	NA	NAP	NAP	NAP	NA
Italy	4 173 702	1 605 399	2 568 303	565 444	NAP	NAP	54 902	NAP
Latvia	76 869	40 747	33 257	NAP	NAP	NAP	2 865	NAP
Lithuania	296 795	106 890	84 829	6 569	NA	NA	17 932	87 144
Luxembourg	NA	4 643	948	NA	NA	NAP	1 372	NAP
Malta	4 272	3 935	NAP	NAP	NAP	NAP	337	NAP
Netherlands	1 237 427	NA	NA	NAP	NAP	NAP	110 273	NAP
Poland	-	-	-	-	-	-	-	-
Portugal	NA	322 689	NAP	249 466	NAP	NAP	NA	NAP
Romania	1 599 815	829 193	571 575	547 351	1 999	869	196 179	NAP
Slovakia	690 648	163 200	124 144	680	NAP	111 931	11 296	280 077
Slovenia	921 342	63 636	250 918	220 233	284 854	58 288	5 234	258 412
Spain	-	-	-	-	-	-	-	-
Sweden	200 644	65 467	23 217	NAP	NAP	NAP	106 094	5 866
Average	1 297 065	396 320	500 908	473 960	1 249 728	179 483	79 462	334 877
Median	1 086 228	163 200	260 120	239 764	472 363	100 972	17 932	258 412
Minimum	4 272	3 935	948	680	1 999	869	337	5 866
Maximum	4 173 702	1 789 902	2 568 303	2 365 351	5 490 219	726 545	661 706	1 622 446
Nb of values	25	25	25	25	25	25	25	25
% of NA	32%	8%	24%	28%	24%	20%	8%	12%
% of NAP	0%	0%	12%	16%	48%	48%	16%	44%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Malta: Regarding the other than criminal cases, since 2014, the number of case categories used was increased, reflecting a more accurate representation of the caseload of the courts. Hence the comparability with previous cycles is not recommended.

Slovakia: In all evaluation cycles, it was not possible to distinguish number of pending cases solely on 1st instance since each case is considered pending until the moment a final decision is enacted and no further proceeding is possible.

Cyprus: The number of litigious and non-litigious cases cannot be separated and constitute one overall category of civil cases.

Germany: With regard to the number of incoming non-litigious enforcement cases, the number of Länder taken into consideration within the reply is different for the 2012 and 2013 exercises. Consequently, data are not comparable.

Table 3.1.1.3(2013): First instance courts, number of other than criminal law cases in 2013 - Resolved cases (Q91)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	General civil (and commercial) non-litigious cases *	Non-litigious enforcement cases*	Non-litigious land registry cases	Non-litigious business registry cases	Administrative law cases	Other cases**
	1+2+3+4+5+6+7		2	3	4	5		
Austria	3 411 960	102 190	1 782 384	1 009 751	661 192	307 976	NAP	558 218
Belgium	NA	NA	NAP	NA	NA	NAP	NA	NAP
Bulgaria	356 677	NA	NA	NA	NA	NA	28 727	327 950
Croatia	1 110 269	206 291	284 153	158 940	484 480	126 460	8 885	NAP
Cyprus	NA	30 125	NA	NA	NA	NA	3 828	NA
Czech Republic	1 679 459	423 105	915 562	809 561	NAP	NAP	NAP	340 792
Denmark	2 323 265	47 009	372 421	367 645	1 763 487	15 048	NAP	125 300
Estonia	NA	19 096	50 946	NA	92 066	91 099	2 687	NAP
Finland	518 725	11 319	470 722	1 180	NAP	NAP	26 745	9 939
France	2 246 155	1 745 616	317 357	225 812	NAP	NAP	183 182	NAP
Germany	NA	1 415 623	NA	NA	NA	NA	659 613	1 418 949
Greece	NA	551 755	NA	NA	NA	NA	109 771	NA
Hungary	1 135 973	177 087	200 004	133 738	NAP	691 613	16 888	50 381
Ireland	NA	NA	120 010	21 754	NAP	NAP	NAP	35
Italy	4 450 604	1 895 576	2 555 028	567 126	NAP	NAP	104 409	NAP
Latvia	81 225	44 500	32 046	NAP	NAP	NAP	4 679	NAP
Lithuania	288 718	105 698	83 967	6 603	NA	NA	11 728	87 325
Luxembourg	NA	8 432	948	NA	NA	NAP	1 283	NAP
Malta	4 447	4 312	NAP	NAP	NAP	NAP	135	NAP
Netherlands	1 219 381	158 722	950 102	NAP	NAP	NAP	110 557	NAP
Poland	-	-	-	-	-	-	-	-
Portugal	NA	332 948	NAP	399 691	NAP	NAP	NA	NAP
Romania	1 760 885	929 973	572 830	549 584	2 199	474	255 409	NAP
Slovakia	626 660	131 609	128 210	797	NAP	110 331	9 560	246 950
Slovenia	938 955	65 194	261 450	229 615	290 939	57 993	5 329	258 050
Spain	-	-	-	-	-	-	-	-
Sweden	201 996	66 112	23 416	NAP	NAP	NAP	106 832	5 636
Average	1 315 021	385 104	506 753	320 128	549 061	175 124	86 855	285 794
Median	1 110 269	118 654	272 802	227 714	387 710	100 715	16 888	186 125
Minimum	4 447	4 312	948	797	2 199	474	135	35
Maximum	4 450 604	1 895 576	2 555 028	1 009 751	1 763 487	691 613	659 613	1 418 949
Nb of values	25	25	25	25	25	25	25	25
% of NA	32%	12%	16%	28%	28%	20%	8%	8%
% of NAP	0%	0%	12%	16%	48%	48%	16%	44%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Malta: Regarding the other than criminal cases, since 2014, the number of case categories used was increased, reflecting a more accurate representation of the caseload of the courts. Hence the comparability with previous cycles is not recommended.

Slovakia: In all evaluation cycles, it was not possible to distinguish number of pending cases solely on 1st instance since each case is considered pending until the moment a final decision is enacted and no further proceeding is possible.

Cyprus: The number of litigious and non-litigious cases cannot be separated and constitute one overall category of civil cases.

Germany: With regard to the number of incoming non-litigious enforcement cases, the number of Länder taken into consideration within the reply is different for the 2012 and 2013 exercises. Consequently, data are not comparable.

Table 3.1.1.4(2013): First instance courts, number of other than criminal law cases in 2013 - Pending cases on 31 Dec. (Q91)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	General civil (and commercial) non-litigious cases *	Non-litigious enforcement cases*	Non-litigious land registry cases	Non-litigious business registry cases	Administrative law cases	Other cases**
	1+2+3+4+5+6+7	1	2	3	4	5	6	7
Austria	491 375	37 885	381 808	254 114	23 356	0	NAP	48 326
Belgium	NA	NA	NAP	NA	NA	NAP	NA	NAP
Bulgaria	75 895	NA	NA	NA	NA	NA	8 623	67 272
Croatia	391 898	217 896	116 233	93 082	42 811	2 955	12 003	NAP
Cyprus	NA	52 633	NA	NA	NA	NA	8 130	NA
Czech Republic	351 100	217 062	75 760	43 566	NAP	NAP	NAP	58 278
Denmark	114 531	21 120	57 559	54 499	1 737	5 751	NAP	28 364
Estonia	NA	6 812	11 765	NA	3 799	1 634	1 026	NAP
Finland	137 433	8 925	102 607	419	NAP	NAP	20 318	5 583
France	1 685 210	1 473 097	69 629	59 376	NAP	NAP	142 484	NAP
Germany	NA	744 510	NA	NA	NA	NA	645 014	1 838 550
Greece	NA	615 345	NA	NA	NA	NA	345 199	NA
Hungary	NA	82 107	29 258	24 153	NAP	NA	5 320	46 270
Ireland	NA	NA	NA	NA	NAP	NAP	NAP	NA
Italy	4 504 107	3 155 777	1 348 330	560 456	NAP	NAP	298 221	NAP
Latvia	37 069	30 065	4 396	NAP	NAP	NAP	2 608	NAP
Lithuania	41 985	27 197	1 941	176	NA	NA	9 332	3 515
Luxembourg	NA	1 218	0	NA	NA	NAP	NA	NAP
Malta	9 614	8 861	NAP	NAP	NAP	NAP	753	NAP
Netherlands	305 520	NA	NA	NAP	NAP	NAP	49 800	NAP
Poland	-	-	-	-	-	-	-	-
Portugal	NA	351 840	NAP	1 109 225	NAP	NAP	NA	NAP
Romania	616 921	477 263	61 317	56 738	1 166	2 921	74 254	NAP
Slovakia	403 918	182 170	67 878	1 509	NAP	8 110	19 551	126 209
Slovenia	285 117	53 813	177 392	161 295	8 615	1 011	1 841	42 445
Spain	-	-	-	-	-	-	-	-
Sweden	80 564	31 041	9 138	NAP	NAP	NAP	36 986	3 399
Average	595 766	371 268	157 188	186 047	13 581	3 197	93 415	206 201
Median	295 319	53 813	64 598	56 738	6 207	2 921	15 777	46 270
Minimum	9 614	1 218	0	176	1 166	0	753	3 399
Maximum	4 504 107	3 155 777	1 348 330	1 109 225	42 811	8 110	645 014	1 838 550
Nb of values	25	25	25	25	25	25	25	25
% of NA	36%	16%	24%	32%	28%	24%	12%	12%
% of NAP	0%	0%	12%	16%	48%	48%	16%	44%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Malta: Regarding the other than criminal cases, since 2014, the number of case categories used was increased, reflecting a more accurate representation of the caseload of the courts. Hence the comparability with previous cycles is not recommended.

Slovakia: In all evaluation cycles, it was not possible to distinguish number of pending cases solely on 1st instance since each case is considered pending until the moment a final decision is enacted and no further proceeding is possible.

Cyprus: The number of litigious and non-litigious cases cannot be separated and constitute one overall category of civil cases.

Germany: With regard to the number of incoming non-litigious enforcement cases, the number of Lander taken into consideration within the reply is different for the 2012 and 2013 exercises. Consequently, data are not comparable.

Table 3.1.1.1(2012): First instance courts, number of other than criminal law cases in 2012 - Pending cases on 1st Jan. (Q91)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	General civil (and commercial) non-litigious cases *	Non-litigious enforcement cases*	Non-litigious land registry cases	Non-litigious business registry cases	Administrative law cases	Other cases**
	1+2+3+4+5+6+7	1	2	3	4	5	6	7
Austria	504 481	39 530	397 948	263 862	17 205	NA	NAP	49 798
Belgium	NA	NA	NAP	NA	NA	NAP	NA	NAP
Bulgaria	74 505	NA	NA	NA	NA	NA	8 622	65 883
Croatia	430 500	208 520	160 545	125 949	57 484	NA	NA	3 951
Cyprus	42 179	NA	NA	NA	NA	NA	4 851	NA
Czech Republic	522 186	166 919	43 819	12 482	NAP	NAP	NAP	311 448
Denmark	143 328	26 505	76 701	73 920	1 333	7 136	NAP	28 748
Estonia	66 242	10 418	13 554	NA	3 782	37 335	1 153	NAP
Finland	109 588	9 829	75 446	347	NAP	NAP	19 203	5 110
France	1 654 187	1 415 720	69 108	58 279	NAP	NAP	169 359	NAP
Germany	4 966 112	798 265	NA	NA	NA	NA	689 031	1 957 181
Greece	616 391	205 198	NA	NA	NA	NA	411 193	NA
Hungary	NA	142 113	51 785	39 522	NAP	NA	6 483	56 882
Ireland	NA	NA	NA	NAP	NAP	NAP	NAP	NA
Italy	4 986 193	3 796 202	1 189 991	547 447	NAP	NAP	441 243	NAP
Latvia	48 647	42 051	3 438	NAP	NAP	NAP	5 496	NAP
Lithuania	35 363	26 545	1 461	176	NA	NA	2 974	4 383
Luxembourg	NA	5 072	NA	NA	NA	NAP	NA	NAP
Malta	9 805	9 457	NAP	NAP	NAP	NAP	348	NAP
Netherlands	279 460	NA	NA	NAP	NAP	NAP	48 010	NAP
Poland	1 431 356	382 664	718 309	140 844	204 376	20 595	21 837	83 575
Portugal	1 595 259	355 821	NA	1 239 438	NAP	NAP	NA	NA
Romania	698 506	566 796	44 812	40 578	1 454	2 281	83 163	NAP
Slovakia	289 064	128 073	69 073	1 520	NAP	6 224	7 883	77 811
Slovenia	356 071	56 651	200 131	181 791	44 990	839	2 430	51 030
Spain	NA	1 299 099	59 995	NA	NAP	NAP	335 512	NAP
Sweden	85 228	30 917	8 505	NAP	NAP	NAP	42 654	3 152
Average	861 121	441 926	187 331	194 725	47 232	12 402	121 129	207 612
Median	322 568	135 093	69 073	66 100	17 205	6 680	19 203	51 030
Minimum	9 805	5 072	1 461	176	1 333	839	348	3 152
Maximum	4 986 193	3 796 202	1 189 991	1 239 438	204 376	37 335	689 031	1 957 181
Nb of values	27	27	27	27	27	27	27	27
% of NA	19%	19%	30%	30%	26%	30%	15%	15%
% of NAP	0%	0%	7%	19%	48%	48%	15%	37%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Cyprus: The number of litigious and non-litigious cases cannot be separated and constitute one overall category of civil cases.

Malta: Regarding the other than criminal cases, since 2014, the number of case categories used was increased, reflecting a more accurate representation of the caseload of the courts. Hence the comparability with previous cycles is not recommended.

Slovakia: In all evaluation cycles, it was not possible to distinguish number of pending cases solely on 1st instance since each case is considered pending until the moment a final decision is enacted and no further proceeding is possible.

Germany: With regard to the number of incoming non-litigious enforcement cases, the number of Länder taken into consideration within the reply is different for the 2012 and 2013 exercises. Consequently, data are not comparable.

Table 3.1.1.2(2012): First instance courts, number of other than criminal law cases in 2012 - Incoming cases (Q91)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	General civil (and commercial) non-litigious cases *	Non-litigious enforcement cases*	Non-litigious land registry cases	Non-litigious business registry cases	Administrative law cases	Other cases**
	1+2+3+4+5+6+7							
Austria	3 489 286	104 365	1 775 035	1 018 450	689 005	335 857	NAP	585 024
Belgium	NA	762 164	NAP	NA	NA	NAP	NA	NAP
Bulgaria	392 320	NA	NA	NA	NA	NA	28 726	363 594
Croatia	1 097 909	182 693	423 669	191 514	476 543	NA	12 011	2 993
Cyprus	36 868	NA	NA	NA	NA	NA	2 094	NA
Czech Republic	1 046 760	363 080	290 715	185 663	NAP	NAP	NAP	392 965
Denmark	2 628 863	46 213	371 900	367 464	2 071 492	14 694	NAP	124 021
Estonia	265 301	16 336	44 136	NA	91 218	110 756	2 855	NAP
Finland	524 352	10 320	476 764	1 157	NAP	NAP	27 579	9 689
France	2 185 753	1 688 929	318 333	226 398	NAP	NAP	178 491	NAP
Germany	NA	1 573 220	NA	3 193 022	5 604 653	118 560	686 985	1 518 404
Greece	709 644	645 339	NA	NA	NA	NA	64 305	NA
Hungary	1 129 126	432 443	246 856	177 075	NAP	385 241	12 595	51 991
Ireland	NA	180 287	NA	NAP	NAP	NAP	NAP	NA
Italy	4 010 588	1 559 779	2 450 809	521 237	NAP	NAP	51 366	NAP
Latvia	72 547	44 106	29 068	NAP	NAP	NAP	3 989	NAP
Lithuania	280 708	107 559	77 669	4 307	NA	NA	8 068	87 412
Luxembourg	NA	4 718	937	NA	NA	NAP	1 615	NAP
Malta	4 507	4 161	NAP	NAP	NAP	NAP	346	NAP
Netherlands	1 258 187	NA	NA	NAP	NAP	NAP	114 930	NAP
Poland	10 045 154	1 066 935	4 800 084	900 397	3 194 947	610 397	72 160	300 631
Portugal	718 369	369 178	NA	349 191	NAP	NAP	NA	NA
Romania	1 837 799	1 102 677	502 594	479 214	2 099	810	229 619	NAP
Slovakia	638 571	161 645	139 784	659	NAP	96 186	18 797	222 159
Slovenia	929 328	62 761	250 169	218 582	306 951	50 144	4 930	254 373
Spain	NA	1 761 051	183 225	NA	NAP	NAP	196 995	NAP
Sweden	197 441	65 418	22 800	NAP	NAP	NAP	103 745	5 478
Average	1 522 699	513 141	689 142	522 289	1 554 614	191 405	86 771	301 441
Median	823 849	181 490	270 442	226 398	582 774	110 756	27 579	222 159
Minimum	4 507	4 161	937	659	2 099	810	346	2 993
Maximum	10 045 154	1 761 051	4 800 084	3 193 022	5 604 653	610 397	686 985	1 518 404
Nb of values	27	27	27	27	27	27	27	27
% of NA	19%	11%	26%	26%	22%	19%	7%	15%
% of NAP	0%	0%	7%	19%	48%	48%	15%	37%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Cyprus: The number of litigious and non-litigious cases cannot be separated and constitute one overall category of civil cases.

Malta: Regarding the other than criminal cases, since 2014, the number of case categories used was increased, reflecting a more accurate representation of the caseload of the courts. Hence the comparability with previous cycles is not recommended.

Table 3.1.1.3(2012): First instance courts, number of other than criminal law cases in 2012 - Resolved cases (Q91)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	General civil (and commercial) non-litigious cases *	Non-litigious enforcement cases*	Non-litigious land registry cases	Non-litigious business registry cases	Administrative law cases	Other cases**
	1+2+3+4+5+6+7	1	2	3	4	5	6	7
Austria	3 476 472	104 977	1 786 647	1 033 529	664 726	335 857	NAP	584 265
Belgium	NA	NA	NAP	NA	NA	NAP	NA	NAP
Bulgaria	387 832	NA	NA	NA	NA	NA	26 462	361 370
Croatia	1 119 696	173 631	458 860	211 643	479 099	NA	4 936	4 170
Cyprus	32 092	NA	NA	NA	NA	NA	1 550	NA
Czech Republic	1 190 182	358 886	298 084	193 150	NAP	NAP	NAP	533 212
Denmark	2 656 912	50 361	394 750	390 159	2 070 365	15 366	NAP	125 486
Estonia	295 674	18 370	46 041	NA	92 043	136 207	3 013	NAP
Finland	497 063	10 653	449 101	1 140	NAP	NAP	27 852	9 457
France	2 189 186	1 675 838	322 968	229 551	NAP	NAP	190 380	NAP
Germany	3 888 915	1 578 891	NA	NA	NA	NA	698 569	1 519 898
Greece	464 392	372 296	NA	NA	NA	NA	92 096	NA
Hungary	1 176 429	454 369	262 314	192 368	NAP	394 348	13 599	51 799
Ireland	NA	NA	NA	NAP	NAP	NAP	NAP	NA
Italy	4 346 215	2 047 289	2 298 926	511 229	NAP	NAP	143 713	NAP
Latvia	81 520	51 930	29 483	NAP	NAP	NAP	5 205	NAP
Lithuania	282 163	108 099	78 051	4 273	NA	NA	7 914	88 099
Luxembourg	NA	8 155	937	NA	NA	NAP	1 127	NAP
Malta	4 875	4 736	NAP	NAP	NAP	NAP	139	NAP
Netherlands	1 243 457	159 165	972 185	NAP	NAP	NAP	112 107	NAP
Poland	10 100 564	944 559	4 944 396	890 032	3 240 327	603 887	71 865	295 530
Portugal	689 351	360 694	NA	328 657	NAP	NAP	NA	NA
Romania	1 758 314	1 091 430	484 834	460 821	2 187	565	179 298	NAP
Slovakia	580 653	131 856	137 139	779	NAP	95 900	8 865	206 893
Slovenia	981 418	63 689	261 325	228 645	337 182	50 506	5 424	263 292
Spain	NA	1 754 816	184 107	NA	NAP	NAP	243 718	NAP
Sweden	200 774	64 651	21 937	NAP	NAP	NAP	108 724	5 462
Average	1 636 702	503 884	706 952	333 998	983 704	204 080	92 693	311 456
Median	981 418	159 165	298 084	229 098	479 099	116 054	26 462	206 893
Minimum	4 875	4 736	937	779	2 187	565	139	4 170
Maximum	10 100 564	2 047 289	4 944 396	1 033 529	3 240 327	603 887	698 569	1 519 898
Nb of values	27	27	27	27	27	27	27	27
% of NA	15%	15%	22%	30%	26%	22%	7%	15%
% of NAP	0%	0%	7%	19%	48%	48%	15%	37%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Cyprus: The number of litigious and non-litigious cases cannot be separated and constitute one overall category of civil cases.

Malta: Regarding the other than criminal cases, since 2014, the number of case categories used was increased, reflecting a more accurate representation of the caseload of the courts. Hence the comparability with previous cycles is not recommended.

Table 3.1.1.4(2012): First instance courts, number of other than criminal law cases in 2012 - Pending cases on 31 Dec. (Q91)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	General civil (and commercial) non-litigious cases *	Non-litigious enforcement cases*	Non-litigious land registry cases	Non-litigious business registry cases	Administrative law cases	Other cases**
	1+2+3+4+5+6+7	1	2	3	4	5	6	7
Austria	517 295	38 918	386 336	248 783	41 484	NA	NAP	50 557
Belgium	NA	NA	NAP	NA	NA	NAP	NA	NAP
Bulgaria	78 993	NA	NA	NA	NA	NA	10 886	68 107
Croatia	408 713	217 582	126 354	105 820	54 928	NA	7 075	2 774
Cyprus	46 955	NA	NA	NA	NA	NA	5 395	NA
Czech Republic	378 764	171 113	36 450	4 995	NAP	NAP	NAP	171 201
Denmark	120 108	22 804	57 548	54 886	2 460	6 852	NAP	27 580
Estonia	35 558	8 393	11 434	NA	2 957	11 884	890	NAP
Finland	136 877	9 496	103 109	364	NAP	NAP	18 930	5 342
France	1 650 754	1 428 811	64 473	55 126	NAP	NAP	157 470	NAP
Germany	NA	792 594	NA	NA	NA	NA	677 447	1 955 687
Greece	861 643	478 241	NA	NA	NA	NA	383 402	NA
Hungary	NA	120 187	36 327	24 229	NAP	NA	5 479	57 074
Ireland	NA	NA	NA	NAP	NAP	NAP	NAP	NA
Italy	4 650 566	3 308 692	1 341 874	557 455	NAP	NAP	348 896	NAP
Latvia	41 530	34 227	3 023	NAP	NAP	NAP	4 280	NAP
Lithuania	33 908	26 005	1 079	210	NA	NA	3 128	3 696
Luxembourg	NA	1 635	0	NA	NA	NAP	NA	NAP
Malta	9 437	8 882	NAP	NAP	NAP	NAP	555	NAP
Netherlands	285 340	NA	NA	NAP	NAP	NAP	50 010	NAP
Poland	1 375 396	505 040	573 450	151 229	158 992	27 106	22 132	88 676
Portugal	1 624 277	364 305	NA	1 259 972	NAP	NAP	NA	NA
Romania	777 991	578 043	62 572	58 971	1 366	2 526	133 484	NAP
Slovakia	346 982	157 862	71 718	1 400	NAP	6 510	17 815	93 077
Slovenia	303 220	55 486	188 531	171 284	14 705	477	1 936	42 085
Spain	NA	1 270 383	57 993	NA	NAP	NAP	285 005	NAP
Sweden	81 895	31 684	9 368	NAP	NAP	NAP	37 675	3 168
Average	655 533	437 745	173 980	192 480	39 556	9 226	108 595	197 617
Median	303 220	139 025	60 283	57 049	14 705	6 681	18 373	50 557
Minimum	9 437	1 635	0	210	1 366	477	555	2 774
Maximum	4 650 566	3 308 692	1 341 874	1 259 972	158 992	27 106	677 447	1 955 687
Nb of values	27	27	27	27	27	27	27	27
% of NA	22%	19%	26%	30%	26%	30%	11%	15%
% of NAP	0%	0%	7%	19%	48%	48%	15%	37%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Cyprus: The number of litigious and non-litigious cases cannot be separated and constitute one overall category of civil cases.

Malta: Regarding the other than criminal cases, since 2014, the number of case categories used was increased, reflecting a more accurate representation of the caseload of the courts. Hence the comparability with previous cycles is not recommended.

Table 3.1.1.1(2010): First instance courts, number of other than criminal law cases in 2010 - Pending cases on 1st Jan. (Q91)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	General civil (and commercial) non-litigious cases *	Non-litigious enforcement cases*	Non-litigious land registry cases	Non-litigious business registry cases	Administrative law cases	Other cases**
	1+2+3+4+5+6+7	1	2	3	4	5	6	7
Austria	544 991	39 860	420 452	259 897	16 235	NA	NA	48 835
Belgium	NA	NA	NAP	NA	NA	NAP	NA	NAP
Bulgaria	67 929	NA	NA	NA	NA	NA	7 671	60 258
Croatia	457 432	191 738	133 072	115 020	95 148	NA	36 449	1 025
Cyprus	33 631	26 999	NA	NA	NA	NA	4 788	1 844
Czech Republic	395 271	181 074	45 766	13 636	NAP	NA	NA	168 431
Denmark	250 702	33 566	113 742	110 859	66 296	7 175	NA	29 923
Estonia	36 716	12 046	23 436	NA	3 584	NA	1 174	NAP
Finland	107 120	6 431	76 302	350	NAP	NAP	19 863	4 524
France	1 566 570	1 318 782	62 871	53 194	NAP	NAP	184 917	NAP
Germany	NA	803 757	NA	NA	NA	NA	658 466	1 785 920
Greece	567 685	159 031	NA	NA	NA	NA	408 654	NA
Hungary	207 740	92 979	57 747	NA	NA	NA	6 951	49 175
Ireland	NA	NA	NA	NAP	NAP	NAP	NAP	NA
Italy	5 284 253	4 263 961	1 020 292	509 972	NAP	NAP	631 692	NAP
Latvia	42 345	31 177	5 606	NAP	NAP	NAP	5 562	NAP
Lithuania	40 239	34 894	NA	NA	NA	NA	1 536	3 809
Luxembourg	NA	2 012	NA	NA	NAP	NAP	112	NAP
Malta	10 022	9 729	NAP	NAP	216	NAP	91	NAP
Netherlands	287 690	NA	NA	NAP	NAP	NAP	60 920	NAP
Poland	1 228 163	344 160	312 759	123 709	449 546	24 557	17 588	79 553
Portugal	1 493 108	372 085	NA	1 121 023	NAP	NAP	NA	NA
Romania	533 633	462 023	47 003	42 412	1 786	NA	22 821	NAP
Slovakia	337 441	120 032	76 466	3 938	NAP	34 430	8 733	97 770
Slovenia	392 907	56 180	237 755	220 394	44 806	394	3 092	50 680
Spain	1 775 082	787 193	655 431	NAP	NAP	NAP	322 961	NAP
Sweden	79 621	30 539	9 303	NAP	NAP	NAP	37 146	2 633
Average	684 360	407 837	206 125	214 534	84 702	16 639	116 247	170 313
Median	337 441	92 979	76 384	112 940	30 521	15 866	17 588	49 005
Minimum	10 022	2 012	5 606	350	216	394	91	1 025
Maximum	5 284 253	4 263 961	1 020 292	1 121 023	449 546	34 430	658 466	1 785 920
Nb of values	27	27	27	27	27	27	27	27
% of NA	15%	15%	33%	33%	26%	41%	19%	11%
% of NAP	0%	0%	7%	22%	44%	44%	4%	37%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Slovakia: In all evaluation cycles, it was not possible to distinguish number of pending cases solely on 1st instance since each case is considered pending until the moment a final decision is enacted and no further proceeding is possible.

Malta: Regarding the other than criminal cases, since 2014, the number of case categories used was increased, reflecting a more accurate representation of the caseload of the courts. Hence the comparability with previous cycles is not recommended.

Table 3.1.1.2(2010): First instance courts, number of other than criminal law cases in 2010 - Incoming cases (Q91)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	General civil (and commercial) non-litigious cases *	Non-litigious enforcement cases*	Non-litigious land registry cases	Non-litigious business registry cases	Administrative law cases	Other cases**
	1+2+3+4+5+6+7	1	2	3	4	5	6	7
Austria	3 600 472	112 772	1 873 908	1 092 105	682 554	265 326	NA	605 186
Belgium	NA	687 056	NAP	NA	NA	NAP	NA	NAP
Bulgaria	394 840	NA	NA	NA	NA	NA	27 265	367 575
Croatia	1 103 864	146 607	461 190	198 718	480 096	NA	14 470	1 501
Cyprus	30 612	26 455	NA	NA	NA	NA	1 940	2 217
Czech Republic	1 588 953	459 508	400 654	293 637	NAP	NA	NA	728 791
Denmark	2 623 428	63 428	430 095	425 647	2 118 153	11 312	NA	124 834
Estonia	75 865	21 622	50 687	NA	83 742	NA	3 556	NAP
Finland	389 479	10 845	338 180	1 055	NAP	NAP	31 397	9 057
France	2 294 650	1 793 299	325 974	225 111	NAP	NAP	175 377	NAP
Germany	NA	1 551 762	NA	3 183 807	5 832 858	580 501	693 913	1 587 688
Greece	551 700	455 831	NA	NA	NA	NA	95 869	NA
Hungary	682 727	200 922	400 514	NA	NA	333 205	14 360	63 534
Ireland	NA	NA	NA	NAP	NAP	NAP	NAP	NA
Italy	4 169 012	2 399 530	1 769 482	510 915	NAP	NAP	56 716	NAP
Latvia	128 372	51 466	72 538	NAP	NAP	NAP	4 368	NAP
Lithuania	297 765	201 585	NA	NA	NA	NA	7 681	88 499
Luxembourg	NA	2 103	NA	NA	NAP	NAP	293	NAP
Malta	5 090	4 994	NAP	NAP	33	NAP	63	NAP
Netherlands	1 451 879	NA	NA	NAP	NAP	NAP	114 638	NAP
Poland	9 320 293	819 861	4 427 036	1 422 749	3 135 852	564 172	67 830	305 542
Portugal	589 286	314 317	NA	274 969	NAP	NAP	NA	NA
Romania	1 751 088	1 073 669	574 469	544 734	2 287	NA	100 663	NAP
Slovakia	606 454	126 087	128 625	409	NAP	91 567	42 220	217 955
Slovenia	892 470	66 607	245 897	213 815	271 314	44 971	5 333	258 348
Spain	2 454 497	1 039 483	1 011 285	NAP	NAP	NAP	249 520	NAP
Sweden	196 544	63 428	22 373	NAP	NAP	NAP	107 654	3 089
Average	1 530 406	487 218	783 307	645 205	1 400 765	270 151	86 435	311 701
Median	682 727	173 765	400 584	293 637	480 096	265 326	31 397	171 395
Minimum	5 090	2 103	22 373	409	33	11 312	63	1 501
Maximum	9 320 293	2 399 530	4 427 036	3 183 807	5 832 858	580 501	693 913	1 587 688
Nb of values	27	27	27	27	27	27	27	27
% of NA	15%	11%	33%	30%	22%	30%	19%	11%
% of NAP	0%	0%	7%	22%	44%	44%	4%	37%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Slovakia: In all evaluation cycles, it was not possible to distinguish number of pending cases solely on 1st instance since each case is considered pending until the moment a final decision is enacted and no further proceeding is possible.

Malta: Regarding the other than criminal cases, since 2014, the number of case categories used was increased, reflecting a more accurate representation of the caseload of the courts. Hence the comparability with previous cycles is not recommended.

Table 3.1.1.3(2010): First instance courts, number of other than criminal law cases in 2010 - Resolved cases (Q91)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	General civil (and commercial) non-litigious cases *	Non-litigious enforcement cases*	Non-litigious land registry cases	Non-litigious business registry cases	Administrative law cases	Other cases**
	1+2+3+4+5+6+7	1	2	3	4	5	6	7
Austria	3 607 341	112 870	1 883 227	1 085 046	680 712	NA	NA	604 261
Belgium	NA	NA	NAP	NA	NA	NAP	NA	NAP
Bulgaria	390 965	NA	NA	NA	NA	NA	26 675	364 290
Croatia	1 230 937	149 290	439 764	186 644	506 113	118 853	15 616	1 301
Cyprus	25 763	22 210	NA	NA	NA	NA	1 440	2 113
Czech Republic	1 508 639	474 591	401 592	293 623	NAP	NA	NA	632 456
Denmark	2 799 017	64 657	440 518	435 624	2 157 581	10 724	NA	125 171
Estonia	84 136	21 107	58 786	NA	83 670	NA	3 243	NAP
Finland	391 908	10 112	342 028	1 055	NAP	NAP	31 043	8 725
France	2 269 210	1 764 255	317 907	217 298	NAP	NAP	187 048	NAP
Germany	NA	1 586 654	NA	NA	NA	NA	668 664	1 489 900
Greece	436 484	359 607	NA	NA	NA	NA	76 877	NA
Hungary	732 325	204 275	461 650	NA	NA	354 237	13 727	59 395
Ireland	NA	NA	NA	NAP	NAP	NAP	NAP	NA
Italy	4 539 492	2 834 879	1 704 613	478 933	NAP	NAP	179 162	NAP
Latvia	123 275	44 372	74 396	NAP	NAP	NAP	4 507	NAP
Lithuania	317 205	205 423	68 252	16 846	NA	NA	6 411	88 525
Luxembourg	NA	2 913	NA	NA	NAP	NAP	273	NAP
Malta	4 485	4 428	NAP	NAP	39	NAP	18	NAP
Netherlands	1 461 153	NA	NA	NAP	NAP	NAP	122 273	NAP
Poland	9 311 414	778 641	4 309 743	1 383 667	3 299 519	567 840	64 121	291 550
Portugal	520 085	320 267	NA	199 818	NAP	NAP	NA	NA
Romania	1 600 580	963 742	563 249	533 679	2 479	NA	71 110	NAP
Slovakia	643 917	123 203	136 676	1 733	NAP	115 742	43 115	225 181
Slovenia	903 841	65 917	269 839	238 716	265 964	44 797	6 105	251 219
Spain	2 332 344	962 995	1 117 009	NAP	NAP	NAP	252 340	NAP
Sweden	183 343	62 095	22 704	NAP	NAP	NAP	95 262	3 282
Average	1 539 907	484 283	741 880	390 206	874 510	202 032	89 001	296 241
Median	732 325	149 290	401 592	238 716	386 039	117 298	31 043	175 176
Minimum	4 485	2 913	22 704	1 055	39	10 724	18	1 301
Maximum	9 311 414	2 834 879	4 309 743	1 383 667	3 299 519	567 840	668 664	1 489 900
Nb of values	27	27	27	27	27	27	27	27
% of NA	15%	15%	30%	30%	26%	33%	19%	11%
% of NAP	0%	0%	7%	22%	44%	44%	4%	37%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Slovakia: In all evaluation cycles, it was not possible to distinguish number of pending cases solely on 1st instance since each case is considered pending until the moment a final decision is enacted and no further proceeding is possible.

Malta: Regarding the other than criminal cases, since 2014, the number of case categories used was increased, reflecting a more accurate representation of the caseload of the courts. Hence the comparability with previous cycles is not recommended.

Table 3.1.1.4(2010): First instance courts, number of other than criminal law cases in 2010 - Pending cases on 31 Dec. (Q91)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	General civil (and commercial) non-litigious cases *	Non-litigious enforcement cases*	Non-litigious land registry cases	Non-litigious business registry cases	Administrative law cases	Other cases**
	1+2+3+4+5+6+7	1	2	3	4	5	6	7
Austria	538 122	39 762	411 133	266 956	18 077	NA	NA	49 760
Belgium	NA	NA	NAP	NA	NA	NAP	NA	NAP
Bulgaria	71 804	NA	NA	NA	NA	NA	8 261	63 543
Croatia	449 212	189 055	154 498	127 094	69 131	NA	35 303	1 225
Cyprus	38 480	31 244	NA	NA	NA	NA	5 288	1 948
Czech Republic	475 585	165 991	44 828	13 650	NAP	NA	NA	264 766
Denmark	205 969	32 292	108 945	105 215	26 868	7 817	NA	30 047
Estonia	27 675	12 425	13 949	NA	3 660	NA	1 301	NAP
Finland	104 691	7 164	72 454	350	NAP	NAP	20 217	4 856
France	1 592 010	1 347 826	70 938	61 007	NAP	NAP	173 246	NAP
Germany	NA	798 702	NA	NA	NA	NA	683 432	1 915 183
Greece	609 306	187 360	NA	NA	NA	NA	421 946	NA
Hungary	158 142	89 626	6 611	NA	NA	NA	7 584	53 314
Ireland	NA	NA	NA	NAP	NAP	NAP	NAP	NA
Italy	4 913 773	3 828 612	1 085 161	541 954	NAP	NAP	509 246	NAP
Latvia	47 442	38 271	3 748	NAP	AP	NAP	5 423	NAP
Lithuania	37 645	31 056	NA	NA	NA	NA	2 806	3 783
Luxembourg	NA	1 595	NA	NA	NAP	NAP	129	NAP
Malta	10 641	10 295	NAP	NAP	210	NAP	136	NAP
Netherlands	274 170	NA	NA	NAP	NAP	NAP	53 410	NAP
Poland	1 238 599	385 035	430 401	162 791	287 462	20 889	21 267	93 545
Portugal	1 562 309	366 135	NA	1 196 174	NAP	NAP	NA	NA
Romania	684 141	571 950	58 223	53 467	1 594	NA	52 374	NAP
Slovakia	299 978	122 916	68 415	2 614	NAP	10 255	7 838	90 554
Slovenia	380 614	56 863	212 956	194 636	50 165	566	2 320	57 744
Spain	1 857 032	828 019	702 065	NAP	NAP	NAP	326 948	NAP
Sweden	92 822	31 872	8 972	NAP	NAP	NAP	49 538	2 440
Average	681 311	398 872	215 831	227 159	57 146	9 882	113 715	188 051
Median	299 978	89 626	71 696	116 155	22 473	9 036	20 217	51 537
Minimum	10 641	1 595	3 748	350	210	566	129	1 225
Maximum	4 913 773	3 828 612	1 085 161	1 196 174	287 462	20 889	683 432	1 915 183
Nb of values	27	27	27	27	27	27	27	27
% of NA	15%	15%	33%	33%	26%	41%	19%	11%
% of NAP	0%	0%	7%	22%	41%	44%	4%	37%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Slovakia: In all evaluation cycles, it was not possible to distinguish number of pending cases solely on 1st instance since each case is considered pending until the moment a final decision is enacted and no further proceeding is possible.

Malta: Regarding the other than criminal cases, since 2014, the number of case categories used was increased, reflecting a more accurate representation of the caseload of the courts. Hence the comparability with previous cycles is not recommended.

Table 3.2.1.1(2016): First instance courts, clearance rate in different types of other than criminal law cases in 2016 (Q91)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases *	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases
Austria	100,4%	102,0%	100,6%	100,3%	101,0%	101,4%	100,1%	NAP	NAP	90,8%	100,3%
Belgium	102,2%	102,5%	100,0%	NAP	100,0%	NAP	100,0%	NAP	NAP	120,9%	NAP
Bulgaria	98,8%	NA	NA	NA	NAP	NAP	NAP	NAP	NA	104,2%	NA
Croatia	101,8%	118,1%	98,9%	101,0%	98,3%	97,8%	100,2%	NAP	NAP	109,3%	NAP
Cyprus	104,2%	NA	NA	NA	NA	NA	NA	NA	NA	112,8%	NA
Czech Republic	105,2%	110,0%	104,8%	105,5%	103,0%	NAP	103,0%	NAP	79,3%	80,2%	74,3%
Denmark	99,6%	101,2%	99,6%	97,9%	100,0%	100,0%	100,5%	NAP	NAP	NAP	99,7%
Estonia	97,7%	97,6%	97,7%	100,7%	97,1%	99,3%	95,6%	NAP	NAP	105,6%	NAP
Finland	98,1%	124,8%	99,1%	99,1%	NAP	NAP	NAP	NAP	NAP	79,4%	104,5%
France	98,5%	99,0%	95,5%	95,5%	NAP	NAP	NAP	NAP	NAP	99,1%	NAP
Germany	NA	102,7%	NA	NA	NA	NA	71,9%	NA	NA	92,3%	100,5%
Greece	NA	98,8%	NA	NA	NA	NA	NA	NA	NA	148,1%	NA
Hungary	102,1%	98,4%	102,2%	102,8%	102,0%	NAP	101,9%	104,3%	97,3%	99,7%	126,0%
Ireland	76,1%	59,2%	96,3%	96,3%	NAP	NAP	NAP	NAP	NAP	NAP	100,0%
Italy	104,5%	113,2%	96,6%	96,6%	NAP	NAP	NAP	NAP	NAP	153,5%	NAP
Latvia	100,3%	100,9%	100,0%	100,0%	NAP	NAP	NAP	NAP	NAP	95,0%	NAP
Lithuania	101,7%	98,4%	99,1%	99,4%	NAP	NAP	NAP	NAP	98,0%	144,4%	102,3%
Luxembourg	101,7%	100,0%	104,0%	100,0%	NAP	NAP	NAP	NAP	105,0%	97,7%	NAP
Malta	107,4%	107,3%	NAP	NAP	NAP	NAP	NAP	NAP	NAP	114,4%	NAP
Netherlands	100,2%	100,7%	100,7%	100,7%	NAP	NAP	NAP	NAP	NAP	95,3%	NAP
Poland	98,1%	98,9%	97,8%	86,3%	97,6%	97,5%	97,7%	NA	NA	103,0%	105,6%
Portugal	NA	112,3%	NA	NA	NA	NAP	NAP	NA	NA	111,5%	NA
Romania	101,3%	102,0%	106,5%	107,0%	105,2%	110,1%	67,7%	NAP	NAP	91,8%	NAP
Slovakia	106,2%	132,0%	96,1%	93,1%	98,7%	NAP	98,7%	NAP	94,7%	112,0%	100,3%
Slovenia	106,1%	106,4%	107,4%	119,8%	99,7%	99,7%	100,0%	NAP	NAP	87,1%	102,7%
Spain	104,6%	103,1%	104,9%	104,9%	NAP	NAP	NAP	NAP	NAP	111,6%	NAP
Sweden	99,4%	99,3%	100,0%	100,0%	NAP	NAP	NAP	NAP	NAP	99,6%	95,2%
Average	100,7%	103,6%	100,4%	100,3%	100,2%	100,8%	94,8%	104,3%	94,9%	106,4%	101,0%
Median	101,5%	102,0%	100,0%	100,0%	100,0%	99,7%	100,0%	104,3%	97,3%	103,0%	100,4%
Minimum	76,1%	59,2%	95,5%	86,3%	97,1%	97,5%	67,7%	104,3%	79,3%	79,4%	74,3%
Maximum	107,4%	132,0%	107,4%	119,8%	105,2%	110,1%	103,0%	104,3%	105,0%	153,5%	126,0%
Nb of values	27	27	27	27	27	27	27	27	27	27	27
% of NA	11%	7%	19%	19%	15%	11%	7%	19%	22%	0%	15%
% of NAP	0%	0%	4%	7%	44%	63%	48%	78%	59%	7%	41%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Cyprus: The number of litigious and non-litigious cases cannot be separated and constitute one overall category of civil cases.

Greece: Any deviations from the 2015 figures are due to a new way of collecting statistics.

Ireland: The low clearance rate is a result of a specific of the system where resolved cases out of courts do not have the obligation to report back to courts

Italy: Only since 2014 the 29 regional administrative courts data are taken into account in the number of cases on first instance.

Malta: Regarding the other than criminal cases, since 2014, the number of case categories used was increased, reflecting a more accurate representation of the caseload of the courts. Hence the comparability with previous cycles is not recommended.

Portugal: The category "civil (and commercial) litigious cases" does not include civil and labour enforcement cases.

Slovakia: The new structure of judicial data introduced in 2016 might cause the discrepancies and incompatibility of the data with the previous cycles.

Table 3.2.1.2(2016): First instance courts, disposition time (in days) in different types of other than criminal law cases in 2016 (Q91)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases *	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases**
Austria	57	133	51	76	8	10	5	NAP	NAP	380	38
Belgium	NA	NA	NA	NAP	NA	NAP	NA	NAP	NAP	429	NAP
Bulgaria	84	NA	NA	NA	NAP	NAP	NAP	NAP	NA	108	NA
Croatia	117	364	64	189	26	32	6	NAP	NAP	319	NAP
Cyprus	837	NA	NA	NA	NA	NA	NA	NA	NA	1 582	NA
Czech Republic	155	153	92	116	16	NAP	16	NAP	439	421	1 782
Denmark	21	176	14	79	1	0	106	NAP	NAP	NAP	78
Estonia	40	139	34	61	30	13	42	NAP	NAP	108	NAP
Finland	113	252	94	94	NAP	NAP	NAP	NAP	NAP	279	184
France	312	353	111	111	NAP	NAP	NAP	NAP	NAP	314	NAP
Germany	NA	196	NA	NA	NA	NA	7 030	NA	NA	375	394
Greece	NA	670	NA	NA	NA	NA	NA	NA	NA	1 086	NA
Hungary	57	159	14	47	1	NAP	NA	56	49	109	277
Ireland	NA	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	NAP	NA
Italy	387	514	250	250	NAP	NAP	NAP	NAP	NAP	925	NAP
Latvia	160	247	33	33	NAP	NAP	NAP	NAP	NAP	217	NAP
Lithuania	41	88	6	4	NAP	NAP	NAP	NAP	14	72	12
Luxembourg	NA	91	97	NAP	NAP	NAP	NAP	NAP	123	NA	NAP
Malta	446	432	NAP	NAP	NAP	NAP	NAP	NAP	NAP	1 464	NAP
Netherlands	83	121	66	66	NAP	NAP	NAP	NAP	NAP	178	NAP
Poland	64	216	44	91	40	41	39	NA	NA	143	129
Portugal	NA	289	NA	NA	NA	NAP	NAP	NA	NA	911	NA
Romania	154	153	138	33	434	235	2 900	NAP	NAP	170	NAP
Slovakia	98	130	121	184	27	NAP	27	NAP	212	203	66
Slovenia	72	280	58	127	7	8	3	NAP	NAP	282	45
Spain	227	282	143	143	NAP	NAP	NAP	NAP	NAP	312	NAP
Sweden	132	164	144	144	NAP	NAP	NAP	NAP	NAP	108	185
Average	174	244	83	103	59	48	1 017	56	167	437	290
Median	113	196	66	92	21	13	33	56	123	297	129
Minimum	21	88	6	4	1	0	3	56	14	72	12
Maximum	837	670	250	250	434	235	7 030	56	439	1 582	1 782
Nb of values	27	27	27	27	27	27	27	27	27	27	27
% of NA	22%	15%	26%	22%	19%	11%	15%	19%	22%	4%	19%
% of NAP	0%	0%	4%	11%	44%	63%	48%	78%	59%	7%	41%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Cyprus: The number of litigious and non-litigious cases cannot be separated and constitute one overall category of civil cases.

Greece: Any deviations from the 2015 figures are due to a new way of collecting statistics.

Ireland: The low clearance rate is a result of a specific of the system where resolved cases out of courts do not have the obligation to report back to courts

Italy: Only since 2014 the 29 regional administrative courts data are taken into account in the number of cases on first instance.

Malta: Regarding the other than criminal cases, since 2014, the number of case categories used was increased, reflecting a more accurate representation of the caseload of the courts. Hence the comparability with previous cycles is not recommended.

Portugal: The category "civil (and commercial) litigious cases" does not include civil and labour enforcement cases.

Table 3.2.1.1(2015): First instance courts, clearance rate in different types of other than criminal law cases in 2015 (Q91)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases *	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases
Austria	100,2%	102,0%	100,3%	100,9%	99,2%	99,0%	99,8%	NAP	NAP	NAP	99,2%
Belgium	NA	98,9%	NA	NA	100,0%	NAP	100,0%	NAP	NA	116,8%	NAP
Bulgaria	99,0%	NA	NA	NA	NAP	NAP	NAP	NAP	NA	99,0%	NA
Croatia	101,6%	107,1%	100,5%	103,4%	99,7%	99,5%	100,4%	NAP	NAP	92,7%	NAP
Cyprus	90,2%	NA	NA	NA	NA	NA	NA	NA	NA	119,8%	NA
Czech Republic	102,3%	107,3%	102,0%	103,8%	97,3%	NAP	97,3%	NAP	86,4%	92,1%	56,4%
Denmark	100,0%	101,9%	99,9%	99,5%	100,0%	100,0%	90,8%	NAP	NAP	NAP	100,8%
Estonia	139,7%	102,1%	142,8%	103,8%	152,8%	224,7%	100,7%	NAP	NAP	104,5%	NAP
Finland	98,8%	94,2%	98,6%	98,6%	NAP	NAP	NAP	NAP	NAP	101,8%	101,1%
France	97,7%	97,7%	97,7%	97,7%	NAP	NAP	NAP	NAP	NAP	98,3%	NAP
Germany	NA	102,0%	NA	NA	NA	NA	NA	NA	NA	102,6%	101,8%
Greece	NA	101,7%	NA	NA	NA	NA	NA	NA	NA	183,4%	NA
Hungary	101,4%	99,0%	100,5%	97,5%	101,9%	NAP	101,9%	104,8%	100,2%	105,3%	132,4%
Ireland	76,6%	63,2%	93,9%	93,9%	NAP	NAP	NAP	NAP	NAP	NAP	100,0%
Italy	111,7%	120,1%	105,0%	105,0%	NAP	NAP	NAP	NAP	NAP	141,9%	NAP
Latvia	105,7%	105,4%	106,2%	106,2%	NAP	NAP	NAP	NAP	NAP	107,4%	NAP
Lithuania	100,5%	102,5%	100,2%	100,4%	NAP	NAP	NAP	NAP	98,8%	99,7%	98,9%
Luxembourg	NA	105,4%	NA	NAP	NAP	NAP	NAP	NAP	NA	90,7%	NAP
Malta	110,5%	107,3%	NAP	NAP	NAP	NAP	NAP	NAP	NAP	410,7%	NAP
Netherlands	100,6%	100,4%	100,4%	100,4%	NAP	NAP	NAP	NAP	NAP	103,0%	NAP
Poland	-	-	-	-	-	-	-	-	-	-	-
Portugal	NA	116,3%	NA	NA	NA	NAP	NAP	NA	NA	79,8%	NA
Romania	106,1%	104,7%	106,1%	106,9%	103,9%	112,7%	55,7%	NAP	NAP	132,7%	NAP
Slovakia	105,1%	132,8%	99,8%	100,6%	99,0%	NAP	99,0%	NAP	NA	124,1%	93,8%
Slovenia	107,4%	104,9%	109,7%	124,7%	100,4%	100,4%	100,4%	NAP	NAP	101,0%	102,3%
Spain	99,7%	94,7%	102,1%	102,1%	NAP	NAP	NAP	NAP	NAP	117,3%	NAP
Sweden	103,5%	103,9%	101,5%	101,5%	NAP	NAP	NAP	NAP	NAP	103,7%	102,2%
Average	102,8%	103,1%	103,7%	102,6%	105,4%	122,7%	94,6%	104,8%	95,1%	123,0%	99,0%
Median	101,4%	102,3%	100,5%	101,2%	100,0%	100,2%	99,9%	104,8%	98,8%	103,7%	100,8%
Minimum	76,6%	63,2%	93,9%	93,9%	97,3%	99,0%	55,7%	104,8%	86,4%	79,8%	56,4%
Maximum	139,7%	132,8%	142,8%	124,7%	152,8%	224,7%	101,9%	104,8%	100,2%	410,7%	132,4%
Nb of values	26	26	26	26	26	26	26	26	26	26	26
% of NA	19%	8%	27%	23%	15%	12%	12%	15%	31%	0%	15%
% of NAP	0%	0%	4%	8%	46%	65%	50%	81%	58%	12%	42%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Irelans: The low clearance rate is a result of a specific of the system where resolved cases out of courts do not have the obligation to report back to courts

Table 3.2.1.2(2015): First instance courts, disposition time (in days) in different types of other than criminal law cases in 2015 (Q91)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases *	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases**
Austria	53	131	53	75	13	15	6	NAP	NAP	NAP	39
Belgium	NA	87	NA	NA	NA	NAP	NAP	NAP	NA	444	NAP
Bulgaria	78	NA	NA	NA	NAP	NAP	NAP	NAP	NA	122	NA
Croatia	132	391	66	218	22	27	8	NAP	NAP	413	NAP
Cyprus	839	NA	NA	NA	NA	NA	NA	NA	NA	1 391	NA
Czech Republic	164	159	107	133	29	NAP	29	NAP	326	437	2 011
Denmark	17	174	11	69	1	0	178	NAP	NAP	NAP	77
Estonia	39	136	33	61	28	39	11	NAP	NAP	117	NAP
Finland	111	332	91	91	NAP	NAP	NAP	NAP	NAP	271	196
France	304	346	93	93	NAP	NAP	NAP	NAP	NAP	313	NAP
Germany	NA	190	NA	NA	NA	NA	NA	NA	NA	349	515
Greece	NA	378	NA	NA	NA	NA	NA	NA	NA	964	NA
Hungary	59	159	17	54	1	NAP	NA	82	47	110	306
Ireland	NA	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	NAP	NA
Italy	393	527	227	227	NAP	NAP	NAP	NAP	NAP	1 008	NAP
Latvia	161	234	36	36	NAP	NAP	NAP	NAP	NAP	197	NAP
Lithuania	50	96	3	2	NAP	NAP	NAP	NAP	13	236	18
Luxembourg	NA	86	NA	NAP	NAP	NAP	NAP	NAP	NA	NA	NAP
Malta	447	445	NAP	NAP	NAP	NAP	NAP	NAP	NAP	495	NAP
Netherlands	87	115	74	74	NAP	NAP	NAP	NAP	NAP	168	NAP
Poland	-	-	-	-	-	-	-	-	-	-	-
Portugal	NA	315	NA	NA	NA	NAP	NAP	NA	NA	989	NA
Romania	154	154	154	54	431	258	2 357	NAP	NAP	170	NAP
Slovakia	240	401	118	202	26	NAP	26	NAP	NA	374	246
Slovenia	82	277	74	162	5	6	2	NAP	NAP	122	46
Spain	238	325	134	134	NAP	NAP	NAP	NAP	NAP	317	NAP
Sweden	126	152	141	141	NAP	NAP	NAP	NAP	NAP	105	185
Average	189	244	84	107	62	58	327	82	129	414	364
Median	129	190	74	91	22	21	19	82	47	315	191
Minimum	17	86	3	2	1	0	2	82	13	105	18
Maximum	839	527	227	227	431	258	2 357	82	326	1 391	2 011
Nb of values	27	27	27	27	27	27	27	27	27	27	27
% of NA	22%	11%	30%	26%	19%	11%	15%	15%	30%	4%	19%
% of NAP	0%	0%	4%	7%	44%	63%	52%	78%	56%	11%	41%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

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States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases *	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases
Austria	NA	103,0%	NA	100,5%	NA	96,6%	99,9%	NA	NA	NA	99,7%
Belgium	NA	97,9%	NA	NA	NA	NAP	NA	NAP	NA	88,2%	NAP
Bulgaria	102,0%	NA	NA	NA	NAP	NAP	NAP	NAP	NA	100,8%	NA
Croatia	103,2%	113,4%	101,2%	106,7%	99,3%	99,1%	100,1%	NAP	NAP	85,8%	NAP
Cyprus	88,5%	NA	NA	NA	NA	NA	NA	NA	NA	103,5%	NA
Czech Republic	97,3%	104,7%	93,5%	84,4%	98,1%	NAP	98,1%	NAP	99,9%	90,9%	44,7%
Denmark	100,0%	102,2%	99,9%	99,2%	100,1%	100,0%	115,1%	NAP	NAP	NAP	99,8%
Estonia	98,2%	104,2%	97,8%	91,7%	99,5%	100,1%	98,8%	NAP	NAP	90,4%	NAP
Finland	102,3%	104,6%	102,6%	102,6%	NAP	NAP	NAP	NAP	NAP	97,1%	99,4%
France	94,9%	94,4%	96,8%	96,8%	NAP	NAP	NAP	NAP	NAP	96,3%	NAP
Germany	NA	100,2%	NA	NA	NA	NA	75,3%	NA	NA	100,3%	87,5%
Greece	NA	113,1%	NA	NA	NA	NA	NA	NA	NA	NA	NA
Hungary	102,7%	104,3%	102,2%	101,3%	102,6%	NAP	102,6%	96,2%	91,2%	92,1%	109,3%
Ireland	72,8%	55,6%	96,2%	96,2%	NAP	NAP	NAP	NAP	NAP	NAP	100,0%
Italy	109,3%	119,3%	101,4%	101,4%	NAP	NAP	NAP	NAP	NAP	155,6%	NAP
Latvia	100,4%	98,5%	100,1%	100,1%	NAP	NAP	NAP	NAP	NAP	143,9%	NAP
Lithuania	98,8%	97,5%	101,0%	101,3%	NA	NA	NA	NA	98,5%	89,4%	99,8%
Luxembourg	NA	96,8%	NA	NAP	NAP	NAP	NAP	NAP	NA	93,5%	NAP
Malta	102,2%	101,3%	NAP	NAP	NAP	NAP	NAP	NAP	NAP	148,7%	NAP
Netherlands	99,1%	99,1%	99,1%	NA	NAP	NAP	NAP	NAP	NAP	98,9%	NAP
Poland	101,9%	99,3%	102,4%	104,8%	100,0%	100,1%	98,4%	NA	NA	96,5%	98,2%
Portugal	NA	NA	NA	NA	NA	NAP	NAP	NA	NA	NA	NA
Romania	111,1%	108,7%	105,7%	110,2%	94,1%	100,7%	45,7%	NAP	NAP	161,0%	NAP
Slovakia	101,9%	91,7%	101,2%	101,1%	101,4%	NAP	101,4%	NAP	NA	124,8%	108,2%
Slovenia	103,8%	109,1%	102,7%	105,5%	101,0%	101,1%	100,5%	NAP	NAP	103,0%	105,2%
Spain	101,1%	98,0%	102,2%	102,2%	NAP	NAP	NAP	NAP	NAP	112,5%	NAP
Sweden	103,1%	103,9%	101,5%	101,5%	NAP	NAP	NAP	NAP	NAP	102,8%	104,9%
Average	99,7%	100,9%	100,4%	100,4%	99,6%	99,7%	94,2%	96,2%	96,5%	108,0%	96,4%
Median	101,9%	101,8%	101,2%	101,3%	100,0%	100,1%	99,9%	96,2%	98,5%	99,6%	99,8%
Minimum	72,8%	55,6%	93,5%	84,4%	94,1%	96,6%	45,7%	96,2%	91,2%	85,8%	44,7%
Maximum	111,1%	119,3%	105,7%	110,2%	102,6%	101,1%	115,1%	96,2%	99,9%	161,0%	109,3%
Nb of values	27	27	27	27	27	27	27	27	27	27	27
% of NA	22%	11%	30%	26%	26%	15%	15%	26%	37%	11%	15%
% of NAP	0%	0%	4%	7%	41%	59%	44%	70%	52%	7%	41%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

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Table 3.2.1.2 (2014): First instance courts, disposition time (in days) in different types of other than criminal law cases in 2014 (Q91)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases *	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases**
Austria	NA	130	NA	78	NA	13	5	NA	NA	NA	36
Belgium	NA	NA	NA	NA	NA	NAP	NA	NAP	NA	625	NAP
Bulgaria	78	NA	NA	NA	NAP	NAP	NAP	NAP	NA	124	NA
Croatia	134	380	69	178	28	33	9	NAP	NAP	426	NAP
Cyprus	903	NA	NA	NA	NA	NA	NA	NA	NA	1 775	NA
Czech Republic	157	163	64	160	20	NAP	20	NAP	24	415	2 236
Denmark	19	177	12	64	1	0	147	NAP	NAP	NAP	80
Estonia	33	125	24	78	10	14	5	NAP	NAP	141	NAP
Finland	103	289	84	84	NAP	NAP	NAP	NAP	NAP	280	196
France	304	348	89	89	NAP	NAP	NAP	NAP	NAP	305	NAP
Germany	NA	198	NA	NA	NA	NA	NA	NA	NA	367	473
Greece	NA	330	NA	NA	NA	NA	NA	NA	NA	NA	NA
Hungary	63	144	15	50	1	NAP	NA	137	61	148	380
Ireland	NA	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	NAP	NA
Italy	377	532	228	228	NAP	NAP	NAP	NAP	NAP	984	NAP
Latvia	179	255	53	53	NAP	NAP	NAP	NAP	NAP	155	NAP
Lithuania	54	97	4	3	NA	NA	NA	NA	13	310	365
Luxembourg	NA	103	NA	NAP	NAP	NAP	NAP	NAP	NA	NA	NAP
Malta	558	536	NAP	NAP	NAP	NAP	NAP	NAP	NAP	1 408	NAP
Netherlands	91	132	75	NA	NAP	NAP	NAP	NAP	NAP	171	NAP
Poland	55	203	30	36	23	23	25	NA	NA	139	154
Portugal	NA	NA	NA	NA	NA	NAP	NAP	NA	NA	NA	NA
Romania	148	146	166	73	449	295	2 919	NAP	NAP	179	NAP
Slovakia	231	524	115	197	23	NAP	23	NAP	NA	397	163
Slovenia	102	270	103	249	6	7	4	NAP	NAP	112	49
Spain	242	318	142	142	NAP	NAP	NAP	NAP	NAP	361	NAP
Sweden	133	157	141	141	NAP	NAP	NAP	NAP	NAP	114	194
Average	198	253	83	112	62	55	351	137	33	426	393
Median	133	201	75	84	20	14	20	137	24	305	194
Minimum	19	97	4	3	1	0	4	137	13	112	36
Maximum	903	536	228	249	449	295	2 919	137	61	1 775	2 236
Nb of values	27	27	27	27	27	27	27	27	27	27	27
% of NA	26%	19%	33%	30%	26%	15%	22%	26%	37%	15%	19%
% of NAP	0%	0%	4%	7%	41%	59%	44%	70%	52%	7%	41%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Cyprus: The number of litigious and non-litigious cases cannot be separated and constitute one overall category of civil cases.

Irelans: The low clearance rate is a result of a specific of the system where resolved cases out of courts do not have the obligation to report back to courts

Table 3.2.1.1(2013): First instance courts, clearance rate in different types of other than criminal law cases in 2013 (Q91)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	General civil (and commercial) non-litigious cases *	Non-litigious enforcement cases*	Non-litigious land registry cases	Non-litigious business registry cases	Administrative law cases	Other cases**
Austria	100,8%	101,0%	100,3%	99,5%	102,8%	100,0%	NAP	100,4%
Belgium	NA	NA	NAP	NA	NA	NAP	NA	NAP
Bulgaria	100,9%	NA	NA	NA	NA	NA	108,6%	100,3%
Croatia	102,2%	101,2%	105,5%	108,6%	102,6%	99,7%	64,3%	NAP
Cyprus	NA	78,3%	NA	NA	NA	NA	57,5%	NA
Czech Republic	96,8%	90,2%	102,4%	102,8%	NAP	NAP	NAP	91,8%
Denmark	100,3%	107,1%	100,5%	100,6%	100,0%	112,8%	NAP	99,5%
Estonia	NA	107,6%	99,7%	NA	99,2%	101,2%	90,9%	NAP
Finland	99,9%	106,3%	100,1%	95,8%	NAP	NAP	94,8%	97,8%
France	98,2%	97,5%	98,4%	98,2%	NAP	NAP	104,2%	NAP
Germany	NA	99,4%	NA	NA	NA	NA	99,7%	87,5%
Greece	NA	80,1%	NA	NA	NA	NA	153,4%	NA
Hungary	97,5%	97,9%	99,2%	99,3%	NAP	95,2%	104,3%	127,4%
Ireland	NA	NA	NA	NA	NAP	NAP	NAP	NA
Italy	106,6%	118,1%	99,5%	100,3%	NAP	NAP	190,2%	NAP
Latvia	105,7%	109,2%	96,4%	NAP	NAP	NAP	163,3%	NAP
Lithuania	97,3%	98,9%	99,0%	100,5%	NA	NA	65,4%	100,2%
Luxembourg	NA	181,6%	100,0%	NA	NA	NAP	93,5%	NAP
Malta	104,1%	109,6%	NAP	NAP	NAP	NAP	40,1%	NAP
Netherlands	98,5%	NA	NA	NAP	NAP	NAP	100,3%	NAP
Poland	-	-	-	-	-	-	-	-
Portugal	NA	103,2%	NAP	160,2%	NAP	NAP	NA	NAP
Romania	110,1%	112,2%	100,2%	100,4%	110,0%	54,5%	130,2%	NAP
Slovakia	90,7%	80,6%	103,3%	117,2%	NAP	98,6%	84,6%	88,2%
Slovenia	101,9%	102,4%	104,2%	104,3%	102,1%	99,5%	101,8%	99,9%
Spain	-	-	-	-	-	-	-	-
Sweden	100,7%	101,0%	100,9%	NAP	NAP	NAP	100,7%	96,1%
Average	100,7%	104,0%	100,6%	106,7%	102,8%	95,2%	102,5%	99,0%
Median	100,7%	101,2%	100,2%	100,5%	102,4%	99,6%	100,3%	99,5%
Minimum	90,7%	78,3%	96,4%	95,8%	99,2%	54,5%	40,1%	87,5%
Maximum	110,1%	181,6%	105,5%	160,2%	110,0%	112,8%	190,2%	127,4%
Nb of values	25	25	25	25	25	25	25	25
% of NA	32%	16%	24%	32%	28%	20%	8%	12%
% of NAP	0%	0%	12%	16%	48%	48%	16%	44%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Cyprus: The number of litigious and non-litigious cases cannot be separated and constitute one overall category of civil cases.

Malta: Regarding the other than criminal cases, since 2014, the number of case categories used was increased, reflecting a more accurate representation of the caseload of the courts. Hence the comparability with previous cycles is not recommended.

Table 3.2.1.2(2013): First instance courts, disposition time (in days) in different types of other than criminal law cases in 2013 (Q91)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	General civil (and commercial) non-litigious cases *	Non-litigious enforcement cases*	Non-litigious land registry cases	Non-litigious business registry cases	Administrative law cases	Other cases**
Austria	53	135	78	92	13	0	NAP	32
Belgium	NA	NA	NAP	NA	NA	NAP	NA	NAP
Bulgaria	78	NA	NA	NA	NA	NA	110	75
Croatia	129	386	149	214	32	9	493	NAP
Cyprus	NA	638	NA	NA	NA	NA	775	NA
Czech Republic	76	187	30	20	NAP	NAP	NAP	62
Denmark	18	164	56	54	0	139	NAP	83
Estonia	NA	130	84	NA	15	7	139	NAP
Finland	97	288	80	130	NAP	NAP	277	205
France	274	308	80	96	NAP	NAP	284	NAP
Germany	NA	192	NA	NA	NA	NA	357	473
Greece	NA	407	NA	NA	NA	NA	1 148	NA
Hungary	NA	169	53	66	NAP	NA	115	335
Ireland	NA	NA	NA	NA	NAP	NAP	NAP	NA
Italy	369	608	193	361	NAP	NAP	1 043	NAP
Latvia	167	247	50	NAP	NAP	NAP	203	NAP
Lithuania	53	94	8	10	NA	NA	290	15
Luxembourg	NA	53	0	NA	NA	NAP	NA	NAP
Malta	789	750	NAP	NAP	NAP	NAP	2 036	NAP
Netherlands	91	NA	NA	NAP	NAP	NAP	164	NAP
Poland	-	-	-	-	-	-	-	-
Portugal	NA	386	NAP	1 013	NAP	NAP	NA	NAP
Romania	128	187	39	38	194	2 249	106	NAP
Slovakia	235	505	193	691	NAP	27	746	187
Slovenia	111	301	248	256	11	6	126	60
Spain	-	-	-	-	-	-	-	-
Sweden	146	171	142	NAP	NAP	NAP	126	220
Average	176	300	93	234	44	348	474	159
Median	119	247	79	96	14	9	281	83
Minimum	18	53	0	10	0,4	0	106	15
Maximum	789	750	248	1 013	194	2 249	2 036	473
Nb of values	25	25	25	25	25	25	25	25
% of NA	36%	16%	24%	32%	28%	24%	12%	12%
% of NAP	0%	0%	12%	16%	48%	48%	16%	44%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Cyprus: The number of litigious and non-litigious cases cannot be separated and constitute one overall category of civil cases.

Malta: Regarding the other than criminal cases, since 2014, the number of case categories used was increased, reflecting a more accurate representation of the caseload of the courts. Hence the comparability with previous cycles is not recommended.

Slovakia: In evaluation cycles 2015 and before, it was not possible to distinguish number of pending cases solely on 1st instance since each case is considered pending until the moment a final decision is enacted and no further proceeding is possible.

Table 3.2.1.1(2012): First instance courts, clearance rate in different types of other than criminal law cases in 2012 (Q91)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	General civil (and commercial) non-litigious cases *	Non-litigious enforcement cases*	Non-litigious land registry cases	Non-litigious business registry cases	Administrative law cases	Other cases**
Austria	99,6%	100,6%	100,7%	101,5%	96,5%	100,0%	NAP	99,9%
Belgium	NA	NA	NAP	NA	NA	NAP	NA	NAP
Bulgaria	98,9%	NA	NA	NA	NA	NA	92,1%	99,4%
Croatia	102,0%	95,0%	108,3%	110,5%	100,5%	NA	41,1%	139,3%
Cyprus	87,0%	NA	NA	NA	NA	NA	74,0%	NA
Czech Republic	113,7%	98,8%	102,5%	104,0%	NAP	NAP	NAP	135,7%
Denmark	101,1%	109,0%	106,1%	106,2%	99,9%	104,6%	NAP	101,2%
Estonia	111,4%	112,5%	104,3%	NA	100,9%	123,0%	105,5%	NAP
Finland	94,8%	103,2%	94,2%	98,5%	NAP	NAP	101,0%	97,6%
France	100,2%	99,2%	101,5%	101,4%	NAP	NAP	106,7%	NAP
Germany	NA	100,4%	NA	NA	NA	NA	101,7%	100,1%
Greece	65,4%	57,7%	NA	NA	NA	NA	143,2%	NA
Hungary	104,2%	105,1%	106,3%	108,6%	NAP	102,4%	108,0%	99,6%
Ireland	NA	NA	NA	NAP	NAP	NAP	NAP	NA
Italy	108,4%	131,3%	93,8%	98,1%	NAP	NAP	279,8%	NAP
Latvia	112,4%	117,7%	101,4%	NAP	NAP	NAP	130,5%	NAP
Lithuania	100,5%	100,5%	100,5%	99,2%	NA	NA	98,1%	100,8%
Luxembourg	NA	172,8%	100,0%	NA	NA	NAP	69,8%	NAP
Malta	108,2%	113,8%	NAP	NAP	NAP	NAP	40,2%	NAP
Netherlands	98,8%	NA	NA	NAP	NAP	NAP	97,5%	NAP
Poland	100,6%	88,5%	103,0%	98,8%	101,4%	98,9%	99,6%	98,3%
Portugal	96,0%	97,7%	NA	94,1%	NAP	NAP	NA	NA
Romania	95,7%	99,0%	96,5%	96,2%	104,2%	69,8%	78,1%	NAP
Slovakia	90,9%	81,6%	98,1%	118,2%	NAP	99,7%	47,2%	93,1%
Slovenia	105,6%	101,5%	104,5%	104,6%	109,8%	100,7%	110,0%	103,5%
Spain	NA	99,6%	100,5%	NA	NAP	NAP	123,7%	NAP
Sweden	101,7%	98,8%	96,2%	NAP	NAP	NAP	104,8%	99,7%
Average	99,9%	103,8%	101,0%	102,9%	101,9%	99,9%	102,5%	105,2%
Median	100,5%	100,4%	101,0%	101,4%	100,9%	100,4%	101,0%	99,9%
Minimum	65,4%	57,7%	93,8%	94,1%	96,5%	69,8%	40,2%	93,1%
Maximum	113,7%	172,8%	108,3%	118,2%	109,8%	123,0%	279,8%	139,3%
Nb of values	27	27	27	27	27	27	27	27
% of NA	19%	19%	26%	30%	26%	22%	7%	15%
% of NAP	0%	0%	7%	19%	48%	48%	15%	37%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Table 3.2.1.2(2012): First instance courts, disposition time (in days) in different types of other than criminal law cases in 2012

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	General civil (and commercial) non-litigious cases *	Non-litigious enforcement cases*	Non-litigious land registry cases	Non-litigious business registry cases	Administrative law cases	Other cases**
Austria	54	135	79	88	23	NA	NAP	32
Belgium	NA	NA	NAP	NA	NA	NAP	NA	NAP
Bulgaria	74	NA	NA	NA	NA	NA	150	69
Croatia	133	457	101	182	42	NA	523	243
Cyprus	534	NA	NA	NA	NA	NA	1 270	NA
Czech Republic	116	174	45	9	NAP	NAP	NAP	117
Denmark	17	165	53	51	0	163	NAP	80
Estonia	44	167	91	NA	12	32	108	NAP
Finland	101	325	84	117	NAP	NAP	248	206
France	275	311	73	88	NAP	NAP	302	NAP
Germany	NA	183	NA	NA	NA	NA	354	470
Greece	677	469	NA	NA	NA	NA	1 520	NA
Hungary	NA	97	51	46	NAP	NA	147	402
Ireland	NA	NA	NA	NAP	NAP	NAP	NAP	NA
Italy	391	590	213	398	NAP	NAP	886	NAP
Latvia	186	241	37	NAP	NAP	NAP	300	NAP
Lithuania	44	88	5	18	NA	NA	144	15
Luxembourg	NA	73	0	NA	NA	NAP	NA	NAP
Malta	707	685	NAP	NAP	NAP	NAP	1 457	NAP
Netherlands	84	NA	NA	NAP	NAP	NAP	163	NAP
Poland	50	195	42	62	18	16	112	110
Portugal	860	369	NA	1 399	NAP	NAP	NA	NA
Romania	161	193	47	47	228	1 632	272	NAP
Slovakia	218	437	191	656	NAP	25	733	164
Slovenia	113	318	263	273	16	3	130	58
Spain	NA	264	115	NA	NAP	NAP	427	NAP
Sweden	149	179	156	NAP	NAP	NAP	126	212
Average	237	278	91	245	48	312	469	168
Median	133	218	76	88	18	28	286	117
Minimum	17	73	0	9	0	3	108	15
Maximum	860	685	263	1 399	228	1 632	1 520	470
Nb of values	27	27	27	27	27	27	27	27
% of NA	22%	19%	26%	30%	26%	30%	11%	15%
% of NAP	0%	0%	7%	19%	48%	48%	15%	37%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Cyprus: The number of litigious and non-litigious cases cannot be separated and constitute one overall category of civil cases.

Malta: Regarding the other than criminal cases, since 2014, the number of case categories used was increased, reflecting a more accurate representation of the caseload of the courts. Hence the comparability with previous cycles is not recommended.

Table 3.2.1.1(2010): First instance courts, clearance rate in different types of other than criminal law cases in 2010 (Q91)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	General civil (and commercial) non-litigious cases *	Non-litigious enforcement cases*	Non-litigious land registry cases	Non-litigious business registry cases	Administrative law cases	Other cases**
Austria	100,2%	100,1%	100,5%	99,4%	99,7%	NA	NA	99,8%
Belgium	NA	NA	NAP	NA	NA	NAP	NA	NAP
Bulgaria	99,0%	NA	NA	NA	NA	NA	97,8%	99,1%
Croatia	111,5%	101,8%	95,4%	93,9%	105,4%	NA	107,9%	86,7%
Cyprus	84,2%	84,0%	NA	NA	NA	NA	74,2%	95,3%
Czech Republic	94,9%	103,3%	100,2%	100,0%	NAP	NA	NA	86,8%
Denmark	106,7%	101,9%	102,4%	102,3%	101,9%	94,8%	NA	100,3%
Estonia	110,9%	97,6%	116,0%	NA	99,9%	NA	91,2%	NAP
Finland	100,6%	93,2%	101,1%	100,0%	NAP	NAP	98,9%	96,3%
France	98,9%	98,4%	97,5%	96,5%	NAP	NAP	106,7%	NAP
Germany	NA	102,2%	NA	NA	NA	NA	96,4%	93,8%
Greece	79,1%	78,9%	NA	NA	NA	NA	80,2%	NA
Hungary	107,3%	101,7%	115,3%	NA	NA	106,3%	95,6%	93,5%
Ireland	NA	NA	NA	NAP	NAP	NAP	NAP	NA
Italy	108,9%	118,1%	96,3%	93,7%	NAP	NAP	315,9%	NAP
Latvia	96,0%	86,2%	102,6%	NAP	NAP	NAP	103,2%	NAP
Lithuania	106,5%	101,9%	NA	NA	NA	NA	83,5%	100,0%
Luxembourg	NA	138,5%	NA	NA	NAP	NAP	93,2%	NAP
Malta	88,1%	88,7%	NAP	NAP	118,2%	NAP	28,6%	NAP
Netherlands	100,6%	NA	NA	NAP	NAP	NAP	106,7%	NAP
Poland	99,9%	95,0%	97,4%	97,3%	105,2%	100,7%	94,5%	95,4%
Portugal	88,3%	101,9%	NA	72,7%	NAP	NAP	NA	NA
Romania	91,4%	89,8%	98,0%	98,0%	108,4%	NA	70,6%	NAP
Slovakia	106,2%	97,7%	106,3%	423,7%	NAP	126,4%	102,1%	103,3%
Slovenia	101,3%	99,0%	109,7%	111,6%	98,0%	99,6%	114,5%	97,2%
Spain	95,0%	92,6%	110,5%	NAP	NAP	NAP	101,1%	NAP
Sweden	93,3%	97,9%	101,5%	NAP	NAP	NAP	88,5%	106,2%
Average	98,6%	98,7%	103,2%	124,1%	104,6%	105,6%	102,4%	96,7%
Median	99,9%	98,4%	101,3%	98,7%	103,5%	100,7%	96,4%	96,8%
Minimum	79,1%	78,9%	95,4%	72,7%	98,0%	94,8%	28,6%	86,7%
Maximum	111,5%	138,5%	116,0%	423,7%	118,2%	126,4%	315,9%	106,2%
Nb of values	27	27	27	27	27	27	27	27
% of NA	15%	15%	33%	33%	26%	37%	19%	11%
% of NAP	0%	0%	7%	22%	44%	44%	4%	37%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Table 3.2.1.2(2010): First instance courts, disposition time (in days) in different types of other than criminal law cases in 2010 (Q91)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	General civil (and commercial) non-litigious cases *	Non-litigious enforcement cases*	Non-litigious land registry cases	Non-litigious business registry cases	Administrative law cases	Other cases**
Austria	54	129	80	90	10	NA	NA	30
Belgium	NA	NA	NAP	NA	NA	NAP	NA	NAP
Bulgaria	67	NA	NA	NA	NA	NA	113	64
Croatia	133	462	128	249	50	NA	825	344
Cyprus	545	513	NA	NA	NA	NA	1 340	336
Czech Republic	115	128	41	17	NAP	NA	NA	153
Denmark	27	182	90	88	5	266	NA	88
Estonia	120	215	87	NA	16	NA	146	NAP
Finland	98	259	77	121	NAP	NAP	238	203
France	256	279	81	102	NAP	NAP	338	NAP
Germany	NA	184	NA	NA	NA	NA	373	469
Greece	510	190	NA	NA	NA	NA	2 003	NA
Hungary	79	160	5	NA	NA	NA	202	328
Ireland	NA	NA	NA	NAP	NAP	NAP	NAP	NA
Italy	395	493	232	413	NAP	NAP	1 037	NAP
Latvia	140	315	18	NAP	NAP	NAP	439	NAP
Lithuania	43	55	NA	NA	NA	NA	160	16
Luxembourg	NA	200	NA	NA	NAP	NAP	172	NAP
Malta	866	849	NAP	NAP	1 965	NAP	2 758	NAP
Netherlands	68	NA	NA	NAP	NAP	NAP	159	NAP
Poland	49	180	36	43	32	13	121	117
Portugal	1 096	417	NA	2 185	NAP	NAP	NA	NA
Romania	156	217	38	37	235	NA	269	NAP
Slovakia	170	364	183	551	NAP	32	66	147
Slovenia	154	315	288	298	69	5	139	84
Spain	291	314	229	NAP	NAP	NAP	473	NAP
Sweden	185	187	144	NAP	NAP	NAP	190	271
Average	244	287	110	349	298	79	551	189
Median	140	217	84	112	41	23	238	150
Minimum	27	55	5	17	5	5	66	16
Maximum	1 096	849	288	2 185	1 965	266	2 758	469
Nb of values	27	27	27	27	27	27	27	27
% of NA	15%	15%	33%	33%	26%	41%	19%	11%
% of NAP	0%	0%	7%	22%	44%	44%	4%	37%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Cyprus: The number of litigious and non-litigious cases cannot be separated and constitute one overall category of civil cases.

Malta: Regarding the other than criminal cases, since 2014, the number of case categories used was increased, reflecting a more accurate representation of the caseload of the courts. Hence the comparability with previous cycles is not recommended.

Slovakia: In evaluation cycles 2015 and before, it was not possible to distinguish number of pending cases solely on 1st instance since each case is considered pending until the moment a final decision is enacted and no further proceeding is

Table 3.2.2.1: First instance courts, change of clearance rate (in points) in different types of other than criminal law cases between 2015 and 2016 (Q91)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases *	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases
Austria	+0,2	-0,0	+0,3	-0,6	+1,8	+2,4	+0,3	NAP	NAP	NAP	+1,1
Belgium	NA	+3,5	NA	NAP	0	NAP	0	NAP	NAP	+4,1	NAP
Bulgaria	-0,2	NA	NA	NA	NAP	NAP	NAP	NAP	NA	+5,2	NA
Croatia	+0,2	+11,0	-1,6	-2,5	-1,4	-1,7	-0,3	NAP	NAP	+16,6	NAP
Cyprus	+14,0	NA	NA	NA	NA	NA	NA	NA	NA	-7,1	NA
Czech Republic	+2,9	+2,7	+2,7	+1,7	+5,7	NAP	+5,7	NAP	-7,1	-11,9	+17,9
Denmark	-0,3	-0,7	-0,3	-1,6	-0,0	-0,1	+9,7	NAP	NAP	NAP	-1,0
Estonia	-41,9	-4,5	-45,2	-3,1	-55,7	-125,3	-5,1	NAP	NAP	+1,1	NAP
Finland	-0,7	+30,6	+0,5	+0,5	NAP	NAP	NAP	NAP	NAP	-22,4	+3,4
France	+0,7	+1,3	-2,1	-2,1	NAP	NAP	NAP	NAP	NAP	+0,7	NAP
Germany	NA	+0,7	NA	NA	NA	NA	NA	NA	NA	-10,3	-1,3
Greece	NA	-2,9	NA	NA	NA	NA	NA	NA	NA	-35,3	NA
Hungary	+0,7	-0,6	+1,7	+5,3	+0,1	NAP	+0,1	-0,5	-2,9	-5,5	-6,4
Ireland	-0,5	-3,9	+2,4	+2,4	NAP	NAP	NAP	NAP	NAP	NAP	0
Italy	-7,2	-6,9	-8,4	-8,4	NAP	NAP	NAP	NAP	NAP	+11,5	NAP
Latvia	-5,4	-4,5	-6,2	-6,2	NAP	NAP	NAP	NAP	NAP	-12,4	NAP
Lithuania	+1,2	-4,0	-1,1	-0,9	NAP	NAP	NAP	NAP	-0,9	+44,7	+3,4
Luxembourg	NA	-5,4	NA	NAP	NAP	NAP	NAP	NAP	NA	+7,1	NAP
Malta	-3,1	+0,1	NAP	NAP	NAP	NAP	NAP	NAP	NAP	-296,2	NAP
Netherlands	-0,4	+0,3	+0,3	+0,3	NAP	NAP	NAP	NAP	NAP	-7,8	NAP
Poland	-	-	-	-	-	-	-	NA	NA	-	-
Portugal	NA	-4,0	NA	NA	NA	NAP	NAP	NA	NA	+31,7	NA
Romania	-4,8	-2,7	+0,4	+0,1	+1,2	-2,6	+12,0	NAP	NAP	-40,9	NAP
Slovakia	+1,1	-0,9	-3,8	-7,5	-0,4	NAP	-0,4	NAP	NA	-12,1	+6,5
Slovenia	-1,3	+1,5	-2,4	-4,9	-0,6	-0,7	-0,4	NAP	NAP	-13,9	+0,5
Spain	+4,9	+8,4	+2,9	+2,9	NAP	NAP	NAP	NAP	NAP	-5,7	NAP
Sweden	-4,1	-4,7	-1,5	-1,5	NAP	NAP	NAP	NAP	NAP	-4,0	-6,9
Average	-2,1	+0,6	-3,4	-1,4	-4,9	-21,3	+2,2	-0,5	-3,6	-15,8	+1,6
Median	-0,3	-0,7	-0,7	-1,2	-0,0	-1,2	+0,0	-0,5	-2,9	-5,7	+0,5
Minimum	-41,9	-6,9	-45,2	-8,4	-55,7	-125,3	-5,1	-0,5	-7,1	-296,2	-6,9
Maximum	+14,0	+30,6	+2,9	+5,3	+5,7	+2,4	+12,0	-0,5	-0,9	+44,7	+17,9
Nb of values	26	26	26	26	26	26	26	27	27	26	26
% of NA	19%	8%	27%	19%	15%	12%	12%	19%	30%	0%	15%
% of NAP	0%	0%	4%	12%	46%	65%	50%	78%	59%	12%	42%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Cyprus: The number of litigious and non-litigious cases cannot be separated and constitute one overall category of civil cases.

Greece: Any deviations from the 2015 figures are due to a new way of collecting statistics.

Table 3.2.2.3: First instance courts, variation of disposition time (in %) in different types of other than criminal law cases between 2015 and 2016 (Q91)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases *	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases
Austria	+7,1%	+2,1%	-2,7%	+2,0%	-33,0%	-35,8%	-13,7%	NAP	NAP	NAP	-2,4%
Belgium	NA	NA	NA	NAP	NA	NAP	NA	NAP	NAP	-3,4%	NAP
Bulgaria	+7,1%	NA	NA	NA	NAP	NAP	NAP	NAP	NA	-11,4%	NA
Croatia	-11,6%	-6,9%	-3,8%	-13,4%	+15,7%	+20,4%	-26,1%	NAP	NAP	-22,7%	NAP
Cyprus	-0,3%	NA	NA	NA	NA	NA	NA	NA	NA	+13,7%	NA
Czech Republic	-5,3%	-4,0%	-14,5%	-12,6%	-44,8%	NAP	-44,8%	NAP	+34,7%	-3,8%	-11,4%
Denmark	+26,2%	+1,0%	+34,1%	+14,7%	+28,4%	+122,8%	-40,7%	NAP	NAP	NAP	+1,3%
Estonia	+3,4%	+2,6%	+3,1%	-0,7%	+4,6%	-68,0%	+291,2%	NAP	NAP	-7,9%	NAP
Finland	+1,8%	-24,2%	+2,9%	+2,9%	NAP	NAP	NAP	NAP	NAP	+3,1%	-6,4%
France	+2,7%	+2,1%	+19,0%	+19,0%	NAP	NAP	NAP	NAP	NAP	+0,1%	NAP
Germany	NA	+3,0%	NA	NA	NA	NA	NA	NA	NA	+7,5%	-23,5%
Greece	NA	+77,4%	NA	NA	NA	NA	NA	NA	NA	+12,6%	NA
Hungary	-3,0%	-0,2%	-14,8%	-13,4%	-17,4%	NAP	NA	-31,3%	+5,8%	-1,3%	-9,7%
Ireland	NA	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	NAP	NA
Italy	-1,5%	-2,3%	+10,3%	+10,3%	NAP	NAP	NAP	NAP	NAP	-8,3%	NAP
Latvia	-0,7%	+5,6%	-9,1%	-9,1%	NAP	NAP	NAP	NAP	NAP	+10,1%	NAP
Lithuania	-17,1%	-8,3%	+107,0%	+137,0%	NAP	NAP	NAP	NAP	+4,8%	-69,3%	-35,4%
Luxembourg	NA	+5,8%	NA	NAP	NAP	NAP	NAP	NAP	NA	NA	NAP
Malta	-0,1%	-3,0%	NAP	NAP	NAP	NAP	NAP	NAP	NAP	+195,5%	NAP
Netherlands	-4,0%	+5,3%	-9,7%	-9,7%	NAP	NAP	NAP	NAP	NAP	+6,2%	NAP
Poland	-	-	-	-	-	-	-	NA	NA	-	-
Portugal	NA	-8,4%	NA	NA	NA	NAP	NAP	NA	NA	-7,9%	NA
Romania	-0,1%	-0,7%	-10,1%	-40,0%	+0,8%	-8,9%	+23,0%	NAP	NAP	-0,1%	NAP
Slovakia	-58,9%	-67,7%	+2,0%	-9,2%	+3,7%	NAP	+3,7%	NAP	NA	-45,8%	-73,2%
Slovenia	-11,7%	+1,2%	-21,2%	-21,3%	+27,8%	+29,8%	+11,9%	NAP	NAP	+131,6%	-3,0%
Spain	-4,7%	-13,2%	+6,6%	+6,6%	NAP	NAP	NAP	NAP	NAP	-1,3%	NAP
Sweden	+4,6%	+7,8%	+1,9%	+1,9%	NAP	NAP	NAP	NAP	NAP	+3,3%	-0,4%
Average	-3,3%	-1,1%	+5,9%	+3,8%	-1,6%	+10,1%	+25,6%	-31,3%	+15,1%	+9,1%	-16,4%
Median	-0,5%	+0,4%	+1,9%	-0,7%	+3,7%	+5,8%	-5,0%	-31,3%	+5,8%	-0,7%	-8,0%
Minimum	-58,9%	-67,7%	-21,2%	-40,0%	-44,8%	-68,0%	-44,8%	-31,3%	+4,8%	-69,3%	-73,2%
Maximum	+26,2%	+77,4%	+107,0%	+137,0%	+28,4%	+122,8%	+291,2%	-31,3%	+34,7%	+195,5%	+1,3%
Nb of values	26	26	26	26	26	26	26	27	27	26	26
% of NA	23%	15%	31%	23%	19%	12%	19%	19%	30%	4%	19%
% of NAP	0%	0%	4%	12%	46%	65%	50%	78%	59%	12%	42%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Cyprus: The number of litigious and non-litigious cases cannot be separated and constitute one overall category of civil cases.

Greece: Any deviations from the 2015 figures are due to a new way of collecting statistics.

Irelans: The low clearance rate is a result of a specific of the system where resolved cases out of courts do not have the obligation to report back to courts

Table 3.3.1(2016): First instance courts, number of cases for specific case categories in 2016 (litigious divorce, employment dismissal and insolvency cases) (Q101)

States	Litigious divorce cases				Employment dismissal cases				Insolvency cases			
	Pending cases on 1st Jan. 2016	Incoming cases	Resolved cases	Pending cases on 31 Dec. 2016	Pending cases on 1st Jan. 2016	Incoming cases	Resolved cases	Pending cases on 31 Dec. 2016	Pending cases on 1st Jan. 2016	Incoming cases	Resolved cases	Pending cases on 31 Dec. 2016
Austria	2 765	5 782	5 930	2 617	NA	NA	NA	NA	10 150	23 556	24 158	9 548
Belgium	NA	14 332	15 111	NA	14 905	7 535	7 497	14 943	NA	68 681	NA	NA
Bulgaria	2 332	5 663	5 622	2 373	661	1 604	1 527	738	967	1 281	1 219	1 029
Croatia	3 104	2 566	3 797	1 873	2 403	1 517	2 018	1 902	19 087	19 021	23 510	14 621
Cyprus	3 389	6 663	6 471	3 581	2 105	1 014	827	2 292	NA	NA	NA	NA
Czech Republic	11 675	28 500	29 907	10 268	NA	NA	NA	NA	111 050	29 871	20 998	119 923
Denmark	1 557	4 375	4 314	1 618	NA	NA	NA	NA	4 182	8 499	7 248	4 377
Estonia	240	828	900	166	218	446	389	222	230	1 194	1 212	201
Finland	12 384	17 023	18 145	11 262	NA	NA	662	NA	2 050	2 725	2 852	1 923
France	NA	84 579	85 560	NA	NA	108 193	131 063	NA	NA	53 072	56 300	NA
Germany	NA	NA	184 025	NA	35 777	138 721	192 161	NA	NA	159 395	NA	293 924
Greece	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Hungary	10 682	27 677	26 988	11 371	1 762	2 452	2 882	1 332	54	120	130	44
Ireland	NA	4 179	3 277	NA	NA	121	108	NA	NA	2 909	1 989	NA
Italy	40 593	39 304	33 283	46 614	26 665	25 411	29 012	23 064	94 579	13 250	13 786	94 043
Latvia	1 512	1 916	1 909	1 519	397	462	538	321	6 158	2 429	2 712	5 875
Lithuania	784	7 457	7 657	584	84	264	264	84	4 775	5 058	4 725	5 108
Luxembourg	782	498	649	631	NA	1 455	1 735	NA	NAP	915	915	NAP
Malta	130	358	367	121	NAP	NAP	NAP	NAP	NA	NA	NA	NA
Netherlands	NA	NA	5 332	NA	NA	NA	3 752	NA	NA	NA	NA	NA
Poland	46 315	89 135	88 303	47 334	5 607	8 266	8 786	5 087	3 167	11 797	11 401	3 563
Portugal	5 294	9 131	9 966	4 459	2 493	3 663	4 598	1 558	3 482	14 746	15 625	2 603
Romania	15 912	36 041	36 200	15 753	2 253	2 030	2 485	1 798	40 599	29 883	36 369	34 113
Slovakia	3 063	12 335	9 800	5 598	1 965	1 632	1 827	1 770	1 926	2 134	1 736	2 324
Slovenia	896	1 748	1 829	815	551	887	868	570	11 999	5 517	4 519	12 997
Spain	37 354	46 830	45 469	37 148	55 514	94 877	101 480	48 738	30 928	5 449	7 105	29 367
Sweden	5 292	9 174	9 056	5 410	NA	NA	NA	NA	NA	NA	NA	NA
Average	9 812	19 004	24 610	10 053	9 585	21 082	23 547	6 961	20 317	20 977	11 925	35 310
Median	3 104	8 294	8 357	3 581	2 179	1 632	2 018	1 770	4 775	7 008	5 915	5 492
Minimum	130	358	367	121	84	121	108	84	54	120	130	44
Maximum	46 315	89 135	184 025	47 334	55 514	138 721	192 161	48 738	111 050	159 395	56 300	293 924
Nb of values	27	27	27	27	27	27	27	27	27	27	27	27
% of NA	22%	11%	4%	22%	37%	26%	19%	41%	33%	19%	26%	30%
% of NAP	0%	0%	0%	0%	4%	4%	4%	4%	4%	0%	0%	4%

Belgium: The category "litigious divorce cases", the variations in the numbers of incoming and resolved cases are due to the fact that, unlike previous cycles (2014, 2015), the 2016 data does not include divorces by mutual consent.

Slovakia: The new structure of judicial data introduced in 2016 might cause the discrepancies and incompatibility of the data with the previous cycles.

Hungary: Litigious divorce cases in 2016 cannot be compared with the previous years as the statistical system has changed due to an amendment of the code of civil procedure these cases were included in a new statistical category.

Table 3.3.1(2015): First instance courts, number of cases for specific case categories in 2015 (litigious divorce, employment dismissal and insolvency cases) (Q101)

States	Litigious divorce cases				Employment dismissal cases				Insolvency cases			
	Pending cases on 1st Jan. 2015	Incoming cases	Resolved cases	Pending cases on 31 Dec. 2015	Pending cases on 1st Jan. 2015	Incoming cases	Resolved cases	Pending cases on 31 Dec. 2015	Pending cases on 1st Jan. 2015	Incoming cases	Resolved cases	Pending cases on 31 Dec. 2015
Austria	2 872	5 992	6 099	2 765	NA	NA	NA	NA	10 179	24 365	24 394	10 150
Belgium	NA	29 656	33 317	NA	15 039	7 756	8 052	14 743	74 483	10 881	12 021	76 381
Bulgaria	2 252	5 729	5 795	2 186	731	1 364	1 483	612	1 087	1 143	1 258	972
Croatia	2 946	4 384	4 233	3 105	2 773	1 603	1 980	2 396	5 014	20 217	6 151	19 080
Cyprus	3 282	6 605	6 498	3 389	2 219	637	751	2 105	NA	NA	NA	NA
Czech Republic	12 448	28 941	29 777	11 612	NA	NA	NA	NA	95 282	32 801	17 047	111 036
Denmark	1 816	4 005	4 286	1 546	NA	NA	NA	NA	4 226	5 815	6 399	4 176
Estonia	300	814	876	238	232	386	390	213	237	1 145	1 146	209
Finland	12 326	18 579	18 545	12 360	NA	NA	666	NA	2 326	2 882	3 168	2 040
France	NA	86 926	84 602	NA	NA	128 489	136 021	NA	NA	57 902	59 686	NA
Germany	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Greece	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Hungary	NA	27 446	16 764	10 682	2 198	3 231	3 667	1 762	37	77	78	36
Ireland	NA	4 314	3 291	NA	NA	135	102	NA	NA	2 368	1 805	NA
Italy	37 027	31 420	27 959	40 488	28 981	27 440	29 933	26 488	91 010	14 475	11 037	94 448
Latvia	1 543	1 896	1 927	1 512	544	463	610	397	6 158	2 646	3 376	6 158
Lithuania	560	8 164	7 940	784	85	273	274	84	4 960	4 114	4 299	4 775
Luxembourg	NA	NA	794	NA	NA	1 670	1 826	NA	NAP	912	NAP	NAP
Malta	162	299	331	130	NAP	NAP	NAP	NAP	NA	NA	NA	NA
Netherlands	NA	NA	5 827	NA	NA	NA	3 289	NA	NA	NA	NA	NA
Poland	-	-	-	-	-	-	-	-	-	-	-	-
Portugal	7 801	9 167	11 387	5 581	3 533	4 498	5 529	2 502	4 527	17 325	18 206	3 556
Romania	16 814	36 435	37 337	15 912	3 212	2 413	3 372	2 253	50 739	34 981	45 121	40 599
Slovakia	7 338	12 562	12 583	7 317	2 331	1 725	1 415	2 641	740	1 977	1 705	1 012
Slovenia	1 033	1 709	1 842	900	598	905	952	551	9 169	6 224	3 398	11 995
Spain	39 093	49 941	48 799	40 235	78 820	104 457	110 098	55 514	32 356	6 288	7 155	31 489
Sweden	5 411	8 939	9 070	5 280	NA	NA	NA	NA	NA	NA	NA	NA
Average	8 612	17 451	15 828	8 738	10 093	16 909	16 337	8 019	23 090	12 427	11 971	24 595
Median	3 114	8 552	7 219	3 389	2 275	1 670	1 826	2 179	5 014	6 020	6 151	6 158
Minimum	162	299	331	130	85	135	102	84	37	77	78	36
Maximum	39 093	86 926	84 602	40 488	78 820	128 489	136 021	55 514	95 282	57 902	59 686	111 036
Nb of values	26	26	26	26	26	26	26	26	26	26	26	26
% of NA	31%	15%	8%	27%	42%	31%	23%	42%	31%	23%	23%	31%
% of NAP	0%	0%	0%	0%	4%	4%	4%	4%	4%	0%	4%	4%

Germany:

Hungary: Litigious divorce cases in 2015 cannot be compared with the previous years as the statistical system has changed due to an amendment of the code of civil procedure these cases were included in a new statistical category.

Table 3.3.1(2014): First instance courts, number of cases for specific case categories in 2014 (litigious divorce, employment dismissal and insolvency cases) (Q101)

States	Litigious divorce cases				Employment dismissal cases				Insolvency cases			
	Pending cases on 1st Jan. 2014	Incoming cases	Resolved cases	Pending cases on 31 Dec. 2014	Pending cases on 1st Jan. 2014	Incoming cases	Resolved cases	Pending cases on 31 Dec. 2014	Pending cases on 1st Jan. 2014	Incoming cases	Resolved cases	Pending cases on 31 Dec. 2014
Austria	3 004	6 214	6 346	2 872	NA	NA	NA	NA	10 841	23 944	24 606	10 179
Belgium	NA	33 396	32 173	NA	15 744	7 762	8 523	14 983	82 398	15 023	10 530	86 891
Bulgaria	2 280	5 822	5 848	2 254	871	1 551	1 693	729	1 227	1 146	1 294	1 079
Croatia	6 276	7 283	8 964	4 595	2 591	2 378	2 196	2 773	5 664	2 378	4 538	5 014
Cyprus	3 335	6 686	6 737	3 284	2 173	984	938	2 219	NA	NA	NA	NA
Czech Republic	13 636	29 474	30 719	12 391	NA	NA	NA	NA	75 256	34 835	15 556	95 276
Denmark	1 892	4 852	4 946	1 817	NA	NA	NA	NA	4 952	5 808	7 283	4 223
Estonia	280	912	873	319	277	375	382	228	235	1 331	1 290	258
Finland	12 127	18 542	18 325	12 344	NA	NA	658	NA	2 439	3 372	3 489	2 322
France	NA	91 882	88 220	NA	NA	134 837	130 574	NA	NA	56 820	51 577	NA
Germany	NA	NA	167 014	NA	40 175	152 391	152 919	39 647	NA	143 662	NA	303 654
Greece	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Hungary	12 878	28 512	28 641	12 749	2 492	3 872	4 166	2 198	85	100	148	37
Ireland	NA	3 831	2 638	NA	NA	69	89	NA	NA	1 615	1 055	NA
Italy	36 304	26 639	26 037	36 906	29 014	22 216	22 512	28 718	85 351	15 379	9 912	90 818
Latvia	1 454	2 035	1 968	1 521	599	557	622	534	6 328	2 832	2 364	6 796
Lithuania	698	8 034	8 172	560	132	308	355	85	4 615	4 656	4 311	4 960
Luxembourg	NA	NA	589	NA	NA	1 726	1 901	NA	NAP	NAP	869	NAP
Malta	142	285	265	162	NAP	NAP	NAP	NAP	NA	NA	NA	NA
Netherlands	NA	NA	5 757	NA	NA	NA	3 897	NA	NA	NA	NA	NA
Poland	47 162	89 791	88 752	48 539	7 201	9 727	11 024	5 904	1 166	4 469	4 546	1 089
Portugal	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Romania	16 334	34 125	33 645	16 814	3 277	3 075	3 140	3 212	60 239	45 896	55 396	50 739
Slovakia	7 403	13 529	13 594	7 338	NA	1 600	1 254	NA	544	1 819	1 623	740
Slovenia	1 048	1 839	1 851	1 036	743	932	1 075	600	5 288	6 596	2 717	9 167
Spain	36 349	50 604	47 860	39 093	78 832	118 213	118 225	78 820	30 530	8 132	6 306	32 356
Sweden	5 738	9 254	9 601	5 391	NA	NA	NA	NA	NA	NA	NA	NA
Average	10 965	21 525	25 581	11 052	13 152	25 699	23 307	12 904	22 186	18 991	10 471	39 200
Median	5 738	8 644	8 964	4 595	2 542	2 052	2 049	2 496	5 288	5 232	4 425	5 905
Minimum	142	285	265	162	132	69	89	85	85	100	148	37
Maximum	47 162	91 882	167 014	48 539	78 832	152 391	152 919	78 820	85 351	143 662	55 396	303 654
Nb of values	27	27	27	27	27	27	27	27	27	27	27	27
% of NA	30%	19%	7%	30%	44%	30%	22%	44%	33%	22%	26%	30%
% of NAP	0%	0%	0%	0%	4%	4%	4%	4%	4%	4%	0%	4%

Slovakia: In evaluation cycles 2015 and before, it was not possible to distinguish number of pending cases solely on 1st instance since each case is considered pending until the moment a final decision is enacted and no further proceeding is possible.

Table 3.3.1(2013): First instance courts, number of cases for specific case categories in 2013 (litigious divorce, employment dismissal and insolvency cases) (Q101)

States	Litigious divorce cases				Employment dismissal cases				Insolvency cases			
	Pending cases on 1st Jan. 2013	Incoming cases	Resolved cases	Pending cases on 31 Dec. 2013	Pending cases on 1st Jan. 2013	Incoming cases	Resolved cases	Pending cases on 31 Dec. 2013	Pending cases on 1st Jan. 2013	Incoming cases	Resolved cases	Pending cases on 31 Dec. 2013
Austria	2 830	6 237	6 063	3 004	NA	NA	NA	NA	11 365	24 861	25 385	10 841
Belgium	NA	34 588	33 355	NA	NA	NA	NA	NA	NA	NA	NA	NA
Bulgaria	2 463	6 032	6 210	2 285	1 032	1 741	1 908	865	1 173	1 523	1 520	1 176
Croatia	6 561	8 553	8 493	6 621	2 722	1 972	2 103	2 591	2 774	7 628	4 738	5 664
Cyprus	3 378	6 846	6 889	3 335	1 749	1 038	614	2 173	NA	NA	NA	NA
Czech Republic	12 965	32 804	32 559	13 210	NA	NA	NA	NA	52 032	37 637	14 920	74 749
Denmark	1 994	5 124	5 237	1 890	NAP	NAP	NAP	NAP	5 817	7 291	8 472	4 958
Estonia	172	691	585	275	306	451	432	277	267	1 306	1 286	242
Finland	12 203	18 185	18 262	12 126	509	638	601	546	2 251	3 553	3 379	2 425
France	NA	90 694	89 956	NA	NA	145 779	128 657	NA	NA	57 743	49 024	NA
Germany	NA	NA	167 014	NA	40 175	152 391	152 919	39 686	NA	143 662	NA	303 654
Greece	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Hungary	13 134	28 392	28 648	12 878	3 144	4 170	4 822	2 492	51	154	120	85
Ireland	NA	3 609	2 949	NA	NA	358	120	NA	NA	314	236	NA
Italy	34 738	20 580	18 936	36 382	NA	NA	NA	NA	86 501	14 792	13 261	88 032
Latvia	1 649	2 098	2 293	1 454	779	575	755	599	5 402	2 961	2 035	6 328
Lithuania	867	8 192	8 361	698	122	429	419	132	4 352	4 051	3 788	4 615
Luxembourg	NA	NA	434	NA	NA	NA	1 606	NA	NA	NA	1 058	NA
Malta	NA	NA	NA	NA	NAP	NAP	NAP	NAP	NA	NA	NA	NA
Netherlands	NA	NA	6 200	NA	NA	NA	4 689	NA	NA	NA	NA	NA
Poland	-	-	-	-	-	-	-	-	-	-	-	-
Portugal	7 195	9 281	9 590	6 886	5 721	5 951	7 662	4 010	4 316	20 068	20 065	4 319
Romania	19 247	35 422	37 508	17 161	2 734	3 789	3 246	3 277	50 774	60 536	54 184	57 126
Slovakia	7 283	14 096	13 977	7 402	NA	1 684	1 127	NA	456	1 668	1 581	543
Slovenia	1 022	1 917	1 891	1 048	657	1 085	999	743	4 558	2 819	2 089	5 288
Spain	-	-	-	-	-	-	-	-	-	-	-	-
Sweden	5 677	9 503	9 444	5 736	NA	NA	NA	NA	NA	NA	NA	NA
Average	7 846	17 142	22 385	7 788	4 971	21 470	18 393	4 783	15 473	21 809	11 508	35 628
Median	5 677	8 917	8 493	5 736	1 391	1 684	1 606	1 519	4 352	5 671	3 584	5 123
Minimum	172	691	434	275	122	358	120	132	51	154	120	85
Maximum	34 738	90 694	167 014	36 382	40 175	152 391	152 919	39 686	86 501	143 662	54 184	303 654
Nb of values	25	25	25	25	25	25	25	25	25	25	25	25
% of NA	32%	20%	8%	32%	44%	32%	24%	44%	40%	28%	28%	36%
% of NAP	0%	0%	0%	0%	8%	8%	8%	8%	0%	0%	0%	0%

Slovakia: In all evaluation cycles, In evaluation cycles 2015 and before, it was not possible to distinguish number of pending cases solely on 1st instance since each case is considered pending until the moment a final decision is enacted and no further proceeding is possible.

Germany: With regard to the category "employment dismissal cases", the number of Lander taken into consideration within the reply is different for the 2012 and 2013 exercises. Consequently, data are not comparable.

Table 3.3.1(2012): First instance courts, number of cases for specific case categories in 2012 (litigious divorce, employment dismissal and insolvency cases) (Q101)

States	Litigious divorce cases				Employment dismissal cases				Insolvency cases			
	Pending cases on 1st Jan. 2012	Incoming cases	Resolved cases	Pending cases on 31 Dec. 2012	Pending cases on 1st Jan. 2012	Incoming cases	Resolved cases	Pending cases on 31 Dec. 2012	Pending cases on 1st Jan. 2012	Incoming cases	Resolved cases	Pending cases on 31 Dec. 2012
Austria	2 920	6 354	6 444	2 830	NA	NA	NA	NA	11 557	26 152	26 344	11 365
Belgium	NA	37 497	37 635	NA	NA	NA	NA	NA	NA	NA	NA	NA
Bulgaria	2 378	6 239	6 151	2 466	936	2 331	2 242	1 025	887	1 583	1 311	1 159
Croatia	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Cyprus	3 450	7 195	7 267	3 378	1 382	1 005	638	1 749	NA	NA	NA	NA
Czech Republic	13 150	30 025	30 557	12 965	NA	NA	NA	NA	30 331	33 083	11 382	52 032
Denmark	2 257	5 219	5 497	2 000	NAP	NAP	NAP	NAP	6 300	8 199	9 024	5 820
Estonia	263	652	598	316	283	331	320	277	289	1 152	1 099	312
Finland	11 706	17 075	17 696	11 085	559	577	647	489	2 135	3 359	3 261	2 233
France	NA	92 864	92 659	NA	NA	124 434	130 478	NA	NA	55 561	47 942	NA
Germany	NA	NA	190 258	NA	26 968	101 369	144 293	25 360	NA		NA	
Greece	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Hungary	16 416	27 394	30 676	13 134	3 389	5 119	5 364	3 144	62	124	135	51
Ireland	NA	3 482	2 892	NA	NA	NA	NA	NA	486	380	275	524
Italy	34 114	19 287	18 174	35 227	NA	NA	NA	NA	85 736	12 577	11 909	86 404
Latvia	1 905	2 389	2 645	1 649	994	549	764	779	4 825	2 626	2 049	5 402
Lithuania	946	8 196	8 275	867	146	453	477	122	4 253	3 717	3 618	4 352
Luxembourg	NA	NA	NA	NA	NA	2 343	1 824	NA	NA	NA	1 029	NA
Malta	NA	NA	NA	NA	NAP	NAP	NAP	NAP	NA	NA	NA	NA
Netherlands	NA	NA	6 118	NA	NA	NA	4 676	NA	NA	NA	NA	NA
Poland	42 786	90 933	89 217	44 750	11 102	22 070	20 924	12 249	794	4 589	4 390	993
Portugal	7 627	9 638	9 975	7 290	6 448	7 897	8 659	5 686	3 568	20 776	19 969	4 375
Romania	20 926	42 582	44 261	19 247	3 041	3 274	3 581	2 734	48 643	57 956	55 825	50 774
Slovakia	7 181	13 749	13 647	7 283	NA	1 616	1 317	NA	341	1 505	1 395	451
Slovenia	1 068	1 954	2 000	1 022	622	1 038	1 003	657	3 667	2 669	1 778	4 558
Spain	37 586	49 330	47 572	37 472	38 417	147 404	108 570	64 705	20 306	10 290	4 763	25 647
Sweden	5 535	8 972	8 824	5 683	NA	NA	NA	NA	NA	NA	NA	NA
Average	11 790	27 507	33 308	11 578	7 185	27 673	26 620	9 098	13 109	15 534	10 890	15 001
Median	6 358	11 694	11 811	6 483	1 382	2 343	2 912	1 749	3 568	4 589	3 618	4 352
Minimum	263	652	598	316	108	152	185	75	62	124	135	51
Maximum	42 786	124 449	190 258	44 750	38 417	147 404	144 293	64 705	85 736	57 956	55 825	86 404
Nb of values	27	27	27	27	27	27	27	27	27	26	27	26
% of NA	33%	22%	15%	33%	44%	33%	30%	44%	37%	31%	30%	35%
% of NAP	0%	0%	0%	0%	7%	7%	7%	7%	0%	0%	0%	0%

Slovakia: In evaluation cycles 2015 and before, it was not possible to distinguish number of pending cases solely on 1st instance since each case is considered pending until the moment a final decision is enacted and no further proceeding is possible.

Germany: With regard to the category "employment dismissal cases", the number of Lander taken into consideration within the reply is different for the 2012 and 2013 exercises. Consequently, data are not comparable.

Table 3.3.1(2010): First instance courts, number of cases for specific case categories in 2010 (litigious divorce, employment dismissal and insolvency cases) (Q101)

States	Litigious divorce cases				Employment dismissal cases				Insolvency cases			
	Pending cases on 1st Jan. 2010	Incoming cases	Resolved cases	Pending cases on 31 Dec. 2010	Pending cases on 1st Jan. 2010	Incoming cases	Resolved cases	Pending cases on 31 Dec. 2010	Pending cases on 1st Jan. 2010	Incoming cases	Resolved cases	Pending cases on 31 Dec. 2010
Austria	3 054	6 852	6 917	2 989	NA	NA	NA	NA				
Belgium	NA	40 229	40 153	NA	NA	NA	NA	NA				
Bulgaria	3 009	6 221	6 632	2 598	1 076	2 491	2 489	1 078				
Croatia	NA	NA	NA	NA	NA	NA	NA	NA				
Cyprus	3 687	6 607	6 697	3 597	1 067	657	649	1 075				
Czech Republic	14 551	34 166	34 515	14 543	NA	NA	NA	NA				
Denmark	2 472	5 116	5 376	2 241	NA	NA	NA	NA				
Estonia	245	530	498	273	559	682	714	485				
Finland	12057	17287	18302	11042	477	654	630	501				
France	NA	103 566	98 209	NA	NA	141 469	130 981	NA				
Germany	NA	NA	189 015	NA	NA	NA	172 015	NA				
Greece	NA	NA	NA	NA	NA	NA	NA	NA				
Hungary	14 506	33 608	34 043	14 143	2 974	5 146	4 849	3 271				
Ireland	NA	3381	3113	NA	NA	NA	NA	NA				
Italy	36176	25119	24531	36764	NA	NA	NA	NA				
Latvia	2847	5232	5482	2597	317	446	559	204				
Lithuania	1 107	7 817	8 017	907	380	637	752	265				
Luxembourg	NA	NA	256	NA	NA	2509	2372	NA				
Malta	NA	NA	NA	NA	NA	NA	NA	NA				
Netherlands	NA	NA	5945	NA	NA	22132	5033	NA				
Poland	49855	112152	112135	49872	9140	20578	20051	9667				
Portugal	9917	10640	11419	9138	7161	7754	7120	7795				
Romania	27003	56962	57793	26172	2167	4309	3464	3012				
Slovakia	7 675	14 972	15 437	7210	NA	NA	NA	NA				
Slovenia	1 104	1 903	1 937	1 070	818	987	1 147	658				
Spain	35539	48622	45019	37247	32206	111942	105293	29197				
Sweden	5045	8812	8214	5643	NA	NA	NA	NA				
Average	5 685	23 732	37 246	5 261	1 263	25 231	44 697	1 269				
Median	3 054	7 817	11 727	2 794	1 067	1 739	2 489	1 075				
Minimum	1 104	1 903	1 937	907	380	637	649	265				
Maximum	14 551	103 566	189 015	14 543	2 974	141 469	172 015	3 271				
Nb of values	27	27	27	27	27	27	27	27				
% of NA	33%	22%	11%	33%	56%	44%	41%	56%				
% of NAP	0%	0%	0%	0%	0%	0%	0%	0%				

NOT COLLECTED

Slovakia: In evaluation cycles 2015 and before, it was not possible to distinguish number of pending cases solely on 1st instance since each case is considered pending until the moment a final decision is enacted and no further proceeding is possible.

Table 3.4.1(2016): First instance courts, clearance rate and disposition time (in days) in 2016 (litigious divorce, employment dismissal and insolvency cases) (Q101)

States	Litigious divorce cases		Employment dismissal cases		Insolvency cases	
	Clearance Rate	Disposition Time	Clearance Rate	Disposition Time	Clearance Rate	Disposition Time
Austria	102,6%	161	NA	NA	102,6%	144
Belgium	105,4%	NA	99,5%	728	NA	NA
Bulgaria	99,3%	154	95,2%	176	95,2%	308
Croatia	148,0%	180	133,0%	344	123,6%	227
Cyprus	97,1%	202	81,6%	1 012	NA	NA
Czech Republic	104,9%	125	NA	NA	70,3%	2 085
Denmark	98,6%	137	NA	NA	85,3%	220
Estonia	108,7%	67	87,2%	208	101,5%	61
Finland	106,6%	227	NA	NA	104,7%	246
France	101,2%	NA	121,1%	NA	106,1%	NA
Germany	NA	NA	138,5%	NA	NA	NA
Greece	NA	NA	NA	NA	NA	NA
Hungary	97,5%	154	117,5%	169	108,3%	124
Ireland	78,4%	NA	89,3%	NA	68,4%	NA
Italy	84,7%	511	114,2%	290	104,0%	2 490
Latvia	99,6%	290	116,5%	218	111,7%	791
Lithuania	102,7%	28	100,0%	116	93,4%	395
Luxembourg	130,3%	355	119,2%	NA	100,0%	NAP
Malta	102,5%	120	NAP	NAP	NA	NA
Netherlands	NA	NA	NA	NA	NA	NA
Poland	99,1%	196	106,3%	211	96,6%	114
Portugal	109,1%	163	125,5%	124	106,0%	61
Romania	100,4%	159	122,4%	264	121,7%	342
Slovakia	79,4%	208	111,9%	354	81,3%	489
Slovenia	104,6%	163	97,9%	240	81,9%	1 050
Spain	97,1%	298	107,0%	175	130,4%	1 509
Sweden	98,7%	218	NA	NA	NA	NA
Average	102,4%	196	109,7%	309	99,6%	627
Median	100,8%	163	111,9%	218	102,0%	308
Minimum	78,4%	28	81,6%	116	68,4%	61
Maximum	148,0%	511	138,5%	1 012	130,4%	2 490
Nb of values	27	27	27	27	27	27
% of NA	11%	22%	26%	41%	26%	33%
% of NAP	0%	0%	4%	4%	0%	4%

Belgium: The category "litigious divorce cases", the variations in the numbers of incoming and resolved cases are due to the fact that, unlike previous cycles (2014, 2015), the 2016 data does not include divorces by mutual consent. The category "insolvency cases" in 2016 encompasses insolvency proceedings of companies (Commercial Court) and personal insolvency proceedings (collective debt settlement before the Labour Court) that were not included in previous cycles.

Slovakia: The new structure of judicial data introduced in 2016 might cause the discrepancies and incompatibility of the data with the previous cycles.

Hungary: Litigious divorce cases in 2016 cannot be compared with the previous years as the statistical system has changed due to an amendment of the code of civil procedure these cases were included in a new statistical category.

Table 3.4.1(2015): First instance courts, clearance rate and disposition time (in days) in 2015 (litigious divorce, employment dismissal and insolvency cases) (Q101)

States	Litigious divorce cases		Employment dismissal cases		Insolvency cases	
	Clearance Rate	Disposition Time	Clearance Rate	Disposition Time	Clearance Rate	Disposition Time
Austria	101,8%	165	NA	NA	100,1%	152
Belgium	112,3%	NA	103,8%	668	110,5%	2 319
Bulgaria	101,2%	138	108,7%	151	110,1%	282
Croatia	96,6%	268	123,5%	442	30,4%	1 132
Cyprus	98,4%	190	117,9%	1 023	NA	NA
Czech Republic	102,9%	142	NA	NA	52,0%	2 377
Denmark	107,0%	132	NA	NA	110,0%	238
Estonia	107,6%	99	101,0%	199	100,1%	67
Finland	99,8%	243	NA	NA	109,9%	235
France	97,3%	NA	105,9%	NA	103,1%	NA
Germany	NA	NA	NA	NA	NA	NA
Greece	NA	NA	NA	NA	NA	NA
Hungary	61,1%	233	113,5%	175	101,3%	168
Ireland	76,3%	NA	75,6%	NA	76,2%	NA
Italy	89,0%	529	109,1%	323	76,2%	3 123
Latvia	101,6%	286	131,7%	238	127,6%	666
Lithuania	97,3%	36	100,4%	112	104,5%	405
Luxembourg	NA	NA	109,3%	NA	NAP	NAP
Malta	110,7%	143	NAP	NAP	NA	NA
Netherlands	NA	NA	NA	NA	NA	NA
Poland	-	-	-	-	-	-
Portugal	124,2%	179	122,9%	165	105,1%	71
Romania	102,5%	156	139,7%	244	129,0%	328
Slovakia	100,2%	212	82,0%	681	86,2%	217
Slovenia	107,8%	178	105,2%	211	54,6%	1 288
Spain	97,7%	301	105,4%	184	113,8%	1 606
Sweden	101,5%	212	NA	NA	NA	NA
Average	99,8%	202	109,2%	344	94,8%	863
Median	101,3%	179	108,7%	224	103,1%	328
Minimum	61,1%	36	75,6%	112	30,4%	67
Maximum	124,2%	529	139,7%	1 023	129,0%	3 123
Nb of values	26	26	26	26	26	26
% of NA	15%	27%	31%	42%	23%	31%
% of NAP	0%	0%	4%	4%	4%	4%

Croatia: The increase of incoming insolvency cases is due to the new Act for shortened insolvency proceedings and more than 20.000 legal persons for which the preconditions were met initiated these proceedings. Consequently there is an increase of pending cases at the end of the period as well as decreased Clearance Rate.

Slovakia: In evaluation cycles 2015 and before, it was not possible to distinguish number of pending cases solely on 1st instance since each case is considered pending until the moment a final decision is enacted and no further proceeding is possible.

Hungary: Litigious divorce cases since 2015 cannot be compared with the previous years as the statistical system has changed due to an amendment of the code of civil procedure these cases were included in a new statistical category.

Table 3.4.1(2014): First instance courts, clearance rate and disposition time (in days) in 2014 (litigious divorce, employment dismissal and insolvency cases) (Q101)

States	Litigious divorce cases		Employment dismissal cases		Insolvency cases	
	Clearance Rate	Disposition Time	Clearance Rate	Disposition Time	Clearance Rate	Disposition Time
Austria	102,1%	165	NA	NA	102,8%	151
Belgium	96,3%	NA	109,8%	642	70,1%	3 012
Bulgaria	100,4%	141	109,2%	157	112,9%	304
Croatia	123,1%	187	92,3%	461	190,8%	403
Cyprus	100,8%	178	95,3%	863	NA	NA
Czech Republic	104,2%	147	NA	NA	44,7%	2 236
Denmark	101,9%	134	NA	NA	125,4%	212
Estonia	95,7%	133	101,9%	218	96,9%	73
Finland	98,8%	246	NA	NA	103,5%	243
France	96,0%	NA	96,8%	NA	90,8%	NA
Germany	NA	NA	100,3%	95	NA	NA
Greece	NA	NA	NA	NA	NA	NA
Hungary	100,5%	162	107,6%	193	148,0%	91
Ireland	68,9%	NA	129,0%	NA	65,3%	NA
Italy	97,7%	517	101,3%	466	64,5%	3 344
Latvia	96,7%	282	111,7%	313	83,5%	1 049
Lithuania	101,7%	25	115,3%	87	92,6%	420
Luxembourg	NA	NA	110,1%	NA	NAP	NAP
Malta	93,0%	223	NAP	NAP	NA	NA
Netherlands	NA	NA	NA	NA	NA	NA
Poland	98,8%	200	113,3%	195	101,7%	87
Portugal	NA	NA	NA	NA	NA	NA
Romania	98,6%	182	102,1%	373	120,7%	334
Slovakia	100,5%	197	78,4%	NA	89,2%	166
Slovenia	100,7%	204	115,3%	204	41,2%	1 231
Spain	94,6%	298	100,0%	243	77,5%	1 873
Sweden	103,7%	205	NA	NA	NA	NA
Average	98,9%	201	105,0%	322	95,9%	896
Median	99,6%	187	104,9%	231	92,6%	334
Standard deviation	8,9%	97	11,1%	221	35,3%	1 074
Minimum	68,9%	25	78,4%	87	41,2%	73
Maximum	123,1%	517	129,0%	863	190,8%	3 344
Nb of values	27	27	27	27	27	27
% of NA	19%	30%	30%	44%	26%	33%
% of NAP	0%	0%	4%	4%	4%	4%

Slovakia: In evaluation cycles 2015 and before, it was not possible to distinguish number of pending cases solely on 1st instance since each case is considered pending until the moment a final decision is enacted and no further proceeding is possible.

Table 3.4.1(2013): First instance courts, clearance rate and disposition time (in days) in 2013 (litigious divorce, employment dismissal and insolvency cases) (Q101)

States	Litigious divorce cases		Employment dismissal cases		Insolvency cases	
	Clearance Rate	Disposition Time	Clearance Rate	Disposition Time	Clearance Rate	Disposition Time
Austria	97,2%	181	NA	NA	102,1%	156
Belgium	96,4%	NA	NA	NA	NA	NA
Bulgaria	103,0%	134	109,6%	165	99,8%	282
Croatia	99,3%	285	106,6%	450	62,1%	436
Cyprus	100,6%	177	59,2%	1 292	NA	NA
Czech Republic	99,3%	148	NA	NA	39,6%	1 829
Denmark	102,2%	132	NAP	NAP	116,2%	214
Estonia	84,7%	172	95,8%	234	98,5%	69
Finland	100,4%	242	94,2%	332	95,1%	262
France	99,2%	NA	88,3%	NA	84,9%	NA
Germany	NA	NA	100,3%	95	NA	NA
Greece	NA	NA	NA	NA	NA	NA
Hungary	100,9%	164	115,6%	189	77,9%	259
Ireland	81,7%	NA	33,5%	NA	75,2%	NA
Italy	92,0%	701	NA	NA	89,6%	2 423
Latvia	109,3%	231	131,3%	290	68,7%	1 135
Lithuania	102,1%	30	97,7%	115	93,5%	445
Luxembourg	NA	NA	NA	NA	NA	NA
Malta	NA	NA	NAP	NAP	NA	NA
Netherlands	NA	NA	NA	NA	NA	NA
Poland	-	-	-	-	-	-
Portugal	103,3%	262	128,8%	191	100,0%	79
Romania	105,9%	167	85,7%	368	89,5%	385
Slovakia	99,2%	193	66,9%	NA	94,8%	125
Slovenia	98,6%	202	92,1%	271	74,1%	924
Spain	-	-	-	-	-	-
Sweden	99,4%	222	NA	NA	NA	NA
Average	98,7%	214	93,7%	333	86,0%	601
Median	99,3%	181	95,8%	253	89,6%	282
Minimum	81,7%	30	33,5%	95	39,6%	69
Maximum	109,3%	701	131,3%	1 292	116,2%	2 423
Nb of values	25	25	25	25	25	25
% of NA	20%	32%	32%	44%	32%	40%
% of NAP	0%	0%	8%	8%	0%	0%

Slovakia: In evaluation cycles 2015 and before, it was not possible to distinguish number of pending cases solely on 1st instance since each case is considered pending until the moment a final decision is enacted and no further proceeding is possible.

Table 3.4.1(2012): First instance courts, clearance rate and disposition time (in days) in 2012 (litigious divorce, employment dismissal and insolvency cases) (Q101)

States	Litigious divorce cases		Employment dismissal cases		Insolvency cases	
	Clearance Rate	Disposition Time	Clearance Rate	Disposition Time	Clearance Rate	Disposition Time
Austria	101,4%	160	NA	NA	100,7%	157
Belgium	100,4%	NA	NA	NA	NA	NA
Bulgaria	98,6%	146	96,2%	167	82,8%	323
Croatia	NA	NA	NA	NA	NA	NA
Cyprus	101,0%	170	63,5%	1 001	NA	NA
Czech Republic	101,8%	155	NA	NA	34,4%	1 669
Denmark	105,3%	133	NAP	NAP	110,1%	235
Estonia	91,7%	193	96,7%	316	95,4%	104
Finland	103,6%	229	112,1%	276	97,1%	250
France	99,8%	NA	104,9%	NA	86,3%	NA
Germany	NA	NA	142,3%	64	NA	NA
Greece	NA	NA	NA	NA	NA	NA
Hungary	112,0%	156	104,8%	214	108,9%	138
Ireland	83,1%	NA	NA	NA	72,4%	695
Italy	94,2%	707	NA	NA	94,7%	2 648
Latvia	110,7%	228	139,2%	372	78,0%	962
Lithuania	101,0%	38	105,3%	93	97,3%	439
Luxembourg	NA	NA	77,8%	NA	NA	NA
Malta	NA	NA	NAP	NAP	NA	NA
Netherlands	NA	NA	NA	NA	NA	NA
Poland	98,1%	183	94,8%	214	95,7%	83
Portugal	103,5%	267	109,6%	240	96,1%	80
Romania	103,9%	159	109,4%	279	96,3%	332
Slovakia	99,3%	195	81,5%	NA	92,7%	118
Slovenia	102,4%	187	96,6%	239	66,6%	936
Spain	96,4%	288	73,7%	218	46,3%	1 965
Sweden	98,4%	235	NA	NA	NA	NA
Average	100,3%	213	100,5%	284	86,2%	655
Median	101,0%	185	100,7%	239	95,0%	323
Minimum	83,1%	38	63,5%	64	34,4%	80
Maximum	112,0%	707	142,3%	1 001	110,1%	2 648
Nb of values	27	27	27	27	27	27
% of NA	22%	33%	33%	44%	33%	37%
% of NAP	0%	0%	7%	7%	0%	0%

Slovakia: In evaluation cycles 2015 and before, it was not possible to distinguish number of pending cases solely on 1st instance since each case is considered pending until the moment a final decision is enacted and no further proceeding is possible.

Table 3.4.1(2010): First instance courts, clearance rate and disposition time (in days) in 2010 (litigious divorce, employment dismissal and insolvency cases) (Q101)

States	Litigious divorce cases		Employment dismissal cases		Insolvency cases	
	Clearance Rate	Disposition Time	Clearance Rate	Disposition Time	Clearance Rate	Disposition Time
Austria	100,9%	158	NA	NA		
Belgium	99,8%	NA	NA	NA		
Bulgaria	106,6%	143	99,9%	158		
Croatia	NA	NA	NA	NA		
Cyprus	101,4%	196	98,8%	605		
Czech Republic	101,0%	154	NA	NA		
Denmark	105,1%	152	NA	NA		
Estonia	94,0%	200	104,7%	248		
Finland	105,9%	220	96,3%	290		
France	94,8%	NA	92,6%	NA		
Germany	NA	NA	NA	NA		
Greece	NA	NA	NA	NA		
Hungary	101,3%	152	94,2%	246		
Ireland	92,1%	NA	NA	NA		
Italy	97,7%	547	NA	NA		
Latvia	104,8%	173	125,3%	133		
Lithuania	102,6%	41	118,1%	129		
Luxembourg	NA	NA	94,5%	NA		
Malta	NA	NA	NA	NA		
Netherlands	NA	NA	22,7%	NA		
Poland	100,0%	162	97,4%	176		
Portugal	107,3%	292	91,8%	400		
Romania	101,5%	165	80,4%	317		
Slovakia	103,1%	170	NA	NA		
Slovenia	101,8%	202	116,2%	209		
Spain	92,6%	302	94,1%	101		
Sweden	93,2%	251	NA	NA		
Average	100,3%	204	95,1%	251		
Median	101,3%	172	96,3%	228		
Minimum	92,1%	41	22,7%	101		
Maximum	107,3%	547	125,3%	605		
Nb of values	27	27	27	27		
% of NA	22%	33%	44%	56%		
% of NAP	0%	0%	0%	0%		

NOT COLLECTED

Slovakia: In evaluation cycles 2015 and before, it was not possible to distinguish number of pending cases solely on 1st instance since each case is considered pending until the moment a final decision is enacted and no further proceeding is possible.

Table 3.4.2: First instance courts, change of clearance rate (in points) and disposition time (in %) between 2015 and 2016 (litigious divorce, employment dismissal and insolvency cases) (Q101)

States	Litigious divorce cases		Employment dismissal cases		Insolvency cases	
	Clearance Rate (points)	Disposition Time (%)	Clearance Rate (points)	Disposition Time (%)	Clearance Rate (points)	Disposition Time (%)
Austria	+0,8	-2,7%	NA	NA	+2,4	-5,0%
Belgium	-6,9	NA	-4,3	+8,9%	NA	NA
Bulgaria	-1,9	+11,9%	-13,5	+17,1%	-14,9	+9,3%
Croatia	+51,4	-32,8%	+9,5	-22,1%	+93,2	-80,0%
Cyprus	-1,3	+6,1%	-36,3	-1,1%	NA	NA
Czech Republic	+2,0	-12,0%	NA	NA	+18,3	-12,3%
Denmark	-8,4	+4,0%	NA	NA	-24,8	-7,5%
Estonia	+1,1	-32,1%	-13,8	+4,5%	+1,4	-9,1%
Finland	+6,8	-6,9%	NA	NA	-5,3	+4,7%
France	+3,8	NA	+15,3	NA	+3,0	NA
Germany	NA	NA	NA	NA	NA	NA
Greece	NA	NA	NA	NA	NA	NA
Hungary	+36,4	-33,9%	+4,0	-3,8%	+7,0	-26,7%
Ireland	+2,1	NA	+13,7	NA	-7,9	NA
Italy	-4,3	-3,3%	+5,1	-10,2%	+27,8	-20,3%
Latvia	-2,0	+1,4%	-15,3	-8,3%	-15,9	+18,8%
Lithuania	+5,4	-22,8%	-0,4	+3,8%	-11,1	-2,7%
Luxembourg	NA	NA	+9,9	NA	NAP	NAP
Malta	-8,2	-16,1%	NAP	NAP	NA	NA
Netherlands	NA	NA	NA	NA	NA	NA
Poland	-	-	-	-	-	-
Portugal	-15,1	-8,7%	+2,6	-25,1%	+0,9	-14,7%
Romania	-2,0	+2,1%	-17,3	+8,3%	-7,3	+4,2%
Slovakia	-20,7	-1,8%	+29,9	-48,1%	-4,9	+125,5%
Slovenia	-3,1	-8,8%	-7,3	+13,5%	+27,3	-18,5%
Spain	-0,6	-0,9%	+1,6	-4,8%	+16,6	-6,1%
Sweden	-2,8	+2,6%	NA	NA	NA	NA
Average	+1,5	-8,1%	-1,0	-4,8%	+5,9	-2,5%
Median	-1,6	-3,3%	+1,6	-2,5%	+1,1	-6,8%
Minimum	-20,7	-33,9%	-36,3	-48,1%	-24,8	-80,0%
Maximum	+51,4	+11,9%	+29,9	+17,1%	+93,2	+125,5%
Nb of values	26	26	26	26	26	26
% of NA	15%	27%	31%	42%	27%	35%
% of NAP	0%	0%	4%	4%	4%	4%

Belgium: The category “litigious divorce cases”, the variations in the numbers of incoming and resolved cases are due to the fact that, unlike previous cycles (2014, 2015), the 2016 data does not include divorces by mutual consent. The category “insolvency cases” in 2016 encompasses insolvency proceedings of companies (Commercial Court) and personal insolvency proceedings (collective debt settlement before the Labour Court) that were not included in previous cycles.

Slovakia: The new structure of judicial data introduced in 2016 might cause the discrepancies and incompatibility of the data with the previous cycles.

Hungary: Litigious divorce cases in 2016 cannot be compared with the previous years as the statistical system has changed due to an amendment of the code of civil procedure these cases were included in a new statistical category.

Table 3.5.1: Second instance courts, number of other than criminal law cases in 2016 - Pending cases on 1st Jan. (Q97)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases *	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases**
	1+2+3+4										
Austria	5 248	NA	NA	NA	NA	NA	NA	NA	NA	NAP	NA
Belgium	NA	NA	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Bulgaria	12 788	NA	NA	NA	NAP	NAP	NAP	NAP	NA	2 932	NA
Croatia	73 230	60 230	12 278	10 839	1 214	1 192	22	NAP	225	722	NAP
Cyprus	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Czech Republic	18 078	16 615	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	1 463
Denmark	2 580	2 580	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Estonia	1 432	602	114	114	NAP	NAP	NAP	NAP	NAP	716	NAP
Finland	1 912	1 606	252	252	NAP	NAP	NAP	NAP	NAP	NAP	54
France	307 020	266 127	12 996	12 996	NAP	NAP	NAP	NAP	NAP	27 897	NAP
Germany	NA	68 430	NA	NA	NA	NA	NA	NA	NA	50 298	21 860
Greece	NA	38 244	NA	NA	NA	NA	NA	NA	NA	43 442	NA
Hungary	11 410	5 607	3 889	3 443	317	NAP	217	100	129	406	1 508
Ireland	NA	NA	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Italy	399 051	393 213	5 838	5 838	NAP	NAP	NAP	NAP	NAP	NAP	0
Latvia	3 101	1 652	14	14	NAP	NAP	NAP	NAP	NAP	1 435	NAP
Lithuania	7 782	4 213	NAP	NAP	NAP	NAP	NAP	NAP	NAP	3 119	450
Luxembourg	NA	2 111	NA	NA	NA	NA	NA	NA	NA	157	NA
Malta	1 968	1 968	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Netherlands	27 510	NA	NA	NA	NAP	NAP	NA	NAP	NA	15 110	NAP
Poland	86 082	34 276	6 675	6 502	173	NAP	173	NAP	NAP	25 867	19 264
Portugal	11 776	5 733	NAP	NAP	NAP	NAP	NAP	NAP	NAP	6 043	NAP
Romania	91 360	90 175	1 185	285	900	900	NAP	NAP	NAP	NAP	NAP
Slovakia	31 216	23 367	7 841	7 841	NA	NAP	NA	NAP	NAP	8	NAP
Slovenia	4 215	2 887	1 328	1 249	79	54	25	NAP	NAP	NAP	NAP
Spain	95 062	73 802	NAP	NAP	NAP	NAP	NAP	NAP	NAP	21 260	NAP
Sweden	14 390	825	NAP	NAP	NAP	NAP	NAP	NAP	NAP	11 638	1 927
Average	57 486	52 108	4 765	4 488	537	715	109	100	177	13 191	5 816
Median	12 788	5 733	3 889	3 443	317	900	99	100	177	4 581	1 486
Minimum	1 432	602	14	14	79	54	22	100	129	8	0
Maximum	399 051	393 213	12 996	12 996	1 214	1 192	217	100	225	50 298	21 860
Nb of values	27	27	27	27	27	27	27	27	27	27	27
% of NA	19%	19%	22%	22%	19%	15%	22%	15%	22%	0%	15%
% of NAP	4%	4%	37%	37%	63%	74%	63%	81%	70%	41%	56%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Austria: The administrative courts were established January 1st 2014. After their establishment the data of the administrative courts is introduced this cycle for the first time.

Czech Republic: Increases in the number of "other cases" are due to the change of methodology applied to the 2016 data.

Cyprus has a two tier system therefore the Supreme Court is the second, highest and final instance court.

Denmark: The number of "administrative law cases" is encompassed in the category of "civil and commercial litigious cases".

Greece: Any deviations from the 2015 figures are due to a new way of collecting statistics.

Italy: Figures referring to the activity of the Council of State (second instance of administrative justice) have been submitted to Q.99 rather than Q.097.

Portugal: Since 2015, administrative law cases are included in the total.

Slovakia: The new structure of judicial data introduced in 2016 might cause the discrepancies and incompatibility of the data with the previous cycles.

Table 3.5.2: Second instance courts, number of other than criminal law cases in 2016 - Incoming cases (Q97)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases *	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases**
	1+2+3+4										
Austria	27 320	NA	NA	NA	NA	NA	NA	NA	NA	NAP	NA
Belgium	25 697	25 697	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Bulgaria	59 309	NA	NA	NA	NAP	NAP	NAP	NAP	NA	15 481	NA
Croatia	79 413	49 743	24 653	22 045	2 485	2 332	153	NAP	123	5 017	NAP
Cyprus	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Czech Republic	84 465	79 178	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	5 287
Denmark	5 075	5 075	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Estonia	4 409	1 789	982	982	NAP	NAP	NAP	NAP	NAP	1 638	NAP
Finland	3 069	2 376	651	651	NAP	NAP	NAP	NAP	NAP	NAP	42
France	282 835	217 135	34 392	34 392	NAP	NAP	NAP	NAP	NAP	31 308	NAP
Germany	NA	99 151	NA	NA	NA	NA	NA	NA	NA	43 468	47 031
Greece	NA	18 181	NA	NA	NA	NA	NA	NA	NA	15 714	NA
Hungary	51 351	16 729	27 741	25 565	1 619	NAP	929	690	557	2 151	4 730
Ireland	2 679	2 679	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Italy	135 081	125 912	9 169	9 169	NAP	NAP	NAP	NAP	NAP	NAP	0
Latvia	6 965	5 719	6	6	NAP	NAP	NAP	NAP	NAP	1 240	NAP
Lithuania	23 053	14 605	NAP	NAP	NAP	NAP	NAP	NAP	NAP	4 457	3 991
Luxembourg	NA	1 265	NA	NA	NA	NA	NA	NA	NA	241	NA
Malta	801	801	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Netherlands	29 324	NA	NA	NA	NAP	NAP	NA	NAP	NA	14 904	NAP
Poland	234 349	144 116	24 234	23 610	624	NAP	624	NAP	NAP	18 945	47 054
Portugal	24 755	20 946	NAP	NAP	NAP	NAP	NAP	NAP	NAP	3 809	NAP
Romania	204 986	202 441	2 545	824	1 721	1 721	NAP	NAP	NAP	NAP	NAP
Slovakia	68 142	34 974	33 156	33 156	NA	NAP	NA	NAP	NAP	12	NAP
Slovenia	18 684	10 798	7 886	7 442	444	345	99	NAP	NAP	NAP	NAP
Spain	184 339	160 153	NAP	NAP	NAP	NAP	NAP	NAP	NAP	24 186	NAP
Sweden	39 287	2 646	NAP	NAP	NAP	NAP	NAP	NAP	NAP	22 820	13 821
Average	69 365	54 005	15 038	14 349	1 379	1 466	451	690	340	12 837	15 245
Median	29 324	18 181	9 169	9 169	1 619	1 721	389	690	340	9 961	5 009
Minimum	801	801	6	6	444	345	99	690	123	12	0
Maximum	282 835	217 135	34 392	34 392	2 485	2 332	929	690	557	43 468	47 054
Nb of values	27	27	27	27	27	27	27	27	27	27	27
% of NA	11%	11%	22%	22%	19%	15%	22%	15%	22%	0%	15%
% of NAP	4%	4%	37%	37%	63%	74%	63%	81%	70%	41%	56%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Austria: The administrative courts were established January 1st 2014. After their establishment the data of the administrative courts is introduced this cycle for the first time.

Czech Republic: Increases in the number of "other cases" are due to the change of methodology applied to the 2016 data.

Cyprus has a two tier system therefore the Supreme Court is the second, highest and final instance court.

Denmark: The number of "administrative law cases" is encompassed in the category of "civil and commercial litigious cases".

Greece: Any deviations from the 2015 figures are due to a new way of collecting statistics.

Italy: Figures referring to the activity of the Council of State (second instance of administrative justice) have been submitted to Q.99 rather than Q.097.

Portugal: Since 2015, administrative law cases are included in the total.

Slovakia: The new structure of judicial data introduced in 2016 might cause the discrepancies and incompatibility of the data with the previous cycles.

Table 3.5.3: Second instance courts, number of other than criminal law cases in 2016 - Resolved cases (Q97)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases *	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases**
	1+2+3+4										
Austria	27 567	NA	NA	NA	NA	NA	NA	NA	NA	NAP	NA
Belgium	28 286	28 286	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Bulgaria	59 636	NA	NA	NA	NAP	NAP	NAP	NAP	NA	15 724	NA
Croatia	88 521	57 939	26 255	23 851	2 177	2 018	159	NAP	227	4 327	NAP
Cyprus	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Czech Republic	85 970	80 618	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	5 352
Denmark	5 525	5 525	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Estonia	4 626	1 897	998	998	NAP	NAP	NAP	NAP	NAP	1 731	NAP
Finland	3 618	2 821	741	741	NAP	NAP	NAP	NAP	NAP	NAP	56
France	272 077	207 152	34 320	34 320	NAP	NAP	NAP	NAP	NAP	30 605	NAP
Germany	NA	100 324	NA	NA	NA	NA	NA	NA	NA	41 891	49 058
Greece	NA	13 599	NA	NA	NA	NA	NA	NA	NA	16 867	NA
Hungary	51 037	16 761	27 709	25 449	1 632	NAP	907	725	628	2 085	4 482
Ireland	2 208	2 208	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Italy	148 821	139 482	9 339	9 339	NAP	NAP	NAP	NAP	NAP	NAP	0
Latvia	7 209	5 507	4	4	NAP	NAP	NAP	NAP	NAP	1 698	NAP
Lithuania	22 994	14 688	NAP	NAP	NAP	NAP	NAP	NAP	NAP	4 191	4 115
Luxembourg	NA	1 343	NA	NA	NA	NA	NA	NA	NA	245	NA
Malta	851	851	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Netherlands	29 263	NA	NA	NA	NAP	NAP	NA	NAP	NA	15 349	NAP
Poland	226 459	138 444	23 300	22 723	577	NAP	577	NAP	NAP	16 829	47 886
Portugal	23 666	20 332	NAP	NAP	NAP	NAP	NAP	NAP	NAP	3 334	NAP
Romania	217 920	215 244	2 676	837	1 839	1 839	NAP	NAP	NAP	NAP	NAP
Slovakia	77 663	43 843	33 809	33 809	NA	NAP	NA	NAP	NAP	11	NAP
Slovenia	18 756	10 817	7 939	7 484	455	339	116	NAP	NAP	NAP	NAP
Spain	180 825	156 564	NAP	NAP	NAP	NAP	NAP	NAP	NAP	24 261	NAP
Sweden	39 101	2 723	NAP	NAP	NAP	NAP	NAP	NAP	NAP	22 352	14 026
Average	70 548	55 086	15 190	14 505	1 336	1 399	440	725	428	12 594	15 622
Median	29 263	16 761	9 339	9 339	1 632	1 839	368	725	428	9 838	4 917
Minimum	851	851	4	4	455	339	116	725	227	11	0
Maximum	272 077	215 244	34 320	34 320	2 177	2 018	907	725	628	41 891	49 058
Nb of values	27	27	27	27	27	27	27	27	27	27	27
% of NA	11%	11%	22%	22%	19%	15%	22%	15%	22%	0%	15%
% of NAP	4%	4%	37%	37%	63%	74%	63%	81%	70%	41%	56%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Austria: The administrative courts were established January 1st 2014. After their establishment the data of the administrative courts is introduced this cycle for the first time.

Czech Republic: Increases in the number of "other cases" are due to the change of methodology applied to the 2016 data.

Cyprus has a two tier system therefore the Supreme Court is the second, highest and final instance court.

Denmark: The number of "administrative law cases" is encompassed in the category of "civil and commercial litigious cases".

Greece: Any deviations from the 2015 figures are due to a new way of collecting statistics.

Italy: Figures referring to the activity of the Council of State (second instance of administrative justice) have been submitted to Q.99 rather than Q.097.

Portugal: Since 2015, administrative law cases are included in the total.

Slovakia: The new structure of judicial data introduced in 2016 might cause the discrepancies and incompatibility of the data with the previous cycles.

Table 3.5.4: Second instance courts, number of other than criminal law cases in 2016 - Pending cases on 31 Dec. (Q97)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases *	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases**
	1+2+3+4	1	2 = 2.1+2.2+2.3	2.1	2.2 = 2.2.1+2.2.2+2.2.3	2.2.1	2.2.2	2.2.3	2.3	3	4
Austria	5 001	NA	NA	NA	NA	NA	NA	NA	NA	NAP	NA
Belgium	NA	NA	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Bulgaria	12 461	NA	NA	NA	NAP	NAP	NAP	NAP	NA	2 689	NA
Croatia	64 122	52 034	10 676	9 033	1 522	1 506	16	NAP	121	1 412	NAP
Cyprus	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Czech Republic	16 573	15 175	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	1 398
Denmark	2 130	2 130	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Estonia	1 209	494	98	98	NAP	NAP	NAP	NAP	NAP	617	NAP
Finland	1 363	1 161	162	162	NAP	NAP	NAP	NAP	NAP	NAP	40
France	317 778	276 110	13 068	13 068	NAP	NAP	NAP	NAP	NAP	28 600	NAP
Germany	NA	67 257	NA	NA	NA	NA	NA	NA	NA	51 849	19 833
Greece	NA	42 826	NA	NA	NA	NA	NA	NA	NA	42 289	NA
Hungary	11 724	5 575	3 921	3 559	304	NAP	239	65	58	472	1 756
Ireland	NA	NA	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Italy	385 311	379 643	5 668	5 668	NAP	NAP	NAP	NAP	NAP	NAP	0
Latvia	2 857	1 864	16	16	NAP	NAP	NAP	NAP	NAP	977	NAP
Lithuania	7 841	4 130	NAP	NAP	NAP	NAP	NAP	NAP	NAP	3 385	326
Luxembourg	NA	2 033	NA	NA	NA	NA	NA	NA	NA	153	NA
Malta	1 922	1 922	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Netherlands	27 932	NA	NA	NA	NAP	NAP	NA	NAP	NA	14 650	NAP
Poland	93 972	39 948	7 609	7 389	220	NAP	220	NAP	NAP	27 983	18 432
Portugal	12 865	6 347	NAP	NAP	NAP	NAP	NAP	NAP	NAP	6 518	NAP
Romania	78 426	77 372	1 054	272	782	782	NAP	NAP	NAP	NAP	NAP
Slovakia	21 695	14 498	7 188	7 188	NA	NAP	NA	NAP	NAP	9	NAP
Slovenia	4 143	2 868	1 275	1 207	68	60	8	NAP	NAP	NAP	NAP
Spain	98 712	77 538	NAP	NAP	NAP	NAP	NAP	NAP	NAP	21 174	NAP
Sweden	14 576	748	NAP	NAP	NAP	NAP	NAP	NAP	NAP	12 106	1 722
Average	56 315	51 032	4 612	4 333	579	783	121	65	90	13 430	5 438
Median	12 865	6 347	3 921	3 559	304	782	118	65	90	4 952	1 560
Minimum	1 209	494	16	16	68	60	8	65	58	9	0
Maximum	385 311	379 643	13 068	13 068	1 522	1 506	239	65	121	51 849	19 833
Nb of values	27	27	27	27	27	27	27	27	27	27	27
% of NA	19%	19%	22%	22%	19%	15%	22%	15%	22%	0%	15%
% of NAP	4%	4%	37%	37%	63%	74%	63%	81%	70%	41%	56%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Austria: The administrative courts were established January 1st 2014. After their establishment the data of the administrative courts is introduced this cycle for the first time.

Czech Republic: Increases in the number of "other cases" are due to the change of methodology applied to the 2016 data.

Cyprus has a two tier system therefore the Supreme Court is the second, highest and final instance court.

Denmark: The number of "administrative law cases" is encompassed in the category of "civil and commercial litigious cases".

Greece: Any deviations from the 2015 figures are due to a new way of collecting statistics.

Italy: Figures referring to the activity of the Council of State (second instance of administrative justice) have been submitted to Q.99 rather than Q.097.

Portugal: Since 2015, administrative law cases are included in the total.

Table 3.5.5: Second instance courts, number of other than criminal law cases in 2016 - Pending cases older than 2 years. (Q97)

States	Pending cases older than 2 years					
	Other than criminal law cases		Civil (and commercial) litigious cases		Administrative law cases	
	Number	as a % of all pending cases on 31 Dec	Number	as a % of all pending cases on 31 Dec	Number	as a % of all pending cases on 31 Dec
Austria	NA	NA	NA	NA	NAP	NAP
Belgium	NA	NA	NA	NA	NAP	NAP
Bulgaria	NA	NA	NA	NA	NA	NA
Croatia	NA	NA	9 174	17,6%	NA	NA
Cyprus	NAP	NAP	NAP	NAP	NAP	NAP
Czech Republic	NA	NA	NA	NA	NAP	NAP
Denmark	NA	NA	NA	NA	NA	NA
Estonia	2	0,2%	1	0,2%	1	0,2%
Finland	NA	NA	NA	NA	NAP	NAP
France	NA	NA	NA	NA	NA	NA
Germany	NA	NA	NA	NA	NA	NA
Greece	NA	NA	NA	NA	NA	NA
Hungary	NA	NA	NA	NA	NA	NA
Ireland	NA	NA	NA	NA	NAP	NAP
Italy	185 908	48,2%	185 645	48,9%	NAP	NAP
Latvia	0	0,0%	0	0,0%	0	0,0%
Lithuania	29	0,4%	18	0,4%	11	0,3%
Luxembourg	NA	NA	NA	NA	NA	NA
Malta	1 657	86,2%	1 657	86,2%	NAP	NAP
Netherlands	NA	NA	NA	NA	NA	NA
Poland	NA	NA	NA	NA	NA	NA
Portugal	NA	NA	NA	NA	NA	NA
Romania	467	0,6%	460	0,6%	NAP	NAP
Slovakia	NA	NA	NA	NA	NA	NA
Slovenia	2	0,0%	2	0,1%	NAP	NAP
Spain	NA	NA	NA	NA	NA	NA
Sweden	2 247	15,4%	4	0,5%	2 230	18,4%
Average	23 789	18,9%	21 885	17,2%	561	4,7%
Median	248	0,5%	18	0,5%	6	0,2%
Minimum	0	0,0%	0	0,0%	0	0,0%
Maximum	185 908	86,2%	185 645	86,2%	2 230	18,4%
Nb of values	27	27	27	27	27	27
% of NA	67%	67%	63%	63%	48%	48%
% of NAP	4%	4%	4%	4%	37%	37%

Romania. Cases older than 3 years are presented

Table 3.6.1: Second instance courts, clearance rate (in %) in different types of other than criminal law cases in 2016 (Q97)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases *	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases
Austria	100,9%	NA	NA	NA	NA	NA	NA	NA	NA	NAP	NA
Belgium	110,1%	110,1%	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Bulgaria	100,6%	NA	NA	NA	NAP	NAP	NAP	NAP	NA	101,6%	NA
Croatia	111,5%	116,5%	106,5%	108,2%	87,6%	86,5%	103,9%	NAP	184,6%	86,2%	NAP
Cyprus	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Czech Republic	101,8%	101,8%	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	101,2%
Denmark	108,9%	108,9%	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Estonia	104,9%	106,0%	101,6%	101,6%	NAP	NAP	NAP	NAP	NAP	105,7%	NAP
Finland	117,9%	118,7%	113,8%	113,8%	NAP	NAP	NAP	NAP	NAP	NAP	133,3%
France	96,2%	95,4%	99,8%	99,8%	NAP	NAP	NAP	NAP	NAP	97,8%	NAP
Germany	NA	101,2%	NA	NA	NA	NA	NA	NA	NA	96,4%	104,3%
Greece	NA	74,8%	NA	NA	NA	NA	NA	NA	NA	107,3%	NA
Hungary	99,4%	100,2%	99,9%	99,5%	100,8%	NAP	97,6%	105,1%	112,7%	96,9%	94,8%
Ireland	82,4%	82,4%	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Italy	110,2%	110,8%	101,9%	101,9%	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Latvia	103,5%	96,3%	66,7%	66,7%	NAP	NAP	NAP	NAP	NAP	136,9%	NAP
Lithuania	99,7%	100,6%	NAP	NAP	NAP	NAP	NAP	NAP	NAP	94,0%	103,1%
Luxembourg	NA	106,2%	NA	NA	NA	NA	NA	NA	NA	101,7%	NA
Malta	106,2%	106,2%	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Netherlands	99,8%	NA	NA	NA	NAP	NAP	NA	NAP	NA	103,0%	NAP
Poland	96,6%	96,1%	96,1%	96,2%	92,5%	NAP	92,5%	NAP	NAP	88,8%	101,8%
Portugal	95,6%	97,1%	NAP	NAP	NAP	NAP	NAP	NAP	NAP	87,5%	NAP
Romania	106,3%	106,3%	105,1%	101,6%	106,9%	106,9%	NAP	NAP	NAP	NAP	NAP
Slovakia	114,0%	125,4%	102,0%	102,0%	NA	NAP	NA	NAP	NAP	91,7%	NAP
Slovenia	100,4%	100,2%	100,7%	100,6%	102,5%	98,3%	117,2%	NAP	NAP	NAP	NAP
Spain	98,1%	97,8%	NAP	NAP	NAP	NAP	NAP	NAP	NAP	100,3%	NAP
Sweden	99,5%	102,9%	NAP	NAP	NAP	NAP	NAP	NAP	NAP	97,9%	101,5%
Average	102,8%	102,7%	99,5%	99,3%	98,0%	97,2%	102,8%	105,1%	148,6%	99,6%	105,7%
Median	100,9%	101,8%	101,6%	101,6%	100,8%	98,3%	100,8%	105,1%	148,6%	97,9%	101,8%
Standard deviation	7,5%	10,8%	11,8%	11,8%	7,8%	10,2%	10,7%		50,8%	11,7%	12,6%
Minimum	82,4%	74,8%	66,7%	66,7%	87,6%	86,5%	92,5%	105,1%	112,7%	86,2%	94,8%
Maximum	117,9%	125,4%	113,8%	113,8%	106,9%	106,9%	117,2%	105,1%	184,6%	136,9%	133,3%
Nb of values	27	27	27	27	27	27	27	27	27	27	26
% of NA	11%	11%	22%	22%	19%	15%	22%	15%	22%	0%	15%
% of NAP	4%	4%	37%	37%	63%	74%	63%	81%	70%	41%	58%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable between 2012, 2013 and 2014.

Czech Republic: Increases in the number of "other cases" are due to the change of methodology applied to the 2016 data.

Denmark: The number of "administrative law cases" is encompassed in the category of "civil and commercial litigious cases".

Italy: Figures referring to the activity of the Council of State (second instance of administrative justice) have been submitted to Q.99 rather than Q.97.

Latvia: Very high Clearance rate for the category of "civil and commercial non-litigious cases" is due to very few existing cases of these category.

Sweden: The increase in the number of pending cases in second instance courts are explained mainly by an increasing number of social security cases from the administrative courts to the administrative courts of appeal.

Table 3.6.2: Second instance courts, disposition time (in days) in different types of other than criminal law cases in 2016 (Q97)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases *	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases**
Austria	66	NA	NA	NA	NA	NA	NA	NA	NA	NAP	NA
Belgium	NA	NA	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Bulgaria	76	NA	NA	NA	NAP	NAP	NAP	NAP	NA	62	NA
Croatia	264	328	148	138	255	272	37	NAP	195	119	NAP
Cyprus	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Czech Republic	70	69	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	95
Denmark	141	141	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Estonia	95	95	36	36	NAP	NAP	NAP	NAP	NAP	130	NAP
Finland	138	150	80	80	NAP	NAP	NAP	NAP	NAP	NAP	261
France	426	487	139	139	NAP	NAP	NAP	NAP	NAP	341	NAP
Germany	NA	245	NA	NA	NA	NA	NA	NA	NA	452	148
Greece	NA	1 149	NA	NA	NA	NA	NA	NA	NA	915	NA
Hungary	84	121	52	51	68	NAP	96	33	34	83	143
Ireland	NA	NA	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Italy	945	993	222	222	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Latvia	145	124	1 460	1 460	NAP	NAP	NAP	NAP	NAP	210	NAP
Lithuania	124	103	NAP	NAP	NAP	NAP	NAP	NAP	NAP	295	29
Luxembourg	NA	553	NA	NA	NA	NA	NA	NA	NA	228	NA
Malta	824	824	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Netherlands	348	NA	NA	NA	NAP	NAP	NA	NAP	NA	348	NAP
Poland	151	105	119	119	139	NAP	139	NAP	NAP	607	140
Portugal	198	114	NAP	NAP	NAP	NAP	NAP	NAP	NAP	714	NAP
Romania	131	131	144	119	155	155	NAP	NAP	NAP	NAP	NAP
Slovakia	102	121	78	78	NA	NAP	NA	NAP	NAP	299	NAP
Slovenia	81	97	59	59	55	65	25	NAP	NAP	NAP	NAP
Spain	199	181	NAP	NAP	NAP	NAP	NAP	NAP	NAP	319	NAP
Sweden	136	100	NAP	NAP	NAP	NAP	NAP	NAP	NAP	198	45
Average	226	297	230	227	134	164	74	33	114	332	123
Median	138	131	119	119	139	155	66	33	114	297	140
Standard deviation	238	320	411	412	80	104	53		114	237	77
Minimum	66	69	36	36	55	65	25	33	34	62	29
Maximum	945	1 149	1 460	1 460	255	272	139	33	195	915	261
Nb of values	27	27	27	27	27	27	27	27	27	27	26
% of NA	19%	19%	22%	22%	19%	15%	22%	15%	22%	0%	15%
% of NAP	4%	4%	37%	37%	63%	74%	63%	81%	70%	41%	58%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable between 2012, 2013 and 2014.

Czech Republic: Increases in the number of "other cases" are due to the change of methodology applied to the 2016 data.

Denmark: The number of "administrative law cases" is encompassed in the category of "civil and commercial litigious cases".

Italy: Figures referring to the activity of the Council of State (second instance of administrative justice) have been submitted to Q.99 rather than Q.097.

Latvia: Very high Clearance rate for the category of "civil and commercial non-litigious cases" is due to very few existing cases of these category.

Sweden: The increase in the number of pending cases in second instance courts are explained mainly by an increasing number of social security cases from the administrative courts to the administrative courts of appeal.

Table 3.7.1: Supreme courts, number of other than criminal law cases in 2016 - Pending cases on 1st Jan. (Q99)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases *	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases**
	1+2+3+4	1	2 = 2.1+2.2+2.3	2.1	2.2 = 2.2.1+2.2.2+2.2.3	2.2.1	2.2.2	2.2.3	2.3	3	4
Austria	2 935	NA	NA	NA	NA	NA	NA	NA	NA	2 148	NA
Belgium	1 554	1 243	NAP	NAP	NAP	NAP	NAP	NAP	NAP	311	NAP
Bulgaria	9 960	3 736	4	NA	NAP	NAP	NAP	NAP	NA	6 220	NAP
Croatia	17 643	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Cyprus	3 230	NA	NA	NA	NA	NA	NA	NA	NA	886	NA
Czech Republic	4 235	2 836	79	79	NAP	NAP	NAP	NAP	NAP	1 130	190
Denmark	114	114	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Estonia	91	49	NAP	NAP	NAP	NAP	NAP	NAP	NAP	42	NAP
Finland	4 746	549	NAP	NAP	NAP	NAP	NAP	NAP	NAP	3 916	281
France	28 489	23 041	NA	NA	NAP	NAP	NAP	NAP	NAP	5 448	NAP
Germany	10 558	NA	NA	NA	NA	NA	NA	NA	NA	3 837	1 449
Greece	18 956	NA	NA	NA	NA	NA	NA	NA	NA	16 296	NA
Hungary	2 428	1 121	47	38	8	NAP	7	1	1	903	357
Ireland	334	334	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Italy	130 953	104 094	NAP	NAP	NAP	NAP	NAP	NAP	NAP	26 392	467
Latvia	NA	1 644	NA	NA	NAP	NAP	NAP	NAP	NAP	671	NAP
Lithuania	281	252	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	29
Luxembourg	81	81	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Malta	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Netherlands	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Poland	4 660	4 660	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NAP
Portugal	1 492	416	NAP	NAP	NAP	NAP	NAP	NAP	NAP	1 076	NAP
Romania	40 023	18 702	256	29	227	227	NAP	NAP	NAP	21 065	NAP
Slovakia	12 799	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	4 086	NAP
Slovenia	1 282	798	13	11	2	2	NAP	NAP	NAP	471	NAP
Spain	21 022	10 732	NAP	NAP	NAP	NAP	NAP	NAP	NAP	10 290	NAP
Sweden	2 831	135	NAP	NAP	NAP	NAP	NAP	NAP	NAP	1 905	791
Average	13 362	9 186	80	39	79	115	7	1	1	5 636	509
Median	3 733	1 121	47	34	8	115	7	1	1	2 148	357
Minimum	81	49	4	11	2	2	7	1	1	42	29
Maximum	130 953	104 094	256	79	227	227	7	1	1	26 392	1 449
Nb of values	27	27	27	27	27	27	27	27	27	27	27
% of NA	7%	26%	33%	37%	22%	22%	22%	22%	26%	11%	19%
% of NAP	4%	4%	48%	48%	67%	70%	74%	74%	70%	19%	56%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Greece Unlike 2015 data, for 2016, the total includes also administrative law cases.

Italy: Only since 2014 the Council of State is taken into account at Q99.

Portugal: Since 2015, administrative law cases are included in the total.

Table 3.7.2: Supreme courts, number of other than criminal law cases in 2016 - Incoming cases (Q99)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases *	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases**
	1+2+3+4	1	2 = 2.1+2.2+2.3	2.1	2.2 = 2.2.1+2.2.2+2.2.3	2.2.1	2.2.2	2.2.3	2.3	3	4
Austria	6 703	NA	NA	NA	NA	NA	NA	NA	NA	4 250	NA
Belgium	1 350	812	NAP	NAP	NAP	NAP	NAP	NAP	NAP	538	NAP
Bulgaria	23 604	8 605	161	NA	NAP	NAP	NAP	NAP	NA	14 838	NAP
Croatia	7 964	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Cyprus	919	NA	NA	NA	NA	NA	NA	NA	NA	63	NA
Czech Republic	9 935	6 065	220	220	NAP	NAP	NAP	NAP	NAP	3 246	404
Denmark	248	248	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Estonia	285	184	NAP	NAP	NAP	NAP	NAP	NAP	NAP	101	NAP
Finland	6 195	999	NAP	NAP	NAP	NAP	NAP	NAP	NAP	4 785	411
France	30 018	20 398	NA	NA	NAP	NAP	NAP	NAP	NAP	9 620	NAP
Germany	15 591	NA	NA	NA	NA	NA	NA	NA	NA	6 755	2 305
Greece	6 597	NA	NA	NA	NA	NA	NA	NA	NA	4 675	NA
Hungary	7 069	3 301	707	626	47	NAP	39	8	34	2 030	1 031
Ireland	164	164	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Italy	39 793	29 270	NAP	NAP	NAP	NAP	NAP	NAP	NAP	10 100	423
Latvia	NA	1 568	NA	NA	NAP	NAP	NAP	NAP	NAP	1 116	NAP
Lithuania	709	576	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	133
Luxembourg	107	107	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Malta	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Netherlands	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Poland	8 357	8 357	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NAP
Portugal	4 069	2 748	NAP	NAP	NAP	NAP	NAP	NAP	NAP	1 321	NAP
Romania	58 015	22 103	221	37	184	184	NAP	NAP	NAP	35 691	NAP
Slovakia	13 460	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	3 641	NAP
Slovenia	2 719	1 808	22	21	1	1	NAP	NAP	NAP	889	NAP
Spain	19 956	10 649	NAP	NAP	NAP	NAP	NAP	NAP	NAP	9 307	NAP
Sweden	11 289	347	NAP	NAP	NAP	NAP	NAP	NAP	NAP	6 989	3 953
Average	11 463	6 227	266	226	77	93	39	8	34	6 313	1 237
Median	6 886	1 808	220	129	47	93	39	8	34	4 250	423
Minimum	107	107	22	21	1	1	39	8	34	63	133
Maximum	58 015	29 270	707	626	184	184	39	8	34	35 691	3 953
Nb of values	27	27	27	27	27	27	27	27	27	27	27
% of NA	7%	26%	33%	37%	22%	22%	22%	22%	26%	11%	19%
% of NAP	4%	4%	48%	48%	67%	70%	74%	74%	70%	19%	56%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Greece Unlike 2015 data, for 2016, the total includes also administrative law cases.

Italy: Only since 2014 the Council of State is taken into account at Q99.

Portugal: Since 2015, administrative law cases are included in the total.

Table 3.7.3: Supreme courts, number of other than criminal law cases in 2016 - Resolved cases (Q99)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases *	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases**
	1+2+3+4										
Austria	7 152	NA	NA	NA	NA	NA	NA	NA	NA	4 642	NA
Belgium	1 483	905	NAP	NAP	NAP	NAP	NAP	NAP	NAP	578	NAP
Bulgaria	22 636	8 388	162	NA	NAP	NAP	NAP	NAP	NA	14 086	NAP
Croatia	9 069	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Cyprus	461	NA	NA	NA	NA	NA	NA	NA	NA	120	NA
Czech Republic	9 481	5 971	231	231	NAP	NAP	NAP	NAP	NAP	2 954	325
Denmark	231	231	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Estonia	269	172	NAP	NAP	NAP	NAP	NAP	NAP	NAP	97	NAP
Finland	6 905	1 066	NAP	NAP	NAP	NAP	NAP	NAP	NAP	5 382	457
France	30 994	21 387	NA	NA	NAP	NAP	NAP	NAP	NAP	9 607	NAP
Germany	15 664	NA	NA	NA	NA	NA	NA	NA	NA	7 200	2 136
Greece	6 977	NA	NA	NA	NA	NA	NA	NA	NA	6 083	NA
Hungary	6 311	2 843	650	596	21	NAP	18	3	33	2 009	809
Ireland	311	311	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Italy	37 250	26 938	NAP	NAP	NAP	NAP	NAP	NAP	NAP	9 858	454
Latvia	NA	2 282	71	64	NAP	NA	NAP	NAP	7	1 027	69
Lithuania	692	550	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	142
Luxembourg	107	107	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Malta	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Netherlands	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Poland	8 723	8 723	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NAP
Portugal	4 002	2 728	NAP	NAP	NAP	NAP	NAP	NAP	NAP	1 274	NAP
Romania	65 812	27 860	306	58	248	248	NAP	NAP	NAP	37 646	NAP
Slovakia	18 267	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	3 920	NAP
Slovenia	2 770	1 847	26	24	2	2	NAP	NAP	NAP	897	NAP
Spain	14 502	8 893	NAP	NAP	NAP	NAP	NAP	NAP	NAP	5 609	NAP
Sweden	11 471	369	NAP	NAP	NAP	NAP	NAP	NAP	NAP	6 907	4 195
Average	11 731	6 398	241	195	90	125	18	3	20	6 310	1 073
Median	7 065	2 282	197	64	21	125	18	3	20	4 642	456
Minimum	107	107	26	24	2	2	18	3	7	97	69
Maximum	65 812	27 860	650	596	248	248	18	3	33	37 646	4 195
Nb of values	27	27	27	27	27	27	27	27	27	27	27
% of NA	7%	26%	30%	33%	22%	26%	22%	22%	26%	11%	19%
% of NAP	4%	4%	48%	48%	67%	67%	74%	74%	67%	19%	52%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Greece Unlike 2015 data, for 2016, the total includes also administrative law cases.

Italy: Only since 2014 the Council of State is taken into account at Q99.

Table 3.7.4: Supreme courts, number of other than criminal law cases in 2016 - Pending cases on 31 Dec. (Q99)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases *	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases**
	1+2+3+4	1	2 = 2.1+2.2+2.3	2.1	2.2 = 2.2.1+2.2.2+2.2.3	2.2.1	2.2.2	2.2.3	2.3	3	4
Austria	2 486	NA	NA	NA	NA	NA	NA	NA	NA	1 756	NA
Belgium	1 428	1 150	NAP	NAP	NAP	NAP	NAP	NAP	NAP	278	NAP
Bulgaria	10 928	3 953	3	NA	NAP	NAP	NAP	NAP	NA	6 972	NAP
Croatia	16 538	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Cyprus	3 688	NA	NA	NA	NA	NA	NA	NA	NA	829	NA
Czech Republic	4 689	2 930	68	68	NAP	NAP	NAP	NAP	NAP	1 422	269
Denmark	131	131	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Estonia	108	62	NAP	NAP	NAP	NAP	NAP	NAP	NAP	46	NAP
Finland	4 036	482	NAP	NAP	NAP	NAP	NAP	NAP	NAP	3 319	235
France	27 513	22 052	NA	NA	NAP	NAP	NAP	NAP	NAP	5 461	NAP
Germany	10 485	NA	NA	NA	NA	NA	NA	NA	NA	3 392	1 618
Greece	17 197	NA	NA	NA	NA	NA	NA	NA	NA	14 888	NA
Hungary	3 186	1 579	104	68	34	NAP	28	6	2	924	579
Ireland	187	187	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Italy	133 496	106 426	NAP	NAP	NAP	NAP	NAP	NAP	NAP	26 634	436
Latvia	NA	957	NA	NA	NAP	NAP	NAP	NAP	NAP	760	NAP
Lithuania	298	278	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	20
Luxembourg	81	81	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Malta	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Netherlands	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Poland	4 294	4 294	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NAP
Portugal	1 559	436	NAP	NAP	NAP	NAP	NAP	NAP	NAP	1 123	NAP
Romania	32 226	12 945	171	8	163	163	NAP	NAP	NAP	19 110	NAP
Slovakia	7 992	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	3 807	NAP
Slovenia	1 231	759	9	8	1	1	NAP	NAP	NAP	463	NAP
Spain	25 613	12 488	NAP	NAP	NAP	NAP	NAP	NAP	NAP	13 125	NAP
Sweden	2 649	113	NAP	NAP	NAP	NAP	NAP	NAP	NAP	1 987	549
Average	13 002	9 016	71	38	66	82	28	6	2	5 595	529
Median	3 862	957	68	38	34	82	28	6	2	1 987	436
Minimum	81	62	3	8	1	1	28	6	2	46	20
Maximum	133 496	106 426	171	68	163	163	28	6	2	26 634	1 618
Nb of values	27	27	27	27	27	27	27	27	27	27	27
% of NA	7%	26%	33%	37%	22%	22%	22%	22%	26%	11%	19%
% of NAP	4%	4%	48%	48%	67%	70%	74%	74%	70%	19%	56%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Greece Unlike 2015 data, for 2016, the total includes also administrative law cases.

Italy: Only since 2014 the Council of State is taken into account at Q99.

Table 3.7.5: Supreme courts, number of other than criminal law cases in 2016 - Pending cases older than 2 years. (Q99)

States	Other than criminal law cases		Civil (and commercial) litigious cases		Administrative law cases	
	Absolute number	% of pending cases	Absolute number	% of pending cases	Absolute number	% of pending cases
Austria	NA	NA	NA	NA	118	6,7%
Belgium	NA	NA	NA	NA	NAP	NAP
Bulgaria	NA	NA	NA	NA	479	6,9%
Croatia	NA	NA	NA	NA	NA	NA
Cyprus	NA	NA	NA	NA	NA	NA
Czech Republic	NA	NA	NA	NA	NA	NA
Denmark	NA	NA	NA	NA	NA	NA
Estonia	NAP	NAP	NAP	NAP	NAP	NAP
Finland	NA	NA	NA	NA	NA	NA
France	NA	NA	NA	NA	NA	NA
Germany	NA	NA	NA	NA	NA	NA
Greece	NA	NA	NA	NA	NA	NA
Hungary	0	0,0%	0	0,0%	0	0,0%
Ireland	NA	NA	NA	NA	NAP	NAP
Italy	NA	NA	52 947	49,8%	NA	NA
Latvia	NA	NA	503	52,6%	0	0,0%
Lithuania	0	0,0%	0	0,0%	NAP	NAP
Luxembourg	NA	NA	NA	NA	NAP	NAP
Malta	NAP	NAP	NAP	NAP	NAP	NAP
Netherlands	NA	NA	NA	NA	NA	NA
Poland	NA	NA	NA	NA	NAP	NAP
Portugal	NA	NA	NA	NA	NA	NA
Romania	1 514	4,7%	1 135	8,8%	373	2,0%
Slovakia	NA	NA	NA	NA	NA	NA
Slovenia	9	0,7%	6	0,8%	3	0,6%
Spain	NA	NA	NA	NA	NA	NA
Sweden	19	0,7%	2	1,8%	14	0,7%
Average	308	1,2%	7 799	16,2%	141	2,4%
Median	9	0,7%	6	1,8%	14	0,7%
Minimum	0	0,0%	0	0,0%	0	0,0%
Maximum	1 514	4,7%	52 947	52,6%	479	6,9%
Nb of values	27	27	27	27	27	27
% of NA	74%	74%	67%	67%	48%	48%
% of NAP	7%	7%	7%	7%	26%	26%

Romania. Cases older than 3 years are presented

Table 3.8.1: Supreme courts, clearance rate (in %) in different types of other than criminal law cases in 2016 (Q99)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases *	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases
Austria	106,7%	NA	NA	NA	NA	NA	NA	NA	NA	109,2%	NA
Belgium	109,9%	111,5%	NAP	NAP	NAP	NAP	NAP	NAP	NAP	107,4%	NAP
Bulgaria	95,9%	97,5%	100,6%	NA	NAP	NAP	NAP	NAP	NA	94,9%	NAP
Croatia	113,9%	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Cyprus	50,2%	NA	NA	NA	NA	NA	NA	NA	NA	190,5%	NA
Czech Republic	95,4%	98,5%	105,0%	105,0%	NAP	NAP	NAP	NAP	NAP	91,0%	80,4%
Denmark	93,1%	93,1%	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Estonia	94,4%	93,5%	NAP	NAP	NAP	NAP	NAP	NAP	NAP	96,0%	NAP
Finland	111,5%	106,7%	NAP	NAP	NAP	NAP	NAP	NAP	NAP	112,5%	111,2%
France	103,3%	104,8%	NA	NA	NAP	NAP	NAP	NAP	NAP	99,9%	NAP
Germany	100,5%	NA	NA	NA	NA	NA	NA	NA	NA	106,6%	92,7%
Greece	105,8%	NA	NA	NA	NA	NA	NA	NA	NA	130,1%	NA
Hungary	89,3%	86,1%	91,9%	95,2%	44,7%	NAP	46,2%	37,5%	97,1%	99,0%	78,5%
Ireland	189,6%	189,6%	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Italy	93,6%	92,0%	NAP	NAP	NAP	NAP	NAP	NAP	NAP	97,6%	107,3%
Latvia	NA	145,5%	NA	NA	NAP	NA	NAP	NAP	NAP	92,0%	NAP
Lithuania	97,6%	95,5%	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	106,8%
Luxembourg	100,0%	100,0%	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Malta	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Netherlands	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Poland	104,4%	104,4%	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NAP
Portugal	98,4%	99,3%	NAP	NAP	NAP	NAP	NAP	NAP	NAP	96,4%	NAP
Romania	113,4%	126,0%	138,5%	156,8%	134,8%	134,8%	NAP	NAP	NAP	105,5%	NAP
Slovakia	135,7%	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	107,7%	NAP
Slovenia	101,9%	102,2%	118,2%	114,3%	200,0%	200,0%	NAP	NAP	NAP	100,9%	NAP
Spain	72,7%	83,5%	NAP	NAP	NAP	NAP	NAP	NAP	NAP	60,3%	NAP
Sweden	101,6%	106,3%	NAP	NAP	NAP	NAP	NAP	NAP	NAP	98,8%	106,1%
Average	103,3%	107,2%	110,8%	117,8%	126,5%	167,4%	46,2%	37,5%	97,1%	105,1%	97,6%
Median	101,0%	100,0%	105,0%	109,6%	134,8%	167,4%	46,2%	37,5%	97,1%	99,9%	106,1%
Minimum	50,2%	83,5%	91,9%	95,2%	44,7%	134,8%	46,2%	37,5%	97,1%	60,3%	78,5%
Maximum	189,6%	189,6%	138,5%	156,8%	200,0%	200,0%	46,2%	37,5%	97,1%	190,5%	111,2%
Nb of values	27	27	27	27	27	27	27	27	27	27	27
% of NA	7%	26%	33%	37%	22%	26%	22%	22%	26%	11%	19%
% of NAP	4%	4%	48%	48%	67%	67%	74%	74%	70%	19%	56%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Cyprus: The number of litigious and non-litigious cases cannot be separated and constitute one overall category of civil cases.

Greece: Any deviations from the 2015 figures are due to a new way of collecting statistics.

Ireland: The low clearance rate is a result of a specific of the system where resolved cases out of courts do not have the obligation to report back to courts

Table 3.8.2: Supreme courts, disposition time (in days) in different types of other than criminal law cases in 2016 (Q99)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases *	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases**
Austria	127	NA	NA	NA	NA	NA	NA	NA	NA	138	NA
Belgium	351	464	NAP	NAP	NAP	NAP	NAP	NAP	NAP	176	NAP
Bulgaria	176	172	7	NA	NAP	NAP	NAP	NAP	NA	181	NAP
Croatia	666	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Cyprus	2 920	NA	NA	NA	NA	NA	NA	NA	NA	2 522	NA
Czech Republic	181	179	107	107	NAP	NAP	NAP	NAP	NAP	176	302
Denmark	207	207	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Estonia	147	132	NAP	NAP	NAP	NAP	NAP	NAP	NAP	173	NAP
Finland	213	165	NAP	NAP	NAP	NAP	NAP	NAP	NAP	225	188
France	324	376	NA	NA	NAP	NAP	NAP	NAP	NAP	207	NAP
Germany	244	NA	NA	NA	NA	NA	NA	NA	NA	172	276
Greece	900	NA	NA	NA	NA	NA	NA	NA	NA	893	NA
Hungary	184	203	58	42	591	NAP	568	730	22	168	261
Ireland	219	219	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Italy	1 308	1 442	NAP	NAP	NAP	NAP	NAP	NAP	NAP	986	351
Latvia	NA	153	NA	NA	NAP	NAP	NAP	NAP	NAP	270	NAP
Lithuania	157	184	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	51
Luxembourg	276	276	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Malta	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Netherlands	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Poland	180	180	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NAP
Portugal	142	58	NAP	NAP	NAP	NAP	NAP	NAP	NAP	322	NAP
Romania	179	170	204	50	240	240	NAP	NAP	NAP	185	NAP
Slovakia	160	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	354	NAP
Slovenia	162	150	126	122	183	183	NAP	NAP	NAP	188	NAP
Spain	645	513	NAP	NAP	NAP	NAP	NAP	NAP	NAP	854	NAP
Sweden	84	112	NAP	NAP	NAP	NAP	NAP	NAP	NAP	105	48
Average	423	282	101	80	338	211	568	730	22	437	211
Median	196	180	107	79	240	211	568	730	22	188	261
Minimum	84	58	7	42	183	183	568	730	22	105	48
Maximum	2 920	1 442	204	122	591	240	568	730	22	2 522	351
Nb of values	27	27	27	27	27	27	27	27	27	27	27
% of NA	7%	26%	33%	37%	22%	22%	22%	22%	26%	11%	19%
% of NAP	4%	4%	48%	48%	67%	70%	74%	74%	70%	19%	56%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Cyprus: The number of litigious and non-litigious cases cannot be separated and constitute one overall category of civil cases.

Greece: Any deviations from the 2015 figures are due to a new way of collecting statistics.

Ireland: The low clearance rate is a result of a specific of the system where resolved cases out of courts do not have the obligation to report back to courts

Table 3.9.1(2016): First instance courts: Caseload in the EU in 2016 (incoming cases per 100 inhabitants) (Q1, Q91)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases *	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases
Austria	37,6	1,0	30,2	19,1	11,1	7,8	3,3	NAP	NAP	0,6	5,7
Belgium	8,7	6,4	2,3	NAP	2,2	NAP	2,2	NAP	NAP	0,2	NAP
Bulgaria	4,8	NA	NA	NA	NAP	NAP	NAP	NAP	NA	0,4	NA
Croatia	23,2	3,3	19,6	4,4	15,2	11,8	3,4	NAP	NAP	0,3	NAP
Cyprus	3,0	NA	NA	NA	NA	NA	NA	NA	NA	0,2	NA
Czech Republic	9,8	3,1	6,2	4,6	1,6	NAP	1,6	NAP	0,0	0,1	0,3
Denmark	38,8	0,7	35,8	6,1	29,7	29,4	0,3	NAP	NAP	NAP	2,3
Estonia	24,7	1,2	23,2	3,3	19,9	8,2	11,8	NAP	NAP	0,2	NAP
Finland	8,2	0,2	7,2	7,2	NAP	NAP	NAP	NAP	NAP	0,7	0,2
France	3,5	2,6	0,6	0,6	NAP	NAP	NAP	NAP	NAP	0,3	NAP
Germany	4,3	1,6	NA	3,2	NA	NA	0,1	NA	NA	0,9	1,6
Greece	NA	1,4	NA	NA	NA	NA	NA	NA	NA	0,5	NA
Hungary	8,9	1,9	6,5	2,0	4,5	NAP	4,5	0,0	0,0	0,2	0,3
Ireland	5,0	2,7	2,2	2,2	NAP	NAP	NAP	NAP	NAP	NAP	0,0
Italy	6,0	2,6	3,4	3,4	NAP	NAP	NAP	NAP	NAP	0,1	NAP
Latvia	3,7	2,1	1,5	1,5	NAP	NAP	NAP	NAP	NAP	0,1	NAP
Lithuania	11,7	4,4	3,8	2,9	NAP	NAP	NAP	NAP	0,9	0,5	3,0
Luxembourg	1,8	0,8	0,9	0,2	NAP	NAP	NAP	NAP	0,7	0,2	NAP
Malta	1,5	1,5	NAP	NAP	NAP	NAP	NAP	NAP	NAP	0,0	NAP
Netherlands	7,3	0,9	5,7	5,7	NAP	NAP	NAP	NAP	NAP	0,7	NAP
Poland	29,0	2,9	25,2	12,5	12,2	9,3	2,9	NA	NA	0,2	0,7
Portugal	NA	3,0	NA	NA	NA	NAP	NAP	NA	NA	0,3	NA
Romania	7,5	6,8	0,1	0,1	0,0	0,0	0,0	NAP	NAP	0,6	NAP
Slovakia	17,0	3,7	4,7	1,1	2,1	NAP	2,1	NAP	1,5	0,2	8,4
Slovenia	34,4	2,5	23,4	8,9	14,5	11,7	2,8	NAP	NAP	0,1	8,4
Spain	4,2	2,1	1,7	1,7	NAP	NAP	NAP	NAP	NAP	0,4	NAP
Sweden	1,9	0,6	0,2	0,2	NAP	NAP	NAP	NAP	NAP	1,0	0,1
Average	12,3	2,4	9,7	4,3	10,3	11,2	2,9	0,0	0,6	0,4	2,6
Median	7,5	2,1	4,7	3,2	11,1	9,3	2,5	0,0	0,7	0,3	1,1
Minimum	1,5	0,2	0,1	0,1	0,0	0,0	0,0	0,0	0,0	0,0	0,0
Maximum	38,8	6,8	35,8	19,1	29,7	29,4	11,8	0,0	1,5	1,0	8,4
Nb of values	27	27	27	27	27	27	27	27	27	27	27
% of NA	7%	7%	19%	15%	15%	11%	7%	19%	22%	0%	15%
% of NAP	0%	0%	4%	7%	44%	63%	48%	78%	59%	7%	41%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Greece: Any deviations from the 2015 figures are due to a new way of collecting statistics.

Cyprus: The number of litigious and non-litigious cases cannot be separated and constitute one overall category of civil cases.

Denmark: The number of "administrative law cases" which are litigious is included in the number of "civil and commercial litigious cases".

Italy: Only since 2014 the 29 regional administrative courts data are taken into account in the number of cases on first instance.

Ireland: The low CR is a result of a specifics of the system where the cases resolved out of court are not obliged to report back to courts

Malta: Regarding the other than criminal cases, since 2014, the number of case categories used was increased, reflecting a more accurate representation of the caseload of the courts. Hence the comparability with previous cycles is not recommended.

Portugal: The category "civil (and commercial) litigious cases" does not include civil and labour enforcement cases.

Slovakia: The new structure of judicial data introduced in 2016 might cause the discrepancies and incompatibility of the data with the previous cycles.

Table 3.9.2(2016): First instance courts: Caseload in the EU in 2016 (pending cases on 31 Dec. per 100 inhabitants) (Q1, Q91)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases *	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases
Austria	5,8	0,4	4,3	4,0	0,3	0,2	0,0	NAP	NAP	0,6	0,6
Belgium	NA	NA	NA	NAP	NA	NAP	NA	NAP	NAP	0,2	NAP
Bulgaria	1,1	NA	NA	NA	NAP	NAP	NAP	NAP	NA	0,1	NA
Croatia	7,5	3,8	3,4	2,3	1,1	1,0	0,1	NAP	NAP	0,3	NAP
Cyprus	7,1	NA	NA	NA	NA	NA	NA	NA	NA	0,9	NA
Czech Republic	4,4	1,4	1,6	1,6	0,1	NAP	0,1	NAP	0,0	0,1	1,2
Denmark	2,3	0,4	1,4	1,3	0,1	0,0	0,1	NAP	NAP	NAP	0,5
Estonia	2,7	0,5	2,1	0,6	1,6	0,3	1,3	NAP	NAP	0,1	NAP
Finland	2,5	0,1	1,8	1,8	NAP	NAP	NAP	NAP	NAP	0,4	0,1
France	2,9	2,5	0,2	0,2	NAP	NAP	NAP	NAP	NAP	0,3	NAP
Germany	NA	0,9	NA	NA	NA	NA	2,1	NA	NA	0,9	1,8
Greece	NA	2,5	NA	NA	NA	NA	NA	NA	NA	2,2	NA
Hungary	1,4	0,8	0,3	0,3	0,0	NAP	NA	0,0	0,0	0,1	0,3
Ireland	NA	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	NAP	NA
Italy	6,7	4,1	2,2	2,2	NAP	NAP	NAP	NAP	NAP	0,4	NAP
Latvia	1,6	1,4	0,1	0,1	NAP	NAP	NAP	NAP	NAP	0,1	NAP
Lithuania	1,4	1,0	0,1	0,0	NAP	NAP	NAP	NAP	0,0	0,1	0,1
Luxembourg	NA	0,2	0,2	NAP	NAP	NAP	NAP	NAP	0,2	NA	NAP
Malta	2,0	1,9	NAP	NAP	NAP	NAP	NAP	NAP	NAP	0,1	NAP
Netherlands	1,7	0,3	1,0	1,0	NAP	NAP	NAP	NAP	NAP	0,3	NAP
Poland	5,0	1,7	2,9	2,7	1,3	1,0	0,3	NA	NA	0,1	0,2
Portugal	NA	2,7	NA	NA	NA	NAP	NAP	NA	NA	0,7	NA
Romania	3,2	2,9	0,1	0,0	0,0	0,0	0,0	NAP	NAP	0,3	NAP
Slovakia	4,9	1,7	1,5	0,5	0,2	NAP	0,2	NAP	0,8	0,1	1,5
Slovenia	7,2	2,0	4,0	3,7	0,3	0,3	0,0	NAP	NAP	0,1	1,1
Spain	2,8	1,7	0,7	0,7	NAP	NAP	NAP	NAP	NAP	0,3	NAP
Sweden	0,7	0,3	0,1	0,1	NAP	NAP	NAP	NAP	NAP	0,3	0,0
Average	3,6	1,5	1,5	1,3	0,5	0,4	0,4	0,0	0,2	0,4	0,7
Median	2,8	1,4	1,4	0,9	0,2	0,3	0,1	0,0	0,0	0,3	0,5
Minimum	0,7	0,1	0,1	0,0	0,0	0,0	0,0	0,0	0,0	0,1	0,0
Maximum	7,5	4,1	4,3	4,0	1,6	1,0	2,1	0,0	0,8	2,2	1,8
Nb of values	27	27	27	27	27	27	27	27	27	27	27
% of NA	22%	15%	26%	22%	19%	11%	15%	19%	22%	4%	19%
% of NAP	0%	0%	4%	11%	44%	63%	48%	78%	59%	7%	41%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Greece: Any deviations from the 2015 figures are due to a new way of collecting statistics.

Cyprus: The number of litigious and non-litigious cases cannot be separated and constitute one overall category of civil cases.

Denmark: The number of "administrative law cases" which are litigious is included in the number of "civil and commercial litigious cases".

Italy: Only since 2014 the 29 regional administrative courts data are taken into account in the number of cases on first instance.

Ireland: The low CR is a result of a specifics of the system where the cases resolved out of court are not obliged to report back to courts

Malta: Regarding the other than criminal cases, since 2014, the number of case categories used was increased, reflecting a more accurate representation of the caseload of the courts. Hence the comparability with previous cycles is not recommended.

Portugal: The category "civil (and commercial) litigious cases" does not include civil and labour enforcement cases.

Table 3.9.1(2015): First instance courts: Caseload in the EU in 2015 (incoming cases per 100 inhabitants) (Q1, Q91)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases *	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases
Austria	37,8	1,0	30,9	19,8	11,1	7,9	3,2	NAP	NAP	NAP	5,9
Belgium	NA	6,8	NA	NA	2,1	NAP	2,1	NAP	NA	0,2	NAP
Bulgaria	4,8	NA	NA	NA	NAP	NAP	NAP	NAP	NA	0,4	NA
Croatia	21,6	3,8	17,4	3,8	13,6	10,7	2,9	NAP	NAP	0,3	NAP
Cyprus	3,5	NA	NA	NA	NA	NA	NA	NA	NA	0,2	NA
Czech Republic	10,8	3,8	6,5	4,8	1,7	NAP	1,7	NAP	0,0	0,1	0,4
Denmark	45,4	0,7	42,4	6,1	36,3	36,1	0,2	NAP	NAP	NAP	2,3
Estonia	18,0	1,2	16,5	3,4	13,2	5,5	7,6	NAP	NAP	0,3	NAP
Finland	8,1	0,2	7,2	7,2	NAP	NAP	NAP	NAP	NAP	0,5	0,2
France	3,4	2,6	0,5	0,5	NAP	NAP	NAP	NAP	NAP	0,3	NAP
Germany	NA	1,7	NA	NA	NA	NA	NA	NA	NA	0,8	1,5
Greece	NA	2,1	NA	NA	NA	NA	NA	NA	NA	0,5	NA
Hungary	9,2	1,8	6,9	2,2	4,7	NAP	4,7	0,0	0,0	0,2	0,3
Ireland	5,3	3,0	2,3	2,3	NAP	NAP	NAP	NAP	NAP	NAP	0,0
Italy	5,7	2,5	3,2	3,2	NAP	NAP	NAP	NAP	NAP	0,1	NAP
Latvia	3,6	2,2	1,3	1,3	NAP	NAP	NAP	NAP	NAP	0,1	NAP
Lithuania	11,1	3,6	3,6	3,1	NAP	NAP	NAP	NAP	0,4	0,6	3,4
Luxembourg	NA	0,8	NA	NAP	NAP	NAP	NAP	NAP	NA	0,2	NAP
Malta	1,6	1,6	NAP	NAP	NAP	NAP	NAP	NAP	NAP	0,0	NAP
Netherlands	7,4	1,0	5,8	5,8	NAP	NAP	NAP	NAP	NAP	0,6	NAP
Poland	-	-	-	-	-	-	-	-	-	-	-
Portugal	NA	3,1	NA	NA	NA	NAP	NAP	NA	NA	0,3	NA
Romania	7,3	6,8	0,1	0,1	0,0	0,0	0,0	NAP	NAP	0,3	NAP
Slovakia	9,9	2,1	4,1	2,1	2,0	NAP	2,0	NAP	NA	0,2	3,5
Slovenia	38,8	2,8	25,8	10,0	15,9	12,9	3,0	NAP	NAP	0,2	9,9
Spain	4,8	2,3	2,1	2,1	NAP	NAP	NAP	NAP	NAP	0,4	NAP
Sweden	1,9	0,6	0,2	0,2	NAP	NAP	NAP	NAP	NAP	1,0	0,1
Average	12,4	2,4	9,8	4,3	10,1	12,2	2,7	0,0	0,2	0,3	2,5
Median	7,4	2,1	5,0	3,2	7,9	9,3	2,5	0,0	0,0	0,3	1,5
Minimum	1,6	0,2	0,1	0,1	0,0	0,0	0,0	0,0	0,0	0,0	0,0
Maximum	45,4	6,8	42,4	19,8	36,3	36,1	7,6	0,0	0,4	1,0	9,9
Nb of values	26	26	26	26	26	26	26	26	26	26	26
% of NA	19%	8%	27%	23%	15%	12%	12%	15%	31%	0%	15%
% of NAP	0%	0%	4%	8%	46%	65%	50%	81%	58%	12%	42%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Belgium: The pending cases of commercial courts, first instance (civil, youth, family) and justice of the peace are not included. Included in pending cases are: labor courts, police courts, courts of appeal.

Slovakia: In all evaluation cycles before 2016, it was not possible to distinguish number of pending cases solely on 1st instance since each case is considered pending until the moment a final decision is enacted and no further proceeding is possible.

Cyprus: The number of litigious and non-litigious cases cannot be separated and constitute one overall category of civil cases.

Germany: for civil and commercial litigious and administrative cases, the updated data is solely based on the statistics on the administration of justice published by the Federal Statistical Office. As far as the category "other", there are the most recent available data at the closing date of the CEPEJ data collection and involve

Hungary: There is a difference between the number of pending cases on 31 December 2014 and the number of pending cases on 1 January 2015. The cause of this difference is the change of the calculation method at some regional courts.

Italy: Only since 2014 the 29 regional administrative courts data are taken into account in the number of cases on first instance.

Malta: Regarding the other than criminal cases, since 2014, the number of case categories used was increased, reflecting a more accurate representation of the caseload of the courts. Hence the comparability with previous cycles is not recommended.

Portugal: The category "civil (and commercial) litigious cases" does not include civil and labour enforcement cases.

Table 3.9.2(2015): First instance courts: Caseload in the EU in 2015 (pending cases on 31 Dec. per 100 inhabitants) (Q1, Q91)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases *	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases
Austria	5,5	0,4	4,5	4,1	0,4	0,3	0,0	NAP	NAP	NAP	0,6
Belgium	NA	1,6	NA	NA	NA	NAP	NAP	NAP	NA	0,3	NAP
Bulgaria	1,0	NA	NA	NA	NAP	NAP	NAP	NAP	NA	0,1	NA
Croatia	7,9	4,4	3,2	2,3	0,8	0,8	0,1	NAP	NAP	0,4	NAP
Cyprus	7,2	NA	NA	NA	NA	NA	NA	NA	NA	0,9	NA
Czech Republic	4,9	1,8	2,0	1,8	0,1	NAP	0,1	NAP	0,0	0,1	1,1
Denmark	2,1	0,4	1,3	1,1	0,1	0,0	0,1	NAP	NAP	NAP	0,5
Estonia	2,7	0,4	2,2	0,6	1,6	1,3	0,2	NAP	NAP	0,1	NAP
Finland	2,4	0,2	1,8	1,8	NAP	NAP	NAP	NAP	NAP	0,4	0,1
France	2,8	2,4	0,1	0,1	NAP	NAP	NAP	NAP	NAP	0,2	NAP
Germany	NA	0,9	NA	NA	NA	NA	NA	NA	NA	0,8	2,1
Greece	NA	2,2	NA	NA	NA	NA	NA	NA	NA	2,4	NA
Hungary	1,5	0,8	0,3	0,3	0,0	NAP	NA	0,0	0,0	0,1	0,3
Ireland	NA	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	NAP	NA
Italy	6,9	4,4	2,1	2,1	NAP	NAP	NAP	NAP	NAP	0,4	NAP
Latvia	1,7	1,5	0,1	0,1	NAP	NAP	NAP	NAP	NAP	0,1	NAP
Lithuania	1,5	1,0	0,0	0,0	NAP	NAP	NAP	NAP	0,0	0,4	0,2
Luxembourg	NA	0,2	NA	NAP	NAP	NAP	NAP	NAP	NA	NA	NAP
Malta	2,2	2,1	NAP	NAP	NAP	NAP	NAP	NAP	NAP	0,1	NAP
Netherlands	1,8	0,3	1,2	1,2	NAP	NAP	NAP	NAP	NAP	0,3	NAP
Poland	-	-	-	-	-	-	-	-	-	-	-
Portugal	NA	3,1	NA	NA	NA	NAP	NAP	NA	NA	0,7	NA
Romania	3,3	3,0	0,1	0,0	0,0	0,0	0,0	NAP	NAP	0,2	NAP
Slovakia	6,8	3,0	1,3	1,2	0,1	NAP	0,1	NAP	NA	0,3	2,2
Slovenia	9,3	2,2	5,7	5,5	0,2	0,2	0,0	NAP	NAP	0,1	1,3
Spain	3,1	2,0	0,8	0,8	NAP	NAP	NAP	NAP	NAP	0,4	NAP
Sweden	0,7	0,3	0,1	0,1	NAP	NAP	NAP	NAP	NAP	0,3	0,0
Average	3,8	1,7	1,6	1,4	0,4	0,4	0,1	0,0	0,0	0,4	0,8
Median	2,7	1,6	1,3	1,1	0,1	0,3	0,1	0,0	0,0	0,3	0,6
Minimum	0,7	0,2	0,0	0,0	0,0	0,0	0,0	0,0	0,0	0,1	0,0
Maximum	9,3	4,4	5,7	5,5	1,6	1,3	0,2	0,0	0,0	2,4	2,2
Nb of values	26	26	26	26	26	26	26	26	26	26	26
% of NA	23%	12%	31%	27%	19%	12%	15%	15%	31%	4%	19%
% of NAP	0%	0%	4%	8%	46%	65%	54%	81%	58%	12%	42%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Belgium: The pending cases of commercial courts, first instance (civil, youth, family) and justice of the peace are not included. Included in pending cases are: labor courts, police courts, courts of appeal.

Slovakia: In all evaluation cycles before 2016, it was not possible to distinguish number of pending cases solely on 1st instance since each case is considered pending until the moment a final decision is enacted and no further proceeding is possible.

Cyprus: The number of litigious and non-litigious cases cannot be separated and constitute one overall category of civil cases.

Germany: for civil and commercial litigious and administrative cases, the updated data is solely based on the statistics on the administration of justice published by the Federal Statistical Office. As far as the category "other", there are the most recent available data at the closing date of the CEPEJ data collection and involve information from the 1st instance of the courts of appeal.

Hungary: There is a difference between the number of pending cases on 31 December 2014 and the number of pending cases on 1 January 2015. The cause of this difference is the change of the calculation method at some regional courts.

Italy: Only since 2014 the 29 regional administrative courts data are taken into account in the number of cases on first instance.

Malta: Regarding the other than criminal cases, since 2014, the number of case categories used was increased, reflecting a more accurate representation of the caseload of the courts. Hence the comparability with previous cycles is not recommended.

Table 3.9.1(2014): First instance courts: Caseload in the EU in 2014 (incoming cases per 100 inhabitants) (Q1, Q91)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases *	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases
Austria	NA	1,1	NA	20,3	NA	7,6	3,3	NA	NA	NA	6,0
Belgium	NA	6,7	NA	NA	NA	NAP	NA	NAP	NA	0,2	NAP
Bulgaria	4,4	NA	NA	NA	NAP	NAP	NAP	NAP	NA	0,3	NA
Croatia	22,2	3,9	18,0	4,7	13,3	10,4	2,9	NAP	NAP	0,3	NAP
Cyprus	2,8	NA	NA	NA	NA	NA	NA	NA	NA	0,2	NA
Czech Republic	9,1	4,6	4,1	1,4	2,3	NAP	2,3	NAP	0,4	0,1	0,3
Denmark	40,4	0,7	37,4	6,4	31,0	30,8	0,2	NAP	NAP	NAP	2,3
Estonia	18,1	1,3	16,6	3,6	13,0	7,4	5,5	NAP	NAP	0,3	NAP
Finland	8,1	0,2	7,2	7,2	NAP	NAP	NAP	NAP	NAP	0,5	0,2
France	3,4	2,6	0,5	0,5	NAP	NAP	NAP	NAP	NAP	0,3	NAP
Germany	NA	1,8	NA	2,9	NA	6,8	0,1	NA	NA	0,8	2,0
Greece	NA	2,2	NA	NA	NA	NA	NA	NA	NA	NA	NA
Hungary	8,6	1,8	6,2	1,8	4,4	NAP	4,3	0,0	0,0	0,2	0,4
Ireland	5,4	3,1	2,3	2,3	NAP	NAP	NAP	NAP	NAP	NAP	0,0
Italy	6,6	2,6	3,9	3,9	NAP	NAP	NAP	NAP	NAP	0,1	NAP
Latvia	3,6	2,3	1,4	1,4	NAP	NAP	NAP	NAP	NAP	0,1	NAP
Lithuania	10,7	4,0	3,1	2,8	NA	NA	NA	NA	0,3	0,5	3,1
Luxembourg	NA	0,9	NA	NAP	NAP	NAP	NAP	NAP	NA	0,2	NAP
Malta	1,6	1,5	NAP	NAP	NAP	NAP	NAP	NAP	NAP	0,0	NAP
Netherlands	7,5	1,0	5,8	NA	NAP	NAP	NAP	NAP	NAP	0,6	NAP
Poland	26,0	3,2	21,8	11,5	10,4	8,4	1,9	NA	NA	0,2	0,7
Portugal	NA	NA	NA	NA	NA	NAP	NAP	NA	NA	NA	NA
Romania	7,3	6,9	0,1	0,1	0,0	0,0	0,0	NAP	NAP	0,4	NAP
Slovakia	11,3	2,8	4,2	2,2	2,0	NAP	2,0	NAP	NA	0,2	4,2
Slovenia	42,3	2,9	28,5	11,1	17,4	14,4	3,1	NAP	NAP	0,3	10,6
Spain	4,6	2,2	2,1	2,1	NAP	NAP	NAP	NAP	NAP	0,4	NAP
Sweden	2,0	0,7	0,2	0,2	NAP	NAP	NAP	NAP	NAP	1,1	0,1
Average	11,7	2,5	9,1	4,5	10,4	10,7	2,3	0,0	0,3	0,3	2,5
Median	7,5	2,2	4,1	2,8	10,4	8,0	2,3	0,0	0,3	0,3	1,4
Minimum	1,6	0,2	0,1	0,1	0,0	0,0	0,0	0,0	0,0	0,0	0,0
Maximum	42,3	6,9	37,4	20,3	31,0	30,8	5,5	0,0	0,4	1,1	10,6
Nb of values	27	27	27	27	27	27	27	27	27	27	27
% of NA	22%	11%	30%	22%	26%	11%	15%	26%	37%	11%	15%
% of NAP	0%	0%	4%	7%	41%	59%	44%	70%	52%	7%	41%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Slovakia: In all evaluation cycles before 2016, it was not possible to distinguish number of pending cases solely on 1st instance since each case is considered pending until the moment a final decision is enacted and no further proceeding is possible.

Cyprus: The number of litigious and non-litigious cases cannot be separated and constitute one overall category of civil cases.

Germany: for civil and commercial litigious and administrative cases, the updated data is solely based on the statistics on the administration of justice published by the Federal Statistical Office. As far as the category "other", there are the most recent available data at the closing date of the CEPEJ data collection and involve information provided by the 16 Länder on the basis of the query lodged with the judicial administrations of the Länder. Some of the Länder were unable to provide complete data regarding question 91. Accordingly, the information for this category is incomplete and is not comparable with the 2013 data.

Italy: Only since 2014 the 29 regional administrative courts data are taken into account in the number of cases on first instance.

Malta: Regarding the other than criminal cases, since 2014, the number of case categories used was increased, reflecting a more accurate representation of the caseload of the courts. Hence the comparability with previous cycles is not recommended.

Portugal: The category "civil (and commercial) litigious cases" does not include civil and labour enforcement cases.

Table 3.9.2(2014): First instance courts: Caseload in the EU in 2014 (pending cases on 31 Dec. per 100 inhabitants) (Q1, Q91)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases *	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases
Austria	NA	0,4	NA	4,3	NA	0,3	0,0	NA	NA	NA	0,6
Belgium	NA	NA	NA	NA	NA	NAP	NA	NAP	NA	0,3	NAP
Bulgaria	1,0	NA	NA	NA	NAP	NAP	NAP	NAP	NA	0,1	NA
Croatia	8,4	4,6	3,4	2,4	1,0	0,9	0,1	NAP	NAP	0,3	NAP
Cyprus	6,1	NA	NA	NA	NA	NA	NA	NA	NA	0,9	NA
Czech Republic	3,8	2,1	0,7	0,5	0,1	NAP	0,1	NAP	0,0	0,1	0,9
Denmark	2,1	0,4	1,2	1,1	0,1	0,0	0,1	NAP	NAP	NAP	0,5
Estonia	1,6	0,5	1,1	0,7	0,4	0,3	0,1	NAP	NAP	0,1	NAP
Finland	2,3	0,2	1,7	1,7	NAP	NAP	NAP	NAP	NAP	0,4	0,1
France	2,7	2,4	0,1	0,1	NAP	NAP	NAP	NAP	NAP	0,2	NAP
Germany	NA	1,0	NA	NA	NA	NA	NA	NA	NA	0,8	2,3
Greece	NA	2,3	NA	NA	NA	NA	NA	NA	NA	NA	NA
Hungary	1,5	0,8	0,3	0,3	0,0	NAP	NA	0,0	0,0	0,1	0,4
Ireland	NA	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	NAP	NA
Italy	7,4	4,5	2,4	2,4	NAP	NAP	NAP	NAP	NAP	0,4	NAP
Latvia	1,8	1,6	0,2	0,2	NAP	NAP	NAP	NAP	NAP	0,1	NAP
Lithuania	1,6	1,0	0,0	0,0	NA	NA	NA	NA	0,0	0,4	3,1
Luxembourg	NA	0,2	NA	NAP	NAP	NAP	NAP	NAP	NA	NA	0,7
Malta	2,5	2,3	NAP	NAP	NAP	NAP	NAP	NAP	NAP	0,2	NAP
Netherlands	1,8	0,4	1,2	NA	NAP	NAP	NAP	NAP	NAP	0,3	NAP
Poland	4,0	1,8	1,8	1,2	0,7	0,5	0,1	NA	NA	0,1	0,3
Portugal	NA	NA	NA	NA	NA	NAP	NAP	NA	NA	NA	NA
Romania	3,3	3,0	0,1	0,0	0,0	0,0	0,0	NAP	NAP	0,3	NAP
Slovakia	7,3	3,7	1,3	1,2	0,1	NAP	0,1	NAP	NA	0,3	2,0
Slovenia	12,2	2,3	8,3	8,0	0,3	0,3	0,0	NAP	NAP	0,1	1,5
Spain	3,1	1,8	0,8	0,8	NAP	NAP	NAP	NAP	NAP	0,4	NAP
Sweden	0,8	0,3	0,1	0,1	NAP	NAP	NAP	NAP	NAP	0,3	0,0
Average	3,8	1,7	1,5	1,5	0,3	0,3	0,1	0,0	0,0	0,3	1,0
Median	2,6	1,7	1,1	0,8	0,1	0,3	0,1	0,0	0,0	0,3	0,6
Minimum	0,8	0,2	0,0	0,0	0,0	0,0	0,0	0,0	0,0	0,1	0,0
Maximum	12,2	4,6	8,3	8,0	1,0	0,9	0,1	0,0	0,0	0,9	3,1
Nb of values	27	27	27	27	27	27	27	27	27	27	27
% of NA	26%	19%	33%	30%	26%	15%	22%	26%	37%	15%	19%
% of NAP	0%	0%	4%	7%	41%	59%	44%	70%	52%	7%	37%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Slovakia: In all evaluation cycles before 2016, it was not possible to distinguish number of pending cases solely on 1st instance since each case is considered pending until the moment a final decision is enacted and no further proceeding is possible.

Cyprus: The number of litigious and non-litigious cases cannot be separated and constitute one overall category of civil cases.

Germany: for civil and commercial litigious and administrative cases, the updated data is solely based on the statistics on the administration of justice published by the Federal Statistical Office. As far as the category "other", there are the most recent available data at the closing date of the CEPEJ data collection and involve information provided by the 16 Länder on the basis of the query lodged with the judicial administrations of the Länder. Some of the Länder were unable to provide complete data regarding question 91. Accordingly, the information for this category is incomplete and is not comparable with the 2013 data.

Italy: Only since 2014 the 29 regional administrative courts data are taken into account in the number of cases on first instance.

Table 3.9.1(2013): First instance courts: Caseload in the EU in 2013 (incoming cases per 100 inhabitants) (Q1, Q91)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	General civil (and commercial) non-litigious cases *	Non-litigious enforcement cases*	Non-litigious land registry cases	Non-litigious business registry cases	Administrative law cases	Other cases**
Austria	39,9	1,2	21,0	12,0	7,6	3,6	NAP	6,6
Belgium	NA	6,7	NAP	NA	NA	NAP	NA	NAP
Bulgaria	4,9	NA	NA	NA	NA	NA	0,4	4,5
Croatia	25,6	4,8	6,3	3,4	11,1	3,0	0,3	NAP
Cyprus	NA	4,5	NA	NA	NA	NA	0,8	NA
Czech Republic	16,5	4,5	8,5	7,5	NAP	NAP	NAP	3,5
Denmark	41,2	0,8	6,6	6,5	31,3	0,2	NAP	2,2
Estonia	NA	1,3	3,9	NA	7,1	6,8	0,2	NAP
Finland	9,5	0,2	8,6	0,0	NAP	NAP	0,5	0,2
France	3,5	2,7	0,5	0,3	NAP	NAP	0,3	NAP
Germany	NA	1,8	NA	2,9	6,8	NA	0,8	2,0
Greece	NA	6,2	NA	NA	NA	NA	0,6	NA
Hungary	11,8	1,8	2,0	1,4	NAP	7,4	0,2	0,4
Ireland	NA	4,2	NA	NA	NAP	NAP	NAP	NA
Italy	7,0	2,7	4,3	0,9	NAP	NAP	0,1	NAP
Latvia	3,8	2,0	1,6	NAP	NAP	NAP	0,1	NAP
Lithuania	10,1	3,6	2,9	0,2	NA	NA	0,6	3,0
Luxembourg	NA	0,8	0,2	NA	NA	NAP	0,2	NAP
Malta	1,0	0,9	NAP	NAP	NAP	NAP	0,1	NAP
Netherlands	7,4	NA	NA	NAP	NAP	NAP	0,7	NAP
Poland	-	-	-	-	-	-	-	-
Portugal	NA	3,1	NAP	2,4	NAP	NAP	NA	NAP
Romania	8,0	4,2	2,9	2,7	0,0	0,0	1,0	NAP
Slovakia	12,8	3,0	2,3	0,0	NAP	2,1	0,2	5,2
Slovenia	44,7	3,1	12,2	10,7	13,8	2,8	0,3	12,5
Spain	-	-	-	-	-	-	-	-
Sweden	2,1	0,7	0,2	NAP	NAP	NAP	1,1	0,1
Average	14,7	2,8	5,3	3,6	11,1	3,2	0,4	3,7
Median	9,5	2,7	3,4	2,6	7,6	2,9	0,3	3,0
Minimum	1,0	0,2	0,2	0,0	0,0	0,0	0,1	0,1
Maximum	44,7	6,7	21,0	12,0	31,3	7,4	1,1	12,5
Nb of values	25	25	25	25	25	25	25	25
% of NA	32%	8%	24%	28%	24%	20%	8%	12%
% of NAP	0%	0%	12%	16%	48%	48%	16%	44%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Malta: Regarding the other than criminal cases, since 2014, the number of case categories used was increased, reflecting a more accurate representation of the caseload of the courts. Hence the comparability with previous cycles is not recommended.

Slovakia: In all evaluation cycles, it was not possible to distinguish number of pending cases solely on 1st instance since each case is considered pending until the moment a final decision is enacted and no further proceeding is possible.

Cyprus: The number of litigious and non-litigious cases cannot be separated and constitute one overall category of civil cases.

Table 3.9.2(2013): First instance courts: Caseload in the EU in 2013 (pending cases on 31 Dec. per 100 inhabitants) (Q1, Q91)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	General civil (and commercial) non-litigious cases *	Non-litigious enforcement cases*	Non-litigious land registry cases	Non-litigious business registry cases	Administrative law cases	Other cases**
Austria	5,8	0,4	4,5	3,0	0,3	0,0	NAP	0,6
Belgium	NA	NA	NAP	NA	NA	NAP	NA	NAP
Bulgaria	1,0	NA	NA	NA	NA	NA	0,1	0,9
Croatia	9,2	5,1	2,7	2,2	1,0	0,1	0,3	NAP
Cyprus	NA	6,1	NA	NA	NA	NA	0,9	NA
Czech Republic	3,3	2,1	0,7	0,4	NAP	NAP	NAP	0,6
Denmark	2,0	0,4	1,0	1,0	0,0	0,1	NAP	0,5
Estonia	NA	0,5	0,9	NA	0,3	0,1	0,1	NAP
Finland	2,5	0,2	1,9	0,0	NAP	NAP	0,4	0,1
France	2,6	2,2	0,1	0,1	NAP	NAP	0,2	NAP
Germany	NA	0,9	NA	NA	NA	NA	0,8	2,3
Greece	NA	5,6	NA	NA	NA	NA	3,1	NA
Hungary	NA	0,8	0,3	0,2	NAP	NA	0,1	0,5
Ireland	NA	NA	NA	NA	NAP	NAP	NAP	NA
Italy	7,5	5,3	2,3	0,9	NAP	NAP	0,5	NAP
Latvia	1,8	1,5	0,2	NAP	NAP	NAP	0,1	NAP
Lithuania	1,4	0,9	0,1	0,0	NA	NA	0,3	0,1
Luxembourg	NA	0,2	0,0	NA	NA	NAP	NA	NAP
Malta	2,3	2,1	NAP	NAP	NAP	NAP	0,2	NAP
Netherlands	1,8	NA	NA	NAP	NAP	NAP	0,3	NAP
Poland	-	-	-	-	-	-	-	-
Portugal	NA	3,4	NAP	10,6	NAP	NAP	NA	NAP
Romania	3,1	2,4	0,3	0,3	0,0	0,0	0,4	NAP
Slovakia	7,5	3,4	1,3	0,0	NAP	0,1	0,4	2,3
Slovenia	13,8	2,6	8,6	7,8	0,4	0,0	0,1	2,1
Spain	-	-	-	-	-	-	-	-
Sweden	0,8	0,3	0,1	NAP	NAP	NAP	0,4	0,0
Average	4,2	2,2	1,6	2,0	0,3	0,1	0,5	0,9
Median	2,5	2,1	0,8	0,4	0,3	0,1	0,3	0,6
Minimum	0,8	0,2	0,0	0,0	0,01	0,0	0,1	0,0
Maximum	13,8	6,1	8,6	10,6	1,0	0,1	3,1	2,3
Nb of values	25	25	25	25	25	25	25	25
% of NA	36%	16%	24%	32%	28%	24%	12%	12%
% of NAP	0%	0%	12%	16%	48%	48%	16%	44%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Malta: Regarding the other than criminal cases, since 2014, the number of case categories used was increased, reflecting a more accurate representation of the caseload of the courts. Hence the comparability with previous cycles is not recommended.

Slovakia: In all evaluation cycles, it was not possible to distinguish number of pending cases solely on 1st instance since each case is considered pending until the moment a final decision is enacted and no further proceeding is possible.

Cyprus: The number of litigious and non-litigious cases cannot be separated and constitute one overall category of civil cases.

Table 3.9.1(2012): First instance courts: Caseload in the EU in 2012 (incoming cases per 100 inhabitants) (Q1, Q91)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	General civil (and commercial) non-litigious cases *	Non-litigious enforcement cases*	Non-litigious land registry cases	Non-litigious business registry cases	Administrative law cases	Other cases**
Austria	41,3	1,2	21,0	12,1	8,2	4,0	NAP	6,9
Belgium	NA	6,8	NAP	NA	NA	NAP	NA	NAP
Bulgaria	5,4	NA	NA	NA	NA	NA	0,4	5,0
Croatia	25,8	4,3	9,9	4,5	11,2	NA	0,3	0,1
Cyprus	4,3	NA	NA	NA	NA	NA	0,2	NA
Czech Republic	10,0	3,5	2,8	1,8	NAP	NAP	NAP	3,7
Denmark	46,9	0,8	6,6	6,6	37,0	0,3	NAP	2,2
Estonia	20,6	1,3	3,4	NA	7,1	8,6	0,2	NAP
Finland	9,7	0,2	8,8	0,0	NAP	NAP	0,5	0,2
France	3,3	2,6	0,5	0,3	NAP	NAP	0,3	NAP
Germany	NA	2,0	NA	4,0	7,0	0,1	0,9	1,9
Greece	6,4	5,8	NA	NA	NA	NA	0,6	NA
Hungary	11,4	4,4	2,5	1,8	NAP	3,9	0,1	0,5
Ireland	NA	3,9	NA	NAP	NAP	NAP	NAP	NA
Italy	6,7	2,6	4,1	0,9	NAP	NAP	0,1	NAP
Latvia	3,5	2,2	1,4	NAP	NAP	NAP	0,2	NAP
Lithuania	9,3	3,6	2,6	0,1	NA	NA	0,3	2,9
Luxembourg	NA	0,9	0,2	NA	NA	NAP	0,3	NAP
Malta	1,1	1,0	NAP	NAP	NAP	NAP	0,1	NAP
Netherlands	7,5	NA	NA	NAP	NAP	NAP	0,7	NAP
Poland	26,1	2,8	12,5	2,3	8,3	1,6	0,2	0,8
Portugal	6,8	3,5	NA	3,3	NAP	NAP	NA	NA
Romania	8,6	5,2	2,4	2,2	0,0	0,0	1,1	NAP
Slovakia	11,8	3,0	2,6	0,0	NAP	1,8	0,3	4,1
Slovenia	45,1	3,0	12,2	10,6	14,9	2,4	0,2	12,4
Spain	NA	3,8	0,4	NA	NAP	NAP	0,4	NAP
Sweden	2,1	0,7	0,2	NAP	NAP	NAP	1,1	0,1
Average	14,3	2,9	5,2	3,4	11,7	2,5	0,4	3,1
Median	9,0	2,9	2,7	2,2	8,2	1,8	0,3	2,2
Minimum	1,1	0,2	0,2	0,0	0,0	0,0	0,1	0,1
Maximum	46,9	6,8	21,0	12,1	37,0	8,6	1,1	12,4
Nb of values	27	27	27	27	27	27	27	27
% of NA	19%	11%	26%	26%	22%	19%	7%	15%
% of NAP	0%	0%	7%	19%	48%	48%	15%	37%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Cyprus: The number of litigious and non-litigious cases cannot be separated and constitute one overall category of civil cases.

Malta: Regarding the other than criminal cases, since 2014, the number of case categories used was increased, reflecting a more accurate representation of the caseload of the courts. Hence the comparability with previous cycles is not recommended.

Table 3.9.2(2012): First instance courts: Caseload in the EU in 2012 (pending cases on 31 Dec. per 100 inhabitants) (Q1, Q91)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	General civil (and commercial) non-litigious cases *	Non-litigious enforcement cases*	Non-litigious land registry cases	Non-litigious business registry cases	Administrative law cases	Other cases**
Austria	6,1	0,5	4,6	2,9	0,5	NA	NAP	0,6
Belgium	NA	NA	NAP	NA	NA	NAP	NA	NAP
Bulgaria	1,1	NA	NA	NA	NA	NA	0,1	0,9
Croatia	9,6	5,1	3,0	2,5	1,3	NA	0,2	0,1
Cyprus	5,4	NA	NA	NA	NA	NA	0,6	NA
Czech Republic	3,6	1,6	0,3	0,0	NAP	NAP	NAP	1,6
Denmark	2,1	0,4	1,0	1,0	0,0	0,1	NAP	0,5
Estonia	2,8	0,7	0,9	NA	0,2	0,9	0,1	NAP
Finland	2,5	0,2	1,9	0,0	NAP	NAP	0,3	0,1
France	2,5	2,2	0,1	0,1	NAP	NAP	0,2	NAP
Germany	NA	1,0	NA	NA	NA	NA	0,8	2,4
Greece	7,8	4,3	NA	NA	NA	NA	3,5	NA
Hungary	NA	1,2	0,4	0,2	NAP	NA	0,1	0,6
Ireland	NA	NA	NA	NAP	NAP	NAP	NAP	NA
Italy	7,8	5,5	2,2	0,9	NAP	NAP	0,6	NAP
Latvia	2,0	1,7	0,1	NAP	NAP	NAP	0,2	NAP
Lithuania	1,1	0,9	0,0	0,0	NA	NA	0,1	0,1
Luxembourg	NA	0,3	0,0	NA	NA	NAP	NA	NAP
Malta	2,2	2,1	NAP	NAP	NAP	NAP	0,1	NAP
Netherlands	1,7	NA	NA	NAP	NAP	NAP	0,3	NAP
Poland	3,6	1,3	1,5	0,4	0,4	0,1	0,1	0,2
Portugal	15,5	3,5	NA	12,0	NAP	NAP	NA	NA
Romania	3,7	2,7	0,3	0,3	0,0	0,0	0,6	NAP
Slovakia	6,4	2,9	1,3	0,0	NAP	0,1	0,3	1,7
Slovenia	14,7	2,7	9,2	8,3	0,7	0,0	0,1	2,0
Spain	NA	2,8	0,1	NA	NAP	NAP	0,6	NAP
Sweden	0,9	0,3	0,1	NAP	NAP	NAP	0,4	0,0
Average	4,9	2,0	1,5	2,1	0,5	0,2	0,5	0,8
Median	3,6	1,7	0,6	0,3	0,4	0,1	0,3	0,6
Minimum	0,9	0,2	0,0	0,0	0,0	0,0	0,1	0,0
Maximum	15,5	5,5	9,2	12,0	1,3	0,9	3,5	2,4
Nb of values	27	27	27	27	27	27	27	27
% of NA	22%	19%	26%	30%	26%	30%	11%	15%
% of NAP	0%	0%	7%	19%	48%	48%	15%	37%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Cyprus: The number of litigious and non-litigious cases cannot be separated and constitute one overall category of civil cases.

Malta: Regarding the other than criminal cases, since 2014, the number of case categories used was increased, reflecting a more accurate representation of the caseload of the courts. Hence the comparability with previous cycles is not

Table 3.9.1(2010): First instance courts: Caseload in the EU in 2010 (incoming cases per 100 inhabitants) (Q1, Q91)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	General civil (and commercial) non-litigious cases *	Non-litigious enforcement cases*	Non-litigious land registry cases	Non-litigious business registry cases	Administrative law cases	Other cases**
Austria	42,9	1,3	22,3	13,0	8,1	3,2	NA	7,2
Belgium	NA	6,3	NAP	NA	NA	NAP	NA	NAP
Bulgaria	5,4	NA	NA	NA	NA	NA	0,4	5,0
Croatia	25,0	3,3	10,5	4,5	10,9	NA	0,3	0,0
Cyprus	3,8	3,3	NA	NA	NA	NA	0,2	0,3
Czech Republic	15,1	4,4	3,8	2,8	NAP	NA	NA	6,9
Denmark	47,2	1,1	7,7	7,7	38,1	0,2	NA	2,2
Estonia	5,7	1,6	3,8	NA	6,2	NA	0,3	NAP
Finland	7,2	0,2	6,3	0,0	NAP	NAP	0,6	0,2
France	3,5	2,8	0,5	0,3	NAP	NAP	0,3	NAP
Germany	NA	1,9	NA	3,9	7,1	0,7	0,8	1,9
Greece	4,9	4,0	NA	NA	NA	NA	0,8	NA
Hungary	6,8	2,0	4,0	NA	NA	3,3	0,1	0,6
Ireland	NA	NA	NA	NAP	NAP	NAP	NAP	NA
Italy	6,9	4,0	2,9	0,8	NAP	NAP	0,1	NAP
Latvia	5,8	2,3	3,3	NAP	NAP	NAP	0,2	NAP
Lithuania	9,2	6,2	NA	NA	NA	NA	0,2	2,7
Luxembourg	NA	0,4	NA	NA	NAP	NAP	0,1	NAP
Malta	1,2	1,2	NAP	NAP	0,0	NAP	0,0	NAP
Netherlands	8,7	NA	NA	NAP	NAP	NAP	0,7	NAP
Poland	24,4	2,1	11,6	3,7	8,2	1,5	0,2	0,8
Portugal	5,5	3,0	NA	2,6	NAP	NAP	NA	NA
Romania	8,2	5,0	2,7	2,5	0,0	NA	0,5	NAP
Slovakia	11,2	2,3	2,4	0,0	NAP	1,7	0,8	4,0
Slovenia	43,5	3,2	12,0	10,4	13,2	2,2	0,3	12,6
Spain	5,3	2,3	2,2	NAP	NAP	NAP	0,5	NAP
Sweden	2,1	0,7	0,2	NAP	NAP	NAP	1,1	0,0
Average	13,0	2,7	6,0	4,0	10,2	1,8	0,4	3,2
Median	6,9	2,3	3,8	2,8	8,1	1,7	0,3	2,1
Minimum	1,2	0,2	0,2	0,0	0,0	0,2	0,0	0,0
Maximum	47,2	6,3	22,3	13,0	38,1	3,3	1,1	12,6
Nb of values	27	27	27	27	27	27	27	27
% of NA	15%	11%	33%	30%	22%	30%	19%	11%
% of NAP	0%	0%	7%	22%	44%	44%	4%	37%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Slovakia: In all evaluation cycles, it was not possible to distinguish number of pending cases solely on 1st instance since each case is considered pending until the moment a final decision is enacted and no further proceeding is possible.

Table 3.9.2(2010): First instance courts: Caseload in the EU in 2010 (pending cases on 31 Dec. per 100 inhabitants) (Q1, Q91)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	General civil (and commercial) non-litigious cases *	Non-litigious enforcement cases*	Non-litigious land registry cases	Non-litigious business registry cases	Administrative law cases	Other cases**
Austria	6,4	0,5	4,9	3,2	0,2	NA	NA	0,6
Belgium	NA	NA	NAP	NA	NA	NAP	NA	NAP
Bulgaria	1,0	NA	NA	NA	NA	NA	0,1	0,9
Croatia	10,2	4,3	3,5	2,9	1,6	NA	0,8	0,0
Cyprus	4,8	3,9	NA	NA	NA	NA	0,7	0,2
Czech Republic	4,5	1,6	0,4	0,1	NAP	NA	NA	2,5
Denmark	3,7	0,6	2,0	1,9	0,5	0,1	NA	0,5
Estonia	2,1	0,9	1,0	NA	0,3	NA	0,1	NAP
Finland	1,9	0,1	1,3	0,0	NAP	NAP	0,4	0,1
France	2,4	2,1	0,1	0,1	NAP	NAP	0,3	NAP
Germany	NA	1,0	NA	NA	NA	NA	0,8	2,3
Greece	5,4	1,7	NA	NA	NA	NA	3,7	NA
Hungary	1,6	0,9	0,1	NA	NA	NA	0,1	0,5
Ireland	NA	NA	NA	NAP	NAP	NAP	NAP	NA
Italy	8,1	6,3	1,8	0,9	NAP	NAP	0,8	NAP
Latvia	2,1	1,7	0,2	NAP		NAP	0,2	NAP
Lithuania	1,2	1,0	NA	NA	NA	NA	0,1	0,1
Luxembourg	NA	0,3	NA	NA	NAP	NAP	0,0	NAP
Malta	2,5	2,5	NAP	NAP	0,1	NAP	0,0	NAP
Netherlands	1,6	NA	NA	NAP	NAP	NAP	0,3	NAP
Poland	3,2	1,0	1,1	0,4	0,8	0,1	0,1	0,2
Portugal	14,7	3,4	NA	11,2	NAP	NAP	NA	NA
Romania	3,2	2,7	0,3	0,2	0,0	NA	0,2	NAP
Slovakia	5,5	2,3	1,3	0,0	NAP	0,2	0,1	1,7
Slovenia	18,6	2,8	10,4	9,5	2,4	0,0	0,1	2,8
Spain	4,0	1,8	1,5	NAP	NAP	NAP	0,7	NAP
Sweden	1,0	0,3	0,1	NAP	NAP	NAP	0,5	0,0
Average	4,8	1,9	1,9	2,5	0,7	0,1	0,5	0,9
Median	3,2	1,7	1,2	0,7	0,4	0,1	0,2	0,5
Minimum	1,0	0,1	0,1	0,0	0,0	0,0	0,0	0,0
Maximum	18,6	6,3	10,4	11,2	2,4	0,2	3,7	2,8
Nb of values	27	27	27	27	26	27	27	27
% of NA	15%	15%	33%	33%	27%	41%	19%	11%
% of NAP	0%	0%	7%	22%	42%	44%	4%	37%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Slovakia: In all evaluation cycles, it was not possible to distinguish number of pending cases solely on 1st instance since each case is considered pending until the moment a final decision is enacted and no further proceeding is possible.

Table 3.9.3: First instance courts, variation of the caseload (incoming cases) in the EU between 2015 and 2016 (Q91)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases *	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases
Austria	-0,5%	-7,4%	-2,1%	-3,4%	+0,2%	-0,6%	+2,4%	NAP	NAP	NAP	-2,3%
Belgium	NA	-5,7%	NA	NAP	+1,0%	NAP	+1,0%	NAP	NAP	-14,3%	NAP
Bulgaria	-0,7%	NA	NA	NA	NAP	NAP	NAP	NAP	NA	-4,6%	NA
Croatia	+7,6%	-14,8%	+12,7%	+17,6%	+11,4%	+10,0%	+16,2%	NAP	NAP	+0,9%	NAP
Cyprus	-14,8%	NA	NA	NA	NA	NA	NA	NA	NA	-8,9%	NA
Czech Republic	-8,7%	-16,7%	-4,6%	-3,8%	-6,9%	NAP	-6,9%	NAP	+3,1%	+24,6%	-8,0%
Denmark	-14,5%	-1,7%	-15,5%	+0,8%	-18,2%	-18,6%	+40,5%	NAP	NAP	NAP	+0,1%
Estonia	+37,7%	+8,1%	+40,5%	-1,5%	+51,3%	+47,5%	+54,0%	NAP	NAP	-12,3%	NAP
Finland	+1,9%	-22,9%	-0,2%	-0,2%	NAP	NAP	NAP	NAP	NAP	+42,8%	-0,3%
France	+1,2%	+0,3%	+4,3%	+4,3%	NAP	NAP	NAP	NAP	NAP	+3,5%	NAP
Germany	NA	-8,6%	NA	NA	NA	NA	NA	NA	NA	+12,0%	+11,5%
Greece	NA	-35,7%	NA	NA	NA	NA	NA	NA	NA	-0,2%	NA
Hungary	-3,2%	+5,1%	-5,7%	-9,3%	-4,3%	NAP	-4,4%	+15,7%	+22,8%	+8,3%	-3,0%
Ireland	-5,2%	-8,2%	-0,9%	-0,9%	NAP	NAP	NAP	NAP	NAP	NAP	-37,4%
Italy	+5,1%	+0,8%	+5,8%	+5,8%	NAP	NAP	NAP	NAP	NAP	-11,5%	NAP
Latvia	+4,8%	-2,5%	+17,5%	+17,5%	NAP	NAP	NAP	NAP	NAP	-0,3%	NAP
Lithuania	+5,3%	+23,2%	+6,0%	-8,7%	NAP	NAP	NAP	NAP	+111,1%	-10,6%	-11,3%
Luxembourg	NA	-5,1%	NA	NAP	NAP	NAP	NAP	NAP	NA	-10,8%	NAP
Malta	-5,1%	-5,3%	NAP	NAP	NAP	NAP	NAP	NAP	NAP	+18,4%	NAP
Netherlands	-1,3%	-1,1%	-2,6%	-2,6%	NAP	NAP	NAP	NAP	NAP	+12,0%	NAP
Poland									NA	NA	
Portugal	NA	-2,0%	NA	NA	NA	NAP	NAP	NA	NA	-25,0%	NA
Romania	+3,0%	-0,7%	-4,0%	-3,6%	-5,2%	-1,0%	-28,4%	NAP	NAP	+80,5%	NAP
Slovakia	+72,1%	+80,3%	+15,0%	-46,8%	+6,6%	NAP	+6,6%	NAP	NA	-17,8%	+138,8%
Slovenia	-11,3%	-9,9%	-9,5%	-10,4%	-9,0%	-9,5%	-6,6%	NAP	NAP	-38,2%	-15,7%
Spain	-11,7%	-8,1%	-17,2%	-17,2%	NAP	NAP	NAP	NAP	NAP	-3,7%	NAP
Sweden	-0,2%	-2,6%	-2,0%	-2,0%	NAP	NAP	NAP	NAP	NAP	+0,6%	+17,7%
Average	2,9%	-1,7%	2,1%	-3,6%	2,7%	4,6%	7,4%	15,7%	45,7%	2,0%	8,2%
Median	-0,5%	-3,9%	-1,5%	-2,3%	-2,0%	-0,8%	1,7%	15,7%	22,8%	-0,3%	-2,3%
Standard deviation											
Minimum	-14,8%	-35,7%	-17,2%	-46,8%	-18,2%	-18,6%	-28,4%	15,7%	3,1%	-38,2%	-37,4%
Maximum	72,1%	80,3%	40,5%	17,6%	51,3%	47,5%	54,0%	15,7%	111,1%	80,5%	138,8%
Nb of values	26	26	26	26	26	26	26	27	27	26	26
% of NA	19%	8%	27%	19%	15%	12%	12%	19%	30%	0%	15%
% of NAP	0%	0%	4%	12%	46%	65%	50%	78%	59%	12%	42%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Greece: Any deviations from the 2015 figures are due to a new way of collecting statistics.

Cyprus: The number of litigious and non-litigious cases cannot be separated and constitute one overall category of civil cases.

Denmark: The number of "administrative law cases" which are litigious is included in the number of "civil and commercial litigious cases".

Italy: Only since 2014 the 29 regional administrative courts data are taken into account in the number of cases on first instance.

Ireland: The low CR is a result of a specifics of the system where the cases resolved out of court are not obliged to report back to courts

Malta: Regarding the other than criminal cases, since 2014, the number of case categories used was increased, reflecting a more accurate representation of the caseload of the courts. Hence the comparability with previous cycles is not recommended.

Portugal: The category "civil (and commercial) litigious cases" does not include civil and labour enforcement cases.

Slovakia: The new structure of judicial data introduced in 2016 might cause the discrepancies and incompatibility of the data with the previous cycles.

Table 3.9.4: First instance courts, variation of the caseload (pending cases on 31 Dec.) in the EU between 2015 and 2016 (Q91)

States	Total number of other than criminal law cases	Civil (and commercial) litigious cases	Total non-litigious cases	General civil (and commercial) non-litigious cases *	Registry cases	Non-litigious land registry cases	Non-litigious business registry cases	Other registry cases	Other non-litigious cases	Administrative law cases	Other cases
Austria	+6,7%	-5,5%	-4,5%	-2,0%	-31,6%	-34,6%	-11,4%	NAP	NAP	NAP	-3,5%
Belgium	NA	NA	NA	NAP	NA	NAP	NA	NAP	NAP	-14,3%	NAP
Bulgaria	+6,1%	NA	NA	NA	NAP	NAP	NAP	NAP	NA	-11,1%	NA
Croatia	-4,7%	-12,6%	+6,7%	-0,6%	+27,0%	+30,2%	-14,3%	NAP	NAP	-8,1%	NAP
Cyprus	-1,7%	NA	NA	NA	NA	NA	NA	NA	NA	-2,6%	NA
Czech Republic	-11,1%	-18,1%	-16,2%	-14,5%	-45,6%	NAP	-45,6%	NAP	+27,5%	+4,3%	+7,4%
Denmark	+7,6%	-1,5%	+13,0%	+13,8%	+5,0%	+81,2%	-7,7%	NAP	NAP	NAP	+0,4%
Estonia	-0,4%	+6,0%	-1,0%	-5,1%	+0,6%	-79,2%	+472,0%	NAP	NAP	-18,3%	NAP
Finland	+2,9%	-22,6%	+3,2%	+3,2%	NAP	NAP	NAP	NAP	NAP	+14,8%	-3,5%
France	+4,7%	+3,8%	+21,4%	+21,4%	NAP	NAP	NAP	NAP	NAP	+4,4%	NAP
Germany	NA	-5,1%	NA	NA	NA	NA	NA	NA	NA	+8,3%	-15,7%
Greece	NA	+10,7%	NA	NA	NA	NA	NA	NA	NA	-9,2%	NA
Hungary	-5,5%	+4,3%	-18,4%	-17,3%	-20,9%	NAP	NA	-20,9%	+26,3%	+1,2%	-16,6%
Ireland	NA	NA	NA	NA	NAP	NAP	NAP	NAP	NAP	NAP	NA
Italy	-3,1%	-7,2%	+7,4%	+7,4%	NAP	NAP	NAP	NAP	NAP	-12,2%	NAP
Latvia	-1,2%	-1,3%	+0,5%	+0,5%	NAP	NAP	NAP	NAP	NAP	-2,9%	NAP
Lithuania	-11,6%	+8,6%	+117,1%	+114,5%	NAP	NAP	NAP	NAP	+119,4%	-60,2%	-40,7%
Luxembourg	NA	-4,8%	NA	NAP	NAP	NAP	NAP	NAP	NA	NA	NAP
Malta	-7,8%	-8,0%	NAP	NAP	NAP	NAP	NAP	NAP	NAP	-2,5%	NAP
Netherlands	-5,6%	+4,5%	-11,8%	-11,8%	NAP	NAP	NAP	NAP	NAP	+10,0%	NAP
Poland									NA	NA	
Portugal	NA	-13,4%	NA	NA	NA	NAP	NAP	NA	NA	-3,5%	NA
Romania	-1,7%	-3,9%	-13,4%	-42,1%	-3,4%	-11,9%	+7,0%	NAP	NAP	+24,7%	NAP
Slovakia	-28,6%	-42,1%	+12,9%	-55,3%	+10,1%	NAP	+10,1%	NAP	NA	-59,8%	-31,7%
Slovenia	-22,7%	-7,4%	-30,3%	-32,2%	+15,6%	+16,6%	+4,1%	NAP	NAP	+23,4%	-17,8%
Spain	-11,7%	-13,1%	-9,2%	-9,2%	NAP	NAP	NAP	NAP	NAP	-9,6%	NAP
Sweden	+0,3%	+0,3%	-1,7%	-1,7%	NAP	NAP	NAP	NAP	NAP	-0,1%	+9,3%
Average	-4,5%	-5,8%	4,5%	-1,8%	-4,8%	0,4%	51,8%	-20,9%	57,7%	-5,6%	-11,2%
Median	-2,4%	-5,0%	-1,0%	-2,0%	0,6%	2,4%	-1,8%	-20,9%	27,5%	-2,7%	-9,6%
Standard deviation											
Minimum	-28,6%	-42,1%	-30,3%	-55,3%	-45,6%	-79,2%	-45,6%	-20,9%	26,3%	-60,2%	-40,7%
Maximum	7,6%	10,7%	117,1%	114,5%	27,0%	81,2%	472,0%	-20,9%	119,4%	24,7%	9,3%
Nb of values	26	26	26	26	26	26	26	27	27	26	26
% of NA	23%	15%	31%	23%	19%	12%	19%	19%	30%	4%	19%
% of NAP	0%	0%	4%	12%	46%	65%	50%	78%	59%	12%	42%

* Starting from 2014, non-litigious enforcement cases have been included in general civil (and commercial) non-litigious cases. Hence the number of General civil (and commercial) non-litigious cases in 2014 is comparable with General civil (and commercial) non-litigious cases + Non-litigious enforcement cases in the 2010, 2012 and 2013 tables.

** Due to the creation in 2014 of a category "other" in non-litigious cases, "other cases" category is not fully comparable before and after 2014.

Greece: Any deviations from the 2015 figures are due to a new way of collecting statistics.

Cyprus: The number of litigious and non-litigious cases cannot be separated and constitute one overall category of civil cases.

Denmark: The number of "administrative law cases" which are litigious is included in the number of "civil and commercial litigious cases".

Italy: Only since 2014 the 29 regional administrative courts data are taken into account in the number of cases on first instance.

Ireland: The low CR is a result of a specificity of the system where the cases resolved out of court are not obliged to report back to courts

Malta: Regarding the other than criminal cases, since 2014, the number of case categories used was increased, reflecting a more accurate representation of the caseload of the courts. Hence the comparability with previous cycles is not recommended.

Portugal: The category "civil (and commercial) litigious cases" does not include civil and labour enforcement cases.

Slovakia: The new structure of judicial data introduced in 2016 might cause the discrepancies and incompatibility of the data with the previous cycles.

Table 3.10.1 (EC): Disposition time* (in days) for total of first instance other than criminal cases* in 2010, 2014, 2015 and 2016 (Q91)

* Other than criminal cases refer to the CEPEJ categories: Civil (and commercial) litigious cases, general civil (and commercial) non-litigious cases, non-litigious land registry cases, non-litigious business registry cases, other non-litigious registry cases, other non-litigious cases, administrative law cases and other cases

States / Entities	EC Code	2010	2014	2015	2016
Austria	20	54	NA	53	57
Belgium	1	NA	NA	NA	NA
Bulgaria	2	67	78	78	84
Croatia	11	133	134	132	117
Cyprus	13	545	903	839	837
Czech Republic	3	115	157	164	155
Denmark	4	27	19	17	21
Estonia	6	120	33	39	40
Finland	26	98	103	111	113
France	10	256	304	304	312
Germany	5	NA	NA	NA	NA
Greece	8	510	NA	NA	NA
Hungary	17	79	63	59	57
Ireland	7	NA	NA	NA	NA
Italy	12	395	377	393	387
Latvia	14	140	179	161	160
Lithuania	15	43	54	50	41
Luxembourg	16	NA	NA	NA	NA
Malta	18	866	558	447	446
Netherlands	19	68	91	87	83
Poland	21	49	55	-	64
Portugal	22	1 096	NA	NA	NA
Romania	23	156	148	154	154
Slovakia	25	170	231	240	98
Slovenia	24	154	102	82	72
Spain	9	291	242	238	227
Sweden	27	185	133	126	132

Greece: Any deviations from the 2015 figures are due to a new way of collecting statistics.

Italy: Only since 2014 the 29 regional administrative courts data are taken into account in the number of cases on first instance.

Malta: Regarding the other than criminal cases, since 2014, the number of case categories used was increased, reflecting a more accurate representation of the caseload of the courts. Hence the comparability with previous cycles is not recommended.

Slovakia: The new structure of judicial data introduced in 2016 is the reason for the discrepancies and incompatibility of the data with the previous cycles.

$$\text{Calculated Disposition Time (days)} = \frac{\text{Number of pending cases at the end of a period}}{\text{Number of resolved cases in a period}} \times 365$$

Table 3.10.2 (EC): Disposition time* (in days) for first instance litigious civil and commercial cases in 2010, 2014, 2015 and 2016 (Q91)

States / Entities	EC Code	2010	2014	2015	2016
Austria	20	129	130	131	133
Belgium	1	NA	NA	87	NA
Bulgaria	2	NA	NA	NA	NA
Croatia	11	462	380	391	364
Cyprus	13	513	NA	NA	NA
Czech Republic	3	128	163	159	153
Denmark	4	182	177	174	176
Estonia	6	215	125	136	139
Finland	26	259	289	332	252
France	10	279	348	346	353
Germany	5	184	198	190	196
Greece	8	190	330	378	670
Hungary	17	160	144	159	159
Ireland	7	NA	NA	NA	NA
Italy	12	493	532	527	514
Latvia	14	315	255	234	247
Lithuania	15	55	97	96	88
Luxembourg	16	200	103	86	91
Malta	18	849	536	445	432
Netherlands	19	NA	132	115	121
Poland	21	180	203	-	216
Portugal	22	417	NA	315	289
Romania	23	217	146	154	153
Slovakia	25	364	524	401	130
Slovenia	24	315	270	277	280
Spain	9	314	318	325	282
Sweden	27	187	157	152	164

Greece: Any deviations from the 2015 figures are due to a new way of collecting statistics.

Cyprus: The number of litigious and non-litigious cases cannot be separated and constitute one overall category of civil cases.

Malta: Regarding the other than criminal cases, since 2014, the number of case categories used was increased, reflecting a more accurate representation of the caseload of the courts. Hence the comparability with previous cycles is not recommended.

Portugal: The category “civil (and commercial) litigious cases” does not include civil and labour enforcement cases.

Slovakia: The new structure of judicial data introduced in 2016 is the reason for the discrepancies and incompatibility of the data with the previous cycles.

$$\text{Calculated Disposition Time (days)} = \frac{\text{Number of pending cases at the end of a period}}{\text{Number of resolved cases in a period}} \times 365$$

Table 3.10.3 (EC): Disposition time (in days) for first instance administrative law cases in 2010, 2014, 2015 and 2016 (Q91)

States / Entities	EC Code	2010	2014	2015	2016
Austria	20	NA	NA	NAP	380
Belgium	1	NA	625	444	429
Bulgaria	2	113	124	122	108
Croatia	11	825	426	413	319
Cyprus	13	1 340	1 775	1 391	1 582
Czech Republic	3	NA	415	437	421
Denmark	4	NA	NAP	NAP	NAP
Estonia	6	146	141	117	108
Finland	26	238	280	271	279
France	10	338	305	313	314
Germany	5	373	367	349	375
Greece	8	2 003	NA	964	1 086
Hungary	17	202	148	110	109
Ireland	7	NAP	NAP	NAP	NAP
Italy	12	1 037	984	1 008	925
Latvia	14	439	155	197	217
Lithuania	15	160	310	236	72
Luxembourg	16	172	NA	NA	NA
Malta	18	2 758	1 408	495	1 464
Netherlands	19	159	171	168	178
Poland	21	121	139	-	143
Portugal	22	NA	NA	989	911
Romania	23	269	179	170	170
Slovakia	25	66	397	374	203
Slovenia	24	139	112	122	282
Spain	9	473	361	317	312
Sweden	27	190	114	105	108

Greece: Any deviations from the 2015 figures are due to a new way of collecting statistics.

Denmark: The number of “administrative law cases” which are litigious is included in the number of “civil and commercial litigious cases”.

Italy: Only since 2014 the 29 regional administrative courts data are taken into account in the number of cases on first

Malta: Regarding the other than criminal cases, since 2014, the number of case categories used was increased, reflecting a more accurate representation of the caseload of the courts. Hence the comparability with previous cycles is not recommended.

Slovakia: The new structure of judicial data introduced in 2016 is the reason for the discrepancies and incompatibility of the data with the previous cycles.

$$\text{Calculated Disposition Time (days)} = \frac{\text{Number of pending cases at the end of a period}}{\text{Number of resolved cases in a period}} \times 365$$

Table 3.10.4 (EC): Clearance rate* (in %) for total of first instance other than criminal cases* in 2010, 2014, 2015 and 2016 (Q91)

* Other than criminal cases refer to the CEPEJ categories: Civil (and commercial) litigious cases, general civil (and commercial) non-litigious cases, non-litigious land registry cases, non-litigious business registry cases, other non-litigious registry cases, other non-litigious cases, administrative law cases and other cases

States / Entities	EC Code	2010	2014	2015	2016
Austria	20	100,2%	NA	100,2%	100,4%
Belgium	1	NA	NA	NA	102,2%
Bulgaria	2	99,0%	102,0%	99,0%	98,8%
Croatia	11	111,5%	103,2%	101,6%	101,8%
Cyprus	13	84,2%	88,5%	90,2%	104,2%
Czech Republic	3	94,9%	97,3%	102,3%	105,2%
Denmark	4	106,7%	100,0%	100,0%	99,6%
Estonia	6	110,9%	98,2%	139,7%	97,7%
Finland	26	100,6%	102,3%	98,8%	98,1%
France	10	98,9%	94,9%	97,7%	98,5%
Germany	5	NA	NA	NA	NA
Greece	8	79,1%	NA	NA	NA
Hungary	17	107,3%	102,7%	101,4%	102,1%
Ireland	7	NA	72,8%	76,6%	76,1%
Italy	12	108,9%	109,3%	111,7%	104,5%
Latvia	14	96,0%	100,4%	105,7%	100,3%
Lithuania	15	106,5%	98,8%	100,5%	101,7%
Luxembourg	16	NA	NA	NA	101,7%
Malta	18	88,1%	102,2%	110,5%	107,4%
Netherlands	19	100,6%	99,1%	100,6%	100,2%
Poland	21	99,9%	101,9%	-	98,1%
Portugal	22	88,3%	NA	NA	NA
Romania	23	91,4%	111,1%	106,1%	101,3%
Slovakia	25	106,2%	101,9%	105,1%	106,2%
Slovenia	24	101,3%	103,8%	107,4%	106,1%
Spain	9	95,0%	101,1%	99,7%	104,6%
Sweden	27	93,3%	103,1%	103,5%	99,4%

Greece: Any deviations from the 2015 figures are due to a new way of collecting statistics.

Italy: Only since 2014 the 29 regional administrative courts data are taken into account in the number of cases on first instance.

Ireland: The low CR is a result of a specifics of the system where the cases resolved out of court are not obliged to report back to courts

Malta: Regarding the other than criminal cases, since 2014, the number of case categories used was increased, reflecting a more accurate representation of the caseload of the courts. Hence the comparability with previous cycles is not recommended.

Slovakia: The new structure of judicial data introduced in 2016 is the reason for the discrepancies and incompatibility of the data with the previous cycles.

$$\text{Clearance Rate (\%)} = \frac{\text{Resolved cases in a period}}{\text{Incoming Cases in a period}} \times 100$$

Table 3.10.5 (EC): Clearance rate* (in %) for first instance civil and commercial litigious cases in 2010, 2014, 2015 and 2016 (Q91)

States / Entities	EC Code	2010	2014	2015	2016
Austria	20	100,1%	103,0%	102,0%	102,0%
Belgium	1	NA	97,9%	98,9%	102,5%
Bulgaria	2	NA	NA	NA	NA
Croatia	11	101,8%	113,4%	107,1%	118,1%
Cyprus	13	84,0%	NA	NA	NA
Czech Republic	3	103,3%	104,7%	107,3%	110,0%
Denmark	4	101,9%	102,2%	101,9%	101,2%
Estonia	6	97,6%	104,2%	102,1%	97,6%
Finland	26	93,2%	104,6%	94,2%	124,8%
France	10	98,4%	94,4%	97,7%	99,0%
Germany	5	102,2%	100,2%	102,0%	102,7%
Greece	8	78,9%	113,1%	101,7%	98,8%
Hungary	17	101,7%	104,3%	99,0%	98,4%
Ireland	7	NA	55,6%	63,2%	59,2%
Italy	12	118,1%	119,3%	120,1%	113,2%
Latvia	14	86,2%	98,5%	105,4%	100,9%
Lithuania	15	101,9%	97,5%	102,5%	98,4%
Luxembourg	16	138,5%	96,8%	105,4%	100,0%
Malta	18	88,7%	101,3%	107,3%	107,3%
Netherlands	19	NA	99,1%	100,4%	100,7%
Poland	21	95,0%	99,3%	-	98,9%
Portugal	22	101,9%	NA	116,3%	112,3%
Romania	23	89,8%	108,7%	104,7%	102,0%
Slovakia	25	97,7%	91,7%	132,8%	132,0%
Slovenia	24	99,0%	109,1%	104,9%	106,4%
Spain	9	92,6%	98,0%	94,7%	103,1%
Sweden	27	97,9%	103,9%	103,9%	99,3%

Greece: Any deviations from the 2015 figures are due to a new way of collecting statistics.

Cyprus: The number of litigious and non-litigious cases cannot be separated and constitute one overall category of civil cases.

Ireland: The low CR is a result of a specifics of the system where the cases resolved out of court are not obliged to report back to courts

Malta: Regarding the other than criminal cases, since 2014, the number of case categories used was increased, reflecting a more accurate representation of the caseload of the courts. Hence the comparability with previous cycles is not recommended.

Portugal: The category "civil (and commercial) litigious cases" does not include civil and labour enforcement cases.

Germany: Data for 2016 still to be confirmed.

$$\text{Clearance Rate (\%)} = \frac{\text{Resolved cases in a period}}{\text{Incoming Cases in a period}} \times 100$$

Table 3.10.6 (EC): Clearance rate* (in %) for first instance administrative law cases in 2010, 2014, 2015 and 2016 (Q91)

States / Entities	EC Code	2010	2014	2015	2016
Austria	20	NA	NA	NAP	90,8%
Belgium	1	NA	88,2%	116,8%	120,9%
Bulgaria	2	97,8%	100,8%	99,0%	104,2%
Croatia	11	107,9%	85,8%	92,7%	109,3%
Cyprus	13	74,2%	103,5%	119,8%	112,8%
Czech Republic	3	NA	90,9%	92,1%	80,2%
Denmark	4	NA	NAP	NAP	NAP
Estonia	6	91,2%	90,4%	104,5%	105,6%
Finland	26	98,9%	97,1%	101,8%	79,4%
France	10	106,7%	96,3%	98,3%	99,1%
Germany	5	96,4%	100,3%	102,6%	92,3%
Greece	8	80,2%	NA	183,4%	148,1%
Hungary	17	95,6%	92,1%	105,3%	99,7%
Ireland	7	NAP	NAP	NAP	NAP
Italy	12	315,9%	155,6%	141,9%	153,5%
Latvia	14	103,2%	143,9%	107,4%	95,0%
Lithuania	15	83,5%	89,4%	99,7%	144,4%
Luxembourg	16	93,2%	93,5%	90,7%	97,7%
Malta	18	28,6%	148,7%	410,7%	114,4%
Netherlands	19	106,7%	98,9%	103,0%	95,3%
Poland	21	94,5%	96,5%	-	103,0%
Portugal	22	NA	NA	79,8%	111,5%
Romania	23	70,6%	161,0%	132,7%	91,8%
Slovakia	25	102,1%	124,8%	124,1%	112,0%
Slovenia	24	114,5%	103,0%	101,0%	87,1%
Spain	9	101,1%	112,5%	117,3%	111,6%
Sweden	27	88,5%	102,8%	103,7%	99,6%

Greece: Any deviations from the 2015 figures are due to a new way of collecting statistics.

Denmark: The number of “administrative law cases” which are litigious is included in the number of “civil and commercial litigious cases”.

Italy: Only since 2014 the 29 regional administrative courts data are taken into account in the number of cases on first instance.

Malta: Regarding the other than criminal cases, since 2014, the number of case categories used was increased, reflecting a more accurate representation of the caseload of the courts. Hence the comparability with previous cycles is not recommended.

Slovakia: The new structure of judicial data introduced in 2016 is the reason for the discrepancies and incompatibility of the data with the previous cycles.

$$\text{Clearance Rate (\%)} = \frac{\text{Resolved cases in a period}}{\text{Incoming Cases in a period}} \times 100$$

Table 3.10.7 (EC): Number of first instance other than criminal* pending cases on 31 Dec. per 100 inhabitants in 2010, 2014, 2015 and 2016 (Q1, Q91)

* Other than criminal cases refer to the CEPEJ categories: Civil (and commercial) litigious cases, general civil (and commercial) non-litigious cases, non-litigious land registry cases, non-litigious business registry cases, other non-litigious registry cases, other non-litigious cases, administrative law cases and other cases

States / Entities	EC Code	2010	2014	2015	2016
Austria	20	6,4	NA	5,5	5,8
Belgium	1	NA	NA	NA	NA
Bulgaria	2	1,0	1,0	1,0	1,1
Croatia	11	10,2	8,4	7,9	7,5
Cyprus	13	4,8	6,1	7,2	7,1
Czech Republic	3	4,5	3,8	4,9	4,4
Denmark	4	3,7	2,1	2,1	2,3
Estonia	6	2,1	1,6	2,7	2,7
Finland	26	1,9	2,3	2,4	2,5
France	10	2,4	2,7	2,8	2,9
Germany	5	NA	NA	NA	NA
Greece	8	5,4	NA	NA	NA
Hungary	17	1,6	1,5	1,5	1,4
Ireland	7	NA	NA	NA	NA
Italy	12	8,1	7,4	6,9	6,7
Latvia	14	2,1	1,8	1,7	1,6
Lithuania	15	1,2	1,6	1,5	1,4
Luxembourg	16	NA	NA	NA	NA
Malta	18	2,5	2,5	2,2	2,0
Netherlands	19	1,6	1,8	1,8	1,7
Poland	21	3,2	4,0	-	5,0
Portugal	22	14,7	NA	NA	NA
Romania	23	3,2	3,3	3,3	3,2
Slovakia	25	5,5	7,3	6,8	4,9
Slovenia	24	18,6	12,2	9,3	7,2
Spain	9	4,0	3,1	3,1	2,8
Sweden	27	1,0	0,8	0,7	0,7

Greece: Any deviations from the 2015 figures are due to a new way of collecting statistics.

Italy: Only since 2014 the 29 regional administrative courts data are taken into account in the number of cases on first instance.

Malta: Regarding the other than criminal cases, since 2014, the number of case categories used was increased, reflecting a more accurate representation of the caseload of the courts. Hence the comparability with previous cycles is not recommended.

Slovakia: The new structure of judicial data introduced in 2016 is the reason for the discrepancies and incompatibility of the data with the previous cycles.

Table 3.10.8 (EC): Number of first instance civil and commercial litigious pending cases on 31 Dec. per 100 inhabitants in 2010, 2014, 2015 and 2016 (Q1, Q91)

States / Entities	EC Code	2010	2014	2015	2016
Austria	20	0,5	0,4	0,4	0,4
Belgium	1	NA	NA	1,6	NA
Bulgaria	2	NA	NA	NA	NA
Croatia	11	4,3	4,6	4,4	3,8
Cyprus	13	3,9	NA	NA	NA
Czech Republic	3	1,6	2,1	1,8	1,4
Denmark	4	0,6	0,4	0,4	0,4
Estonia	6	0,9	0,5	0,4	0,5
Finland	26	0,1	0,2	0,2	0,1
France	10	2,1	2,4	2,4	2,5
Germany	5	1,0	1,0	0,9	0,9
Greece	8	1,7	2,3	2,2	2,5
Hungary	17	0,9	0,8	0,8	0,8
Ireland	7	NA	NA	NA	NA
Italy	12	6,3	4,5	4,4	4,1
Latvia	14	1,7	1,6	1,5	1,4
Lithuania	15	1,0	1,0	1,0	1,0
Luxembourg	16	0,3	0,2	0,2	0,2
Malta	18	2,5	2,3	2,1	1,9
Netherlands	19	NA	0,4	0,3	0,3
Poland	21	1,0	1,8	-	1,7
Portugal	22	3,4	NA	3,1	2,7
Romania	23	2,7	3,0	3,0	2,9
Slovakia	25	2,3	3,7	3,0	1,7
Slovenia	24	2,8	2,3	2,2	2,0
Spain	9	1,8	1,8	2,0	1,7
Sweden	27	0,3	0,3	0,3	0,3

Greece: Any deviations from the 2015 figures are due to a new way of collecting statistics.

Cyprus: The number of litigious and non-litigious cases cannot be separated and constitute one overall category of civil cases.

Malta: Regarding the other than criminal cases, since 2014, the number of case categories used was increased, reflecting a more accurate representation of the caseload of the courts. Hence the comparability with previous cycles is not recommended.

Portugal: The category "civil (and commercial) litigious cases" does not include civil and labour enforcement cases.

Slovakia: The new structure of judicial data introduced in 2016 is the reason for the discrepancies and incompatibility of the data with the previous cycles.

Table 3.10.9 (EC): Number of first instance administrative law pending cases on 31 Dec. per 100 inhabitants in 2010, 2014, 2015 and 2016(Q1, Q91)

States / Entities	EC Code	2010	2014	2015	2016
Austria	20	NA	NA	NAP	0,6
Belgium	1	NA	0,3	0,3	0,2
Bulgaria	2	0,1	0,1	0,1	0,1
Croatia	11	0,8	0,3	0,4	0,3
Cyprus	13	0,7	0,9	0,9	0,9
Czech Republic	3	NA	0,1	0,1	0,1
Denmark	4	NA	NAP	NAP	NAP
Estonia	6	0,1	0,1	0,1	0,1
Finland	26	0,4	0,4	0,4	0,4
France	10	0,3	0,2	0,2	0,3
Germany	5	0,8	0,8	0,8	0,9
Greece	8	3,7	NA	2,4	2,2
Hungary	17	0,1	0,1	0,1	0,1
Ireland	7	NAP	NAP	NAP	NAP
Italy	12	0,8	0,4	0,4	0,4
Latvia	14	0,2	0,1	0,1	0,1
Lithuania	15	0,1	0,4	0,4	0,1
Luxembourg	16	0,0	NA	NA	NA
Malta	18	0,0	0,2	0,1	0,1
Netherlands	19	0,3	0,3	0,3	0,3
Poland	21	0,1	0,1	-	0,1
Portugal	22	NA	NA	0,7	0,7
Romania	23	0,2	0,3	0,2	0,3
Slovakia	25	0,1	0,3	0,3	0,1
Slovenia	24	0,1	0,1	0,1	0,1
Spain	9	0,7	0,4	0,4	0,3
Sweden	27	0,5	0,3	0,3	0,3

Greece: Any deviations from the 2015 figures are due to a new way of collecting statistics.

Denmark: The number of “administrative law cases” which are litigious is included in the number of “civil and commercial litigious cases”.

Italy: Only since 2014 the 29 regional administrative courts data are taken into account in the number of cases on first instance.

Malta: Regarding the other than criminal cases, since 2014, the number of case categories used was increased, reflecting a more accurate representation of the caseload of the courts. Hence the comparability with previous cycles is not recommended.

Slovakia: The new structure of judicial data introduced in 2016 is the reason for the discrepancies and incompatibility of the data with the previous cycles.

Table 3.10.10 (EC): Number of first instance other than criminal* incoming cases per 100 inhabitants in 2010, 2014, 2015 and 2016 (Q1, Q91)

* Other than criminal cases refer to the CEPEJ categories: Civil (and commercial) litigious cases, general civil (and commercial) non-litigious cases, non-litigious land registry cases, non-litigious business registry cases, other non-litigious registry cases, other non-litigious cases, administrative law cases and other cases

States / Entities	EC Code	2010	2014	2015	2016
Austria	20	42,9	NA	37,8	37,6
Belgium	1	NA	NA	NA	8,7
Bulgaria	2	5,4	4,4	4,8	4,8
Croatia	11	25,0	22,2	21,6	23,2
Cyprus	13	3,8	2,8	3,5	3,0
Czech Republic	3	15,1	9,1	10,8	9,8
Denmark	4	47,2	40,4	45,4	38,8
Estonia	6	5,7	18,1	18,0	24,7
Finland	26	7,2	8,1	8,1	8,2
France	10	3,5	3,4	3,4	3,5
Germany	5	NA	NA	NA	4,3
Greece	8	4,9	NA	NA	NA
Hungary	17	6,8	8,6	9,2	8,9
Ireland	7	NA	5,4	5,3	5,0
Italy	12	6,9	6,6	5,7	6,0
Latvia	14	5,8	3,6	3,6	3,7
Lithuania	15	9,2	10,7	11,1	11,7
Luxembourg	16	NA	NA	NA	1,8
Malta	18	1,2	1,6	1,6	1,5
Netherlands	19	8,7	7,5	7,4	7,3
Poland	21	24,4	26,0	-	29,0
Portugal	22	5,5	NA	NA	NA
Romania	23	8,2	7,3	7,3	7,5
Slovakia	25	11,2	11,3	9,9	17,0
Slovenia	24	43,5	42,3	38,8	34,4
Spain	9	5,3	4,6	4,8	4,2
Sweden	27	2,1	2,0	1,9	1,9

Greece: Any deviations from the 2015 figures are due to a new way of collecting statistics.

Italy: Only since 2014 the 29 regional administrative courts data are taken into account in the number of cases on first instance.

Malta: Regarding the other than criminal cases, since 2014, the number of case categories used was increased, reflecting a more accurate representation of the caseload of the courts. Hence the comparability with previous cycles is not recommended.

Slovakia: The new structure of judicial data introduced in 2016 is the reason for the discrepancies and incompatibility of the data with the previous cycles.

Table 3.10.11 (EC): Number of first instance civil and commercial litigious incoming cases per 100 inhabitants in 2010, 2014, 2015 and 2016 (Q1, Q91)

States / Entities	EC Code	2010	2014	2015	2016
Austria	20	1,3	1,1	1,0	1,0
Belgium	1	6,3	6,7	6,8	6,4
Bulgaria	2	NA	NA	NA	NA
Croatia	11	3,3	3,9	3,8	3,3
Cyprus	13	3,3	NA	NA	NA
Czech Republic	3	4,4	4,6	3,8	3,1
Denmark	4	1,1	0,7	0,7	0,7
Estonia	6	1,6	1,3	1,2	1,2
Finland	26	0,2	0,2	0,2	0,2
France	10	2,8	2,6	2,6	2,6
Germany	5	1,9	1,8	1,7	1,6
Greece	8	4,0	2,2	2,1	1,4
Hungary	17	2,0	1,8	1,8	1,9
Ireland	7	NA	3,1	3,0	2,7
Italy	12	4,0	2,6	2,5	2,6
Latvia	14	2,3	2,3	2,2	2,1
Lithuania	15	6,2	4,0	3,6	4,4
Luxembourg	16	0,4	0,9	0,8	0,8
Malta	18	1,2	1,5	1,6	1,5
Netherlands	19	NA	1,0	1,0	0,9
Poland	21	2,1	3,2	-	2,9
Portugal	22	3,0	NA	3,1	3,0
Romania	23	5,0	6,9	6,8	6,8
Slovakia	25	2,3	2,8	2,1	3,7
Slovenia	24	3,2	2,9	2,8	2,5
Spain	9	2,3	2,2	2,3	2,1
Sweden	27	0,7	0,7	0,6	0,6

Greece: Any deviations from the 2015 figures are due to a new way of collecting statistics.

Cyprus: The number of litigious and non-litigious cases cannot be separated and constitute one overall category of civil cases.

Malta: Regarding the other than criminal cases, since 2014, the number of case categories used was increased, reflecting a more accurate representation of the caseload of the courts. Hence the comparability with previous cycles is not recommended.

Portugal: The category "civil (and commercial) litigious cases" does not include civil and labour enforcement cases.

Slovakia: The new structure of judicial data introduced in 2016 is the reason for the discrepancies and incompatibility of the data with the previous cycles.

Table 3.10.12 (EC): Number of first instance administrative law incoming cases per 100 inhabitants in 2010, 2014, 2015 and 2016 (Q1, Q91)

States / Entities	EC Code	2010	2014	2015	2016
Austria	20	NA	NA	NAP	0,6
Belgium	1	NA	0,2	0,2	0,2
Bulgaria	2	0,4	0,3	0,4	0,4
Croatia	11	0,3	0,3	0,3	0,3
Cyprus	13	0,2	0,2	0,2	0,2
Czech Republic	3	NA	0,1	0,1	0,1
Denmark	4	NA	NAP	NAP	NAP
Estonia	6	0,3	0,3	0,3	0,2
Finland	26	0,6	0,5	0,5	0,7
France	10	0,3	0,3	0,3	0,3
Germany	5	0,8	0,8	0,8	0,9
Greece	8	0,8	NA	0,5	0,5
Hungary	17	0,1	0,2	0,2	0,2
Ireland	7	NAP	NAP	NAP	NAP
Italy	12	0,1	0,1	0,1	0,1
Latvia	14	0,2	0,1	0,1	0,1
Lithuania	15	0,2	0,5	0,6	0,5
Luxembourg	16	0,1	0,2	0,2	0,2
Malta	18	0,02	0,03	0,02	0,02
Netherlands	19	0,7	0,6	0,6	0,7
Poland	21	0,2	0,2	-	0,2
Portugal	22	NA	NA	0,3	0,3
Romania	23	0,5	0,4	0,3	0,6
Slovakia	25	0,8	0,2	0,2	0,2
Slovenia	24	0,3	0,3	0,2	0,1
Spain	9	0,5	0,4	0,4	0,4
Sweden	27	1,1	1,1	1,0	1,0

Greece: Any deviations from the 2015 figures are due to a new way of collecting statistics.

Denmark: The number of “administrative law cases” which are litigious is included in the number of “civil and commercial litigious cases”.

Italy: Only since 2014 the 29 regional administrative courts data are taken into account in the number of cases on first instance.

Malta: Regarding the other than criminal cases, since 2014, the number of case categories used was increased, reflecting a more accurate representation of the caseload of the courts. Hence the comparability with previous cycles is not recommended.

Slovakia: The new structure of judicial data introduced in 2016 is the reason for the discrepancies and incompatibility of the data with the previous cycles.

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

Comments provided by the national correspondents organised by country

Question 91: First instance courts, number of other than criminal law cases

Question 92: Categories included in "civil (and commercial) non-litigious cases"

Question 93: Categories included in "other cases"

Question 97: Second instance courts, number of other than criminal law cases

Question 99: Supreme courts, number of other than criminal law cases

Question 101: Number of litigious divorce case, employment dismissal case and insolvency cases received and processed by first instance courts

Austria

Q091 (2016): Within the statistic analysis of Austrian justice system generally only pending cases older than 3 years are gathered. Therefore the column "Pending cases older than 2 years from the date the case came to the first instance court" has to be answered by "NA" in any case without exception. 486576

Due to the absolut low numbers of pending cases on 1 Jan./31 Dec. high deviations in percentage are normal.

Q91 (2015): General remarks: 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).

In the category criminal cases are only cases counted which are dealt with by a judge in a court hearing; not counted are cases of preliminary proceedings at the court dealt with by a judge and proceedings dealt with by the public prosecutor.

Civil and commercial non-litigious cases include:

(Se, S, MSch, PSch, P-Vorgänge, Pg-Vorgänge, Ps-Vorgänge, Pu-Vorgänge, SW)

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

Enforcement Cases

Category "other" includes:

(JV, A, T, G, Uh, Hc, Nc, Ha, Fam, Rv)

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

Q91 (2012): In 2012, a legislative reform entailed more obligations for companies to register.

Q092 (General Comment): The category of civil and commercial non-litigious cases for all of cycles includes: commencement of bankruptcy proceedings; bankruptcy proceedings; composition proceedings; non-litigious proceedings about rent, nonprofit 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.

Q92 (2014): For the year 2014, this category has been extended to the enforcement cases.

Q093 (General Comment): The category of other cases encompasses: probate proceedings; cases concerning the administration of justice; cancellation proceedings and proceedings in connection with [official] declaration of death; authentication of signatures; proceedings intended 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.

Q097 (2016): In the area of appeal cases concerning other than criminal law cases only the categories of general civil law, labour law and social law are gathered. The big variation is due to the fact that this cycle administrative cases were included first time after their establishment in...

The administrative courts were established January 1st 2014. After their establishment the data of the administrative courts is introduced this cycle for the first time.

Q099 (2016): Within the statistic analysis of Austrian justice system generally only pending cases older than 3 years are gathered. Therefore the column "Pending cases older than 2 years from the date the case came to the first instance court" has to be answered by "NA" in any case without exception. The big variation is due to the fact that this cycle the administrative cases were included.

The administrative courts were established January 1st 2014. After their establishment the data of the administrative courts is introduced this cycle for the first time.

Q101 (General Comment): For intentional homicide cases include only the cases against known offenders. The intentional homicide cases includes facts of murder, manslaughter, killing on demand, involvement in suicide and killing a child at birth (sec 75 to 79 criminal code).

For robbery cases include only the cases against known offenders and facts of robbery theft and heavy robbery (sec 131, 142 and 143 Austrian Criminal Code).

Belgium

Q091 (2016): Administrative cases: State Council, Alien Law Litigation Council, de Raad voor Vergunningsbetwistingen, het Milieuhandhavingcollege en de Raad voor Verkiezingsbetwistingen. The important decrease in the number of administrative cases is due to cases pertaining to immigration. There are 5 administrative courts, two of which are functioning at federal level: the State Council and the Alien Law Litigation Council. Before the latter, the number of incoming cases decreased.

Cases related to immigration and asylum are dealt with by the Alien Law Litigation Council – an administrative court at the same level that the State Council. It has a first instance competence on the merit of cases and a cassation competence on annulment or suspension. It is an independent administrative court. The Council can decide on appeals against decisions of the General Commissioner for Refugees and Stateless Persons, decisions of the Foreigners' Office, and other individual decisions taken within the frame of the Law of 15 December 1980 on the Access to the Territory, Stay, Establishment and Removal of Aliens (Law on Aliens).

Please also note that figures for juvenile courts as well as figures for civil cases treated by the police courts are not included in this cycle. These figures present very small number from the total number of cases.

Q91 (2015): The pending cases of commercial courts, first instance (civil, youth, family) and justice of the peace are not included.

Included in pending cases are: labor courts, police courts, courts of appeal, labor court

Q91 (2014): With regard to non-litigious business registry cases, the central register of notices of seizure, delegation, transfer, collective debt settlement and loan is managed by the National Chamber of Bailiffs. Administrative cases are handled by the State Council (except for cassation rulings), the Alien Litigation Council and the Flemish regional administrative colleges, "Raad voor verkiezingsbetwistingen, Raad voor milieuhandhaving by Raad voor vergunningbetwistingen". (judicial year 2013-2014).

Q91 (2012): 2010, 2012: Category 1 'civil (and commercial) litigious cases' includes the cases to be tried by the first instance courts, commercial courts (incl. disputed claims), justices of the peace and civil cases of the courts police, but does not apply to civil cases of youth. For 2010, there are no available data on the labour courts because the project to build a data warehouse 'Statistics labour courts' is not yet finalised.

The category 1 does not apply to cases to be tried in second instance by courts of first instance (acting as appeal courts for civil cases heard at first instance by justices of the peace and police courts). Unable to distinguish the cases from category 1, from those in category 2, they are all grouped in category 1.

Q91 (2010): 2010, 2012: Category 1 'civil (and commercial) litigious cases' includes the cases to be tried by the first instance courts, commercial courts (incl. disputed claims), justices of the peace and civil cases of the courts police, but does not apply to civil cases of youth. For 2010, there are no available data on the labour courts because the project to build a data warehouse 'Statistics labour courts' is not yet finalised.

The category 1 does not apply to cases to be tried in second instance by courts of first instance (acting as appeal courts for civil cases heard at first instance by justices of the peace and police courts). Unable to distinguish the cases from category 1, from those in category 2, they are all grouped in category 1.

Q91 (2010): 2010, 2012: Category 1 'civil (and commercial) litigious cases' includes the cases to be tried by the first instance courts, commercial courts (incl. disputed claims), justices of the peace and civil cases of the courts police, but does not apply to civil cases of youth. For 2010, there are no available data on the labour courts because the project to build a data warehouse 'Statistics labour courts' is not yet finalised.

The category 1 does not apply to cases to be tried in second instance by courts of first instance (acting as appeal courts for civil cases heard at first instance by justices of the peace and police courts). Unable to distinguish the cases from category 1, from those in category 2, they are all grouped in category 1.

Q092 (General Comment): Commercial court (2.2.2): the number of incoming cases corresponds to the number of resolved cases because only the filing date is known. For this reason, it has been decided to indicate the same figure in both columns. This methodology concerns only acts registered by the legal persons services of commercial courts, namely: free of charge release of the deed of constitution and the deed of modification of non-profit making associations (and no non-profit making associations), modification of statutes, administrators, staff ensuring every-day management, commissioners, dissolutions, liquidations, liquidators, copies of the members' register, annual accounts, general assembly, different texts and coordinates of statutes. In respect of electronically registered acts, the deed of constitution and the deed of modification have been taken into account.

Q093 (General Comment): Youth Court: protective cases of youth courts (concerning parents, minors in danger, minors in danger – accelerated procedure, facts qualified as offence).

Q097 (2016): Cases before courts of appeal and labour courts on the one hand, and appeals against decisions of Justices of Peace and Police courts rendered at first instance, on the other hand.

Q099 (General Comment): The total encompasses civil, social and tax cases before the Court of cassation, on the one hand, and administrative cases before the State Council, on the other hand. The number of incoming cases before the State Council decreased.

Q099 (2016): The total encompasses civil, social and tax cases before the Court of cassation, on the one hand, and administrative cases before the State Council, on the other hand. The number of incoming cases before the State Council decreased.

Q99 (2014): 2014: The civil and commercial cases include cases of roles C (private and public law), F (tax law) and S (employment law) of the Court of cassation. Administrative cases fall within the decisions of the Council of State in cassation.

Q99 (2010):

2010: The increase of 26% regarding the total of other than criminal cases between 2008 and 2010 can be explained by an overall increase in civil cases and a major increase in cases concerning labour law before the Court of Cassation.

Q99 (2010):

2010: The increase of 26% regarding the total of other than criminal cases between 2008 and 2010 can be explained by an overall increase in civil cases and a major increase in cases concerning labour law before the Court of Cassation.

Q101 (2016): Justices of Peace: no data on pending cases is available (in the beginning and at the end of the year); First instance civil courts and family courts: no data on pending cases is available (in the beginning and at the end of the year); Youth courts: data is not available for Eupen, Louvain, Bruxelles, Tournai, Mons; data is not available for resolved cases, pending cases and length of proceedings concerning first instance criminal courts (no data for Turnhout, Tongres, Hasselt, Louvain, Charleroi, Eupen); no data is available on length of proceedings and distribution by type of offences before Police courts; no data is available on civil matters; no data is available on incoming and pending cases and length of proceedings with regard to commercial courts (it concerns only the general registrar (including contested debt obligations), the applications registrar and summary proceedings registrar). It is noteworthy that the number of resolved cases is an estimation, namely the figure has been calculated taking into consideration the last judgment closing the case. Accordingly, all the subsequent decisions are not taken into account in the calculation – cases which were the subject of another judgment following the judgment terminating the case, and cases in which no judgment was handed down; no data is available on pending cases. Because of a lack of reliability, data on pending and resolved cases in insolvency matters (commercial courts) are not communicated. Concerning insolvency cases (commercial courts) it has to be noted that: incoming cases concern cases having the nature of insolvency cases, cases having an insolvency number and cases inserted in a registrar concerning insolvencies; cases pertaining to liquidations/dissolutions, to the law on the continuity of companies and to commercial inquiries (which do not result in bankruptcy) are not taken into account. Filter: having the nature of insolvency case or an insolvency number or being registered within the registrar F, G, H, K, L, V. The category “insolvency cases” encompasses insolvency proceedings of companies (Commercial Court) and personal insolvency proceedings (collective debt settlement before the Labour Court) which was not the case for the previous cycle.

Q101 (2015): The insolvency cases provided only include cases regarding individuals and not the ones concerning companies.

Bulgaria

Q91 (2014): In 2014, the number of all civil cases considered as an overall category can be obtained by extracting from the total the number of administrative cases. Accordingly, the following data can be provided in respect of the overall category of civil cases (litigious and non-litigious): 67 513 pending cases on 1 January 2014; 294 657 incoming cases; 300 799 resolved cases; 61 371 pending cases on 31 December 2014.

Q91 (2012): In the frame of the 2012 exercise, it has been explained that the number of pending administrative law cases on 31 December 2012 has increased because of the increase of the number of incoming cases in 2010 (21%) and 2012 (8%). Provided that judges of the administrative courts resolved about 72% on average of the cases during the year, the considerable number of incoming cases in 2012 led to an increase in unresolved cases at the end of the period.

Q093 (General Comment): Till 2014, the sum of all civil and commercial cases (litigious and not litigious) heard by first instance courts was represented within item “other”. However, in order to ensure better consistency of the comparative analyses of the CEPEJ, since 2014, even the category “other” is answered by “NA”.

Q097 (General Comment): The division by types of cases in the statistical forms published by Supreme Judicial Council of Bulgaria is quite different from the CEPEJ categorisation and for that reason breakdown cannot be made. Only administrative cases are possible to differentiate due to existence of administrative courts. Furthermore in Bulgaria registry cases are not resolved by the courts. They are under the competence of the Registry agency where is the property register, the commercial register, the BULSTAD register and the Register of the Property Relations between spouses.

Since there is no centralised Case Management System, the information on number of cases in different instances was summed up on the bases of the data collected from different courts and some mistakes are possible due to non-existence of control mechanism to check all the incoming courts data and spot eventual anomalies.

Till 2014, the sum of all civil and commercial cases (litigious and not litigious) heard by first instance courts was represented within item “other”. However, in order to ensure better consistency of the comparative analyses of the CEPEJ, for the 2014 exercise, even the category “other” is answered by “NA”. The total is correct and represents the sum of the “administrative law cases” which number is identifiable, on the one hand, and all the civil cases considered as an overall category, on the other hand.

Q097 (2016): There is no particular explanation for the downward trend observed between 2014 and 2016 in respect of the number of pending cases on 1 January for the categories "total" and "administrative law cases". All the data provided is correct.

Q97 (2012): In the frame of the 2012 exercise, it has been explained that the number of pending administrative law cases on 31 December 2012 has increased because of the increase of the number of incoming cases in 2010 and 2012.

Q099 (2016): There are also some other non-litigious cases that are not included in the data. However their number is insignificant.

Q101 (General Comment): Since there is no centralised Case Management System, the information on number of cases was summed up on the bases of the data collected from different courts and some mistakes are possible due to non-existence of control mechanism to check all the incoming courts data and spot eventual anomalies. Accordingly, some discrepancies can appear between data communicated for different cycles.

Q101 (2016): There is no particular explanation for the increase in the number of pending on 31 December 2016 employment dismissals cases. All the data provided is correct.

Q101 (2013): In the frame of the 2013 exercise, it has been specified in respect of the category "insolvency cases" that the increase of the number of pending cases on 1 January 2013 is due to the overall increase of the number of incoming cases justified by macroeconomic reasons, namely the global financial crisis.

Croatia

Q091 (2016): The number of unresolved land registry cases had increased and consequently the total number of "registry cases" had increased as well (in this collective category are also listed the cases of the court register). Simply, more land registry cases had been received in 2016 than in 2015 (about 50000).

Q91 (2015): In 2015 the reorganization of the judicial system in the Republic of Croatia, which is partly related to the reorganization of the second instance proceedings, has been carried out. Consequently, in the county courts there has been a harmonization of case registers and case codes (litigious, non-litigious and other) in a way that in 2015 courts carried out the alignment and correction of the indication of certain types of second-instance civil cases. For this reason, in 2015 the correction of the category of cases according to the new methodology of monitoring has been carried out.

The total of all categories is aligned with the continuity of previous cycle (horizontal consistency), whereas the individual categories in the column "Pending cases on Jan. 1 2015" are presented under the new revised indication of the types of cases. For example, some cases that have been categorized in previous cycles under category 'Other', the courts have categorized according to the certain types of dispute which was possible after new case registers were open (e.g. Enforcement – Security by lien on the basis of an agreement of the parties).

Civil (and commercial) litigious cases (including enforcement cases and if possible without administrative cases under 3) - in this category of cases are included county courts civil cases, as well as litigious and bankruptcy second instance cases of the High commercial court. Enforcement cases cannot be divided into enforcement litigious and non-litigious cases. In the previous cycles we have presented the total of enforcement cases. In the previous 2014 cycle, the enforcement cases have been presented under 2.1. and the same methodology is valid for 2015.

General Civil (and commercial) non-litigious cases e.g. undisputed payment order, request for name change, non-litigious enforcement cases, etc. (if it is possible without administrative cases under 3 and without register cases under 2) –this category includes non-litigious county courts second instance cases, which are, under the code types of cases, identified in the ICMS (Integrated court management system).

Registry cases - this category includes registry cases (point 2.2.2.) dealt by the High Commercial Court of the RoC. As regards land registry cases, dealt by the County Courts in the 2nd instance, we are not able to identify them through the ICMS. The identification and the track-record of those cases is possible as of 1 April 2015. At this moment, these cases are a part of the category "Other non-litigious cases", which are not being expressed in the category "General Civil (and commercial) non-litigious cases".

Table 91 Point 1 – Civil (and commercial) litigious cases (including enforcement cases, and if it is possible without administrative cases that are reflected under 3) – in this category of cases, according to the answer from 2014 and 2013, litigious cases from 1st instance courts and commercial courts as well as the insolvency cases from commercial courts are included. Enforcement cases cannot be divided into litigious and non-litigious enforcement cases. CEPEJ requested a division of the enforcement cases among those arising from final judgement and those that would be referred to the arbitral settlement of disputes or maybe judicial settlement. Republic of Croatia cannot express these categories of enforcement cases separately. In the previous evaluation cycles we have presented the total of enforcement cases. For 2015 and 2014 enforcement cases have been presented in the category "other non litigious cases"

Q91 (2014): On 1st November 2014, a new methodology of monitoring unresolved land registry cases was introduced into the judicial system, in a way that regular land registry cases (i.e. registration, note, caution) are not being monitored anymore and therefore are not presented in TOTAL column. Other land registry cases (i.e. objections, appeals, specific corrections, proposals for connection of land registries, establishing and supplementing land registries) are still being monitored.

Accordingly, there are differences in the category “non-litigious registry cases”, which reflects to the category “total cases”. In fact, the number of pending cases on 31 Dec. 2014 relates only to regular land registry cases, and does not include other land registry cases, which cases are, due to previous methodology, counted in categories incoming and resolved cases.

In the ambit of the 2014 exercise it has been recalled that the requested identification of the number of enforcement litigious cases and the number of enforcement non-litigious cases is impossible to be carried out in Croatia. Accordingly, the overall number of enforcement cases is subsumed in the category “general civil and commercial non-litigious cases”. □

2014: in comparison to 31 December 2013 and data delivered for the last Justice Scoreboard edition (data 2013), the Municipal Civil Court undertook the harmonization of data due to data migration. Therefore, the different statistical data is the consequence of that migration. Furthermore, after the new standardization of the audit, the Supreme Court has started to be less up-to-date since the number of received cases is far beyond the number of cases which the existing judges and advisors at the Supreme Court may resolve. In resolving the cases at the Supreme Court, advantage is given to urgent cases (determined by laws) and to old cases.

Q91 (2013): In respect of the category “civil and commercial non litigious cases” and the variations observed for the period 2010-2013, the explanation lies in the up-dated methodology of presentation of data. In 2013 and in contrast with the previous cycles, the Ministry of Justice was able to identify “company registry cases” and present them separately from “other civil and commercial non litigious cases”. □

On the occasion of the 2013 exercise, it has been specified that the discrepancies that can be observed in respect of the category “total of other than criminal cases” between the number of pending cases indicated for December 2012 and the number of pending cases communicated for January 2013, are due to the completion of the ICMS system implementation in all courts in 2013 and the following migration and unification of data into the same reporting system (more specifically, the slight difference of 107 cases refers to enforcement cases).

As to the category “general civil and commercial non-litigious cases”, in 2013 it included inheritance cases but excluded company registry cases (presented separately in row 5), while for 2012 the latter were encompassed within the category.

As for the category “non-litigious company registry cases”, their number could be identified for 2013, as the Ministry of Justice was enabled to list the number of company registry cases separately.

The increase in the number of incoming “civil and commercial litigious cases” between 2010 and 2013 was mostly due to the continuity of the negative economic situation in Croatia. By contrast, additional efforts of judges, as well as broadening the scope of powers of court advisors (amendments to the Courts Act) resulted in the increase of the number of resolved cases.

With regard to the category “non-litigious enforcement cases”, it is noteworthy that the observed decreases are related to the effective implementation of the enforcement on pecuniary means that is carried out by the Financial Agency (FINA). Since the creditor submits the proposal for enforcement directly to the Financial Agency (not to the court), these cases are not registered as court files.

In respect of the “non-litigious land registry cases”, it should be noticed that in 2013, the Land Registry Act was amended. Accordingly, court advisors deliver a decision in land registry cases, while the judge supervises its content. The competence of other persons for issuing land registry was also established, electronic delivery of submissions and e-notice board were introduced which significantly improved the resolving of land registry cases.

Q91 (2012): In respect of the “administrative law cases”, it is noteworthy that till December 2011, they were adjudicated at the Administrative Court of the Republic of Croatia. Provided that the latter was overburdened, the two-instance administrative adjudication was introduced in January 2012. Four regional administrative courts were established as first instance courts (Zagreb, Osijek, Rijeka and Split), and former Administrative Court became second-instance High Administrative Court (appellate court). Moreover, before the amendments to the Administrative Disputes Act, the court was deciding on the legality of administrative acts, and judges were adjudicating without the presence of parties. Since 2012, there is a mandatory oral court hearing before the first-instance courts.

Q092 (General Comment): The category “civil (and commercial) non-litigious cases” encompasses all non-litigious cases that are not stated in the different categories.

Q92 (2014): For 2013 and 2014, the provided examples concern only question 92: exercise of the parental care; meeting and spending time with parent; obtaining the capacity to exercise rights of minor that became parent; decision with whom the child will be living; issuing of the permit for entering into marriage before age of majority; deprivation/returning of capacity to exercise rights; deprivation/returning /prolongation of parental care; deprivation of parents' right to live with the child and raise the child; content of court will; security of evidence; setting-up/derogation of necessary passage; setting-up of court deposit, opening of a safe; verification of a contract on life-long support; amortization of documents; trust of a child with behavioural disorder; the recognition of foreign court decisions; declaring a missing person dead; co-ownership dissolution; meetings and spending time with grandmother, grandfather, sister, brother, half-sister, step-brother; land borders; regulation of relations between co-owners; restraining a child; providing legal aid; conclusion of court settlement; inheritance statement; proof of death; regulation of co-ownership relationships; boundaries and necessary passage; determination of extramarital union; other- family non-litigious proceedings; storage of the testament; providing international legal assistance; verification; other –the rest of non-litigious proceedings; international child abduction; other - proclamation of the deceased and proof of death; the appointment of members of the companies body; the appointment of auditors, temporary/interim administrator; the safeguard of evidence; the establishment of a court deposit; opening of the safe deposit box; registry cases; previous measures; forcible establishment of lien; temporary measure; temporary and previous measures, recognition of arbitration decisions; recognition of a foreign court decision; cases entering in the scope of Article 4 point 2 of the Companies Act; court insurance by the transfer of ownership and rights.

Q92 (2013): For 2013 and 2014, the provided examples concern only question 92: exercise of the parental care; meeting and spending time with parent; obtaining the capacity to exercise rights of minor that became parent; decision with whom the child will be living; issuing of the permit for entering into marriage before age of majority; deprivation/returning of capacity to exercise rights; deprivation/returning /prolongation of parental care; deprivation of parents' right to live with the child and raise the child; content of court will; security of evidence; setting-up/derogation of necessary passage; setting-up of court deposit, opening of a safe; verification of a contract on life-long support; amortization of documents; trust of a child with behavioural disorder; the recognition of foreign court decisions; declaring a missing person dead; co-ownership dissolution; meetings and spending time with grandmother, grandfather, sister, brother, half-sister, step-brother; land borders; regulation of relations between co-owners; restraining a child; providing legal aid; conclusion of court settlement; inheritance statement; proof of death; regulation of co-ownership relationships; boundaries and necessary passage; determination of extramarital union; other- family non-litigious proceedings; storage of the testament; providing international legal assistance; verification; other –the rest of non-litigious proceedings; international child abduction; other - proclamation of the deceased and proof of death; the appointment of members of the companies body; the appointment of auditors, temporary/interim administrator; the safeguard of evidence; the establishment of a court deposit; opening of the safe deposit box; registry cases; previous measures; forcible establishment of lien; temporary measure; temporary and previous measures, recognition of arbitration decisions; recognition of a foreign court decision; cases entering in the scope of Article 4 point 2 of the Companies Act; court insurance by the transfer of ownership and rights.

Q92 (2012): For the 2012 exercise, the provided indications constitute replies to both questions 92 and 93.

The non-litigious cases were divided in the following categories:

1. Non-litigious cases referred to issues on personal status (status law): restriction, deprivation and returning of capacity to exercise rights; prolongation of parental care; deprivation and restriction of parental care; permit for entering into marriage; confession of fatherhood; detention in the institutions for mental diseases; promulgation of vanished persons dead and proving of death;
2. Non-litigious cases referred to property issues: inheritance proceedings; regulation of co-ownership relations; division of property and voluntary transmission of common property; boundary regime/regulation; amortization of decrees; conduction of different registers;
3. In the scope of non-litigious cases there have been developed special, different units: bankruptcy proceedings; liquidations and forced settlements; land registry proceedings; enforcement proceedings.

Q93 (2014): In 2013 and 2014 the reply NAP in respect of the category "other" is due to the fact that a bankruptcy registry has not been established in the Republic of Croatia.

Q93 (2013): In 2013 and 2014 the reply NAP in respect of the category "other" is due to the fact that a bankruptcy registry has not been established in the Republic of Croatia.

Q93 (2012): For the 2012 exercise, the provided indications constitute replies to both questions 92 and 93. Non-litigious cases were divided in the following categories:

1. Non-litigious cases referred to issues on personal status (status law): restriction, deprivation and returning of capacity to exercise rights; prolongation of parental care; deprivation and restriction of parental care; permit for entering into marriage; confession of fatherhood; detention in the institutions for mental diseases; promulgation of vanished persons dead and proving of death;
2. Non-litigious cases referred to property issues: inheritance proceedings; regulation of co-ownership relations; division of property and voluntary transmission of common property; boundary regime/regulation; amortization of decrees; conduction of different registers;
3. In the scope of non-litigious cases there have been developed special, different units: bankruptcy proceedings; liquidations and forced settlements; land registry proceedings; enforcement proceedings.

Q097 (General Comment): It should be noticed that second instance bankruptcy cases are subsumed in the category “civil and commercial litigious cases”. A bankruptcy registry has not been established in the Republic of Croatia. Till 2014, the ICMS could not recognize and divide cases into litigious or non-litigious. Since 2014, ICMS was improved as Croatia introduced updated and a very detailed code table, in order to extract more detailed case types from the system. Therefore, since then distinction between all litigious and non-litigious cases as well as other types of cases can be made very accurately.

Q097 (2016): Second instance land registry cases, due to introducing separate case registers for certain type of cases on second instance courts, are now traceable as such in case management system. They have been taken out from Other non-litigious cases, where they were presented in previous cycles. The number of administrative cases, both in incoming and pending cases at the end of period is increasing. This is due to the law changes, which have extend jurisdiction of this court and consequently increase income of cases and unresolved cases at the end of period.

Q97 (2014): It is noteworthy that in 2012 and 2013, the ICMS could not recognize and divide cases into litigious or non-litigious. In 2014, the ICMS was improved as Croatia introduced updated and a very detailed code table, in order to extract more detailed case types from the system. Therefore, now the distinction between all cases in litigious and non-litigious cases as well as other types of cases can be made very accurately. This change of methodology of categorisation affected the difference between pending cases on 31 December 2013 and pending cases on 1 January 2014 which will disappear in the next cycle.

Q97 (2013): In the frame of the 2013 exercise it has been explained that the discrepancies that can be observed in respect of the category “total of other than criminal cases” between the number of pending cases indicated for December 2012 and the number of pending cases communicated for January 2013, result from an administrative correction of a specific small number of cases by the second instance courts after the closure of the statistic period, which the reporting system then generates as a difference concerning previously rendered data.

As to the category “civil and commercial litigious cases”, owing to a different methodology of presentation of data, the number of pending cases in the end of 2012 does not coincide with the number of pending cases in the beginning of 2013. The number of pending cases on 31 December 2012 included second instance-civil and commercial courts’ cases, bankruptcy cases, general non-litigious cases, enforcement cases, land registry cases and company registry cases. Since 2013, it is possible to provide data on the second-instance civil and commercial litigation cases and bankruptcy cases separately from the general non-litigious cases, enforcement cases, land registry cases and company registry cases.

The variations observed with regard to the category “total of other than non-criminal law cases” for the period 2010-2013 can be explained by the negative economic situation in Croatia, which resulted in the increase of incoming commercial and civil cases before first instance courts and consequently led to the increase of the second instance cases.

Q97 (2012): As to the variations observed in respect of the “administrative law cases”, they are justified by the reform related to the administrative justice. Basically, till December 2011, they were adjudicated at the Administrative Court of the Republic of Croatia. Provided that the latter was overburdened, the two-instance administrative adjudication was introduced in January 2012. Four regional administrative courts were established as first instance courts (Zagreb, Osijek, Rijeka and Split), and former Administrative Court became second-instance High Administrative Court (appellate court).

Q099 (2016): At the beginning of 2015 there were 14700 unresolved cases, but due to a large influx of revision proceedings and a slower solving of cases in 2015, at the beginning of 2016 there were 17643 unresolved cases.

Q99 (2015): In the table 99. cases dealt by the Supreme Court of the RoC, as the highest most instance court in the RoC, have been presented. We are unable to show separately the required categories. The Supreme Court of the RoC is in the process of preparing the implementation of the ICMS, which will in future enable the expression of cases by types.

Q99 (2014): After the new standardization of the audit, the Supreme Court has started to be less up-to-date since the number of received cases is far beyond the number of cases which the existing judges and advisors at the Supreme Court may solve. In resolving the cases at the Supreme Court, advantage is given to urgent cases (determined by laws) and to old cases.

Q101 (2016): Regarding insolvency cases, 2015 was the year when, by introducing new Insolvency act, significant number of companies were subject of shortened insolvency proceeding conducted by commercial courts. Cycles defined in aforementioned Law of initiating these procedures by FINA finished, so 2016 actually reflects regular state of insolvency proceedings regarding income of insolvency cases. Relating the reduced number of incoming divorce cases, the number of divorces with minor children dropped in 2016. Namely, according to the new Family Law which came into force on 1 November 2015, couples with children, before initiating the court proceeding, have to undergo mandatory family mediation at social welfare centres. This fact postpones court proceedings and therefore there are fewer cases in court in 2016.

Q101 (2015): Regarding the table 101. - Litigious divorce cases – we point out that in 2015 there have been amendments to the Family Act, due to which a certain number of family cases were no more resolved in a litigious, but in non-litigious proceedings. For this reason, the number of cases in this category for 2015 is presented decreased (e.g. if these cases remained within the same category, the result would be as follows: Pending at the beginning of 2015 – 4 595, Incoming – 9 253, Resolved – 8 756 and Pending at 31.12.2015 – 5 092 cases).

In the same table (101), there is an increase of incoming insolvency cases due to the fact that on 1 September 2015 the new Insolvency Act came into force. The Act stipulates that the court will conduct an shortened insolvency proceedings regarding the legal person if the following conditions are met:

- If it has no employees
- If the FINA Register has unexecuted orders for forced payment for a continuous period of 120 days
- If preconditions for a second proceeding for deletion from the court registry are not fulfilled.

The Financial agency (FINA) is obliged, for legal persons who, on the day of the entry of the Insolvency Act into force, have had unexecuted orders for forced payment in the FINA Register for a continuous period of 120 days submit request to the court to initiate the shortened insolvency proceeding.

In view of the above provisions and the fact that at the time of the entry into force of the Insolvency Act there was more than 20.000 legal persons for which the preconditions were met to initiate the shortened insolvency proceedings, the number of incoming insolvency cases in 2015 increased significantly compared to previous years.

Q101 (2014): The increase of the number of pending bankruptcy cases on 1st January 2014 is due to the fact that many companies have gone bankrupt in 2013, thus there were a large inflow in 2013 in relation to other periods, and consequently an increase of the number of unresolved cases in 2014. The same reason is visible also in the 68% decrease of number of incoming bankruptcy cases in 2014, when compared with the outlier in 2013.

Q101 (2013): In the frame of the 2013 exercise, it has been indicated that the category “employment dismissal cases” includes dismissal of employment contract cases, determination of employment relationship cases and termination of employment cases.

Cyprus

Q91 (2015): Variations: The increase in the number of pending cases between 2010 and 2015 is a result of the bail in Cyprus a lot of administrative cases had been filed against that decision.

The reason for the decrease in the number of resolved cases is that the bail in cases had been consolidated and was tried jointly after 31st of December 2014.

Q91 (2014): 2014: Variations: The increase in the number of pending cases between 2013 and 2014 is a result of the bail in Cyprus a lot of administrative cases had been filed against that decision.

The reason for the decrease in the number of resolved cases is that the bail in cases had been consolidated and was tried jointly after 31st of December 2014.

Q093 (General Comment): In Cyprus the number of cases presented in Q91 includes military court cases, rent tribunal cases, labour court cases and admiralty cases.

Q097 (2016): The Supreme Court is the appeal court. Accordingly, data is provided under question 99.

Q099 (General Comment): Q99 is NAP because Cyprus has a two tier system therefore the supreme court is the second, highest and final instance court.

Q099 (2016): The Supreme Court is the appeal court.

Q101 (General Comment): The increase in the number of employment dismissal cases since 2010 is the result of the crisis.

Czech Republic

Q091 (2016): Methodology has been changed in 2.1 in year 2015 – more case types have been included, which led to the big increment in the number of cases. In 2016 there was unspecified growth in incoming administrative cases. Additionally the courts were able to resolve more registry cases that resulted in decrease of pending cases as well as insolvency cases that are included in category "other". However the Clearance rate for category "other" is low only because of the long duration up to 5 years of insolvency cases. Czech Republic can provide cases older than certain period depending on category but can not provide data on cases older exactly more than 2 years.

Q91 (2015): In all evaluation cycles for Czech Republic it was not possible to distinguish number of pending cases solely on 1st instance since each case is considered pending until the moment a final decision is enacted and no further proceeding is possible. Methodology has been changed in 2.1 in year 2015 – more case types have been included, which led to the big increment in the number of cases.

Civil and commercial non-litigious cases include: 2.1 - uncontested payment orders, cases of the upbringing and maintenance of a minor, declaration of admissibility of taking or keeping of a person in a medical (health care) institution, declaration of the death of a person, inheritance proceedings, judicial deposit cases
Category "other includes: insolvency cases and incidence disputes

Q91 (2014): In 2014, the high increase of insolvency cases is due to numerous cases of personal bankruptcies as well as to an unfavourable economic situation.

Q91 (2013): - On the occasion of the 2013 exercise, it is indicated that for the 2012 evaluation cycle the category of enforcement cases includes data concerning exclusively enforcement done by the court itself. For 2013, this category encompasses also enforcement carried out by private executors. In this procedure, the court is also involved. Namely, it authorizes the private executor to proceed to the enforcement and decides about remedial measures against executor's decision.

- As for the category "other", if in 2012 it includes electronic payment orders and probate proceedings, in 2013 it encompasses only electronic payment proceedings which explains the variation that can be noticed between 2012 and 2013. Moreover, in respect of the electronic payment orders, there was a switchover to another register and 174.067 cases were transferred to the new register of payment orders.

- Accordingly, the evolutions related to both of the categories – "non-litigious enforcement cases" and "other cases" affect the values in respect of the totals.

Q91 (2012): In the frame of the 2012 evaluation cycle, it is explained that the observed variations between 2010 and 2012 concerning the number of pending cases on 1st January, the number of incoming cases and the number of pending cases on 31 December stem from the high number of incoming electronic payment orders in 2011. Besides, it is specified that more enforcement cases are handled by private executors.

Q91 (2010): In the ambit of the 2010 exercise, it has been emphasized that the continual decrease of pending cases is one of the main goals pursued by the Ministry of Justice. Accordingly, a number of legislative reforms (primarily in civil procedure law), more consequent controls of courts, especially with regard to cases older than 3 years, and other provisions have been approved with the aim of speeding the proceedings and decreasing the number of pending cases.

Q91 (2010): In the ambit of the 2010 exercise, it has been emphasized that the continual decrease of pending cases is one of the main goals pursued by the Ministry of Justice. Accordingly, a number of legislative reforms (primarily in civil procedure law), more consequent controls of courts, especially with regard to cases older than 3 years, and other provisions have been approved with the aim of speeding the proceedings and decreasing the number of pending cases.

Q92 (2014): For all of the four exercises (2010, 2012, 2013 and 2014) the category of civil and commercial non-litigious cases encompasses cases of upbringing and maintenance of a minor. In 2014, it subsumes also declarations of admissibility of taking or keeping a person in a medical (health care) institution and declarations of death of persons.

Q093 (General Comment): For 2010 and 2012 the category "other" subsumes electronic payment orders and probate proceedings, while for 2013, it encompasses only electronic payment orders. By contrast, for 2014, its content covers insolvency cases.

Q097 (General Comment): It is noteworthy that the methodology of presentation of data has been changed for the 2014 exercise. In fact, for 2010, 2012 and 2013, business register cases, administrative cases and insolvency registry cases which are decided by the regional courts (second instance courts) acting as first instance courts, were included in the table concerning the case-load of second instance courts (question 97). On the contrary, in 2014, administrative cases, business registry cases and insolvency cases (and also some litigious cases) which are still decided by the second instance courts acting as first instance courts, are subsumed within the table of question 91 (which was already the case for the 2008 exercise). However, this change is not reflected in question 46 concerning the number of second instance judges because it is very difficult to distinguish among them judges working on administrative cases, business registry cases and insolvency cases (and also some litigious cases).

Q097 (2016): Increase in the number of "other cases" in 2015 and 2016 is due to the change of methodology applied to these data.

Czech Republic can provide cases older than certain period depending on category but can not provide data on cases older exactly more than 2 years.

Q97 (2015): Increases in the number of "other cases" are due to the change of methodology applied to the 2015 data.

Q97 (2014): In 2014, the high increase of insolvency cases is due to numerous cases of personal bankruptcies as well as to an unfavourable economic situation.

Q97 (2013): For the 2013 exercise, the totals do not include the number of non-litigious business registry cases which is not available.

Q97 (2012): For the 2012 exercise, the totals do not include the number of non-litigious business registry cases which is not available.

Q97 (2010): For the 2010 exercise, the totals do not include the number of non-litigious business registry cases which is not available.

Q97 (2010): For the 2010 exercise, the totals do not include the number of non-litigious business registry cases which is not available.

Q099 (2016): In 2016 the administrative cases were added and for that reason all numbers show variation. Previously the number of administrative cases on this instance was NA.

Q99 (2012): In the frame of the 2012 evaluation cycle, it was specified that the civil and other cases are within the competence of the Supreme Court, while the administrative cases are within the competence of the Supreme Administrative Court.

Q101 (2016): The number resolved insolvency cases increases significantly while the incoming number is now stable. The Clearance rate is low due to the long duration of these cases up to 5 years.

Q101 (2013): In the frame of the 2013 exercise, it is noticed that the increasing trend concerning the category of insolvency cases is due to the economic situation. More particularly, the number of personal bankruptcies is increasing.

Denmark

Q091 (2016): It is important that because of new regulations/laws, it is possible to start a new company with no prior capital. This causes many more companies and many more closures in some categories and also affect number of pending cases, like in 2.2.2. Besides from that it is important to note that pending cases always may vary a lot as it is a residual figure when pending prior to the period, received and resolved cases are counted. The number of "administrative law cases" which are litigious is encompassed in the number of "civil and commercial litigious cases".

Q91 (2014): In the ambit of the 2014 exercise, it has been emphasized that due to an improved business situation, courts on all levels receive fewer cases, i.e. civil cases, enforcement cases, forced sales, insolvency cases. Generally speaking, pending cases are also reduced thereby.

The non-litigious business registry cases follow the overall tendency in Denmark.

Q91 (2013): In the frame of the 2013 exercise, it has been explained that the successive decrease observed in the number of civil and commercial litigious cases stems from the possibility to reopen cases and the missing data on pending cases before the Maritime and Commercial Court.

As for the land registry cases, following the digitalizing in 2009 of land registry, the number of pending cases decreased markedly.

Q91 (2010): In the frame of the 2010 exercise, it has been explained that the increase of the total number of pending cases in January 2010 compared to the previous evaluation cycle was mainly due to the fact that pending cases for land registry cases were not provided in 2008 but included in 2010, following the emergence of the digital Land Registry Court from September 2009.

Besides, it has been indicated that following the so-called financial crisis there has been a marked increase in the number of enforcement cases which resulted also in the increase of the number of pending enforcement cases.

Finally it has been mentioned that pending cases for "others" were not registered in 2008, while they were so in 2010. Among others "others" include insolvency cases and cases in relation to deceased persons (heritage etc.). In 2010 29,923 such cases were pending but the figure was not part of the statistical calculation system in 2008.

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Q092 (General Comment): The category of civil and commercial non litigious cases encompasses cases related to paternity, adoption, guardianship and others in the same category, as well as cases under inquisitorial procedures.

Q093 (General Comment): The category other subsumes estate of deceased persons; notary; and insolvency cases not included in the category "non-litigious business registry cases".

Q097 (General Comment): It is noteworthy that all appellate cases are considered as "litigious cases" which explains the reply NAP for all the other categories, as well as the fact that the total coincides with the number of civil and commercial litigious cases. The number of "administrative law cases" which are litigious is encompassed in the number of "civil and commercial litigious cases".

Another important remark concerns cases that are not first instance cases before the two High Courts and which are included in question 97. Cases that begin as first instance at one of the two High Courts are not included in the figures in table 97.

Q097 (2016): Pending cases may vary a lot depending on the ratio of resolved cases compared to incoming cases. We can observe a decrease of about 30 % of pending cases ultimo the 2016. This is due to this "residual" nature of pending cases. The decrease in the pending cases between 2014 and 2016 is because in both calendar years 2015 and 2016 the number of resolved cases exceeded the number of incoming cases.

Q97 (2014): In the ambit of the 2014 exercise, it has been emphasized that due to an improved business situation, courts on all levels receive fewer cases, i.e. civil cases, enforcement cases, forced sales, insolvency cases. Generally speaking, pending cases are also reduced thereby.

Q099 (General Comment): The number of incoming cases corresponds only to the number of admissible cases (excluding cases declared inadmissible which number is not available)

Q099 (2016): In a Danish context, non-litigious cases do not make sense. Pending cases may vary as it is residual in nature and is depending on the number of incoming and resolved cases and the ratio between those two.

Q99 (2015): The number of incoming cases ("other than criminal cases") dropped between 2010 and 2015. Since the instance reform in 2007, the Supreme Court is now almost only a third instance court (instead of being partly a second instance court and partly a third instance court). Indeed, first instance pending cases at the two High Courts in 2007 have gradually already been appealed or finalised.

Q99 (2014): In the frame of the 2014 exercise, the attention was drawn on the fact that the number of incoming and resolved cases before the Supreme Court was still falling, since the reform of 1st January 2007. Before 2007, many cases started in one of the two High Courts and could be appealed directly to the Supreme Court as second instance. Since 2007, almost all cases start at the lowest level and consequently, much fewer cases are appealed to the Supreme Court. This effect of still fewer cases appealed to the Supreme Court following the reform could still be seen from 2012 to 2014.

Q101 (General Comment): The figures provided in respect of this question 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 reopened cases are not counted. In addition, 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, there is no access to exact information on the number of pending cases. This explains a minor part of the horizontal incoherence. Finally, the Maritime and Commercial Court only measures incoming and resolved insolvency cases but not pending cases. Accordingly, when the data on processed/resolved cases from this court are included, there will always be a small incoherence. Therefore, vertical and horizontal figures are not totally consistent. It should be noticed that all cases from the District Courts regarding marriage and paternity/maternity are considered litigious divorce cases.

Q101 (2016): Concerning insolvency: The number of cases concerning compulsory dissolution of companies has increased markedly due to new regulation where it is possible to start a company without starting capital. The reason for the marked increase in the number of incoming and resolved cases is as stated above: A new regulation allows a company to be started without starting capital. That means many more companies are started, but many more companies are also then closed that we can see in the figures.

Now - as it is ultimo the period - is the pending number of cases from the District courts.

As we don't know the number of pending cases at the Maritime and Commercial Court, the figure of pending cases, prior + incoming cases does not add up to the number of resolved cases + pending cases, ultimo.

Q101 (2015): A decrease in the number of litigious divorce cases can be observed from 2010, it is most likely due to a change in the administrative proceedings, i.e. fewer cases end up in the courts.

Estonia

Q091 (2016): The decrease in the number of incoming administrative court cases is due to the decrease in the number of inmate complaints. The variations in total and in the non litigious cases are due to increase of incoming business and land registry cases.

Q91 (2014): In 2014, the increase of incoming cases in administrative courts is due to a rise of complaints of prisoners. The matter is being dealt with by modifying the procedural law that makes it easier to return unfounded complaints.

As to the decrease in the total of pending other than criminal law cases on 1 January 2014, the performance indicators of courts have justified supplementary budget resources. As a matter of fact, there is an ongoing reform concerning the court budgets and judicial performance indicators. Agreements have to be adopted on the occasion of the budget negotiations between the Ministry of Justice and the courts concerning the efforts that need to be undertaken in court to clear the backlog and accelerate proceedings.

For 2014, non-litigious enforcement cases are included in the category "general civil (and commercial) non-litigious cases".

Q91 (2013): In respect of the non-litigious business registry cases and the observed decreases between 2012 and 2013, it should be mentioned that in 2012 it was impossible to separate supervisory proceedings from general proceedings and therefore data for 2012 included supervisory proceedings as well.

With regard to the category "civil and commercial litigious cases" and as explained above, the justification of the observed decrease of the number of pending cases over the period 2010-2013 lies in the enhanced efficiency of the first instance courts, while the decrease of the number of incoming cases between 2010 and 2012 is due to the reestablishment of the normal case-flow after the economic crises.

Q91 (2012): In the frame of the 2012 exercise, it was explained that 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). The categories “land registry cases” and “business registry cases” include the registration procedures. The latter includes also supervisory proceedings over undertakings. The judicial disputes arising from the registration procedure are included in the category “general civil (and commercial) non-litigious cases”.

With regard to the category “civil and commercial litigious cases”, the justification of the observed decrease of the number of pending cases on 1 January and on 31 December over the period 2010-2013 lies in the enhanced efficiency of the first instance courts. As to the decrease of the number of incoming cases between 2010 and 2012, it is due to the fact that the big case-flow during the economic crisis has finished and the normal case-flow has been reestablished.

With regard to the category “civil and commercial non litigious cases” and the noticed variations, it is worthy of mention that the dynamics of this type of cases is influenced to a considerable extent by the payment order proceedings that form the largest part of this category. As there is only one courthouse resolving the payment order cases, the changes in the number of incoming payment order cases have an impact on the efficiency and on the number of pending and resolved cases of all non-litigious civil cases.

With regard to the category “administrative law cases”, the observed variations have no specific justification and make part of the normal dynamics of the case-flow.

Statistics provided for 2010 do not include enforcement and business registry cases, and no pending cases statistics with regard to land registry cases. On the contrary, these data were provided in the frame of the 2012 exercise, which explains the observed variations in respect of the totals.

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Q097 (General Comment): It is noteworthy that the discrepancies that can be observed between the number of pending cases indicated for December of one year and the number of pending cases communicated for January of the next year, are due to the fact that the statistic system is alive and courts are entitled to modify and up-date data at any time.

Moreover, differences in the horizontal consistency may be explained by the fact that during the proceedings some cases are joined and some are disjoined.

Q97 (2015): In respect of the civil and commercial non-litigious cases, the increase from 2013 in the number of pending cases resulted from the implementation of an efficiency-raising project in 2013 in Harju County Court. Accordingly, the efficiency of the latter increased significantly in civil cases. Owing to the fact that this court is the largest 1st instance court dealing with 1/3 of all of the cases in Estonia, it had an impact on the case-flow of the second instance courts (only 2 appeal courts competent in civil, criminal and administrative matters).

As to the administrative cases, it is noteworthy that as there are only 2 appeal courts in Estonia competent in civil, criminal and administrative matters, every change in the number of 2nd instance judges influences the statistics of the Courts of appeal. Between 2010 and 2012 there were a few vacant administrative judges' positions in one of the appeal courts which had an impact on the number of pending cases

Q97 (2014): On the occasion of the 2014 exercise, it has been emphasized that there has been an ongoing reform concerning the court budgets and judicial performance indicators. Agreements have to be adopted on the occasion of the budget negotiations between the Ministry of Justice and the courts concerning the efforts that need to be undertaken in court to clear the backlog and accelerate proceedings.

As to the increase of the total of pending other than criminal cases (beginning and end of the year), the reason is that 1st instance courts started the project of clearing backlogs and accelerating proceeding earlier. As a result, the number of incoming cases in 2nd instance courts increased in 2013 and resulted also in an increase of the number of pending cases by the end of the year 2013.

For 2014, non-litigious enforcement cases are included in the category “general civil (and commercial) non-litigious cases”.

Q97 (2013): In the frame of the 2012 and 2013 exercises, several clarifications were provided.

Firstly, in respect of the civil and commercial litigious cases, the observed variations were deemed to be normal, as a part of the ordinary dynamics of the case-flow.

Secondly, in respect of the civil and commercial non-litigious cases, the increase in the number of pending cases resulted from the implementation of an efficiency-raising project in 2013 in Harju County Court. Accordingly, the efficiency of the latter increased significantly in civil cases. Owing to the fact that this court is the largest 1st instance court dealing with 1/3 of all of the cases in Estonia, it had an impact on the case-flow of the second instance courts (only 2 appeal courts competent in civil, criminal and administrative matters). Owing to that, in 2014 one civil judge's position was given to the Tallinn Appeal Court in order to raise their efficiency.

As to the enforcement procedures, they are in the competence of public bailiffs who are completely independent from the judicial system but act as public authorities. The reply NA is justified by the impossibility to distinguish in the bailiffs' information system the enforcement proceedings where the enforcement instrument is court decision from all the other enforcement proceedings where the enforcement instrument is for example a fine made by police, an administrative act made by the tax authority etc.

In respect of the land registry and business registry cases, it should be recalled that they are within the competence of the 1st instance courts. If the decision of the registry is appealed, it goes to the first instance court as a regular civil case.

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Q97 (2010): In 2010, judges benefited of the assistance of extra advisors helping them to prepare the cases for solving.

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Q099 (General Comment): It is noteworthy that the discrepancies that can be observed between the number of pending cases indicated for December of one year and the number of pending cases communicated for January of the next year, are due to the fact that the statistic system is alive and courts are entitled to modify and up-date data at any time.

Moreover, differences in the horizontal consistency may be explained by the fact that during the proceedings some cases are joined and some are disjoined.

Q099 (2016): The number of pending cases has increased because the number of cases where the Supreme Court has decided to open proceedings in the Supreme Court has increased.

Q101 (General Comment): It is noteworthy that the discrepancies that can be observed between the number of pending cases indicated for December of one year and the number of pending cases communicated for January of the next year, are due to the fact that the statistic system is alive and courts are entitled to modify and up-date data at any time.

It is possible to observe differences in the horizontal consistency since during the proceedings some cases are joined and some are disjoined.

Q101 (2015): The numbers of pending, incoming and resolved employment dismissal cases decreased from 2012 (compared to 2010). This variation is supposedly related to the fact that more cases are effectively resolved by the labour dispute committees, less cases arrive to the courts.

In 2014, the number of resolved litigious divorce cases increased. This is justified by the fact that courts are working more efficiently and have accelerated the proceedings.

Q101 (2014): The increase of the number of resolved litigious divorce cases in 2014 is justified by the fact that courts are working more efficiently and have accelerated the proceedings.

Q101 (2012): The decrease in the numbers of pending, incoming and resolved employment dismissal cases in 2012 is supposedly related to the fact that more cases are effectively resolved by the labour dispute committees less cases arrive to the courts.

Finland

Q091 (2016): In 2016 the number of civil cases has decreased and the courts have been able to solve pending cases. The number of administrative cases have increased dramatically due to the asylum crisis. This has also meant that we have had to hire more judges to do the cases and also develop the procedure to make it more effective. The limits in which the cases has to be handled has also been shortened. The aim has been to decrease the number of pending cases and we have succeeded. To tackle this crisis there has also been a legislative reform that decentralized the asylum cases from one Administrative court (Helsinki) to three other Administrative courts as well. Due to this in our statistics it shows that the number of the pending cases in 2016 varies. The number of pending cases in 1.1.2016 has been 20 4775, but due to the decentralization about 5000 cases have been transferred from Helsinki to these other courts. In our statistics these cases don't show as pending anymore. However we don't know how many of them has been resolved, but they're included in the number on total resolved cases. The big difference in information given last year and this is due to this anomaly in our statistics.

Q91 (2014): In the frame of the 2014 exercise, it has been specified that the non-litigious enforcement cases are subsumed in the category "general civil (and commercial) non-litigious cases". The enforcement is of the competence of the enforcement authorities, not of this of courts. Cases mentioned here are appeals in execution proceedings before district courts in accordance with the Execution Act.

Q91 (2012): As for the category of civil and commercial litigious cases, the important increases noticed between 2010 and 2012 in respect of the items pending cases on 1 January and pending cases on 31 December are the result of an exceptionally high number of incoming litigious civil cases in 2011.

Q91 (2010): The significant difference observed with regard to the total number of pending other than criminal law cases between 2008 and 2010 is due to the structural change of the district courts network which resulted in the transfer of land registry cases to the National Land Survey of Finland.

Q91 (2010): The significant difference observed with regard to the total number of pending other than criminal law cases between 2008 and 2010 is due to the structural change of the district courts network which resulted in the transfer of land registry cases to the National Land Survey of Finland.

Q097 (General Comment): The Ministry of Justice collects statistical data regarding the functioning of courts and judiciary via the Central Statistical Office gathering information from the automated case-management systems of courts. However, the numbers provided for 2014 are not comparable with data communicated for the previous cycles because of a technical issue. In fact, Statistics Finland discontinued the production and publication of statistics on court decisions at the beginning of 2015. The data Ministry of Justice could provide for 2014 is gathered straight from the court data systems. As a matter of fact, this methodology of presentation of data will be used also for the future evaluation cycles.

The replies provided in the frame of question 97 are based on the information of the courts case management systems gathered by the Ministry of Justice. It is noteworthy that the above mentioned systems are “alive” and courts can constantly modify data. Accordingly, it is possible to observe discrepancies between the number of pending cases on 31 December of one year and the number of pending cases on 1 January of the next year. Basically, information concerning the number of pending cases at the end of a given year is collected in the beginning of the next year, but courts can make changes to statistics afterwards. Besides, as the system does not provide numbers for 1 January, it is necessary to calculate them separately from the correct data provided on a later date.

It is worth noticing that some discrepancies in respect of previous evaluation cycles might be partly caused by the different classification of matters in the registers of district courts and courts of appeal. Namely, in district courts, the matters are divided into civil disputes, petitionary matters and criminal matters. In courts of appeal, the appeals on civil disputes and petitionary matters are both registered as civil cases (“S-cases”), and only “new” petitions relating to for example legal aid are registered as petitionary matters (“H-cases”). This peculiarity could have effect on the numbers provided for general civil cases and “other” cases (before and after 2014), because, previously, statistics from Stat Finland implied the same classification for appellate courts and district courts.

As to the sub-category “enforcement cases”, it has been already mentioned that the enforcement is of the competence of the enforcement authorities, not of this of courts. Cases included within this item are appeals in execution proceedings before appellate courts in accordance with the Execution Act. The category “other” includes cases, which Appeal Courts resolve as 1st instance courts, military justice cases and cases concerning prisoners.

Q097 (2016): The number of incoming cases has decreased (for example due to some procedural changes) and the courts have been able to resolve more pending cases.

Q97 (2013): The category of civil and commercial non-litigious cases includes petitions for the 2012 exercise, divorce cases and petitions (without cases included in the other sub-categories) for the 2013 exercise. As for the category “other”, according to the provided comments, in 2012 it encompasses cases, which Appeal Courts resolve as 1st instance, military justice cases and cases concerning prisoners. In 2013 it subsumes temporary procedural remedy cases, adjustment of the debts of a private individual - cases, restructuring of enterprises cases and bankruptcy cases and complaints.

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Q099 (2016): The courts have been able to resolve more cases because the number of incoming cases has been decreased. The Supreme Administrative court has also got more resources and personnel due to the asylum crisis but the cases from the Administrative courts have yet to reach the highest instance.

Q99 (2014): In respect of the variations observed between 2012 and 2014 data, it is noteworthy that the statistics system has changed. Data is not received any more from the Central Statistical Office of Finland. Instead, the Ministry of Justice receives information directly from processing systems. This method of compilation of statistics does not quite support answering the question, as the information is run periodically and not daily. As a result, some discrepancies occur. As the system does not provide the numbers for 1 January 2014, it is necessary to calculate them separately from the correct data obtained on a later date.

Q101 (2016): Cases relating to the right of entry and stay for aliens: includes the cases concerning deportation, permits of residence and removing from the country.

Q101 (2013): In the frame of the 2013 exercise, it was specified that the category “insolvency cases” includes only bankruptcy cases dealt with by District Courts and not restructuring of enterprises cases.

France

Q091 (2016): The important increase in the number of pending non-litigious cases is due for 60% to the increase in the number of applications for union breakdown (especially in 2016) and for one third, it is due to the increase in the number of pending cases before the enforcement judge in tribunaux de grande instance (it is not the number of incoming cases which has meaningfully increased, but the number of cases under consideration is being constantly increasing, namely for the last two years).

Q91 (2014): In civil litigation, cases relating to the activity of the liberty and custody judge amount to 98 300 cases in 2014 and have increased by 6.8% compared to 2013. These cases have significantly increased in 2012 (+ 65.5%), due to the law No. 2011-803 of July 2011 on the rights and protection of persons under psychiatric care. The reform systematised the control of psychiatric hospitalisations without the consent of the liberty and custody judge.

Q092 (General Comment): The other non-litigious civil cases comprise the following areas: divorce by mutual consent, judicial separation, change of matrimonial regime, requests relating to parental authority, adoption, medically assisted procreation, incapable minor, inheritances, compensations for the invasion of privacy, change of name, civil status, nationality, functioning of a group and the discipline of notaires and judicial officers.

Q92 (2014): In 2014, the category civil cases (and commercial) non-litigious are also included in non-litigious cases relating to enforcement.

Q92 (2010): 2010: The civil judge may rule in non-contentious matters, when in the absence of dispute it receives a request that the law requires to be under its control. In this context, the judge intervenes to check the acts and give them an authenticity (such is the case of approval of agreements resulting from alternative dispute resolution such as mediation, conciliation, compromise or participatory procedure) . Resort to the judge may also have to objective to ensure the protection of minors or incapacitated adult (approval of the deliberations of the family council on an amicable sharing for example), protection of the family (adoption order, change of matrimonial regime or divorce on joint petition, for example) or the protection of private individuals (provisional administrator nomination).

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Q97 (2013): 2012, 2013: The 'non-litigious matters relating to the implementation' (which answer is NA) exist but are included in the category 'non-litigious civil cases'.

Q97 (2012): 2012, 2013: The 'non-litigious matters relating to the implementation' (which answer is NA) exist but are included in the category 'non-litigious civil cases'.

Q99 (2014): 2014: The statistics of the Court of Cassation are not based on the same information system as the ones of courts of first instance and appeal courts. If discontinued cases of the category non-litigious cases may be subject to an appeal, it is not possible to identify them, they are included in the figure given for civil litigious cases. Thus, the total figure is the one retained.

Q101 (2016): The category "insolvency cases" refers to company bankruptcies (opening of an insolvency procedure, opening of an immediate judicial liquidation procedure, recovery plans pronounced after backup, judicial liquidation pronounced after backup).

Data on asylum seekers for 2016: National Court of Asylum within the State Council

Data relating to the right of entry and stay for aliens for 2016: liberty and custody judge.

Germany

Q91 (2015): For civil and commercial litigious and administrative cases, the updated data is solely based on the statistics on the administration of justice published by the Federal Statistical Office for 2015. As for the category "other", it refers to the most recent available data at the closing date of the CEPEJ data collection and encompasses information provided by the 16 Länder on the basis of the query lodged with the judicial administrations of the Länder. However, some of the Länder were unable to provide complete data regarding this category. Accordingly, the information for this category remains incomplete. The category "other" refers to: local court family cases; guardianship and curator cases at the family court; custodianship cases; curator cases at the custodianship court; proceedings regarding judgments and orders at the labour court.

Q91 (2014): For civil and commercial litigious and administrative cases, the updated data is solely based on the statistics on the administration of justice published by the Federal Statistical Office for 2014. As for the category "other", it refers to the most recent available data at the closing date of the CEPEJ data collection and encompasses information provided by the 16 Länder on the basis of the query lodged with the judicial administrations of the Länder. However, some of the Länder were unable to provide complete data regarding this category. Accordingly, the information for this category is incomplete and is not comparable. The category "other" includes: local court family cases; guardianship and curator cases at the family court; custodianship cases; curator cases at the custodianship court; proceedings regarding judgments and orders at the labour court.

Q91 (2013): In the frame of the 2013 exercise, two Landers did not provide data with regard to the number of other than criminal law cases. Besides, one land (Baden-Württemberg) did not provide information for the number of non-litigious land registry cases.

It was explained that the lack of horizontal consistency was due to adjustments. Unfortunately consistent and/or complete data did not exist for all legal cases that should be considered. To some extent information exists only as to new cases and/or cases pending at year end. To some extent there is a lack of more detailed information from some federal states. Thus, the information is incomplete. Accordingly, the following legal cases were not taken into consideration in the information provided for question 91:

Incoming cases:

- payment order procedure: civil courts: 4 751 355; labour courts: 56 053;
- insolvency cases: 143 662;
- cases concerning the civil registry office, wills, estates, accommodations, agriculture, escrow, and public notice proceedings: 1 469 273;

Pending legal cases on 31 December 2013:

- guardianship and curator cases: 12 795;
- insolvency cases: 303 654.

Q91 (2012): In the frame of the 2012 evaluation it was stressed that the values regarding questions 91, 94, 97, 98, 99, 100, 101, 102, 107, 108 corresponded to data of the year 2011. Four Landers indicated that the information provided for question 91 was incomplete and one land stated it did not have the information available.

Q91 (2010): For 2010, figures do not include 1 762 104 legal matters dealt with regarding Labour Court payment demand proceedings and legal advice aid cases on which new cases, cases pending at the beginning of the year and those at the end of the year are not covered.

Q91 (2010): For 2010, figures do not include 1 762 104 legal matters dealt with regarding Labour Court payment demand proceedings and legal advice aid cases on which new cases, cases pending at the beginning of the year and those at the end of the year are not covered.

Q92 (2012): In 2012, the value entered was calculated by deducting the contentious judgments from of all sets of proceedings that were resolved before the Local and the Regional Court in civil cases (not including those passed on within the court). Those sets of proceedings that are resolved other than by contentious judgment were particularly resolved by default, acknowledgement or waiver judgments, settlements, withdrawal of the charge or of the motion, staying of the proceedings or non-pursuance and orders in accordance with section 91a of the Code of Civil Procedure.

Q92 (2010): In 2010, the value entered was calculated by deducting the contentious judgments from of all sets of proceedings that were resolved before the Local and the Regional Court in civil cases (not including those passed on within the court). Those sets of proceedings that are resolved other than by contentious judgment were particularly resolved by default, acknowledgement or waiver judgments (369 185), settlements (259 591), withdrawal of the charge or of the motion (182 384), staying of the proceedings or non-pursuance (73 392) and orders in accordance with section 91a of the Code of Civil Procedure (53 604).

Q92 (2010): In 2010, the value entered was calculated by deducting the contentious judgments from of all sets of proceedings that were resolved before the Local and the Regional Court in civil cases (not including those passed on within the court). Those sets of proceedings that are resolved other than by contentious judgment were particularly resolved by default, acknowledgement or waiver judgments (369 185), settlements (259 591), withdrawal of the charge or of the motion (182 384), staying of the proceedings or non-pursuance (73 392) and orders in accordance with section 91a of the Code of Civil Procedure (53 604).

Q93 (2014): For the 2013 and 2014 exercises, the category "other" includes: Local Court family cases; guardianship and curator cases at the family court; custodianship cases; curator cases at the custodianship court; proceedings regarding judgments and orders at the labour court.

Q93 (2013): For the 2013 and 2014 exercises, the category "other" includes: Local Court family cases; guardianship and curator cases at the family court; custodianship cases; curator cases at the custodianship court; proceedings regarding judgments and orders at the labour court.

Q93 (2012): In the ambit of the 2012 exercise the category “other” includes: family-court jurisdiction, labour courts (proceedings leading to a judgment or a decision) as well as guardianship and custodianship courts. The figures do not include 1 426 805 new legal matters related to payment proceedings before labour courts, registry office cases, inheritance cases, custody, agriculture, legal aid, deposit cases and public notice proceedings with regard to which resolution or the number of cases pending at the beginning and at the end of the year are not recorded. The figures also do not include 202 106 new legal cases related to insolvency proceedings with regard to which only resolution is recorded (292 821).

Q93 (2010): In the ambit of the 2010 exercise, the category “other” includes: family-court jurisdiction, labour courts and guardianship and custodianship courts. The figures do not include 1 983 931 new legal matters related to registry office cases, declarations of death, inheritance cases, custody, agriculture, legal aid, deposit cases, public notice and insolvency proceedings with regard to which resolution or the number of cases pending at the beginning and at the end of the year are not recorded.

Q93 (2010): In the ambit of the 2010 exercise, the category “other” includes: family-court jurisdiction, labour courts and guardianship and custodianship courts. The figures do not include 1 983 931 new legal matters related to registry office cases, declarations of death, inheritance cases, custody, agriculture, legal aid, deposit cases, public notice and insolvency proceedings with regard to which resolution or the number of cases pending at the beginning and at the end of the year are not recorded.

Q097 (2016): Concerning administrative cases variation (incoming and resolved cases): Insofar as the figures in administrative court proceedings deviate from the previous cycle, this change is comprehensible; in the next cycle is a rise to be expected.

Q97 (2015): Question 97: A substantial number of the Länder was unable to provide information, meaning that any amount cited would not be meaningful in substantive terms.

Q97 (2014): The 2014 data are the same as those that have been provided in 2013. No update was available.

Q97 (2013): For 2013, two Landers did not provide any information.

The category “other “ includes proceedings on complaints on appeal in family cases at the Higher Regional Courts and appellate proceedings on fact and law and proceedings on complaints on appeal at the Regional Labour Courts. In addition, given a lack of complete data, a total of 164 272 new legal cases or proceedings on complaints on appeal (in custodianship, accommodation, insolvency, estate, and costs cases, along with other complaints on appeal) were not considered in the category “other”. □

Regarding the slight horizontal inconsistency for the category “administrative law cases”, it can partly be explained by the federal State structure of Germany. Moreover, data regarding incoming administrative law cases also reflected the number of appeals against decisions to grant provisional legal protection in the higher administrative regional courts and in the higher social courts; and appeals in matters of legal aid and other proceedings. In comparison with the previous years, the 2013 data are more accurate. The same applies regarding resolved cases even though no data was available for the appeals in matters of legal aid and other proceedings.

With regard to the sub-category “civil and commercial litigious cases” and the meaningful increase of the number of resolved cases, it should be noticed that in the frame of the 2013 exercise, the indicated figure encompassed the number of resolved civil and commercial litigious and not-litigious cases. For this cycle, it was impossible to distinguish between these two sub-categories.

Q97 (2012): In the frame of the 2012 evaluation it was stressed that the values regarding questions 91, 94, 97, 98, 99, 100, 101, 102, 107, 108 corresponded to data of the year 2011.

Q99 (2015): Question 99:

The data provided date from 2014. At present, no data are available for 2015.

It is not possible to distinguish between litigious civil cases, respectively commercial cases, and those that are non-litigious. Accordingly, number 1 of the answer to question 99 includes all appeals on points of law brought in the civil matters before the Federal Court of Justice (Senates for civil matters including family law matters). However, the number of proceedings dealt with and concluded by litigious rulings in 2014 amounts to 600.

Q99 (2014): The 2014 data are the same as those that have been provided in 2013. No update was available.

Q99 (2013): For 2013, two Landers did not provide any information. Data provided for the civil (and commercial) litigious cases include all appeals lodged encompassing litigious and non-litigious cases as well as family law cases.

Q99 (2012): In the frame of the 2012 evaluation it was stressed that the values regarding questions 91, 94, 97, 98, 99, 100, 101, 102, 107, 108 corresponded to data of the year 2011.

Q101 (2015): Question 101:

A substantial number of the Länder was unable to provide information, meaning that any amount cited would not be meaningful in substantive terms.

Q101 (2014): The 2014 data are the same as those that have been provided in 2013. No update was available.

Q101 (2013): For 2013, two Landers did not communicate any reply. Given that for the previous years, seven Landers did not provide complete information, the 2013 data is more accurate.

As to dispute divorce cases only the number of conclusions by way of an order of divorce was provided. As to divorce proceedings (2013) overall, the following data were available:

Pending on 1 January 2013: 85 780;

Incoming cases: 119 123;

Resolved: 156 951;

Pending on 31 December 2013: 85 124.

As to insolvency cases only data on incoming cases was provided as well as on legal cases still pending at year end. Nevertheless not all Landers were able to give information on both of these points. Insofar as the Landers communicated complete data it was added to the sums indicated above. To this extent the information is incomplete.

Q101 (2012): In the frame of the 2012 evaluation it was stressed that the values regarding questions 91, 94, 97, 98, 99, 100, 101, 102, 107, 108 corresponded to data of the year 2011.

The number of resolved litigious divorce cases refers to resolution by divorce decree only. However, the data in respect of the total number of divorce cases (2011) are complete:

Pending on 1 January 2011: 63 363;

Incoming cases: 66 194;

Resolved cases: 215 769 (of which 190 258 by divorce decree);

Pending on 31 December 2011: 58 773.

Greece

Q091 (2016): Any deviations from the 2015 figures are due to a new way of collecting statistics. In fact, in 2016, a working group was set up to update and simplify the content of the statistical data requested by the judicial services of the country. The working group created tables followed by detailed instructions and training in relation to the requested information. According to the instructions given to the courts, some procedures they handle, in those which there is no participation of a judge, are not included in the data collected. In addition, in 2016 a long-term abstention by the lawyers of the country took place, resulting in reduction in the number of cases.

The number 79.872 of resolved administrative law cases does not include joint cases, i.e. decisions that refer to more than one case. Furthermore, for the 2016 data of the administrative First Instance Courts of Athens and Piraeus a slight deviation has been noted which is due to the data migration to a new information technology (IT) system called "Integrated Court Management System for Administrative Justice (OSDDY-DD)". This deviation that has already been taken into account by the Central Organizational Committee for the due implementation of OSDDY – DD is expected to lapse gradually within the next years.

Q91 (2014): The significant increase in the number of pending cases on 1 January for the total of "other than criminal law cases" between 2012 and 2014 was due to lawyers' abstention for a long time in the years 2013 and 2014.

Q91 (2012): In the ambit of the 2012 exercise, it has been stressed that, as far as the statistical information provided by the courts is concerned (e.g. replies to questions 91 and 97), the system of collecting data could not comply with the CEPEJ methodology because it was planned having altogether different national needs in mind. Thus, schematically, a case brought into the Greek judicial system gets an initial reference number. However, in the process of being tried, it gets more than one reference number according to the laws. As a result the numbers of incoming and resolved cases do not match.

Moreover, the Ministry of Justice, Transparency and Human Rights was not able to verify the accuracy of the replies, due to the lack of IT system.

Besides, recent law changes have altered the jurisdiction of courts, so the figures communicated for 2012 could not be compared with these provided for the previous evaluation cycles.

Q91 (2010): The increases observed in respect of the number of "other than criminal law cases" in 2010 are explained by the fact that for 2008, the performance of the administrative courts was not reflected within this question.

Q91 (2010): The increases observed in respect of the number of "other than criminal law cases" in 2010 are explained by the fact that for 2008, the performance of the administrative courts was not reflected within this question.

Q097 (2016): Any deviations from the 2015 figures are due to a new way of collecting statistics. In fact, in 2016, a working group was set up to update and simplify the content of the statistical data requested by the judicial services of the country. The working group created tables followed by detailed instructions and training in relation to the requested information. According to the instructions given to the courts, some procedures they handle, in those which there is no participation of a judge, are not included in the data collected. In addition, in 2016 a long-term abstention by the lawyers of the country took place, resulting in reduction of numbers regarding the cases.

Q97 (2012): In the ambit of the 2012 exercise, it has been stressed that, as far as the statistical information provided by the courts is concerned (e.g. replies to questions 91 and 97), the system of collecting data could not comply with the CEPEJ methodology because it was planned having altogether different national needs in mind. Thus, schematically, a case brought into the Greek judicial system gets an initial reference number. However, in the process of being tried, it gets more than one reference number according to the laws. As a result the numbers of incoming and resolved cases do not match. Moreover, the Ministry of Justice, Transparency and Human Rights was not able to verify the accuracy of the replies, due to the lack of IT system.

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Q099 (2016): For 2015, data on administrative law cases was not available and thus it was not integrated in the total. For 2016, the total includes also administrative law cases.

Q101 (2016): Except for the categories “cases relating to asylum seekers (refugee status under the 1951 Geneva Convention)” and “cases relating to the right of entry and stay for aliens”, the relevant data are not available electronically for the moment, therefore their extraction is not possible.

Hungary

Q091 (2016): In category "4. other cases" there is a difference between the number of pending cases on 31 December 2015 and the number of pending cases on 1 January 2016. The cause of this difference is the change of the IT system and the cleansing of the database.

2.2.3. “other registry cases” include registration of civil societies.

The increase in the number of general civil (commercial) non litigious cases pending on 1 January 2016 is due to the change in the statistical methodology at the largest regional court that caused a difference in the figures.

The number of incoming “other registry cases” increased between 2014 and 2016 because of the increasing number of registry cases of civil societies. Accordingly, the number of resolved “other registry cases” increased also for the same period. With regard to the category “other non-litigious cases”, the increased numbers characterizing the period 2014-2016 are the consequence of the increasing number of court mediation cases and non-litigious labour cases.

Q91 (2015): 2.1. There is a difference between the number of pending cases on 31 December 2014 and the number of pending cases on 1 January 2015. The cause of this difference is the change of the calculation method at some regional courts.

2.2.2. The number of pending non-litigious business registry cases cannot be given as the data is not available in the data management system of the courts, only at the system of the Ministry of Justice.

2.2.3. “other registry cases” include registration of civil societies.

2.3. “other non-litigious cases” include court mediation and non-litigious labour cases.

Civil and commercial non-litigious cases include all of those cases that are not concluded through the rules of the civil procedure, but through a more or less simplified procedure:

- exclusion of a judge,
- preliminary verification,
- issuance of a restraining order and review of that,
- declaring sy legally dead,
- revision of the medical care of mentally disordered patients,
- deposit at the court
- hearing sy on the request of another court
- etc.

Category "other" include: Insolvency cases, labour cases

Q91 (2014): In 2014, in contrast with the 2013 evaluation, some registration cases were also included within the category “civil and commercial non-litigious cases”. The item “other registry cases” includes registration of civil societies. The item “other non-litigious cases” includes court mediation and non-litigious labour cases.

Variations observed in respect of the category “general civil (and commercial) non-litigious cases” over the years are explained by the change of the methodology of presentation of data in 2013. Before 2013, the non-litigious administrative law cases were counted within the category “non-litigious civil and commercial cases”. Since 2013, non-litigious and litigious administrative law cases are given together. In 2014, non-litigious enforcement cases were also included in the category “general civil (and commercial) non-litigious cases”.

One of the reasons for the increase of the number of incoming administrative law cases over the period was the increase of the number of investigations conducted by administrative authorities (e.g. tax authorities), which resulted in an increased number of reviews against these decisions.

Q91 (2013): In the frame of the 2013 exercise, several explanations were provided in respect of the observed variations between 2013 and the previous cycles.

Till 2013, the data-provider for non-litigious enforcement cases was the Ministry of Justice. Since 2013, the data-collecting system of courts covers also this group of cases (general non-litigious cases).

Before 2013, the non-litigious administrative law cases were counted within the category “non-litigious civil and commercial cases”. Since 2013, non-litigious and litigious administrative law cases are given together.

As for the subcategory “civil (and commercial) litigious cases” the misinterpretation of the question resulted in the inclusion of different case categories in 2012 and 2013. This could have caused different figures for the ending number of pending cases in 2012 and the starting figures in 2013.

Q93 (2013): In 2010, 2012 and 2014 the category “other” encompasses insolvency registry cases and labour litigious cases. In 2012, additionally it includes misdemeanour cases. In 2013, the category subsumes insolvency cases and non-litigious labour cases.

Q097 (General Comment): In 2014, litigious insolvency cases have been included in two categories at the same time (pending cases on 1st January and pending cases on 31st December). For 2015, this has been corrected which resulted in a decrease in the number of pending cases on 1st January 2015 compared to the number of pending cases on 31st December 2014.

Q097 (2016): 4. Category “other cases”: there is a difference between the number of pending cases on 31 December 2015 and the number of pending cases on 1 January 2016. The cause of this difference is a typo in the previous questionnaire, as the number of pending cases was 1508 on 31 December 2015 as well.

With regard to the pending cases, it is noteworthy specifying that the decrease of the “backlog” of the courts is an overall trend in the Hungarian judiciary.

As for the other variations observed within the frame of question 97, the “raw” figures in most of the categories can be considered as relatively low figures (e.g. some hundreds in the whole country), so even a not so huge increase or decrease result in a large percentage change.

Q97 (2014): In 2014, in contrast with the 2013 evaluation, some registration cases were also included within the category “civil and commercial non-litigious cases”. The item “other registry cases” includes registration of civil societies. The item “other non-litigious cases” includes court mediation and non-litigious labour cases. □

The category “other” encompasses insolvency cases and labour cases.

Q099 (2016): Generally, the increase in the number of incoming cases at the Kúria (Hungarian Supreme Court) for 2016 is the result of the increasing use of extraordinary remedies by the parties. As the number of incoming cases increased, it resulted in an increase in the other categories as well.

Q99 (2014): In 2014, in contrast with the 2013 evaluation, some registration cases were also included within the category “civil and commercial non-litigious cases”. The item “other registry cases” includes registration of civil societies. The item “other non-litigious cases” includes court mediation and non-litigious labour cases. □

The category “other” encompasses insolvency cases and labour cases. □

On the occasion of the 2014 exercise, it has been stressed that one of the main aims of the judicial reform of January 1, 2012 was that the President of the Supreme Court (Kúria) and the Supreme Court itself should focus more on the quality of judicial work. As the President of the Supreme Court was released from the burden of the central administration of the court system, the Kúria was able to reduce its backlog as well as to focus more on the consistency of the national jurisdiction.

Q101 (2016): With regard to the category “employment dismissal cases”, as the number of incoming cases decreased it resulted in a decrease in the other categories as well. The reason of the decrease in the number of incoming cases might be outside of the court system. With regard to the category “insolvency cases”, the methodology of data collection changed from the year 2015 to 2016. Accordingly, there is a discrepancy between the number of insolvency cases pending on 31 December 2015 and the number of insolvency cases pending on 1 January 2016.

Q101 (2015): Regarding the category "litigious divorce cases", the data provided for 2015 cannot be compared with the previous years as the statistical system has changed. As a result of an amendment of the code of civil procedure, litigious divorce cases were included in a new statistical category. This resulted in a starting number of "0" litigious divorce case at the beginning of the year 2015.

Q101 (2014): The decrease of the number of pending employment dismissal cases on 31 December over the period 2012-2014 is a consequence of the decrease of the number of incoming cases. Another reason was the establishment of 20 Administrative and Labour courts and 6 Regional Administrative and Labour Divisions in January 2013, that made the work of these courts more effective.

Administrative and Labour Courts are specialized first instance courts in cases concerning the review of administrative decisions and employment relationships. The Regional Administrative and Labour Divisions are special departments that coordinate the professional work of Administrative and Labour Courts. Their main function is to provide a professional platform for the judges to discuss the actual issues in administrative and labour matters.

Ireland

Q091 (2016): This represents a sharp reduction on taxations of legal costs since 2014

Q91 (2015): Category "other" includes: Taxation of bills of costs.

Q91 (2014): 2014 Please note that unless a case has been listed in the court's calendar for the purposes of trial or the fixing of a trial date, parties to civil proceedings in Ireland are not generally required to notify the court either that a case has been settled or that a case is not being pursued further by the plaintiff. Hence, a substantial number of cases which have been completed (through settlement or non-pursuit of the case by the plaintiff without notice to the court) are not recorded and counted as completed. Consequently, the clearance rate appearing from the case flow data provided is considered to understate significantly the actual case clearance rate.

Q91 (2013): 2013: Variations: From 2013, as part of the efforts being made by the Courts Service to improve its caseload reporting data, the number of enforcement cases has been reported for the first time this year to meet the request for data under the heading. The Courts Service has sought to create a category of cases under the Irish system that would be equivalent to non-litigious enforcement cases under other justice systems. The figure consists of the following steps leading to enforcement measures by court judgments and orders: Execution orders, Registered Judgments, Judgment Mortgage Certificates.

Q92 (2014): Starting 2014 the category: "Appointment of care representatives" was added to the "Civil (and commercial) non-litigious cases"

Q93 (2014): From 2014, the range of 'Other cases' has been revised to incorporate the category 'certificates of taxation of legal costs issued'. This can explain the fact that different elements have been included in the category 'other' in 2013 and 2014.

Q099 (2016): The reduced number of incoming proceedings reflects the consequences of the establishment of the new Court of Appeal which came into operation in October 2014.

The reduced number of resolved proceedings reflects the consequences of establishment of the new Court of Appeal which came into operation in October 2014.

Q99 (2015): The reduction in the number of incoming cases to the Supreme Court substantially reflects the change in the jurisdiction of the Supreme Court from that of a second instance appeal court to an appeal court which is primarily third instance in nature

Q99 (2014): 2014: Variation: The significant increase in the number of resolved civil (and commercial) litigious cases between 2012 and 2014 reflects a significant exercise undertaken by the Supreme Court in reviewing its caseload in preparation for the establishment in 2014 of the new Court of Appeal (which has assumed the previous second instance jurisdiction of the Supreme Court), which resulted in the striking out or withdrawal of a significant number of appeals then pending before the Supreme Court.

Q101 (General Comment): Under the Insolvency category above the figures reflect both corporate and personal insolvency cases. Insolvency figures include both litigious and non-litigious cases.

Q101 (2016): This figure reflects a significant increase in recourse to bankruptcy and alternative personal insolvency procedures by debtors (over 20% between 2015 and 2016) and to bankruptcy as a remedy by creditors (69 bankruptcy petitions were presented by creditors in 2016 compared with 46 in 2015).

Q101 (2015): 2015 figure should be 2368. The large increase is substantially due to a large increase in the number of applications for Debt Relief notices, Debt Settlement Arrangements and Personal Insolvency Arrangements

Q101 (2014): 2014: Variation: The significant increase in the number of incoming and resolved insolvency cases between 2013 and 2014 reflects the introduction of a new range of statutory personal insolvency remedies since the previous return was made.

Italy

Q91 (2015): Figures at Q.91 (points 1 and 2) have been extracted from a new IT system called “Civil Data warehouse”. This new system allows us to get in-depth information on single proceedings. Before the implementation of such data warehouse, statistics were based on aggregated variables that only partially could distinguish between litigious and non-litigious cases.

As far as figures at Q.91 (point 3), please consider that Administrative Justice doesn't fall under the umbrella of the Ministry of Justice as it is administered by the Council of State (Consiglio di Stato). However, figures at Q.91 (point 3) were not provided by the Council of State, they were rather taken from a public document available online at https://www.giustizia-amministrativa.it/cdsintra/cdsintra/Notiziasingola/index.html?p=NSIGA_3826149

Since the administrative cases (Q.91 point 3) refers to a different administration, it wouldn't be reasonable to compare these numbers against the number of judges provided at Q.46.

Civil and commercial non-litigious cases include: Uncontested payment orders, uncontested divorces, technical appraisals, judicial interdiction and incapacitation, hereditament, etc.

Q91 (2014): In the ambit of the 2014 exercise, figures for the category “administrative law cases” have been submitted for the first time. As mentioned above, the administrative justice doesn't fall under the umbrella of the Ministry of Justice as it is a completely different administration. For this reason it wouldn't be reasonable to compare these numbers against the number of judges provided at Q.46.

Q91 (2013): During the second half of 2013 and the beginning of 2014, the Italian judicial system has gone through a historical geographic reorganization with the closing of almost 1.000 courts. As a consequence, the statistics regarding flows of cases at the end of 2013 may show some anomalies that will be adjusted with the following data gathering.

Besides, the variations noticed between 2010 and 2013 in respect of the category of civil and commercial litigious cases and this of civil and commercial non-litigious cases, a constant reduction in the incoming cases is observed from the end of 2009. Additionally, the number of ADR cases is constantly increasing with a filter effect on the litigious incoming files.

Q91 (2010): In 2010, the obligation to pay court taxes was extended to a particular type of proceedings related to traffic fees (the so called “opposition to administrative sanctions”). Accordingly, since 2010, people who got a fine are less likely to start a proceeding than before. As a result, the number of incoming cases dropped drastically, which led to a significant improvement of the clearance rate and thus of the case-flow at the level of first instance courts.

Q91 (2010): In 2010, the obligation to pay court taxes was extended to a particular type of proceedings related to traffic fees (the so called “opposition to administrative sanctions”). Accordingly, since 2010, people who got a fine are less likely to start a proceeding than before. As a result, the number of incoming cases dropped drastically, which led to a significant improvement of the clearance rate and thus of the case-flow at the level of first instance courts.

Q93 (2014): In the ambit of the 2014 exercise, the category “other” encompasses the number of enforcement cases.

Q097 (General Comment): · Non-litigious enforcement cases are not in the competence of the Courts of Appeal.

· With regard to the administrative cases (which number is provided only since 2014), the appeals are dealt with by the Council of State (Consiglio di Stato) which is a legal-administrative consultative body ensuring the legality of public administration in Italy. The Council has jurisdiction on acts of all administrative authorities, except when these authorities lack discretionary power, in which case the dispute is considered to be one of civil law. Figures referring to the activity of the Council of State are inserted in the frame of question 99 and not question 97.

Q097 (2016): As regards the variations concerning the category "general civil (and commercial) non litigious cases", it should be noted that the Ministry of Justice has recently implemented a data warehouse system that can collect a huge number of data and events pertaining to millions of civil cases. The new DWGC (Data Warehouse for Civil Justice) is now fully operational and it represent a major improvements in terms of statistics and its quality. Since 2015 data pertaining to Q.97 is extracted form the above Datawarehouse and it is to be considered more accurate than the figures provided in the past.

Q97 (2015): The appeal of administrative case is dealt by the Council of State (Consiglio di Stato) which is a legal-administrative consultative body that ensures the legality of public administration in Italy. The council has jurisdiction on acts of all administrative authorities, except when these authorities lack discretionary power, in which case the dispute is considered to be one of civil law.

Figures referring to the activity of the Council of State (second instance of administrative justice) have been submitted to Q.99 rather than Q.97.

Figures on Q.97 (points 1 and 2) have been extracted from a new IT system called "Civil Data warehouse". This new system allows us to get in-depth information on single proceedings. Before the implementation of such data warehouse, statistics were based on aggregated variables that only partially could distinguish between litigious and non-litigious cases.

All cases dealt by the Supreme Court of Cassation has always a litigious nature.

Q099 (General Comment): · With regard to the administrative cases (which number is provided only since 2014), the appeals are dealt with by the Council of State (Consiglio di Stato) which is a legal-administrative consultative body ensuring the legality of public administration in Italy. The Council has jurisdiction on acts of all administrative authorities, except when these authorities lack discretionary power, in which case the dispute is considered to be one of civil law. Figures referring to the activity of the Council of State are inserted in the frame of question 99 and not question 97. · In Italy, non-litigious enforcement cases are not heard by the highest instance court. The latter only hears litigious enforcement cases.

Q099 (2016): "other cases" represent residual cases such as cases regarding the competence/jurisdiction of the court, corrections of material errors, etc

Q99 (2014): · In the frame of the 2014 exercise, it has been indicated that figures subsumed within the category "other" represent really residual cases (such as cases regarding the competence/jurisdiction of the court, corrections of material errors, etc.).

· As to the increases observed in respect of the "total of other than criminal law cases" with regard to all the items (pending, incoming, resolved cases), it is noteworthy that in 2014 for the first time "administrative law cases" dealt with by the Council of State were considered. If looking only to "civil (and commercial) litigious cases", the differences are not that big. In general terms the Supreme Court of Cassation resolves fewer cases than incoming cases.

Q99 (2012): In the frame of the 2012 exercise, it has been specified that non-litigious enforcement cases are not heard by the highest instance court which hears only litigious enforcement cases. Before 2012, only litigious enforcement cases have been provided. For 2012, data related to litigious enforcement cases are the following: initially pending: 1090; incoming: 221; resolved: 413; finally pending: 898.

Q101 (General Comment): With regard to the insolvency cases, the peculiarity of the Italian system consists in distinguishing between "insolvency applications" and "insolvency cases". The former category concerns the litigious part of the proceeding where creditors and debtors have different goals (dispute). The latter category concerns 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 questions 101 and 102 refer to "insolvency cases" rather than "insolvency applications".

Q101 (2016): With the introduction of the data warehouse system we can now identify specific types of proceedings (e.g. employment dismissal cases) more precisely.

I confirm the figures provided for both litigious divorce and insolvency resolved cases (year 2016) but unfortunately I don't have any useful explanations for the trends you highlighted. Actually the system is currently giving me slightly different figures for 2014 and 2015 data. I'll send these number separately by email.

Q101 (2015): Insolvency cases. 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 refers to "Insolvency cases" rather than "Insolvency applications".

Litigious divorce case in 2015 have been extracted from the "Civil Data warehouse". While in 2014 they were taken from the previous system. To harmonise the data between the cycles the 2014 was updated with the values derived from the data warehouse too

Q101 (2014): · In the frame of the 2014 exercise, it has been stressed that the project called "Civil Datawarehouse", Italy was working on for years, and supposed to enable to look at each single procedure individually, has been implemented. However, the output of the Datawarehouse is still under "test phase". It is likely that the number of "employment dismissal cases" is available for the next evaluation.

Q101 (2012): On the occasion of the 2012 exercise, it has been stressed that the number of litigious divorce cases, has been affected by the implementation of a different classification of civil cases. Therefore the comparison between 2010 and 2012 might lead to misinterpretation.

Latvia

Q091 (2016): Decrease in pending non-litigious cases is due to many resolved cases in 2015.

Q91 (2014): The variations concerning administrative law cases over the period 2012-2014 are due to a change in the legislation. Namely, from July 1st of 2012, appealed administrative decisions of institutions are handed to District courts.

Q91 (2013): As concerns the variation of the clearance rate and the disposition time in respect of different types of other than criminal law cases between 2010 and 2013, namely as regards the disposition time for the category "civil and commercial non-litigious cases", the justification is based on internal and external factors.

o The internal factors concern changes in the Civil Procedure Law (creation of new long-pending forms for insolvency cases such as judicial protection proceedings, insolvency proceedings for individuals, etc., whose proportion increased). In Latvia, the insolvency process begins with a court ruling but the case cannot be closed until the end of the insolvency process. Besides, quick pending cases have been transferred from courts to the Land Registry offices due to changes in the Civil Procedure Law from 1 January 2012.

o As for the external factors, the micro-enterprise development opportunities have increased the number of long-pending insolvency cases in the court (following the above described amendment of the national legislation).

• The variations concerning administrative law cases over the period 2012-2014 are due to a change in the legislation. Namely, from July 1st of 2012, appealed administrative decisions of institutions are handed to District courts.

Q91 (2012): The total number of incoming, resolved and pending cases on 1 January and on 31 December 2012 has mostly decreased under the influence of external (socio-economic) and internal (court system) factors:

1) the gradually exit from the economic crisis 2010-2014 (gradual decrease of the economic disputes and greater public satisfaction with regard to the authorities);

2) with the aim to improve the effectiveness of the court system, since 1st January 2012, the majority of the non-litigious civil cases (land registry, business registry and non-litigious enforcement cases) were transferred from first instance courts for consideration by the competent Land Registry Department and are not subsumed in the table;

3) with the aim to improve the effectiveness of the court system, since 1st July 2012, the appealed decisions against administrative authorities were transferred from the Administrative court jurisdiction to the Regional courts of general jurisdiction for consideration by judges of the Criminal College. These cases are not included in the table and only cases of the special jurisdiction of the administrative courts are encompassed.

Q91 (2010): In 2010, the total number of other than criminal cases increased (pending, incoming, resolved, pending) as a result of the increase of the number of administrative law cases on the one hand, and the number of civil cases on the other hand.

As to the administrative law cases, this evolution is due to several factors. Firstly, owing to the financial crisis, the volume of pending complicated administrative cases in first instance courts and the Administrative Regional court increased. Secondly, the relevant legislation has been changed and since 2009, appealed court rulings in administrative matters are handled by administrative district courts. The last reason is the insufficient capacity of administrative courts between 2008 and 2010.

As to the civil cases, the main explanation lies in the financial crisis which resulted in the increase of the number of complicated cases such as insolvency, bankruptcy, employment, etc.

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As to the civil cases, the main explanation lies in the financial crisis which resulted in the increase of the number of complicated cases such as insolvency, bankruptcy, employment, etc.

Q097 (General Comment): In accordance with the provisions related to data gathering, all information must be recorded in the Court Information System within 3 days. However, the Court Information System functionality for the statistical reports provides in the System recorded figures at the end of the year. Consequently, submissions received in the previous year but registered the next year are considered as incoming cases for the new year.

Justice statistics do not distinguish between “non-litigious enforcement cases” and “non-litigious business registry cases” because such types of cases are not defined in the Civil Code. Accordingly, the reply in their respect is NAP. At any rate, both of these sub-categories of cases are not within the competence of courts neither in first instance (similar to the “non-litigious land registry cases”), nor in second instance. By contrast, the “non-litigious land registry cases” are dealt with by the regional courts in second instance and they are within the competence of the Land Registry Office only in first instance.

Q097 (2016): The increase in pending civil cases is due to fewer resolved cases in 2015. Decrease in pending Administrative cases is due to more resolved cases in 2015.

Q97 (2014): In the frame of the 2013 and 2014 exercises it has been indicated that the category “other” includes the following types of cases from the Supreme Court : cases related to moral and physical damages; copyright related cases; family relationship; deprivation of citizenship; labour law cases; cases in respect of inheritance rights.

Q97 (2013): In the frame of the 2013 and 2014 exercises it has been indicated that the category “other” includes the following types of cases from the Supreme Court : cases related to moral and physical damages; copyright related cases; family relationship; deprivation of citizenship; labour law cases; cases in respect of inheritance rights.

Q97 (2012): The decreases observed in 2012 with regard to the totals in respect of the different items (pending, incoming and resolved cases) are the consequence of the evolutions noticed for each of the sub-categories in respect of the number of incoming cases. The decrease of the latter and the improvement of the judicial efficiency resulted in a decrease of the number of pending cases. The end of the economic crisis and the strengthening of the courts’ capacity are general factors which have to be taken into account when analysing this positive trend.

As to the sub-category “civil and commercial litigious cases”, the increase of the number of pending cases on 1 January 2012 is due to the increase of the number of incoming cases in different categories of cases such as different types of bankruptcy cases which know a long processing time. The duration of these special types of bankruptcy cases cannot be shortened by improving the efficiency of the judiciary. The increase of the number of resolved cases can be explained by the improvement of the work capacity of courts.

As to the sub-category “civil and commercial non-litigious cases”, the decrease of the number of resolved cases and pending cases on 1 January 2012 and 31 December 2012 can be explained by the transfer of a part of the cases from the first instance courts to the Land Registry Department, following the legislative reform of 1 January 2012. The number of incoming cases has decreased essentially due to external (socio-economic) factors, namely the gradual exit from the economic crisis during 2010-2013.

As to the sub-category “non-litigious land registry cases”, the increase of the number of resolved cases between 2010 and 2012 can be explained by the courts work reviewing a large number of cases in the law limited time because of external factors causing an increase of the number of incoming cases before the entry into force of the new provisions of the Civil Procedure Law on 1 January 2012.

As to the sub-category “administrative law cases”, the decrease of the number of pending cases on 1 January 2012 can be explained by the courts work, namely the improvement of the judicial capacity and the decrease of the number of incoming cases due to external factors as public activity resubmission to the Administrative Court and internal factors. The decrease of the number of resolved cases can be explained by the limited capacity of courts work, the complexity of the cases, the parties’ failure to appear for court hearings, etc. The decrease of the number of pending cases on 31 December can be explained by the improvement of the judicial capacity of courts and decrease of incoming cases due to external factors.

There are no cases in the sub-category “other”. All cases are distributed among the mentioned categories No.1, No.2 and No.6.

The decreases observed with regard to the totals in respect of the different items (pending, incoming, resolved cases) are the consequence of the evolutions noticed for each of the sub-categories in respect of the number of incoming cases. The decrease of the latter and the improvement of the judicial efficiency resulted in a decrease of the number of pending cases on 1 January and 31 December. The end of the economic crisis and the strengthening of the courts’ capacity are general factors which have to be taken into account when analysing this positive trend.

As to the sub-category “civil and commercial non-litigious cases”, the increase of the number of resolved cases between 2012 and 2013 can be explained by the long pending backlog of complex cases before the courts of the second instance.

Q97 (2010): The variations concerning figures provided for 2010 are the consequence of these explained in the frame of question 91.

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Q099 (2016): Supreme court had accumulated too many unresolved cases and 1/3 of those are older than 2 years so they have have made some changes and acheaved progress.

Q99 (2015): An explanation for the rather large difference in case count for general civil and commercial non-litigious cases are changes in civil proceedings - while in 2014 undisputed compulsory execution cases were also heard by Supreme Court, in 2015 it was tasked with hearing decisions from Land registry, sworn bailiffs and notaries only.

Q99 (2012): In 2012, the decrease of the total of cases before the higher instance courts correlates with the general decrease of the number of civil cases.

Q99 (2010): In the frame of the 2010 exercise, it has been explained that the increase of the total number of pending and incoming cases was due to the increase of the auctions of immovable property. As to the increase of the total number of resolved cases, it is a result of the higher work load and the augmentation of the number of judges.

Q99 (2010): In the frame of the 2010 exercise, it has been explained that the increase of the total number of pending and incoming cases was due to the increase of the auctions of immovable property. As to the increase of the total number of resolved cases, it is a result of the higher work load and the augmentation of the number of judges.

Q101 (2013): In 2013, several explanations have been provided with regard to the category "insolvency cases". Firstly, the number of pending cases on 1 January increased because of the special handling procedures for insolvency cases set forth by the Civil Procedure Law. As a matter of fact, the duration of insolvency proceedings is mostly affected by external economic factors and do not depend on the courts work capacity. Secondly, the increase of the number of incoming cases was justified by external factors such as public activity submitting applications before the Court on the legal protection of individuals in cases of insolvency. Thirdly, the increase of the number of resolved cases was due to the gradual improvement of the capacity of the courts work following the adoption of the new provisions of the Civil Procedure Law on 1 January 2012. Lastly, the increase of the pending cases on 31 December 2013 resulted from the special handling procedures for insolvency cases according to the Civil Procedure Law.

Q101 (2012): In the ambit of the 2012 exercise, it has been explained that the decrease of the number of "litigious divorce cases" in respect of all the items (pending, incoming, resolved cases) was due to the decrease of the incoming cases owing to to the impact of external factors such as depopulation, decline in the number of marriages etc.

As to the category "employment dismissal cases", the decreases noticed in respect of all the items (pending, incoming, resolved cases) can be explained by external socio-economic factors such as the decrease of the unemployment in the country after the end of the economic crisis. This factor has affected the number of incoming employment dismissal cases and consequently the other statistical indicators.

Lithuania

Q091 (2016): Administrative law cases - the courts are fighting the backlogs. This led to the growth in the number of resolved cases and consequently to the decrease in the number of pending cases 31 December 2016.

Other non-litigious cases: incoming and consequently resolved civil cases in process of enforcement (execution) are continuously increasing.

Q91 (2015): Civil and commercial non-litigious cases include court orders

Category "other" includes: Cases of administrative offences and cases of administrative offences in process of enforcement (execution).

Q91 (2014): The increase between 2013 and 2014 in number of cases can be explained by the increase in the number of incoming administrative cases and cases of administrative offence. They were mostly cases on remuneration of public servants in 2013 due to the decision of the Constitutional Court of the Republic of Lithuania, which recognized the laws on the reduction of the remuneration of State servants and judges unconstitutional. This also had an effect on the significant increase of the category "other cases" since this situation resulted also in the increase of the number of cases of administrative offence (in execution process).

The significant decrease of 58% of general civil (and commercial) non-litigious cases (pending 31 Dec) in 2014 has been explained by the fact that civil cases on deliver of judicial orders are resolved quickly and such residues are normal.

Q91 (2010): The increase of the total number of other than criminal cases in 2010 was due to the financial situation of 2009-2010 when a lot of litigants turned to courts in order to secure their financial interests. Such amount of new incoming cases also determined the bigger workload of the judges and all the judicial staff.

As for the category "land registry cases", issues related to land registering are managed by the Real Property Register and Cadastre.

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As for the category "land registry cases", issues related to land registering are managed by the Real Property Register and Cadastre.

Q92 (2014): For 2013 and 2014, the category “civil and commercial non-litigious cases” includes court orders.

Q92 (2013): For 2013 and 2014, the category “civil and commercial non-litigious cases” includes court orders.

Q93 (2013): For 2010, this category encompasses only cases of administrative offence, while since 2012 it subsumes also the administrative offence cases in the process of execution.

Q097 (General Comment): In Lithuania, statistical data on case flow and their classification are made according to the specific regulations and are mainly based on the institutes of Civil, Criminal Codes and the codes of Civil and Criminal procedures, as well as the Code of Administrative Offences and the law on Administrative procedure. Therefore figures for some of the types of cases are unavailable because there is no such classification while making statistical reports. In respect of the variations that can be observed between figures provided for the different evaluation cycles and in the light of the above described peculiarity of the statistic system of Lithuania, it is noteworthy that cases the number of which is not available are included in other categories, i.e. “civil litigious”, “civil non-litigious”. Accordingly, the indicated totals are relevant. In respect of the 2010, 2012 and 2013 exercises, it has been specified that all statistical data are correct. The changes mainly are influenced by changes in number of incoming cases (due to the crisis, developments of constitutional doctrine or amendments in law). Since 2012, the category “administrative law cases” subsumes all cases of the Supreme Administrative Court of Lithuania (petitions of appeal, also cases of first and last instance, cases on jurisdiction etc.). In earlier years, namely in 2010, only appeal cases were counted. Since 2012, the category “other” includes administrative cases of regional administrative courts, the Supreme Administrative Court, regional courts and the Court of Appeal. For the previous evaluation cycles, only administrative cases of the regional administrative courts were counted.

Q97 (2014): The increase between 2013 and 2014 in number of cases can be explained by the increase in the number of incoming administrative cases and cases of administrative offence. They were mostly cases on remuneration of public servants in 2013 due to the decision of the Constitutional Court of the Republic of Lithuania, which recognized the laws on the reduction of the remuneration of state servants and judges unconstitutional. This also had an effect on the significant increase of the category “other cases” since this situation resulted in the increase of the number of cases of administrative offence (in execution process).

Q97 (2010): In 2010, the number of incoming cases increased considerably.

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Q99 (2014): In the frame of the 2014 exercise, it has been indicated that the Supreme Court of Lithuania received 1369 appeals (cassation) in criminal cases and 2794 appeals (cassation) in civil cases. 677 appeals in criminal cases and 2038 in civil cases were returned to the complainants.

2014: Different category of cases as in Q91, 97 and 99 exist in Lithuania, but they are all under the category 1. Civil (and commercial) litigious cases and it is not possible at this point to distinguish them from other cases.

The increase between 2013 and 2014 in number of cases can be explained by the increase in the number of incoming administrative cases and cases of administrative offence. They were mostly cases on remuneration of public servants in 2013 due to the decision of the Constitutional Court of the Republic of Lithuania, which recognized the laws on the reduction of the remuneration of state servants and judges unconstitutional. This also had an effect on the significant increase of the category “other cases” since this situation resulted in the increase of the number of cases of administrative offence (in execution process).

Q101 (2016): For the reference year 2016 cases relating to asylum seekers fall within the cases relating to the right of entry and stay for aliens or other administrative cases.

Q101 (2013): In the frame of the 2013 exercise the variations observed in respect of the categories “employment dismissal cases” and “litigious divorce cases” are justified mainly by the changes in the number of incoming cases (due to the crisis, developments of constitutional doctrine or amendments in law). Besides, some discrepancies might have occurred due to the judicial reform of 8 district courts and therefore transferring cases from one year to another from several/two courts to one court. The reform entered into force on 1 January 2013 and has resulted in the reduction of the number of district courts to 49.

Luxembourg

Q091 (2016): For question 91.1 the new data collection system revealed a higher number of pending cases, previously not considered by those in charge of counting.

For question 91.2.2, the new data collection system provides now information on other non-litigious cases, previously unavailable.

Q91 (2015): The figures given (with the exception of those for the administrative court) are those of the two district courts (Luxembourg and Diekirch).

The three justices of the peace totalized 78.273 national as well as 285 European payment orders.

Q91 (2014): The data (except for the Administrative Court) are those of the district courts. Uniform statistical data for both types of courts are not yet available. The three justices of peace ruled 75 411 national payment orders, 260 european payment orders and resolved a total of 6386 cases for a total of 65840 new cases. The implementation of statistics counters for civil and commercial cases resulted in variations. The applied criteria have been refined and give a more accurate image. However, new fluctuations are prone to occur, given that the implementation is not yet complete.

Q91 (2013): The data is relevant for the judiciary year September 2012-September 2013. It concerns (except for the Administrative Court) district courts. Uniform statistical data for both types of courts (district courts and justice of peace) are not yet available. The District Court of Diekirch rendered 580 decisions and registered 664 new cases. The three justices of peace ruled 69 859 payment orders and resolved a total of 5 682 cases for a total of 6 508 new cases. The increase in the number of civil (and commercial) non-litigious cases" between 2010 and 2013 is partly explained by the establishment in 2011 of the judiciary statistics office. The increase in the number of administrative law cases mainly stems from the increase in the asylum-related disputes on account of the international situation.

Q91 (2012): The data provided (except for the Administrative Court) are those of the district courts. Uniform statistical data for both types of courts (district courts and justice of peace) are not yet available. The District Court of Diekirch rendered 591 decisions and registered 688 new cases. The three justices of peace ruled 63 651 payment orders and resolved a total of 8041 cases for a total of 9310 new cases. The 2012 data encompasses civil and commercial cases of both district tribunals (Luxembourg and Diekirch).

Q91 (2010): The 2010 data refers only to the Luxembourg court excluding the district court of Diekirch. The latter rendered 386 judgments and registered 306 new cases for 2010. Concerning the justices of peace, the following data is available: Justice of peace of Luxembourg: 6609 new cases, 4035 judgments rendered; Justice of peace of Esch-sur-Alzett: 2512 new cases, 1966 judgments rendered; Justice of peace of Diekirch: 1801 new cases, 1471 judgments rendered.

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Q92 (2014): 2014: Category 2 (civil (and commercial) non-litigious cases) refers to european payment orders issued by two district courts. They are handled almost immediately, so that there is no stock at the end of the period. That is why the pending cases as well as incoming cases are classified as NAP.

Q92 (2013): 2012: Category 2 (civil (and commercial) non-litigious cases) refers to payment orders issued by district courts. They are handled almost immediately, so that there is no stock at the end of the period.

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Q93 (2010): 2010: the last category "other cases" includes insolvency cases. There is no backlog in this matter since these cases are always urgent.

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Q097 (2016): As concerns the decrease of around 30% in the number of incoming and resolved administrative law cases between 2014 and 2016, we can notice that the number of appeals brought to the administrative court went down for this period. The reason explaining this trend is that the number of first instance judgments prone to be appealed decreased significantly. In fact, the administrative tribunal had to deal with, as a priority, a considerable number of cases according to the accelerated procedure set forth by the law of 18 December 2015 in international protection matters. For the judicial year 2015/2016, 355 judgments out of 938 in total (excluding radiation) were handled through the accelerated procedure without possibility of appeal.

Q97 (2013): 2013: because of the international events that have increased the number of asylum seekers, the administrative courts that have jurisdiction in case of appeal against a refusal of refugee status, have, in particular in 2013 but already during the 3-4 previous years, known a significant increase in this very specific litigation both at first instance level and appeal level.

Q99 (2014): 2014: several categories are in NAP because the Court of Cassation has no jurisdiction over these categories.

Q101 (2016): For insolvency cases the number of incoming and resolved cases is identical because these cases are treated immediately.

Q101 (2013): 2013: the number of employment dismissal cases corresponds to the incoming cases brought before the three competent courts. All these cases, with some exceptions, are general heard and resolved within a few months.

Regarding insolvency cases, it should be noted that they are all considered as urgent and are heard, at the latest one month after they are brought before the court.

For resolved litigious divorce cases (+69.53%) and employment dismissal cases (-32.29%), the increase between 2010 and 2013 reflects the current social phenomenon.

Malta

Q091 (2016): Horizontal consistency: This is a problem encountered also in previous evaluations. Unfortunately this inconsistency results from the way that the data is logged, and it is practically impossible to resolve it at present. Concerning the variations between cycles: In reality, in 2015 the Administrative Review Tribunal worked real hard to reduce the pending caseload and also resolved one set of interrelated cases that translated in the conclusion of about 150 separate cases. So 2015 was a very good year in which the efficiency parameters of the Tribunal spiked. In 2016, the rhythm by which cases were being resolved went back to 2014 figures, hence the apparent decrease in the number of resolved cases between 2015 and 2016. The reduction in the pending caseload is also the result of the additional 150 odd cases that were resolved in 2015 and that dramatically reduced the pending caseload for good, even if the resolved caseload of 2016 was less than that of 2015. Concerning Administrative cases: These figures reflect the pending balance at the beginning of 2016. Throughout 2015, the Tribunal resolved one batch of related cases that resulted in a drop in the number of pending cases and a spike in the number of resolved cases.

Q91 (2014): For 2014, it has been pointed out that the item “pending cases at 1st January 2014” has been compiled using the data for the 31st December 2013.

It is noteworthy that the category “civil litigious cases” covers family mediation cases and cases before the Court of revision of notarial acts and the Small Claims Tribunal.

As to the category “administrative law cases”, the observed variations between 2013 and 2014 are due to the fact that in 2014 another magistrate started presiding over the Administrative Review Tribunal thereby increasing the judicial complement to 2 members. This change resulted in an increase in the number of resolved cases leading to the increase in the clearance rate.

The discrepancy in the data provided as “pending cases on 31st December 2014” results from an internal exercise being carried out by the Court Administration in which cases that have been prescribed, are being cleaned from the system. This exercise is going to be carried out more frequently so that it does not reflect in discrepancies in the data that is published.

Q91 (2013): In 2013, the number of administrative law cases continued increasing. In this respect, it should be recalled that the Administrative Court was created in 2010 and, as a result, in 2010, there were few cases before this new jurisdiction. Subsequently, as time passed, the number of areas of competence of the Administrative Court has increased - as a result, cases increased considerably too.

Q91 (2012): In 2012, the increase of the number of administrative law cases has been justified by the fact that the Administrative Court was set up in late 2010, as a result of which, figure given in the previous report reflected the operation of the Court over a couple of months only. For 2012, the communicated figures reflect the operation of the Court over a twelve month period.

Q91 (2010): In the ambit of the 2010 exercise, it has been explained that in Malta, enforcement of cases is carried out by the Court Marshalls (enforcement agents) as a result of which, there is no need to refer the enforcement to the court as a case, but merely a warrant of enforcement is presented, of which, no data was available.

As to “business register cases”, all cases relating to business matters are heard by the Civil Court. Accordingly, no separate data exists.

Q91 (2010): In the ambit of the 2010 exercise, it has been explained that in Malta, enforcement of cases is carried out by the Court Marshalls (enforcement agents) as a result of which, there is no need to refer the enforcement to the court as a case, but merely a warrant of enforcement is presented, of which, no data was available.

As to “business register cases”, all cases relating to business matters are heard by the Civil Court. Accordingly, no separate data exists.

Q097 (2016): Regarding Civil (and commercial) litigious cases: 2015 was the best year in terms of number of resolved cases, mainly because the judiciary were trying hard to conclude cases that were ready for sentencing. In fact, our efficiency indicators reflected this effort. As regards to the other data, we do not, as yet, have those statistics at hand and hence, the last 3 evaluations were marked as NAP.

Q97 (2014): The discrepancy in the data provided for 2014 as “pending cases on 31st December 2014” results from an internal exercise being carried out by the Court Administration in which cases that have been prescribed, are being cleaned from the system. This exercise is going to be carried out more frequently so that it does not reflect in discrepancies in the data that is published.

Q97 (2013): The significant increase of the number of civil and commercial litigious cases between 2010 and 2013 was due to the fact that the number of appeals has increased substantially in the past few years and the jurisdiction of the Court of Appeal has been extended to include also appeals from large public contract awards. Accordingly, the Court of Appeal was not in a position to manage the considerable influx of cases.

Q97 (2012): In 2012, a number of judges in the Appeal Court retired and their replacement took some time to materialise, as a result of which, the number of decided cases decreased.

Q099 (General Comment): In Malta the 2nd instance courts are the highest instance. Hence the NAP answer to this section.

Q101 (General Comment): The employment dismissal cases are not heard by the courts but rather by the Industrial Tribunal which is separate from courts and has no connection whatsoever to courts or the Ministry of Justice.

Q101 (2016): Cases related to asylum seekers are processed by the Refugee Commission and heard by the Refugee Appeals Board, which is an entity separate from the courts. Therefore such data is NAP.

Netherlands

Q091 (2016): Number of administrative law cases litigious plus non-litigious.

In 2016, there has been a strong decrease in numbers of cases compared to 2014. This decrease pertains to the group of misdemeanours, in particular the group of traffic offences ("Mulder Law"). The cases of "vorderingen dwangsom" (coercive detention) are no longer treated by the Public Prosecution. This following complaints at the Ombudsman. These coercive detention cases increased at first strongly in 2013 and 2014. But after that decision of the Public Prosecution The "Mulder Law" cases decreased from 200.000 in 2014, via 100.000 in 2015 to 40.000 in 2016.

Q097 (General Comment): As to the lack of horizontal consistency that can be observed, the reason is that the official number of cases pending on January 1st is determined at different time then the other 3 categories (official incoming, official resolved, official pending on December 31st). Due to time lags in registration and dynamics in the data systems, if the cases pending on January 1st are measured at the same time as the others, the result would be different.

Q097 (2016): Administrative law cases, litigious plus non-litigious.

Q099 (2016): At the moment the Supreme Court has not the data available to answer this question. The National Correspondent is consulting the Supreme Court to improve this situation.

Q99 (2010): In the frame of the 2010 exercise, it has been specified that the number of resolved appeal cases in the non-criminal sphere has risen substantially in 2009 (both commercial and family cases) and 2008 (family cases).

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Poland

Q091 (2016): Within the changes in business registry cases we can observe significant increase in all types of Application for registration (first registration) cases, but there is also considerable increase in general business cases (changes in the registry, including cases of removing from registry).

In 2016 there were serious problems with the information system which is in use in electronic proceedings therefore the number of pending cases had increased.

Q092 (General Comment): The category of civil (and commercial) non-litigious cases (including non-litigious family cases) covers all the rest of cases decided under chapter II of the Civil Proceedings Code which are non-litigious cases (such as ascertainment of the acquisition of an inheritance, cases connected with birth, marriage and death records, declaration of dead, adoption as well as summary and injunction proceedings in money payment cases).

Q093 (General Comment): The category "other" includes first of all social security cases and cases related to the application of correctional and educational measures as required in juvenile cases and execution of guardianship or tutoring.

Q097 (General Comment): The number of second instance administrative law cases coincides with the number of administrative law cases in third instance because the Supreme Administrative Court is also the court of second instance and it is impossible for the Statistics Division to divide its cases statistics.

Q097 (2016): Within the changes in business registry cases we can observe significant increase in all types of Application for registration (first registration) cases, but there is also considerable increase in general business cases (changes in the registry, including cases of removing from registry).

In 2016 there were serious problems with the information system which is in use in electronic proceedings therefore the number of pending cases had increased.

Q97 (2010): In the frame of the 2010 exercise it was explained that the Poland judiciary system was struggling with delays especially in respect of "other than criminal cases". There was an ongoing research in the Ministry of Justice concerning the structure of pending cases. The analysis of the gathered data indicated that the major drawback was connected to simple civil cases. The increase of the number of pending cases was also the result of the overall increase of incoming cases.

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Q099 (2016): In regard to administrative law cases the administrative cases are excluded from the jurisdiction of the common courts. Administrative cases are proceeded by the Voivodship Administrative Courts and Supreme Administrative Court, which are only competent to proceed such cases.

Q99 (2012): In the frame of the 2012 exercise, it has been indicated that the Supreme Court provided the Ministry of Justice with data set that allowed summing up non-criminal cases with administrative cases of the Supreme Administrative Court. Therefore it was possible to include both data-sets.

Q101 (2016): The growth of the number of insolvency cases is a result of the amendment of The Bankruptcy and Reorganisation Act which entered into force on the 31 December 2016.

It should be noted, that this is a very important change, which simplifies the submission of requests for consumer bankruptcy. It also implemented solutions for insolvent consumers which facilitate reaching deal with their creditors. The amended regulations do not establish automatisations in declaring consumer bankruptcy - it is still a legal proceeding. Every time the consumer must fulfil a number of conditions, which are subject to an individual assessment conducted by the judge.

Since the implementation of this act, the number of incoming insolvency cases has increased significantly (300 in 2014, 8694 in 2016).

Portugal

Q091 (2016): " Item 91-1 “Civil (and commercial) litigious cases”, includes the case-flow of civil justice, labour justice and juvenile justice. It does not include civil and labour enforcement cases. On 1 September 2013, the new Code of Civil Procedure entered into force, establishing a new regime for the enforcement action in Portugal, based on a new paradigm, which states that the processes that run in court must stand out clearly - those who are dependent on the commission of an act of the judge or the secretary – from those who run out of court. This new model, which enables a new way of organizing tasks, of work monitoring and of differentiating responsibilities is provided for in Article 551, paragraph 5 of the new Code of Civil Procedure. This new system follows more closely the current model in other countries and, without prejudice to the specificities of each planning and method of statistical production, will facilitate the future approach to a comparison of the Portuguese system with that of other countries. From a statistical point of view, this new model has not yet however been reflected in numbers, as work is still on-going aimed at demarcating the procedures that are in court, waiting for an act, from those that are being handled by other entities. Since is not yet possible to provide figures that reflect the amount of work taken on by the courts as referred above, the data does not include civil and labour enforcement cases. The data on enforcement cases for the year 2016 is: pending cases on 1 Jan. 2016: 934.860; incoming cases: 158.164; resolved cases: 289.402; pending cases on 31 Dec. 2016: 803.622. These numbers correspond to the total number of existing procedures in Portugal in 2016, following the existing model prior to the entry into force of the said legal diploma. For this reason, the alerts and notes transmitted in previous years with regard to comparisons between countries still remain. A comparative reading of these values must, as we have repeatedly drawn attention, be very cautious, refraining from any comparison in terms of volume or duration of cases and should be limited to the evaluation of the development indicators. Item 91_3 “Administrative law cases”, includes administrative and tax cases. The separate data on tax cases is as follows: pending cases on 1Jan. - 53.597; incoming cases - 16.445; resolved cases - 20.222; pending cases on 31 Dec. - 49.820. Regarding the decrease in the number of incoming administrative law cases, it results from the decrease in the number of incoming tax law cases, in particular in what concerns misdemeanour appeals".

Q91 (2015): The category “civil (and commercial) litigious cases” includes the case-flow of civil justice, labour justice and juvenile justice. It does not include civil and labour enforcement cases. On 1 September 2013, the new Code of Civil Procedure entered into force, establishing a new regime for the enforcement action in Portugal, based on a new paradigm, which states that the processes that run in court must stand out clearly - those who are dependent on the commission of an act of the judge or the secretary – from those who run out of court. From a statistical point of view, this new model has not yet however been reflected in numbers, as work is still ongoing aimed at demarcating the procedures that are in court, waiting for an act, from those that are being handled by other entities. It is not yet possible to provide figures that reflect the amount of work taken on by the courts as referred in that table. Just for information, the data on the total number of existing enforcement procedures in Portugal in 2015, following the existing model prior to the entry into force of the said legal diploma is the following: pending cases on 1 Jan. 2015: 1.000.446; incoming cases: 199.359; resolved cases: 272.191; pending cases on 31 Dec. 2015: 927.614.

The category “administrative law cases” includes administrative and tax cases. The separate data on tax cases is the following: pending cases on 1Jan - 47.866; incoming cases - 24.808; resolved cases - 19.164; pending cases on 31 Dec. - 53.510.

Q91 (2014): For the 2014 exercise, data are not available due to technical constraints that resulted from the disruption of communications between the informatics system that supports the courts activity and the Justice Statistics Information System. The Portuguese Ministry of Justice is working and strongly committed in recovering the information missing in order to establish the normal functioning of the System. Other activities are in course, namely to ensure the accuracy of these data. Data regarding enforcement proceedings and insolvency proceedings are to be due at the end of 2015.

Q91 (2013): With regard to the increase observed in respect of the number of resolved non-criminal cases and the number of resolved enforcement cases between 2010 and 2013, it is noteworthy that Portugal took important measures in order to improve the courts clearance rate and backlogs. Within these procedures, some measures were focused primarily on enforcement cases, since they represent 70% of the total of pending cases. For example, the government adopted measures with the purpose to eliminate cases where there are no assets to execute or no procedural momentum, as well as measures with the aim to limit the number of incoming cases, establishing initial court fees. In what concerns structural measures, it should be noticed that the new Procedural Civil Code has been adopted in September 2013. In addition, courts with excessive number of pending cases were subject to particular assistance of specialized teams.

Q91 (2012): With regard to the total number of incoming non-criminal cases and the total number of incoming enforcement cases, the figures provided for 2012 reflect the effects of the entry into force of Decree 113-A/2011 of 29 November, which proceeds to a major judiciary reorganization. These figures reflect the corresponding movement of cases between organizational units. As a result, in 2012 a higher number of cases that have not entered ex novo in the Portuguese courts were taken into account. These cases have ended in the unit/court where they left and entered into the new courts where they were transferred.

Q91 (2010): In the frame of the 2010 exercise, it has been specified that the total of civil and commercial litigious cases includes the case flow of civil justice, civil-labour and juvenile justice. The number of enforcement cases encompasses de case flow of civil justice and civil-labour enforcement.

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Q92 (2013): On the occasion of the 2010, 2012 and 2013 exercises, it has been specified that the category of civil (and commercial cases) litigious cases includes the case flow of civil justice, labour justice and juvenile justice.

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Q92 (2010): On the occasion of the 2010, 2012 and 2013 exercises, it has been specified that the category of civil (and commercial cases) litigious cases includes the case flow of civil justice, labour justice and juvenile justice.

Q097 (General Comment): Since 2007, statistical data concerning pending cases in 2nd instance judicial courts are collected through the courts information systems. Being a dynamic system, allowing regular corrections and up-dating, this data collection may lead to oscillation data from previous years resulting in variations in pending cases.

In Portugal, there are not non-litigious cases in superior courts.

The category "other" does not exist in the higher instances.

It is noteworthy that before 2015, data concerning the total of "other than criminal law cases" did not include administrative law cases. Since 2015, administrative law cases are included in the total which explains the significant increase of cases.

Q097 (2016): There is no specific explanation as regards the increase in the number of civil and commercial litigious cases pending on 1 January 2016.

Q97 (2015): The question 97_3 "Administrative law cases", includes administrative and tax cases.

Q099 (General Comment): In Portugal, there are not non-litigious cases in superior courts.

The category "other" does not exist in the higher instances.

It is noteworthy that before 2015, data concerning the total of "other than criminal law cases" did not include administrative law cases. Since 2015, administrative law cases are included in the total which explains the significant increase of cases.

Q99 (2015): The question 99.3 "Administrative law cases", includes administrative and tax cases.

Q99 (2010): In the frame of the 2010 exercise, it has been explained that the decrease of the total of pending on 31 December 2010 “other than criminal cases” is due to the amendment carried out to the legal regime of the civil appeals (Decree-Law 303/2007, of 24 August). It resulted in the adoption of measures designed to streamline the access to the Supreme Court of Justice. As a paradigmatic example of these measures, it should be referred that the value of the upper limit set for the High Courts has increased. Thus, in 2010, and compared with 2008, there has been a decrease in the number of incoming cases, followed by an increase in the number of completed cases greater than the number of incoming cases, which has led to a decrease in the number of pending cases.

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Q101 (General Comment): Since 2007, statistical data concerning pending cases in 1st instance judicial courts are collected through the courts information systems. Being dynamic systems, allowing regular corrections and up-dating, the data collection may lead to oscillation data from previous years resulting in variations in pending cases.

Q101 (2016): - The decrease in the number of pending cases in the beginning of 2016 in relation to 2015 in respect of litigious divorce cases, employment dismissal cases and insolvency is explained by the fact that the number of resolved cases in 2015 was superior to the number of incoming cases that year. There is no specific explanation as regards the decrease in the number of these cases (for example legislative changes). However the decrease of these cases follow the general trend of the decrease of incoming and pending cases in civil and labour matters.

- The decrease in the number of pending cases in the end of 2016 in relation to 2015 in respect of litigious divorce cases, employment dismissal cases and insolvency is explained by the fact that the number of resolved cases in 2016 was superior to the number of incoming cases that year. There is no specific explanation as regards the decrease in the number of these cases (for example legislative changes). However the decrease of these cases follow the general trend of the decrease of incoming and pending cases in civil and labour matters.

Q101 (2015): The decrease in the number of employment dismissal cases follow the general trend of the decrease of incoming and pending cases in labour matters.

Q101 (2013): In the frame of the 2013 exercise, it has been indicated that the number of incoming litigious divorce cases is decreasing since 2010, entailing the decrease of the number of pending cases. In this respect, between 2010 and 2013, the clearance rate has remained stable, with values above 100%. Another relevant explanation is the decreasing of the number of marriages in these last years.

With regard to the category “insolvency cases”, in 2012, legislative and other measures were adopted with the objective to accelerate procedural times of insolvency cases. These measures have allowed courts to respond more promptly to the increasing number of insolvency cases. Accordingly, a huge increase of resolved insolvency cases can be observed between 2010 and 2013.

Romania

Q091 (2016): In the national Statist system, the cases are recorded on different categories of pending cases. So, in the last column, there are number of cases pending for more than 3 years instead of 2.

The high clearance rate of administrative cases has led to lower significantly the number pending cases. The increase of the number of incoming cases is a consequence of a higher number of requests filed in administrative domain that also triggers an increase in the number of resolved cases. The decrease in the number of non-litigious pending cases as well as “other” pending cases is mostly due to lower number of incoming cases.

Q91 (2014): By the decision n° 46/2012, the Superior Council of Magistracy has decided that all the courts will implement by 1 January 2014 the IT system of collecting data. The new method is based on new definitions of the indicators. Accordingly, a case is transferred from the field “stocks” to the field “closed” only when the final decision, including its reasoning is drafted signed and communicated to the parties. For that reason, the number of pending cases on 31 December 2013 cannot be identical with the number of pending cases on 1st January 2014.

The initial total number of pending cases has increased as a result of reporting the data into Ecris database. The number of incoming cases and this of resolved cases are comparable from one year to another for the period 2010-2013. The stocks at the end of the period is in relation to the adjustment of the stocks at the beginning of the period, but comparable with 2012.

Concerning the number of administrative law cases the workload has constantly decreased starting with 2012. The increase of stocks initially communicated for 2013 comes from the high number of incoming cases in 2012. The final stock of 2014 is lower also because of the lower number of the new cases in 2013. It may also be noticed that the new cases closed in 2013 was higher than in 2012. The high decrease in the number of incoming, resolved and pending administrative law cases on 31 December between 2013 and 2014 is progressive and is caused by the social climate.

Q91 (2013): With regard to the category “civil and commercial litigious cases”, because of the delays between hearings that are often very long (usually the first hearing is determined by an electronic system after a long period of time, in relation with the actual workload of judges), the new entered files are not usually finalised within a year.

With regard to the category “civil and commercial non-litigious cases”, all the indicators kept a growing trend in 2012 and 2013. As for the stock of files (pending on 31.12), the increase between 2012 and 2013 is due to the fact that during the same period the number of resolved files has also decreased.

As to the trends observed in 2013 in respect of the “non-litigious enforcement cases” and “non-litigious land registry cases”, data are correct.

As to the category “administrative law cases”, the big differences have always been a reason for concern and continuous analysis. In the report on the status of Judiciary on 2012, it was noted that “in the administrative contentious and fiscal matters, the most of the cases were related to the restitution of the tax for pollution, but also to the obligation of the authorities to register the vehicles, without the payment of the tax for pollution (obligation to perform)”. It should be mentioned that the actions of the legislative have led to the growth of the number of administrative cases in the past 5 years, at tribunals with more than 400% and at the courts of appeal with around 200%.

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Q91 (2010): In 2010, the increase of the number of pending cases before first instance courts fitted within the general trend of increase of the total workload for the respective period of time at national level. As it can be noticed, the number of incoming cases also increased significantly as well as other indicators. The factors influencing the number of new cases within the court were not inherent to the judicial phenomenon.

Although the number of resolved cases increased during the respective period, the fact that the number of the new cases was significantly higher (including the already existing cases) led to a higher final stock of cases at the end of the reference period.

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Although the number of resolved cases increased during the respective period, the fact that the number of the new cases was significantly higher (including the already existing cases) led to a higher final stock of cases at the end of the reference period.

Q092 (General Comment): Comment valid for 2010-2015 exercises

The category “civil and commercial non-litigious cases” encompasses divorce by the agreement of the parties, granting of legal personality, modification of the constitutive acts of legal persons, requests related to unions, other non-litigious requests according to the Civil Procedure Code and the Civil Code (civil, litigation with professionals, minors and family).

Q097 (General Comment): It is worth specifying that, since 2010, the first table (question no. 91) centralizes all the first instance cases (irrespective of the level of the courts), the second table (question no. 97) centralizes all the second instance cases – appeal (irrespective of the level of the court) and table no. 3 (question no. 99) shows the statistical data on all second appeal cases (last instance cases) from all courts (irrespective of their level).

Q097 (2016): In the national Stasis system, the cases are recorded on different categories of pending cases. So, in the last column, there are number of cases pending for more than 3 years instead of 2.

The decrease in the number of total other than criminal as well as civil and commercial litigious and non-litigious cases compared with 2014 is the effect of the application of the new codes.

Q97 (2014): By the decision n° 46/2012, the Superior Council of Magistracy has decided that all the courts will implement by 1 January 2014 the IT system of collecting data. The new method is based on new definitions of the indicators. Accordingly, a case is transferred from the field “stocks” to the field “closed” only when the final decision, including its reasoning is drafted signed and communicated to the parties. For that reason, the number of pending cases on 31 December 2013 cannot be identical with the number of pending cases on 1st January 2014.

The meaningful increases in figures observed between 2012 and 2014 are due to the fact that, in relation to the appeal, beyond the differences recorded in Stasis, there was a change of jurisdiction in civil matters. Accordingly, the appeal (apel) became the main instrument to challenge a decision.

Q97 (2013): With regard to the category “civil and commercial litigious cases”, the observed evolutions between 2010 and 2013 are due to the fact that following the changes in the procedural provisions in the new codes, the jurisdiction of the courts on judging appeals and second appeals has changed. Accordingly, the number of appeals in the new Civil Procedure Code includes the number of appeals and second appeals from the old Code. Thus, even if the number of solved files in second instance is higher in 2013 than in the previous year, the number of new appeals (incoming cases in second instance) is higher. This explains the growth of the workload in the last period of time on these courts, although previously the trend was descending.

With regard to the category “civil and commercial non-litigious cases”, the analysis of data and the noticed evolutions and variations between 2010 and 2013 should be qualified. In fact, the figures are not so high and the growth and regress of a few cases during one year lead to relatively important variations. For example, a growth of only 8 cases at the end of the year will reflect a growth of 35%. The same reasoning should be applied with regard to the category “non-litigious land registry cases” where a growth of only 122 cases at the beginning of the year will reflect a growth of over 40%.

In respect of the category “non-litigious enforcement cases”, the considerable increases between 2010 and 2013 with regard to all the items (pending cases, incoming and resolved) were the consequence of the new distribution of competences between courts. Since 2013, all the enforcement cases are in the jurisdiction of the courts of appeal. The number of cases in third instance decreased correlatively.

Following the changes in the procedural provisions made in 2013, the second appeal, as means of review in the field of non-litigious business registry, became appeal, in accordance with the new principles of the Civil Procedure Code as regards the means of review.

Q099 (General Comment): Comment valid for 2010-2015 exercises

It is worth specifying that, since 2010, the first table (question no. 91) centralizes all the first instance cases (irrespective of the level of the courts), the second table (question no. 97) centralizes all the second instance cases – appeal (irrespective of the level of the court) and table no. 3 (question no. 99) shows the statistical data on all second appeal cases (last instance cases) from all courts (irrespective of their level).

Q099 (2016): In the national Stasis system, the cases are recorded on different categories of pending cases. So, for the last column, there are mentioned the numbers for cases pending for more than 3 years. As result of the changes in the procedural provisions in the new codes; the jurisdiction of the courts on judging appeals and second appeals has changed and some of the cases that were under the jurisdiction of the High Court are now under the jurisdiction of the courts of appeal Consequently the number of cases in Supreme court shows significant decrease in all categories.

Q99 (2014): By the decision n° 46/2012, the Superior Council of Magistracy has decided that all the courts will implement by 1 January 2014 the IT system of collecting data. The new method is based on new definitions of the indicators and offers data with greater value for 2014. This partly explains the considerable increase of the number of pending administrative cases on 1st January between 2012 and 2014. Besides, the number of incoming cases in 2013 was higher than in 2014.

Q99 (2013): In respect of the administrative law cases, until 2013, there was only a second appeal that is encompassed in the answers to question 99.

Q101 (2016): The decrease of pending Employment dismissal cases is due to high Clearance Rate in 2015.

Q101 (2015): One may notice an important decrees of first instance new cases in administrative law and insolvency as a cause of legislative amendments dating from 2012. The same reason is for increases of numbers in appeal and decreases in second appeal, except for special laws like administrative law.

Q101 (2014): By the decision n° 46/2012, the Superior Council of Magistracy has decided that all the courts will implement by 1 January 2014 the IT system of collecting data. The new method is based on new definitions of the indicators. Accordingly, a case is transferred from the field "stocks" to the field "closed" only when the final decision, including its reasoning is drafted signed and communicated to the parties. For that reason, the number of pending cases on 31 December 2013 cannot be identical with the number of pending cases on 1st January 2014.

The decrease of the number of resolved litigious divorce cases between 2013 and 2014 was due to the socio-economic conditions.

Q101 (2013): In respect of the category "litigious divorce cases", the decrease of the number of cases in 2013 may have social causes and may also reflect the alternative instruments to litigious divorce (.g. divorce in front of notaries).

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Slovakia

Q091 (2016): The new structure of data presented by the Ministry of Justice might cause the discrepancies and incompatibility of the data with the previous cycles. As regards the category "general civil non-litigious cases" we notices the decrease of incoming cases as of the year 2013. In this cycle the succession cases were classified as "Other non litigious cases" while in previous years they were classified as "general civil (and commercial) non litigious cases.

Q91 (2014): In 2014, it is possible to notice a general increase of the number of incoming and pending other than criminal law cases at all levels of the judiciary. This is mainly a consequence of the increase of the number of litigious cases. The Slovak judicial system for a several years faces significant increases of claims filed with the courts by debt-collecting companies and non-bank loan companies against consumers, as well as class actions of one private company against the State for alleged damages etc. The capacity of judges and court staff to resolve all the cases in a short time is limited.

The higher number of resolved administrative cases in the year 2014 was achieved by the intensive effort to reduce the existing backlogs in administrative cases.

Q91 (2013): For 2013, a general remark was provided in respect of questions 91, 97 and 101, explaining that there were no specific reasons justifying the variations in the numbers of cases of the particular categories. It was stressed that the Slovak judicial system was facing different types of claims which massively loaded courts of all instances. For example, there was a huge number of legal actions arisen from the loans provided by the so called "non-bank loan companies" where courts had to consider constant violations of the consumer protection law. Besides, there was a huge number of class actions against the State, carried out by one of the non-bank companies for alleged damages etc. The capacity of the court staff to resolve all of the filed cases in the appropriate time period was limited despite the measures which have been taken. In spite of the positive trend concerning the increase of the number of total resolved cases, the number of incoming cases was increasing even more, causing backlogs.

Q91 (2012): The number of pending enforcement and business registry cases was gradually and considerably decreasing over the period 2011-2012. As concerns the variation noticed in respect of the number of incoming and resolved administrative law cases, it was due to the fact that in 2010 a meaningful number of specific collective claims were filed and resolved.

Q91 (2010): In the frame of the 2010 exercise, it was specified that the number of enforcement cases did not include enforcement cases executed by private distrainers. It subsumed only enforcement proceedings before courts intended to enforce financial claims of the Judicial Treasury, arisen from the unpaid court fees and the costs of the State. The number of resolved cases exceeded the number of incoming cases, because courts decided the older unresolved cases (the backlog).

Q91 (2010): In the frame of the 2010 exercise, it was specified that the number of enforcement cases did not include enforcement cases executed by private distrainers. It subsumed only enforcement proceedings before courts intended to enforce financial claims of the Judicial Treasury, arisen from the unpaid court fees and the costs of the State. The number of resolved cases exceeded the number of incoming cases, because courts decided the older unresolved cases (the backlog).

Q092 (General Comment): The category "civil (and commercial) non-litigious cases" includes all cases arisen from legal relationships regulated by the family law (maintenance cases, custody of the child, visiting rights, guardianship, divorce cases with the ruling on rights and obligations towards the minor child etc.), cases related to assessment of the legal capacity of natural persons, requests for legal assistance.

Q093 (General Comment): The category "other" encompasses bankruptcy and debt restructuring cases, enforcement cases including decisions on the enforcement permission for the enforcement agents, enforcement of court rulings on the visiting rights to minor child and enforcement of court fees receivables.

Q097 (General Comment): The new structure of data for year 2016 presented by the Ministry of Justice might cause the discrepancies and incompatibility with the previous cycles. At the level of the appeal courts the category "non-litigious cases" include appeals against the decision in cases related to minor child, inheritance cases, enforcement cases. The number of "administrative law cases" at the level of appeal courts encompasses appellate administrative cases dealt with by the Regional courts only (appeals lodged against decisions held by the District courts). The appeals against the decisions of the Regional courts as the administrative courts are tried by the Supreme court whose statistical data are included in Q 99.

Q97 (2014): In respect of the variations observed in 2014 with regard to the category "administrative law cases", it is worth mentioning that the low number of cases makes small absolute variation large in relative terms.

Q97 (2013): For 2013, a general remark was provided in respect of questions 91, 97 and 101, explaining that there were no specific reasons justifying the variations in the numbers of cases of the particular categories. It was stressed that the Slovak judicial system was facing different types of claims which massively loaded courts of all instances. For example, there was a huge number of legal actions arisen from the loans provided by the so called "non-bank loan companies" where courts had to consider constant violations of the consumer protection law. Besides, there was a huge number of class actions against the State, carried out by one of the non-bank companies for alleged damages etc. The capacity of the court staff to resolve all of the filed cases in the appropriate time period was limited despite the measures which have been taken. In spite of the positive trend concerning the increase of the number of total resolved cases, the number of incoming cases was increasing even more, causing backlogs.

Q97 (2010): In 2010, there was a significant increase of the number of incoming civil cases, while the number of resolved cases did not increase sufficiently. Therefore, the number of pending cases in the end of the year increased.

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Q099 (General Comment): The collected statistical data for the Supreme Court do not distinguish the litigious and non-litigious cases. In the civil and commercial matters the Supreme court decides primarily on the applications for appellate review on legal questions. In the commercial cases it decides also in the appellate procedure against the decisions of the Regional courts as the courts of first instance. The administrative cases at the Supreme Court level includes the remedy procedures against the decisions of the Regional courts as the courts of first instance. Depending on the type of the administrative procedure it might be appeal procedure or the cassation review procedure.

Q099 (2016): The enormous increase of the incoming cases is related to consumer protection in civil and enforcement procedure.

Q99 (2013): For 2013, a general remark was provided in respect of questions 91, 97 and 101, explaining that there were no specific reasons justifying the variations in the numbers of cases of the particular categories. It was stressed that the Slovak judicial system was facing different types of claims which massively loaded courts of all instances. For example, there was a huge number of legal actions arisen from the loans provided by the so called "non-bank loan companies" where courts had to consider constant violations of the consumer protection law. Besides, there was a huge number of class actions against the State, carried out by one of the non-bank companies for alleged damages etc. The capacity of the court staff to resolve all of the filed cases in the appropriate time period was limited despite the measures which have been taken. In spite of the positive trend concerning the increase of the number of total resolved cases, the number of incoming cases was increasing even more, causing backlogs.

Q101 (General Comment): Comparison with previous cycles is not possible due to the change of methodology of calculation of cases introduced by the Analytical centre. The methodology now can identify cases finalised at each instance. The inconsistency between pending cases at the beginning of 2016 and pending at the end of 2015 is disturbed because of introduction of new methodology of calculation by the Analytical centre .

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Slovenia

Q091 (2016): In recent years, the number of incoming cases is generally decreasing due to several reasons, partly due to a better economic situation in Slovenia and mainly to a successful introduction of new business models in the Slovenian judiciary (informatisation, change of perception when litigants and debtors do not see any profit in prolonging court procedures, gradual settlement of case-law). Considering the higher number of incoming cases (number of pending cases is approx. 20%-30% of all incoming cases), a slight variation in incoming cases might have a considerable effect on the number of pending cases. For discrepancies, see general comments.

Q91 (2015): Differences in incoming and pending cases (2., 2.1, 2.2, 2.2.1, 2.2.2 - Non litigious cases):

- In recent years, the number of incoming cases is generally decreasing due to several reasons, partly due to a better economic situation in Slovenia and mainly to a successful introduction of new business models in the Slovenian judiciary (informatisation, change of perception when litigants and debtors do not see any profit in prolonging court procedures, gradual settlement of case-law).
- Considering the higher number of incoming cases (number of pending cases is approx. 15%-20% of all incoming cases), a slight variation in incoming cases might have a considerable effect on the number of pending cases.

Q91 (2014): In the frame of the 2014 exercise the distribution was the following:

1. 'Civil (and commercial) litigious cases' at first instance includes: P, R, Pom, Pom-i, Pg, Pd, Ps, R, Pom.
 - 2.1 'General civil (and commercial) non-litigious cases' at the first instance includes:
 1. (former category 2. 'General civil (and commercial) non-litigious cases'): N, Ng, Pl, Plg, D, Pr; and 2. (former category 3. 'Non litigious enforcement cases'): I, Ig, In, VL, Z, Zg and R-i.
 - 2.2.1. 'Non litigious land registry cases' at first instance includes (at local courts): Dn, Sdn, Rz.
 - 2.2.2 'Non-litigious business registry cases' at first instance includes (at district courts): Srg and R-Srg.
 - 2.2.3. 'Other registry cases': NAP.
 - 2.3. 'Other non-litigious cases': NAP
 3. 'Administrative law cases' at first instance include (at the Administrative court): U, I Up, II Up.
 4. 'Other cases' at first instance includes: Bpp, COVL, Ov-i, Ov-H and St [(St-01), (St-02), (St-03), (St-04) (St-05)].
- In previous cycles, all the mentioned Insolvency (St) cases have been accounted in former category 1. 'Civil (and commercial) litigious cases'."

The number includes the labour law and social law cases, due to their similarity to litigious cases in material (employment contract derives from civil law contract) and procedural (the court procedure in labour and social cases is based on general civil law procedure) aspects. The fore mentioned cases are decided before specialised labour and social law courts and not the courts of general jurisdiction.

Q91 (2013): In the frame of the 2013 exercise the distribution was the following:

- Civil and commercial non-litigious cases at first instance include: N, Ng, Pl, Plg, D, Pr.
- Civil and commercial litigious cases at first instance include: P, R, Pom, Pom-i, Pg, St [(St-01), (St-02), (St-03), (St-04) (St-05)], Pd, Ps, R, Pom.
- Non-litigious enforcement cases at first instance include (all of them are at local courts): I, Ig, In, VL, Z, Zg, R-i.
- Non-litigious land registry cases at first instance include (at local courts): Dn, Sdn, Rz.
- Non-litigious business registry cases at first instance include (at district courts): Srg, R-Srg.
- Administrative law cases at first instance include (at the Administrative court): - U, I Up, II Up.
- "Other" civil law cases at first instance include: Bpp, COVL, Ov-i, Ov-H."
- Changes for Q 91 (as well as for Q 97):

1. In civil and commercial litigious cases (1st category) we included the labour law and social law cases that are proceeded by specialised labour and social law courts. For no specific reason they were not included in the reported figures on the number of first instance cases. We included them in the 1st category, since they are similar to litigious cases in material (employment contract derives from civil law contract) and procedural (the court procedure in labour and social cases is based on general civil law procedure) aspects.

2. Various cases – the cases that do not fit exactly to the determined types of civil, commercial, non-litigious, land and business registry, enforcement and administrative law cases, were previously included in other cases (7th category). We decided that 'Other cases' should include only cases outside of the above mentioned legal fields. As various cases do belong to all categories from the 1st to 6th, we included them in the categories that correspond to legal field of each type of various cases.

Variations: With regard to the category 'non-litigious business registry cases', the increase of the number of pending cases on 31 December 2013 can be explained with the fact that there were 8.000 more incoming cases in 2013 than in 2012, but courts were not able to handle the case-load (they solved 200 less cases than they had received). Consequently, the number of pending cases increased, but not as much as in the reported figures. There should be 772 pending cases on 31 December 2013, which is due to the problem with ensuring horizontal consistency' ".

Q91 (2012): In the frame of the 2012 exercise the distribution was the following:

"Civil and commercial non-litigious cases at first instance include: N, Ng, Pl, Plg, D and P."

Civil and commercial litigious cases at first instance include: P, Pg, St [(St-01), (St-02), (St-03), (St-04) (St-05)].

Non litigious enforcement cases at first instance include (all of them are at local courts): I-ns, Ig-ns, In, Nt*, I-vl*, Ig-vl*, VL, Z, Zg, R-i.

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

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

Administrative law cases at first instance include (at the Administrative court):- U.

"Other" civil law cases at first instance include: Pom, Pom-i, R, Rg, Ov-i, Ov-H, Bpp, COVL, II Upr, I Upr.□

* The following categories existed additionally in 2012:

- Nt – cases for enforcement of the non-monetary claim,□

- I-vl – cases for enforcement on the basis of authentic document resulting from the period before the establishment of the Central Department for Authentic Document,

- Ig-vl – enforcement on the basis of authentic document in commercial matters resulting from period before the establishment of the Central Department for Authentic Document,

Changes: In the category "Civil and commercial litigious cases at first instance" 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.

Variations: 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.

Q91 (2010): In the frame of the 2010 exercise the distribution was the following:

Civil and commercial non-litigious cases in the first instance include: N,Ng,D, different St, and Pr.

"Other" civil law cases in the first instance include: R, Pl, Pom, R, Plg, Pom-i, Ov-i, Ov-H, Zg, Bpp-d, II Upr, I Upr, Bpp-a.

Variations:

The decrease in the total number of other than criminal law cases from 443.133 pending cases on the 1 Jan. 2008 to 331.019 cases on the 1 Jan. 2010 can be partly attributed to the results of the Lukenda project. The number of resolved cases in 2008 and 2009 exceeded the number of incoming cases that caused the reduction in the number of pending cases. Partly, this is the result of the comprehensive state Lukenda project for the elimination of court backlogs that included a better equipment of the courts, particularly in terms of human resources (the number of judicial assistants has increased). On the other hand, the increase in the number of resolved enforcement cases can be attributed to technological developments (the creation of the Central department for enforcement on the basis of authentic documents that is supported by ICT).

Q91 (2010): In the frame of the 2010 exercise the distribution was the following:

Civil and commercial non-litigious cases in the first instance include: N,Ng,D, different St, and Pr.

"Other" civil law cases in the first instance include: R, Pl, Pom, R, Plg, Pom-i, Ov-i, Ov-H, Zg, Bpp-d, II Upr, I Upr, Bpp-a.

Variations:

The decrease in the total number of other than criminal law cases from 443.133 pending cases on the 1 Jan. 2008 to 331.019 cases on the 1 Jan. 2010 can be partly attributed to the results of the Lukenda project. The number of resolved cases in 2008 and 2009 exceeded the number of incoming cases that caused the reduction in the number of pending cases. Partly, this is the result of the comprehensive state Lukenda project for the elimination of court backlogs that included a better equipment of the courts, particularly in terms of human resources (the number of judicial assistants has increased). On the other hand, the increase in the number of resolved enforcement cases can be attributed to technological developments (the creation of the Central department for enforcement on the basis of authentic documents that is supported by ICT).

Q092 (General Comment): Please note: the letters in front of the lines stand for specific case registers.

The category „General civil (and commercial) non-litigious cases“ (2.1) at the first instance includes

- 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
- I – civil enforcement cases on the basis of an enforcement title,
- Ig – commercial enforcement cases on the basis of an enforcement title,
- In – cases for enforcement on real-estate property,
- 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 .

The N and Ng cases include different kinds of personal and family status, property and other procedures, according to the Non Contentious Procedure Act or other law (NCPA, art. 1).

Q92 (2014): 2014 Category 2.1 „General civil (and commercial) non-litigious cases“ at the first instance includes □

1. (former category 2. „General civil (and commercial) non-litigious cases“): N, Ng, Pl, Plg, D, Pr; and 2. (former category 3. ' Non litigious enforcement cases'): I, Ig, In, VL, Z, Zg and R-i.

Q92 (2013): 2013 Civil and commercial non-litigious cases at first instance include: N, Ng, Pl, Plg, D, Pr.

Q92 (2012): 2012 "Civil and commercial non-litigious cases at first instance include: N, Ng, Pl, Plg, D and P."

Q92 (2010): 2010: Civil and commercial non-litigious cases in the first instance include: N,Ng,D, different St, and Pr.

Q92 (2010): 2010: Civil and commercial non-litigious cases in the first instance include: N,Ng,D, different St, and Pr.

Q093 (General Comment): Category 4. „Other cases“ at first instance includes cases at following case registers:

- Bpp – free legal aid at district courts, labour courts and at the Administrative court,
- VL - enforcement cases on the basis of authentic document in civil matters before the writ for the execution became final (all cases processed at the Central Department for Authentic Document at the Local Court of Ljubljana – exclusive jurisdiction),
- Ov-i – international attestations at district courts,
- Ov-H – attestations according to the Hague convention at district courts.

Q93 (2014): 2014 4. „Other cases“ at first instance includes: Bpp ,COVL, Ov-i, Ov-H and St [(St-01), (St-02), (St-03), (St-04) (St-05)].

In previous cycles, all the mentioned St cases have been accounted in former category 1. 'Civil (and commercial) litigious cases'."

Q93 (2013): 2013 "Other" civil law cases at first instance include: Bpp, COVL, Ov-i, Ov-H."

Q93 (2012): 2012 "Other" civil law cases at first instance include: Pom , Pom-i, R, Rg, Ov-i, Ov-H, Bpp, COVL, II Upr, I Upr.

Q93 (2010): 2010: "Other" civil law cases in the first instance include: R, Pl, Pom, Plg , Pom-i , Ov-i, Ov-H, Zg, Bpp-d, II Upr, I Upr, Bpp-a .

Q93 (2010): 2010: "Other" civil law cases in the first instance include: R, Pl, Pom, Plg , Pom-i , Ov-i, Ov-H, Zg, Bpp-d, II Upr, I Upr, Bpp-a .

Q097 (General Comment): The distribution of cases for Q97 is the same as for Q91.

Inconsistences noticed are due the Data Warehouse system explained in Q91.

Q097 (2016): In recent years, the number of incoming cases is generally decreasing due to several reasons, partly due to a better economic situation in Slovenia and mainly to a successful introduction of new business models in the Slovenian judiciary (informatisation, change of perception when litigants and debtors do not see any profit in prolonging court procedures, gradual settlement of case-law). Considering the higher number of incoming cases (number of pending cases is approx. 20%-30% of all incoming cases), a slight variation in incoming cases might have a considerable effect on the number of pending cases.

Q97 (2015): Differences in incoming and pending cases (2., 2.1, 2.2, 2.2.1, 2.2.2 - Non litigious cases):

- In recent years, the number of incoming cases is generally decreasing due to several reasons, partly due to a better economic situation in Slovenia and mainly to a successful introduction of new business models in the Slovenian judiciary (informatisation, change of perception when litigants and debtors do not see any profit in prolonging court procedures, gradual settlement of case-law).

- Considering the higher number of incoming cases (number of pending cases is approx. 15%-20% of all incoming cases), a slight variation in incoming cases might have a considerable effect on the number of pending cases.

Q97 (2013): 2013 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.

Q97 (2012): 2012 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.

With regard to the category "administrative law cases, in the previous round we included appeals in administrative disputes, which are lodged with and dealt with by the highest instance court, namely the Supreme Court of the Republic of Slovenia in this category (Q 97.6). To ensure internally consistent answers we decided to provide the data in this chapter regarding the instance of the court that decides on the case not the instance of the procedure in which the cases is decided. This means that all the cases that are addressed by the Supreme Court of the Republic of Slovenia are taken into account at question 97.

Q97 (2010): In 2010, The decrease in the total number of other than criminal law cases from 7.629 pending cases on the 1 Jan. 2008 to 5.138 cases on the 1 Jan. 2010 can be partly attributed to the results of the Lukenda project. The number of resolved cases in 2008 and 2009 exceeded the number of incoming cases that caused the reduction in the number of pending cases. Partly, this is the result of the comprehensive state Lukenda project for the elimination of court backlogs that included a better equipment of the courts, particularly in terms of human resources (the number of judicial assistants has increased).

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Q099 (General Comment): The Supreme court has Criminal, Civil, Commercial, Labour and Social and Administrative department, The categories 1., 2.1 and 2.2.1 include corresponding cases from Civil, Commercial and Labour and Social departments registers. Category 3. includes registers of the Administrative department. The distribution of cases for Q99 is the same as for Q91.

Inconsistencies noticed are due the Data Warehouse system explained in Q91.

Q99 (2015): Differences in pending, incoming and resolved cases (2., 2.1, 2.2, 2.2.2 - Non litigious cases, 3. - Administrative cases):

- Differences are mainly due to the small absolute number of cases and the nature of the cases (most complicated cases).

Q99 (2014): 2014: Variations: The numbers in that almost all categories for 2014 deviates more than +/- 20% from the 2012 data. This is due to a small (absolute) number of cases but also because the number of judges is smaller when compared to first and second instance and a single absence due to prolonged illness has a significant impact on the solving of some types of cases. We also believe that changes in economy (financial crisis), as well as in legislation, had impact on the overall statistics, but since cases at the Supreme Court level are "filtered" through courts of first and second instance, a direct connection cannot be established.

Q99 (2012): 2012: The decrease 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 has risen and secondly, several judicial advisers were transferred from less burdened departments to those with more pending cases and consequently the productivity has risen and the number of pending cases decreased.

Q99 (2010): For 2010, The decrease in the several categories of cases is the result of the change in the Civil Procedure Act in 2008 that has introduced the leave to appeal for the extraordinary legal remedy of revision. According to the new legislation a panel of 3 judges of the Supreme Court is entitled to decide whether to let the panel of 5 judges decide on a revision. The revision is allowed only when it concerns a legal question on which the decision of the higher court departs from the case law of the Supreme Court, secondly, when it concerns a legal question on which there is no case law of the Supreme Court, especially if the case law of the higher courts is not settled and finally, when there is no settled case law of the Supreme Court on the issue.

Additionally, the number of senior judicial advisers that help judges in preparing the decision has increased as well, thus increasing productivity.

Q99 (2010): For 2010, The decrease in the several categories of cases is the result of the change in the Civil Procedure Act in 2008 that has introduced the leave to appeal for the extraordinary legal remedy of revision. According to the new legislation a panel of 3 judges of the Supreme Court is entitled to decide whether to let the panel of 5 judges decide on a revision. The revision is allowed only when it concerns a legal question on which the decision of the higher court departs from the case law of the Supreme Court, secondly, when it concerns a legal question on which there is no case law of the Supreme Court, especially if the case law of the higher courts is not settled and finally, when there is no settled case law of the Supreme Court on the issue.

Additionally, the number of senior judicial advisers that help judges in preparing the decision has increased as well, thus increasing productivity.

Q101 (2016): Differences (insolvency cases):

The effects of the past economic situation are still producing a high number of incoming insolvency cases, with a high percentage of personal bankruptcies. Following the legislation changes, introducing new, simplified types of (preventive) compulsory settlement, there has been an increase in pending cases due to the overburdening of courts with new cases, as well as lengthy procedures (the case cannot be resolved until the debtor's assets are liquidated – corporate; the case cannot be resolved until the end of probation period for the discharge of debt – personal insolvency; in this period the court cannot influence the duration and the case is still classified as not finished).

Q101 (2015): Differences (insolvency cases):

- The effect of the economic situation are still effecting a high number of incoming insolvency cases, with a high percentage of personal bankruptcies (approx. 70%). The recent legislation changes introduced new, simplified types of (preventive) compulsory settlement which also led to new incoming cases.

- The increase in pending cases is due to the overburdening of courts with new cases, as well as lengthy procedures (the case cannot be resolved until the debtor's assets are liquidated – corporate; the case cannot be resolved until the end of probation period for the discharge of debt – 2-5 years; in this period the court cannot influence the duration and the case is still classified as not finished).

Differences (robbery, intentional homicide):

- Differences are mainly due to the small absolute number of cases.

Q101 (2014): 2014 Firstly, the number of incoming insolvency cases is still high due to the effect of financial crisis, which left many companies and people on the verge of bankruptcy. A further increase in incoming cases can be attributed to the amendment of insolvency legislation in 2013, which abolished the right for legal persons to apply for legal aid for financing the advances of the costs of the bankruptcy proceedings (however legal persons are now exempt from paying the advance in bankruptcy proceedings in all cases, without having to apply for legal aid).

The number of pending cases increased and will probably increase even more due to the rules governing when the case is deemed resolved. For insolvency cases, this can occur when the assets are liquidated and the creditors are paid (or in case of personal bankruptcy, if the dismissal of debts was requested, until such decision takes place). In cases of big companies as debtors, the sale of all assets can take years; and in cases of physical persons the "probation" period, which lasts a minimum of 2 years and maximum of 5 years must elapse, before the court can decide on dismissal of the debts.

Q101 (2013): 2013 'The number of incoming insolvency cases constantly rises due to the effect of general economic crisis which resulted in a higher number of insolvent companies. The increase in the number of unresolved cases can also be attributed to a high number of proceedings of bankruptcies of physical persons. In these cases most debtors apply for conditional release of debt, where the trial period can last from 2-5 years'

Q101 (2012): 2012 The number of pending employment dismissal cases on 1 January 2012 decreased significantly because, basically, the employment dismissal cases are priority cases and labour courts pay special concern to promptly resolve these cases.

As robbery cases, were included in 2012 criminal offences defined in the Criminal Code as Robbery and Larceny in the Form of Robbery. As intentional homicide, were included criminal offences defined in the Criminal Code as Murder (which responds to Anglo-Saxon definition of first and second degree murder), Voluntary Manslaughter and Infanticide. The data includes criminal cases against adult and juvenile offenders, it does not include attempts.

Q101 (2010): The figures provided for 2010 in respect of the items "intentional homicide" and "robbery" represented the number of cases for murder (Article 127 of the old Criminal Code) or robbery (Articles 213 (89) and 214 (20) of the old Criminal Code). These data derive from crime statistical data collected by the Statistical Office of the Republic of Slovenia by means of statistical questionnaires answered by the public prosecutor's office and local and district courts. When more than one perpetrator participates in committing one criminal offence, each participant is a separate case. If one perpetrator commits several criminal offences, the attribute of the perpetrator is only the main criminal offence. The data are obtained based on search profile for "Adults against whom the criminal procedure before senate has been finished by sex, criminal offence, type of decision and duration of detention", for murder and robbery, on an annual basis. Not only convicted persons are included, but also the acquitted ones.

Q101 (2010): The figures provided for 2010 in respect of the items "intentional homicide" and "robbery" represented the number of cases for murder (Article 127 of the old Criminal Code) or robbery (Articles 213 (89) and 214 (20) of the old Criminal Code). These data derive from crime statistical data collected by the Statistical Office of the Republic of Slovenia by means of statistical questionnaires answered by the public prosecutor's office and local and district courts. When more than one perpetrator participates in committing one criminal offence, each participant is a separate case. If one perpetrator commits several criminal offences, the attribute of the perpetrator is only the main criminal offence. The data are obtained based on search profile for "Adults against whom the criminal procedure before senate has been finished by sex, criminal offence, type of decision and duration of detention", for murder and robbery, on an annual basis. Not only convicted persons are included, but also the acquitted ones.

Spain

Q091 (2016): Concerning the Administrative Law cases, between 2014 and 2016, the decrease of 'Pending cases' is probably because the number of resolved cases, both in 2015 and 2016 has been higher than the number of registered cases (reinforcement measures have been applied).

Q91 (2015): The horizontal consistency can not be respected because of reopened, cumulated and regularised cases. Law 10/2012 governing certain fees in the area of the Administration of Justice could explain (especially in Administrative Law cases) the decrease in the number of incoming administrative cases, and logically the decrease in the number of resolved and pending cases.

Q91 (2014): In the frame of the 2014 exercise, the decrease observed with regard to the category "civil and commercial litigious cases" in respect of all the items (pending, incoming, resolved, pending cases) has been justified by two main reasons. Firstly, since the payment order procedures do not need a decision made by a judge but are of the competence of the judicial counsellor, they have been subsumed in the category of non-litigious civil and commercial cases. Secondly, since paying court fees for natural persons has been compulsory until March this year, there has been a decrease in the incoming cases.

The decreases noticed in the number of pending administrative law cases on 1 January 2014 and the number of pending administrative law cases on 31 December 2014 are due to the decrease of the incoming administrative law cases in 2012. In this respect, it should be recalled that in 2012, there was a decrease of the number of files related to the Public Administration owing to two parameters: plaintiffs have been sentenced to pay the court fees, on the one hand, and, since 2012, they have to be assisted by a lawyer to file an administrative case, on the other hand.

Q91 (2012): In the frame of the 2010 and 2012 exercises, the lack of horizontal consistency with regard to the total number of pending cases on 31 December has been explained by the fact that inspection services are entitled to correct the number each time they find it inaccurate.

Owing to the economic crisis, the number of civil cases increased significantly, particularly this of small claims. In the frame of the 2012 exercise and with regard to the sub-category "incoming administrative law cases", a considerable variation can be noticed within the periods 2008-2010 and 2010-2012. The explanation lies in the meaningful increase of the number of these cases in 2010, due to the reduction of the salaries of civil servants. In 2012, this number decreased with the decrease of the number of files related to the Public Administration. Two main reasons are advanced in this respect: plaintiffs are sentenced to pay the court fees, on the one hand, and, since 2012, they have to be assisted by a lawyer to file an administrative case, on the other hand.

Besides the general explanation concerning the lack of horizontal consistency, it should be mentioned that this inconsistency is also a result of the inclusion within the table of data related to restarted procedures, while there is not a specific item dedicated to this category of cases.

Q91 (2010): In the frame of the 2010 and 2012 exercises, the lack of horizontal consistency with regard to the total number of pending cases on 31 December has been explained by the fact that inspection services are entitled to correct the number each time they find it inaccurate.

Owing to the economic crisis, the number of civil cases increased significantly, particularly this of small claims.

Q91 (2010): In the frame of the 2010 and 2012 exercises, the lack of horizontal consistency with regard to the total number of pending cases on 31 December has been explained by the fact that inspection services are entitled to correct the number each time they find it inaccurate.

Owing to the economic crisis, the number of civil cases increased significantly, particularly this of small claims.

Q92 (2014): For the 2014 exercise, the category "civil and commercial non-litigious cases" encompasses payment order procedures and requests for undisputed matters such as settlement proceedings and divorce with mutual consent.

Q92 (2012): For the 2010 and 2012 exercises, the category "civil and commercial non-litigious cases" includes non-litigious divorces and cases of voluntary jurisdiction and internments as well.

Q92 (2010): For the 2010 and 2012 exercises, the category "civil and commercial non-litigious cases" includes non-litigious divorces and cases of voluntary jurisdiction and internments as well.

Q92 (2010): For the 2010 and 2012 exercises, the category "civil and commercial non-litigious cases" includes non-litigious divorces and cases of voluntary jurisdiction and internments as well.

Q097 (General Comment): No general comment

Q97 (2015): Law 10/2012 governing certain fees in the area of the Administration of Justice could explain (especially in Administrative Law cases) the decrease in the number of incoming administrative cases, and logically the decrease in the number of resolved and pending cases.

Q97 (2014): For the 2014 exercise, the decrease of the number of pending administrative law cases in the beginning and in the end of the year is the result of the decreases observed and explained in first instance.

Q97 (2012): In the frame of the 2012 exercise, the lack of horizontal consistency with regard to the total number of pending cases on 31 December has been explained by the fact that inspection services are entitled to correct the number each time they find it inaccurate. Moreover, the horizontal inconsistency is also a result of the inclusion within the table of data related to restarted procedures, while there is not a specific item dedicated to this category of cases.

Q099 (General Comment): HORIZONTAL CONSISTENCY

When an error is detected in the statistics of a Court is allowed doing a regularization, what means that the Court communicates the correct figure and rectify the wrong one even if this does not concord with figures offered for previous exercises. This situation can happen for example in the control of cases that the Court makes when a Judge leaves the Court (called "alarde"), but in general, in any case in which the Lawyer of the Administration of Justice detects an error that comes from previous exercises but cannot be localized. The system prefers to correct the data than continue and amplify the error.

Q099 (2016): As concerns the variations observed between 2014 and 2016 regarding the categories "total of other than criminal law cases"; "civil and commercial litigious cases"; "administrative law cases", it should be noted that:

- the increase in the number of cases in civil matters is due to the increase in conflicts of competence entered and resolved. It has also increased the resolutions of appeals for unification of doctrine.
- the high increase in administrative matters is due to the massive presentation of claims for the State's patrimonial responsibility for the undue payment of the called "sanitary cent"; because of the Judgement of the Court of Justice of the European Union that declared contrary to Community law the Spanish law that authorized the Tax on Retail Sales of Certain Hydrocarbons.

Q99 (2015): Regarding administrative cases in 2015, there was a significant flow of incoming cases related with tax on retail sales of certain hydrocarbons. But before that, since 2011, the incoming administrative cases dropped due to the Law of courts' fees.

Q99 (2014): For the 2014 exercise, the decreases observed in respect of the number of pending administrative law cases in the beginning of the year and the number of resolved administrative law cases, are the result of the decreases observed and explained in first instance.

The increase in the number of pending civil and commercial litigious cases on 31 December between 2012 and 2014 is due to the economic crisis which resulted in the increase of the number of cases in the civil jurisdiction.

Q99 (2012): For the 2012 evaluation cycle, the category of civil and commercial litigious cases includes data on labour matters, special matters and military matters.

Q101 (General Comment): HORIZONTAL CONSISTENCY

When an error is detected in the statistics of a Court is allowed doing a regularization, what means that the Court communicates the correct figure and rectify the wrong one even if this does not concord with figures offered for previous exercises. This situation can happen for example in the control of cases that the Court makes when a Judge leaves the Court (called "alarde"), but in general, in any case in which the Lawyer of the Administration of Justice detects an error that comes from previous exercises but cannot be localized. The system prefers to correct the data than continue and amplify the error.

Q101 (2016): As concerns employment dismissal cases: in 2014, 2015 and 2016 an important decrease in the number of registered cases has been observed, while the resolved cases have kept similar numbers, so, every year the number of resolved cases has been higher than the number of registered cases. In respect of insolvency cases: the decrease in registered cases may be due to a certain decrease in some effects of the economic crisis.

Q101 (2015): The horizontal consistency can not be respected because of reopened, cumulated and regularised cases. Because of the economic restrictions and the increasing number of companies with financing problems, the number of employment dismissal cases and the number of insolvency cases brought to courts have remarkably increased in 2014.

Q101 (2014): Because of the economic restrictions and the increasing number of companies with financing problems, the number of employment dismissal cases and insolvency cases arriving to courts has remarkably increased in 2014.

Q101 (2010): As a result of the economic and financial crisis, the number of incoming employment dismissal cases increased between 2008 and 2010.

Q101 (2010): As a result of the economic and financial crisis, the number of incoming employment dismissal cases increased between 2008 and 2010.

Sweden

Q91 (2014): Till 2014 and the new CEPEJ methodology of presentation of data, the enforcement cases were not presented separately, but subsumed in the category of civil litigious cases.

Q092 (General Comment): The category of civil and commercial non-litigious cases includes joint petitions for divorce and cases related to custody of children.

Q093 (General Comment): For 2012, 2013 and 2014, the category "other cases" encompasses property cases, environmental cases, cases relating to the Planning and Building Act.

Q93 (2010): For 2010, the category "other cases" encompasses property cases and environmental cases.

Q93 (2010): For 2010, the category "other cases" encompasses property cases and environmental cases.

Q097 (General Comment): In respect of the discrepancies that can be observed between the number of pending cases indicated for December of one year and the number of pending cases communicated for January of the next year, it is noteworthy that it is possible to register data afterwards in the operational system Vera which is 'alive'. Accordingly, if one produces data for the same dates at two different moments, one can get small differences in the results.

Q097 (2016): The category "Other cases" include environmental and property cases as well as cases relation to the Planning and Building act and so called other cases. The administrative law cases are handled by the administrative courts of appeal.

Q97 (2015): The increase in the number of pending cases in second instance courts are explained mainly by an increasing number of social security cases from the administrative courts to the administrative courts of appeal.

Q97 (2014): In the frame of the 2014 exercise, it has been indicated that the decrease in the number of pending administrative cases on 1 January over the period 2012-2014 can be partly explained by the fact that one of the district administrative courts handled a large amount of social security cases (about 4 000 cases regarding a question of social security for sailors). These cases were appealed in 2011 and resolved in 2012. Also there was an overall increase of cases in the district courts in 2011 due to reforms on the local court level which led to an increase in resolved cases during 2012 on the district court level. The increase of the number of pending administrative cases on 31 December over the same period is mainly explained by a large number of social security cases concerning EU law which were appealed before the District Administrative court in Stockholm during 2014. In addition there were a large number of cases concerning VAT on printing services that were appealed during 2014.

Q97 (2010): In the frame of the 2010 exercise, it is specified that the category "other" encompasses environmental and property cases, as well as other cases. By contrast, in 2008, only environmental and property cases are included within this category, which explains the observed variation between the two years.

Q97 (2010): In the frame of the 2010 exercise, it is specified that the category "other" encompasses environmental and property cases, as well as other cases. By contrast, in 2008, only environmental and property cases are included within this category, which explains the observed variation between the two years.

Q99 (2015): The decrease in the number of pending cases is explained by a reduced inflow regarding the two main case categories in the Supreme Administrative Court, tax cases and social security cases.

Q99 (2014): The main explanation for the decrease of the number of administrative pending cases on 31 December between 2012 and 2014 lies in the general decrease of incoming cases (tax cases and social security cases). Besides, district courts focussed on resolving older cases.

Q101 (General Comment): In respect of the discrepancies that can be observed between the number of pending cases indicated for December of one year and the number of pending cases communicated for January of the next year, it is noteworthy that it is possible to register data afterwards in the operational system Vera which is 'alive'. Accordingly, if one produces data for the same dates at two different moments, one can get small differences in the results.

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

Comments provided by the national correspondents

organised by question no.

Question 91: First instance courts, number of other than criminal law cases

Question 92: Categories included in "civil (and commercial) non-litigious cases"

Question 93: Categories included in "other cases"

Question 97: Second instance courts, number of other than criminal law cases

Question 99: Supreme courts, number of other than criminal law cases

Question 101: Number of litigious divorce case, employment dismissal case and insolvency cases received and processed by first instance courts

Question 091

Austria

(2016): Within the statistic analysis of Austrian justice system generally only pending cases older than 3 years are gathered. Therefore the column "Pending cases older than 2 years from the date the case came to the first instance court" has to be answered by "NA" in any case without exception. 486576

Due to the absolut low numbers of pending cases on 1 Jan./31 Dec. high deviations in percentage are normal.

(2015): General remarks: 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).

In the category criminal cases are only cases counted which are dealt with by a judge in a court hearing; not counted are cases of preliminary proceedings at the court dealt with by a judge and proceedings dealt with by the public prosecutor.

Civil and commercial non-litigious cases include:

(Se, S, MSch, PSch, P-Vorgänge, Pg-Vorgänge, Ps-Vorgänge, Pu-Vorgänge, SW)

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

Enforcement Cases

Category "other" includes:

(JV, A, T, G, Uh, Hc, Nc, Ha, Fam, Rv)

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

(2012): In 2012, a legislative reform entailed more obligations for companies to register.

Belgium

(2016): Administrative cases: State Council, Alien Law Litigation Council, de Raad voor Vergunningsbetwistingen, het Milieuhandavingscollege en de Raad voor Verkiezingsbetwistingen. The important decrease in the number of administrative cases is due to cases pertaining to immigration. There are 5 administrative courts, two of which are functioning at federal level: the State Council and the Alien Law Litigation Council. Before the latter, the number of incoming cases decreased.

Cases related to immigration and asylum are dealt with by the Alien Law Litigation Council – an administrative court at the same level that the State Council. It has a first instance competence on the merit of cases and a cassation competence on annulment or suspension. It is an independent administrative court. The Council can decide on appeals against decisions of the General Commissioner for Refugees and Stateless Persons, decisions of the Foreigners' Office, and other individual decisions taken within the frame of the Law of 15 December 1980 on the Access to the Territory, Stay, Establishment and Removal of Aliens (Law on Aliens).

Please also note that figures for juvenile courts as well as figures for civil cases treated by the police courts are not included in this cycle. These figures present very small number from the total number of cases.

(2015): The pending cases of commercial courts, first instance (civil, youth, family) and justice of the peace are not included. Included in pending cases are: labor courts, police courts, courts of appeal, labor court

(2014): With regard to non-litigious business registry cases, the central register of notices of seizure, delegation, transfer, collective debt settlement and loan is managed by the National Chamber of Bailiffs. Administrative cases are handled by the State Council (except for cassation rulings), the Alien Litigation Council and the Flemish regional administrative colleges, "Raad voor verkiezingsbetwistingen, Raad voor milieuhandhaving by Raad voor vergunningbetwistingen". (judicial year 2013-2014).

(2012): 2010, 2012: Category 1 'civil (and commercial) litigious cases' includes the cases to be tried by the first instance courts, commercial courts (incl. disputed claims), justices of the peace and civil cases of the courts police, but does not apply to civil cases of youth. For 2010, there are no available data on the labour courts because the project to build a data warehouse 'Statistics labour courts' is not yet finalised.

The category 1 does not apply to cases to be tried in second instance by courts of first instance (acting as appeal courts for civil cases heard at first instance by justices of the peace and police courts). Unable to distinguish the cases from category 1, from those in category 2, they are all grouped in category 1.

(2010): 2010, 2012: Category 1 'civil (and commercial) litigious cases' includes the cases to be tried by the first instance courts, commercial courts (incl. disputed claims), justices of the peace and civil cases of the courts police, but does not apply to civil cases of youth. For 2010, there are no available data on the labour courts because the project to build a data warehouse 'Statistics labour courts' is not yet finalised.

The category 1 does not apply to cases to be tried in second instance by courts of first instance (acting as appeal courts for civil cases heard at first instance by justices of the peace and police courts). Unable to distinguish the cases from category 1, from those in category 2, they are all grouped in category 1.

Bulgaria

(2014): In 2014, the number of all civil cases considered as an overall category can be obtained by extracting from the total the number of administrative cases. Accordingly, the following data can be provided in respect of the overall category of civil cases (litigious and non-litigious): 67 513 pending cases on 1 January 2014; 294 657 incoming cases; 300 799 resolved cases; 61 371 pending cases on 31 December 2014.

(2012): In the frame of the 2012 exercise, it has been explained that the number of pending administrative law cases on 31 December 2012 has increased because of the increase of the number of incoming cases in 2010 (21%) and 2012 (8%). Provided that judges of the administrative courts resolved about 72% on average of the cases during the year, the considerable number of incoming cases in 2012 led to an increase in unresolved cases at the end of the period.

Croatia

(2016): The number of unresolved land registry cases had increased and consequently the total number of "registry cases" had increased as well (in this collective category are also listed the cases of the court register). Simply, more land registry cases had been received in 2016 than in 2015 (about 50000).

(2015): In 2015 the reorganization of the judicial system in the Republic of Croatia, which is partly related to the reorganization of the second instance proceedings, has been carried out. Consequently, in the county courts there has been a harmonization of case registers and case codes (litigious, non-litigious and other) in a way that in 2015 courts carried out the alignment and correction of the indication of certain types of second-instance civil cases. For this reason, in 2015 the correction of the category of cases according to the new methodology of monitoring has been carried out.

The total of all categories is aligned with the continuity of previous cycle (horizontal consistency), whereas the individual categories in the column "Pending cases on Jan. 1 2015" are presented under the new revised indication of the types of cases. For example, some cases that have been categorized in previous cycles under category 'Other', the courts have categorized according to the certain types of dispute which was possible after new case registers were open (e.g. Enforcement – Security by lien on the basis of an agreement of the parties).

Civil (and commercial) litigious cases (including enforcement cases and if possible without administrative cases under 3) - in this category of cases are included county courts civil cases, as well as litigious and bankruptcy second instance cases of the High commercial court. Enforcement cases cannot be divided into enforcement litigious and non-litigious cases. In the previous cycles we have presented the total of enforcement cases. In the previous 2014 cycle, the enforcement cases have been presented under 2.1. and the same methodology is valid for 2015.

General Civil (and commercial) non-litigious cases e.g. undisputed payment order, request for name change, non-litigious enforcement cases, etc. (if it is possible without administrative cases under 3 and without register cases under 2) –this category includes non-litigious county courts second instance cases, which are, under the code types of cases, identified in the ICMS (Integrated court management system).

Registry cases - this category includes registry cases (point 2.2.2.) dealt by the High Commercial Court of the RoC. As regards land registry cases, dealt by the County Courts in the 2nd instance, we are not able to identify them through the ICMS. The identification and the track-record of those cases is possible as of 1 April 2015. At this moment, these cases are a part of the category "Other non-litigious cases", which are not being expressed in the category "General Civil (and commercial) non-litigious cases".

Table 91 Point 1 – Civil (and commercial) litigious cases (including enforcement cases, and if it is possible without administrative cases that are reflected under 3) – in this category of cases, according to the answer from 2014 and 2013, litigious cases from 1st instance courts and commercial courts as well as the insolvency cases from commercial courts are included. Enforcement cases cannot be divided into litigious and non-litigious enforcement cases. CEPEJ requested a division of the enforcement cases among those arising from final judgement and those that would be referred to the arbitral settlement of disputes or maybe judicial settlement. Republic of Croatia cannot express these categories of enforcement cases separately. In the previous evaluation cycles we have presented the total of enforcement cases. For 2015 and 2014 enforcement cases have been presented in the category "other non litigious cases"

(2014): On 1st November 2014, a new methodology of monitoring unresolved land registry cases was introduced into the judicial system, in a way that regular land registry cases (i.e. registration, note, caution) are not being monitored anymore and therefore are not presented in TOTAL column. Other land registry cases (i.e. objections, appeals, specific corrections, proposals for connection of land registries, establishing and supplementing land registries) are still being monitored.

Accordingly, there are differences in the category "non-litigious registry cases", which reflects to the category "total cases". In fact, the number of pending cases on 31 Dec. 2014 relates only to regular land registry cases, and does not include other land registry cases, which cases are, due to previous methodology, counted in categories incoming and resolved cases.

In the ambit of the 2014 exercise it has been recalled that the requested identification of the number of enforcement litigious cases and the number of enforcement non-litigious cases is impossible to be carried out in Croatia. Accordingly, the overall number of enforcement cases is subsumed in the category "general civil and commercial non-litigious cases". □

2014: in comparison to 31 December 2013 and data delivered for the last Justice Scoreboard edition (data 2013), the Municipal Civil Court undertook the harmonization of data due to data migration. Therefore, the different statistical data is the consequence of that migration. Furthermore, after the new standardization of the audit, the Supreme Court has started to be less up-to-date since the number of received cases is far beyond the number of cases which the existing judges and advisors at the Supreme Court may resolve. In resolving the cases at the Supreme Court, advantage is given to urgent cases (determined by laws) and to old cases.

(2013): In respect of the category “civil and commercial non litigious cases” and the variations observed for the period 2010-2013, the explanation lies in the up-dated methodology of presentation of data. In 2013 and in contrast with the previous cycles, the Ministry of Justice was able to identify “company registry cases” and present them separately from “other civil and commercial non litigious cases”. □

On the occasion of the 2013 exercise, it has been specified that the discrepancies that can be observed in respect of the category “total of other than criminal cases” between the number of pending cases indicated for December 2012 and the number of pending cases communicated for January 2013, are due to the completion of the ICMS system implementation in all courts in 2013 and the following migration and unification of data into the same reporting system (more specifically, the slight difference of 107 cases refers to enforcement cases).

As to the category “general civil and commercial non-litigious cases”, in 2013 it included inheritance cases but excluded company registry cases (presented separately in row 5), while for 2012 the latter were encompassed within the category.

As for the category “non-litigious company registry cases”, their number could be identified for 2013, as the Ministry of Justice was enabled to list the number of company registry cases separately.

The increase in the number of incoming “civil and commercial litigious cases” between 2010 and 2013 was mostly due to the continuity of the negative economic situation in Croatia. By contrast, additional efforts of judges, as well as broadening the scope of powers of court advisors (amendments to the Courts Act) resulted in the increase of the number of resolved cases.

With regard to the category “non-litigious enforcement cases”, it is noteworthy that the observed decreases are related to the effective implementation of the enforcement on pecuniary means that is carried out by the Financial Agency (FINA). Since the creditor submits the proposal for enforcement directly to the Financial Agency (not to the court), these cases are not registered as court files.

In respect of the “non-litigious land registry cases”, it should be noticed that in 2013, the Land Registry Act was amended. Accordingly, court advisors deliver a decision in land registry cases, while the judge supervises its content. The competence of other persons for issuing land registry was also established, electronic delivery of submissions and e-notice board were introduced which significantly improved the resolving of land registry cases.

(2012): In respect of the “administrative law cases”, it is noteworthy that till December 2011, they were adjudicated at the Administrative Court of the Republic of Croatia. Provided that the latter was overburdened, the two-instance administrative adjudication was introduced in January 2012. Four regional administrative courts were established as first instance courts (Zagreb, Osijek, Rijeka and Split), and former Administrative Court became second-instance High Administrative Court (appellate court). Moreover, before the amendments to the Administrative Disputes Act, the court was deciding on the legality of administrative acts, and judges were adjudicating without the presence of parties. Since 2012, there is a mandatory oral court hearing before the first-instance courts.

Cyprus

(2015): Variations: The increase in the number of pending cases between 2010 and 2015 is a result of the bail in Cyprus a lot of administrative cases had been filed against that decision.

The reason for the decrease in the number of resolved cases is that the bail in cases had been consolidated and was tried jointly after 31st of December 2014.

(2014): 2014: Variations: The increase in the number of pending cases between 2013 and 2014 is a result of the bail in Cyprus a lot of administrative cases had been filed against that decision.

The reason for the decrease in the number of resolved cases is that the bail in cases had been consolidated and was tried jointly after 31st of December 2014.

Czech Republic

(2016): Methodology has been changed in 2.1 in year 2015 – more case types have been included, which led to the big increment in the number of cases. In 2016 there was unspecified growth in incoming administrative cases.

Additionally the courts were able to resolve more registry cases that resulted in decrease of pending cases as well as insolvency cases that are included in category "other". However the Clearance rate for category "other" is low only because of the long duration up to 5 years of insolvency cases. Czech Republic can provide cases older than certain period depending on category but can not provide data on cases older exactly more than 2 years.

(2015): In all evaluation cycles for Czech Republic it was not possible to distinguish number of pending cases solely on 1st instance since each case is considered pending until the moment a final decision is enacted and no further proceeding is possible.

Methodology has been changed in 2.1 in year 2015 – more case types have been included, which led to the big increment in the number of cases.

Civil and commercial non-litigious cases include: 2.1 - uncontested payment orders, cases of the upbringing and maintenance of a minor, declaration of admissibility of taking or keeping of a person in a medical (health care) institution, declaration of the death of a person, inheritance proceedings, judicial deposit cases

Category "other includes: insolvency cases and incidence disputes

(2014): In 2014, the high increase of insolvency cases is due to numerous cases of personal bankruptcies as well as to an unfavourable economic situation.

(2013): · On the occasion of the 2013 exercise, it is indicated that for the 2012 evaluation cycle the category of enforcement cases includes data concerning exclusively enforcement done by the court itself. For 2013, this category encompasses also enforcement carried out by private executors. In this procedure, the court is also involved. Namely, it authorizes the private executor to proceed to the enforcement and decides about remedial measures against executor's decision.

· As for the category "other", if in 2012 it includes electronic payment orders and probate proceedings, in 2013 it encompasses only electronic payment proceedings which explains the variation that can be noticed between 2012 and 2013. Moreover, in respect of the electronic payment orders, there was a switchover to another register and 174.067 cases were transferred to the new register of payment orders.

· Accordingly, the evolutions related to both of the categories – "non-litigious enforcement cases" and "other cases" affect the values in respect of the totals.

(2012): In the frame of the 2012 evaluation cycle, it is explained that the observed variations between 2010 and 2012 concerning the number of pending cases on 1st January, the number of incoming cases and the number of pending cases on 31 December stem from the high number of incoming electronic payment orders in 2011. Besides, it is specified that more enforcement cases are handled by private executors.

(2010): In the ambit of the 2010 exercise, it has been emphasized that the continual decrease of pending cases is one of the main goals pursued by the Ministry of Justice. Accordingly, a number of legislative reforms (primarily in civil procedure law), more consequent controls of courts, especially with regard to cases older than 3 years, and other provisions have been approved with the aim of speeding the proceedings and decreasing the number of pending cases.

Denmark

(2016): It is important that because of new regulations/laws, it is possible to start a new company with no prior capital. This causes many more companies and many more closures in some categories and also affect number of pending cases, like in 2.2.2. Besides from that it is important to note that pending cases always may vary a lot as it is a residual figure when pending prior to the period, received and resolved cases are counted. The number of "administrative law cases" which are litigious is encompassed in the number of "civil and commercial litigious cases".

(2014): In the ambit of the 2014 exercise, it has been emphasized that due to an improved business situation, courts on all levels receive fewer cases, i.e. civil cases, enforcement cases, forced sales, insolvency cases. Generally speaking, pending cases are also reduced thereby.

The non-litigious business registry cases follow the overall tendency in Denmark.

(2013): In the frame of the 2013 exercise, it has been explained that the successive decrease observed in the number of civil and commercial litigious cases stems from the possibility to reopen cases and the missing data on pending cases before the Maritime and Commercial Court.

As for the land registry cases, following the digitalizing in 2009 of land registry, the number of pending cases decreased markedly.

(2010): In the frame of the 2010 exercise, it has been explained that the increase of the total number of pending cases in January 2010 compared to the previous evaluation cycle was mainly due to the fact that pending cases for land registry cases were not provided in 2008 but included in 2010, following the emergence of the digital Land Registry Court from September 2009.

Besides, it has been indicated that following the so-called financial crisis there has been a marked increase in the number of enforcement cases which resulted also in the increase of the number of pending enforcement cases.

Finally it has been mentioned that pending cases for "others" were not registered in 2008, while they were so in 2010. Among others "others" include insolvency cases and cases in relation to deceased persons (heritage etc.). In 2010 29,923 such cases were pending but the figure was not part of the statistical calculation system in 2008.

Estonia

(2016): The decrease in the number of incoming administrative court cases is due to the decrease in the number of inmate complaints. The variations in total and in the non litigious cases are due to increase of incoming business and land registry cases.

(2014): In 2014, the increase of incoming cases in administrative courts is due to a rise of complaints of prisoners. The matter is being dealt with by modifying the procedural law that makes it easier to return unfounded complaints.

As to the decrease in the total of pending other than criminal law cases on 1 January 2014, the performance indicators of courts have justified supplementary budget resources. As a matter of fact, there is an ongoing reform concerning the court budgets and judicial performance indicators. Agreements have to be adopted on the occasion of the budget negotiations between the Ministry of Justice and the courts concerning the efforts that need to be undertaken in court to clear the backlog and accelerate proceedings.

For 2014, non-litigious enforcement cases are included in the category "general civil (and commercial) non-litigious cases".

(2013): In respect of the non-litigious business registry cases and the observed decreases between 2012 and 2013, it should be mentioned that in 2012 it was impossible to separate supervisory proceedings from general proceedings and therefore data for 2012 included supervisory proceedings as well.

With regard to the category "civil and commercial litigious cases" and as explained above, the justification of the observed decrease of the number of pending cases over the period 2010-2013 lies in the enhanced efficiency of the first instance courts, while the decrease of the number of incoming cases between 2010 and 2012 is due to the reestablishment of the normal case-flow after the economic crises.

(2012): In the frame of the 2012 exercise, it was explained that 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). The categories "land registry cases" and "business registry cases" include the registration procedures. The latter includes also supervisory proceedings over undertakings. The judicial disputes arising from the registration procedure are included in the category "general civil (and commercial) non-litigious cases".

With regard to the category "civil and commercial litigious cases", the justification of the observed decrease of the number of pending cases on 1 January and on 31 December over the period 2010-2013 lies in the enhanced efficiency of the first instance courts. As to the decrease of the number of incoming cases between 2010 and 2012, it is due to the fact that the big case-flow during the economic crisis has finished and the normal case-flow has been reestablished.

With regard to the category "civil and commercial non litigious cases" and the noticed variations, it is worthy of mention that the dynamics of this type of cases is influenced to a considerable extent by the payment order proceedings that form the largest part of this category. As there is only one courthouse resolving the payment order cases, the changes in the number of incoming payment order cases have an impact on the efficiency and on the number of pending and resolved cases of all non-litigious civil cases.

With regard to the category "administrative law cases", the observed variations have no specific justification and make part of the normal dynamics of the case-flow.

Statistics provided for 2010 do not include enforcement and business registry cases, and no pending cases statistics with regard to land registry cases. On the contrary, these data were provided in the frame of the 2012 exercise, which explains the observed variations in respect of the totals.

(2010): Statistics provided for 2010 do not include enforcement and business registry cases, and no pending cases statistics with regard to land registry cases. On the contrary, these data were provided in the frame of the 2012 exercise, which explains the observed variations in respect of the totals.

Finland

(2016): In 2016 the number of civil cases has decreased and the courts have been able to solve pending cases. The number of administrative cases have increased dramatically due to the asylum crisis. This has also meant that we have had to hire more judges to do the cases and also develop the procedure to make it more effective. The limits in which the cases has to be handled has also been shortened. The aim has been to decrease the number of pending cases and we have succeeded. To tackle this crisis there has also been a legislative reform that decentralized the asylum cases from one Administrative court (Helsinki) to three other Administrative courts as well. Due to this in our statistics it shows that the number of the pending cases in 2016 varies. The number of pending cases in 1.1.2016 has been 20 4775, but due to the decentralization about 5000 cases have been transferred from Helsinki to these other courts. In our statistics these cases don't show as pending anymore. However we don't know how many of them has been resolved, but they're included in the number on total resolved cases. The big difference in information given last year and this is due to this anomaly in our statistics.

(2014): In the frame of the 2014 exercise, it has been specified that the non-litigious enforcement cases are subsumed in the category "general civil (and commercial) non-litigious cases". The enforcement is of the competence of the enforcement authorities, not of this of courts. Cases mentioned here are appeals in execution proceedings before district courts in accordance with the Execution Act.

(2012): As for the category of civil and commercial litigious cases, the important increases noticed between 2010 and 2012 in respect of the items pending cases on 1 January and pending cases on 31 December are the result of an exceptionally high number of incoming litigious civil cases in 2011.

(2010): The significant difference observed with regard to the total number of pending other than criminal law cases between 2008 and 2010 is due to the structural change of the district courts network which resulted in the transfer of land registry cases to the National Land Survey of Finland.

France

(2016): The important increase in the number of pending non-litigious cases is due for 60% to the increase in the number of applications for union breakdown (especially in 2016) and for one third, it is due to the increase in the number of pending cases before the enforcement judge in tribunaux de grande instance (it is not the number of incoming cases which has meaningfully increased, but the number of cases under consideration is being constantly increasing, namely for the last two years).

(2014): In civil litigation, cases relating to the activity of the liberty and custody judge amount to 98 300 cases in 2014 and have increased by 6.8% compared to 2013. These cases have significantly increased in 2012 (+ 65.5%), due to the law No. 2011-803 of July 2011 on the rights and protection of persons under psychiatric care. The reform systematised the control of psychiatric hospitalisations without the consent of the liberty and custody judge.

Germany

(2015): For civil and commercial litigious and administrative cases, the updated data is solely based on the statistics on the administration of justice published by the Federal Statistical Office for 2015. As for the category "other", it refers to the most recent available data at the closing date of the CEPEJ data collection and encompasses information provided by the 16 Länder on the basis of the query lodged with the judicial administrations of the Länder. However, some of the Länder were unable to provide complete data regarding this category. Accordingly, the information for this category remains incomplete. The category "other" refers to: local court family cases; guardianship and curator cases at the family court; custodianship cases; curator cases at the custodianship court; proceedings regarding judgments and orders at the labour court.

(2014): For civil and commercial litigious and administrative cases, the updated data is solely based on the statistics on the administration of justice published by the Federal Statistical Office for 2014. As for the category "other", it refers to the most recent available data at the closing date of the CEPEJ data collection and encompasses information provided by the 16 Länder on the basis of the query lodged with the judicial administrations of the Länder. However, some of the Länder were unable to provide complete data regarding this category. Accordingly, the information for this category is incomplete and is not comparable. The category "other" includes: local court family cases; guardianship and curator cases at the family court; custodianship cases; curator cases at the custodianship court; proceedings regarding judgments and orders at the labour court.

(2013): In the frame of the 2013 exercise, two Landers did not provide data with regard to the number of other than criminal law cases. Besides, one land (Baden-Württemberg) did not provide information for the number of non-litigious land registry cases.

It was explained that the lack of horizontal consistency was due to adjustments. Unfortunately consistent and/or complete data did not exist for all legal cases that should be considered. To some extent information exists only as to new cases and/or cases pending at year end. To some extent there is a lack of more detailed information from some federal states. Thus, the information is incomplete. Accordingly, the following legal cases were not taken into consideration in the information provided for question 91:

Incoming cases:

- payment order procedure: civil courts: 4 751 355; labour courts: 56 053;
- insolvency cases: 143 662;
- cases concerning the civil registry office, wills, estates, accommodations, agriculture, escrow, and public notice proceedings: 1 469 273;

Pending legal cases on 31 December 2013:

- guardianship and curator cases: 12 795;
- insolvency cases: 303 654.

(2012): In the frame of the 2012 evaluation it was stressed that the values regarding questions 91, 94, 97, 98, 99, 100, 101, 102, 107, 108 corresponded to data of the year 2011. Four Landers indicated that the information provided for question 91 was incomplete and one land stated it did not have the information available.

(2010): For 2010, figures do not include 1 762 104 legal matters dealt with regarding Labour Court payment demand proceedings and legal advice aid cases on which new cases, cases pending at the beginning of the year and those at the end of the year are not covered.

Greece

(2016): Any deviations from the 2015 figures are due to a new way of collecting statistics. In fact, in 2016, a working group was set up to update and simplify the content of the statistical data requested by the judicial services of the country. The working group created tables followed by detailed instructions and training in relation to the requested information. According to the instructions given to the courts, some procedures they handle, in those which there is no participation of a judge, are not included in the data collected. In addition, in 2016 a long-term abstention by the lawyers of the country took place, resulting in reduction in the number of cases.

The number 79.872 of resolved administrative law cases does not include joint cases, i.e. decisions that refer to more than one case. Furthermore, for the 2016 data of the administrative First Instance Courts of Athens and Piraeus a slight deviation has been noted which is due to the data migration to a new information technology (IT) system called "Integrated Court Management System for Administrative Justice (OSDDY-DD)". This deviation that has already been taken into account by the Central Organizational Committee for the due implementation of OSDDY – DD is expected to lapse gradually within the next years.

(2014): The significant increase in the number of pending cases on 1 January for the total of "other than criminal law cases" between 2012 and 2014 was due to lawyers' abstention for a long time in the years 2013 and 2014.

(2012): In the ambit of the 2012 exercise, it has been stressed that, as far as the statistical information provided by the courts is concerned (e.g. replies to questions 91 and 97), the system of collecting data could not comply with the CEPEJ methodology because it was planned having altogether different national needs in mind. Thus, schematically, a case brought into the Greek judicial system gets an initial reference number. However, in the process of being tried, it gets more than one reference number according to the laws. As a result the numbers of incoming and resolved cases do not match. Moreover, the Ministry of Justice, Transparency and Human Rights was not able to verify the accuracy of the replies, due to the lack of IT system. Besides, recent law changes have altered the jurisdiction of courts, so the figures communicated for 2012 could not be compared with these provided for the previous evaluation cycles.

(2010): The increases observed in respect of the number of "other than criminal law cases" in 2010 are explained by the fact that for 2008, the performance of the administrative courts was not reflected within this question.

Hungary

(2016): In category "4. other cases" there is a difference between the number of pending cases on 31 December 2015 and the number of pending cases on 1 January 2016. The cause of this difference is the change of the IT system and the cleansing of the database.

2.2.3. "other registry cases" include registration of civil societies.

The increase in the number of general civil (commercial) non litigious cases pending on 1 January 2016 is due to the change in the statistical methodology at the largest regional court that caused a difference in the figures.

The number of incoming "other registry cases" increased between 2014 and 2016 because of the increasing number of registry cases of civil societies. Accordingly, the number of resolved "other registry cases" increased also for the same period. With regard to the category "other non-litigious cases", the increased numbers characterizing the period 2014-2016 are the consequence of the increasing number of court mediation cases and non-litigious labour cases.

(2015): 2.1. There is a difference between the number of pending cases on 31 December 2014 and the number of pending cases on 1 January 2015. The cause of this difference is the change of the calculation method at some regional courts.

2.2.2. The number of pending non-litigious business registry cases cannot be given as the data is not available in the data management system of the courts, only at the system of the Ministry of Justice.

2.2.3. "other registry cases" include registration of civil societies.

2.3. "other non-litigious cases" include court mediation and non-litigious labour cases.

Civil and commercial non-litigious cases include all of those cases that are not concluded through the rules of the civil procedure, but through a more or less simplified procedure:

- exclusion of a judge,
- preliminary verification,
- issuance of a restraining order and review of that,
- declaring sy legally dead,
- revision of the medical care of mentally disordered patients,
- deposit at the court
- hearing sy on the request of another court
- etc.

Category "other" include: Insolvency cases, labour cases

(2014): In 2014, in contrast with the 2013 evaluation, some registration cases were also included within the category “civil and commercial non-litigious cases”. The item “other registry cases” includes registration of civil societies. The item “other non-litigious cases” includes court mediation and non-litigious labour cases.

Variations observed in respect of the category “general civil (and commercial) non-litigious cases” over the years are explained by the change of the methodology of presentation of data in 2013. Before 2013, the non-litigious administrative law cases were counted within the category “non-litigious civil and commercial cases”. Since 2013, non-litigious and litigious administrative law cases are given together. In 2014, non-litigious enforcement cases were also included in the category “general civil (and commercial) non-litigious cases”.

One of the reasons for the increase of the number of incoming administrative law cases over the period was the increase of the number of investigations conducted by administrative authorities (e.g. tax authorities), which resulted in an increased number of reviews against these decisions.

(2013): In the frame of the 2013 exercise, several explanations were provided in respect of the observed variations between 2013 and the previous cycles.

Till 2013, the data-provider for non-litigious enforcement cases was the Ministry of Justice. Since 2013, the data-collecting system of courts covers also this group of cases (general non-litigious cases).

Before 2013, the non-litigious administrative law cases were counted within the category “non-litigious civil and commercial cases”. Since 2013, non-litigious and litigious administrative law cases are given together.

As for the subcategory “civil (and commercial) litigious cases” the misinterpretation of the question resulted in the inclusion of different case categories in 2012 and 2013. This could have caused different figures for the ending number of pending cases in 2012 and the starting figures in 2013.

Ireland

(2016): This represents a sharp reduction on taxations of legal costs since 2014

(2015): Category "other" includes: Taxation of bills of costs.

(2014): 2014 Please note that unless a case has been listed in the court's calendar for the purposes of trial or the fixing of a trial date, parties to civil proceedings in Ireland are not generally required to notify the court either that a case has been settled or that a case is not being pursued further by the plaintiff. Hence, a substantial number of cases which have been completed (through settlement or non-pursuit of the case by the plaintiff without notice to the court) are not recorded and counted as completed. Consequently, the clearance rate appearing from the case flow data provided is considered to understate significantly the actual case clearance rate.

(2013): 2013: Variations: From 2013, as part of the efforts being made by the Courts Service to improve its caseload reporting data, the number of enforcement cases has been reported for the first time this year to meet the request for data under the heading. The Courts Service has sought to create a category of cases under the Irish system that would be equivalent to non-litigious enforcement cases under other justice systems. The figure consists of the following steps leading to enforcement measures by court judgments and orders: Execution orders, Registered Judgments, Judgment Mortgage Certificates.

Italy

(2015): Figures at Q.91 (points 1 and 2) have been extracted from a new IT system called “Civil Data warehouse”. This new system allows us to get in-depth information on single proceedings. Before the implementation of such data warehouse, statistics were based on aggregated variables that only partially could distinguish between litigious and non-litigious cases.

As far as figures at Q.91 (point 3), please consider that Administrative Justice doesn't fall under the umbrella of the Ministry of Justice as it is administered by the Council of State (Consiglio di Stato). However, figures at Q.91 (point 3) were not provided by the Council of State, they were rather taken from a public document available online at https://www.giustizia-amministrativa.it/cdsintra/cdsintra/Notiziasingola/index.html?p=NSIGA_3826149

Since the administrative cases (Q.91 point 3) refers to a different administration, it wouldn't be reasonable to compare these numbers against the number of judges provided at Q.46.

Civil and commercial non-litigious cases include: Uncontested payment orders, uncontested divorces, technical appraisals, judicial interdiction and incapacitation, hereditament, etc.

(2014): In the ambit of the 2014 exercise, figures for the category “administrative law cases” have been submitted for the first time. As mentioned above, the administrative justice doesn't fall under the umbrella of the Ministry of Justice as it is a completely different administration. For this reason it wouldn't be reasonable to compare these numbers against the number of judges provided at Q.46.

(2013): During the second half of 2013 and the beginning of 2014, the Italian judicial system has gone through a historical geographic reorganization with the closing of almost 1.000 courts. As a consequence, the statistics regarding flows of cases at the end of 2013 may show some anomalies that will be adjusted with the following data gathering.

Besides, the variations noticed between 2010 and 2013 in respect of the category of civil and commercial litigious cases and this of civil and commercial non-litigious cases, a constant reduction in the incoming cases is observed from the end of 2009. Additionally, the number of ADR cases is constantly increasing with a filter effect on the litigious incoming files.

(2010): In 2010, the obligation to pay court taxes was extended to a particular type of proceedings related to traffic fees (the so called “opposition to administrative sanctions”). Accordingly, since 2010, people who got a fine are less likely to start a proceeding than before. As a result, the number of incoming cases dropped drastically, which led to a significant improvement of the clearance rate and thus of the case-flow at the level of first instance courts.

Latvia

(2016): Decrease in pending non-litigious cases is due to many resolved cases in 2015.

(2014): The variations concerning administrative law cases over the period 2012-2014 are due to a change in the legislation. Namely, from July 1st of 2012, appealed administrative decisions of institutions are handed to District courts.

(2013): As concerns the variation of the clearance rate and the disposition time in respect of different types of other than criminal law cases between 2010 and 2013, namely as regards the disposition time for the category “civil and commercial non-litigious cases”, the justification is based on internal and external factors.

o The internal factors concern changes in the Civil Procedure Law (creation of new long-pending forms for insolvency cases such as judicial protection proceedings, insolvency proceedings for individuals, etc., whose proportion increased). In Latvia, the insolvency process begins with a court ruling but the case cannot be closed until the end of the insolvency process. Besides, quick pending cases have been transferred from courts to the Land Registry offices due to changes in the Civil Procedure Law from 1 January 2012.

o As for the external factors, the micro-enterprise development opportunities have increased the number of long-pending insolvency cases in the court (following the above described amendment of the national legislation).

• The variations concerning administrative law cases over the period 2012-2014 are due to a change in the legislation. Namely, from July 1st of 2012, appealed administrative decisions of institutions are handed to District courts.

(2012): The total number of incoming, resolved and pending cases on 1 January and on 31 December 2012 has mostly decreased under the influence of external (socio-economic) and internal (court system) factors:

- 1) the gradual exit from the economic crisis 2010-2014 (gradual decrease of the economic disputes and greater public satisfaction with regard to the authorities);
- 2) with the aim to improve the effectiveness of the court system, since 1st January 2012, the majority of the non-litigious civil cases (land registry, business registry and non-litigious enforcement cases) were transferred from first instance courts for consideration by the competent Land Registry Department and are not subsumed in the table;
- 3) with the aim to improve the effectiveness of the court system, since 1st July 2012, the appealed decisions against administrative authorities were transferred from the Administrative court jurisdiction to the Regional courts of general jurisdiction for consideration by judges of the Criminal College. These cases are not included in the table and only cases of the special jurisdiction of the administrative courts are encompassed.

(2010): In 2010, the total number of other than criminal cases increased (pending, incoming, resolved, pending) as a result of the increase of the number of administrative law cases on the one hand, and the number of civil cases on the other hand.

As to the administrative law cases, this evolution is due to several factors. Firstly, owing to the financial crisis, the volume of pending complicated administrative cases in first instance courts and the Administrative Regional court increased. Secondly, the relevant legislation has been changed and since 2009, appealed court rulings in administrative matters are handled by administrative district courts. The last reason is the insufficient capacity of administrative courts between 2008 and 2010.

As to the civil cases, the main explanation lies in the financial crisis which resulted in the increase of the number of complicated cases such as insolvency, bankruptcy, employment, etc.

Lithuania

(2016): Administrative law cases - the courts are fighting the backlogs. This led to the growth in the number of resolved cases and consequently to the decrease in the number of pending cases 31 December 2016.

Other non-litigious cases: incoming and consequently resolved civil cases in process of enforcement (execution) are continuously increasing.

(2015): Civil and commercial non-litigious cases include court orders

Category "other" includes: Cases of administrative offences and cases of administrative offences in process of enforcement (execution).

(2014): The increase between 2013 and 2014 in number of cases can be explained by the increase in the number of incoming administrative cases and cases of administrative offence. They were mostly cases on remuneration of public servants in 2013 due to the decision of the Constitutional Court of the Republic of Lithuania, which recognized the laws on the reduction of the remuneration of State servants and judges unconstitutional. This also had an effect on the significant increase of the category "other cases" since this situation resulted also in the increase of the number of cases of administrative offence (in execution process).

The significant decrease of 58% of general civil (and commercial) non-litigious cases (pending 31 Dec) in 2014 has been explained by the fact that civil cases on deliver of judicial orders are resolved quickly and such residues are normal.

(2010): The increase of the total number of other than criminal cases in 2010 was due to the financial situation of 2009-2010 when a lot of litigants turned to courts in order to secure their financial interests. Such amount of new incoming cases also determined the bigger workload of the judges and all the judicial staff.

As for the category "land registry cases", issues related to land registering are managed by the Real Property Register and Cadastre.

Luxembourg

(2016): For question 91.1 the new data collection system revealed a higher number of pending cases, previously not considered by those in charge of counting.

For question 91.2.2, the new data collection system provides now information on other non-litigious cases, previously unavailable.

(2015): The figures given (with the exception of those for the administrative court) are those of the two district courts (Luxembourg and Diekirch).

The three justices of the peace totaled 78.273 national as well as 285 European payment orders.

(2014): The data (except for the Administrative Court) are those of the district courts. Uniform statistical data for both types of courts are not yet available. The three justices of peace ruled 75 411 national payment orders, 260 european payment orders and resolved a total of 6386 cases for a total of 65840 new cases. The implementation of statistics counters for civil and commercial cases resulted in variations. The applied criteria have been refined and give a more accurate image. However, new fluctuations are prone to occur, given that the implementation is not yet complete.

(2013): The data is relevant for the judiciary year September 2012-September 2013. It concerns (except for the Administrative Court) district courts. Uniform statistical data for both types of courts (district courts and justice of peace) are not yet available. The District Court of Diekirch rendered 580 decisions and registered 664 new cases. The three justices of peace ruled 69 859 payment orders and resolved a total of 5 682 cases for a total of 6 508 new cases. The increase in the number of civil (and commercial) non-litigious cases" between 2010 and 2013 is partly explained by the establishment in 2011 of the judiciary statistics office. The increase in the number of administrative law cases mainly stems from the increase in the asylum-related disputes on account of the international situation.

(2012): The data provided (except for the Administrative Court) are those of the district courts. Uniform statistical data for both types of courts (district courts and justice of peace) are not yet available. The District Court of Diekirch rendered 591 decisions and registered 688 new cases. The three justices of peace ruled 63 651 payment orders and resolved a total of 8041 cases for a total of 9310 new cases. The 2012 data encompasses civil and commercial cases of both district tribunals (Luxembourg and Diekirch).

(2010): The 2010 data refers only to the Luxembourg court excluding the district court of Diekirch. The latter rendered 386 judgments and registered 306 new cases for 2010. Concerning the justices of peace, the following data is available: Justice of peace of Luxembourg: 6609 new cases, 4035 judgments rendered; Justice of peace of Esch-sur-Alzett: 2512 new cases, 1966 judgments rendered; Justice of peace of Diekirch: 1801 new cases, 1471 judgments rendered.

Malta

(2016): Horizontal consistency: This is a problem encountered also in previous evaluations. Unfortunately this inconsistency results from the way that the data is logged, and it is practically impossible to resolve it at present. Concerning the variations between cycles: In reality, in 2015 the Administrative Review Tribunal worked real hard to reduce the pending caseload and also resolved one set of interrelated cases that translated in the conclusion of about 150 separate cases. So 2015 was a very good year in which the efficiency parameters of the Tribunal spiked. In 2016, the rhythm by which cases were being resolved went back to 2014 figures, hence the apparent decrease in the number of resolved cases between 2015 and 2016. The reduction in the pending caseload is also the result of the additional 150 odd cases that were resolved in 2015 and that dramatically reduced the pending caseload for good, even if the resolved caseload of 2016 was less than that of 2015. Concerning Administrative cases: These figures reflect the pending balance at the beginning of 2016. Throughout 2015, the Tribunal resolved one batch of related cases that resulted in a drop in the number of pending cases and a spike in the number of resolved cases.

(2014): For 2014, it has been pointed out that the item "pending cases at 1st January 2014" has been compiled using the data for the 31st December 2013.

It is noteworthy that the category "civil litigious cases" covers family mediation cases and cases before the Court of revision of notarial acts and the Small Claims Tribunal.

As to the category "administrative law cases", the observed variations between 2013 and 2014 are due to the fact that in 2014 another magistrate started presiding over the Administrative Review Tribunal thereby increasing the judicial complement to 2 members. This change resulted in an increase in the number of resolved cases leading to the increase in the clearance rate.

The discrepancy in the data provided as "pending cases on 31st December 2014" results from an internal exercise being carried out by the Court Administration in which cases that have been prescribed, are being cleaned from the system. This exercise is going to be carried out more frequently so that it does not reflect in discrepancies in the data that is published.

(2013): In 2013, the number of administrative law cases continued increasing. In this respect, it should be recalled that the Administrative Court was created in 2010 and, as a result, in 2010, there were few cases before this new jurisdiction. Subsequently, as time passed, the number of areas of competence of the Administrative Court has increased - as a result, cases increased considerably too.

(2012): In 2012, the increase of the number of administrative law cases has been justified by the fact that the Administrative Court was set up in late 2010, as a result of which, figure given in the previous report reflected the operation of the Court over a couple of months only. For 2012, the communicated figures reflect the operation of the Court over a twelve month period.

(2010): In the ambit of the 2010 exercise, it has been explained that in Malta, enforcement of cases is carried out by the Court Marshalls (enforcement agents) as a result of which, there is no need to refer the enforcement to the court as a case, but merely a warrant of enforcement is presented, of which, no data was available. As to "business register cases", all cases relating to business matters are heard by the Civil Court. Accordingly, no separate data exists.

Netherlands

(2016): Number of administrative law cases litigious plus non-litigious. In 2016, there has been a strong decrease in numbers of cases compared to 2014. This decrease pertains to the group of misdemeanours, in particular the group of traffic offences ("Mulder Law"). The cases of "vorderingen dwangsom" (coercive detention) are no longer treated by the Public Prosecution. This following complaints at the Ombudsman. These coercive detention cases increased at first strongly in 2013 and 2014. But after that decision of the Public Prosecution The "Mulder Law" cases decreased from 200.000 in 2014, via 100.000 in 2015 to 40.000 in 2016.

Poland

(2016): Within the changes in business registry cases we can observe significant increase in all types of Application for registration (first registration) cases, but there is also considerable increase in general business cases (changes in the registry, including cases of removing from registry). In 2016 there were serious problems with the information system which is in use in electronic proceedings therefore the number of pending cases had increased.

Portugal

(2016): " Item 91-1 "Civil (and commercial) litigious cases", includes the case-flow of civil justice, labour justice and juvenile justice. It does not include civil and labour enforcement cases. On 1 September 2013, the new Code of Civil Procedure entered into force, establishing a new regime for the enforcement action in Portugal, based on a new paradigm, which states that the processes that run in court must stand out clearly - those who are dependent on the commission of an act of the judge or the secretary – from those who run out of court. This new model, which enables a new way of organizing tasks, of work monitoring and of differentiating responsibilities is provided for in Article 551, paragraph 5 of the new Code of Civil Procedure. This new system follows more closely the current model in other countries and, without prejudice to the specificities of each planning and method of statistical production, will facilitate the future approach to a comparison of the Portuguese system with that of other countries. From a statistical point of view, this new model has not yet however been reflected in numbers, as work is still on-going aimed at demarcating the procedures that are in court, waiting for an act, from those that are being handled by other entities. Since is not yet possible to provide figures that reflect the amount of work taken on by the courts as referred above, the data does not include civil and labour enforcement cases. The data on enforcement cases for the year 2016 is: pending cases on 1 Jan. 2016: 934.860; incoming cases: 158.164; resolved cases: 289.402; pending cases on 31 Dec. 2016: 803.622. These numbers correspond to the total number of existing procedures in Portugal in 2016, following the existing model prior to the entry into force of the said legal diploma. For this reason, the alerts and notes transmitted in previous years with regard to comparisons between countries still remain. A comparative reading of these values must, as we have repeatedly drawn attention, be very cautious, refraining from any comparison in terms of volume or duration of cases and should be limited to the evaluation of the development indicators. Item 91_3 "Administrative law cases", includes administrative and tax cases. The separate data on tax cases is as follows: pending cases on 1Jan. - 53.597; incoming cases - 16.445; resolved cases - 20.222; pending cases on 31 Dec. - 49.820. Regarding the decrease in the number of incoming administrative law cases, it results from the decrease in the number of incoming tax law cases, in particular in what concerns misdemeanour appeals".

(2015): The category "civil (and commercial) litigious cases" includes the case-flow of civil justice, labour justice and juvenile justice. It does not include civil and labour enforcement cases. On 1 September 2013, the new Code of Civil Procedure entered into force, establishing a new regime for the enforcement action in Portugal, based on a new paradigm, which states that the processes that run in court must stand out clearly - those who are dependent on the commission of an act of the judge or the secretary – from those who run out of court. From a statistical point of view, this new model has not yet however been reflected in numbers, as work is still ongoing aimed at demarcating the procedures that are in court, waiting for an act, from those that are being handled by other entities. It is not yet possible to provide figures that reflect the amount of work taken on by the courts as referred in that table. Just for information, the data on the total number of existing enforcement procedures in Portugal in 2015, following the existing model prior to the entry into force of the said legal diploma is the following: pending cases on 1 Jan. 2015: 1.000.446; incoming cases: 199.359; resolved cases: 272.191; pending cases on 31 Dec. 2015: 927.614.

The category "administrative law cases" includes administrative and tax cases. The separate data on tax cases is the following: pending cases on 1Jan - 47.866; incoming cases - 24.808; resolved cases - 19.164; pending cases on 31 Dec. - 53.510.

(2014): For the 2014 exercise, data are not available due to technical constraints that resulted from the disruption of communications between the informatics system that supports the courts activity and the Justice Statistics Information System. The Portuguese Ministry of Justice is working and strongly committed in recovering the information missing in order to establish the normal functioning of the System. Other activities are in course, namely to ensure the accuracy of these data. Data regarding enforcement proceedings and insolvency proceedings are to be due at the end of 2015.

(2013): With regard to the increase observed in respect of the number of resolved non-criminal cases and the number of resolved enforcement cases between 2010 and 2013, it is noteworthy that Portugal took important measures in order to improve the courts clearance rate and backlogs. Within these procedures, some measures were focused primarily on enforcement cases, since they represent 70% of the total of pending cases. For example, the government adopted measures with the purpose to eliminate cases where there are no assets to execute or no procedural momentum, as well as measures with the aim to limit the number of incoming cases, establishing initial court fees. In what concerns structural measures, it should be noticed that the new Procedural Civil Code has been adopted in September 2013. In addition, courts with excessive number of pending cases were subject to particular assistance of specialized teams.

(2012): With regard to the total number of incoming non-criminal cases and the total number of incoming enforcement cases, the figures provided for 2012 reflect the effects of the entry into force of Decree 113-A/2011 of 29 November, which proceeds to a major judiciary reorganization. These figures reflect the corresponding movement of cases between organizational units. As a result, in 2012 a higher number of cases that have not entered ex novo in the Portuguese courts were taken into account. These cases have ended in the unit/court where they left and entered into the new courts where they were transferred.

(2010): In the frame of the 2010 exercise, it has been specified that the total of civil and commercial litigious cases includes the case flow of civil justice, civil-labour and juvenile justice. The number of enforcement cases encompasses the case-flow of civil justice and civil-labour enforcement.

Romania

(2016): In the national Statis system, the cases are recorded on different categories of pending cases. So, in the last column, there are number of cases pending for more than 3 years instead of 2.

The high clearance rate of administrative cases has led to lower significantly the number pending cases. The increase of the number of incoming cases is a consequence of a higher number of requests filed in administrative domain that also triggers an increase in the number of resolved cases. The decrease in the number of non-litigious pending cases as well as "other" pending cases is mostly due to lower number of incoming cases.

(2014): By the decision n° 46/2012, the Superior Council of Magistracy has decided that all the courts will implement by 1 January 2014 the IT system of collecting data. The new method is based on new definitions of the indicators. Accordingly, a case is transferred from the field "stocks" to the field "closed" only when the final decision, including its reasoning is drafted signed and communicated to the parties. For that reason, the number of pending cases on 31 December 2013 cannot be identical with the number of pending cases on 1st January 2014.

The initial total number of pending cases has increased as a result of reporting the data into Ecris database. The number of incoming cases and this of resolved cases are comparable from one year to another for the period 2010-2013. The stocks at the end of the period is in relation to the adjustment of the stocks at the beginning of the period, but comparable with 2012.

Concerning the number of administrative law cases the workload has constantly decreased starting with 2012. The increase of stocks initially communicated for 2013 comes from the high number of incoming cases in 2012. The final stock of 2014 is lower also because of the lower number of the new cases in 2013. It may also be noticed that the new cases closed in 2013 was higher than in 2012. The high decrease in the number of incoming, resolved and pending administrative law cases on 31 December between 2013 and 2014 is progressive and is caused by the social climate.

(2013): With regard to the category "civil and commercial litigious cases", because of the delays between hearings that are often very long (usually the first hearing is determined by an electronic system after a long period of time, in relation with the actual workload of judges), the new entered files are not usually finalised within a year.

With regard to the category "civil and commercial non-litigious cases", all the indicators kept a growing trend in 2012 and 2013. As for the stock of files (pending on 31.12), the increase between 2012 and 2013 is due to the fact that during the same period the number of resolved files has also decreased.

As to the trends observed in 2013 in respect of the "non-litigious enforcement cases" and "non-litigious land registry cases", data are correct.

As to the category "administrative law cases", the big differences have always been a reason for concern and continuous analysis. In the report on the status of Judiciary on 2012, it was noted that "in the administrative contentious and fiscal matters, the most of the cases were related to the restitution of the tax for pollution, but also to the obligation of the authorities to register the vehicles, without the payment of the tax for pollution (obligation to perform)". It should be mentioned that the actions of the legislative have led to the growth of the number of administrative cases in the past 5 years, at tribunals with more than 400% and at the courts of appeal with around 200%.

(2012): With regard to the category "civil and commercial non-litigious cases", all the indicators kept a growing trend in 2012. As to the category "administrative law cases", the big differences have always been a reason for concern and continuous analysis. In the report on the status of Judiciary on 2012, it was noted that "in the administrative contentious and fiscal matters, the most of the cases were related to the restitution of the tax for pollution, but also to the obligation of the authorities to register vehicles, without the payment of the tax for pollution (obligation to perform)". It should be mentioned that the actions of the legislative have led to the growth of the number of administrative cases to be solved in the past 5 years, at tribunals with more than 400% and at the courts of appeal with around 200%.

(2010): In 2010, the increase of the number of pending cases before first instance courts fitted within the general trend of increase of the total workload for the respective period of time at national level. As it can be noticed, the number of incoming cases also increased significantly as well as other indicators. The factors influencing the number of new cases within the court were not inherent to the judicial phenomenon.

Although the number of resolved cases increased during the respective period, the fact that the number of the new cases was significantly higher (including the already existing cases) led to a higher final stock of cases at the end of the reference period.

Slovakia

(2016): The new structure of data presented by the Ministry of Justice might cause the discrepancies and incompatibility of the data with the previous cycles. As regards the category "general civil non-litigious cases" we notice the decrease of incoming cases as of the year 2013. In this cycle the succession cases were classified as "Other non litigious cases" while in previous years they were classified as "general civil (and commercial) non litigious cases".

(2014): In 2014, it is possible to notice a general increase of the number of incoming and pending other than criminal law cases at all levels of the judiciary. This is mainly a consequence of the increase of the number of litigious cases. The Slovak judicial system for a several years faces significant increases of claims filed with the courts by debt-collecting companies and non-bank loan companies against consumers, as well as class actions of one private company against the State for alleged damages etc. The capacity of judges and court staff to resolve all the cases in a short time is limited.

The higher number of resolved administrative cases in the year 2014 was achieved by the intensive effort to reduce the existing backlogs in administrative cases.

(2013): For 2013, a general remark was provided in respect of questions 91, 97 and 101, explaining that there were no specific reasons justifying the variations in the numbers of cases of the particular categories. It was stressed that the Slovak judicial system was facing different types of claims which massively loaded courts of all instances. For example, there was a huge number of legal actions arisen from the loans provided by the so called "non-bank loan companies" where courts had to consider constant violations of the consumer protection law. Besides, there was a huge number of class actions against the State, carried out by one of the non-bank companies for alleged damages etc. The capacity of the court staff to resolve all of the filed cases in the appropriate time period was limited despite the measures which have been taken. In spite of the positive trend concerning the increase of the number of total resolved cases, the number of incoming cases was increasing even more, causing backlogs.

(2012): The number of pending enforcement and business registry cases was gradually and considerably decreasing over the period 2011-2012. As concerns the variation noticed in respect of the number of incoming and resolved administrative law cases, it was due to the fact that in 2010 a meaningful number of specific collective claims were filed and resolved.

(2010): In the frame of the 2010 exercise, it was specified that the number of enforcement cases did not include enforcement cases executed by private distrainers. It subsumed only enforcement proceedings before courts intended to enforce financial claims of the Judicial Treasury, arisen from the unpaid court fees and the costs of the State. The number of resolved cases exceeded the number of incoming cases, because courts decided the older unresolved cases (the backlog).

Slovenia

(2016): In recent years, the number of incoming cases is generally decreasing due to several reasons, partly due to a better economic situation in Slovenia and mainly to a successful introduction of new business models in the Slovenian judiciary (informatisation, change of perception when litigants and debtors do not see any profit in prolonging court procedures, gradual settlement of case-law). Considering the higher number of incoming cases (number of pending cases is approx. 20%-30% of all incoming cases), a slight variation in incoming cases might have a considerable effect on the number of pending cases. For discrepancies, see general comments.

(2015): Differences in incoming and pending cases (2., 2.1, 2.2, 2.2.1, 2.2.2 - Non litigious cases):

- In recent years, the number of incoming cases is generally decreasing due to several reasons, partly due to a better economic situation in Slovenia and mainly to a successful introduction of new business models in the Slovenian judiciary (informatisation, change of perception when litigants and debtors do not see any profit in prolonging court procedures, gradual settlement of case-law).

- Considering the higher number of incoming cases (number of pending cases is approx. 15%-20% of all incoming cases), a slight variation in incoming cases might have a considerable effect on the number of pending cases.

(2014): In the frame of the 2014 exercise the distribution was the following:

1. 'Civil (and commercial) litigious cases' at first instance includes: P, R, Pom, Pom-i, Pg, Pd, Ps, R, Pom.

2.1 „General civil (and commercial) non-litigious cases“at the first instance includes□

1. (former category 2. „General civil (and commercial) non-litigious cases“): N, Ng, Pl, Plg, D, Pr; and 2. (former category 3. 'Non litigious enforcement cases'): I, Ig, In, VL, Z, Zg and R-i.

2.2.1. 'Non litigious land registry cases' at first instance includes (at local courts): Dn, Sdn, Rz.

2.2.2 'Non-litigious business registry cases ' at first instance includes (at district courts): Srg and R-Srg.

2.2.3. 'Other registry cases': NAP.

2.3. 'Other non-litigious cases': NAP

3. 'Administrative law cases' at first instance include (at the Administrative court): U, I Up, II Up.

4. „Other cases“ at first instance includes: Bpp ,COVL, Ov-i, Ov-H and St [(St-01), (St-02), (St-03), (St-04) (St-05)].

In previous cycles, all the mentioned Insolvency (St) cases have been accounted in former category 1. 'Civil (and commercial) litigious cases'."

The number includes the labour law and social law cases, due to their similarity to litigious cases in material (employment contract derives from civil law contract) and procedural (the court procedure in labour and social cases is based on general civil law procedure) aspects. The fore mentioned cases are decided before specialised labour and social law courts and not the courts of general jurisdiction.

(2013): In the frame of the 2013 exercise the distribution was the following:

Civil and commercial non-litigious cases at first instance include: N, Ng, Pl, Plg, D, Pr.

Civil and commercial litigious cases at first instance include: P, R, Pom, Pom-i, Pg, St [(St-01), (St-02), (St-03), (St-04) (St-05)], Pd, Ps, R, Pom.

Non-litigious enforcement cases at first instance include (all of them are at local courts): I, Ig, In, VL, Z, Zg, R-i.

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

Non-litigious business registry cases at first instance include (at district courts): Srg, R-Srg.

Administrative law cases at first instance include (at the Administrative court): - U, I Up, II Up.

"Other" civil law cases at first instance include: Bpp, COVL, Ov-i, Ov-H."

Changes for Q 91 (as well as for Q 97):

1. In civil and commercial litigious cases (1st category) we included the labour law and social law cases that are proceeded by specialised labour and social law courts. For no specific reason they were not included in the reported figures on the number of first instance cases. We included them in the 1st category, since they are similar to litigious cases in material (employment contract derives from civil law contract) and procedural (the court procedure in labour and social cases is based on general civil law procedure) aspects.

2. Various cases – the cases that do not fit exactly to the determined types of civil, commercial, non-litigious, land and business registry, enforcement and administrative law cases, were previously included in other cases (7th category). We decided that 'Other cases' should include only cases outside of the above mentioned legal fields. As various cases do belong to all categories from the 1st to 6th, we included them in the categories that correspond to legal field of each type of various cases.

Variations: With regard to the category 'non-litigious business registry cases', the increase of the number of pending cases on 31 December 2013 can be explained with the fact that there were 8.000 more incoming cases in 2013 than in 2012, but courts were not able to handle the case-load (they solved 200 less cases than they had received). Consequently, the number of pending cases increased, but not as much as in the reported figures. There should be 772 pending cases on 31 December 2013, which is due to the problem with ensuring horizontal consistency' ".

(2012): In the frame of the 2012 exercise the distribution was the following:

"Civil and commercial non-litigious cases at first instance include: N, Ng, Pl, Plg, D and P."

Civil and commercial litigious cases at first instance include: P, Pg, St [(St-01), (St-02), (St-03), (St-04) (St-05)].

Non litigious enforcement cases at first instance include (all of them are at local courts): I-ns, Ig-ns, In, Nt*, I-vl*, Ig-vl*, VL, Z, Zg, R-i.

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

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

Administrative law cases at first instance include (at the Administrative court):- U.

"Other" civil law cases at first instance include: Pom , Pom-i, R, Rg, Ov-i, Ov-H, Bpp, COVL, II Upr, I Upr.□

* The following categories existed additionally in 2012:

- Nt – cases for enforcement of the non-monetary claim,□

- I-vl – cases for enforcement on the basis of authentic document resulting from the period before the establishment of the Central Department for Authentic Document,

- Ig-vl – enforcement on the basis of authentic document in commercial matters resulting from period before the establishment of the Central Department for Authentic Document,

Changes: In the category "Civil and commercial litigious cases at first instance" 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.

Variations: 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.

(2010): In the frame of the 2010 exercise the distribution was the following:

Civil and commercial non-litigious cases in the first instance include: N,Ng,D, different St, and Pr.

"Other" civil law cases in the first instance include: R, Pl, Pom, R , Plg , Pom-i , Ov-i, Ov-H, Zg, Bpp-d, II Upr, I Upr, Bpp-a .

Variations:

The decrease in the total number of other than criminal law cases from 443.133 pending cases on the 1 Jan. 2008 to 331.019 cases on the 1 Jan. 2010 can be partly attributed to the results of the Lukenda project. The number of resolved cases in 2008 and 2009 exceeded the number of incoming cases that caused the reduction in the number of pending cases. Partly, this is the result of the comprehensive state Lukenda project for the elimination of court backlogs that included a better equipment of the courts, particularly in terms of human resources (the number of judicial assistants has increased). On the other hand, the increase in the number of resolved enforcement cases can be attributed to technological developments (the creation of the Central department for enforcement on the basis of authentic documents that is supported by ICT).

Spain

(2016): Concerning the Administrative Law cases, between 2014 and 2016, the decrease of 'Pending cases' is probably because the number of resolved cases, both in 2015 and 2016 has been higher than the number of registered cases (reinforcement measures have been applied).

(2015): The horizontal consistency can not be respected because of reopened, cumulated and regularised cases.

Law 10/2012 governing certain fees in the area of the Administration of Justice could explain (especially in Administrative Law cases) the decrease in the number of incoming administrative cases, and logically the decrease in the number of resolved and pending cases.

(2014): In the frame of the 2014 exercise, the decrease observed with regard to the category “civil and commercial litigious cases” in respect of all the items (pending, incoming, resolved, pending cases) has been justified by two main reasons. Firstly, since the payment order procedures do not need a decision made by a judge but are of the competence of the judicial counsellor, they have been subsumed in the category of non-litigious civil and commercial cases. Secondly, since paying court fees for natural persons has been compulsory until March this year, there has been a decrease in the incoming cases.

The decreases noticed in the number of pending administrative law cases on 1 January 2014 and the number of pending administrative law cases on 31 December 2014 are due to the decrease of the incoming administrative law cases in 2012. In this respect, it should be recalled that in 2012, there was a decrease of the number of files related to the Public Administration owing to two parameters: plaintiffs have been sentenced to pay the court fees, on the one hand, and, since 2012, they have to be assisted by a lawyer to file an administrative case, on the other hand.

(2012): In the frame of the 2010 and 2012 exercises, the lack of horizontal consistency with regard to the total number of pending cases on 31 December has been explained by the fact that inspection services are entitled to correct the number each time they find it inaccurate.

Owing to the economic crisis, the number of civil cases increased significantly, particularly this of small claims.

In the frame of the 2012 exercise and with regard to the sub-category “incoming administrative law cases”, a considerable variation can be noticed within the periods 2008-2010 and 2010-2012. The explanation lies in the meaningful increase of the number of these cases in 2010, due to the reduction of the salaries of civil servants. In 2012, this number decreased with the decrease of the number of files related to the Public Administration. Two main reasons are advanced in this respect: plaintiffs are sentenced to pay the court fees, on the one hand, and, since 2012, they have to be assisted by a lawyer to file an administrative case, on the other hand.

Besides the general explanation concerning the lack of horizontal consistency, it should be mentioned that this inconsistency is also a result of the inclusion within the table of data related to restarted procedures, while there is not a specific item dedicated to this category of cases.

(2010): In the frame of the 2010 and 2012 exercises, the lack of horizontal consistency with regard to the total number of pending cases on 31 December has been explained by the fact that inspection services are entitled to correct the number each time they find it inaccurate.

Owing to the economic crisis, the number of civil cases increased significantly, particularly this of small claims.

Sweden

(2014): Till 2014 and the new CEPEJ methodology of presentation of data, the enforcement cases were not presented separately, but subsumed in the category of civil litigious cases.

Question 92

Austria

(2014): For the year 2014, this category has been extended to the enforcement cases.

Croatia

(2014): For 2013 and 2014, the provided examples concern only question 92: exercise of the parental care; meeting and spending time with parent; obtaining the capacity to exercise rights of minor that became parent; decision with whom the child will be living; issuing of the permit for entering into marriage before age of majority; deprivation/returning of capacity to exercise rights; deprivation/returning /prolongation of parental care; deprivation of parents' right to live with the child and raise the child; content of court will; security of evidence; setting-up/derogation of necessary passage; setting-up of court deposit, opening of a safe; verification of a contract on life-long support; amortization of documents; trust of a child with behavioural disorder; the recognition of foreign court decisions; declaring a missing person dead; co-ownership dissolution; meetings and spending time with grandmother, grandfather, sister, brother, half-sister, step-brother; land borders; regulation of relations between co-owners; restraining a child; providing legal aid; conclusion of court settlement; inheritance statement; proof of death; regulation of co-ownership relationships; boundaries and necessary passage; determination of extramarital union; other- family non-litigious proceedings; storage of the testament; providing international legal assistance; verification; other –the rest of non-litigious proceedings; international child abduction; other - proclamation of the deceased and proof of death; the appointment of members of the companies body; the appointment of auditors, temporary/interim administrator; the safeguard of evidence; the establishment of a court deposit; opening of the safe deposit box; registry cases; previous measures; forcible establishment of lien; temporary measure; temporary and previous measures, recognition of arbitration decisions; recognition of a foreign court decision; cases entering in the scope of Article 4 point 2 of the Companies Act; court insurance by the transfer of ownership and rights.

(2013): For 2013 and 2014, the provided examples concern only question 92: exercise of the parental care; meeting and spending time with parent; obtaining the capacity to exercise rights of minor that became parent; decision with whom the child will be living; issuing of the permit for entering into marriage before age of majority; deprivation/returning of capacity to exercise rights; deprivation/returning /prolongation of parental care; deprivation of parents' right to live with the child and raise the child; content of court will; security of evidence; setting-up/derogation of necessary passage; setting-up of court deposit, opening of a safe; verification of a contract on life-long support; amortization of documents; trust of a child with behavioural disorder; the recognition of foreign court decisions; declaring a missing person dead; co-ownership dissolution; meetings and spending time with grandmother, grandfather, sister, brother, half-sister, step-brother; land borders; regulation of relations between co-owners; restraining a child; providing legal aid; conclusion of court settlement; inheritance statement; proof of death; regulation of co-ownership relationships; boundaries and necessary passage; determination of extramarital union; other- family non-litigious proceedings; storage of the testament; providing international legal assistance; verification; other –the rest of non-litigious proceedings; international child abduction; other - proclamation of the deceased and proof of death; the appointment of members of the companies body; the appointment of auditors, temporary/interim administrator; the safeguard of evidence; the establishment of a court deposit; opening of the safe deposit box; registry cases; previous measures; forcible establishment of lien; temporary measure; temporary and previous measures, recognition of arbitration decisions; recognition of a foreign court decision; cases entering in the scope of Article 4 point 2 of the Companies Act; court insurance by the transfer of ownership and rights.

(2012): For the 2012 exercise, the provided indications constitute replies to both questions 92 and 93. The non-litigious cases were divided in the following categories:

1. Non-litigious cases referred to issues on personal status (status law): restriction, deprivation and returning of capacity to exercise rights; prolongation of parental care; deprivation and restriction of parental care; permit for entering into marriage; confession of fatherhood; detention in the institutions for mental diseases; promulgation of vanished persons dead and proving of death;
2. Non-litigious cases referred to property issues: inheritance proceedings; regulation of co-ownership relations; division of property and voluntary transmission of common property; boundary regime/regulation; amortization of decrees; conduction of different registers;
3. In the scope of non-litigious cases there have been developed special, different units: bankruptcy proceedings; liquidations and forced settlements; land registry proceedings; enforcement proceedings.

Czech Republic

(2014): For all of the four exercises (2010, 2012, 2013 and 2014) the category of civil and commercial non-litigious cases encompasses cases of upbringing and maintenance of a minor. In 2014, it subsumes also declarations of admissibility of taking or keeping a person in a medical (health care) institution and declarations of death of persons.

France

(2014): In 2014, the category civil cases (and commercial) non-litigious are also included in non-litigious cases relating to enforcement.

(2010): 2010: The civil judge may rule in non-contentious matters, when in the absence of dispute it receives a request that the law requires to be under its control. In this context, the judge intervenes to check the acts and give them an authenticity (such is the case of approval of agreements resulting from alternative dispute resolution such as mediation, conciliation, compromise or participatory procedure) . Resort to the judge may also have to objective to ensure the protection of minors or incapacitated adult (approval of the deliberations of the family council on an amicable sharing for example), protection of the family (adoption order, change of matrimonial regime or divorce on joint petition, for example) or the protection of private individuals (provisional administrator nomination).

Germany

(2012): In 2012, the value entered was calculated by deducting the contentious judgments from of all sets of proceedings that were resolved before the Local and the Regional Court in civil cases (not including those passed on within the court). Those sets of proceedings that are resolved other than by contentious judgment were particularly resolved by default, acknowledgement or waiver judgments, settlements, withdrawal of the charge or of the motion, staying of the proceedings or non-pursuance and orders in accordance with section 91a of the Code of Civil Procedure.

(2010): In 2010, the value entered was calculated by deducting the contentious judgments from of all sets of proceedings that were resolved before the Local and the Regional Court in civil cases (not including those passed on within the court). Those sets of proceedings that are resolved other than by contentious judgment were particularly resolved by default, acknowledgement or waiver judgments (369 185), settlements (259 591), withdrawal of the charge or of the motion (182 384), staying of the proceedings or non-pursuance (73 392) and orders in accordance with section 91a of the Code of Civil Procedure (53 604).

Ireland

(2014): Starting 2014 the category: "Appointment of care representatives" was added to the "Civil (and commercial) non-litigious cases"

Lithuania

(2014): For 2013 and 2014, the category "civil and commercial non-litigious cases" includes court orders.

(2013): For 2013 and 2014, the category "civil and commercial non-litigious cases" includes court orders.

Luxembourg

(2014): 2014: Category 2 (civil (and commercial) non-litigious cases) refers to european payment orders issued by two district courts. They are handled almost immediately, so that there is no stock at the end of the period. That is why the pending cases as well as incoming cases are classified as NAP.

(2013): 2012: Category 2 (civil (and commercial) non-litigious cases) refers to payment orders issued by district courts. They are handled almost immediately, so that there is no stock at the end of the period.

(2012): 2012: Category 2 (civil (and commercial) non-litigious cases) refers to payment orders issued by district courts. They are handled almost immediately, so that there is no stock at the end of the period.

Portugal

(2013): On the occasion of the 2010, 2012 and 2013 exercises, it has been specified that the category of civil (and commercial cases) litigious cases includes the case flow of civil justice, labour justice and juvenile justice.

(2012): On the occasion of the 2010, 2012 and 2013 exercises, it has been specified that the category of civil (and commercial cases) litigious cases includes the case flow of civil justice, labour justice and juvenile justice.

(2010): On the occasion of the 2010, 2012 and 2013 exercises, it has been specified that the category of civil (and commercial cases) litigious cases includes the case flow of civil justice, labour justice and juvenile justice.

Slovenia

(2014): 2014 Category 2.1 „General civil (and commercial) non-litigious cases“at the first instance includes□
1. (former category 2. „General civil (and commercial) non-litigious cases“): N, Ng, Pl, Plg, D, Pr; and 2. (former category 3. ' Non litigious enforcement cases'): I, Ig, In, VL, Z, Zg and R-i.

(2013): 2013 Civil and commercial non-litigious cases at first instance include: N, Ng, Pl, Plg, D, Pr.

(2012): 2012 "Civil and commercial non-litigious cases at first instance include: N, Ng, Pl, Plg, D and P."

(2010): 2010: Civil and commercial non-litigious cases in the first instance include: N,Ng,D, different St, and Pr.

Spain

(2014): For the 2014 exercise, the category “civil and commercial non-litigious cases” encompasses payment order procedures and requests for undisputed matters such as settlement proceedings and divorce with mutual consent.

(2012): For the 2010 and 2012 exercises, the category “civil and commercial non-litigious cases” includes non-litigious divorces and cases of voluntary jurisdiction and internments as well.

(2010): For the 2010 and 2012 exercises, the category “civil and commercial non-litigious cases” includes non-litigious divorces and cases of voluntary jurisdiction and internments as well.

Question 93

Croatia

(2014): In 2013 and 2014 the reply NAP in respect of the category “other” is due to the fact that a bankruptcy registry has not been established in the Republic of Croatia.

(2013): In 2013 and 2014 the reply NAP in respect of the category “other” is due to the fact that a bankruptcy registry has not been established in the Republic of Croatia.

(2012): For the 2012 exercise, the provided indications constitute replies to both questions 92 and 93. Non-litigious cases were divided in the following categories:

1. Non-litigious cases referred to issues on personal status (status law): restriction, deprivation and returning of capacity to exercise rights; prolongation of parental care; deprivation and restriction of parental care; permit for entering into marriage; confession of fatherhood; detention in the institutions for mental diseases; promulgation of vanished persons dead and proving of death;
2. Non-litigious cases referred to property issues: inheritance proceedings; regulation of co-ownership relations; division of property and voluntary transmission of common property; boundary regime/regulation; amortization of decrees; conduction of different registers;
3. In the scope of non-litigious cases there have been developed special, different units: bankruptcy proceedings; liquidations and forced settlements; land registry proceedings; enforcement proceedings.

Germany

(2014): For the 2013 and 2014 exercises, the category “other” includes: Local Court family cases; guardianship and curator cases at the family court; custodianship cases; curator cases at the custodianship court; proceedings regarding judgments and orders at the labour court.

(2013): For the 2013 and 2014 exercises, the category "other" includes: Local Court family cases; guardianship and curator cases at the family court; custodianship cases; curator cases at the custodianship court; proceedings regarding judgments and orders at the labour court.

(2012): In the ambit of the 2012 exercise the category "other" includes: family-court jurisdiction, labour courts (proceedings leading to a judgment or a decision) as well as guardianship and custodianship courts. The figures do not include 1 426 805 new legal matters related to payment proceedings before labour courts, registry office cases, inheritance cases, custody, agriculture, legal aid, deposit cases and public notice proceedings with regard to which resolution or the number of cases pending at the beginning and at the end of the year are not recorded. The figures also do not include 202 106 new legal cases related to insolvency proceedings with regard to which only resolution is recorded (292 821).

(2010): In the ambit of the 2010 exercise, the category "other" includes: family-court jurisdiction, labour courts and guardianship and custodianship courts. The figures do not include 1 983 931 new legal matters related to registry office cases, declarations of death, inheritance cases, custody, agriculture, legal aid, deposit cases, public notice and insolvency proceedings with regard to which resolution or the number of cases pending at the beginning and at the end of the year are not recorded.

Hungary

(2013): In 2010, 2012 and 2014 the category "other" encompasses insolvency registry cases and labour litigious cases. In 2012, additionally it includes misdemeanour cases. In 2013, the category subsumes insolvency cases and non-litigious labour cases.

Ireland

(2014): From 2014, the range of 'Other cases' has been revised to incorporate the category 'certificates of taxation of legal costs issued'. This can explain the fact that different elements have been included in the category 'other' in 2013 and 2014.

Italy

(2014): In the ambit of the 2014 exercise, the category "other" encompasses the number of enforcement cases.

Lithuania

(2013): For 2010, this category encompasses only cases of administrative offence, while since 2012 it subsumes also the administrative offence cases in the process of execution.

Luxembourg

(2010): 2010: the last category "other cases" includes insolvency cases. There is no backlog in this matter since these cases are always urgent.

Slovenia

(2014): 2014 4. „Other cases“ at first instance includes: Bpp ,COVL, Ov-i, Ov-H and St [(St-01), (St-02), (St-03), (St-04) (St-05)].

In previous cycles, all the mentioned St cases have been accounted in former category 1. 'Civil (and commercial) litigious cases'."

(2013): 2013 "Other" civil law cases at first instance include: Bpp, COVL, Ov-i, Ov-H."

(2012): 2012 "Other" civil law cases at first instance include: Pom , Pom-i, R, Rg, Ov-i, Ov-H, Bpp, COVL, II Upr, I Upr.

(2010): 2010: "Other" civil law cases in the first instance include: R, Pl, Pom, Plg , Pom-i , Ov-i, Ov-H, Zg, Bpp-d, Il Upr, I Upr, Bpp-a .

Sweden

(2010): For 2010, the category "other cases" encompasses property cases and environmental cases.

Question 097

Austria

(2016): In the area of appeal cases concerning other than criminal law cases only the categories of general civil law, labour law and social law are gathered. The big variation is due to the fact that this cycle administrative cases were included first time after their establishment in....

The administrative courts were established January 1st 2014. After their establishment the data of the administrative courts is introduced this cycle for the first time.

Belgium

(2016): Cases before courts of appeal and labour courts on the one hand, and appeals against decisions of Justices of Peace and Police courts rendered at first instance, on the other hand.

Bulgaria

(2016): There is no particular explanation for the downward trend observed between 2014 and 2016 in respect of the number of pending cases on 1 January for the categories "total" and "administrative law cases". All the data provided is correct.

(2012): In the frame of the 2012 exercise, it has been explained that the number of pending administrative law cases on 31 December 2012 has increased because of the increase of the number of incoming cases in 2010 and 2012.

Croatia

(2016): Second instance land registry cases, due to introducing separate case registers for certain type of cases on second instance courts, are now traceable as such in case management system. They have been taken out from Other non-litigious cases, where they were presented in previous cycles. The number of administrative cases, both in incoming and pending cases at the end of period is increasing. This is due to the law changes, which have extend jurisdiction of this court and consequently increase income of cases and unresolved cases at the end of period.

(2014): It is noteworthy that in 2012 and 2013, the ICMS could not recognize and divide cases into litigious or non-litigious. In 2014, the ICMS was improved as Croatia introduced updated and a very detailed code table, in order to extract more detailed case types from the system. Therefore, now the distinction between all cases in litigious and non-litigious cases as well as other types of cases can be made very accurately. This change of methodology of categorisation affected the difference between pending cases on 31 December 2013 and pending cases on 1 January 2014 which will disappear in the next cycle.

(2013): In the frame of the 2013 exercise it has been explained that the discrepancies that can be observed in respect of the category "total of other than criminal cases" between the number of pending cases indicated for December 2012 and the number of pending cases communicated for January 2013, result from an administrative correction of a specific small number of cases by the second instance courts after the closure of the statistic period, which the reporting system then generates as a difference concerning previously rendered data.

As to the category "civil and commercial litigious cases", owing to a different methodology of presentation of data, the number of pending cases in the end of 2012 does not coincide with the number of pending cases in the beginning of 2013. The number of pending cases on 31 December 2012 included second instance-civil and commercial courts' cases, bankruptcy cases, general non-litigious cases, enforcement cases, land registry cases and company registry cases. Since 2013, it is possible to provide data on the second-instance civil and commercial litigation cases and bankruptcy cases separately from the general non-litigious cases, enforcement cases, land registry cases and company registry cases.

The variations observed with regard to the category "total of other than non-criminal law cases" for the period 2010-2013 can be explained by the negative economic situation in Croatia, which resulted in the increase of incoming commercial and civil cases before first instance courts and consequently led to the increase of the second instance cases.

(2012): As to the variations observed in respect of the "administrative law cases", they are justified by the reform related to the administrative justice. Basically, till December 2011, they were adjudicated at the Administrative Court of the Republic of Croatia. Provided that the latter was overburdened, the two-instance administrative adjudication was introduced in January 2012. Four regional administrative courts were established as first instance courts (Zagreb, Osijek, Rijeka and Split), and former Administrative Court became second-instance High Administrative Court (appellate court).

Cyprus

(2016): The Supreme Court is the appeal court. Accordingly, data is provided under question 99.

Czech Republic

(2016): Increase in the number of "other cases" in 2015 and 2016 is due to the change of methodology applied to these data. Czech Republic can provide cases older than certain period depending on category but can not provide data on cases older exactly more than 2 years.

(2015): Increases in the number of "other cases" are due to the change of methodology applied to the 2015 data.

(2014): In 2014, the high increase of insolvency cases is due to numerous cases of personal bankruptcies as well as to an unfavourable economic situation.

(2013): For the 2013 exercise, the totals do not include the number of non-litigious business registry cases which is not available.

(2012): For the 2012 exercise, the totals do not include the number of non-litigious business registry cases which is not available.

(2010): For the 2010 exercise, the totals do not include the number of non-litigious business registry cases which is not available.

Denmark

(2016): Pending cases may vary a lot depending on the ratio of resolved cases compared to incoming cases. We can observe a decrease of about 30 % of pending cases ultimo the 2016. This is due to this "residual" nature of pending cases. The decrease in the pending cases between 2014 and 2016 is because in both calendar years 2015 and 2016 the number of resolved cases exceeded the number of incoming cases.

(2014): In the ambit of the 2014 exercise, it has been emphasized that due to an improved business situation, courts on all levels receive fewer cases, i.e. civil cases, enforcement cases, forced sales, insolvency cases. Generally speaking, pending cases are also reduced thereby.

Estonia

(2015): In respect of the civil and commercial non-litigious cases, the increase from 2013 in the number of pending cases resulted from the implementation of an efficiency-raising project in 2013 in Harju County Court. Accordingly, the efficiency of the latter increased significantly in civil cases. Owing to the fact that this court is the largest 1st instance court dealing with 1/3 of all of the cases in Estonia, it had an impact on the case-flow of the second instance courts (only 2 appeal courts competent in civil, criminal and administrative matters).

As to the administrative cases, it is noteworthy that as there are only 2 appeal courts in Estonia competent in civil, criminal and administrative matters, every change in the number of 2nd instance judges influences the statistics of the Courts of appeal. Between 2010 and 2012 there were a few vacant administrative judges' positions in one of the appeal courts which had an impact on the number of pending cases

(2014): On the occasion of the 2014 exercise, it has been emphasized that there has been an ongoing reform concerning the court budgets and judicial performance indicators. Agreements have to be adopted on the occasion of the budget negotiations between the Ministry of Justice and the courts concerning the efforts that need to be undertaken in court to clear the backlog and accelerate proceedings.

As to the increase of the total of pending other than criminal cases (beginning and end of the year), the reason is that 1st instance courts started the project of clearing backlogs and accelerating proceeding earlier. As a result, the number of incoming cases in 2nd instance courts increased in 2013 and resulted also in an increase of the number of pending cases by the end of the year 2013.

For 2014, non-litigious enforcement cases are included in the category "general civil (and commercial) non-litigious cases".

(2013): In the frame of the 2012 and 2013 exercises, several clarifications were provided.

Firstly, in respect of the civil and commercial litigious cases, the observed variations were deemed to be normal, as a part of the ordinary dynamics of the case-flow.

Secondly, in respect of the civil and commercial non-litigious cases, the increase in the number of pending cases resulted from the implementation of an efficiency-raising project in 2013 in Harju County Court. Accordingly, the efficiency of the latter increased significantly in civil cases. Owing to the fact that this court is the largest 1st instance court dealing with 1/3 of all of the cases in Estonia, it had an impact on the case-flow of the second instance courts (only 2 appeal courts competent in civil, criminal and administrative matters). Owing to that, in 2014 one civil judge's position was given to the Tallinn Appeal Court in order to raise their efficiency.

As to the enforcement procedures, they are in the competence of public bailiffs who are completely independent from the judicial system but act as public authorities. The reply NA is justified by the impossibility to distinguish in the bailiffs' information system the enforcement proceedings where the enforcement instrument is court decision from all the other enforcement proceedings where the enforcement instrument is for example a fine made by police, an administrative act made by the tax authority etc.

In respect of the land registry and business registry cases, it should be recalled that they are within the competence of the 1st instance courts. If the decision of the registry is appealed, it goes to the first instance court as a regular civil case.

As to the administrative cases, it is noteworthy that as there are only 2 appeal courts in Estonia competent in civil, criminal and administrative matters, every change in the number of 2nd instance judges influences the statistics of the Courts of appeal. Between 2010 and 2012 there were a few vacant administrative judges' positions in one of the appeal courts which had an impact on the number of pending cases.

(2012): In the frame of the 2012 and 2013 exercises, several clarifications were provided.

Firstly, in respect of the civil and commercial litigious cases, the observed variations were deemed to be normal, as a part of the ordinary dynamics of the case-flow.

Secondly, in respect of the civil and commercial non-litigious cases, the increase in the number of pending cases resulted from the implementation of an efficiency-raising project in 2013 in Harju County Court. Accordingly, the efficiency of the latter increased significantly in civil cases. Owing to the fact that this court is the largest 1st instance court dealing with 1/3 of all of the cases in Estonia, it had an impact on the case-flow of the second instance courts (only 2 appeal courts competent in civil, criminal and administrative matters). Owing to that, in 2014 one civil judge's position was given to the Tallinn Appeal Court in order to raise their efficiency.

As to the enforcement procedures, they are in the competence of public bailiffs who are completely independent from the judicial system but act as public authorities. The reply NA is justified by the impossibility to distinguish in the bailiffs' information system the enforcement proceedings where the enforcement instrument is court decision from all the other enforcement proceedings where the enforcement instrument is for example a fine made by police, an administrative act made by the tax authority etc.

In respect of the land registry and business registry cases, it should be recalled that they are within the competence of the 1st instance courts. If the decision of the registry is appealed, it goes to the first instance court as a regular civil case.

As to the administrative cases, it is noteworthy that as there are only 2 appeal courts in Estonia competent in civil, criminal and administrative matters, every change in the number of 2nd instance judges influences the statistics of the Courts of appeal. Between 2010 and 2012 there were a few vacant administrative judges' positions in one of the appeal courts which had an impact on the number of pending cases.

(2010): In 2010, judges benefited of the assistance of extra advisors helping them to prepare the cases for solving.

Finland

(2016): The number of incoming cases has decreased (for example due to some procedural changes) and the courts have been able to resolve more pending cases.

(2013): The category of civil and commercial non-litigious cases includes petitions for the 2012 exercise, divorce cases and petitions (without cases included in the other sub-categories) for the 2013 exercise. As for the category "other", according to the provided comments, in 2012 it encompasses cases, which Appeal Courts resolve as 1st instance, military justice cases and cases concerning prisoners. In 2013 it subsumes temporary procedural remedy cases, adjustment of the debts of a private individual - cases, restructuring of enterprises cases and bankruptcy cases and complaints.

(2012): The category of civil and commercial non-litigious cases includes petitions for the 2012 exercise, divorce cases and petitions (without cases included in the other sub-categories) for the 2013 exercise. As for the category "other", according to the provided comments, in 2012 it encompasses cases, which Appeal Courts resolve as 1st instance, military justice cases and cases concerning prisoners. In 2013 it subsumes temporary procedural remedy cases, adjustment of the debts of a private individual - cases, restructuring of enterprises cases and bankruptcy cases and complaints.

France

(2013): 2012, 2013: The 'non-litigious matters relating to the implementation' (which answer is NA) exist but are included in the category 'non-litigious civil cases'.

(2012): 2012, 2013: The 'non-litigious matters relating to the implementation' (which answer is NA) exist but are included in the category 'non-litigious civil cases'.

Germany

(2016): Concerning administrative cases variation (incoming and resolved cases): Insofar as the figures in administrative court proceedings deviate from the previous cycle, this change is comprehensible; in the next cycle is a rise to be expected.

(2015): Question 97: A substantial number of the Länder was unable to provide information, meaning that any amount cited would not be meaningful in substantive terms.

(2014): The 2014 data are the same as those that have been provided in 2013. No update was available.

(2013): For 2013, two Landers did not provide any information.

The category "other " includes proceedings on complaints on appeal in family cases at the Higher Regional Courts and appellate proceedings on fact and law and proceedings on complaints on appeal at the Regional Labour Courts. In addition, given a lack of complete data, a total of 164 272 new legal cases or proceedings on complaints on appeal (in custodianship, accommodation, insolvency, estate, and costs cases, along with other complaints on appeal) were not considered in the category "other".□

Regarding the slight horizontal inconsistency for the category "administrative law cases", it can partly be explained by the federal State structure of Germany. Moreover, data regarding incoming administrative law cases also reflected the number of appeals against decisions to grant provisional legal protection in the higher administrative regional courts and in the higher social courts; and appeals in matters of legal aid and other proceedings. In comparison with the previous years, the 2013 data are more accurate. The same applies regarding resolved cases even though no data was available for the appeals in matters of legal aid and other proceedings.

With regard to the sub-category "civil and commercial litigious cases" and the meaningful increase of the number of resolved cases, it should be noticed that in the frame of the 2013 exercise, the indicated figure encompassed the number of resolved civil and commercial litigious and not-litigious cases. For this cycle, it was impossible to distinguish between these two sub-categories.

(2012): In the frame of the 2012 evaluation it was stressed that the values regarding questions 91, 94, 97, 98, 99, 100, 101, 102, 107, 108 corresponded to data of the year 2011.

Greece

(2016): Any deviations from the 2015 figures are due to a new way of collecting statistics. In fact, in 2016, a working group was set up to update and simplify the content of the statistical data requested by the judicial services of the country. The working group created tables followed by detailed instructions and training in relation to the requested information. According to the instructions given to the courts, some procedures they handle, in those which there is no participation of a judge, are not included in the data collected. In addition, in 2016 a long-term abstention by the lawyers of the country took place, resulting in reduction of numbers regarding the cases.

(2012): In the ambit of the 2012 exercise, it has been stressed that, as far as the statistical information provided by the courts is concerned (e.g. replies to questions 91 and 97), the system of collecting data could not comply with the CEPEJ methodology because it was planned having altogether different national needs in mind. Thus, schematically, a case brought into the Greek judicial system gets an initial reference number. However, in the process of being tried, it gets more than one reference number according to the laws. As a result the numbers of incoming and resolved cases do not match.

Moreover, the Ministry of Justice, Transparency and Human Rights was not able to verify the accuracy of the replies, due to the lack of IT system.

Besides, recent law changes have altered the jurisdiction of courts, so the figures communicated for 2012 could not be compared with these provided for the previous evaluation cycles.

(2010): The increases observed in respect of the number of "other than criminal law cases" in 2010 are explained by the fact that for 2008, the performance of the administrative courts was not reflected within this question.

Hungary

(2016): 4. Category "other cases": there is a difference between the number of pending cases on 31 December 2015 and the number of pending cases on 1 January 2016. The cause of this difference is a typo in the previous questionnaire, as the number of pending cases was 1508 on 31 December 2015 as well.

With regard to the pending cases, it is noteworthy specifying that the decrease of the "backlog" of the courts is an overall trend in the Hungarian judiciary.

As for the other variations observed within the frame of question 97, the "raw" figures in most of the categories can be considered as relatively low figures (e.g. some hundreds in the whole country), so even a not so huge increase or decrease result in a large percentage change.

(2014): In 2014, in contrast with the 2013 evaluation, some registration cases were also included within the category "civil and commercial non-litigious cases". The item "other registry cases" includes registration of civil societies. The item "other non-litigious cases" includes court mediation and non-litigious labour cases. □

The category "other" encompasses insolvency cases and labour cases.

Italy

(2016): As regards the variations concerning the category "general civil (and commercial) non litigious cases", it should be noted that the Ministry of Justice has recently implemented a data warehouse system that can collect a huge number of data and events pertaining to millions of civil cases. The new DWGC (Data Warehouse for Civil Justice) is now fully operational and it represent a major improvements in terms of statistics and its quality. Since 2015 data pertaining to Q.97 is extracted form the above Datawarehouse and it is to be considered more accurate than the figures provided in the past.

(2015): The appeal of administrative case is dealt by the Council of State (Consiglio di Stato) which is a legal-administrative consultative body that ensures the legality of public administration in Italy. The council has jurisdiction on acts of all administrative authorities, except when these authorities lack discretionary power, in which case the dispute is considered to be one of civil law.

Figures referring to the activity of the Council of State (second instance of administrative justice) have been submitted to Q.99 rather than Q.97.

Figures on Q.97 (points 1 and 2) have been extracted from a new IT system called "Civil Data warehouse". This new system allows us to get in-depth information on single proceedings. Before the implementation of such data warehouse, statistics were based on aggregated variables that only partially could distinguish between litigious and non-litigious cases.

All cases dealt by the Supreme Court of Cassation has always a litigious nature.

Latvia

(2016): The increase in pending civil cases is due to fewer resolved cases in 2015. Decrease in pending Administrative cases is due to more resolved cases in 2015.

(2014): In the frame of the 2013 and 2014 exercises it has been indicated that the category "other" includes the following types of cases from the Supreme Court : cases related to moral and physical damages; copyright related cases; family relationship; deprivation of citizenship; labour law cases; cases in respect of inheritance rights.

(2013): In the frame of the 2013 and 2014 exercises it has been indicated that the category "other" includes the following types of cases from the Supreme Court : cases related to moral and physical damages; copyright related cases; family relationship; deprivation of citizenship; labour law cases; cases in respect of inheritance rights.

(2012): The decreases observed in 2012 with regard to the totals in respect of the different items (pending, incoming and resolved cases) are the consequence of the evolutions noticed for each of the sub-categories in respect of the number of incoming cases. The decrease of the latter and the improvement of the judicial efficiency resulted in a decrease of the number of pending cases. The end of the economic crisis and the strengthening of the courts' capacity are general factors which have to be taken into account when analysing this positive trend.

As to the sub-category "civil and commercial litigious cases", the increase of the number of pending cases on 1 January 2012 is due to the increase of the number of incoming cases in different categories of cases such as different types of bankruptcy cases which know a long processing time. The duration of these special types of bankruptcy cases cannot be shortened by improving the efficiency of the judiciary. The increase of the number of resolved cases can be explained by the improvement of the work capacity of courts.

As to the sub-category "civil and commercial non-litigious cases", the decrease of the number of resolved cases and pending cases on 1 January 2012 and 31 December 2012 can be explained by the transfer of a part of the cases from the first instance courts to the Land Registry Department, following the legislative reform of 1 January 2012. The number of incoming cases has decreased essentially due to external (socio-economic) factors, namely the gradual exit from the economic crisis during 2010-2013.

As to the sub-category "non-litigious land registry cases", the increase of the number of resolved cases between 2010 and 2012 can be explained by the courts work reviewing a large number of cases in the law limited time because of external factors causing an increase of the number of incoming cases before the entry into force of the new provisions of the Civil Procedure Law on 1 January 2012.

As to the sub-category "administrative law cases", the decrease of the number of pending cases on 1 January 2012 can be explained by the courts work, namely the improvement of the judicial capacity and the decrease of the number of incoming cases due to external factors as public activity resubmission to the Administrative Court and internal factors. The decrease of the number of resolved cases can be explained by the limited capacity of courts work, the complexity of the cases, the parties' failure to appear for court hearings, etc. The decrease of the number of pending cases on 31 December can be explained by the improvement of the judicial capacity of courts and decrease of incoming cases due to external factors.

There are no cases in the sub-category "other". All cases are distributed among the mentioned categories No.1, No.2 and No.6.

The decreases observed with regard to the totals in respect of the different items (pending, incoming, resolved cases) are the consequence of the evolutions noticed for each of the sub-categories in respect of the number of incoming cases. The decrease of the latter and the improvement of the judicial efficiency resulted in a decrease of the number of pending cases on 1 January and 31 December. The end of the economic crisis and the strengthening of the courts' capacity are general factors which have to be taken into account when analysing this positive trend.

As to the sub-category "civil and commercial non-litigious cases", the increase of the number of resolved cases between 2012 and 2013 can be explained by the long pending backlog of complex cases before the courts of the second instance.

(2010): The variations concerning figures provided for 2010 are the consequence of these explained in the frame of question 91.

Lithuania

(2014): The increase between 2013 and 2014 in number of cases can be explained by the increase in the number of incoming administrative cases and cases of administrative offence. They were mostly cases on remuneration of public servants in 2013 due to the decision of the Constitutional Court of the Republic of Lithuania, which recognized the laws on the reduction of the remuneration of state servants and judges unconstitutional. This also had an effect on the significant increase of the category "other cases" since this situation resulted in the increase of the number of cases of administrative offence (in execution process).

(2010): In 2010, the number of incoming cases increased considerably.

Luxembourg

(2016): As concerns the decrease of around 30% in the number of incoming and resolved administrative law cases between 2014 and 2016, we can notice that the number of appeals brought to the administrative court went down for this period. The reason explaining this trend is that the number of first instance judgments prone to be appealed decreased significantly. In fact, the administrative tribunal had to deal with, as a priority, a considerable number of cases according to the accelerated procedure set forth by the law of 18 December 2015 in international protection matters. For the judicial year 2015/2016, 355 judgments out of 938 in total (excluding radiation) were handled through the accelerated procedure without possibility of appeal.

(2013): 2013: because of the international events that have increased the number of asylum seekers, the administrative courts that have jurisdiction in case of appeal against a refusal of refugee status, have, in particular in 2013 but already during the 3-4 previous years, known a significant increase in this very specific litigation both at first instance level and appeal level.

Malta

(2016): Regarding Civil (and commercial) litigious cases: 2015 was the best year in terms of number of resolved cases, mainly because the judiciary were trying hard to conclude cases that were ready for sentencing. In fact, our efficiency indicators reflected this effort. As regards to the other data, we do not, as yet, have those statistics at hand and hence, the last 3 evaluations were marked as NAP.

(2014): The discrepancy in the data provided for 2014 as “pending cases on 31st December 2014” results from an internal exercise being carried out by the Court Administration in which cases that have been prescribed, are being cleaned from the system. This exercise is going to be carried out more frequently so that it does not reflect in discrepancies in the data that is published.

(2013): The significant increase of the number of civil and commercial litigious cases between 2010 and 2013 was due to the fact that the number of appeals has increased substantially in the past few years and the jurisdiction of the Court of Appeal has been extended to include also appeals from large public contract awards. Accordingly, the Court of Appeal was not in a position to manage the considerable influx of cases.

(2012): In 2012, a number of judges in the Appeal Court retired and their replacement took some time to materialise, as a result of which, the number of decided cases decreased.

Netherlands

(2016): Administrative law cases, litigious plus non-litigious.

Poland

(2016): Within the changes in business registry cases we can observe significant increase in all types of Application for registration (first registration) cases, but there is also considerable increase in general business cases (changes in the registry, including cases of removing from registry).

In 2016 there were serious problems with the information system which is in use in electronic proceedings therefore the number of pending cases had increased.

(2010): In the frame of the 2010 exercise it was explained that the Poland judiciary system was struggling with delays especially in respect of “other than criminal cases”. There was an ongoing research in the Ministry of Justice concerning the structure of pending cases. The analysis of the gathered data indicated that the major drawback was connected to simple civil cases. The increase of the number of pending cases was also the result of the overall increase of incoming cases.

Portugal

(2016): There is no specific explanation as regards the increase in the number of civil and commercial litigious cases pending on 1 January 2016.

(2015): The question 97_3 “Administrative law cases”, includes administrative and tax cases.

Romania

(2016): In the national Statis system, the cases are recorded on different categories of pending cases. So, in the last column, there are number of cases pending for more than 3 years instead of 2.

The decrease in the number of total other than criminal as well as civil and commercial litigious and non-litigious cases compared with 2014 is the effect of the application of the new codes.

(2014): By the decision n° 46/2012, the Superior Council of Magistracy has decided that all the courts will implement by 1 January 2014 the IT system of collecting data. The new method is based on new definitions of the indicators. Accordingly, a case is transferred from the field “stocks” to the field “closed” only when the final decision, including its reasoning is drafted signed and communicated to the parties. For that reason, the number of pending cases on 31 December 2013 cannot be identical with the number of pending cases on 1st January 2014.

The meaningful increases in figures observed between 2012 and 2014 are due to the fact that, in relation to the appeal, beyond the differences recorded in Stasis, there was a change of jurisdiction in civil matters. Accordingly, the appeal (apel) became the main instrument to challenge a decision.

(2013): With regard to the category “civil and commercial litigious cases”, the observed evolutions between 2010 and 2013 are due to the fact that following the changes in the procedural provisions in the new codes, the jurisdiction of the courts on judging appeals and second appeals has changed. Accordingly, the number of appeals in the new Civil Procedure Code includes the number of appeals and second appeals from the old Code. Thus, even if the number of solved files in second instance is higher in 2013 than in the previous year, the number of new appeals (incoming cases in second instance) is higher. This explains the growth of the workload in the last period of time on these courts, although previously the trend was descending.

With regard to the category “civil and commercial non-litigious cases”, the analysis of data and the noticed evolutions and variations between 2010 and 2013 should be qualified. In fact, the figures are not so high and the growth and regress of a few cases during one year lead to relatively important variations. For example, a growth of only 8 cases at the end of the year will reflect a growth of 35%. The same reasoning should be applied with regard to the category “non-litigious land registry cases” where a growth of only 122 cases at the beginning of the year will reflect a growth of over 40%.

In respect of the category “non-litigious enforcement cases”, the considerable increases between 2010 and 2013 with regard to all the items (pending cases, incoming and resolved) were the consequence of the new distribution of competences between courts. Since 2013, all the enforcement cases are in the jurisdiction of the courts of appeal. The number of cases in third instance decreased correlatively.

Following the changes in the procedural provisions made in 2013, the second appeal, as means of review in the field of non-litigious business registry, became appeal, in accordance with the new principles of the Civil Procedure Code as regards the means of review.

Slovakia

(2014): In respect of the variations observed in 2014 with regard to the category “administrative law cases”, it is worth mentioning that the low number of cases makes small absolute variation large in relative terms.

(2013): For 2013, a general remark was provided in respect of questions 91, 97 and 101, explaining that there were no specific reasons justifying the variations in the numbers of cases of the particular categories. It was stressed that the Slovak judicial system was facing different types of claims which massively loaded courts of all instances. For example, there was a huge number of legal actions arisen from the loans provided by the so called “non-bank loan companies” where courts had to consider constant violations of the consumer protection law. Besides, there was a huge number of class actions against the State, carried out by one of the non-bank companies for alleged damages etc. The capacity of the court staff to resolve all of the filed cases in the appropriate time period was limited despite the measures which have been taken. In spite of the positive trend concerning the increase of the number of total resolved cases, the number of incoming cases was increasing even more, causing backlogs.

(2010): In 2010, there was a significant increase of the number of incoming civil cases, while the number of resolved cases did not increase sufficiently. Therefore, the number of pending cases in the end of the year increased.

Slovenia

(2016): In recent years, the number of incoming cases is generally decreasing due to several reasons, partly due to a better economic situation in Slovenia and mainly to a successful introduction of new business models in the Slovenian judiciary (informatisation, change of perception when litigants and debtors do not see any profit in prolonging court procedures, gradual settlement of case-law). Considering the higher number of incoming cases (number of pending cases is approx. 20%-30% of all incoming cases), a slight variation in incoming cases might have a considerable effect on the number of pending cases.

(2015): Differences in incoming and pending cases (2., 2.1, 2.2, 2.2.1, 2.2.2 - Non litigious cases):

- In recent years, the number of incoming cases is generally decreasing due to several reasons, partly due to a better economic situation in Slovenia and mainly to a successful introduction of new business models in the Slovenian judiciary (informatisation, change of perception when litigants and debtors do not see any profit in prolonging court procedures, gradual settlement of case-law).
- Considering the higher number of incoming cases (number of pending cases is approx. 15%-20% of all incoming cases), a slight variation in incoming cases might have a considerable effect on the number of pending cases.

(2013): 2013 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.

(2012): 2012 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.

With regard to the category "administrative law cases, in the previous round we included appeals in administrative disputes, which are lodged with and dealt with by the highest instance court, namely the Supreme Court of the Republic of Slovenia in this category (Q 97.6). To ensure internally consistent answers we decided to provide the data in this chapter regarding the instance of the court that decides on the case not the instance of the procedure in which the cases is decided. This means that all the cases that are addressed by the Supreme Court of the Republic of Slovenia are taken into account at question 97.

(2010): In 2010, The decrease in the total number of other than criminal law cases from 7.629 pending cases on the 1 Jan. 2008 to 5.138 cases on the 1 Jan. 2010 can be partly attributed to the results of the Lukenda project. The number of resolved cases in 2008 and 2009 exceeded the number of incoming cases that caused the reduction in the number of pending cases. Partly, this is the result of the comprehensive state Lukenda project for the elimination of court backlogs that included a better equipment of the courts, particularly in terms of human resources (the number of judicial assistants has increased).

Spain

(2015): Law 10/2012 governing certain fees in the area of the Administration of Justice could explain (especially in Administrative Law cases) the decrease in the number of incoming administrative cases, and logically the decrease in the number of resolved and pending cases.

(2014): For the 2014 exercise, the decrease of the number of pending administrative law cases in the beginning and in the end of the year is the result of the decreases observed and explained in first instance.

(2012): In the frame of the 2012 exercise, the lack of horizontal consistency with regard to the total number of pending cases on 31 December has been explained by the fact that inspection services are entitled to correct the number each time they find it inaccurate. Moreover, the horizontal inconsistency is also a result of the inclusion within the table of data related to restarted procedures, while there is not a specific item dedicated to this category of cases.

Sweden

(2016): The category "Other cases" include environmental and property cases as well as cases relation to the Planning and Building act and so called other cases. The administrative law cases are handled by the administrative courts of appeal.

(2015): The increase in the number of pending cases in second instance courts are explained mainly by an increasing number of social security cases from the administrative courts to the administrative courts of appeal.

(2014): In the frame of the 2014 exercise, it has been indicated that the decrease in the number of pending administrative cases on 1 January over the period 2012-2014 can be partly explained by the fact that one of the district administrative courts handled a large amount of social security cases (about 4 000 cases regarding a question of social security for sailors). These cases were appealed in 2011 and resolved in 2012. Also there was an overall increase of cases in the district courts in 2011 due to reforms on the local court level which led to an increase in resolved cases during 2012 on the district court level. The increase of the number of pending administrative cases on 31 December over the same period is mainly explained by a large number of social security cases concerning EU law which were appealed before the District Administrative court in Stockholm during 2014. In addition there were a large number of cases concerning VAT on printing services that were appealed during 2014.

(2010): In the frame of the 2010 exercise, it is specified that the category "other" encompasses environmental and property cases, as well as other cases. By contrast, in 2008, only environmental and property cases are included within this category, which explains the observed variation between the two years.

Question 099

Austria

(2016): Within the statistic analysis of Austrian justice system generally only pending cases older than 3 years are gathered. Therefore the column "Pending cases older than 2 years from the date the case came to the first instance court" has to be answered by "NA" in any case without exception. The big variation is due to the fact that this cycle the administrative cases were included.

The administrative courts were established January 1st 2014. After their establishment the data of the administrative courts is introduced this cycle for the first time.

Belgium

(2016): The total encompasses civil, social and tax cases before the Court of cassation, on the one hand, and administrative cases before the State Council, on the other hand.

The number of incoming cases before the State Council decreased.

(2014): 2014: The civil and commercial cases include cases of roles C (private and public law), F (tax law) and S (employment law) of the Court of cassation.

Administrative cases fall within the decisions of the Council of State in cassation.

(2010):

2010: The increase of 26% regarding the total of other than criminal cases between 2008 and 2010 can be explained by an overall increase in civil cases and a major increase in cases concerning labour law before the Court of Cassation.

Bulgaria

(2016): There are also some other non-litigious cases that are not included in the data. However their number is insignificant.

Croatia

(2016): At the beginning of 2015 there were 14700 unresolved cases, but due to a large influx of revision proceedings and a slower solving of cases in 2015, at the beginning of 2016 there were 17643 unresolved cases.

(2015): In the table 99. cases dealt by the Supreme Court of the RoC, as the highest most instance court in the RoC, have been presented. We are unable to show separately the required categories. The Supreme Court of the RoC is in the process of preparing the implementation of the ICMS, which will in future enable the expression of cases by types.

(2014): After the new standardization of the audit, the Supreme Court has started to be less up-to-date since the number of received cases is far beyond the number of cases which the existing judges and advisors at the Supreme Court may solve. In resolving the cases at the Supreme Court, advantage is given to urgent cases (determined by laws) and to old cases.

Cyprus

(2016): The Supreme Court is the appeal court.

Czech Republic

(2016): In 2016 the administrative cases were added and for that reason all numbers show variation. Previously the number of administrative cases on this instance was NA.

(2012): In the frame of the 2012 evaluation cycle, it was specified that the civil and other cases are within the competence of the Supreme Court, while the administrative cases are within the competence of the Supreme Administrative Court.

Denmark

(2016): In a Danish context, non-litigious cases do not make sense. Pending cases may vary as it is residual in nature and is depending on the number of incoming and resolved cases and the ratio between those two.

(2015): The number of incoming cases ("other than criminal cases") dropped between 2010 and 2015. Since the instance reform in 2007, the Supreme Court is now almost only a third instance court (instead of being partly a second instance court and partly a third instance court). Indeed, first instance pending cases at the two High Courts in 2007 have gradually already been appealed or finalised.

(2014): In the frame of the 2014 exercise, the attention was drawn on the fact that the number of incoming and resolved cases before the Supreme Court was still falling, since the reform of 1st January 2007. Before 2007, many cases started in one of the two High Courts and could be appealed directly to the Supreme Court as second instance. Since 2007, almost all cases start at the lowest level and consequently, much fewer cases are appealed to the Supreme Court. This effect of still fewer cases appealed to the Supreme Court following the reform could still be seen from 2012 to 2014.

Estonia

(2016): The number of pending cases has increased because the number of cases where the Supreme Court has decided to open proceedings in the Supreme Court has increased.

Finland

(2016): The courts have been able to resolve more cases because the number of incoming cases has been decreased. The Supreme Administrative court has also got more resources and personnel due to the asylum crisis but the cases from the Administrative courts have yet to reach the highest instance.

(2014): In respect of the variations observed between 2012 and 2014 data, it is noteworthy that the statistics system has changed. Data is not received any more from the Central Statistical Office of Finland. Instead, the Ministry of Justice receives information directly from processing systems. This method of compilation of statistics does not quite support answering the question, as the information is run periodically and not daily. As a result, some discrepancies occur. As the system does not provide the numbers for 1 January 2014, it is necessary to calculate them separately from the correct data obtained on a later date.

France

(2014): 2014: The statistics of the Court of Cassation are not based on the same information system as the ones of courts of first instance and appeal courts. If discontinued cases of the category non-litigious cases may be subject to an appeal, it is not possible to identify them, they are included in the figure given for civil litigious cases. Thus, the total figure is the one retained.

Germany

(2015): Question 99:

The data provided date from 2014. At present, no data are available for 2015.

It is not possible to distinguish between litigious civil cases, respectively commercial cases, and those that are non-litigious. Accordingly, number 1 of the answer to question 99 includes all appeals on points of law brought in the civil matters before the Federal Court of Justice (Senates for civil matters including family law matters). However, the number of proceedings dealt with and concluded by litigious rulings in 2014 amounts to 600.

(2014): The 2014 data are the same as those that have been provided in 2013. No update was available.

(2013): For 2013, two Landers did not provide any information. Data provided for the civil (and commercial) litigious cases include all appeals lodged encompassing litigious and non-litigious cases as well as family law cases.

(2012): In the frame of the 2012 evaluation it was stressed that the values regarding questions 91, 94, 97, 98, 99, 100, 101, 102, 107, 108 corresponded to data of the year 2011.

Greece

(2016): For 2015, data on administrative law cases was not available and thus it was not integrated in the total. For 2016, the total includes also administrative law cases.

Hungary

(2016): Generally, the increase in the number of incoming cases at the Kúria (Hungarian Supreme Court) for 2016 is the result of the increasing use of extraordinary remedies by the parties. As the number of incoming cases increased, it resulted in an increase in the other categories as well.

(2014): In 2014, in contrast with the 2013 evaluation, some registration cases were also included within the category "civil and commercial non-litigious cases". The item "other registry cases" includes registration of civil societies. The item "other non-litigious cases" includes court mediation and non-litigious labour cases. □

The category "other" encompasses insolvency cases and labour cases. □

On the occasion of the 2014 exercise, it has been stressed that one of the main aims of the judicial reform of January 1, 2012 was that the President of the Supreme Court (Kúria) and the Supreme Court itself should focus more on the quality of judicial work. As the President of the Supreme Court was released from the burden of the central administration of the court system, the Kúria was able to reduce its backlog as well as to focus more on the consistency of the national jurisdiction.

Ireland

(2016): The reduced number of incoming proceedings reflects the consequences of the establishment of the new Court of Appeal which came into operation in October 2014.

The reduced number of resolved proceedings reflects the consequences of establishment of the new Court of Appeal which came into operation in October 2014.

(2015): The reduction in the number of incoming cases to the Supreme Court substantially reflects the change in the jurisdiction of the Supreme Court from that of a second instance appeal court to an appeal court which is primarily third instance in nature

(2014): 2014: Variation: The significant increase in the number of resolved civil (and commercial) litigious cases between 2012 and 2014 reflects a significant exercise undertaken by the Supreme Court in reviewing its caseload in preparation for the establishment in 2014 of the new Court of Appeal (which has assumed the previous second instance jurisdiction of the Supreme Court), which resulted in the striking out or withdrawal of a significant number of appeals then pending before the Supreme Court.

Italy

(2016): "other cases" represent residual cases such as cases regarding the competence/jurisdiction of the court, corrections of material errors, etc

(2014): · In the frame of the 2014 exercise, it has been indicated that figures subsumed within the category "other" represent really residual cases (such as cases regarding the competence/jurisdiction of the court, corrections of material errors, etc.).

· As to the increases observed in respect of the "total of other than criminal law cases" with regard to all the items (pending, incoming, resolved cases), it is noteworthy that in 2014 for the first time "administrative law cases" dealt with by the Council of State were considered. If looking only to "civil (and commercial) litigious cases", the differences are not that big. In general terms the Supreme Court of Cassation resolves fewer cases than incoming cases.

(2012): In the frame of the 2012 exercise, it has been specified that non-litigious enforcement cases are not heard by the highest instance court which hears only litigious enforcement cases. Before 2012, only litigious enforcement cases have been provided. For 2012, data related to litigious enforcement cases are the following: initially pending: 1090; incoming: 221; resolved: 413; finally pending: 898.

Latvia

(2016): Supreme court had accumulated too many unresolved cases and 1/3 of those are older than 2 years so they have made some changes and achieved progress.

(2015): An explanation for the rather large difference in case count for general civil and commercial non-litigious cases are changes in civil proceedings - while in 2014 undisputed compulsory execution cases were also heard by Supreme Court, in 2015 it was tasked with hearing decisions from Land registry, sworn bailiffs and notaries only.

(2012): In 2012, the decrease of the total of cases before the higher instance courts correlates with the general decrease of the number of civil cases.

(2010): In the frame of the 2010 exercise, it has been explained that the increase of the total number of pending and incoming cases was due to the increase of the auctions of immovable property. As to the increase of the total number of resolved cases, it is a result of the higher work load and the augmentation of the number of judges.

Lithuania

(2014): In the frame of the 2014 exercise, it has been indicated that the Supreme Court of Lithuania received 1369 appeals (cassation) in criminal cases and 2794 appeals (cassation) in civil cases. 677 appeals in criminal cases and 2038 in civil cases were returned to the complainants.

2014: Different category of cases as in Q91, 97 and 99 exist in Lithuania, but they are all under the category 1. Civil (and commercial) litigious cases and it is not possible at this point to distinguish them from other cases.

The increase between 2013 and 2014 in number of cases can be explained by the increase in the number of incoming administrative cases and cases of administrative offence. They were mostly cases on remuneration of public servants in 2013 due to the decision of the Constitutional Court of the Republic of Lithuania, which recognized the laws on the reduction of the remuneration of state servants and judges unconstitutional. This also had an effect on the significant increase of the category "other cases" since this situation resulted in the increase of the number of cases of administrative offence (in execution process).

Luxembourg

(2014): 2014: several categories are in NAP because the Court of Cassation has no jurisdiction over these categories.

Netherlands

(2016): At the moment the Supreme Court has not the data available to answer this question. The National Correspondent is consulting the Supreme Court to improve this situation.

(2010): In the frame of the 2010 exercise, it has been specified that the number of resolved appeal cases in the non-criminal sphere has risen substantially in 2009 (both commercial and family cases) and 2008 (family cases).

Poland

(2016): In regard to administrative law cases the administrative cases are excluded from the jurisdiction of the common courts. Administrative cases are proceeded by the Voivodship Administrative Courts and Supreme Administrative Court, which are only competent to proceed such cases.

(2012): In the frame of the 2012 exercise, it has been indicated that the Supreme Court provided the Ministry of Justice with data set that allowed summing up non-criminal cases with administrative cases of the Supreme Administrative Court. Therefore it was possible to include both data-sets.

Portugal

(2015): The question 99.3 "Administrative law cases", includes administrative and tax cases.

(2010): In the frame of the 2010 exercise, it has been explained that the decrease of the total of pending on 31 December 2010 "other than criminal cases" is due to the amendment carried out to the legal regime of the civil appeals (Decree-Law 303/2007, of 24 August). It resulted in the adoption of measures designed to streamline the access to the Supreme Court of Justice. As a paradigmatic example of these measures, it should be referred that the value of the upper limit set for the High Courts has increased. Thus, in 2010, and compared with 2008, there has been a decrease in the number of incoming cases, followed by an increase in the number of completed cases greater than the number of incoming cases, which has led to a decrease in the number of pending cases.

Romania

(2016): In the national Statis system, the cases are recorded on different categories of pending cases. So, for the last column, there are mentioned the numbers for cases pending for more than 3 years. As result of the changes in the procedural provisions in the new codes; the jurisdiction of the courts on judging appeals and second appeals has changed and some of the cases that were under the jurisdiction of the High Court are now under the jurisdiction of the courts of appeal Consequently the number of cases in Supreme court shows significant decrease in all categories.

(2014): By the decision n° 46/2012, the Superior Council of Magistracy has decided that all the courts will implement by 1 January 2014 the IT system of collecting data. The new method is based on new definitions of the indicators and offers data with greater value for 2014. This partly explains the considerable increase of the number of pending administrative cases on 1st January between 2012 and 2014. Besides, the number of incoming cases in 2013 was higher than in 2014.

(2013): In respect of the administrative law cases, until 2013, there was only a second appeal that is encompassed in the answers to question 99.

Slovakia

(2016): The enormous increase of the incoming cases is related to consumer protection in civil and enforcement procedure.

(2013): For 2013, a general remark was provided in respect of questions 91, 97 and 101, explaining that there were no specific reasons justifying the variations in the numbers of cases of the particular categories. It was stressed that the Slovak judicial system was facing different types of claims which massively loaded courts of all instances. For example, there was a huge number of legal actions arisen from the loans provided by the so called "non-bank loan companies" where courts had to consider constant violations of the consumer protection law. Besides, there was a huge number of class actions against the State, carried out by one of the non-bank companies for alleged damages etc. The capacity of the court staff to resolve all of the filed cases in the appropriate time period was limited despite the measures which have been taken. In spite of the positive trend concerning the increase of the number of total resolved cases, the number of incoming cases was increasing even more, causing backlogs.

Slovenia

(2015): Differences in pending, incoming and resolved cases (2., 2.1, 2.2, 2.2.2 - Non litigious cases, 3. - Administrative cases):

- Differences are mainly due to the small absolute number of cases and the nature of the cases (most complicated cases).

(2014): 2014: Variations: The numbers in that almost all categories for 2014 deviates more than +/- 20% from the 2012 data. This is due to a small (absolute) number of cases but also because the number of judges is smaller when compared to first and second instance and a single absence due to prolonged illness has a significant impact on the solving of some types of cases. We also believe that changes in economy (financial crisis), as well as in legislation, had impact on the overall statistics, but since cases at the Supreme Court level are "filtered" through courts of first and second instance, a direct connection cannot be established.

(2012): 2012: The decrease 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 has risen and secondly, several judicial advisers were transferred from less burdened departments to those with more pending cases and consequently the productivity has risen and the number of pending cases decreased.

(2010): For 2010, The decrease in the several categories of cases is the result of the change in the Civil Procedure Act in 2008 that has introduced the leave to appeal for the extraordinary legal remedy of revision. According to the new legislation a panel of 3 judges of the Supreme Court is entitled to decide whether to let the panel of 5 judges decide on a revision. The revision is allowed only when it concerns a legal question on which the decision of the higher court departs from the case law of the Supreme Court, secondly, when it concerns a legal question on which there is no case law of the Supreme Court, especially if the case law of the higher courts is not settled and finally, when there is no settled case law of the Supreme Court on the issue.

Additionally, the number of senior judicial advisers that help judges in preparing the decision has increased as well, thus increasing productivity.

Spain

(2016): As concerns the variations observed between 2014 and 2016 regarding the categories "total of other than criminal law cases"; "civil and commercial litigious cases"; "administrative law cases", it should be noted that:

- the increase in the number of cases in civil matters is due to the increase in conflicts of competence entered and resolved. It has also increased the resolutions of appeals for unification of doctrine.

- the high increase in administrative matters is due to the massive presentation of claims for the State's patrimonial responsibility for the undue payment of the called "sanitary cent"; because of the Judgement of the Court of Justice of the European Union that declared contrary to Community law the Spanish law that authorized the Tax on Retail Sales of Certain Hydrocarbons.

(2015): Regarding administrative cases in 2015, there was a significant flow of incoming cases related with tax on retail sales of certain hydrocarbons. But before that, since 2011, the incoming administrative cases dropped due to the Law of courts' fees.

(2014): For the 2014 exercise, the decreases observed in respect of the number of pending administrative law cases in the beginning of the year and the number of resolved administrative law cases, are the result of the decreases observed and explained in first instance.

The increase in the number of pending civil and commercial litigious cases on 31 December between 2012 and 2014 is due to the economic crisis which resulted in the increase of the number of cases in the civil jurisdiction.

(2012): For the 2012 evaluation cycle, the category of civil and commercial litigious cases includes data on labour matters, special matters and military matters.

Sweden

(2015): The decrease in the number of pending cases is explained by a reduced inflow regarding the two main case categories in the Supreme Administrative Court, tax cases and social security cases.

(2014): The main explanation for the decrease of the number of administrative pending cases on 31 December between 2012 and 2014 lies in the general decrease of incoming cases (tax cases and social security cases). Besides, district courts focussed on resolving older cases.

Question 101

Austria

(General Comment): For intentional homicide cases include only the cases against known offenders. The intentional homicide cases includes facts of murder, manslaughter, killing on demand, involvement in suicide and killing a child at birth (sec 75 to 79 criminal code).

For robbery cases include only the cases against known offenders and facts of robbery theft and heavy robbery (sec 131, 142 and 143 Austrian Criminal Code).

Belgium

(2016): Justices of Peace: no data on pending cases is available (in the beginning and at the end of the year); First instance civil courts and family courts: no data on pending cases is available (in the beginning and at the end of the year); Youth courts: data is not available for Eupen, Louvain, Bruxelles, Tournai, Mons; data is not available for resolved cases, pending cases and length of proceedings concerning first instance criminal courts (no data for Turnhout, Tongres, Hasselt, Louvain, Charleroi, Eupen); no data is available on length of proceedings and distribution by type of offences before Police courts; no data is available on civil matters; no data is available on incoming and pending cases and length of proceedings with regard to commercial courts (it concerns only the general registrar (including contested debt obligations), the applications registrar and summary proceedings registrar). It is noteworthy that the number of resolved cases is an estimation, namely the figure has been calculated taking into consideration the last judgment closing the case. Accordingly, all the subsequent decisions are not taken into account in the calculation – cases which were the subject of another judgment following the judgment terminating the case, and cases in which no judgment was handed down; no data is available on pending cases. Because of a lack of reliability, data on pending and resolved cases in insolvency matters (commercial courts) are not communicated. Concerning insolvency cases (commercial courts) it has to be noted that: incoming cases concern cases having the nature of insolvency cases, cases having an insolvency number and cases inserted in a registrar concerning insolvencies; cases pertaining to liquidations/dissolutions, to the law on the continuity of companies and to commercial inquiries (which do not result in bankruptcy) are not taken into account. Filter: having the nature of insolvency case or an insolvency number or being registered within the registrar F, G, H, K, L, V. The category “insolvency cases” encompasses insolvency proceedings of companies (Commercial Court) and personal insolvency proceedings (collective debt settlement before the Labour Court) which was not the case for the previous cycle.

(2015): The insolvency cases provided only include cases regarding individuals and not the ones concerning companies.

Bulgaria

(General Comment): Since there is no centralised Case Management System, the information on number of cases was summed up on the bases of the data collected from different courts and some mistakes are possible due to non-existence of control mechanism to check all the incoming courts data and spot eventual anomalies. Accordingly, some discrepancies can appear between data communicated for different cycles.

(2016): There is no particular explanation for the increase in the number of pending on 31 December 2016 employment dismissals cases. All the data provided is correct.

(2013): In the frame of the 2013 exercise, it has been specified in respect of the category “insolvency cases” that the increase of the number of pending cases on 1 January 2013 is due to the overall increase of the number of incoming cases justified by macroeconomic reasons, namely the global financial crisis.

Croatia

(2016): Regarding insolvency cases, 2015 was the year when, by introducing new Insolvency act, significant number of companies were subject of shortened insolvency proceeding conducted by commercial courts. Cycles defined in aforementioned Law of initiating these procedures by FINA finished, so 2016 actually reflects regular state of insolvency proceedings regarding income of insolvency cases. Relating the reduced number of incoming divorce cases, the number of divorces with minor children dropped in 2016. Namely, according to the new Family Law which came into force on 1 November 2015, couples with children, before initiating the court proceeding, have to undergo mandatory family mediation at social welfare centres. This fact postpones court proceedings and therefore there are fewer cases in court in 2016.

(2015): Regarding the table 101. - Litigious divorce cases – we point out that in 2015 there have been amendments to the Family Act, due to which a certain number of family cases were no more resolved in a litigious, but in non-litigious proceedings. For this reason, the number of cases in this category for 2015 is presented decreased (e.g. if these cases remained within the same category, the result would be as follows: Pending at the beginning of 2015 – 4 595, Incoming – 9 253, Resolved – 8 756 and Pending at 31.12.2015 – 5 092 cases).

In the same table (101), there is an increase of incoming insolvency cases due to the fact that on 1 September 2015 the new Insolvency Act came into force. The Act stipulates that the court will conduct an shortened insolvency proceedings regarding the legal person if the following conditions are met:

- If it has no employees
- If the FINA Register has unexecuted orders for forced payment for a continuous period of 120 days
- If preconditions for a second proceeding for deletion from the court registry are not fulfilled.

The Financial agency (FINA) is obliged, for legal persons who, on the day of the entry of the Insolvency Act into force, have had unexecuted orders for forced payment in the FINA Register for a continuous period of 120 days submit request to the court to initiate the shortened insolvency proceeding.

In view of the above provisions and the fact that at the time of the entry into force of the Insolvency Act there was more than 20.000 legal persons for which the preconditions were met to initiate the shortened insolvency proceedings, the number of incoming insolvency cases in 2015 increased significantly compared to previous years.

(2014): The increase of the number of pending bankruptcy cases on 1st January 2014 is due to the fact that many companies have gone bankrupt in 2013, thus there were a large inflow in 2013 in relation to other periods, and consequently an increase of the number of unresolved cases in 2014. The same reason is visible also in the 68% decrease of number of incoming bankruptcy cases in 2014, when compared with the outlier in 2013.

(2013): In the frame of the 2013 exercise, it has been indicated that the category “employment dismissal cases” includes dismissal of employment contract cases, determination of employment relationship cases and termination of employment cases.

Cyprus

(General Comment): The increase in the number of employment dismissal cases since 2010 is the result of the crisis.

Czech Republic

(2016): The number resolved insolvency cases increases significantly while the incoming number is now stable. The Clearance rate is low due to the long duration of these cases up to 5 years.

(2013): In the frame of the 2013 exercise, it is noticed that the increasing trend concerning the category of insolvency cases is due to the economic situation. More particularly, the number of personal bankruptcies is increasing.

Denmark

(General Comment): The figures provided in respect of this question 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 reopened cases are not counted. In addition, 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, there is no access to exact information on the number of pending cases. This explains a minor part of the horizontal incoherence. Finally, the Maritime and Commercial Court only measures incoming and resolved insolvency cases but not pending cases. Accordingly, when the data on processed/resolved cases from this court are included, there will always be a small incoherence. Therefore, vertical and horizontal figures are not totally consistent. It should be noticed that all cases from the District Courts regarding marriage and paternity/maternity are considered litigious divorce cases.

(2016): Concerning insolvency: The number of cases concerning compulsory dissolution of companies has increased markedly due to new regulation where it is possible to start a company without starting capital. The reason for the marked increase in the number of incoming and resolved cases is as stated above: A new regulation allows a company to be started without starting capital. That means many more companies are started, but many more companies are also then closed that we can see in the figures.

Now - as it is ultimo the period - is the pending number of cases from the District courts.

As we don't know the number of pending cases at the Maritime and Commercial Court, the figure of pending cases, prior + incoming cases does not add up to the number of resolved cases + pending cases, ultimo.

(2015): A decrease in the number of litigious divorce cases can be observed from 2010, it is most likely due to a change in the administrative proceedings, i.e. fewer cases end up in the courts.

Estonia

(General Comment): It is noteworthy that the discrepancies that can be observed between the number of pending cases indicated for December of one year and the number of pending cases communicated for January of the next year, are due to the fact that the statistic system is alive and courts are entitled to modify and up-date data at any time.

It is possible to observe differences in the horizontal consistency since during the proceedings some cases are joined and some are disjoined.

(2015): The numbers of pending, incoming and resolved employment dismissal cases decreased from 2012 (compared to 2010). This variation is supposedly related to the fact that more cases are effectively resolved by the labour dispute committees, less cases arrive to the courts.

In 2014, the number of resolved litigious divorce cases increased. This is justified by the fact that courts are working more efficiently and have accelerated the proceedings.

(2014): The increase of the number of resolved litigious divorce cases in 2014 is justified by the fact that courts are working more efficiently and have accelerated the proceedings.

(2012): The decrease in the numbers of pending, incoming and resolved employment dismissal cases in 2012 is supposedly related to the fact that more cases are effectively resolved by the labour dispute committees less cases arrive to the courts.

Finland

(2016): Cases relating to the right of entry and stay for aliens: includes the cases concerning deportation, permits of residence and removing from the country.

(2013): In the frame of the 2013 exercise, it was specified that the category "insolvency cases" includes only bankruptcy cases dealt with by District Courts and not restructuring of enterprises cases.

France

(2016): The category “insolvency cases” refers to company bankruptcies (opening of an insolvency procedure, opening of an immediate judicial liquidation procedure, recovery plans pronounced after backup, judicial liquidation pronounced after backup).

Data on asylum seekers for 2016: National Court of Asylum within the State Council

Data relating to the right of entry and stay for aliens for 2016: liberty and custody judge.

Germany

(2015): Question 101:

A substantial number of the Länder was unable to provide information, meaning that any amount cited would not be meaningful in substantive terms.

(2014): The 2014 data are the same as those that have been provided in 2013. No update was available.

(2013): For 2013, two Landers did not communicate any reply. Given that for the previous years, seven Landers did not provide complete information, the 2013 data is more accurate.

As to dispute divorce cases only the number of conclusions by way of an order of divorce was provided. As to divorce proceedings (2013) overall, the following data were available:

Pending on 1 January 2013: 85 780;

Incoming cases: 119 123;

Resolved: 156 951;

Pending on 31 December 2013: 85 124.

As to insolvency cases only data on incoming cases was provided as well as on legal cases still pending at year end. Nevertheless not all Landers were able to give information on both of these points. Insofar as the Landers communicated complete data it was added to the sums indicated above. To this extent the information is incomplete.

(2012): In the frame of the 2012 evaluation it was stressed that the values regarding questions 91, 94, 97, 98, 99, 100, 101, 102, 107, 108 corresponded to data of the year 2011.

The number of resolved litigious divorce cases refers to resolution by divorce decree only. However, the data in respect of the total number of divorce cases (2011) are complete:

Pending on 1 January 2011: 63 363;

Incoming cases: 66 194;

Resolved cases: 215 769 (of which 190 258 by divorce decree);

Pending on 31 December 2011: 58 773.

Greece

(2016): Except for the categories “cases relating to asylum seekers (refugee status under the 1951 Geneva Convention)” and “cases relating to the right of entry and stay for aliens”, the relevant data are not available electronically for the moment, therefore their extraction is not possible.

Hungary

(2016): With regard to the category “employment dismissal cases”, as the number of incoming cases decreased it resulted in a decrease in the other categories as well. The reason of the decrease in the number of incoming cases might be outside of the court system. With regard to the category “insolvency cases”, the methodology of data collection changed from the year 2015 to 2016. Accordingly, there is a discrepancy between the number of insolvency cases pending on 31 December 2015 and the number of insolvency cases pending on 1 January 2016.

(2015): Regarding the category “litigious divorce cases”, the data provided for 2015 cannot be compared with the previous years as the statistical system has changed. As a result of an amendment of the code of civil procedure, litigious divorce cases were included in a new statistical category. This resulted in a starting number of “0” litigious divorce case at the beginning of the year 2015.

(2014): The decrease of the number of pending employment dismissal cases on 31 December over the period 2012-2014 is a consequence of the decrease of the number of incoming cases. Another reason was the establishment of 20 Administrative and Labour courts and 6 Regional Administrative and Labour Divisions in January 2013, that made the work of these courts more effective.

Administrative and Labour Courts are specialized first instance courts in cases concerning the review of administrative decisions and employment relationships. The Regional Administrative and Labour Divisions are special departments that coordinate the professional work of Administrative and Labour Courts. Their main function is to provide a professional platform for the judges to discuss the actual issues in administrative and labour matters.

Ireland

(General Comment): Under the Insolvency category above the figures reflect both corporate and personal insolvency cases. Insolvency figures include both litigious and non-litigious cases.

(2016): This figure reflects a significant increase in recourse to bankruptcy and alternative personal insolvency procedures by debtors (over 20%) between 2015 and 2016) and to bankruptcy as a remedy by creditors (69 bankruptcy petitions were presented by creditors in 2016 compared with 46 in 2015).

(2015): 2015 figure should be 2368. The large increase is substantially due to a large increase in the number of applications for Debt Relief notices, Debt Settlement Arrangements and Personal Insolvency Arrangements

(2014): 2014: Variation: The significant increase in the number of incoming and resolved insolvency cases between 2013 and 2014 reflects the introduction of a new range of statutory personal insolvency remedies since the previous return was made.

Italy

(General Comment): With regard to the insolvency cases, the peculiarity of the Italian system consists in distinguishing between “insolvency applications” and “insolvency cases”. The former category concerns the litigious part of the proceeding where creditors and debtors have different goals (dispute). The latter category concerns 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 questions 101 and 102 refer to “insolvency cases” rather than “insolvency applications”.

(2016): With the introduction of the data warehouse system we can now identify specific types of proceedings (e.g. employment dismissal cases) more precisely.

I confirm the figures provided for both litigious divorce and insolvency resolved cases (year 2016) but unfortunately I don't have any useful explanations for the trends you highlighted. Actually the system is currently giving me slightly different figures for 2014 and 2015 data. I'll send these number separately by email.

(2015): Insolvency cases. 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 refers to “Insolvency cases” rather than “Insolvency applications”.

Litigious divorce case in 2015 have been extracted from the “Civil Data warehouse”. While in 2014 they were taken from the previous system. To harmonise the data between the cycles the 2014 was updated with the values derived from the data warehouse too

(2014): · In the frame of the 2014 exercise, it has been stressed that the project called “Civil Datawarehouse”, Italy was working on for years, and supposed to enable to look at each single procedure individually, has been implemented. However, the output of the Datawarehouse is still under “test phase”. It is likely that the number of “employment dismissal cases” is available for the next evaluation.

(2012): On the occasion of the 2012 exercise, it has been stressed that the number of litigious divorce cases, has been affected by the implementation of a different classification of civil cases. Therefore the comparison between 2010 and 2012 might lead to misinterpretation.

Latvia

(2013): In 2013, several explanations have been provided with regard to the category “insolvency cases”. Firstly, the number of pending cases on 1 January increased because of the special handling procedures for insolvency cases set forth by the Civil Procedure Law. As a matter of fact, the duration of insolvency proceedings is mostly affected by external economic factors and do not depend on the courts work capacity. Secondly, the increase of the number of incoming cases was justified by external factors such as public activity submitting applications before the Court on the legal protection of individuals in cases of insolvency. Thirdly, the increase of the number of resolved cases was due to the gradual improvement of the capacity of the courts work following the adoption of the new provisions of the Civil Procedure Law on 1 January 2012. Lastly, the increase of the pending cases on 31 December 2013 resulted from the special handling procedures for insolvency cases according to the Civil Procedure Law.

(2012): In the ambit of the 2012 exercise, it has been explained that the decrease of the number of “litigious divorce cases” in respect of all the items (pending, incoming, resolved cases) was due to the decrease of the incoming cases owing to the impact of external factors such as depopulation, decline in the number of marriages etc.

As to the category “employment dismissal cases”, the decreases noticed in respect of all the items (pending, incoming, resolved cases) can be explained by external socio-economic factors such as the decrease of the unemployment in the country after the end of the economic crisis. This factor has affected the number of incoming employment dismissal cases and consequently the other statistical indicators.

Lithuania

(2016): For the reference year 2016 cases relating to asylum seekers fall within the cases relating to the right of entry and stay for aliens or other administrative cases.

(2013): In the frame of the 2013 exercise the variations observed in respect of the categories “employment dismissal cases” and “litigious divorce cases” are justified mainly by the changes in the number of incoming cases (due to the crisis, developments of constitutional doctrine or amendments in law). Besides, some discrepancies might have occurred due to the judicial reform of 8 district courts and therefore transferring cases from one year to another from several/two courts to one court. The reform entered into force on 1 January 2013 and has resulted in the reduction of the number of district courts to 49.

Luxembourg

(2016): For insolvency cases the number of incoming and resolved cases is identical because these cases are treated immediately.

(2013): 2013: the number of employment dismissal cases corresponds to the incoming cases brought before the three competent courts. All these cases, with some exceptions, are general heard and resolved within a few months.

Regarding insolvency cases, it should be noted that they are all considered as urgent and are heard, at the latest one month after they are brought before the court.

For resolved litigious divorce cases (+69.53%) and employment dismissal cases (-32.29%), the increase between 2010 and 2013 reflects the current social phenomenon.

Malta

(General Comment): The employment dismissal cases are not heard by the courts but rather by the Industrial Tribunal which is separate from courts and has no connection whatsoever to courts or the Ministry of Justice.

(2016): Cases related to asylum seekers are processed by the Refugee Commission and heard by the Refugee Appeals Board, which is an entity separate from the courts. Therefore such data is NAP.

Netherlands

(2016): At the moment the Supreme Court has not the data available to answer this question. The National Correspondent is consulting the Supreme Court to improve this situation.

Poland

(2016): The growth of the number of insolvency cases is a result of the amendment of The Bankruptcy and Reorganisation Act which entered into force on the 31 December 2016.

It should be noted, that this is a very important change, which simplifies the submission of requests for consumer bankruptcy. It also implemented solutions for insolvent consumers which facilitate reaching deal with their creditors. The amended regulations do not establish automatism in declaring consumer bankruptcy - it is still a legal proceeding. Every time the consumer must fulfil a number of conditions, which are subject to an individual assessment conducted by the judge.

Since the implementation of this act, the number of incoming insolvency cases has increased significantly (300 in 2014, 8694 in 2016).

Portugal

(General Comment): Since 2007, statistical data concerning pending cases in 1st instance judicial courts are collected through the courts information systems. Being dynamic systems, allowing regular corrections and up-dating, the data collection may lead to oscillation data from previous years resulting in variations in pending cases.

(2016): - The decrease in the number of pending cases in the beginning of 2016 in relation to 2015 in respect of litigious divorce cases, employment dismissal cases and insolvency is explained by the fact that the number of resolved cases in 2015 was superior to the number of incoming cases that year. There is no specific explanation as regards the decrease in the number of these cases (for example legislative changes). However the decrease of these cases follow the general trend of the decrease of incoming and pending cases in civil and labour matters.

- The decrease in the number of pending cases in the end of 2016 in relation to 2015 in respect of litigious divorce cases, employment dismissal cases and insolvency is explained by the fact that the number of resolved cases in 2016 was superior to the number of incoming cases that year. There is no specific explanation as regards the decrease in the number of these cases (for example legislative changes). However the decrease of these cases follow the general trend of the decrease of incoming and pending cases in civil and labour matters.

(2015): The decrease in the number of employment dismissal cases follow the general trend of the decrease of incoming and pending cases in labour matters.

(2013): In the frame of the 2013 exercise, it has been indicated that the number of incoming litigious divorce cases is decreasing since 2010, entailing the decrease of the number of pending cases. In this respect, between 2010 and 2013, the clearance rate has remained stable, with values above 100%. Another relevant explanation is the decreasing of the number of marriages in these last years.

With regard to the category "insolvency cases", in 2012, legislative and other measures were adopted with the objective to accelerate procedural times of insolvency cases. These measures have allowed courts to respond more promptly to the increasing number of insolvency cases. Accordingly, a huge increase of resolved insolvency cases can be observed between 2010 and 2013.

Romania

(2016): The decrease of pending Employment dismissal cases is due to high Clearance Rate in 2015.

(2015): One may notice an important decrease of first instance new cases in administrative law and insolvency as a cause of legislative amendments dating from 2012. The same reason is for increases of numbers in appeal and decreases in second appeal, except for special laws like administrative law.

(2014): By the decision n° 46/2012, the Superior Council of Magistracy has decided that all the courts will implement by 1 January 2014 the IT system of collecting data. The new method is based on new definitions of the indicators. Accordingly, a case is transferred from the field “stocks” to the field “closed” only when the final decision, including its reasoning is drafted signed and communicated to the parties. For that reason, the number of pending cases on 31 December 2013 cannot be identical with the number of pending cases on 1st January 2014.

The decrease of the number of resolved litigious divorce cases between 2013 and 2014 was due to the socio-economic conditions.

(2013): In respect of the category “litigious divorce cases”, the decrease of the number of cases in 2013 may have social causes and may also reflect the alternative instruments to litigious divorce (.g. divorce in front of notaries).

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Slovakia

(General Comment): Comparison with previous cycles is not possible due to the change of methodology of calculation of cases introduced by the Analytical centre. The methodology now can identify cases finalised at each instance. The inconsistency between pending cases at the beginning of 2016 and pending at the end of 2015 is disturbed because of introduction of new methodology of calculation by the Analytical centre .

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Slovenia

(2016): Differences (insolvency cases):

The effects of the past economic situation are still producing a high number of incoming insolvency cases, with a high percentage of personal bankruptcies. Following the legislation changes, introducing new, simplified types of (preventive) compulsory settlement, there has been an increase in pending cases due to the overburdening of courts with new cases, as well as lengthy procedures (the case cannot be resolved until the debtor's assets are liquidated – corporate; the case cannot be resolved until the end of probation period for the discharge of debt – personal insolvency; in this period the court cannot influence the duration and the case is still classified as not finished).

(2015): Differences (insolvency cases):

- The effect of the economic situation are still effecting a high number of incoming insolvency cases, with a high percentage of personal bankruptcies (approx. 70%). The recent legislation changes introduced new, simplified types of (preventive) compulsory settlement which also led to new incoming cases.

- The increase in pending cases is due to the overburdening of courts with new cases, as well as lengthy procedures (the case cannot be resolved until the debtor's assets are liquidated – corporate; the case cannot be resolved until the end of probation period for the discharge of debt – 2-5 years; in this period the court cannot influence the duration and the case is still classified as not finished).

Differences (robbery, intentional homicide):

- Differences are mainly due to the small absolute number of cases.

(2014): 2014 Firstly, the number of incoming insolvency cases is still high due to the effect of financial crisis, which left many companies and people on the verge of bankruptcy. A further increase in incoming cases can be attributed to the amendment of insolvency legislation in 2013, which abolished the right for legal persons to apply for legal aid for financing the advances of the costs of the bankruptcy proceedings (however legal persons are now exempt from paying the advance in bankruptcy proceedings in all cases, without having to apply for legal aid).

The number of pending cases increased and will probably increase even more due to the rules governing when the case is deemed resolved. For insolvency cases, this can occur when the assets are liquidated and the creditors are paid (or in case of personal bankruptcy, if the dismissal of debts was requested, until such decision takes place). In cases of big companies as debtors, the sale of all assets can take years; and in cases of physical persons the "probation" period, which lasts a minimum of 2 years and maximum of 5 years must elapse, before the court can decide on dismissal of the debts.

(2013): 2013 'The number of incoming insolvency cases constantly rises due to the effect of general economic crisis which resulted in a higher number of insolvent companies. The increase in the number of unresolved cases can also be attributed to a high number of proceedings of bankruptcies of physical persons. In these cases most debtors apply for conditional release of debt, where the trial period can last from 2-5 years'

(2012): 2012 The number of pending employment dismissal cases on 1 January 2012 decreased significantly because, basically, the employment dismissal cases are priority cases and labour courts pay special concern to promptly resolve these cases.

As robbery cases, were included in 2012 criminal offences defined in the Criminal Code as Robbery and Larceny in the Form of Robbery. As intentional homicide, were included criminal offences defined in the Criminal Code as Murder (which responds to Anglo-Saxon definition of first and second degree murder), Voluntary Manslaughter and Infanticide. The data includes criminal cases against adult and juvenile offenders, it does not include attempts.

(2010): The figures provided for 2010 in respect of the items "intentional homicide" and "robbery" represented the number of cases for murder (Article 127 of the old Criminal Code) or robbery (Articles 213 (89) and 214 (20) of the old Criminal Code). These data derive from crime statistical data collected by the Statistical Office of the Republic of Slovenia by means of statistical questionnaires answered by the public prosecutor's office and local and district courts. When more than one perpetrator participates in committing one criminal offence, each participant is a separate case. If one perpetrator commits several criminal offences, the attribute of the perpetrator is only the main criminal offence. The data are obtained based on search profile for "Adults against whom the criminal procedure before senate has been finished by sex, criminal offence, type of decision and duration of detention", for murder and robbery, on an annual basis. Not only convicted persons are included, but also the acquitted ones.

Spain

(General Comment): HORIZONTAL CONSISTENCY

When an error is detected in the statistics of a Court is allowed doing a regularization, what means that the Court communicates the correct figure and rectify the wrong one even if this does not concord with figures offered for previous exercises. This situation can happen for example in the control of cases that the Court makes when a Judge leaves the Court (called "alarde"), but in general, in any case in which the Lawyer of the Administration of Justice detects an error that comes from previous exercises but cannot be localized. The system prefers to correct the data than continue and amplify the error.

(2016): As concerns employment dismissal cases: in 2014, 2015 and 2016 an important decrease in the number of registered cases has been observed, while the resolved cases have kept similar numbers, so, every year the number of resolved cases has been higher than the number of registered cases. In respect of insolvency cases: the decrease in registered cases may be due to a certain decrease in some effects of the economic crisis.

(2015): The horizontal consistency can not be respected because of reopened, cumulated and regularised cases. Because of the economic restrictions and the increasing number of companies with financing problems, the number of employment dismissal cases and the number of insolvency cases brought to courts have remarkably increased in 2014.

(2014): Because of the economic restrictions and the increasing number of companies with financing problems, the number of employment dismissal cases and insolvency cases arriving to courts has remarkably increased in 2014.

(2010): As a result of the economic and financial crisis, the number of incoming employment dismissal cases increased between 2008 and 2010.

Sweden

(General Comment): In respect of the discrepancies that can be observed between the number of pending cases indicated for December of one year and the number of pending cases communicated for January of the next year, it is noteworthy that it is possible to register data afterwards in the operational system Vera which is 'alive'. Accordingly, if one produces data for the same dates at two different moments, one can get small differences in the results.

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

Comments provided by the national correspondents organised by country

Question 91: First instance courts, number of other than criminal law cases

Question 92: Categories included in "civil (and commercial) non-litigious cases"

Question 93: Categories included in "other cases"

Question 97: Second instance courts, number of other than criminal law cases

Question 99: Supreme courts, number of other than criminal law cases

Question 101: Number of litigious divorce case, employment dismissal case and insolvency cases received and processed by first instance courts

Austria

Q091 (2016): Within the statistic analysis of Austrian justice system generally only pending cases older than 3 years are gathered. Therefore the column "Pending cases older than 2 years from the date the case came to the first instance court" has to be answered by "NA" in any case without exception. 486576

Due to the absolut low numbers of pending cases on 1 Jan./31 Dec. high deviations in percentage are normal.

Q91 (2015): General remarks: 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).

In the category criminal cases are only cases counted which are dealt with by a judge in a court hearing; not counted are cases of preliminary proceedings at the court dealt with by a judge and proceedings dealt with by the public prosecutor.

Civil and commercial non-litigious cases include:

(Se, S, MSch, PSch, P-Vorgänge, Pg-Vorgänge, Ps-Vorgänge, Pu-Vorgänge, SW)

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

Enforcement Cases

Category "other" includes:

(JV, A, T, G, Uh, Hc, Nc, Ha, Fam, Rv)

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

Q91 (2012): In 2012, a legislative reform entailed more obligations for companies to register.

Q092 (General Comment): The category of civil and commercial non-litigious cases for all of cycles includes: commencement of bankruptcy proceedings; bankruptcy proceedings; composition proceedings; non-litigious proceedings about rent, nonprofit 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.

Q92 (2014): For the year 2014, this category has been extended to the enforcement cases.

Q093 (General Comment): The category of other cases encompasses: probate proceedings; cases concerning the administration of justice; cancellation proceedings and proceedings in connection with [official] declaration of death; authentication of signatures; proceedings intended 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.

Q097 (2016): In the area of appeal cases concerning other than criminal law cases only the categories of general civil law, labour law and social law are gathered. The big variation is due to the fact that this cycle administrative cases were included first time after their establishment in...

The administrative courts were established January 1st 2014. After their establishment the data of the administrative courts is introduced this cycle for the first time.

Q099 (2016): Within the statistic analysis of Austrian justice system generally only pending cases older than 3 years are gathered. Therefore the column "Pending cases older than 2 years from the date the case came to the first instance court" has to be answered by "NA" in any case without exception. The big variation is due to the fact that this cycle the administrative cases were included.

The administrative courts were established January 1st 2014. After their establishment the data of the administrative courts is introduced this cycle for the first time.

Q101 (General Comment): For intentional homicide cases include only the cases against known offenders. The intentional homicide cases includes facts of murder, manslaughter, killing on demand, involvement in suicide and killing a child at birth (sec 75 to 79 criminal code).

For robbery cases include only the cases against known offenders and facts of robbery theft and heavy robbery (sec 131, 142 and 143 Austrian Criminal Code).

Belgium

Q091 (2016): Administrative cases: State Council, Alien Law Litigation Council, de Raad voor Vergunningsbetwistingen, het Milieuhandhavingcollege en de Raad voor Verkiezingsbetwistingen. The important decrease in the number of administrative cases is due to cases pertaining to immigration. There are 5 administrative courts, two of which are functioning at federal level: the State Council and the Alien Law Litigation Council. Before the latter, the number of incoming cases decreased.

Cases related to immigration and asylum are dealt with by the Alien Law Litigation Council – an administrative court at the same level that the State Council. It has a first instance competence on the merit of cases and a cassation competence on annulment or suspension. It is an independent administrative court. The Council can decide on appeals against decisions of the General Commissioner for Refugees and Stateless Persons, decisions of the Foreigners' Office, and other individual decisions taken within the frame of the Law of 15 December 1980 on the Access to the Territory, Stay, Establishment and Removal of Aliens (Law on Aliens).

Please also note that figures for juvenile courts as well as figures for civil cases treated by the police courts are not included in this cycle. These figures present very small number from the total number of cases.

Q91 (2015): The pending cases of commercial courts, first instance (civil, youth, family) and justice of the peace are not included.

Included in pending cases are: labor courts, police courts, courts of appeal, labor court

Q91 (2014): With regard to non-litigious business registry cases, the central register of notices of seizure, delegation, transfer, collective debt settlement and loan is managed by the National Chamber of Bailiffs. Administrative cases are handled by the State Council (except for cassation rulings), the Alien Litigation Council and the Flemish regional administrative colleges, "Raad voor verkiezingsbetwistingen, Raad voor milieuhandhaving by Raad voor vergunningbetwistingen". (judicial year 2013-2014).

Q91 (2012): 2010, 2012: Category 1 'civil (and commercial) litigious cases' includes the cases to be tried by the first instance courts, commercial courts (incl. disputed claims), justices of the peace and civil cases of the courts police, but does not apply to civil cases of youth. For 2010, there are no available data on the labour courts because the project to build a data warehouse 'Statistics labour courts' is not yet finalised.

The category 1 does not apply to cases to be tried in second instance by courts of first instance (acting as appeal courts for civil cases heard at first instance by justices of the peace and police courts). Unable to distinguish the cases from category 1, from those in category 2, they are all grouped in category 1.

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Q092 (General Comment): Commercial court (2.2.2): the number of incoming cases corresponds to the number of resolved cases because only the filing date is known. For this reason, it has been decided to indicate the same figure in both columns. This methodology concerns only acts registered by the legal persons services of commercial courts, namely: free of charge release of the deed of constitution and the deed of modification of non-profit making associations (and no non-profit making associations), modification of statutes, administrators, staff ensuring every-day management, commissioners, dissolutions, liquidations, liquidators, copies of the members' register, annual accounts, general assembly, different texts and coordinates of statutes. In respect of electronically registered acts, the deed of constitution and the deed of modification have been taken into account.

Q093 (General Comment): Youth Court: protective cases of youth courts (concerning parents, minors in danger, minors in danger – accelerated procedure, facts qualified as offence).

Q097 (2016): Cases before courts of appeal and labour courts on the one hand, and appeals against decisions of Justices of Peace and Police courts rendered at first instance, on the other hand.

Q099 (General Comment): The total encompasses civil, social and tax cases before the Court of cassation, on the one hand, and administrative cases before the State Council, on the other hand. The number of incoming cases before the State Council decreased.

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The number of incoming cases before the State Council decreased.

Q99 (2014): 2014: The civil and commercial cases include cases of roles C (private and public law), F (tax law) and S (employment law) of the Court of cassation.

Administrative cases fall within the decisions of the Council of State in cassation.

Q99 (2010):

2010: The increase of 26% regarding the total of other than criminal cases between 2008 and 2010 can be explained by an overall increase in civil cases and a major increase in cases concerning labour law before the Court of Cassation.

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Q101 (2016): Justices of Peace: no data on pending cases is available (in the beginning and at the end of the year); First instance civil courts and family courts: no data on pending cases is available (in the beginning and at the end of the year); Youth courts: data is not available for Eupen, Louvain, Bruxelles, Tournai, Mons; data is not available for resolved cases, pending cases and length of proceedings concerning first instance criminal courts (no data for Turnhout, Tongres, Hasselt, Louvain, Charleroi, Eupen); no data is available on length of proceedings and distribution by type of offences before Police courts; no data is available on civil matters; no data is available on incoming and pending cases and length of proceedings with regard to commercial courts (it concerns only the general registrar (including contested debt obligations), the applications registrar and summary proceedings registrar). It is noteworthy that the number of resolved cases is an estimation, namely the figure has been calculated taking into consideration the last judgment closing the case. Accordingly, all the subsequent decisions are not taken into account in the calculation – cases which were the subject of another judgment following the judgment terminating the case, and cases in which no judgment was handed down; no data is available on pending cases. Because of a lack of reliability, data on pending and resolved cases in insolvency matters (commercial courts) are not communicated. Concerning insolvency cases (commercial courts) it has to be noted that: incoming cases concern cases having the nature of insolvency cases, cases having an insolvency number and cases inserted in a registrar concerning insolvencies; cases pertaining to liquidations/dissolutions, to the law on the continuity of companies and to commercial inquiries (which do not result in bankruptcy) are not taken into account. Filter: having the nature of insolvency case or an insolvency number or being registered within the registrar F, G, H, K, L, V. The category “insolvency cases” encompasses insolvency proceedings of companies (Commercial Court) and personal insolvency proceedings (collective debt settlement before the Labour Court) which was not the case for the previous cycle.

Q101 (2015): The insolvency cases provided only include cases regarding individuals and not the ones concerning companies.

Bulgaria

Q91 (2014): In 2014, the number of all civil cases considered as an overall category can be obtained by extracting from the total the number of administrative cases. Accordingly, the following data can be provided in respect of the overall category of civil cases (litigious and non-litigious): 67 513 pending cases on 1 January 2014; 294 657 incoming cases; 300 799 resolved cases; 61 371 pending cases on 31 December 2014.

Q91 (2012): In the frame of the 2012 exercise, it has been explained that the number of pending administrative law cases on 31 December 2012 has increased because of the increase of the number of incoming cases in 2010 (21%) and 2012 (8%). Provided that judges of the administrative courts resolved about 72% on average of the cases during the year, the considerable number of incoming cases in 2012 led to an increase in unresolved cases at the end of the period.

Q093 (General Comment): Till 2014, the sum of all civil and commercial cases (litigious and not litigious) heard by first instance courts was represented within item “other”. However, in order to ensure better consistency of the comparative analyses of the CEPEJ, since 2014, even the category “other” is answered by “NA”.

Q097 (General Comment): The division by types of cases in the statistical forms published by Supreme Judicial Council of Bulgaria is quite different from the CEPEJ categorisation and for that reason breakdown cannot be made. Only administrative cases are possible to differentiate due to existence of administrative courts. Furthermore in Bulgaria registry cases are not resolved by the courts. They are under the competence of the Registry agency where is the property register, the commercial register, the BULSTAD register and the Register of the Property Relations between spouses.

Since there is no centralised Case Management System, the information on number of cases in different instances was summed up on the bases of the data collected from different courts and some mistakes are possible due to non-existence of control mechanism to check all the incoming courts data and spot eventual anomalies.

Till 2014, the sum of all civil and commercial cases (litigious and not litigious) heard by first instance courts was represented within item “other”. However, in order to ensure better consistency of the comparative analyses of the CEPEJ, for the 2014 exercise, even the category “other” is answered by “NA”. The total is correct and represents the sum of the “administrative law cases” which number is identifiable, on the one hand, and all the civil cases considered as an overall category, on the other hand.

Q097 (2016): There is no particular explanation for the downward trend observed between 2014 and 2016 in respect of the number of pending cases on 1 January for the categories "total" and "administrative law cases". All the data provided is correct.

Q97 (2012): In the frame of the 2012 exercise, it has been explained that the number of pending administrative law cases on 31 December 2012 has increased because of the increase of the number of incoming cases in 2010 and 2012.

Q099 (2016): There are also some other non-litigious cases that are not included in the data. However their number is insignificant.

Q101 (General Comment): Since there is no centralised Case Management System, the information on number of cases was summed up on the bases of the data collected from different courts and some mistakes are possible due to non-existence of control mechanism to check all the incoming courts data and spot eventual anomalies. Accordingly, some discrepancies can appear between data communicated for different cycles.

Q101 (2016): There is no particular explanation for the increase in the number of pending on 31 December 2016 employment dismissals cases. All the data provided is correct.

Q101 (2013): In the frame of the 2013 exercise, it has been specified in respect of the category "insolvency cases" that the increase of the number of pending cases on 1 January 2013 is due to the overall increase of the number of incoming cases justified by macroeconomic reasons, namely the global financial crisis.

Croatia

Q091 (2016): The number of unresolved land registry cases had increased and consequently the total number of "registry cases" had increased as well (in this collective category are also listed the cases of the court register). Simply, more land registry cases had been received in 2016 than in 2015 (about 50000).

Q91 (2015): In 2015 the reorganization of the judicial system in the Republic of Croatia, which is partly related to the reorganization of the second instance proceedings, has been carried out. Consequently, in the county courts there has been a harmonization of case registers and case codes (litigious, non-litigious and other) in a way that in 2015 courts carried out the alignment and correction of the indication of certain types of second-instance civil cases. For this reason, in 2015 the correction of the category of cases according to the new methodology of monitoring has been carried out.

The total of all categories is aligned with the continuity of previous cycle (horizontal consistency), whereas the individual categories in the column "Pending cases on Jan. 1 2015" are presented under the new revised indication of the types of cases. For example, some cases that have been categorized in previous cycles under category 'Other', the courts have categorized according to the certain types of dispute which was possible after new case registers were open (e.g. Enforcement – Security by lien on the basis of an agreement of the parties).

Civil (and commercial) litigious cases (including enforcement cases and if possible without administrative cases under 3) - in this category of cases are included county courts civil cases, as well as litigious and bankruptcy second instance cases of the High commercial court. Enforcement cases cannot be divided into enforcement litigious and non-litigious cases. In the previous cycles we have presented the total of enforcement cases. In the previous 2014 cycle, the enforcement cases have been presented under 2.1. and the same methodology is valid for 2015.

General Civil (and commercial) non-litigious cases e.g. undisputed payment order, request for name change, non-litigious enforcement cases, etc. (if it is possible without administrative cases under 3 and without register cases under 2) –this category includes non-litigious county courts second instance cases, which are, under the code types of cases, identified in the ICMS (Integrated court management system).

Registry cases - this category includes registry cases (point 2.2.2.) dealt by the High Commercial Court of the RoC. As regards land registry cases, dealt by the County Courts in the 2nd instance, we are not able to identify them through the ICMS. The identification and the track-record of those cases is possible as of 1 April 2015. At this moment, these cases are a part of the category "Other non-litigious cases", which are not being expressed in the category "General Civil (and commercial) non-litigious cases".

Table 91 Point 1 – Civil (and commercial) litigious cases (including enforcement cases, and if it is possible without administrative cases that are reflected under 3) – in this category of cases, according to the answer from 2014 and 2013, litigious cases from 1st instance courts and commercial courts as well as the insolvency cases from commercial courts are included. Enforcement cases cannot be divided into litigious and non-litigious enforcement cases. CEPEJ requested a division of the enforcement cases among those arising from final judgement and those that would be referred to the arbitral settlement of disputes or maybe judicial settlement. Republic of Croatia cannot express these categories of enforcement cases separately. In the previous evaluation cycles we have presented the total of enforcement cases. For 2015 and 2014 enforcement cases have been presented in the category "other non litigious cases"

Q91 (2014): On 1st November 2014, a new methodology of monitoring unresolved land registry cases was introduced into the judicial system, in a way that regular land registry cases (i.e. registration, note, caution) are not being monitored anymore and therefore are not presented in TOTAL column. Other land registry cases (i.e. objections, appeals, specific corrections, proposals for connection of land registries, establishing and supplementing land registries) are still being monitored.

Accordingly, there are differences in the category “non-litigious registry cases”, which reflects to the category “total cases”. In fact, the number of pending cases on 31 Dec. 2014 relates only to regular land registry cases, and does not include other land registry cases, which cases are, due to previous methodology, counted in categories incoming and resolved cases.

In the ambit of the 2014 exercise it has been recalled that the requested identification of the number of enforcement litigious cases and the number of enforcement non-litigious cases is impossible to be carried out in Croatia. Accordingly, the overall number of enforcement cases is subsumed in the category “general civil and commercial non-litigious cases”. □

2014: in comparison to 31 December 2013 and data delivered for the last Justice Scoreboard edition (data 2013), the Municipal Civil Court undertook the harmonization of data due to data migration. Therefore, the different statistical data is the consequence of that migration. Furthermore, after the new standardization of the audit, the Supreme Court has started to be less up-to-date since the number of received cases is far beyond the number of cases which the existing judges and advisors at the Supreme Court may resolve. In resolving the cases at the Supreme Court, advantage is given to urgent cases (determined by laws) and to old cases.

Q91 (2013): In respect of the category “civil and commercial non litigious cases” and the variations observed for the period 2010-2013, the explanation lies in the up-dated methodology of presentation of data. In 2013 and in contrast with the previous cycles, the Ministry of Justice was able to identify “company registry cases” and present them separately from “other civil and commercial non litigious cases”. □

On the occasion of the 2013 exercise, it has been specified that the discrepancies that can be observed in respect of the category “total of other than criminal cases” between the number of pending cases indicated for December 2012 and the number of pending cases communicated for January 2013, are due to the completion of the ICMS system implementation in all courts in 2013 and the following migration and unification of data into the same reporting system (more specifically, the slight difference of 107 cases refers to enforcement cases).

As to the category “general civil and commercial non-litigious cases”, in 2013 it included inheritance cases but excluded company registry cases (presented separately in row 5), while for 2012 the latter were encompassed within the category.

As for the category “non-litigious company registry cases”, their number could be identified for 2013, as the Ministry of Justice was enabled to list the number of company registry cases separately.

The increase in the number of incoming “civil and commercial litigious cases” between 2010 and 2013 was mostly due to the continuity of the negative economic situation in Croatia. By contrast, additional efforts of judges, as well as broadening the scope of powers of court advisors (amendments to the Courts Act) resulted in the increase of the number of resolved cases.

With regard to the category “non-litigious enforcement cases”, it is noteworthy that the observed decreases are related to the effective implementation of the enforcement on pecuniary means that is carried out by the Financial Agency (FINA). Since the creditor submits the proposal for enforcement directly to the Financial Agency (not to the court), these cases are not registered as court files.

In respect of the “non-litigious land registry cases”, it should be noticed that in 2013, the Land Registry Act was amended. Accordingly, court advisors deliver a decision in land registry cases, while the judge supervises its content. The competence of other persons for issuing land registry was also established, electronic delivery of submissions and e-notice board were introduced which significantly improved the resolving of land registry cases.

Q91 (2012): In respect of the “administrative law cases”, it is noteworthy that till December 2011, they were adjudicated at the Administrative Court of the Republic of Croatia. Provided that the latter was overburdened, the two-instance administrative adjudication was introduced in January 2012. Four regional administrative courts were established as first instance courts (Zagreb, Osijek, Rijeka and Split), and former Administrative Court became second-instance High Administrative Court (appellate court). Moreover, before the amendments to the Administrative Disputes Act, the court was deciding on the legality of administrative acts, and judges were adjudicating without the presence of parties. Since 2012, there is a mandatory oral court hearing before the first-instance courts.

Q092 (General Comment): The category “civil (and commercial) non-litigious cases” encompasses all non-litigious cases that are not stated in the different categories.

Q92 (2014): For 2013 and 2014, the provided examples concern only question 92: exercise of the parental care; meeting and spending time with parent; obtaining the capacity to exercise rights of minor that became parent; decision with whom the child will be living; issuing of the permit for entering into marriage before age of majority; deprivation/returning of capacity to exercise rights; deprivation/returning /prolongation of parental care; deprivation of parents' right to live with the child and raise the child; content of court will; security of evidence; setting-up/derogation of necessary passage; setting-up of court deposit, opening of a safe; verification of a contract on life-long support; amortization of documents; trust of a child with behavioural disorder; the recognition of foreign court decisions; declaring a missing person dead; co-ownership dissolution; meetings and spending time with grandmother, grandfather, sister, brother, half-sister, step-brother; land borders; regulation of relations between co-owners; restraining a child; providing legal aid; conclusion of court settlement; inheritance statement; proof of death; regulation of co-ownership relationships; boundaries and necessary passage; determination of extramarital union; other- family non-litigious proceedings; storage of the testament; providing international legal assistance; verification; other –the rest of non-litigious proceedings; international child abduction; other - proclamation of the deceased and proof of death; the appointment of members of the companies body; the appointment of auditors, temporary/interim administrator; the safeguard of evidence; the establishment of a court deposit; opening of the safe deposit box; registry cases; previous measures; forcible establishment of lien; temporary measure; temporary and previous measures, recognition of arbitration decisions; recognition of a foreign court decision; cases entering in the scope of Article 4 point 2 of the Companies Act; court insurance by the transfer of ownership and rights.

Q92 (2013): For 2013 and 2014, the provided examples concern only question 92: exercise of the parental care; meeting and spending time with parent; obtaining the capacity to exercise rights of minor that became parent; decision with whom the child will be living; issuing of the permit for entering into marriage before age of majority; deprivation/returning of capacity to exercise rights; deprivation/returning /prolongation of parental care; deprivation of parents' right to live with the child and raise the child; content of court will; security of evidence; setting-up/derogation of necessary passage; setting-up of court deposit, opening of a safe; verification of a contract on life-long support; amortization of documents; trust of a child with behavioural disorder; the recognition of foreign court decisions; declaring a missing person dead; co-ownership dissolution; meetings and spending time with grandmother, grandfather, sister, brother, half-sister, step-brother; land borders; regulation of relations between co-owners; restraining a child; providing legal aid; conclusion of court settlement; inheritance statement; proof of death; regulation of co-ownership relationships; boundaries and necessary passage; determination of extramarital union; other- family non-litigious proceedings; storage of the testament; providing international legal assistance; verification; other –the rest of non-litigious proceedings; international child abduction; other - proclamation of the deceased and proof of death; the appointment of members of the companies body; the appointment of auditors, temporary/interim administrator; the safeguard of evidence; the establishment of a court deposit; opening of the safe deposit box; registry cases; previous measures; forcible establishment of lien; temporary measure; temporary and previous measures, recognition of arbitration decisions; recognition of a foreign court decision; cases entering in the scope of Article 4 point 2 of the Companies Act; court insurance by the transfer of ownership and rights.

Q92 (2012): For the 2012 exercise, the provided indications constitute replies to both questions 92 and 93.

The non-litigious cases were divided in the following categories:

1. Non-litigious cases referred to issues on personal status (status law): restriction, deprivation and returning of capacity to exercise rights; prolongation of parental care; deprivation and restriction of parental care; permit for entering into marriage; confession of fatherhood; detention in the institutions for mental diseases; promulgation of vanished persons dead and proving of death;
2. Non-litigious cases referred to property issues: inheritance proceedings; regulation of co-ownership relations; division of property and voluntary transmission of common property; boundary regime/regulation; amortization of decrees; conduction of different registers;
3. In the scope of non-litigious cases there have been developed special, different units: bankruptcy proceedings; liquidations and forced settlements; land registry proceedings; enforcement proceedings.

Q93 (2014): In 2013 and 2014 the reply NAP in respect of the category "other" is due to the fact that a bankruptcy registry has not been established in the Republic of Croatia.

Q93 (2013): In 2013 and 2014 the reply NAP in respect of the category "other" is due to the fact that a bankruptcy registry has not been established in the Republic of Croatia.

Q93 (2012): For the 2012 exercise, the provided indications constitute replies to both questions 92 and 93. Non-litigious cases were divided in the following categories:

1. Non-litigious cases referred to issues on personal status (status law): restriction, deprivation and returning of capacity to exercise rights; prolongation of parental care; deprivation and restriction of parental care; permit for entering into marriage; confession of fatherhood; detention in the institutions for mental diseases; promulgation of vanished persons dead and proving of death;
2. Non-litigious cases referred to property issues: inheritance proceedings; regulation of co-ownership relations; division of property and voluntary transmission of common property; boundary regime/regulation; amortization of decrees; conduction of different registers;
3. In the scope of non-litigious cases there have been developed special, different units: bankruptcy proceedings; liquidations and forced settlements; land registry proceedings; enforcement proceedings.

Q097 (General Comment): It should be noticed that second instance bankruptcy cases are subsumed in the category “civil and commercial litigious cases”. A bankruptcy registry has not been established in the Republic of Croatia. Till 2014, the ICMS could not recognize and divide cases into litigious or non-litigious. Since 2014, ICMS was improved as Croatia introduced updated and a very detailed code table, in order to extract more detailed case types from the system. Therefore, since then distinction between all litigious and non-litigious cases as well as other types of cases can be made very accurately.

Q097 (2016): Second instance land registry cases, due to introducing separate case registers for certain type of cases on second instance courts, are now traceable as such in case management system. They have been taken out from Other non-litigious cases, where they were presented in previous cycles. The number of administrative cases, both in incoming and pending cases at the end of period is increasing. This is due to the law changes, which have extend jurisdiction of this court and consequently increase income of cases and unresolved cases at the end of period.

Q97 (2014): It is noteworthy that in 2012 and 2013, the ICMS could not recognize and divide cases into litigious or non-litigious. In 2014, the ICMS was improved as Croatia introduced updated and a very detailed code table, in order to extract more detailed case types from the system. Therefore, now the distinction between all cases in litigious and non-litigious cases as well as other types of cases can be made very accurately. This change of methodology of categorisation affected the difference between pending cases on 31 December 2013 and pending cases on 1 January 2014 which will disappear in the next cycle.

Q97 (2013): In the frame of the 2013 exercise it has been explained that the discrepancies that can be observed in respect of the category “total of other than criminal cases” between the number of pending cases indicated for December 2012 and the number of pending cases communicated for January 2013, result from an administrative correction of a specific small number of cases by the second instance courts after the closure of the statistic period, which the reporting system then generates as a difference concerning previously rendered data.

As to the category “civil and commercial litigious cases”, owing to a different methodology of presentation of data, the number of pending cases in the end of 2012 does not coincide with the number of pending cases in the beginning of 2013. The number of pending cases on 31 December 2012 included second instance-civil and commercial courts’ cases, bankruptcy cases, general non-litigious cases, enforcement cases, land registry cases and company registry cases. Since 2013, it is possible to provide data on the second-instance civil and commercial litigation cases and bankruptcy cases separately from the general non-litigious cases, enforcement cases, land registry cases and company registry cases.

The variations observed with regard to the category “total of other than non-criminal law cases” for the period 2010-2013 can be explained by the negative economic situation in Croatia, which resulted in the increase of incoming commercial and civil cases before first instance courts and consequently led to the increase of the second instance cases.

Q97 (2012): As to the variations observed in respect of the “administrative law cases”, they are justified by the reform related to the administrative justice. Basically, till December 2011, they were adjudicated at the Administrative Court of the Republic of Croatia. Provided that the latter was overburdened, the two-instance administrative adjudication was introduced in January 2012. Four regional administrative courts were established as first instance courts (Zagreb, Osijek, Rijeka and Split), and former Administrative Court became second-instance High Administrative Court (appellate court).

Q099 (2016): At the beginning of 2015 there were 14700 unresolved cases, but due to a large influx of revision proceedings and a slower solving of cases in 2015, at the beginning of 2016 there were 17643 unresolved cases.

Q99 (2015): In the table 99. cases dealt by the Supreme Court of the RoC, as the highest most instance court in the RoC, have been presented. We are unable to show separately the required categories. The Supreme Court of the RoC is in the process of preparing the implementation of the ICMS, which will in future enable the expression of cases by types.

Q99 (2014): After the new standardization of the audit, the Supreme Court has started to be less up-to-date since the number of received cases is far beyond the number of cases which the existing judges and advisors at the Supreme Court may solve. In resolving the cases at the Supreme Court, advantage is given to urgent cases (determined by laws) and to old cases.

Q101 (2016): Regarding insolvency cases, 2015 was the year when, by introducing new Insolvency act, significant number of companies were subject of shortened insolvency proceeding conducted by commercial courts. Cycles defined in aforementioned Law of initiating these procedures by FINA finished, so 2016 actually reflects regular state of insolvency proceedings regarding income of insolvency cases. Relating the reduced number of incoming divorce cases, the number of divorces with minor children dropped in 2016. Namely, according to the new Family Law which came into force on 1 November 2015, couples with children, before initiating the court proceeding, have to undergo mandatory family mediation at social welfare centres. This fact postpones court proceedings and therefore there are fewer cases in court in 2016.

Q101 (2015): Regarding the table 101. - Litigious divorce cases – we point out that in 2015 there have been amendments to the Family Act, due to which a certain number of family cases were no more resolved in a litigious, but in non-litigious proceedings. For this reason, the number of cases in this category for 2015 is presented decreased (e.g. if these cases remained within the same category, the result would be as follows: Pending at the beginning of 2015 – 4 595, Incoming – 9 253, Resolved – 8 756 and Pending at 31.12.2015 – 5 092 cases).

In the same table (101), there is an increase of incoming insolvency cases due to the fact that on 1 September 2015 the new Insolvency Act came into force. The Act stipulates that the court will conduct an shortened insolvency proceedings regarding the legal person if the following conditions are met:

- If it has no employees
- If the FINA Register has unexecuted orders for forced payment for a continuous period of 120 days
- If preconditions for a second proceeding for deletion from the court registry are not fulfilled.

The Financial agency (FINA) is obliged, for legal persons who, on the day of the entry of the Insolvency Act into force, have had unexecuted orders for forced payment in the FINA Register for a continuous period of 120 days submit request to the court to initiate the shortened insolvency proceeding.

In view of the above provisions and the fact that at the time of the entry into force of the Insolvency Act there was more than 20.000 legal persons for which the preconditions were met to initiate the shortened insolvency proceedings, the number of incoming insolvency cases in 2015 increased significantly compared to previous years.

Q101 (2014): The increase of the number of pending bankruptcy cases on 1st January 2014 is due to the fact that many companies have gone bankrupt in 2013, thus there were a large inflow in 2013 in relation to other periods, and consequently an increase of the number of unresolved cases in 2014. The same reason is visible also in the 68% decrease of number of incoming bankruptcy cases in 2014, when compared with the outlier in 2013.

Q101 (2013): In the frame of the 2013 exercise, it has been indicated that the category “employment dismissal cases” includes dismissal of employment contract cases, determination of employment relationship cases and termination of employment cases.

Cyprus

Q91 (2015): Variations: The increase in the number of pending cases between 2010 and 2015 is a result of the bail in Cyprus a lot of administrative cases had been filed against that decision.

The reason for the decrease in the number of resolved cases is that the bail in cases had been consolidated and was tried jointly after 31st of December 2014.

Q91 (2014): 2014: Variations: The increase in the number of pending cases between 2013 and 2014 is a result of the bail in Cyprus a lot of administrative cases had been filed against that decision.

The reason for the decrease in the number of resolved cases is that the bail in cases had been consolidated and was tried jointly after 31st of December 2014.

Q093 (General Comment): In Cyprus the number of cases presented in Q91 includes military court cases, rent tribunal cases, labour court cases and admiralty cases.

Q097 (2016): The Supreme Court is the appeal court. Accordingly, data is provided under question 99.

Q099 (General Comment): Q99 is NAP because Cyprus has a two tier system therefore the supreme court is the second, highest and final instance court.

Q099 (2016): The Supreme Court is the appeal court.

Q101 (General Comment): The increase in the number of employment dismissal cases since 2010 is the result of the crisis.

Czech Republic

Q091 (2016): Methodology has been changed in 2.1 in year 2015 – more case types have been included, which led to the big increment in the number of cases. In 2016 there was unspecified growth in incoming administrative cases. Additionally the courts were able to resolve more registry cases that resulted in decrease of pending cases as well as insolvency cases that are included in category "other". However the Clearance rate for category "other" is low only because of the long duration up to 5 years of insolvency cases. Czech Republic can provide cases older than certain period depending on category but can not provide data on cases older exactly more than 2 years.

Q91 (2015): In all evaluation cycles for Czech Republic it was not possible to distinguish number of pending cases solely on 1st instance since each case is considered pending until the moment a final decision is enacted and no further proceeding is possible. Methodology has been changed in 2.1 in year 2015 – more case types have been included, which led to the big increment in the number of cases.

Civil and commercial non-litigious cases include: 2.1 - uncontested payment orders, cases of the upbringing and maintenance of a minor, declaration of admissibility of taking or keeping of a person in a medical (health care) institution, declaration of the death of a person, inheritance proceedings, judicial deposit cases
Category "other" includes: insolvency cases and incidence disputes

Q91 (2014): In 2014, the high increase of insolvency cases is due to numerous cases of personal bankruptcies as well as to an unfavourable economic situation.

Q91 (2013): - On the occasion of the 2013 exercise, it is indicated that for the 2012 evaluation cycle the category of enforcement cases includes data concerning exclusively enforcement done by the court itself. For 2013, this category encompasses also enforcement carried out by private executors. In this procedure, the court is also involved. Namely, it authorizes the private executor to proceed to the enforcement and decides about remedial measures against executor's decision.

- As for the category "other", if in 2012 it includes electronic payment orders and probate proceedings, in 2013 it encompasses only electronic payment proceedings which explains the variation that can be noticed between 2012 and 2013. Moreover, in respect of the electronic payment orders, there was a switchover to another register and 174.067 cases were transferred to the new register of payment orders.

- Accordingly, the evolutions related to both of the categories – "non-litigious enforcement cases" and "other cases" affect the values in respect of the totals.

Q91 (2012): In the frame of the 2012 evaluation cycle, it is explained that the observed variations between 2010 and 2012 concerning the number of pending cases on 1st January, the number of incoming cases and the number of pending cases on 31 December stem from the high number of incoming electronic payment orders in 2011. Besides, it is specified that more enforcement cases are handled by private executors.

Q91 (2010): In the ambit of the 2010 exercise, it has been emphasized that the continual decrease of pending cases is one of the main goals pursued by the Ministry of Justice. Accordingly, a number of legislative reforms (primarily in civil procedure law), more consequent controls of courts, especially with regard to cases older than 3 years, and other provisions have been approved with the aim of speeding the proceedings and decreasing the number of pending cases.

Q91 (2010): In the ambit of the 2010 exercise, it has been emphasized that the continual decrease of pending cases is one of the main goals pursued by the Ministry of Justice. Accordingly, a number of legislative reforms (primarily in civil procedure law), more consequent controls of courts, especially with regard to cases older than 3 years, and other provisions have been approved with the aim of speeding the proceedings and decreasing the number of pending cases.

Q92 (2014): For all of the four exercises (2010, 2012, 2013 and 2014) the category of civil and commercial non-litigious cases encompasses cases of upbringing and maintenance of a minor. In 2014, it subsumes also declarations of admissibility of taking or keeping a person in a medical (health care) institution and declarations of death of persons.

Q093 (General Comment): For 2010 and 2012 the category "other" subsumes electronic payment orders and probate proceedings, while for 2013, it encompasses only electronic payment orders. By contrast, for 2014, its content covers insolvency cases.

Q097 (General Comment): It is noteworthy that the methodology of presentation of data has been changed for the 2014 exercise. In fact, for 2010, 2012 and 2013, business register cases, administrative cases and insolvency registry cases which are decided by the regional courts (second instance courts) acting as first instance courts, were included in the table concerning the case-load of second instance courts (question 97). On the contrary, in 2014, administrative cases, business registry cases and insolvency cases (and also some litigious cases) which are still decided by the second instance courts acting as first instance courts, are subsumed within the table of question 91 (which was already the case for the 2008 exercise). However, this change is not reflected in question 46 concerning the number of second instance judges because it is very difficult to distinguish among them judges working on administrative cases, business registry cases and insolvency cases (and also some litigious cases).

Q097 (2016): Increase in the number of "other cases" in 2015 and 2016 is due to the change of methodology applied to these data.

Czech Republic can provide cases older than certain period depending on category but can not provide data on cases older exactly more than 2 years.

Q97 (2015): Increases in the number of "other cases" are due to the change of methodology applied to the 2015 data.

Q97 (2014): In 2014, the high increase of insolvency cases is due to numerous cases of personal bankruptcies as well as to an unfavourable economic situation.

Q97 (2013): For the 2013 exercise, the totals do not include the number of non-litigious business registry cases which is not available.

Q97 (2012): For the 2012 exercise, the totals do not include the number of non-litigious business registry cases which is not available.

Q97 (2010): For the 2010 exercise, the totals do not include the number of non-litigious business registry cases which is not available.

Q97 (2010): For the 2010 exercise, the totals do not include the number of non-litigious business registry cases which is not available.

Q099 (2016): In 2016 the administrative cases were added and for that reason all numbers show variation. Previously the number of administrative cases on this instance was NA.

Q99 (2012): In the frame of the 2012 evaluation cycle, it was specified that the civil and other cases are within the competence of the Supreme Court, while the administrative cases are within the competence of the Supreme Administrative Court.

Q101 (2016): The number resolved insolvency cases increases significantly while the incoming number is now stable. The Clearance rate is low due to the long duration of these cases up to 5 years.

Q101 (2013): In the frame of the 2013 exercise, it is noticed that the increasing trend concerning the category of insolvency cases is due to the economic situation. More particularly, the number of personal bankruptcies is increasing.

Denmark

Q091 (2016): It is important that because of new regulations/laws, it is possible to start a new company with no prior capital. This causes many more companies and many more closures in some categories and also affect number of pending cases, like in 2.2.2. Besides from that it is important to note that pending cases always may vary a lot as it is a residual figure when pending prior to the period, received and resolved cases are counted. The number of "administrative law cases" which are litigious is encompassed in the number of "civil and commercial litigious cases".

Q91 (2014): In the ambit of the 2014 exercise, it has been emphasized that due to an improved business situation, courts on all levels receive fewer cases, i.e. civil cases, enforcement cases, forced sales, insolvency cases. Generally speaking, pending cases are also reduced thereby.

The non-litigious business registry cases follow the overall tendency in Denmark.

Q91 (2013): In the frame of the 2013 exercise, it has been explained that the successive decrease observed in the number of civil and commercial litigious cases stems from the possibility to reopen cases and the missing data on pending cases before the Maritime and Commercial Court.

As for the land registry cases, following the digitalizing in 2009 of land registry, the number of pending cases decreased markedly.

Q91 (2010): In the frame of the 2010 exercise, it has been explained that the increase of the total number of pending cases in January 2010 compared to the previous evaluation cycle was mainly due to the fact that pending cases for land registry cases were not provided in 2008 but included in 2010, following the emergence of the digital Land Registry Court from September 2009.

Besides, it has been indicated that following the so-called financial crisis there has been a marked increase in the number of enforcement cases which resulted also in the increase of the number of pending enforcement cases.

Finally it has been mentioned that pending cases for "others" were not registered in 2008, while they were so in 2010. Among others "others" include insolvency cases and cases in relation to deceased persons (heritage etc.). In 2010 29,923 such cases were pending but the figure was not part of the statistical calculation system in 2008.

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Q092 (General Comment): The category of civil and commercial non litigious cases encompasses cases related to paternity, adoption, guardianship and others in the same category, as well as cases under inquisitorial procedures.

Q093 (General Comment): The category other subsumes estate of deceased persons; notary; and insolvency cases not included in the category "non-litigious business registry cases".

Q097 (General Comment): It is noteworthy that all appellate cases are considered as "litigious cases" which explains the reply NAP for all the other categories, as well as the fact that the total coincides with the number of civil and commercial litigious cases. The number of "administrative law cases" which are litigious is encompassed in the number of "civil and commercial litigious cases".

Another important remark concerns cases that are not first instance cases before the two High Courts and which are included in question 97. Cases that begin as first instance at one of the two High Courts are not included in the figures in table 97.

Q097 (2016): Pending cases may vary a lot depending on the ratio of resolved cases compared to incoming cases. We can observe a decrease of about 30 % of pending cases ultimo the 2016. This is due to this "residual" nature of pending cases. The decrease in the pending cases between 2014 and 2016 is because in both calendar years 2015 and 2016 the number of resolved cases exceeded the number of incoming cases.

Q97 (2014): In the ambit of the 2014 exercise, it has been emphasized that due to an improved business situation, courts on all levels receive fewer cases, i.e. civil cases, enforcement cases, forced sales, insolvency cases. Generally speaking, pending cases are also reduced thereby.

Q099 (General Comment): The number of incoming cases corresponds only to the number of admissible cases (excluding cases declared inadmissible which number is not available)

Q099 (2016): In a Danish context, non-litigious cases do not make sense. Pending cases may vary as it is residual in nature and is depending on the number of incoming and resolved cases and the ratio between those two.

Q99 (2015): The number of incoming cases ("other than criminal cases") dropped between 2010 and 2015. Since the instance reform in 2007, the Supreme Court is now almost only a third instance court (instead of being partly a second instance court and partly a third instance court). Indeed, first instance pending cases at the two High Courts in 2007 have gradually already been appealed or finalised.

Q99 (2014): In the frame of the 2014 exercise, the attention was drawn on the fact that the number of incoming and resolved cases before the Supreme Court was still falling, since the reform of 1st January 2007. Before 2007, many cases started in one of the two High Courts and could be appealed directly to the Supreme Court as second instance. Since 2007, almost all cases start at the lowest level and consequently, much fewer cases are appealed to the Supreme Court. This effect of still fewer cases appealed to the Supreme Court following the reform could still be seen from 2012 to 2014.

Q101 (General Comment): The figures provided in respect of this question 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 reopened cases are not counted. In addition, 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, there is no access to exact information on the number of pending cases. This explains a minor part of the horizontal incoherence. Finally, the Maritime and Commercial Court only measures incoming and resolved insolvency cases but not pending cases. Accordingly, when the data on processed/resolved cases from this court are included, there will always be a small incoherence. Therefore, vertical and horizontal figures are not totally consistent. It should be noticed that all cases from the District Courts regarding marriage and paternity/maternity are considered litigious divorce cases.

Q101 (2016): Concerning insolvency: The number of cases concerning compulsory dissolution of companies has increased markedly due to new regulation where it is possible to start a company without starting capital. The reason for the marked increase in the number of incoming and resolved cases is as stated above: A new regulation allows a company to be started without starting capital. That means many more companies are started, but many more companies are also then closed that we can see in the figures.

Now - as it is ultimo the period - is the pending number of cases from the District courts.

As we don't know the number of pending cases at the Maritime and Commercial Court, the figure of pending cases, prior + incoming cases does not add up to the number of resolved cases + pending cases, ultimo.

Q101 (2015): A decrease in the number of litigious divorce cases can be observed from 2010, it is most likely due to a change in the administrative proceedings, i.e. fewer cases end up in the courts.

Estonia

Q091 (2016): The decrease in the number of incoming administrative court cases is due to the decrease in the number of inmate complaints. The variations in total and in the non litigious cases are due to increase of incoming business and land registry cases.

Q91 (2014): In 2014, the increase of incoming cases in administrative courts is due to a rise of complaints of prisoners. The matter is being dealt with by modifying the procedural law that makes it easier to return unfounded complaints.

As to the decrease in the total of pending other than criminal law cases on 1 January 2014, the performance indicators of courts have justified supplementary budget resources. As a matter of fact, there is an ongoing reform concerning the court budgets and judicial performance indicators. Agreements have to be adopted on the occasion of the budget negotiations between the Ministry of Justice and the courts concerning the efforts that need to be undertaken in court to clear the backlog and accelerate proceedings.

For 2014, non-litigious enforcement cases are included in the category "general civil (and commercial) non-litigious cases".

Q91 (2013): In respect of the non-litigious business registry cases and the observed decreases between 2012 and 2013, it should be mentioned that in 2012 it was impossible to separate supervisory proceedings from general proceedings and therefore data for 2012 included supervisory proceedings as well.

With regard to the category "civil and commercial litigious cases" and as explained above, the justification of the observed decrease of the number of pending cases over the period 2010-2013 lies in the enhanced efficiency of the first instance courts, while the decrease of the number of incoming cases between 2010 and 2012 is due to the reestablishment of the normal case-flow after the economic crises.

Q91 (2012): In the frame of the 2012 exercise, it was explained that 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). The categories “land registry cases” and “business registry cases” include the registration procedures. The latter includes also supervisory proceedings over undertakings. The judicial disputes arising from the registration procedure are included in the category “general civil (and commercial) non-litigious cases”.

With regard to the category “civil and commercial litigious cases”, the justification of the observed decrease of the number of pending cases on 1 January and on 31 December over the period 2010-2013 lies in the enhanced efficiency of the first instance courts. As to the decrease of the number of incoming cases between 2010 and 2012, it is due to the fact that the big case-flow during the economic crisis has finished and the normal case-flow has been reestablished.

With regard to the category “civil and commercial non litigious cases” and the noticed variations, it is worthy of mention that the dynamics of this type of cases is influenced to a considerable extent by the payment order proceedings that form the largest part of this category. As there is only one courthouse resolving the payment order cases, the changes in the number of incoming payment order cases have an impact on the efficiency and on the number of pending and resolved cases of all non-litigious civil cases.

With regard to the category “administrative law cases”, the observed variations have no specific justification and make part of the normal dynamics of the case-flow.

Statistics provided for 2010 do not include enforcement and business registry cases, and no pending cases statistics with regard to land registry cases. On the contrary, these data were provided in the frame of the 2012 exercise, which explains the observed variations in respect of the totals.

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Q097 (General Comment): It is noteworthy that the discrepancies that can be observed between the number of pending cases indicated for December of one year and the number of pending cases communicated for January of the next year, are due to the fact that the statistic system is alive and courts are entitled to modify and up-date data at any time.

Moreover, differences in the horizontal consistency may be explained by the fact that during the proceedings some cases are joined and some are disjoined.

Q97 (2015): In respect of the civil and commercial non-litigious cases, the increase from 2013 in the number of pending cases resulted from the implementation of an efficiency-raising project in 2013 in Harju County Court. Accordingly, the efficiency of the latter increased significantly in civil cases. Owing to the fact that this court is the largest 1st instance court dealing with 1/3 of all of the cases in Estonia, it had an impact on the case-flow of the second instance courts (only 2 appeal courts competent in civil, criminal and administrative matters).

As to the administrative cases, it is noteworthy that as there are only 2 appeal courts in Estonia competent in civil, criminal and administrative matters, every change in the number of 2nd instance judges influences the statistics of the Courts of appeal. Between 2010 and 2012 there were a few vacant administrative judges' positions in one of the appeal courts which had an impact on the number of pending cases

Q97 (2014): On the occasion of the 2014 exercise, it has been emphasized that there has been an ongoing reform concerning the court budgets and judicial performance indicators. Agreements have to be adopted on the occasion of the budget negotiations between the Ministry of Justice and the courts concerning the efforts that need to be undertaken in court to clear the backlog and accelerate proceedings.

As to the increase of the total of pending other than criminal cases (beginning and end of the year), the reason is that 1st instance courts started the project of clearing backlogs and accelerating proceeding earlier. As a result, the number of incoming cases in 2nd instance courts increased in 2013 and resulted also in an increase of the number of pending cases by the end of the year 2013.

For 2014, non-litigious enforcement cases are included in the category “general civil (and commercial) non-litigious cases”.

Q97 (2013): In the frame of the 2012 and 2013 exercises, several clarifications were provided.

Firstly, in respect of the civil and commercial litigious cases, the observed variations were deemed to be normal, as a part of the ordinary dynamics of the case-flow.

Secondly, in respect of the civil and commercial non-litigious cases, the increase in the number of pending cases resulted from the implementation of an efficiency-raising project in 2013 in Harju County Court. Accordingly, the efficiency of the latter increased significantly in civil cases. Owing to the fact that this court is the largest 1st instance court dealing with 1/3 of all of the cases in Estonia, it had an impact on the case-flow of the second instance courts (only 2 appeal courts competent in civil, criminal and administrative matters). Owing to that, in 2014 one civil judge's position was given to the Tallinn Appeal Court in order to raise their efficiency.

As to the enforcement procedures, they are in the competence of public bailiffs who are completely independent from the judicial system but act as public authorities. The reply NA is justified by the impossibility to distinguish in the bailiffs' information system the enforcement proceedings where the enforcement instrument is court decision from all the other enforcement proceedings where the enforcement instrument is for example a fine made by police, an administrative act made by the tax authority etc.

In respect of the land registry and business registry cases, it should be recalled that they are within the competence of the 1st instance courts. If the decision of the registry is appealed, it goes to the first instance court as a regular civil case.

As to the administrative cases, it is noteworthy that as there are only 2 appeal courts in Estonia competent in civil, criminal and administrative matters, every change in the number of 2nd instance judges influences the statistics of the Courts of appeal. Between 2010 and 2012 there were a few vacant administrative judges' positions in one of the appeal courts which had an impact on the number of pending cases.

Q97 (2012): In the frame of the 2012 and 2013 exercises, several clarifications were provided.

Firstly, in respect of the civil and commercial litigious cases, the observed variations were deemed to be normal, as a part of the ordinary dynamics of the case-flow.

Secondly, in respect of the civil and commercial non-litigious cases, the increase in the number of pending cases resulted from the implementation of an efficiency-raising project in 2013 in Harju County Court. Accordingly, the efficiency of the latter increased significantly in civil cases. Owing to the fact that this court is the largest 1st instance court dealing with 1/3 of all of the cases in Estonia, it had an impact on the case-flow of the second instance courts (only 2 appeal courts competent in civil, criminal and administrative matters). Owing to that, in 2014 one civil judge's position was given to the Tallinn Appeal Court in order to raise their efficiency.

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Q97 (2010): In 2010, judges benefited of the assistance of extra advisors helping them to prepare the cases for solving.

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Q099 (General Comment): It is noteworthy that the discrepancies that can be observed between the number of pending cases indicated for December of one year and the number of pending cases communicated for January of the next year, are due to the fact that the statistic system is alive and courts are entitled to modify and up-date data at any time.

Moreover, differences in the horizontal consistency may be explained by the fact that during the proceedings some cases are joined and some are disjoined.

Q099 (2016): The number of pending cases has increased because the number of cases where the Supreme Court has decided to open proceedings in the Supreme Court has increased.

Q101 (General Comment): It is noteworthy that the discrepancies that can be observed between the number of pending cases indicated for December of one year and the number of pending cases communicated for January of the next year, are due to the fact that the statistic system is alive and courts are entitled to modify and up-date data at any time.

It is possible to observe differences in the horizontal consistency since during the proceedings some cases are joined and some are disjoined.

Q101 (2015): The numbers of pending, incoming and resolved employment dismissal cases decreased from 2012 (compared to 2010). This variation is supposedly related to the fact that more cases are effectively resolved by the labour dispute committees, less cases arrive to the courts.

In 2014, the number of resolved litigious divorce cases increased. This is justified by the fact that courts are working more efficiently and have accelerated the proceedings.

Q101 (2014): The increase of the number of resolved litigious divorce cases in 2014 is justified by the fact that courts are working more efficiently and have accelerated the proceedings.

Q101 (2012): The decrease in the numbers of pending, incoming and resolved employment dismissal cases in 2012 is supposedly related to the fact that more cases are effectively resolved by the labour dispute committees less cases arrive to the courts.

Finland

Q091 (2016): In 2016 the number of civil cases has decreased and the courts have been able to solve pending cases. The number of administrative cases have increased dramatically due to the asylum crisis. This has also meant that we have had to hire more judges to do the cases and also develop the procedure to make it more effective. The limits in which the cases has to be handled has also been shortened. The aim has been to decrease the number of pending cases and we have succeeded. To tackle this crisis there has also been a legislative reform that decentralized the asylum cases from one Administrative court (Helsinki) to three other Administrative courts as well. Due to this in our statistics it shows that the number of the pending cases in 2016 varies. The number of pending cases in 1.1.2016 has been 20 4775, but due to the decentralization about 5000 cases have been transferred from Helsinki to these other courts. In our statistics these cases don't show as pending anymore. However we don't know how many of them has been resolved, but they're included in the number on total resolved cases. The big difference in information given last year and this is due to this anomaly in our statistics.

Q91 (2014): In the frame of the 2014 exercise, it has been specified that the non-litigious enforcement cases are subsumed in the category "general civil (and commercial) non-litigious cases". The enforcement is of the competence of the enforcement authorities, not of this of courts. Cases mentioned here are appeals in execution proceedings before district courts in accordance with the Execution Act.

Q91 (2012): As for the category of civil and commercial litigious cases, the important increases noticed between 2010 and 2012 in respect of the items pending cases on 1 January and pending cases on 31 December are the result of an exceptionally high number of incoming litigious civil cases in 2011.

Q91 (2010): The significant difference observed with regard to the total number of pending other than criminal law cases between 2008 and 2010 is due to the structural change of the district courts network which resulted in the transfer of land registry cases to the National Land Survey of Finland.

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Q097 (General Comment): The Ministry of Justice collects statistical data regarding the functioning of courts and judiciary via the Central Statistical Office gathering information from the automated case-management systems of courts. However, the numbers provided for 2014 are not comparable with data communicated for the previous cycles because of a technical issue. In fact, Statistics Finland discontinued the production and publication of statistics on court decisions at the beginning of 2015. The data Ministry of Justice could provide for 2014 is gathered straight from the court data systems. As a matter of fact, this methodology of presentation of data will be used also for the future evaluation cycles.

The replies provided in the frame of question 97 are based on the information of the courts case management systems gathered by the Ministry of Justice. It is noteworthy that the above mentioned systems are “alive” and courts can constantly modify data. Accordingly, it is possible to observe discrepancies between the number of pending cases on 31 December of one year and the number of pending cases on 1 January of the next year. Basically, information concerning the number of pending cases at the end of a given year is collected in the beginning of the next year, but courts can make changes to statistics afterwards. Besides, as the system does not provide numbers for 1 January, it is necessary to calculate them separately from the correct data provided on a later date.

It is worth noticing that some discrepancies in respect of previous evaluation cycles might be partly caused by the different classification of matters in the registers of district courts and courts of appeal. Namely, in district courts, the matters are divided into civil disputes, petitionary matters and criminal matters. In courts of appeal, the appeals on civil disputes and petitionary matters are both registered as civil cases (“S-cases”), and only “new” petitions relating to for example legal aid are registered as petitionary matters (“H-cases”). This peculiarity could have effect on the numbers provided for general civil cases and “other” cases (before and after 2014), because, previously, statistics from Stat Finland implied the same classification for appellate courts and district courts.

As to the sub-category “enforcement cases”, it has been already mentioned that the enforcement is of the competence of the enforcement authorities, not of this of courts. Cases included within this item are appeals in execution proceedings before appellate courts in accordance with the Execution Act. The category “other” includes cases, which Appeal Courts resolve as 1st instance courts, military justice cases and cases concerning prisoners.

Q097 (2016): The number of incoming cases has decreased (for example due to some procedural changes) and the courts have been able to resolve more pending cases.

Q97 (2013): The category of civil and commercial non-litigious cases includes petitions for the 2012 exercise, divorce cases and petitions (without cases included in the other sub-categories) for the 2013 exercise. As for the category “other”, according to the provided comments, in 2012 it encompasses cases, which Appeal Courts resolve as 1st instance, military justice cases and cases concerning prisoners. In 2013 it subsumes temporary procedural remedy cases, adjustment of the debts of a private individual - cases, restructuring of enterprises cases and bankruptcy cases and complaints.

Q97 (2012): The category of civil and commercial non-litigious cases includes petitions for the 2012 exercise, divorce cases and petitions (without cases included in the other sub-categories) for the 2013 exercise. As for the category “other”, according to the provided comments, in 2012 it encompasses cases, which Appeal Courts resolve as 1st instance, military justice cases and cases concerning prisoners. In 2013 it subsumes temporary procedural remedy cases, adjustment of the debts of a private individual - cases, restructuring of enterprises cases and bankruptcy cases and complaints.

Q099 (2016): The courts have been able to resolve more cases because the number of incoming cases has been decreased. The Supreme Administrative court has also got more resources and personnel due to the asylum crisis but the cases from the Administrative courts have yet to reach the highest instance.

Q99 (2014): In respect of the variations observed between 2012 and 2014 data, it is noteworthy that the statistics system has changed. Data is not received any more from the Central Statistical Office of Finland. Instead, the Ministry of Justice receives information directly from processing systems. This method of compilation of statistics does not quite support answering the question, as the information is run periodically and not daily. As a result, some discrepancies occur. As the system does not provide the numbers for 1 January 2014, it is necessary to calculate them separately from the correct data obtained on a later date.

Q101 (2016): Cases relating to the right of entry and stay for aliens: includes the cases concerning deportation, permits of residence and removing from the country.

Q101 (2013): In the frame of the 2013 exercise, it was specified that the category “insolvency cases” includes only bankruptcy cases dealt with by District Courts and not restructuring of enterprises cases.

France

Q091 (2016): The important increase in the number of pending non-litigious cases is due for 60% to the increase in the number of applications for union breakdown (especially in 2016) and for one third, it is due to the increase in the number of pending cases before the enforcement judge in tribunaux de grande instance (it is not the number of incoming cases which has meaningfully increased, but the number of cases under consideration is being constantly increasing, namely for the last two years).

Q91 (2014): In civil litigation, cases relating to the activity of the liberty and custody judge amount to 98 300 cases in 2014 and have increased by 6.8% compared to 2013. These cases have significantly increased in 2012 (+ 65.5%), due to the law No. 2011-803 of July 2011 on the rights and protection of persons under psychiatric care. The reform systematised the control of psychiatric hospitalisations without the consent of the liberty and custody judge.

Q092 (General Comment): The other non-litigious civil cases comprise the following areas: divorce by mutual consent, judicial separation, change of matrimonial regime, requests relating to parental authority, adoption, medically assisted procreation, incapable minor, inheritances, compensations for the invasion of privacy, change of name, civil status, nationality, functioning of a group and the discipline of notaires and judicial officers.

Q92 (2014): In 2014, the category civil cases (and commercial) non-litigious are also included in non-litigious cases relating to enforcement.

Q92 (2010): 2010: The civil judge may rule in non-contentious matters, when in the absence of dispute it receives a request that the law requires to be under its control. In this context, the judge intervenes to check the acts and give them an authenticity (such is the case of approval of agreements resulting from alternative dispute resolution such as mediation, conciliation, compromise or participatory procedure) . Resort to the judge may also have to objective to ensure the protection of minors or incapacitated adult (approval of the deliberations of the family council on an amicable sharing for example), protection of the family (adoption order, change of matrimonial regime or divorce on joint petition, for example) or the protection of private individuals (provisional administrator nomination).

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Q97 (2013): 2012, 2013: The 'non-litigious matters relating to the implementation' (which answer is NA) exist but are included in the category 'non-litigious civil cases'.

Q97 (2012): 2012, 2013: The 'non-litigious matters relating to the implementation' (which answer is NA) exist but are included in the category 'non-litigious civil cases'.

Q99 (2014): 2014: The statistics of the Court of Cassation are not based on the same information system as the ones of courts of first instance and appeal courts. If discontinued cases of the category non-litigious cases may be subject to an appeal, it is not possible to identify them, they are included in the figure given for civil litigious cases. Thus, the total figure is the one retained.

Q101 (2016): The category "insolvency cases" refers to company bankruptcies (opening of an insolvency procedure, opening of an immediate judicial liquidation procedure, recovery plans pronounced after backup, judicial liquidation pronounced after backup).

Data on asylum seekers for 2016: National Court of Asylum within the State Council

Data relating to the right of entry and stay for aliens for 2016: liberty and custody judge.

Germany

Q91 (2015): For civil and commercial litigious and administrative cases, the updated data is solely based on the statistics on the administration of justice published by the Federal Statistical Office for 2015. As for the category "other", it refers to the most recent available data at the closing date of the CEPEJ data collection and encompasses information provided by the 16 Länder on the basis of the query lodged with the judicial administrations of the Länder. However, some of the Länder were unable to provide complete data regarding this category. Accordingly, the information for this category remains incomplete. The category "other" refers to: local court family cases; guardianship and curator cases at the family court; custodianship cases; curator cases at the custodianship court; proceedings regarding judgments and orders at the labour court.

Q91 (2014): For civil and commercial litigious and administrative cases, the updated data is solely based on the statistics on the administration of justice published by the Federal Statistical Office for 2014. As for the category "other", it refers to the most recent available data at the closing date of the CEPEJ data collection and encompasses information provided by the 16 Länder on the basis of the query lodged with the judicial administrations of the Länder. However, some of the Länder were unable to provide complete data regarding this category. Accordingly, the information for this category is incomplete and is not comparable. The category "other" includes: local court family cases; guardianship and curator cases at the family court; custodianship cases; curator cases at the custodianship court; proceedings regarding judgments and orders at the labour court.

Q91 (2013): In the frame of the 2013 exercise, two Landers did not provide data with regard to the number of other than criminal law cases. Besides, one land (Baden-Württemberg) did not provide information for the number of non-litigious land registry cases.

It was explained that the lack of horizontal consistency was due to adjustments. Unfortunately consistent and/or complete data did not exist for all legal cases that should be considered. To some extent information exists only as to new cases and/or cases pending at year end. To some extent there is a lack of more detailed information from some federal states. Thus, the information is incomplete. Accordingly, the following legal cases were not taken into consideration in the information provided for question 91:

Incoming cases:

- payment order procedure: civil courts: 4 751 355; labour courts: 56 053;
- insolvency cases: 143 662;
- cases concerning the civil registry office, wills, estates, accommodations, agriculture, escrow, and public notice proceedings: 1 469 273;

Pending legal cases on 31 December 2013:

- guardianship and curator cases: 12 795;
- insolvency cases: 303 654.

Q91 (2012): In the frame of the 2012 evaluation it was stressed that the values regarding questions 91, 94, 97, 98, 99, 100, 101, 102, 107, 108 corresponded to data of the year 2011. Four Landers indicated that the information provided for question 91 was incomplete and one land stated it did not have the information available.

Q91 (2010): For 2010, figures do not include 1 762 104 legal matters dealt with regarding Labour Court payment demand proceedings and legal advice aid cases on which new cases, cases pending at the beginning of the year and those at the end of the year are not covered.

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Q92 (2012): In 2012, the value entered was calculated by deducting the contentious judgments from of all sets of proceedings that were resolved before the Local and the Regional Court in civil cases (not including those passed on within the court). Those sets of proceedings that are resolved other than by contentious judgment were particularly resolved by default, acknowledgement or waiver judgments, settlements, withdrawal of the charge or of the motion, staying of the proceedings or non-pursuance and orders in accordance with section 91a of the Code of Civil Procedure.

Q92 (2010): In 2010, the value entered was calculated by deducting the contentious judgments from of all sets of proceedings that were resolved before the Local and the Regional Court in civil cases (not including those passed on within the court). Those sets of proceedings that are resolved other than by contentious judgment were particularly resolved by default, acknowledgement or waiver judgments (369 185), settlements (259 591), withdrawal of the charge or of the motion (182 384), staying of the proceedings or non-pursuance (73 392) and orders in accordance with section 91a of the Code of Civil Procedure (53 604).

Q92 (2010): In 2010, the value entered was calculated by deducting the contentious judgments from of all sets of proceedings that were resolved before the Local and the Regional Court in civil cases (not including those passed on within the court). Those sets of proceedings that are resolved other than by contentious judgment were particularly resolved by default, acknowledgement or waiver judgments (369 185), settlements (259 591), withdrawal of the charge or of the motion (182 384), staying of the proceedings or non-pursuance (73 392) and orders in accordance with section 91a of the Code of Civil Procedure (53 604).

Q93 (2014): For the 2013 and 2014 exercises, the category "other" includes: Local Court family cases; guardianship and curator cases at the family court; custodianship cases; curator cases at the custodianship court; proceedings regarding judgments and orders at the labour court.

Q93 (2013): For the 2013 and 2014 exercises, the category "other" includes: Local Court family cases; guardianship and curator cases at the family court; custodianship cases; curator cases at the custodianship court; proceedings regarding judgments and orders at the labour court.

Q93 (2012): In the ambit of the 2012 exercise the category “other” includes: family-court jurisdiction, labour courts (proceedings leading to a judgment or a decision) as well as guardianship and custodianship courts. The figures do not include 1 426 805 new legal matters related to payment proceedings before labour courts, registry office cases, inheritance cases, custody, agriculture, legal aid, deposit cases and public notice proceedings with regard to which resolution or the number of cases pending at the beginning and at the end of the year are not recorded. The figures also do not include 202 106 new legal cases related to insolvency proceedings with regard to which only resolution is recorded (292 821).

Q93 (2010): In the ambit of the 2010 exercise, the category “other” includes: family-court jurisdiction, labour courts and guardianship and custodianship courts. The figures do not include 1 983 931 new legal matters related to registry office cases, declarations of death, inheritance cases, custody, agriculture, legal aid, deposit cases, public notice and insolvency proceedings with regard to which resolution or the number of cases pending at the beginning and at the end of the year are not recorded.

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Q097 (2016): Concerning administrative cases variation (incoming and resolved cases): Insofar as the figures in administrative court proceedings deviate from the previous cycle, this change is comprehensible; in the next cycle is a rise to be expected.

Q97 (2015): Question 97: A substantial number of the Länder was unable to provide information, meaning that any amount cited would not be meaningful in substantive terms.

Q97 (2014): The 2014 data are the same as those that have been provided in 2013. No update was available.

Q97 (2013): For 2013, two Landers did not provide any information.

The category “other “ includes proceedings on complaints on appeal in family cases at the Higher Regional Courts and appellate proceedings on fact and law and proceedings on complaints on appeal at the Regional Labour Courts. In addition, given a lack of complete data, a total of 164 272 new legal cases or proceedings on complaints on appeal (in custodianship, accommodation, insolvency, estate, and costs cases, along with other complaints on appeal) were not considered in the category “other”. □

Regarding the slight horizontal inconsistency for the category “administrative law cases”, it can partly be explained by the federal State structure of Germany. Moreover, data regarding incoming administrative law cases also reflected the number of appeals against decisions to grant provisional legal protection in the higher administrative regional courts and in the higher social courts; and appeals in matters of legal aid and other proceedings. In comparison with the previous years, the 2013 data are more accurate. The same applies regarding resolved cases even though no data was available for the appeals in matters of legal aid and other proceedings.

With regard to the sub-category “civil and commercial litigious cases” and the meaningful increase of the number of resolved cases, it should be noticed that in the frame of the 2013 exercise, the indicated figure encompassed the number of resolved civil and commercial litigious and not-litigious cases. For this cycle, it was impossible to distinguish between these two sub-categories.

Q97 (2012): In the frame of the 2012 evaluation it was stressed that the values regarding questions 91, 94, 97, 98, 99, 100, 101, 102, 107, 108 corresponded to data of the year 2011.

Q99 (2015): Question 99:

The data provided date from 2014. At present, no data are available for 2015.

It is not possible to distinguish between litigious civil cases, respectively commercial cases, and those that are non-litigious. Accordingly, number 1 of the answer to question 99 includes all appeals on points of law brought in the civil matters before the Federal Court of Justice (Senates for civil matters including family law matters). However, the number of proceedings dealt with and concluded by litigious rulings in 2014 amounts to 600.

Q99 (2014): The 2014 data are the same as those that have been provided in 2013. No update was available.

Q99 (2013): For 2013, two Landers did not provide any information. Data provided for the civil (and commercial) litigious cases include all appeals lodged encompassing litigious and non-litigious cases as well as family law cases.

Q99 (2012): In the frame of the 2012 evaluation it was stressed that the values regarding questions 91, 94, 97, 98, 99, 100, 101, 102, 107, 108 corresponded to data of the year 2011.

Q101 (2015): Question 101:

A substantial number of the Länder was unable to provide information, meaning that any amount cited would not be meaningful in substantive terms.

Q101 (2014): The 2014 data are the same as those that have been provided in 2013. No update was available.

Q101 (2013): For 2013, two Landers did not communicate any reply. Given that for the previous years, seven Landers did not provide complete information, the 2013 data is more accurate.

As to dispute divorce cases only the number of conclusions by way of an order of divorce was provided. As to divorce proceedings (2013) overall, the following data were available:

Pending on 1 January 2013: 85 780;

Incoming cases: 119 123;

Resolved: 156 951;

Pending on 31 December 2013: 85 124.

As to insolvency cases only data on incoming cases was provided as well as on legal cases still pending at year end. Nevertheless not all Landers were able to give information on both of these points. Insofar as the Landers communicated complete data it was added to the sums indicated above. To this extent the information is incomplete.

Q101 (2012): In the frame of the 2012 evaluation it was stressed that the values regarding questions 91, 94, 97, 98, 99, 100, 101, 102, 107, 108 corresponded to data of the year 2011.

The number of resolved litigious divorce cases refers to resolution by divorce decree only. However, the data in respect of the total number of divorce cases (2011) are complete:

Pending on 1 January 2011: 63 363;

Incoming cases: 66 194;

Resolved cases: 215 769 (of which 190 258 by divorce decree);

Pending on 31 December 2011: 58 773.

Greece

Q091 (2016): Any deviations from the 2015 figures are due to a new way of collecting statistics. In fact, in 2016, a working group was set up to update and simplify the content of the statistical data requested by the judicial services of the country. The working group created tables followed by detailed instructions and training in relation to the requested information. According to the instructions given to the courts, some procedures they handle, in those which there is no participation of a judge, are not included in the data collected. In addition, in 2016 a long-term abstention by the lawyers of the country took place, resulting in reduction in the number of cases.

The number 79.872 of resolved administrative law cases does not include joint cases, i.e. decisions that refer to more than one case. Furthermore, for the 2016 data of the administrative First Instance Courts of Athens and Piraeus a slight deviation has been noted which is due to the data migration to a new information technology (IT) system called "Integrated Court Management System for Administrative Justice (OSDDY-DD)". This deviation that has already been taken into account by the Central Organizational Committee for the due implementation of OSDDY – DD is expected to lapse gradually within the next years.

Q91 (2014): The significant increase in the number of pending cases on 1 January for the total of "other than criminal law cases" between 2012 and 2014 was due to lawyers' abstention for a long time in the years 2013 and 2014.

Q91 (2012): In the ambit of the 2012 exercise, it has been stressed that, as far as the statistical information provided by the courts is concerned (e.g. replies to questions 91 and 97), the system of collecting data could not comply with the CEPEJ methodology because it was planned having altogether different national needs in mind. Thus, schematically, a case brought into the Greek judicial system gets an initial reference number. However, in the process of being tried, it gets more than one reference number according to the laws. As a result the numbers of incoming and resolved cases do not match.

Moreover, the Ministry of Justice, Transparency and Human Rights was not able to verify the accuracy of the replies, due to the lack of IT system.

Besides, recent law changes have altered the jurisdiction of courts, so the figures communicated for 2012 could not be compared with these provided for the previous evaluation cycles.

Q91 (2010): The increases observed in respect of the number of "other than criminal law cases" in 2010 are explained by the fact that for 2008, the performance of the administrative courts was not reflected within this question.

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Q099 (2016): For 2015, data on administrative law cases was not available and thus it was not integrated in the total. For 2016, the total includes also administrative law cases.

Q101 (2016): Except for the categories “cases relating to asylum seekers (refugee status under the 1951 Geneva Convention)” and “cases relating to the right of entry and stay for aliens”, the relevant data are not available electronically for the moment, therefore their extraction is not possible.

Hungary

Q091 (2016): In category "4. other cases" there is a difference between the number of pending cases on 31 December 2015 and the number of pending cases on 1 January 2016. The cause of this difference is the change of the IT system and the cleansing of the database.

2.2.3. “other registry cases” include registration of civil societies.

The increase in the number of general civil (commercial) non litigious cases pending on 1 January 2016 is due to the change in the statistical methodology at the largest regional court that caused a difference in the figures.

The number of incoming “other registry cases” increased between 2014 and 2016 because of the increasing number of registry cases of civil societies. Accordingly, the number of resolved “other registry cases” increased also for the same period. With regard to the category “other non-litigious cases”, the increased numbers characterizing the period 2014-2016 are the consequence of the increasing number of court mediation cases and non-litigious labour cases.

Q91 (2015): 2.1. There is a difference between the number of pending cases on 31 December 2014 and the number of pending cases on 1 January 2015. The cause of this difference is the change of the calculation method at some regional courts.

2.2.2. The number of pending non-litigious business registry cases cannot be given as the data is not available in the data management system of the courts, only at the system of the Ministry of Justice.

2.2.3. “other registry cases” include registration of civil societies.

2.3. “other non-litigious cases” include court mediation and non-litigious labour cases.

Civil and commercial non-litigious cases include all of those cases that are not concluded through the rules of the civil procedure, but through a more or less simplified procedure:

- exclusion of a judge,
- preliminary verification,
- issuance of a restraining order and review of that,
- declaring sy legally dead,
- revision of the medical care of mentally disordered patients,
- deposit at the court
- hearing sy on the request of another court
- etc.

Category "other" include: Insolvency cases, labour cases

Q91 (2014): In 2014, in contrast with the 2013 evaluation, some registration cases were also included within the category “civil and commercial non-litigious cases”. The item “other registry cases” includes registration of civil societies. The item “other non-litigious cases” includes court mediation and non-litigious labour cases.

Variations observed in respect of the category “general civil (and commercial) non-litigious cases” over the years are explained by the change of the methodology of presentation of data in 2013. Before 2013, the non-litigious administrative law cases were counted within the category “non-litigious civil and commercial cases”. Since 2013, non-litigious and litigious administrative law cases are given together. In 2014, non-litigious enforcement cases were also included in the category “general civil (and commercial) non-litigious cases”.

One of the reasons for the increase of the number of incoming administrative law cases over the period was the increase of the number of investigations conducted by administrative authorities (e.g. tax authorities), which resulted in an increased number of reviews against these decisions.

Q91 (2013): In the frame of the 2013 exercise, several explanations were provided in respect of the observed variations between 2013 and the previous cycles.

Till 2013, the data-provider for non-litigious enforcement cases was the Ministry of Justice. Since 2013, the data-collecting system of courts covers also this group of cases (general non-litigious cases).

Before 2013, the non-litigious administrative law cases were counted within the category “non-litigious civil and commercial cases”. Since 2013, non-litigious and litigious administrative law cases are given together.

As for the subcategory “civil (and commercial) litigious cases” the misinterpretation of the question resulted in the inclusion of different case categories in 2012 and 2013. This could have caused different figures for the ending number of pending cases in 2012 and the starting figures in 2013.

Q93 (2013): In 2010, 2012 and 2014 the category “other” encompasses insolvency registry cases and labour litigious cases. In 2012, additionally it includes misdemeanour cases. In 2013, the category subsumes insolvency cases and non-litigious labour cases.

Q097 (General Comment): In 2014, litigious insolvency cases have been included in two categories at the same time (pending cases on 1st January and pending cases on 31st December). For 2015, this has been corrected which resulted in a decrease in the number of pending cases on 1st January 2015 compared to the number of pending cases on 31st December 2014.

Q097 (2016): 4. Category “other cases”: there is a difference between the number of pending cases on 31 December 2015 and the number of pending cases on 1 January 2016. The cause of this difference is a typo in the previous questionnaire, as the number of pending cases was 1508 on 31 December 2015 as well.

With regard to the pending cases, it is noteworthy specifying that the decrease of the “backlog” of the courts is an overall trend in the Hungarian judiciary.

As for the other variations observed within the frame of question 97, the “raw” figures in most of the categories can be considered as relatively low figures (e.g. some hundreds in the whole country), so even a not so huge increase or decrease result in a large percentage change.

Q97 (2014): In 2014, in contrast with the 2013 evaluation, some registration cases were also included within the category “civil and commercial non-litigious cases”. The item “other registry cases” includes registration of civil societies. The item “other non-litigious cases” includes court mediation and non-litigious labour cases. □

The category “other” encompasses insolvency cases and labour cases.

Q099 (2016): Generally, the increase in the number of incoming cases at the Kúria (Hungarian Supreme Court) for 2016 is the result of the increasing use of extraordinary remedies by the parties. As the number of incoming cases increased, it resulted in an increase in the other categories as well.

Q99 (2014): In 2014, in contrast with the 2013 evaluation, some registration cases were also included within the category “civil and commercial non-litigious cases”. The item “other registry cases” includes registration of civil societies. The item “other non-litigious cases” includes court mediation and non-litigious labour cases. □

The category “other” encompasses insolvency cases and labour cases. □

On the occasion of the 2014 exercise, it has been stressed that one of the main aims of the judicial reform of January 1, 2012 was that the President of the Supreme Court (Kúria) and the Supreme Court itself should focus more on the quality of judicial work. As the President of the Supreme Court was released from the burden of the central administration of the court system, the Kúria was able to reduce its backlog as well as to focus more on the consistency of the national jurisdiction.

Q101 (2016): With regard to the category “employment dismissal cases”, as the number of incoming cases decreased it resulted in a decrease in the other categories as well. The reason of the decrease in the number of incoming cases might be outside of the court system. With regard to the category “insolvency cases”, the methodology of data collection changed from the year 2015 to 2016. Accordingly, there is a discrepancy between the number of insolvency cases pending on 31 December 2015 and the number of insolvency cases pending on 1 January 2016.

Q101 (2015): Regarding the category "litigious divorce cases", the data provided for 2015 cannot be compared with the previous years as the statistical system has changed. As a result of an amendment of the code of civil procedure, litigious divorce cases were included in a new statistical category. This resulted in a starting number of "0" litigious divorce case at the beginning of the year 2015.

Q101 (2014): The decrease of the number of pending employment dismissal cases on 31 December over the period 2012-2014 is a consequence of the decrease of the number of incoming cases. Another reason was the establishment of 20 Administrative and Labour courts and 6 Regional Administrative and Labour Divisions in January 2013, that made the work of these courts more effective.

Administrative and Labour Courts are specialized first instance courts in cases concerning the review of administrative decisions and employment relationships. The Regional Administrative and Labour Divisions are special departments that coordinate the professional work of Administrative and Labour Courts. Their main function is to provide a professional platform for the judges to discuss the actual issues in administrative and labour matters.

Ireland

Q091 (2016): This represents a sharp reduction on taxations of legal costs since 2014

Q91 (2015): Category "other" includes: Taxation of bills of costs.

Q91 (2014): 2014 Please note that unless a case has been listed in the court's calendar for the purposes of trial or the fixing of a trial date, parties to civil proceedings in Ireland are not generally required to notify the court either that a case has been settled or that a case is not being pursued further by the plaintiff. Hence, a substantial number of cases which have been completed (through settlement or non-pursuit of the case by the plaintiff without notice to the court) are not recorded and counted as completed. Consequently, the clearance rate appearing from the case flow data provided is considered to understate significantly the actual case clearance rate.

Q91 (2013): 2013: Variations: From 2013, as part of the efforts being made by the Courts Service to improve its caseload reporting data, the number of enforcement cases has been reported for the first time this year to meet the request for data under the heading. The Courts Service has sought to create a category of cases under the Irish system that would be equivalent to non-litigious enforcement cases under other justice systems. The figure consists of the following steps leading to enforcement measures by court judgments and orders: Execution orders, Registered Judgments, Judgment Mortgage Certificates.

Q92 (2014): Starting 2014 the category: "Appointment of care representatives" was added to the "Civil (and commercial) non-litigious cases"

Q93 (2014): From 2014, the range of 'Other cases' has been revised to incorporate the category 'certificates of taxation of legal costs issued'. This can explain the fact that different elements have been included in the category 'other' in 2013 and 2014.

Q099 (2016): The reduced number of incoming proceedings reflects the consequences of the establishment of the new Court of Appeal which came into operation in October 2014.

The reduced number of resolved proceedings reflects the consequences of establishment of the new Court of Appeal which came into operation in October 2014.

Q99 (2015): The reduction in the number of incoming cases to the Supreme Court substantially reflects the change in the jurisdiction of the Supreme Court from that of a second instance appeal court to an appeal court which is primarily third instance in nature

Q99 (2014): 2014: Variation: The significant increase in the number of resolved civil (and commercial) litigious cases between 2012 and 2014 reflects a significant exercise undertaken by the Supreme Court in reviewing its caseload in preparation for the establishment in 2014 of the new Court of Appeal (which has assumed the previous second instance jurisdiction of the Supreme Court), which resulted in the striking out or withdrawal of a significant number of appeals then pending before the Supreme Court.

Q101 (General Comment): Under the Insolvency category above the figures reflect both corporate and personal insolvency cases. Insolvency figures include both litigious and non-litigious cases.

Q101 (2016): This figure reflects a significant increase in recourse to bankruptcy and alternative personal insolvency procedures by debtors (over 20% between 2015 and 2016) and to bankruptcy as a remedy by creditors (69 bankruptcy petitions were presented by creditors in 2016 compared with 46 in 2015).

Q101 (2015): 2015 figure should be 2368. The large increase is substantially due to a large increase in the number of applications for Debt Relief notices, Debt Settlement Arrangements and Personal Insolvency Arrangements

Q101 (2014): 2014: Variation: The significant increase in the number of incoming and resolved insolvency cases between 2013 and 2014 reflects the introduction of a new range of statutory personal insolvency remedies since the previous return was made.

Italy

Q91 (2015): Figures at Q.91 (points 1 and 2) have been extracted from a new IT system called “Civil Data warehouse”. This new system allows us to get in-depth information on single proceedings. Before the implementation of such data warehouse, statistics were based on aggregated variables that only partially could distinguish between litigious and non-litigious cases.

As far as figures at Q.91 (point 3), please consider that Administrative Justice doesn't fall under the umbrella of the Ministry of Justice as it is administered by the Council of State (Consiglio di Stato). However, figures at Q.91 (point 3) were not provided by the Council of State, they were rather taken from a public document available online at https://www.giustizia-amministrativa.it/cdsintra/cdsintra/Notiziasingola/index.html?p=NSIGA_3826149

Since the administrative cases (Q.91 point 3) refers to a different administration, it wouldn't be reasonable to compare these numbers against the number of judges provided at Q.46.

Civil and commercial non-litigious cases include: Uncontested payment orders, uncontested divorces, technical appraisals, judicial interdiction and incapacitation, hereditament, etc.

Q91 (2014): In the ambit of the 2014 exercise, figures for the category “administrative law cases” have been submitted for the first time. As mentioned above, the administrative justice doesn't fall under the umbrella of the Ministry of Justice as it is a completely different administration. For this reason it wouldn't be reasonable to compare these numbers against the number of judges provided at Q.46.

Q91 (2013): During the second half of 2013 and the beginning of 2014, the Italian judicial system has gone through a historical geographic reorganization with the closing of almost 1.000 courts. As a consequence, the statistics regarding flows of cases at the end of 2013 may show some anomalies that will be adjusted with the following data gathering.

Besides, the variations noticed between 2010 and 2013 in respect of the category of civil and commercial litigious cases and this of civil and commercial non-litigious cases, a constant reduction in the incoming cases is observed from the end of 2009. Additionally, the number of ADR cases is constantly increasing with a filter effect on the litigious incoming files.

Q91 (2010): In 2010, the obligation to pay court taxes was extended to a particular type of proceedings related to traffic fees (the so called “opposition to administrative sanctions”). Accordingly, since 2010, people who got a fine are less likely to start a proceeding than before. As a result, the number of incoming cases dropped drastically, which led to a significant improvement of the clearance rate and thus of the case-flow at the level of first instance courts.

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Q93 (2014): In the ambit of the 2014 exercise, the category “other” encompasses the number of enforcement cases.

Q097 (General Comment): · Non-litigious enforcement cases are not in the competence of the Courts of Appeal.

· With regard to the administrative cases (which number is provided only since 2014), the appeals are dealt with by the Council of State (Consiglio di Stato) which is a legal-administrative consultative body ensuring the legality of public administration in Italy. The Council has jurisdiction on acts of all administrative authorities, except when these authorities lack discretionary power, in which case the dispute is considered to be one of civil law. Figures referring to the activity of the Council of State are inserted in the frame of question 99 and not question 97.

Q097 (2016): As regards the variations concerning the category "general civil (and commercial) non litigious cases", it should be noted that the Ministry of Justice has recently implemented a data warehouse system that can collect a huge number of data and events pertaining to millions of civil cases. The new DWGC (Data Warehouse for Civil Justice) is now fully operational and it represent a major improvements in terms of statistics and its quality. Since 2015 data pertaining to Q.97 is extracted form the above Datawarehouse and it is to be considered more accurate than the figures provided in the past.

Q97 (2015): The appeal of administrative case is dealt by the Council of State (Consiglio di Stato) which is a legal-administrative consultative body that ensures the legality of public administration in Italy. The council has jurisdiction on acts of all administrative authorities, except when these authorities lack discretionary power, in which case the dispute is considered to be one of civil law.

Figures referring to the activity of the Council of State (second instance of administrative justice) have been submitted to Q.99 rather than Q.97.

Figures on Q.97 (points 1 and 2) have been extracted from a new IT system called "Civil Data warehouse". This new system allows us to get in-depth information on single proceedings. Before the implementation of such data warehouse, statistics were based on aggregated variables that only partially could distinguish between litigious and non-litigious cases.

All cases dealt by the Supreme Court of Cassation has always a litigious nature.

Q099 (General Comment): · With regard to the administrative cases (which number is provided only since 2014), the appeals are dealt with by the Council of State (Consiglio di Stato) which is a legal-administrative consultative body ensuring the legality of public administration in Italy. The Council has jurisdiction on acts of all administrative authorities, except when these authorities lack discretionary power, in which case the dispute is considered to be one of civil law. Figures referring to the activity of the Council of State are inserted in the frame of question 99 and not question 97. · In Italy, non-litigious enforcement cases are not heard by the highest instance court. The latter only hears litigious enforcement cases.

Q099 (2016): "other cases" represent residual cases such as cases regarding the competence/jurisdiction of the court, corrections of material errors, etc

Q99 (2014): · In the frame of the 2014 exercise, it has been indicated that figures subsumed within the category "other" represent really residual cases (such as cases regarding the competence/jurisdiction of the court, corrections of material errors, etc.).

· As to the increases observed in respect of the "total of other than criminal law cases" with regard to all the items (pending, incoming, resolved cases), it is noteworthy that in 2014 for the first time "administrative law cases" dealt with by the Council of State were considered. If looking only to "civil (and commercial) litigious cases", the differences are not that big. In general terms the Supreme Court of Cassation resolves fewer cases than incoming cases.

Q99 (2012): In the frame of the 2012 exercise, it has been specified that non-litigious enforcement cases are not heard by the highest instance court which hears only litigious enforcement cases. Before 2012, only litigious enforcement cases have been provided. For 2012, data related to litigious enforcement cases are the following: initially pending: 1090; incoming: 221; resolved: 413; finally pending: 898.

Q101 (General Comment): With regard to the insolvency cases, the peculiarity of the Italian system consists in distinguishing between "insolvency applications" and "insolvency cases". The former category concerns the litigious part of the proceeding where creditors and debtors have different goals (dispute). The latter category concerns 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 questions 101 and 102 refer to "insolvency cases" rather than "insolvency applications".

Q101 (2016): With the introduction of the data warehouse system we can now identify specific types of proceedings (e.g. employment dismissal cases) more precisely.

I confirm the figures provided for both litigious divorce and insolvency resolved cases (year 2016) but unfortunately I don't have any useful explanations for the trends you highlighted. Actually the system is currently giving me slightly different figures for 2014 and 2015 data. I'll send these number separately by email.

Q101 (2015): Insolvency cases. 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 refers to "Insolvency cases" rather than "Insolvency applications".

Litigious divorce case in 2015 have been extracted from the "Civil Data warehouse". While in 2014 they were taken from the previous system. To harmonise the data between the cycles the 2014 was updated with the values derived from the data warehouse too

Q101 (2014): · In the frame of the 2014 exercise, it has been stressed that the project called "Civil Datawarehouse", Italy was working on for years, and supposed to enable to look at each single procedure individually, has been implemented. However, the output of the Datawarehouse is still under "test phase". It is likely that the number of "employment dismissal cases" is available for the next evaluation.

Q101 (2012): On the occasion of the 2012 exercise, it has been stressed that the number of litigious divorce cases, has been affected by the implementation of a different classification of civil cases. Therefore the comparison between 2010 and 2012 might lead to misinterpretation.

Latvia

Q091 (2016): Decrease in pending non-litigious cases is due to many resolved cases in 2015.

Q91 (2014): The variations concerning administrative law cases over the period 2012-2014 are due to a change in the legislation. Namely, from July 1st of 2012, appealed administrative decisions of institutions are handed to District courts.

Q91 (2013): As concerns the variation of the clearance rate and the disposition time in respect of different types of other than criminal law cases between 2010 and 2013, namely as regards the disposition time for the category "civil and commercial non-litigious cases", the justification is based on internal and external factors.

o The internal factors concern changes in the Civil Procedure Law (creation of new long-pending forms for insolvency cases such as judicial protection proceedings, insolvency proceedings for individuals, etc., whose proportion increased). In Latvia, the insolvency process begins with a court ruling but the case cannot be closed until the end of the insolvency process. Besides, quick pending cases have been transferred from courts to the Land Registry offices due to changes in the Civil Procedure Law from 1 January 2012.

o As for the external factors, the micro-enterprise development opportunities have increased the number of long-pending insolvency cases in the court (following the above described amendment of the national legislation).

• The variations concerning administrative law cases over the period 2012-2014 are due to a change in the legislation. Namely, from July 1st of 2012, appealed administrative decisions of institutions are handed to District courts.

Q91 (2012): The total number of incoming, resolved and pending cases on 1 January and on 31 December 2012 has mostly decreased under the influence of external (socio-economic) and internal (court system) factors:

1) the gradually exit from the economic crisis 2010-2014 (gradual decrease of the economic disputes and greater public satisfaction with regard to the authorities);

2) with the aim to improve the effectiveness of the court system, since 1st January 2012, the majority of the non-litigious civil cases (land registry, business registry and non-litigious enforcement cases) were transferred from first instance courts for consideration by the competent Land Registry Department and are not subsumed in the table;

3) with the aim to improve the effectiveness of the court system, since 1st July 2012, the appealed decisions against administrative authorities were transferred from the Administrative court jurisdiction to the Regional courts of general jurisdiction for consideration by judges of the Criminal College. These cases are not included in the table and only cases of the special jurisdiction of the administrative courts are encompassed.

Q91 (2010): In 2010, the total number of other than criminal cases increased (pending, incoming, resolved, pending) as a result of the increase of the number of administrative law cases on the one hand, and the number of civil cases on the other hand.

As to the administrative law cases, this evolution is due to several factors. Firstly, owing to the financial crisis, the volume of pending complicated administrative cases in first instance courts and the Administrative Regional court increased. Secondly, the relevant legislation has been changed and since 2009, appealed court rulings in administrative matters are handled by administrative district courts. The last reason is the insufficient capacity of administrative courts between 2008 and 2010.

As to the civil cases, the main explanation lies in the financial crisis which resulted in the increase of the number of complicated cases such as insolvency, bankruptcy, employment, etc.

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As to the civil cases, the main explanation lies in the financial crisis which resulted in the increase of the number of complicated cases such as insolvency, bankruptcy, employment, etc.

Q097 (General Comment): In accordance with the provisions related to data gathering, all information must be recorded in the Court Information System within 3 days. However, the Court Information System functionality for the statistical reports provides in the System recorded figures at the end of the year. Consequently, submissions received in the previous year but registered the next year are considered as incoming cases for the new year.

Justice statistics do not distinguish between “non-litigious enforcement cases” and “non-litigious business registry cases” because such types of cases are not defined in the Civil Code. Accordingly, the reply in their respect is NAP. At any rate, both of these sub-categories of cases are not within the competence of courts neither in first instance (similar to the “non-litigious land registry cases”), nor in second instance. By contrast, the “non-litigious land registry cases” are dealt with by the regional courts in second instance and they are within the competence of the Land Registry Office only in first instance.

Q097 (2016): The increase in pending civil cases is due to fewer resolved cases in 2015. Decrease in pending Administrative cases is due to more resolved cases in 2015.

Q97 (2014): In the frame of the 2013 and 2014 exercises it has been indicated that the category “other” includes the following types of cases from the Supreme Court : cases related to moral and physical damages; copyright related cases; family relationship; deprivation of citizenship; labour law cases; cases in respect of inheritance rights.

Q97 (2013): In the frame of the 2013 and 2014 exercises it has been indicated that the category “other” includes the following types of cases from the Supreme Court : cases related to moral and physical damages; copyright related cases; family relationship; deprivation of citizenship; labour law cases; cases in respect of inheritance rights.

Q97 (2012): The decreases observed in 2012 with regard to the totals in respect of the different items (pending, incoming and resolved cases) are the consequence of the evolutions noticed for each of the sub-categories in respect of the number of incoming cases. The decrease of the latter and the improvement of the judicial efficiency resulted in a decrease of the number of pending cases. The end of the economic crisis and the strengthening of the courts’ capacity are general factors which have to be taken into account when analysing this positive trend.

As to the sub-category “civil and commercial litigious cases”, the increase of the number of pending cases on 1 January 2012 is due to the increase of the number of incoming cases in different categories of cases such as different types of bankruptcy cases which know a long processing time. The duration of these special types of bankruptcy cases cannot be shortened by improving the efficiency of the judiciary. The increase of the number of resolved cases can be explained by the improvement of the work capacity of courts.

As to the sub-category “civil and commercial non-litigious cases”, the decrease of the number of resolved cases and pending cases on 1 January 2012 and 31 December 2012 can be explained by the transfer of a part of the cases from the first instance courts to the Land Registry Department, following the legislative reform of 1 January 2012. The number of incoming cases has decreased essentially due to external (socio-economic) factors, namely the gradual exit from the economic crisis during 2010-2013.

As to the sub-category “non-litigious land registry cases”, the increase of the number of resolved cases between 2010 and 2012 can be explained by the courts work reviewing a large number of cases in the law limited time because of external factors causing an increase of the number of incoming cases before the entry into force of the new provisions of the Civil Procedure Law on 1 January 2012.

As to the sub-category “administrative law cases”, the decrease of the number of pending cases on 1 January 2012 can be explained by the courts work, namely the improvement of the judicial capacity and the decrease of the number of incoming cases due to external factors as public activity resubmission to the Administrative Court and internal factors. The decrease of the number of resolved cases can be explained by the limited capacity of courts work, the complexity of the cases, the parties’ failure to appear for court hearings, etc. The decrease of the number of pending cases on 31 December can be explained by the improvement of the judicial capacity of courts and decrease of incoming cases due to external factors.

There are no cases in the sub-category “other”. All cases are distributed among the mentioned categories No.1, No.2 and No.6.

The decreases observed with regard to the totals in respect of the different items (pending, incoming, resolved cases) are the consequence of the evolutions noticed for each of the sub-categories in respect of the number of incoming cases. The decrease of the latter and the improvement of the judicial efficiency resulted in a decrease of the number of pending cases on 1 January and 31 December. The end of the economic crisis and the strengthening of the courts’ capacity are general factors which have to be taken into account when analysing this positive trend.

As to the sub-category “civil and commercial non-litigious cases”, the increase of the number of resolved cases between 2012 and 2013 can be explained by the long pending backlog of complex cases before the courts of the second instance.

Q97 (2010): The variations concerning figures provided for 2010 are the consequence of these explained in the frame of question 91.

Q97 (2010): The variations concerning figures provided for 2010 are the consequence of these explained in the frame of question 91.

Q099 (2016): Supreme court had accumulated too many unresolved cases and 1/3 of those are older than 2 years so they have have made some changes and acheaved progress.

Q99 (2015): An explanation for the rather large difference in case count for general civil and commercial non-litigious cases are changes in civil proceedings - while in 2014 undisputed compulsory execution cases were also heard by Supreme Court, in 2015 it was tasked with hearing decisions from Land registry, sworn bailiffs and notaries only.

Q99 (2012): In 2012, the decrease of the total of cases before the higher instance courts correlates with the general decrease of the number of civil cases.

Q99 (2010): In the frame of the 2010 exercise, it has been explained that the increase of the total number of pending and incoming cases was due to the increase of the auctions of immovable property. As to the increase of the total number of resolved cases, it is a result of the higher work load and the augmentation of the number of judges.

Q99 (2010): In the frame of the 2010 exercise, it has been explained that the increase of the total number of pending and incoming cases was due to the increase of the auctions of immovable property. As to the increase of the total number of resolved cases, it is a result of the higher work load and the augmentation of the number of judges.

Q101 (2013): In 2013, several explanations have been provided with regard to the category "insolvency cases". Firstly, the number of pending cases on 1 January increased because of the special handling procedures for insolvency cases set forth by the Civil Procedure Law. As a matter of fact, the duration of insolvency proceedings is mostly affected by external economic factors and do not depend on the courts work capacity. Secondly, the increase of the number of incoming cases was justified by external factors such as public activity submitting applications before the Court on the legal protection of individuals in cases of insolvency. Thirdly, the increase of the number of resolved cases was due to the gradual improvement of the capacity of the courts work following the adoption of the new provisions of the Civil Procedure Law on 1 January 2012. Lastly, the increase of the pending cases on 31 December 2013 resulted from the special handling procedures for insolvency cases according to the Civil Procedure Law.

Q101 (2012): In the ambit of the 2012 exercise, it has been explained that the decrease of the number of "litigious divorce cases" in respect of all the items (pending, incoming, resolved cases) was due to the decrease of the incoming cases owing to to the impact of external factors such as depopulation, decline in the number of marriages etc.

As to the category "employment dismissal cases", the decreases noticed in respect of all the items (pending, incoming, resolved cases) can be explained by external socio-economic factors such as the decrease of the unemployment in the country after the end of the economic crisis. This factor has affected the number of incoming employment dismissal cases and consequently the other statistical indicators.

Lithuania

Q091 (2016): Administrative law cases - the courts are fighting the backlogs. This led to the growth in the number of resolved cases and consequently to the decrease in the number of pending cases 31 December 2016.

Other non-litigious cases: incoming and consequently resolved civil cases in process of enforcement (execution) are continuously increasing.

Q91 (2015): Civil and commercial non-litigious cases include court orders

Category "other" includes: Cases of administrative offences and cases of administrative offences in process of enforcement (execution).

Q91 (2014): The increase between 2013 and 2014 in number of cases can be explained by the increase in the number of incoming administrative cases and cases of administrative offence. They were mostly cases on remuneration of public servants in 2013 due to the decision of the Constitutional Court of the Republic of Lithuania, which recognized the laws on the reduction of the remuneration of State servants and judges unconstitutional. This also had an effect on the significant increase of the category "other cases" since this situation resulted also in the increase of the number of cases of administrative offence (in execution process).

The significant decrease of 58% of general civil (and commercial) non-litigious cases (pending 31 Dec) in 2014 has been explained by the fact that civil cases on deliver of judicial orders are resolved quickly and such residues are normal.

Q91 (2010): The increase of the total number of other than criminal cases in 2010 was due to the financial situation of 2009-2010 when a lot of litigants turned to courts in order to secure their financial interests. Such amount of new incoming cases also determined the bigger workload of the judges and all the judicial staff.

As for the category "land registry cases", issues related to land registering are managed by the Real Property Register and Cadastre.

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As for the category "land registry cases", issues related to land registering are managed by the Real Property Register and Cadastre.

Q92 (2014): For 2013 and 2014, the category “civil and commercial non-litigious cases” includes court orders.

Q92 (2013): For 2013 and 2014, the category “civil and commercial non-litigious cases” includes court orders.

Q93 (2013): For 2010, this category encompasses only cases of administrative offence, while since 2012 it subsumes also the administrative offence cases in the process of execution.

Q097 (General Comment): In Lithuania, statistical data on case flow and their classification are made according to the specific regulations and are mainly based on the institutes of Civil, Criminal Codes and the codes of Civil and Criminal procedures, as well as the Code of Administrative Offences and the law on Administrative procedure. Therefore figures for some of the types of cases are unavailable because there is no such classification while making statistical reports. In respect of the variations that can be observed between figures provided for the different evaluation cycles and in the light of the above described peculiarity of the statistic system of Lithuania, it is noteworthy that cases the number of which is not available are included in other categories, i.e. “civil litigious”, “civil non-litigious”. Accordingly, the indicated totals are relevant. In respect of the 2010, 2012 and 2013 exercises, it has been specified that all statistical data are correct. The changes mainly are influenced by changes in number of incoming cases (due to the crisis, developments of constitutional doctrine or amendments in law). Since 2012, the category “administrative law cases” subsumes all cases of the Supreme Administrative Court of Lithuania (petitions of appeal, also cases of first and last instance, cases on jurisdiction etc.). In earlier years, namely in 2010, only appeal cases were counted. Since 2012, the category “other” includes administrative cases of regional administrative courts, the Supreme Administrative Court, regional courts and the Court of Appeal. For the previous evaluation cycles, only administrative cases of the regional administrative courts were counted.

Q97 (2014): The increase between 2013 and 2014 in number of cases can be explained by the increase in the number of incoming administrative cases and cases of administrative offence. They were mostly cases on remuneration of public servants in 2013 due to the decision of the Constitutional Court of the Republic of Lithuania, which recognized the laws on the reduction of the remuneration of state servants and judges unconstitutional. This also had an effect on the significant increase of the category “other cases” since this situation resulted in the increase of the number of cases of administrative offence (in execution process).

Q97 (2010): In 2010, the number of incoming cases increased considerably.

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Q99 (2014): In the frame of the 2014 exercise, it has been indicated that the Supreme Court of Lithuania received 1369 appeals (cassation) in criminal cases and 2794 appeals (cassation) in civil cases. 677 appeals in criminal cases and 2038 in civil cases were returned to the complainants.

2014: Different category of cases as in Q91, 97 and 99 exist in Lithuania, but they are all under the category 1. Civil (and commercial) litigious cases and it is not possible at this point to distinguish them from other cases.

The increase between 2013 and 2014 in number of cases can be explained by the increase in the number of incoming administrative cases and cases of administrative offence. They were mostly cases on remuneration of public servants in 2013 due to the decision of the Constitutional Court of the Republic of Lithuania, which recognized the laws on the reduction of the remuneration of state servants and judges unconstitutional. This also had an effect on the significant increase of the category “other cases” since this situation resulted in the increase of the number of cases of administrative offence (in execution process).

Q101 (2016): For the reference year 2016 cases relating to asylum seekers fall within the cases relating to the right of entry and stay for aliens or other administrative cases.

Q101 (2013): In the frame of the 2013 exercise the variations observed in respect of the categories “employment dismissal cases” and “litigious divorce cases” are justified mainly by the changes in the number of incoming cases (due to the crisis, developments of constitutional doctrine or amendments in law). Besides, some discrepancies might have occurred due to the judicial reform of 8 district courts and therefore transferring cases from one year to another from several/two courts to one court. The reform entered into force on 1 January 2013 and has resulted in the reduction of the number of district courts to 49.

Luxembourg

Q091 (2016): For question 91.1 the new data collection system revealed a higher number of pending cases, previously not considered by those in charge of counting.

For question 91.2.2, the new data collection system provides now information on other non-litigious cases, previously unavailable.

Q91 (2015): The figures given (with the exception of those for the administrative court) are those of the two district courts (Luxembourg and Diekirch).

The three justices of the peace totalized 78.273 national as well as 285 European payment orders.

Q91 (2014): The data (except for the Administrative Court) are those of the district courts. Uniform statistical data for both types of courts are not yet available. The three justices of peace ruled 75 411 national payment orders, 260 european payment orders and resolved a total of 6386 cases for a total of 65840 new cases. The implementation of statistics counters for civil and commercial cases resulted in variations. The applied criteria have been refined and give a more accurate image. However, new fluctuations are prone to occur, given that the implementation is not yet complete.

Q91 (2013): The data is relevant for the judiciary year September 2012-September 2013. It concerns (except for the Administrative Court) district courts. Uniform statistical data for both types of courts (district courts and justice of peace) are not yet available. The District Court of Diekirch rendered 580 decisions and registered 664 new cases. The three justices of peace ruled 69 859 payment orders and resolved a total of 5 682 cases for a total of 6 508 new cases. The increase in the number of civil (and commercial) non-litigious cases" between 2010 and 2013 is partly explained by the establishment in 2011 of the judiciary statistics office. The increase in the number of administrative law cases mainly stems from the increase in the asylum-related disputes on account of the international situation.

Q91 (2012): The data provided (except for the Administrative Court) are those of the district courts. Uniform statistical data for both types of courts (district courts and justice of peace) are not yet available. The District Court of Diekirch rendered 591 decisions and registered 688 new cases. The three justices of peace ruled 63 651 payment orders and resolved a total of 8041 cases for a total of 9310 new cases. The 2012 data encompasses civil and commercial cases of both district tribunals (Luxembourg and Diekirch).

Q91 (2010): The 2010 data refers only to the Luxembourg court excluding the district court of Diekirch. The latter rendered 386 judgments and registered 306 new cases for 2010. Concerning the justices of peace, the following data is available: Justice of peace of Luxembourg: 6609 new cases, 4035 judgments rendered; Justice of peace of Esch-sur-Alzett: 2512 new cases, 1966 judgments rendered; Justice of peace of Diekirch: 1801 new cases, 1471 judgments rendered.

Q91 (2010): The 2010 data refers only to the Luxembourg court excluding the district court of Diekirch. The latter rendered 386 judgments and registered 306 new cases for 2010. Concerning the justices of peace, the following data is available: Justice of peace of Luxembourg: 6609 new cases, 4035 judgments rendered; Justice of peace of Esch-sur-Alzett: 2512 new cases, 1966 judgments rendered; Justice of peace of Diekirch: 1801 new cases, 1471 judgments rendered.

Q92 (2014): 2014: Category 2 (civil (and commercial) non-litigious cases) refers to european payment orders issued by two district courts. They are handled almost immediately, so that there is no stock at the end of the period. That is why the pending cases as well as incoming cases are classified as NAP.

Q92 (2013): 2012: Category 2 (civil (and commercial) non-litigious cases) refers to payment orders issued by district courts. They are handled almost immediately, so that there is no stock at the end of the period.

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Q93 (2010): 2010: the last category "other cases" includes insolvency cases. There is no backlog in this matter since these cases are always urgent.

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Q097 (2016): As concerns the decrease of around 30% in the number of incoming and resolved administrative law cases between 2014 and 2016, we can notice that the number of appeals brought to the administrative court went down for this period. The reason explaining this trend is that the number of first instance judgments prone to be appealed decreased significantly. In fact, the administrative tribunal had to deal with, as a priority, a considerable number of cases according to the accelerated procedure set forth by the law of 18 December 2015 in international protection matters. For the judicial year 2015/2016, 355 judgments out of 938 in total (excluding radiation) were handled through the accelerated procedure without possibility of appeal.

Q97 (2013): 2013: because of the international events that have increased the number of asylum seekers, the administrative courts that have jurisdiction in case of appeal against a refusal of refugee status, have, in particular in 2013 but already during the 3-4 previous years, known a significant increase in this very specific litigation both at first instance level and appeal level.

Q99 (2014): 2014: several categories are in NAP because the Court of Cassation has no jurisdiction over these categories.

Q101 (2016): For insolvency cases the number of incoming and resolved cases is identical because these cases are treated immediately.

Q101 (2013): 2013: the number of employment dismissal cases corresponds to the incoming cases brought before the three competent courts. All these cases, with some exceptions, are general heard and resolved within a few months.

Regarding insolvency cases, it should be noted that they are all considered as urgent and are heard, at the latest one month after they are brought before the court.

For resolved litigious divorce cases (+69.53%) and employment dismissal cases (-32.29%), the increase between 2010 and 2013 reflects the current social phenomenon.

Malta

Q091 (2016): Horizontal consistency: This is a problem encountered also in previous evaluations. Unfortunately this inconsistency results from the way that the data is logged, and it is practically impossible to resolve it at present. Concerning the variations between cycles: In reality, in 2015 the Administrative Review Tribunal worked real hard to reduce the pending caseload and also resolved one set of interrelated cases that translated in the conclusion of about 150 separate cases. So 2015 was a very good year in which the efficiency parameters of the Tribunal spiked. In 2016, the rhythm by which cases were being resolved went back to 2014 figures, hence the apparent decrease in the number of resolved cases between 2015 and 2016. The reduction in the pending caseload is also the result of the additional 150 odd cases that were resolved in 2015 and that dramatically reduced the pending caseload for good, even if the resolved caseload of 2016 was less than that of 2015. Concerning Administrative cases: These figures reflect the pending balance at the beginning of 2016. Throughout 2015, the Tribunal resolved one batch of related cases that resulted in a drop in the number of pending cases and a spike in the number of resolved cases.

Q91 (2014): For 2014, it has been pointed out that the item “pending cases at 1st January 2014” has been compiled using the data for the 31st December 2013.

It is noteworthy that the category “civil litigious cases” covers family mediation cases and cases before the Court of revision of notarial acts and the Small Claims Tribunal.

As to the category “administrative law cases”, the observed variations between 2013 and 2014 are due to the fact that in 2014 another magistrate started presiding over the Administrative Review Tribunal thereby increasing the judicial complement to 2 members. This change resulted in an increase in the number of resolved cases leading to the increase in the clearance rate.

The discrepancy in the data provided as “pending cases on 31st December 2014” results from an internal exercise being carried out by the Court Administration in which cases that have been prescribed, are being cleaned from the system. This exercise is going to be carried out more frequently so that it does not reflect in discrepancies in the data that is published.

Q91 (2013): In 2013, the number of administrative law cases continued increasing. In this respect, it should be recalled that the Administrative Court was created in 2010 and, as a result, in 2010, there were few cases before this new jurisdiction. Subsequently, as time passed, the number of areas of competence of the Administrative Court has increased - as a result, cases increased considerably too.

Q91 (2012): In 2012, the increase of the number of administrative law cases has been justified by the fact that the Administrative Court was set up in late 2010, as a result of which, figure given in the previous report reflected the operation of the Court over a couple of months only. For 2012, the communicated figures reflect the operation of the Court over a twelve month period.

Q91 (2010): In the ambit of the 2010 exercise, it has been explained that in Malta, enforcement of cases is carried out by the Court Marshalls (enforcement agents) as a result of which, there is no need to refer the enforcement to the court as a case, but merely a warrant of enforcement is presented, of which, no data was available.

As to “business register cases”, all cases relating to business matters are heard by the Civil Court. Accordingly, no separate data exists.

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As to “business register cases”, all cases relating to business matters are heard by the Civil Court. Accordingly, no separate data exists.

Q097 (2016): Regarding Civil (and commercial) litigious cases: 2015 was the best year in terms of number of resolved cases, mainly because the judiciary were trying hard to conclude cases that were ready for sentencing. In fact, our efficiency indicators reflected this effort. As regards to the other data, we do not, as yet, have those statistics at hand and hence, the last 3 evaluations were marked as NAP.

Q97 (2014): The discrepancy in the data provided for 2014 as “pending cases on 31st December 2014” results from an internal exercise being carried out by the Court Administration in which cases that have been prescribed, are being cleaned from the system. This exercise is going to be carried out more frequently so that it does not reflect in discrepancies in the data that is published.

Q97 (2013): The significant increase of the number of civil and commercial litigious cases between 2010 and 2013 was due to the fact that the number of appeals has increased substantially in the past few years and the jurisdiction of the Court of Appeal has been extended to include also appeals from large public contract awards. Accordingly, the Court of Appeal was not in a position to manage the considerable influx of cases.

Q97 (2012): In 2012, a number of judges in the Appeal Court retired and their replacement took some time to materialise, as a result of which, the number of decided cases decreased.

Q099 (General Comment): In Malta the 2nd instance courts are the highest instance. Hence the NAP answer to this section.

Q101 (General Comment): The employment dismissal cases are not heard by the courts but rather by the Industrial Tribunal which is separate from courts and has no connection whatsoever to courts or the Ministry of Justice.

Q101 (2016): Cases related to asylum seekers are processed by the Refugee Commission and heard by the Refugee Appeals Board, which is an entity separate from the courts. Therefore such data is NAP.

Netherlands

Q091 (2016): Number of administrative law cases litigious plus non-litigious.

In 2016, there has been a strong decrease in numbers of cases compared to 2014. This decrease pertains to the group of misdemeanours, in particular the group of traffic offences ("Mulder Law"). The cases of "vorderingen dwangsom" (coercive detention) are no longer treated by the Public Prosecution. This following complaints at the Ombudsman. These coercive detention cases increased at first strongly in 2013 and 2014. But after that decision of the Public Prosecution The "Mulder Law" cases decreased from 200.000 in 2014, via 100.000 in 2015 to 40.000 in 2016.

Q097 (General Comment): As to the lack of horizontal consistency that can be observed, the reason is that the official number of cases pending on January 1st is determined at different time then the other 3 categories (official incoming, official resolved, official pending on December 31st). Due to time lags in registration and dynamics in the data systems, if the cases pending on January 1st are measured at the same time as the others, the result would be different.

Q097 (2016): Administrative law cases, litigious plus non-litigious.

Q099 (2016): At the moment the Supreme Court has not the data available to answer this question. The National Correspondent is consulting the Supreme Court to improve this situation.

Q99 (2010): In the frame of the 2010 exercise, it has been specified that the number of resolved appeal cases in the non-criminal sphere has risen substantially in 2009 (both commercial and family cases) and 2008 (family cases).

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Poland

Q091 (2016): Within the changes in business registry cases we can observe significant increase in all types of Application for registration (first registration) cases, but there is also considerable increase in general business cases (changes in the registry, including cases of removing from registry).

In 2016 there were serious problems with the information system which is in use in electronic proceedings therefore the number of pending cases had increased.

Q092 (General Comment): The category of civil (and commercial) non-litigious cases (including non-litigious family cases) covers all the rest of cases decided under chapter II of the Civil Proceedings Code which are non-litigious cases (such as ascertainment of the acquisition of an inheritance, cases connected with birth, marriage and death records, declaration of dead, adoption as well as summary and injunction proceedings in money payment cases).

Q093 (General Comment): The category "other" includes first of all social security cases and cases related to the application of correctional and educational measures as required in juvenile cases and execution of guardianship or tutoring.

Q097 (General Comment): The number of second instance administrative law cases coincides with the number of administrative law cases in third instance because the Supreme Administrative Court is also the court of second instance and it is impossible for the Statistics Division to divide its cases statistics.

Q097 (2016): Within the changes in business registry cases we can observe significant increase in all types of Application for registration (first registration) cases, but there is also considerable increase in general business cases (changes in the registry, including cases of removing from registry).

In 2016 there were serious problems with the information system which is in use in electronic proceedings therefore the number of pending cases had increased.

Q97 (2010): In the frame of the 2010 exercise it was explained that the Poland judiciary system was struggling with delays especially in respect of "other than criminal cases". There was an ongoing research in the Ministry of Justice concerning the structure of pending cases. The analysis of the gathered data indicated that the major drawback was connected to simple civil cases. The increase of the number of pending cases was also the result of the overall increase of incoming cases.

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Q099 (2016): In regard to administrative law cases the administrative cases are excluded from the jurisdiction of the common courts. Administrative cases are proceeded by the Voivodship Administrative Courts and Supreme Administrative Court, which are only competent to proceed such cases.

Q99 (2012): In the frame of the 2012 exercise, it has been indicated that the Supreme Court provided the Ministry of Justice with data set that allowed summing up non-criminal cases with administrative cases of the Supreme Administrative Court. Therefore it was possible to include both data-sets.

Q101 (2016): The growth of the number of insolvency cases is a result of the amendment of The Bankruptcy and Reorganisation Act which entered into force on the 31 December 2016.

It should be noted, that this is a very important change, which simplifies the submission of requests for consumer bankruptcy. It also implemented solutions for insolvent consumers which facilitate reaching deal with their creditors. The amended regulations do not establish automatisations in declaring consumer bankruptcy - it is still a legal proceeding. Every time the consumer must fulfil a number of conditions, which are subject to an individual assessment conducted by the judge.

Since the implementation of this act, the number of incoming insolvency cases has increased significantly (300 in 2014, 8694 in 2016).

Portugal

Q091 (2016): " Item 91-1 “Civil (and commercial) litigious cases”, includes the case-flow of civil justice, labour justice and juvenile justice. It does not include civil and labour enforcement cases. On 1 September 2013, the new Code of Civil Procedure entered into force, establishing a new regime for the enforcement action in Portugal, based on a new paradigm, which states that the processes that run in court must stand out clearly - those who are dependent on the commission of an act of the judge or the secretary – from those who run out of court. This new model, which enables a new way of organizing tasks, of work monitoring and of differentiating responsibilities is provided for in Article 551, paragraph 5 of the new Code of Civil Procedure. This new system follows more closely the current model in other countries and, without prejudice to the specificities of each planning and method of statistical production, will facilitate the future approach to a comparison of the Portuguese system with that of other countries. From a statistical point of view, this new model has not yet however been reflected in numbers, as work is still on-going aimed at demarcating the procedures that are in court, waiting for an act, from those that are being handled by other entities. Since is not yet possible to provide figures that reflect the amount of work taken on by the courts as referred above, the data does not include civil and labour enforcement cases. The data on enforcement cases for the year 2016 is: pending cases on 1 Jan. 2016: 934.860; incoming cases: 158.164; resolved cases: 289.402; pending cases on 31 Dec. 2016: 803.622. These numbers correspond to the total number of existing procedures in Portugal in 2016, following the existing model prior to the entry into force of the said legal diploma. For this reason, the alerts and notes transmitted in previous years with regard to comparisons between countries still remain. A comparative reading of these values must, as we have repeatedly drawn attention, be very cautious, refraining from any comparison in terms of volume or duration of cases and should be limited to the evaluation of the development indicators. Item 91_3 “Administrative law cases”, includes administrative and tax cases. The separate data on tax cases is as follows: pending cases on 1Jan. - 53.597; incoming cases - 16.445; resolved cases - 20.222; pending cases on 31 Dec. - 49.820. Regarding the decrease in the number of incoming administrative law cases, it results from the decrease in the number of incoming tax law cases, in particular in what concerns misdemeanour appeals".

Q91 (2015): The category “civil (and commercial) litigious cases” includes the case-flow of civil justice, labour justice and juvenile justice. It does not include civil and labour enforcement cases. On 1 September 2013, the new Code of Civil Procedure entered into force, establishing a new regime for the enforcement action in Portugal, based on a new paradigm, which states that the processes that run in court must stand out clearly - those who are dependent on the commission of an act of the judge or the secretary – from those who run out of court. From a statistical point of view, this new model has not yet however been reflected in numbers, as work is still ongoing aimed at demarcating the procedures that are in court, waiting for an act, from those that are being handled by other entities. It is not yet possible to provide figures that reflect the amount of work taken on by the courts as referred in that table. Just for information, the data on the total number of existing enforcement procedures in Portugal in 2015, following the existing model prior to the entry into force of the said legal diploma is the following: pending cases on 1 Jan. 2015: 1.000.446; incoming cases: 199.359; resolved cases: 272.191; pending cases on 31 Dec. 2015: 927.614.

The category “administrative law cases” includes administrative and tax cases. The separate data on tax cases is the following: pending cases on 1Jan - 47.866; incoming cases - 24.808; resolved cases - 19.164; pending cases on 31 Dec. - 53.510.

Q91 (2014): For the 2014 exercise, data are not available due to technical constraints that resulted from the disruption of communications between the informatics system that supports the courts activity and the Justice Statistics Information System. The Portuguese Ministry of Justice is working and strongly committed in recovering the information missing in order to establish the normal functioning of the System. Other activities are in course, namely to ensure the accuracy of these data. Data regarding enforcement proceedings and insolvency proceedings are to be due at the end of 2015.

Q91 (2013): With regard to the increase observed in respect of the number of resolved non-criminal cases and the number of resolved enforcement cases between 2010 and 2013, it is noteworthy that Portugal took important measures in order to improve the courts clearance rate and backlogs. Within these procedures, some measures were focused primarily on enforcement cases, since they represent 70% of the total of pending cases. For example, the government adopted measures with the purpose to eliminate cases where there are no assets to execute or no procedural momentum, as well as measures with the aim to limit the number of incoming cases, establishing initial court fees. In what concerns structural measures, it should be noticed that the new Procedural Civil Code has been adopted in September 2013. In addition, courts with excessive number of pending cases were subject to particular assistance of specialized teams.

Q91 (2012): With regard to the total number of incoming non-criminal cases and the total number of incoming enforcement cases, the figures provided for 2012 reflect the effects of the entry into force of Decree 113-A/2011 of 29 November, which proceeds to a major judiciary reorganization. These figures reflect the corresponding movement of cases between organizational units. As a result, in 2012 a higher number of cases that have not entered ex novo in the Portuguese courts were taken into account. These cases have ended in the unit/court where they left and entered into the new courts where they were transferred.

Q91 (2010): In the frame of the 2010 exercise, it has been specified that the total of civil and commercial litigious cases includes the case flow of civil justice, civil-labour and juvenile justice. The number of enforcement cases encompasses de case flow of civil justice and civil-labour enforcement.

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Q92 (2013): On the occasion of the 2010, 2012 and 2013 exercises, it has been specified that the category of civil (and commercial cases) litigious cases includes the case flow of civil justice, labour justice and juvenile justice.

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Q097 (General Comment): Since 2007, statistical data concerning pending cases in 2nd instance judicial courts are collected through the courts information systems. Being a dynamic system, allowing regular corrections and up-dating, this data collection may lead to oscillation data from previous years resulting in variations in pending cases.

In Portugal, there are not non-litigious cases in superior courts.

The category "other" does not exist in the higher instances.

It is noteworthy that before 2015, data concerning the total of "other than criminal law cases" did not include administrative law cases. Since 2015, administrative law cases are included in the total which explains the significant increase of cases.

Q097 (2016): There is no specific explanation as regards the increase in the number of civil and commercial litigious cases pending on 1 January 2016.

Q97 (2015): The question 97_3 "Administrative law cases", includes administrative and tax cases.

Q099 (General Comment): In Portugal, there are not non-litigious cases in superior courts.

The category "other" does not exist in the higher instances.

It is noteworthy that before 2015, data concerning the total of "other than criminal law cases" did not include administrative law cases. Since 2015, administrative law cases are included in the total which explains the significant increase of cases.

Q99 (2015): The question 99.3 "Administrative law cases", includes administrative and tax cases.

Q99 (2010): In the frame of the 2010 exercise, it has been explained that the decrease of the total of pending on 31 December 2010 “other than criminal cases” is due to the amendment carried out to the legal regime of the civil appeals (Decree-Law 303/2007, of 24 August). It resulted in the adoption of measures designed to streamline the access to the Supreme Court of Justice. As a paradigmatic example of these measures, it should be referred that the value of the upper limit set for the High Courts has increased. Thus, in 2010, and compared with 2008, there has been a decrease in the number of incoming cases, followed by an increase in the number of completed cases greater than the number of incoming cases, which has led to a decrease in the number of pending cases.

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Q101 (General Comment): Since 2007, statistical data concerning pending cases in 1st instance judicial courts are collected through the courts information systems. Being dynamic systems, allowing regular corrections and up-dating, the data collection may lead to oscillation data from previous years resulting in variations in pending cases.

Q101 (2016): - The decrease in the number of pending cases in the beginning of 2016 in relation to 2015 in respect of litigious divorce cases, employment dismissal cases and insolvency is explained by the fact that the number of resolved cases in 2015 was superior to the number of incoming cases that year. There is no specific explanation as regards the decrease in the number of these cases (for example legislative changes). However the decrease of these cases follow the general trend of the decrease of incoming and pending cases in civil and labour matters.

- The decrease in the number of pending cases in the end of 2016 in relation to 2015 in respect of litigious divorce cases, employment dismissal cases and insolvency is explained by the fact that the number of resolved cases in 2016 was superior to the number of incoming cases that year. There is no specific explanation as regards the decrease in the number of these cases (for example legislative changes). However the decrease of these cases follow the general trend of the decrease of incoming and pending cases in civil and labour matters.

Q101 (2015): The decrease in the number of employment dismissal cases follow the general trend of the decrease of incoming and pending cases in labour matters.

Q101 (2013): In the frame of the 2013 exercise, it has been indicated that the number of incoming litigious divorce cases is decreasing since 2010, entailing the decrease of the number of pending cases. In this respect, between 2010 and 2013, the clearance rate has remained stable, with values above 100%. Another relevant explanation is the decreasing of the number of marriages in these last years.

With regard to the category “insolvency cases”, in 2012, legislative and other measures were adopted with the objective to accelerate procedural times of insolvency cases. These measures have allowed courts to respond more promptly to the increasing number of insolvency cases. Accordingly, a huge increase of resolved insolvency cases can be observed between 2010 and 2013.

Romania

Q091 (2016): In the national Statis system, the cases are recorded on different categories of pending cases. So, in the last column, there are number of cases pending for more than 3 years instead of 2.

The high clearance rate of administrative cases has led to lower significantly the number pending cases. The increase of the number of incoming cases is a consequence of a higher number of requests filed in administrative domain that also triggers an increase in the number of resolved cases. The decrease in the number of non-litigious pending cases as well as "other" pending cases is mostly due to lower number of incoming ases.

Q91 (2014): By the decision n° 46/2012, the Superior Council of Magistracy has decided that all the courts will implement by 1 January 2014 the IT system of collecting data. The new method is based on new definitions of the indicators. Accordingly, a case is transferred from the field “stocks” to the field “closed” only when the final decision, including its reasoning is drafted signed and communicated to the parties. For that reason, the number of pending cases on 31 December 2013 cannot be identical with the number of pending cases on 1st January 2014.

The initial total number of pending cases has increased as a result of reporting the data into Ecris database. The number of incoming cases and this of resolved cases are comparable from one year to another for the period 2010-2013. The stocks at the end of the period is in relation to the adjustment of the stocks at the beginning of the period, but comparable with 2012.

Concerning the number of administrative law cases the workload has constantly decreased starting with 2012. The increase of stocks initially communicated for 2013 comes from the high number of incoming cases in 2012. The final stock of 2014 is lower also because of the lower number of the new cases in 2013. It may also be noticed that the new cases closed in 2013 was higher than in 2012. The high decrease in the number of incoming, resolved and pending administrative law cases on 31 December between 2013 and 2014 is progressive and is caused by the social climate.

Q91 (2013): With regard to the category “civil and commercial litigious cases”, because of the delays between hearings that are often very long (usually the first hearing is determined by an electronic system after a long period of time, in relation with the actual workload of judges), the new entered files are not usually finalised within a year.

With regard to the category “civil and commercial non-litigious cases”, all the indicators kept a growing trend in 2012 and 2013. As for the stock of files (pending on 31.12), the increase between 2012 and 2013 is due to the fact that during the same period the number of resolved files has also decreased.

As to the trends observed in 2013 in respect of the “non-litigious enforcement cases” and “non-litigious land registry cases”, data are correct.

As to the category “administrative law cases”, the big differences have always been a reason for concern and continuous analysis. In the report on the status of Judiciary on 2012, it was noted that “in the administrative contentious and fiscal matters, the most of the cases were related to the restitution of the tax for pollution, but also to the obligation of the authorities to register the vehicles, without the payment of the tax for pollution (obligation to perform)”. It should be mentioned that the actions of the legislative have led to the growth of the number of administrative cases in the past 5 years, at tribunals with more than 400% and at the courts of appeal with around 200%.

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Q91 (2010): In 2010, the increase of the number of pending cases before first instance courts fitted within the general trend of increase of the total workload for the respective period of time at national level. As it can be noticed, the number of incoming cases also increased significantly as well as other indicators. The factors influencing the number of new cases within the court were not inherent to the judicial phenomenon.

Although the number of resolved cases increased during the respective period, the fact that the number of the new cases was significantly higher (including the already existing cases) led to a higher final stock of cases at the end of the reference period.

Q91 (2010): In 2010, the increase of the number of pending cases before first instance courts fitted within the general trend of increase of the total workload for the respective period of time at national level. As it can be noticed, the number of incoming cases also increased significantly as well as other indicators. The factors influencing the number of new cases within the court were not inherent to the judicial phenomenon.

Although the number of resolved cases increased during the respective period, the fact that the number of the new cases was significantly higher (including the already existing cases) led to a higher final stock of cases at the end of the reference period.

Q092 (General Comment): Comment valid for 2010-2015 exercises

The category “civil and commercial non-litigious cases” encompasses divorce by the agreement of the parties, granting of legal personality, modification of the constitutive acts of legal persons, requests related to unions, other non-litigious requests according to the Civil Procedure Code and the Civil Code (civil, litigation with professionals, minors and family).

Q097 (General Comment): It is worth specifying that, since 2010, the first table (question no. 91) centralizes all the first instance cases (irrespective of the level of the courts), the second table (question no. 97) centralizes all the second instance cases – appeal (irrespective of the level of the court) and table no. 3 (question no. 99) shows the statistical data on all second appeal cases (last instance cases) from all courts (irrespective of their level).

Q097 (2016): In the national Stasis system, the cases are recorded on different categories of pending cases. So, in the last column, there are number of cases pending for more than 3 years instead of 2.

The decrease in the number of total other than criminal as well as civil and commercial litigious and non-litigious cases compared with 2014 is the effect of the application of the new codes.

Q97 (2014): By the decision n° 46/2012, the Superior Council of Magistracy has decided that all the courts will implement by 1 January 2014 the IT system of collecting data. The new method is based on new definitions of the indicators. Accordingly, a case is transferred from the field “stocks” to the field “closed” only when the final decision, including its reasoning is drafted signed and communicated to the parties. For that reason, the number of pending cases on 31 December 2013 cannot be identical with the number of pending cases on 1st January 2014.

The meaningful increases in figures observed between 2012 and 2014 are due to the fact that, in relation to the appeal, beyond the differences recorded in Stasis, there was a change of jurisdiction in civil matters. Accordingly, the appeal (apel) became the main instrument to challenge a decision.

Q97 (2013): With regard to the category “civil and commercial litigious cases”, the observed evolutions between 2010 and 2013 are due to the fact that following the changes in the procedural provisions in the new codes, the jurisdiction of the courts on judging appeals and second appeals has changed. Accordingly, the number of appeals in the new Civil Procedure Code includes the number of appeals and second appeals from the old Code. Thus, even if the number of solved files in second instance is higher in 2013 than in the previous year, the number of new appeals (incoming cases in second instance) is higher. This explains the growth of the workload in the last period of time on these courts, although previously the trend was descending.

With regard to the category “civil and commercial non-litigious cases”, the analysis of data and the noticed evolutions and variations between 2010 and 2013 should be qualified. In fact, the figures are not so high and the growth and regress of a few cases during one year lead to relatively important variations. For example, a growth of only 8 cases at the end of the year will reflect a growth of 35%. The same reasoning should be applied with regard to the category “non-litigious land registry cases” where a growth of only 122 cases at the beginning of the year will reflect a growth of over 40%.

In respect of the category “non-litigious enforcement cases”, the considerable increases between 2010 and 2013 with regard to all the items (pending cases, incoming and resolved) were the consequence of the new distribution of competences between courts. Since 2013, all the enforcement cases are in the jurisdiction of the courts of appeal. The number of cases in third instance decreased correlatively.

Following the changes in the procedural provisions made in 2013, the second appeal, as means of review in the field of non-litigious business registry, became appeal, in accordance with the new principles of the Civil Procedure Code as regards the means of review.

Q099 (General Comment): Comment valid for 2010-2015 exercises

It is worth specifying that, since 2010, the first table (question no. 91) centralizes all the first instance cases (irrespective of the level of the courts), the second table (question no. 97) centralizes all the second instance cases – appeal (irrespective of the level of the court) and table no. 3 (question no. 99) shows the statistical data on all second appeal cases (last instance cases) from all courts (irrespective of their level).

Q099 (2016): In the national Stasis system, the cases are recorded on different categories of pending cases. So, for the last column, there are mentioned the numbers for cases pending for more than 3 years. As result of the changes in the procedural provisions in the new codes; the jurisdiction of the courts on judging appeals and second appeals has changed and some of the cases that were under the jurisdiction of the High Court are now under the jurisdiction of the courts of appeal Consequently the number of cases in Supreme court shows significant decrease in all categories.

Q99 (2014): By the decision n° 46/2012, the Superior Council of Magistracy has decided that all the courts will implement by 1 January 2014 the IT system of collecting data. The new method is based on new definitions of the indicators and offers data with greater value for 2014. This partly explains the considerable increase of the number of pending administrative cases on 1st January between 2012 and 2014. Besides, the number of incoming cases in 2013 was higher than in 2014.

Q99 (2013): In respect of the administrative law cases, until 2013, there was only a second appeal that is encompassed in the answers to question 99.

Q101 (2016): The decrease of pending Employment dismissal cases is due to high Clearance Rate in 2015.

Q101 (2015): One may notice an important decrees of first instance new cases in administrative law and insolvency as a cause of legislative amendments dating from 2012. The same reason is for increases of numbers in appeal and decreases in second appeal, except for special laws like administrative law.

Q101 (2014): By the decision n° 46/2012, the Superior Council of Magistracy has decided that all the courts will implement by 1 January 2014 the IT system of collecting data. The new method is based on new definitions of the indicators. Accordingly, a case is transferred from the field "stocks" to the field "closed" only when the final decision, including its reasoning is drafted signed and communicated to the parties. For that reason, the number of pending cases on 31 December 2013 cannot be identical with the number of pending cases on 1st January 2014.

The decrease of the number of resolved litigious divorce cases between 2013 and 2014 was due to the socio-economic conditions.

Q101 (2013): In respect of the category "litigious divorce cases", the decrease of the number of cases in 2013 may have social causes and may also reflect the alternative instruments to litigious divorce (.g. divorce in front of notaries).

Q101 (2012): In respect of the category "litigious divorce cases", the decrease of the number of cases in 2012 may have social causes and may also reflect the alternative instruments to litigious divorce (.g. divorce in front of notaries).

Slovakia

Q091 (2016): The new structure of data presented by the Ministry of Justice might cause the discrepancies and incompatibility of the data with the previous cycles. As regards the category "general civil non-litigious cases" we notices the decrease of incoming cases as of the year 2013. In this cycle the succession cases were classified as "Other non litigious cases" while in previous years they were classified as "general civil (and commercial) non litigious cases."

Q91 (2014): In 2014, it is possible to notice a general increase of the number of incoming and pending other than criminal law cases at all levels of the judiciary. This is mainly a consequence of the increase of the number of litigious cases. The Slovak judicial system for a several years faces significant increases of claims filed with the courts by debt-collecting companies and non-bank loan companies against consumers, as well as class actions of one private company against the State for alleged damages etc. The capacity of judges and court staff to resolve all the cases in a short time is limited.

The higher number of resolved administrative cases in the year 2014 was achieved by the intensive effort to reduce the existing backlogs in administrative cases.

Q91 (2013): For 2013, a general remark was provided in respect of questions 91, 97 and 101, explaining that there were no specific reasons justifying the variations in the numbers of cases of the particular categories. It was stressed that the Slovak judicial system was facing different types of claims which massively loaded courts of all instances. For example, there was a huge number of legal actions arisen from the loans provided by the so called "non-bank loan companies" where courts had to consider constant violations of the consumer protection law. Besides, there was a huge number of class actions against the State, carried out by one of the non-bank companies for alleged damages etc. The capacity of the court staff to resolve all of the filed cases in the appropriate time period was limited despite the measures which have been taken. In spite of the positive trend concerning the increase of the number of total resolved cases, the number of incoming cases was increasing even more, causing backlogs.

Q91 (2012): The number of pending enforcement and business registry cases was gradually and considerably decreasing over the period 2011-2012. As concerns the variation noticed in respect of the number of incoming and resolved administrative law cases, it was due to the fact that in 2010 a meaningful number of specific collective claims were filed and resolved.

Q91 (2010): In the frame of the 2010 exercise, it was specified that the number of enforcement cases did not include enforcement cases executed by private distrainers. It subsumed only enforcement proceedings before courts intended to enforce financial claims of the Judicial Treasury, arisen from the unpaid court fees and the costs of the State. The number of resolved cases exceeded the number of incoming cases, because courts decided the older unresolved cases (the backlog).

Q91 (2010): In the frame of the 2010 exercise, it was specified that the number of enforcement cases did not include enforcement cases executed by private distrainers. It subsumed only enforcement proceedings before courts intended to enforce financial claims of the Judicial Treasury, arisen from the unpaid court fees and the costs of the State. The number of resolved cases exceeded the number of incoming cases, because courts decided the older unresolved cases (the backlog).

Q092 (General Comment): The category "civil (and commercial) non-litigious cases" includes all cases arisen from legal relationships regulated by the family law (maintenance cases, custody of the child, visiting rights, guardianship, divorce cases with the ruling on rights and obligations towards the minor child etc.), cases related to assessment of the legal capacity of natural persons, requests for legal assistance.

Q093 (General Comment): The category "other" encompasses bankruptcy and debt restructuring cases, enforcement cases including decisions on the enforcement permission for the enforcement agents, enforcement of court rulings on the visiting rights to minor child and enforcement of court fees receivables.

Q097 (General Comment): The new structure of data for year 2016 presented by the Ministry of Justice might cause the discrepancies and incompatibility with the previous cycles. At the level of the appeal courts the category "non-litigious cases" include appeals against the decision in cases related to minor child, inheritance cases, enforcement cases. The number of "administrative law cases" at the level of appeal courts encompasses appellate administrative cases dealt with by the Regional courts only (appeals lodged against decisions held by the District courts). The appeals against the decisions of the Regional courts as the administrative courts are tried by the Supreme court whose statistical data are included in Q 99.

Q97 (2014): In respect of the variations observed in 2014 with regard to the category "administrative law cases", it is worth mentioning that the low number of cases makes small absolute variation large in relative terms.

Q97 (2013): For 2013, a general remark was provided in respect of questions 91, 97 and 101, explaining that there were no specific reasons justifying the variations in the numbers of cases of the particular categories. It was stressed that the Slovak judicial system was facing different types of claims which massively loaded courts of all instances. For example, there was a huge number of legal actions arisen from the loans provided by the so called "non-bank loan companies" where courts had to consider constant violations of the consumer protection law. Besides, there was a huge number of class actions against the State, carried out by one of the non-bank companies for alleged damages etc. The capacity of the court staff to resolve all of the filed cases in the appropriate time period was limited despite the measures which have been taken. In spite of the positive trend concerning the increase of the number of total resolved cases, the number of incoming cases was increasing even more, causing backlogs.

Q97 (2010): In 2010, there was a significant increase of the number of incoming civil cases, while the number of resolved cases did not increase sufficiently. Therefore, the number of pending cases in the end of the year increased.

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Q099 (General Comment): The collected statistical data for the Supreme Court do not distinguish the litigious and non-litigious cases. In the civil and commercial matters the Supreme court decides primarily on the applications for appellate review on legal questions. In the commercial cases it decides also in the appellate procedure against the decisions of the Regional courts as the courts of first instance. The administrative cases at the Supreme Court level includes the remedy procedures against the decisions of the Regional courts as the courts of first instance. Depending on the type of the administrative procedure it might be appeal procedure or the cassation review procedure.

Q099 (2016): The enormous increase of the incoming cases is related to consumer protection in civil and enforcement procedure.

Q99 (2013): For 2013, a general remark was provided in respect of questions 91, 97 and 101, explaining that there were no specific reasons justifying the variations in the numbers of cases of the particular categories. It was stressed that the Slovak judicial system was facing different types of claims which massively loaded courts of all instances. For example, there was a huge number of legal actions arisen from the loans provided by the so called "non-bank loan companies" where courts had to consider constant violations of the consumer protection law. Besides, there was a huge number of class actions against the State, carried out by one of the non-bank companies for alleged damages etc. The capacity of the court staff to resolve all of the filed cases in the appropriate time period was limited despite the measures which have been taken. In spite of the positive trend concerning the increase of the number of total resolved cases, the number of incoming cases was increasing even more, causing backlogs.

Q101 (General Comment): Comparison with previous cycles is not possible due to the change of methodology of calculation of cases introduced by the Analytical centre. The methodology now can identify cases finalised at each instance. The inconsistency between pending cases at the beginning of 2016 and pending at the end of 2015 is disturbed because of introduction of new methodology of calculation by the Analytical centre .

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Slovenia

Q091 (2016): In recent years, the number of incoming cases is generally decreasing due to several reasons, partly due to a better economic situation in Slovenia and mainly to a successful introduction of new business models in the Slovenian judiciary (informatisation, change of perception when litigants and debtors do not see any profit in prolonging court procedures, gradual settlement of case-law). Considering the higher number of incoming cases (number of pending cases is approx. 20%-30% of all incoming cases), a slight variation in incoming cases might have a considerable effect on the number of pending cases. For discrepancies, see general comments.

Q91 (2015): Differences in incoming and pending cases (2., 2.1, 2.2, 2.2.1, 2.2.2 - Non litigious cases):

- In recent years, the number of incoming cases is generally decreasing due to several reasons, partly due to a better economic situation in Slovenia and mainly to a successful introduction of new business models in the Slovenian judiciary (informatisation, change of perception when litigants and debtors do not see any profit in prolonging court procedures, gradual settlement of case-law).
- Considering the higher number of incoming cases (number of pending cases is approx. 15%-20% of all incoming cases), a slight variation in incoming cases might have a considerable effect on the number of pending cases.

Q91 (2014): In the frame of the 2014 exercise the distribution was the following:

1. 'Civil (and commercial) litigious cases' at first instance includes: P, R, Pom, Pom-i, Pg, Pd, Ps, R, Pom.
 - 2.1 „General civil (and commercial) non-litigious cases“at the first instance includes□
 1. (former category 2. „General civil (and commercial) non-litigious cases“): N, Ng, Pl, Plg, D, Pr; and 2. (former category 3. ' Non litigious enforcement cases'): I, Ig, In, VL, Z, Zg and R-i.
 - 2.2.1. 'Non litigious land registry cases' at first instance includes (at local courts): Dn, Sdn, Rz.
 - 2.2.2 'Non-litigious business registry cases ' at first instance includes (at district courts): Srg and R-Srg.
 - 2.2.3. 'Other registry cases': NAP.
 - 2.3. 'Other non-litigious cases': NAP
 3. 'Administrative law cases' at first instance include (at the Administrative court): U, I Up, II Up.
 4. „Other cases“ at first instance includes: Bpp ,COVL, Ov-i, Ov-H and St [(St-01), (St-02), (St-03), (St-04) (St-05)].
- In previous cycles, all the mentioned Insolvency (St) cases have been accounted in former category 1. 'Civil (and commercial) litigious cases'."

The number includes the labour law and social law cases, due to their similarity to litigious cases in material (employment contract derives from civil law contract) and procedural (the court procedure in labour and social cases is based on general civil law procedure) aspects. The fore mentioned cases are decided before specialised labour and social law courts and not the courts of general jurisdiction.

Q91 (2013): In the frame of the 2013 exercise the distribution was the following:

- Civil and commercial non-litigious cases at first instance include: N, Ng, Pl, Plg, D, Pr.
- Civil and commercial litigious cases at first instance include: P, R, Pom, Pom-i, Pg, St [(St-01), (St-02), (St-03), (St-04) (St-05)], Pd, Ps, R, Pom.
- Non-litigious enforcement cases at first instance include (all of them are at local courts): I, Ig, In, VL, Z, Zg, R-i.
- Non-litigious land registry cases at first instance include (at local courts): Dn, Sdn, Rz.
- Non-litigious business registry cases at first instance include (at district courts): Srg, R-Srg.
- Administrative law cases at first instance include (at the Administrative court): - U, I Up, II Up.
- "Other" civil law cases at first instance include: Bpp, COVL, Ov-i, Ov-H."
- Changes for Q 91 (as well as for Q 97):

1. In civil and commercial litigious cases (1st category) we included the labour law and social law cases that are proceeded by specialised labour and social law courts. For no specific reason they were not included in the reported figures on the number of first instance cases. We included them in the 1st category, since they are similar to litigious cases in material (employment contract derives from civil law contract) and procedural (the court procedure in labour and social cases is based on general civil law procedure) aspects.

2. Various cases – the cases that do not fit exactly to the determined types of civil, commercial, non-litigious, land and business registry, enforcement and administrative law cases, were previously included in other cases (7th category). We decided that 'Other cases' should include only cases outside of the above mentioned legal fields. As various cases do belong to all categories from the 1st to 6th, we included them in the categories that correspond to legal field of each type of various cases.

Variations: With regard to the category 'non-litigious business registry cases', the increase of the number of pending cases on 31 December 2013 can be explained with the fact that there were 8.000 more incoming cases in 2013 than in 2012, but courts were not able to handle the case-load (they solved 200 less cases than they had received). Consequently, the number of pending cases increased, but not as much as in the reported figures. There should be 772 pending cases on 31 December 2013, which is due to the problem with ensuring horizontal consistency' ".

Q91 (2012): In the frame of the 2012 exercise the distribution was the following:

"Civil and commercial non-litigious cases at first instance include: N, Ng, Pl, Plg, D and P."

Civil and commercial litigious cases at first instance include: P, Pg, St [(St-01), (St-02), (St-03), (St-04) (St-05)].

Non litigious enforcement cases at first instance include (all of them are at local courts): I-ns, Ig-ns, In, Nt*, I-vl*, Ig-vl*, VL, Z, Zg, R-i.

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

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

Administrative law cases at first instance include (at the Administrative court):- U.

"Other" civil law cases at first instance include: Pom , Pom-i, R, Rg, Ov-i, Ov-H, Bpp, COVL, II Upr, I Upr.□

* The following categories existed additionally in 2012:

- Nt – cases for enforcement of the non-monetary claim,□

- I-vl – cases for enforcement on the basis of authentic document resulting from the period before the establishment of the Central Department for Authentic Document,

- Ig-vl – enforcement on the basis of authentic document in commercial matters resulting from period before the establishment of the Central Department for Authentic Document,

Changes: In the category "Civil and commercial litigious cases at first instance" 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.

Variations: 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.

Q91 (2010): In the frame of the 2010 exercise the distribution was the following:

Civil and commercial non-litigious cases in the first instance include: N,Ng,D, different St, and Pr.

"Other" civil law cases in the first instance include: R, Pl, Pom, R , Plg , Pom-i , Ov-i, Ov-H, Zg, Bpp-d, II Upr, I Upr, Bpp-a .

Variations:

The decrease in the total number of other than criminal law cases from 443.133 pending cases on the 1 Jan. 2008 to 331.019 cases on the 1 Jan. 2010 can be partly attributed to the results of the Lukenda project. The number of resolved cases in 2008 and 2009 exceeded the number of incoming cases that caused the reduction in the number of pending cases. Partly, this is the result of the comprehensive state Lukenda project for the elimination of court backlogs that included a better equipment of the courts, particularly in terms of human resources (the number of judicial assistants has increased). On the other hand, the increase in the number of resolved enforcement cases can be attributed to technological developments (the creation of the Central department for enforcement on the basis of authentic documents that is supported by ICT).

Q91 (2010): In the frame of the 2010 exercise the distribution was the following:

Civil and commercial non-litigious cases in the first instance include: N,Ng,D, different St, and Pr.

"Other" civil law cases in the first instance include: R, Pl, Pom, R , Plg , Pom-i , Ov-i, Ov-H, Zg, Bpp-d, II Upr, I Upr, Bpp-a .

Variations:

The decrease in the total number of other than criminal law cases from 443.133 pending cases on the 1 Jan. 2008 to 331.019 cases on the 1 Jan. 2010 can be partly attributed to the results of the Lukenda project. The number of resolved cases in 2008 and 2009 exceeded the number of incoming cases that caused the reduction in the number of pending cases. Partly, this is the result of the comprehensive state Lukenda project for the elimination of court backlogs that included a better equipment of the courts, particularly in terms of human resources (the number of judicial assistants has increased). On the other hand, the increase in the number of resolved enforcement cases can be attributed to technological developments (the creation of the Central department for enforcement on the basis of authentic documents that is supported by ICT).

Q092 (General Comment): Please note: the letters in front of the lines stand for specific case registers.

The category „General civil (and commercial) non-litigious cases“ (2.1) at the first instance includes

- 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
- I – civil enforcement cases on the basis of an enforcement title,
- Ig – commercial enforcement cases on the basis of an enforcement title,
- In – cases for enforcement on real-estate property,
- 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 .

The N and Ng cases include different kinds of personal and family status, property and other procedures, according to the Non Contentious Procedure Act or other law (NCPA, art. 1).

Q92 (2014): 2014 Category 2.1 „General civil (and commercial) non-litigious cases“ at the first instance includes □

1. (former category 2. „General civil (and commercial) non-litigious cases“): N, Ng, Pl, Plg, D, Pr; and 2. (former category 3. ' Non litigious enforcement cases'): I, Ig, In, VL, Z, Zg and R-i.

Q92 (2013): 2013 Civil and commercial non-litigious cases at first instance include: N, Ng, Pl, Plg, D, Pr.

Q92 (2012): 2012 "Civil and commercial non-litigious cases at first instance include: N, Ng, Pl, Plg, D and P."

Q92 (2010): 2010: Civil and commercial non-litigious cases in the first instance include: N,Ng,D, different St, and Pr.

Q92 (2010): 2010: Civil and commercial non-litigious cases in the first instance include: N,Ng,D, different St, and Pr.

Q093 (General Comment): Category 4. „Other cases“ at first instance includes cases at following case registers:

- Bpp – free legal aid at district courts, labour courts and at the Administrative court,
- VL - enforcement cases on the basis of authentic document in civil matters before the writ for the execution became final (all cases processed at the Central Department for Authentic Document at the Local Court of Ljubljana – exclusive jurisdiction),
- Ov-i – international attestations at district courts,
- Ov-H – attestations according to the Hague convention at district courts.

Q93 (2014): 2014 4. „Other cases“ at first instance includes: Bpp ,COVL, Ov-i, Ov-H and St [(St-01), (St-02), (St-03), (St-04) (St-05)].

In previous cycles, all the mentioned St cases have been accounted in former category 1. 'Civil (and commercial) litigious cases'."

Q93 (2013): 2013 "Other" civil law cases at first instance include: Bpp, COVL, Ov-i, Ov-H."

Q93 (2012): 2012 "Other" civil law cases at first instance include: Pom , Pom-i, R, Rg, Ov-i, Ov-H, Bpp, COVL, II Upr, I Upr.

Q93 (2010): 2010: "Other" civil law cases in the first instance include: R, Pl, Pom, Plg , Pom-i , Ov-i, Ov-H, Zg, Bpp-d, II Upr, I Upr, Bpp-a .

Q93 (2010): 2010: "Other" civil law cases in the first instance include: R, Pl, Pom, Plg , Pom-i , Ov-i, Ov-H, Zg, Bpp-d, II Upr, I Upr, Bpp-a .

Q097 (General Comment): The distribution of cases for Q97 is the same as for Q91.

Inconsistences noticed are due the Data Warehouse system explained in Q91.

Q097 (2016): In recent years, the number of incoming cases is generally decreasing due to several reasons, partly due to a better economic situation in Slovenia and mainly to a successful introduction of new business models in the Slovenian judiciary (informatisation, change of perception when litigants and debtors do not see any profit in prolonging court procedures, gradual settlement of case-law). Considering the higher number of incoming cases (number of pending cases is approx. 20%-30% of all incoming cases), a slight variation in incoming cases might have a considerable effect on the number of pending cases.

Q97 (2015): Differences in incoming and pending cases (2., 2.1, 2.2, 2.2.1, 2.2.2 - Non litigious cases):

- In recent years, the number of incoming cases is generally decreasing due to several reasons, partly due to a better economic situation in Slovenia and mainly to a successful introduction of new business models in the Slovenian judiciary (informatisation, change of perception when litigants and debtors do not see any profit in prolonging court procedures, gradual settlement of case-law).

- Considering the higher number of incoming cases (number of pending cases is approx. 15%-20% of all incoming cases), a slight variation in incoming cases might have a considerable effect on the number of pending cases.

Q97 (2013): 2013 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.

Q97 (2012): 2012 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.

With regard to the category "administrative law cases, in the previous round we included appeals in administrative disputes, which are lodged with and dealt with by the highest instance court, namely the Supreme Court of the Republic of Slovenia in this category (Q 97.6). To ensure internally consistent answers we decided to provide the data in this chapter regarding the instance of the court that decides on the case not the instance of the procedure in which the cases is decided. This means that all the cases that are addressed by the Supreme Court of the Republic of Slovenia are taken into account at question 97.

Q97 (2010): In 2010, The decrease in the total number of other than criminal law cases from 7.629 pending cases on the 1 Jan. 2008 to 5.138 cases on the 1 Jan. 2010 can be partly attributed to the results of the Lukenda project. The number of resolved cases in 2008 and 2009 exceeded the number of incoming cases that caused the reduction in the number of pending cases. Partly, this is the result of the comprehensive state Lukenda project for the elimination of court backlogs that included a better equipment of the courts, particularly in terms of human resources (the number of judicial assistants has increased).

Q97 (2010): In 2010, The decrease in the total number of other than criminal law cases from 7.629 pending cases on the 1 Jan. 2008 to 5.138 cases on the 1 Jan. 2010 can be partly attributed to the results of the Lukenda project. The number of resolved cases in 2008 and 2009 exceeded the number of incoming cases that caused the reduction in the number of pending cases. Partly, this is the result of the comprehensive state Lukenda project for the elimination of court backlogs that included a better equipment of the courts, particularly in terms of human resources (the number of judicial assistants has increased).

Q099 (General Comment): The Supreme court has Criminal, Civil, Commercial, Labour and Social and Administrative department, The categories 1., 2.1 and 2.2.1 include corresponding cases from Civil, Commercial and Labour and Social departments registers. Category 3. includes registers of the Administrative department. The distribution of cases for Q99 is the same as for Q91.

Inconsistencies noticed are due the Data Warehouse system explained in Q91.

Q99 (2015): Differences in pending, incoming and resolved cases (2., 2.1, 2.2, 2.2.2 - Non litigious cases, 3. - Administrative cases):

- Differences are mainly due to the small absolute number of cases and the nature of the cases (most complicated cases).

Q99 (2014): 2014: Variations: The numbers in that almost all categories for 2014 deviates more than +/- 20% from the 2012 data. This is due to a small (absolute) number of cases but also because the number of judges is smaller when compared to first and second instance and a single absence due to prolonged illness has a significant impact on the solving of some types of cases. We also believe that changes in economy (financial crisis), as well as in legislation, had impact on the overall statistics, but since cases at the Supreme Court level are "filtered" through courts of first and second instance, a direct connection cannot be established.

Q99 (2012): 2012: The decrease 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 has risen and secondly, several judicial advisers were transferred from less burdened departments to those with more pending cases and consequently the productivity has risen and the number of pending cases decreased.

Q99 (2010): For 2010, The decrease in the several categories of cases is the result of the change in the Civil Procedure Act in 2008 that has introduced the leave to appeal for the extraordinary legal remedy of revision. According to the new legislation a panel of 3 judges of the Supreme Court is entitled to decide whether to let the panel of 5 judges decide on a revision. The revision is allowed only when it concerns a legal question on which the decision of the higher court departs from the case law of the Supreme Court, secondly, when it concerns a legal question on which there is no case law of the Supreme Court, especially if the case law of the higher courts is not settled and finally, when there is no settled case law of the Supreme Court on the issue.

Additionally, the number of senior judicial advisers that help judges in preparing the decision has increased as well, thus increasing productivity.

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Additionally, the number of senior judicial advisers that help judges in preparing the decision has increased as well, thus increasing productivity.

Q101 (2016): Differences (insolvency cases):

The effects of the past economic situation are still producing a high number of incoming insolvency cases, with a high percentage of personal bankruptcies. Following the legislation changes, introducing new, simplified types of (preventive) compulsory settlement, there has been an increase in pending cases due to the overburdening of courts with new cases, as well as lengthy procedures (the case cannot be resolved until the debtor's assets are liquidated – corporate; the case cannot be resolved until the end of probation period for the discharge of debt – personal insolvency; in this period the court cannot influence the duration and the case is still classified as not finished).

Q101 (2015): Differences (insolvency cases):

- The effect of the economic situation are still effecting a high number of incoming insolvency cases, with a high percentage of personal bankruptcies (approx. 70%). The recent legislation changes introduced new, simplified types of (preventive) compulsory settlement which also led to new incoming cases.

- The increase in pending cases is due to the overburdening of courts with new cases, as well as lengthy procedures (the case cannot be resolved until the debtor's assets are liquidated – corporate; the case cannot be resolved until the end of probation period for the discharge of debt – 2-5 years; in this period the court cannot influence the duration and the case is still classified as not finished).

Differences (robbery, intentional homicide):

- Differences are mainly due to the small absolute number of cases.

Q101 (2014): 2014 Firstly, the number of incoming insolvency cases is still high due to the effect of financial crisis, which left many companies and people on the verge of bankruptcy. A further increase in incoming cases can be attributed to the amendment of insolvency legislation in 2013, which abolished the right for legal persons to apply for legal aid for financing the advances of the costs of the bankruptcy proceedings (however legal persons are now exempt from paying the advance in bankruptcy proceedings in all cases, without having to apply for legal aid).

The number of pending cases increased and will probably increase even more due to the rules governing when the case is deemed resolved. For insolvency cases, this can occur when the assets are liquidated and the creditors are paid (or in case of personal bankruptcy, if the dismissal of debts was requested, until such decision takes place). In cases of big companies as debtors, the sale of all assets can take years; and in cases of physical persons the "probation" period, which lasts a minimum of 2 years and maximum of 5 years must elapse, before the court can decide on dismissal of the debts.

Q101 (2013): 2013 'The number of incoming insolvency cases constantly rises due to the effect of general economic crisis which resulted in a higher number of insolvent companies. The increase in the number of unresolved cases can also be attributed to a high number of proceedings of bankruptcies of physical persons. In these cases most debtors apply for conditional release of debt, where the trial period can last from 2-5 years'

Q101 (2012): 2012 The number of pending employment dismissal cases on 1 January 2012 decreased significantly because, basically, the employment dismissal cases are priority cases and labour courts pay special concern to promptly resolve these cases.

As robbery cases, were included in 2012 criminal offences defined in the Criminal Code as Robbery and Larceny in the Form of Robbery. As intentional homicide, were included criminal offences defined in the Criminal Code as Murder (which responds to Anglo-Saxon definition of first and second degree murder), Voluntary Manslaughter and Infanticide. The data includes criminal cases against adult and juvenile offenders, it does not include attempts.

Q101 (2010): The figures provided for 2010 in respect of the items "intentional homicide" and "robbery" represented the number of cases for murder (Article 127 of the old Criminal Code) or robbery (Articles 213 (89) and 214 (20) of the old Criminal Code). These data derive from crime statistical data collected by the Statistical Office of the Republic of Slovenia by means of statistical questionnaires answered by the public prosecutor's office and local and district courts. When more than one perpetrator participates in committing one criminal offence, each participant is a separate case. If one perpetrator commits several criminal offences, the attribute of the perpetrator is only the main criminal offence. The data are obtained based on search profile for "Adults against whom the criminal procedure before senate has been finished by sex, criminal offence, type of decision and duration of detention", for murder and robbery, on an annual basis. Not only convicted persons are included, but also the acquitted ones.

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Spain

Q091 (2016): Concerning the Administrative Law cases, between 2014 and 2016, the decrease of 'Pending cases' is probably because the number of resolved cases, both in 2015 and 2016 has been higher than the number of registered cases (reinforcement measures have been applied).

Q91 (2015): The horizontal consistency can not be respected because of reopened, cumulated and regularised cases. Law 10/2012 governing certain fees in the area of the Administration of Justice could explain (especially in Administrative Law cases) the decrease in the number of incoming administrative cases, and logically the decrease in the number of resolved and pending cases.

Q91 (2014): In the frame of the 2014 exercise, the decrease observed with regard to the category "civil and commercial litigious cases" in respect of all the items (pending, incoming, resolved, pending cases) has been justified by two main reasons. Firstly, since the payment order procedures do not need a decision made by a judge but are of the competence of the judicial counsellor, they have been subsumed in the category of non-litigious civil and commercial cases. Secondly, since paying court fees for natural persons has been compulsory until March this year, there has been a decrease in the incoming cases.

The decreases noticed in the number of pending administrative law cases on 1 January 2014 and the number of pending administrative law cases on 31 December 2014 are due to the decrease of the incoming administrative law cases in 2012. In this respect, it should be recalled that in 2012, there was a decrease of the number of files related to the Public Administration owing to two parameters: plaintiffs have been sentenced to pay the court fees, on the one hand, and, since 2012, they have to be assisted by a lawyer to file an administrative case, on the other hand.

Q91 (2012): In the frame of the 2010 and 2012 exercises, the lack of horizontal consistency with regard to the total number of pending cases on 31 December has been explained by the fact that inspection services are entitled to correct the number each time they find it inaccurate.

Owing to the economic crisis, the number of civil cases increased significantly, particularly this of small claims. In the frame of the 2012 exercise and with regard to the sub-category "incoming administrative law cases", a considerable variation can be noticed within the periods 2008-2010 and 2010-2012. The explanation lies in the meaningful increase of the number of these cases in 2010, due to the reduction of the salaries of civil servants. In 2012, this number decreased with the decrease of the number of files related to the Public Administration. Two main reasons are advanced in this respect: plaintiffs are sentenced to pay the court fees, on the one hand, and, since 2012, they have to be assisted by a lawyer to file an administrative case, on the other hand.

Besides the general explanation concerning the lack of horizontal consistency, it should be mentioned that this inconsistency is also a result of the inclusion within the table of data related to restarted procedures, while there is not a specific item dedicated to this category of cases.

Q91 (2010): In the frame of the 2010 and 2012 exercises, the lack of horizontal consistency with regard to the total number of pending cases on 31 December has been explained by the fact that inspection services are entitled to correct the number each time they find it inaccurate.

Owing to the economic crisis, the number of civil cases increased significantly, particularly this of small claims.

Q91 (2010): In the frame of the 2010 and 2012 exercises, the lack of horizontal consistency with regard to the total number of pending cases on 31 December has been explained by the fact that inspection services are entitled to correct the number each time they find it inaccurate.

Owing to the economic crisis, the number of civil cases increased significantly, particularly this of small claims.

Q92 (2014): For the 2014 exercise, the category "civil and commercial non-litigious cases" encompasses payment order procedures and requests for undisputed matters such as settlement proceedings and divorce with mutual consent.

Q92 (2012): For the 2010 and 2012 exercises, the category "civil and commercial non-litigious cases" includes non-litigious divorces and cases of voluntary jurisdiction and internments as well.

Q92 (2010): For the 2010 and 2012 exercises, the category "civil and commercial non-litigious cases" includes non-litigious divorces and cases of voluntary jurisdiction and internments as well.

Q92 (2010): For the 2010 and 2012 exercises, the category "civil and commercial non-litigious cases" includes non-litigious divorces and cases of voluntary jurisdiction and internments as well.

Q097 (General Comment): No general comment

Q97 (2015): Law 10/2012 governing certain fees in the area of the Administration of Justice could explain (especially in Administrative Law cases) the decrease in the number of incoming administrative cases, and logically the decrease in the number of resolved and pending cases.

Q97 (2014): For the 2014 exercise, the decrease of the number of pending administrative law cases in the beginning and in the end of the year is the result of the decreases observed and explained in first instance.

Q97 (2012): In the frame of the 2012 exercise, the lack of horizontal consistency with regard to the total number of pending cases on 31 December has been explained by the fact that inspection services are entitled to correct the number each time they find it inaccurate. Moreover, the horizontal inconsistency is also a result of the inclusion within the table of data related to restarted procedures, while there is not a specific item dedicated to this category of cases.

Q099 (General Comment): HORIZONTAL CONSISTENCY

When an error is detected in the statistics of a Court is allowed doing a regularization, what means that the Court communicates the correct figure and rectify the wrong one even if this does not concord with figures offered for previous exercises. This situation can happen for example in the control of cases that the Court makes when a Judge leaves the Court (called "alarde"), but in general, in any case in which the Lawyer of the Administration of Justice detects an error that comes from previous exercises but cannot be localized. The system prefers to correct the data than continue and amplify the error.

Q099 (2016): As concerns the variations observed between 2014 and 2016 regarding the categories "total of other than criminal law cases"; "civil and commercial litigious cases"; "administrative law cases", it should be noted that:

- the increase in the number of cases in civil matters is due to the increase in conflicts of competence entered and resolved. It has also increased the resolutions of appeals for unification of doctrine.

- the high increase in administrative matters is due to the massive presentation of claims for the State's patrimonial responsibility for the undue payment of the called "sanitary cent"; because of the Judgement of the Court of Justice of the European Union that declared contrary to Community law the Spanish law that authorized the Tax on Retail Sales of Certain Hydrocarbons.

Q99 (2015): Regarding administrative cases in 2015, there was a significant flow of incoming cases related with tax on retail sales of certain hydrocarbons. But before that, since 2011, the incoming administrative cases dropped due to the Law of courts' fees.

Q99 (2014): For the 2014 exercise, the decreases observed in respect of the number of pending administrative law cases in the beginning of the year and the number of resolved administrative law cases, are the result of the decreases observed and explained in first instance.

The increase in the number of pending civil and commercial litigious cases on 31 December between 2012 and 2014 is due to the economic crisis which resulted in the increase of the number of cases in the civil jurisdiction.

Q99 (2012): For the 2012 evaluation cycle, the category of civil and commercial litigious cases includes data on labour matters, special matters and military matters.

Q101 (General Comment): HORIZONTAL CONSISTENCY

When an error is detected in the statistics of a Court is allowed doing a regularization, what means that the Court communicates the correct figure and rectify the wrong one even if this does not concord with figures offered for previous exercises. This situation can happen for example in the control of cases that the Court makes when a Judge leaves the Court (called "alarde"), but in general, in any case in which the Lawyer of the Administration of Justice detects an error that comes from previous exercises but cannot be localized. The system prefers to correct the data than continue and amplify the error.

Q101 (2016): As concerns employment dismissal cases: in 2014, 2015 and 2016 an important decrease in the number of registered cases has been observed, while the resolved cases have kept similar numbers, so, every year the number of resolved cases has been higher than the number of registered cases. In respect of insolvency cases: the decrease in registered cases may be due to a certain decrease in some effects of the economic crisis.

Q101 (2015): The horizontal consistency can not be respected because of reopened, cumulated and regularised cases. Because of the economic restrictions and the increasing number of companies with financing problems, the number of employment dismissal cases and the number of insolvency cases brought to courts have remarkably increased in 2014.

Q101 (2014): Because of the economic restrictions and the increasing number of companies with financing problems, the number of employment dismissal cases and insolvency cases arriving to courts has remarkably increased in 2014.

Q101 (2010): As a result of the economic and financial crisis, the number of incoming employment dismissal cases increased between 2008 and 2010.

Q101 (2010): As a result of the economic and financial crisis, the number of incoming employment dismissal cases increased between 2008 and 2010.

Sweden

Q91 (2014): Till 2014 and the new CEPEJ methodology of presentation of data, the enforcement cases were not presented separately, but subsumed in the category of civil litigious cases.

Q092 (General Comment): The category of civil and commercial non-litigious cases includes joint petitions for divorce and cases related to custody of children.

Q093 (General Comment): For 2012, 2013 and 2014, the category "other cases" encompasses property cases, environmental cases, cases relating to the Planning and Building Act.

Q93 (2010): For 2010, the category "other cases" encompasses property cases and environmental cases.

Q93 (2010): For 2010, the category "other cases" encompasses property cases and environmental cases.

Q097 (General Comment): In respect of the discrepancies that can be observed between the number of pending cases indicated for December of one year and the number of pending cases communicated for January of the next year, it is noteworthy that it is possible to register data afterwards in the operational system Vera which is 'alive'. Accordingly, if one produces data for the same dates at two different moments, one can get small differences in the results.

Q097 (2016): The category "Other cases" include environmental and property cases as well as cases relation to the Planning and Building act and so called other cases. The administrative law cases are handled by the administrative courts of appeal.

Q97 (2015): The increase in the number of pending cases in second instance courts are explained mainly by an increasing number of social security cases from the administrative courts to the administrative courts of appeal.

Q97 (2014): In the frame of the 2014 exercise, it has been indicated that the decrease in the number of pending administrative cases on 1 January over the period 2012-2014 can be partly explained by the fact that one of the district administrative courts handled a large amount of social security cases (about 4 000 cases regarding a question of social security for sailors). These cases were appealed in 2011 and resolved in 2012. Also there was an overall increase of cases in the district courts in 2011 due to reforms on the local court level which led to an increase in resolved cases during 2012 on the district court level. The increase of the number of pending administrative cases on 31 December over the same period is mainly explained by a large number of social security cases concerning EU law which were appealed before the District Administrative court in Stockholm during 2014. In addition there were a large number of cases concerning VAT on printing services that were appealed during 2014.

Q97 (2010): In the frame of the 2010 exercise, it is specified that the category “other” encompasses environmental and property cases, as well as other cases. By contrast, in 2008, only environmental and property cases are included within this category, which explains the observed variation between the two years.

Q97 (2010): In the frame of the 2010 exercise, it is specified that the category “other” encompasses environmental and property cases, as well as other cases. By contrast, in 2008, only environmental and property cases are included within this category, which explains the observed variation between the two years.

Q99 (2015): The decrease in the number of pending cases is explained by a reduced inflow regarding the two main case categories in the Supreme Administrative Court, tax cases and social security cases.

Q99 (2014): The main explanation for the decrease of the number of administrative pending cases on 31 December between 2012 and 2014 lies in the general decrease of incoming cases (tax cases and social security cases). Besides, district courts focussed on resolving older cases.

Q101 (General Comment): In respect of the discrepancies that can be observed between the number of pending cases indicated for December of one year and the number of pending cases communicated for January of the next year, it is noteworthy that it is possible to register data afterwards in the operational system Vera which is 'alive'. Accordingly, if one produces data for the same dates at two different moments, one can get small differences in the results.

Table 4.1: Modalities of monitoring systems in 2016 (Q81, Q70)

States	Annual activity report	Total	Monitoring of the number of incoming cases	Monitoring of the number of decisions delivered	Monitoring number of postponed cases	Monitoring length of proceedings (timeframes)	Monitoring of age of cases	Monitoring of other elements
Austria		6						
Belgium		4						
Bulgaria		4						
Croatia		5						
Cyprus		5						
Czech Republic		5						
Denmark		6						
Estonia		6						
Finland		5						
France		6						
Germany		5						
Greece		4						
Hungary		6						
Ireland		3						
Italy		5						
Latvia		6						
Lithuania		6						
Luxembourg		5						
Malta		6						
Netherlands		4						
Poland		6						
Portugal		6						
Romania		6						
Slovakia		6						
Slovenia		6						
Spain		6						
Sweden		5						
Yes	21		27	27	24	27	22	16
No	6		0	0	3	0	5	11

Austria: The category other encompasses for example certain kinds of decisions, clearance rate (annually).

France: The category "others" includes the clearance rate (used by judicial courts), the state of the stocks per age group (used by administrative courts).

Poland: The category "other" concerns number of "old cases", types of cases, number of court sessions, written justification time.

Romania: The category "other" subsumes the length of administrative procedures, the number of final convictions, legal aid, suspended cases etc.

Slovakia: The category "other" encompasses: the number of cases according to types of disputes, the result of the case (reconciliation, dismissals, full satisfaction, partial satisfaction, etc.).

Spain: The category "other" encompasses: number of enforcement procedures, number of decisions appealed, number of rogatory letters issued, received and resolved.

Table 4.2: Performance and evaluation of the judicial systems in 2016 (Q77, Q73, Q73.1, Q66, Q67)

States	Performance and evaluation of courts at court level			National policies applied in courts and in public prosecutors services	
	Performance and quality indicators (Q77)	Regular evaluation system (Q73)	Evaluation of the court activity used for the later allocation of means (Q73.1)	Quality standards defined (Q66)	Specialised court staff entrusted with quality policy and/or quality system (Q67)
Austria					
Belgium					
Bulgaria					
Croatia					
Cyprus					
Czech Republic					
Denmark					
Estonia					
Finland					
France					
Germany					
Greece					
Hungary					
Ireland					
Italy					
Latvia					
Lithuania					
Luxembourg					
Malta					
Netherlands					
Poland					
Portugal					
Romania					
Slovakia					
Slovenia					
Spain					
Sweden					
Yes	24	22	17	14	7
No	3	5	10	13	20

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

Comments provided by the national correspondents

organised by country

Question 38: Implemented surveys aimed at legal professionals and court users to measure their trust in justice and their satisfaction with the services delivered by the judicial system

Question 66 Quality standards determined for the judicial system

Question 67 : Specialised court staff that is entrusted with these quality standards

Question 70): Within the courts, regular monitoring system of court activities

Question 73: System to evaluate regularly the activity (in terms of performance and output) of each court

Question 73-1: Evaluation of the court activity used for the later allocation of means to this court

Question 77 : Performance and quality indicators of court activities defined

Question 81 : Preparation of an annual activity report

Belgium

Q070 (2016): There could be ad hoc systems monitoring the court's activity within the different jurisdictions. However, there is no centralized monitoring system.

Q073 (2016): There could be ad hoc evaluation systems within courts. However, there is not a centralized or coordinated such system.

Q081 (2016): The report concerns the overall functioning of the court/public prosecution office (staff, logistics, organization, consultation structures, statistics, measuring of workload, measuring of existing backlogs). Reports on court/public prosecution office functioning are submitted to the head of the immediately higher jurisdiction, the Ministry of Justice, the Superior Judicial Council and the presidents of the Federal Legislative Chambers.

Bulgaria

Q70 (2010): In the frame of the 2010 exercise it has been noticed that courts activities are monitored every six months, regarding the duration of proceedings, namely those completed within three months.

Croatia

Q066 (2016): According to the Courts Act (Official Gazette, number 28/13, 33/15, 82/15), the president of the court evaluates the work of every single judge according to Framework for the workload of judges in the period of one year following the standards on the number of judgements delivered by a judge compared with the number of judgements that should have been delivered, according to the Framework for the workload of judges, result of work in different kinds of cases, respecting deadlines in delivery of judgements and drafting of judgements, quality of judgements on the grounds of expressed remedies in legal actions and other activities of judges.

Framework criteria are adopted by the Minister of Justice on the proposal of the General Assembly of Supreme Court. The Criteria prescribe the number of decisions that need to be rendered every year by a judge.

Q70 (2010): In the frame of the 2010 exercise, it has been highlighted that the president of each court monitors the judges' performances (prescribed number of decisions) and submits the data on that to the Ministry of Justice. Municipal courts submit their data directly to the Ministry, by means of e-Statistics application.

Q73 (2015): According to the Court Act, the president of court supervises accurate performance of court activities in due time. The president of court has a duty to write a report on the performed supervision and its results, as well as on the measures taken, at least once a month. The report has to be inserted into a case file of judicial administration. The president of court is obliged to ensure court efficiency in the resolution of cases, especially when it comes to the resolution of cases the procedure of which lasts more than three years.

The president of court, except for the president of the Supreme Court of the Republic of Croatia, has a duty to submit a report on the performed tasks of judicial administration, measures and activities undertaken to improve work and efficiency of the court in the resolution of cases. The report is to be submitted directly to a court of higher instance, to the State Judicial Council and the Ministry of Justice, once a year, at least before 31 March for the previous year.

The courts use special information systems for the management and operation of the courts' cases, which consist of standard applications, computer and telecommunications equipment and infrastructure, system software and tools and all the data that are entered, stored and transmitted in all of the registers of the system. Misdemeanour courts operate using JCMS (Joint Case Management System), while other courts of general jurisdiction and commercial courts use ICMS (Integrated Case Management System). Through these systems it is possible to regularly monitor and evaluate the activity, performance and output of courts.

Q081 (2016): The reason for change in answer from "Yes" to "No" is that since 2016 the Ministry of Justice has access to all data through eFile and other court systems, and courts no longer have the obligation to submit reports.

Cyprus

Q066 (2016): in practice there are quality standards.

Q66 (2015): In practice there are quality standards

Q66 (2014): In practice there are quality standards

Q081 (2016): The report is sent to the Supreme Court

Czech Republic

Q073-1 (2016): In 2015, a new policy from the Ministry of Justice resulted in the fact that the evaluation of the court activity is used for the later allocation of means to this court.

Q73-1 (2015): In 2015, a new policy from the Ministry of Justice resulted in the fact that the evaluation of the court activity is used for the later allocation of means to this court.

Q077 (2016): There are performance indicators such as number of cases that the judge should resolve within a month, but these are not so strictly binding.

Denmark

Q066 (2016): No, we use quantitative measures. Quality is measured as length of time to finalize a case.

Q66 (2015): The only standards are objective standards for example acceptable timeframes to finalize a case.

Q067 (2016): As above.

Q070 (2016): We also measure what we call "weighted cases" to have a measure for the activity.

Q073-1 (2016): Danish Court administration take action on the half-yearly figures where more extended reports and productivity figures are worked out. These data are used to allocate funds and judges etc.

Q077 (2016): In terms of productivity figures, weighted cases and target attainments.

Estonia

Q070 (2016): see general comments

Q073-1 (2016): It can be part of it but it's not a rule.

Q081 (2016): The reporting system has changed. There is no longer obligation to present reports to the Ministry of Justice. It only applies to cases older than 2 years.

Finland

Q66 (2015): There is a Quality Project of the courts in the jurisdiction of the Court of Appeal of Rovaniemi. (The jurisdiction of the Court of Appeal of Rovaniemi is the northernmost of the six appellate jurisdictions in Finland.) In 1999, the courts in the jurisdiction of the Court of Appeal of Rovaniemi launched a project for improvement of quality in adjudication. The quality project covers both civil cases and criminal cases. The objective of the quality project is to develop the functioning of the courts further and further so that the proceedings meet the criteria of a fair trial, that the decisions are well reasoned and justified, and that the services of the courts are affordable to the individual customers. 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. Each working group for quality is tasked to deal with one of the development themes which have been selected. 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 a quality project of the courts in the jurisdiction of the Court of Appeal of Helsinki. Quality Project consists of working methods of two kind: cooperation with the University of Helsinki and working groups. Working groups for quality are set up for each year. The membership consists of judges from District Courts, members of the Court of Appeal, referendaries of the Court of Appeal, prosecutors and lawyers. Each working group for quality is tasked to address to one of the development themes which have been selected. 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.

It is also worth mentioning that on 15 October 2009, the presidents of Finnish Courts of Appeal proposed that the Finnish Association of Judges should begin work on drafting ethical guidelines for judges. A working group was set and the draft on ethical principles was discussed widely. The principles were formally released at the Judge Day event held in Helsinki on 12 October 2012.

France

Q066 (2016): Quality standards developed for public administration are used in the judicial system. The charter of administrations thus sets the rules for the reception of courts' users for all courts and may give rise to certification. There are also local initiatives to establish a 'quality system' based on certification by an external body, which consists of establishing procedures describing the processes of reception, organisation of work, management of a case .

Q67 (2014): 2010: State prosecutors draw an annual report on the activity, management of their public prosecution office and on the enforcement of the law, as well as an annual report concerning the measures of custody and the condition of the custody facilities.

Q67 (2012): 2012: in French law on the judicial organisation, there is no statutory or regulatory requirement providing specialised staff in courts responsible for quality norms.

However, as part of the maintenance dialog to have operational resources, each court fills a document for the Ministry of Justice, comprising informations such as the number of handled cases, pending cases, the number of judges and administrative staff, as well as the performance objectives to reach. This document is not available on the intranet to all of the staff. Only agents of the Ministry in charge of the maintenance dialog have access to these figures thanks to appropriate softwares.

Q070 (2016): The number of cases being referred is an indicator used only by administrative courts. In civil and criminal matters, courts resort to specialized user software enabling them to monitor their activity. Data stemming from this specialized user software are automatically collected at national level through info centers; data are processed again, crossed between them and finally presented in tables and graphs. These data can be generated monthly, except for some specific activity data (criminal courts, juvenile judges, enforcement judges) which are available annually. The info centers ensure the statistical follow-up and the steering of courts activity. They allow the central administration preparing management dialogues in terms of performance.

Q70 (2015): The number of cases being referred is used only by administrative courts.
The rate of coverage of cases is used by judicial courts.
The state of stocks by age group is used by administrative courts.

Q70 (2014): 2013, 2014, the category "others" includes:

- the coverage rate of cases (used by judicial courts)
- the state of the stocks per age group (used by administrative courts)

It should be noted that concerning the indicators mentioned in the question, the number of appealed cases is only used by administrative courts.

Q70 (2013): 2013, 2014, the category "others" includes:

- the coverage rate of cases (used by judicial courts)
- the state of the stocks per age group (used by administrative courts)

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Q70 (2012): 2010, 2012: the category "others" includes the state of the stocks per age group. It should be noted that concerning the indicators mentioned in the question, the number of appealed cases is only used by administrative courts

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Q073 (2016): Administrative courts resort to monthly dashboards, while civil and criminal courts receive every three months a monitoring board concerning their activity, by means of a specialized user software.

Q73 (2014): 2012, 2013, 2014: for the administrative courts, the performance indicators comprised an estimate and objectives updated every three months. The activity is assessed every year in the administrative jurisdictions during management conferences. A monitoring board for the activity is transmitted every month to the heads of administrative jurisdictions.

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Q073-1 (2016): Annual conferences on management are organized either by the Ministry or by the General Secretariat of the State Council depending on the nature of the concerned jurisdictions – civil, criminal or administrative. During these conferences, analyses are carried out on the activity indicators for each court for the past year, while, against the background of the objectives that have been achieved, objectives and means in terms of credits and staff are determined for the coming year.

Q081 (2016): In compliance with the Code on Judicial Organization, civil and criminal courts present, orally or by means of management tools, their activity pertaining to the solemn hearings carried out in the beginning of every judicial year (in January). However, we cannot consider this practice as an activity report, in the general sense of the term.

Germany

Q66 (2013): For 2010, 2012 and 2013, no information was provided from Mecklenburg-Western Pomerania and Thuringia. Four Landers replied “Yes”, while the remaining Landers answered “No”. □

In Baden-Württemberg, the performance of each court is compared against the others in regard to number and duration of proceedings. Key performance indicators on performance ability of the courts are ascertained and compared at the Lander level.

A comprehensive quality management system has been introduced in Schleswig-Holstein at all courts and public prosecution offices. All of the accessible areas of the court administration are subject to quality management. Judicial independence and the professional independence of Rechtspfleger present natural constitutional and statutory boundaries that must always be considered.

In Brandenburg, a quality management system seeks to guarantee that quality demands that are statutorily prescribed, self-imposed, or demanded by users of the system are fulfilled with an optimal use of resources. These last years, a number of strategies have been implemented for ensuring quality in the justice system by means of cost and performance accounting, a controlling system, budgeting of personnel costs, benchmark procedures, balanced scorecard, the EFQM Model, various instruments for personnel and organisation development, calculation of personnel requirements, optimisation of business processes, surveys of attorneys, citizens, and employees, and evaluation instruments both for individual judicial and public prosecution work as well as for the courts and public prosecution offices as organisational units. The increased use of modern technology (e.g. Internet) has opened up the possibility for the justice system to reach a large number of citizens and, thus, to offer court users the best possible service. Likewise, the continuous expansion of electronic legal transactions offers new opportunities for improvement in the quality of the justice system with regard to the performance characteristics public accessibility and public service. However, the developments and models named are not uniformly established in the Lander.

In Lower Saxony, a quality strategy was developed through the surveys AgiL (performance comparison of local courts) and LiVE (performance comparison of regional courts). This is based on the assumption that it is possible to compare courts by the collection of data. Following the comparison, an analysis is conducted to determine the reasons for which better numbers are achieved at one court location over another. These are then discussed in expert groups and measures are developed to promote those tools that seem likely to succeed for the duties at all court locations. The surveys do not serve to evaluate individual employees but rather to uncover structures that promote performance, which can then be transposed. This quality management concept takes place together with judicial councils and personnel representatives.

Q70 (2014): In 2014, some of the Landers did mention a monitoring system concerning other court activities, namely statistics on the nature of resolution (e.g. in civil matters cases are dealt with by contentious judgment/by acknowledgement/by settlement, etc.).

Q70 (2013): In 2013, seven Landers communicated information on their regular monitoring system. For example, Baden-Württemberg referred to calculation of the specific personnel requirements on a mathematical-analytical basis. Bavaria mentioned the type of proceedings, form of decision, etc. for courts of labour and social jurisdiction and workload, ratio of part-time employees; average age of employees, training and sick days, duration of proceedings in months, ratio of appeals for courts of general jurisdiction. In Brandenburg, the number of pending cases and the ratio of terminated proceedings as against incoming cases are monitored.

Q70 (2012): For 2010 and 2012, five Landers did not provide any reply. Seven Landers communicated detailed information on their regular monitoring system of courts' activity. Among the main other monitored parameters are the deadlines for the drafting of judgments (Bavaria), the number of pending cases and the ratio of terminated proceedings as against incoming cases (Brandenburg), the nature of resolution – cases dealt with by contentious judgment, by acknowledgment, by settlement etc. (Hamburg), cases allocated among staff, i.e. caseload quota (Hesse); finance benchmarks, item costs, standardized deployment of person hours related to product (Saxony-Anhalt).

Q73 (2013): In respect of the 2010, 2012 and 2013 exercises no information was provided from Mecklenburg-Western Pomerania and Thuringia. Five States provided a positive reply, while the remaining Landers answered “NO”. As to Bavaria, the information varied depending on the individual court jurisdiction for which information was provided: “YES” for Bavarian fiscal courts and “NO” for the remaining Bavarian courts. □

In Brandenburg, the analysis is only subject to the figures provided regarding incoming cases, conclusions, duration of proceedings, number of court persons working, etc., which could possibly be used as indicators for the assessment of the performance abilities and the quality standards of the court. In Bremen, there is a benchmarking based upon key performance indicators.

In Lower Saxony regular assessments of the activities of the courts and public prosecution offices take place through administrative supervision. Qualitative evaluation of court activities is not possible through the implemented statistics and, based upon the constitutional law guarantee of judicial independence, is not desired. Likewise, the current view in Saarland is that such an evaluation system is incompatible with judicial independence protected by the Basic Law. Moreover, in North-Rhine/Westphalia, monitoring adjudicative activities is prohibited based upon constitutional law grounds. In this Lander there is a comprehensive system for assessing internal business. In certain areas there is also a management information system with statistical core data relevant to management on the number of incoming cases, duration of proceedings, and numbers of conclusions.

Saxony-Anhalt specified that the instrument for operative and strategic management of the courts is the management report. In the conceptual (as regards content) design of the management reports, the department comparison is defined as central criteria. This approach results, on the one hand, in a comparison of one’s own department with the average of all departments and, on the other hand, in taking account of the basic idea behind benchmarking, with the average of the three best departments. Concrete measures with calculable targets are set forth in target agreements between the Ministry for Finance and the Ministry for Justice and Equality as well as in how they are structured with each budgeted department. The bases for this, among others, are indicators in the management reports.

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Q081 (2016): The difference with previous cycle is due to the fact that the federal states have predominantly stated in this cycle that such an obligation does not exist.

Hungary

Q70 (2015): Among others:

- individual judge's statistics,
- statistics on the reasons of the postpone of the trials,
- number of trial days in cases,
- number of tried cases per day,
- pending cases of an individual judge / court,
- the time frame of pending cases
- number of appealed cases,
- the subject of incoming / finished / pending cases,
- the ratio of litigious and non-litigious cases,
- cases that are pending over 2 or 5 years have a separated statistical report every month
- cases in which there were no actions taken in the last 30 days by the court have a separated statistical report every month

Q70 (2014): In 2013 and 2014, among other are quoted individual judge's statistics, statistics on the reasons of postponing trials, the number of trial days, the number of tried cases per day, the number of pending cases of an individual judge/court, the time frame of pending cases, the number of appealed cases, the subject of incoming/resolved/pending cases, the ratio of litigious and non-litigious cases. Cases that are pending over 2 or 5 years have a separated statistical report every month, as well as cases in which there were no actions taken in the last 30 days by the court.

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Q70 (2012): In 2010 and 2012, a reference is made to individual judge's statistics, statistics on the reasons of postponing trials, the number of trial days, the number of resolved cases, the number of cases scheduled within one day, the number of pending cases of an individual judge.

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Q73 (2014): On the occasion of the 2013 and 2014 evaluations, it has been stressed that the statistics of the court system are carried out every quarter, semi-annually and annually. It is published on the central internet website of the courts every half year.

If some elements of the IT system described in 2012 have been implemented, this system is not yet able to replace the regular methods of measuring workload.

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Q73 (2012): On the occasion of the 2012 exercise, it has been mentioned that the development of an IT system was under way which would make it possible to automatically measure and evaluate the workload of judges.

Ireland

Q70 (2014): 2014: Since 2014 Ireland introduced a monitoring system for the length of proceedings and it is now capable of calculating average length of proceedings in first instance jurisdictions.

Q073-1 (2016): NAP - answer to Q73 was no and therefore there is no evaluation used for later allocation of means to this court

Q081 (2016): The Annual Report principally contains information on the governance arrangements for the Courts Service, operational activities and developments in the year reported on, budgetary position and detailed statistics on court caseload for that year. The report is formally made to the Minister for Justice and Equality, but is made available to the public.

Q81 (2015): With regard to Questions 70 to 77, quarterly reports are provided to the Courts Service's Senior Management Team by the Operational Directorates administering the various court jurisdictional areas on caseload volume and waiting times to trial.

The Courts Service provides and publishes in its Annual report a range of caseload data including (a) average length of time of proceedings from issue to conclusion, (b) volume of incoming cases and cases determined by the courts or notified to the courts as resolved in each year and (c) waiting times to trial for various categories of proceedings and applications for the various jurisdictions see Chapter 3 (Statistics) of its Annual Report for 2015, and in particular pages 59 to 62 and 69 to 71 thereof:

[http://www.courts.ie/Courts.ie/library3.nsf/\(WebFiles\)/A9CCBEE01757C58280257FF00031EEBE/\\$FILE/Courts%20Service%20Annual%20Report%202015.pdf](http://www.courts.ie/Courts.ie/library3.nsf/(WebFiles)/A9CCBEE01757C58280257FF00031EEBE/$FILE/Courts%20Service%20Annual%20Report%202015.pdf)

Latvia

Q66 (2015): Since 2008 courts apply 'The visitors service standards of the district (city) courts and regional courts'. This courts visitor's service standard summarizes the general principles of judicial reception and providing with information. Standard helps court staff to raise their professionalism and understand the court visitors servicing values.

On 2015 May 18 Council of Justice approved guidelines on communication of the court system. The aim of the guidelines is to promote the effective functioning of the judiciary and promote the public confidence in the judiciary, creating a positive Court's image and enhance its' authority in society.

Q66 (2014): In 2014, for the first time, standards of time periods for adjudication of matters were submitted to the Board of Justice.

Q070 (2016): Decision stability (proportion of decisions appealed in higher instance)

Q70 (2010): In 2010, the category "other" encompasses the number of cases ended by decision on the merits and the number of cases ended otherwise (including all kinds of results).

Q73 (2015): Latvia has the Court Information System it contains statistical data about court performance. The statistical data have been published in the e-portal: www.manas.tiesas.lv and regularly analysed by Court administration and Ministry of Justice (MoJ).

Q77 (2014): First standards of time periods for adjudication of matters were submitted to the Board of Justice in 2014.

Q081 (2016): Court Administration provides statistics for most of the courts with the exception for Supreme court, that provides data individually.

Luxembourg

Q070 (2016): No regular system has been implemented up to today. However, a monitoring can be done through the statistical service of the judiciary (SSJ) on an punctual basis and upon request by the competent authorities.

Q70 (2015): By using the newly implemented statistical tools, the information ticked in addition to last year's questionnaire can now be retrieved by the statistical service on an as needed basis at least for criminal cases. Identical markers are being implemented for civil and commercial cases and will available in a foreseeable future.

Q70 (2014): 2014: There is no regular monitoring system. However, new statistical tools are implemented and can provide monitoring elements when necessary without daily measurement current affairs.

Q73 (2014): 2014: There is no regular monitoring system. Statistical tools and the court management system may be used to monitor the activity but this is not their primary function.

Q073-1 (2016): The figures presented by the SSJ are used on a regular basis to allocate (and ask for) means to the courts and prosecutorial services.

Q081 (2016): All the services of the judiciary report to the Prosecutor general who then assembles the data in a general report that is transmitted to the Ministry of Justice. The report contains figures as well as comments and remarks on these figures and also general considerations on the functioning of the judiciary. The report is published on the internet site of the judiciary (<http://www.justice.public.lu/fr/publications/index.html>).

Q81 (2015): The activity reports of the courts and prosecutors's offices can be found at following URL:

<http://www.justice.public.lu/fr/publications/index.html>

Malta

Q066 (2016): There exists a Code of Ethics for the Judiciary which, though not providing for the organisation and quality of 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.

Q70 (2015): The monitoring of court activities also takes place through the ongoing analysis of the Clearance Rate and Disposition Time of the various courts. This data is also being published online on a monthly basis.

The category "other" refers to the monitoring of the Clearance Rate and Disposition Time of all civil courts, boards and tribunals. This exercise was started in 2015.

Q70 (2014): In 2014, the court administration was monitoring length of proceedings through the number of incoming and resolved cases, as well as through the pending caseload. The age of civil cases was another parameter that was being assessed.

On the occasion of the 2014 exercise, it has been indicated that since 2015, Malta started computing the Disposition Time and Clearance Rate of all the civil and criminal courts. By the end of 2015, for the civil courts, this information will be made available online.

Q73 (2015): Currently, Malta carries out systematic quantitative analysis of the performance of the courts, based on established international indicators. Furthermore, ongoing internal reports, commissioned specifically to study areas of interest in the performance of certain courts, also complement the quantitative analysis, and serve to further address identified shortcomings in a more strategic manner.

Q73 (2014): On the occasion of the 2014 exercise, it has been indicated that since 2015, a system of monitoring court performance through quantitative means, using established performance indicators such as Clearance Rate and Pending caseload, has been initiated.

Q073-1 (2016): Court performance evaluation is brought to the attention of both the Minister for Justice, Culture and Local Government as well as to the attention of the Chief Justice. The Chief Justice, who is vested with the authority to effect changes in judicial duties, does make use of such performance data in the better interest of increased efficiency and expediency of the judicial process.

Q081 (2016): All the individual courts with pending cases over 5 years old have to draw an annual report detailing their yearly caseload, the number of pending cases and the age of these cases. This report is an internal report addressed solely to the Chief Justice. It is not made public and it is not even distributed internally to the court administration or to the respective Ministry. The report referenced in this comment is the only 'activity' report that individual courts are expected to submit on an annual basis, and in paper format, to the Chief Justice.

Q81 (2015): In view of the new question at 81.1, question 81 was answered differently than previous years. The individual courts do prepare an annual report detailing their yearly caseload, the number of pending cases that they have, and the age of these cases. However this report is internal and addressed solely to the Chief Justice. It is not distributed neither to the administration nor to the general public.

Poland

Q070 (2016): Supervision covers only the administrative activities of the courts. There are the internal supervision exercised by the presidents of the courts and the external supervision exercised by the Minister of Justice within the narrow scope specified in the law.

Q081 (2016): The presidents of appellate courts are required to submit, not later than the end of April of each year, the annual information on the activities of the courts acting in the appellate field.

Portugal

Q070 (2016): Scheduling; delays of judges and sections.

Q70 (2015): Scheduling: time delays of judges and sections of the court.

Q73 (2015): Every month a data collection of all courts is assembled. In addition, in first degree courts the electronical procedures allow a daily basis analysis. The website is very exhaustive and can be consulted in 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

Q66 (2012): In the frame of the 2012 exercise, a reference was made to 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.

Q070 (2016): - suspended cases etc.

Q70 (2010): In 2010, the category “other” included the number of suspended cases and the number of convictions to life.

Q73 (2015): The courts have to carry out a monthly assessment and the Superior Council of Magistracy on the basis of individual reports as well as on the basis of the overall indicators carries out a half-yearly assessment of the judicial system.

Q073-1 (2016): A periodic evaluation system of the activity (performance and result) of the court is not formally adopted (by law or by a subsequent regulatory act). SCM uses a series of performance indicators (see questions 71 and 74 below) concerning the activity of the courts. Periodical assessments are being carried out and further measures are being implemented on the highlighted results. By the decisions 1305/2014 and 149/2015, SCM has approved the reports on implementing these indicators and there were established new margins for their implementation.

Slovakia

Q66 (2014): 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:

http://www.vlada.gov.sk/data/files/855_the-manifesto-of-the-governmentof-the-slovak-republic-for-the-period-of-2010-2014.pdf

Slovenia

Q66 (2015): The Supreme Court’s Data warehouse, containing all court cases, as well as financial data and human resources data was implemented in 2011. The data are collected based on CEPEJ Guidelines on Judicial statistics (GOJUST). The system was awarded with Special mention in the 2012 Crystal Scales of Justice Competition and was defined as “Inspiring example” in the EC document Quality of Public Administration - A Toolbox for Practitioners - <http://ec.europa.eu/social/main.jsp?catId=738&langId=sl&pubId=7757>.

A special office at the Supreme Court with specialised knowledge was introduced in order to monitor the quality and define quality policies on the level of entire judiciary and individual courts.

Quality standards based on SATURN guidelines are taken into account in several predefined BI system reports.

The important role in the determination of quality standards is played by the Supreme Court’s „Opening of the judicial year“ document, in which a set of priorities is determined. The priorities are subsequently monitored throughout the judicial year by automated BI tools and customised analysis at the Supreme Court.

The 2013 amendment to the Courts Act provides that the Supreme Court shall adopt the Criteria for quality of work for courts for the next (judicial) year, based on its Yearly report on efficiency and effectiveness of courts. In 2015 the Supreme Court adopted the timeframes for different types of procedures as well as for different procedural phases for 2016 (as a part of the Criteria for quality of work).

Q66 (2014): 2014 A dedicated office at the Supreme Court with specialised knowledge was introduced in order to monitor the quality and define quality policies at the level of entire judiciary and individual courts level.

Quality standards based on SATURN guidelines are taken into account in several predefined BI system reports.

The recent amendment of the Courts Act provides that the Supreme Court shall adopt the Criteria for quality of work for courts for the next (judicial) year, based on its Yearly report on efficiency and effectiveness of courts. Since the amendment was adopted in the middle of 2013, the first Annual report of Supreme Court will be for 2014 (to be published in 2015). Consequently, only 2015 will be the (first) year to formally adopt the aforementioned Criteria.

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Q66 (2013): 2013 According to the priorities for the whole judiciary, set by the Supreme Court in the „Opening of the judicial year“ document for judicial year 2013, specific areas were monitored and the standards determined for the following areas: □

1. Management of courts
2. Solving of oldest unresolved cases
3. Business process – Time management of judicial procedures and the reform of civil enforcement procedure □
4. Disburdening the judges
5. Levelling of human resources

Q66 (2012): 2012: The Supreme court's Data warehouse, containing all court cases, as well as financial data and human resources data was implemented in 2011. The data are collected based on CEPEJ Guidelines on Judicial statistics (GOJUST). The system was awarded with Special mention in the 2012 Crystal Scales of Justice Competition and was defined as Inspiring example in the EC document Quality of Public Administration - A Toolbox for Practitioners – □
<http://ec.europa.eu/social/main.jsp?catId=738&langId=sl&pubId=7757>.

Q66 (2010): 2010 The activities to conduct a pilot project for a quality system within the Slovenian judiciary were started in 2008.

In 2009 the pilot project of self-evaluation with the CAF (Common Assessment Framework) model was launched at three pilot district courts. The CAF model was adapted to the judicial organisation so that in 2011 a new model named Quality of the work of courts has been developed. Three pilot courts have already concluded the self-evaluation. The self-evaluation will continue at other courts.

The quality areas observed in this model overlap significantly with the quality criteria for the assessment of the work of courts set by the Judicial Council. The difference is in the fact that this model is based on self-evaluation activities, with the main aim of opening communication within individual courts to improve the overall functioning, while the Criteria adopted by the Judicial Council aim at measuring the performance of courts.

Q70 (2015): The data on court activities are automatically collected on national level, thus statistical analysis is made possible.

All courts have access to a wide range of special reports, generated in the Court management information system. Reports include detailed information on court activities (e.g. length of specific phases of a court proceeding, top 20 oldest cases per legal area etc.), human resources, court performance indicators (the critical indicators are marked red for unsatisfactory performance and green when meeting the standards) 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”.

The business intelligence system that creates priority reports derives the data from the Data warehouse of the Supreme Court. The same source is used for Court statistics publications by the Ministry of Justice.

Each court is able to access the above mentioned reports at any moment, while some data are quarterly collected and published on national level (as prescribed by the Court rules).

Q73 (2014): 2014: Until, the 2013 the Judicial Council was entrusted with monitoring and evaluating the performance of courts and issuing a yearly report on the execution of judicial power (Courts Act, Article 28). With the amendment to the Courts Act (ZS-K) of the Courts Act that came in force in 2014 this responsibility is transferred to the Supreme Court.

Q081 (2016): For the content of the report and audience, please see Q73.

Spain

Q66 (2015): Every three months each Court sends statistics to the Council for the Judiciary with complete information about the activity of the Court.

Q67 (2015): Every three months each Court sends statistics to the Council for the Judiciary with complete information about the activity of the Court.

Q081 (2016): The statistics contain, among other data, cases entered, resolved, by type of procedure, hearings held, pending writings, resolutions adopted, sense of the decisions (if they are estimative or not), enforcement proceedings, appeals (entered and resolved), data on judges, judicial counsellor and staff. The statistic report is sent to the statistic department of the Council for the Judiciary.

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

Comments provided by the national correspondents

organised by question no.

Question 38: Implemented surveys aimed at legal professionals and court users to measure their trust in justice and their satisfaction with the services delivered by the judicial system

Question 66 Quality standards determined for the judicial system

Question 67 : Specialised court staff that is entrusted with these quality standards

Question 70): Within the courts, regular monitoring system of court activities

Question 73: System to evaluate regularly the activity (in terms of performance and output) of each court

Question 73-1: Evaluation of the court activity used for the later allocation of means to this court

Question 77 : Performance and quality indicators of court activities defined

Question 81 : Preparation of an annual activity report

Question 066

Croatia

(2016): According to the Courts Act (Official Gazette, number 28/13, 33/15, 82/15), the president of the court evaluates the work of every single judge according to Framework for the workload of judges in the period of one year following the standards on the number of judgements delivered by a judge compared with the number of judgements that should have been delivered, according to the Framework for the workload of judges, result of work in different kinds of cases, respecting deadlines in delivery of judgements and drafting of judgements, quality of judgements on the grounds of expressed remedies in legal actions and other activities of judges.

Framework criteria are adopted by the Minister of Justice on the proposal of the General Assembly of Supreme Court. The Criteria prescribe the number of decisions that need to be rendered every year by a judge.

Cyprus

(2016): in practice there are quality standards.

(2015): In practice there are quality standards

(2014): In practice there are quality standards

Denmark

(2016): No, we use quantitative measures. Quality is measured as length of time to finalize a case.

(2015): The only standards are objective standards for example acceptable timeframes to finalize a case.

Finland

(2015): There is a Quality Project of the courts in the jurisdiction of the Court of Appeal of Rovaniemi. (The jurisdiction of the Court of Appeal of Rovaniemi is the northernmost of the six appellate jurisdictions in Finland.) In 1999, the courts in the jurisdiction of the Court of Appeal of Rovaniemi launched a project for improvement of quality in adjudication. The quality project covers both civil cases and criminal cases. The objective of the quality project is to develop the functioning of the courts further and further so that the proceedings meet the criteria of a fair trial, that the decisions are well reasoned and justified, and that the services of the courts are affordable to the individual customers. 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. Each working group for quality is tasked to deal with one of the development themes which have been selected. 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 a quality project of the courts in the jurisdiction of the Court of Appeal of Helsinki. Quality Project consists of working methods of two kind: cooperation with the University of Helsinki and working groups. Working groups for quality are set up for each year. The membership consists of judges from District Courts, members of the Court of Appeal, referendaries of the Court of Appeal, prosecutors and lawyers. Each working group for quality is tasked to address to one of the development themes which have been selected. 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.

It is also worth mentioning that on 15 October 2009, the presidents of Finnish Courts of Appeal proposed that the Finnish Association of Judges should begin work on drafting ethical guidelines for judges. A working group was set and the draft on ethical principles was discussed widely. The principles were formally released at the Judge Day event held in Helsinki on 12 October 2012.

France

(2016): Quality standards developed for public administration are used in the judicial system. The charter of administrations thus sets the rules for the reception of courts' users for all courts and may give rise to certification. There are also local initiatives to establish a 'quality system' based on certification by an external body, which consists of establishing procedures describing the processes of reception, organisation of work, management of a case .

Germany

(2013): For 2010, 2012 and 2013, no information was provided from Mecklenburg-Western Pomerania and Thuringia. Four Landers replied “Yes”, while the remaining Landers answered “No”. □

In Baden-Württemberg, the performance of each court is compared against the others in regard to number and duration of proceedings. Key performance indicators on performance ability of the courts are ascertained and compared at the Lander level.

A comprehensive quality management system has been introduced in Schleswig-Holstein at all courts and public prosecution offices. All of the accessible areas of the court administration are subject to quality management. Judicial independence and the professional independence of Rechtspfleger present natural constitutional and statutory boundaries that must always be considered.

In Brandenburg, a quality management system seeks to guarantee that quality demands that are statutorily prescribed, self-imposed, or demanded by users of the system are fulfilled with an optimal use of resources. These last years, a number of strategies have been implemented for ensuring quality in the justice system by means of cost and performance accounting, a controlling system, budgeting of personnel costs, benchmark procedures, balanced scorecard, the EFQM Model, various instruments for personnel and organisation development, calculation of personnel requirements, optimisation of business processes, surveys of attorneys, citizens, and employees, and evaluation instruments both for individual judicial and public prosecution work as well as for the courts and public prosecution offices as organisational units. The increased use of modern technology (e.g. Internet) has opened up the possibility for the justice system to reach a large number of citizens and, thus, to offer court users the best possible service. Likewise, the continuous expansion of electronic legal transactions offers new opportunities for improvement in the quality of the justice system with regard to the performance characteristics public accessibility and public service. However, the developments and models named are not uniformly established in the Lander.

In Lower Saxony, a quality strategy was developed through the surveys AgiL (performance comparison of local courts) and LiVE (performance comparison of regional courts). This is based on the assumption that it is possible to compare courts by the collection of data. Following the comparison, an analysis is conducted to determine the reasons for which better numbers are achieved at one court location over another. These are then discussed in expert groups and measures are developed to promote those tools that seem likely to succeed for the duties at all court locations. The surveys do not serve to evaluate individual employees but rather to uncover structures that promote performance, which can then be transposed. This quality management concept takes place together with judicial councils and personnel representatives.

Latvia

(2015): Since 2008 courts apply 'The visitors service standards of the district (city) courts and regional courts'. This courts visitor's service standard summarizes the general principles of judicial reception and providing with information. Standard helps court staff to raise their professionalism and understand the court visitors servicing values.

On 2015 May 18 Council of Justice approved guidelines on communication of the court system. The aim of the guidelines is to promote the effective functioning of the judiciary and promote the public confidence in the judiciary, creating a positive Court' s image and enhance its' authority in society.

(2014): In 2014, for the first time, standards of time periods for adjudication of matters were submitted to the Board of Justice.

Malta

(2016): There exists a Code of Ethics for the Judiciary which, though not providing for the organisation and quality of 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.

Romania

(2012): In the frame of the 2012 exercise, a reference was made to 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.

Slovakia

(2014): 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:

http://www.vlada.gov.sk/data/files/855_the-manifesto-of-the-governmentof-the-slovak-republic-for-the-period-of-2010-2014.pdf

Slovenia

(2015): The Supreme Court's Data warehouse, containing all court cases, as well as financial data and human resources data was implemented in 2011. The data are collected based on CEPEJ Guidelines on Judicial statistics (GOJUST). The system was awarded with Special mention in the 2012 Crystal Scales of Justice Competition and was defined as "Inspiring example" in the EC document Quality of Public Administration - A Toolbox for Practitioners - <http://ec.europa.eu/social/main.jsp?catId=738&langId=sl&pubId=7757>.

A special office at the Supreme Court with specialised knowledge was introduced in order to monitor the quality and define quality policies on the level of entire judiciary and individual courts.

Quality standards based on SATURN guidelines are taken into account in several predefined BI system reports.

The important role in the determination of quality standards is played by the Supreme Court's „Opening of the judicial year“ document, in which a set of priorities is determined. The priorities are subsequently monitored throughout the judicial year by automated BI tools and customised analysis at the Supreme Court.

The 2013 amendment to the Courts Act provides that the Supreme Court shall adopt the Criteria for quality of work for courts for the next (judicial) year, based on its Yearly report on efficiency and effectiveness of courts. In 2015 the Supreme Court adopted the timeframes for different types of procedures as well as for different procedural phases for 2016 (as a part of the Criteria for quality of work).

(2014): 2014 A dedicated office at the Supreme Court with specialised knowledge was introduced in order to monitor the quality and define quality policies at the level of entire judiciary and individual courts level.

Quality standards based on SATURN guidelines are taken into account in several predefined BI system reports.

The recent amendment of the Courts Act provides that the Supreme Court shall adopt the Criteria for quality of work for courts for the next (judicial) year, based on its Yearly report on efficiency and effectiveness of courts. Since the amendment was adopted in the middle of 2013, the first Annual report of Supreme Court will be for 2014 (to be published in 2015). Consequently, only 2015 will be the (first) year to formally adopt the aforementioned Criteria.

The important role in the determination of quality standards is played by the Supreme Court's „Opening of the judicial year“ document, in which a set of priorities is determined. The priorities are subsequently monitored throughout the judicial year by automated BI tools and customised analysis at the Supreme Court.

(2013): 2013 According to the priorities for the whole judiciary, set by the Supreme Court in the „Opening of the judicial year“ document for judicial year 2013, specific areas were monitored and the standards determined for the following areas:

1. Management of courts
2. Solving of oldest unresolved cases
3. Business process – Time management of judicial procedures and the reform of civil enforcement procedure□
4. Disburdening the judges
5. Levelling of human resources

(2012): 2012: The Supreme court's Data warehouse, containing all court cases, as well as financial data and human resources data was implemented in 2011. The data are collected based on CEPEJ Guidelines on Judicial statistics (GOJUST). The system was awarded with Special mention in the 2012 Crystal Scales of Justice Competition and was defined as Inspiring example in the EC document Quality of Public Administration - A Toolbox for Practitioners –□

<http://ec.europa.eu/social/main.jsp?catId=738&langId=sl&pubId=7757>.

(2010): 2010 The activities to conduct a pilot project for a quality system within the Slovenian judiciary were started in 2008. In 2009 the pilot project of self-evaluation with the CAF (Common Assessment Framework) model was launched at three pilot district courts. The CAF model was adapted to the judicial organisation so that in 2011 a new model named Quality of the work of courts has been developed. Three pilot courts have already concluded the self-evaluation. The self-evaluation will continue at other courts.

The quality areas observed in this model overlap significantly with the quality criteria for the assessment of the work of courts set by the Judicial Council. The difference is in the fact that this model is based on self-evaluation activities, with the main aim of opening communication within individual courts to improve the overall functioning, while the Criteria adopted by the Judicial Council aim at measuring the performance of courts.

Spain

(2015): Every three months each Court sends statistics to the Council for the Judiciary with complete information about the activity of the Court.

Question 067

Denmark

(2016): As above.

France

(2014): 2010: State prosecutors draw an annual report on the activity, management of their public prosecution office and on the enforcement of the law, as well as an annual report concerning the measures of custody and the condition of the custody facilities.

(2012): 2012: in French law on the judicial organisation, there is no statutory or regulatory requirement providing specialised staff in courts responsible for quality norms.

However, as part of the maintenance dialog to have operational resources, each court fills a document for the Ministry of Justice, comprising informations such as the number of handled cases, pending cases, the number of judges and administrative staff, as well as the performance objectives to reach. This document is not available on the intranet to all of the staff. Only agents of the Ministry in charge of the maintenance dialog have access to these figures thanks to appropriate softwares.

Spain

(2015): Every three months each Court sends statistics to the Council for the Judiciary with complete information about the activity of the Court.

Question 070

Belgium

(2016): There could be ad hoc systems monitoring the court's activity within the different jurisdictions. However, there is no centralized monitoring system.

Bulgaria

(2010): In the frame of the 2010 exercise it has been noticed that courts activities are monitored every six months, regarding the duration of proceedings, namely those completed within three months.

Croatia

(2010): In the frame of the 2010 exercise, it has been highlighted that the president of each court monitors the judges' performances (prescribed number of decisions) and submits the data on that to the Ministry of Justice. Municipal courts submit their data directly to the Ministry, by means of e-Statistics application.

Denmark

(2016): We also measure what we call "weighted cases" to have a measure for the activity.

Estonia

(2016): see general comments

France

(2016): The number of cases being referred is an indicator used only by administrative courts. In civil and criminal matters, courts resort to specialized user software enabling them to monitor their activity. Data stemming from this specialized user software are automatically collected at national level through info centers; data are processed again, crossed between them and finally presented in tables and graphs. These data can be generated monthly, except for some specific activity data (criminal courts, juvenile judges, enforcement judges) which are available annually. The info centers ensure the statistical follow-up and the steering of courts activity. They allow the central administration preparing management dialogues in terms of performance.

(2015): The number of cases being referred is used only by administrative courts.
The rate of coverage of cases is used by judicial courts.
The state of stocks by age group is used by administrative courts.

(2014): 2013, 2014, the category "others" includes:

- the coverage rate of cases (used by judicial courts)
- the state of the stocks per age group (used by administrative courts)

It should be noted that concerning the indicators mentioned in the question, the number of appealed cases is only used by administrative courts.

(2013): 2013, 2014, the category "others" includes:

- the coverage rate of cases (used by judicial courts)
- the state of the stocks per age group (used by administrative courts)

It should be noted that concerning the indicators mentioned in the question, the number of appealed cases is only used by administrative courts.

(2012): 2010, 2012: the category "others" includes the state of the stocks per age group. It should be noted that concerning the indicators mentioned in the question, the number of appealed cases is only used by administrative courts

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Germany

(2014): In 2014, some of the Landers did mention a monitoring system concerning other court activities, namely statistics on the nature of resolution (e.g. in civil matters cases are dealt with by contentious judgment/by acknowledgement/by settlement, etc.).

(2013): In 2013, seven Landers communicated information on their regular monitoring system. For example, Baden-Württemberg referred to calculation of the specific personnel requirements on a mathematical-analytical basis. Bavaria mentioned the type of proceedings, form of decision, etc. for courts of labour and social jurisdiction and workload, ratio of part-time employees; average age of employees, training and sick days, duration of proceedings in months, ratio of appeals for courts of general jurisdiction. In Brandenburg, the number of pending cases and the ratio of terminated proceedings as against incoming cases are monitored.

(2012): For 2010 and 2012, five Landers did not provide any reply. Seven Landers communicated detailed information on their regular monitoring system of courts' activity. Among the main other monitored parameters are the deadlines for the drafting of judgments (Bavaria), the number of pending cases and the ratio of terminated proceedings as against incoming cases (Brandenburg), the nature of resolution – cases dealt with by contentious judgment, by acknowledgment, by settlement etc. (Hamburg), cases allocated among staff, i.e. caseload quota (Hesse); finance benchmarks, item costs, standardized deployment of person hours related to product (Saxony-Anhalt).

Hungary

(2015): Among others:

- individual judge's statistics,
- statistics on the reasons of the postpone of the trials,
- number of trial days in cases,
- number of tried cases per day,
- pending cases of an individual judge / court,
- the time frame of pending cases
- number of appealed cases,
- the subject of incoming / finished / pending cases,
- the ratio of litigious and non-litigious cases,
- cases that are pending over 2 or 5 years have a separated statistical report every month
- cases in which there were no actions taken in the last 30 days by the court have a separated statistical report every month

(2014): In 2013 and 2014, among other are quoted individual judge's statistics, statistics on the reasons of postponing trials, the number of trial days, the number of tried cases per day, the number of pending cases of an individual judge/court, the time frame of pending cases, the number of appealed cases, the subject of incoming/resolved/pending cases, the ratio of litigious and non-litigious cases. Cases that are pending over 2 or 5 years have a separated statistical report every month, as well as cases in which there were no actions taken in the last 30 days by the court.

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(2012): In 2010 and 2012, a reference is made to individual judge's statistics, statistics on the reasons of postponing trials, the number of trial days, the number of resolved cases, the number of cases scheduled within one day, the number of pending cases of an individual judge.

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Ireland

(2014): 2014: Since 2014 Ireland introduced a monitoring system for the length of proceedings and it is now capable of calculating average length of proceedings in first instance jurisdictions.

Latvia

(2016): Decision stability (proportion of decisions appealed in higher instance)

(2010): In 2010, the category "other" encompasses the number of cases ended by decision on the merits and the number of cases ended otherwise (including all kinds of results).

Luxembourg

(2016): No regular system has been implemented up to today. However, a monitoring can be done through the statistical service of the judiciary (SSJ) on an punctual basis and upon request by the competent authorities.

(2015): By using the newly implemented statistical tools, the information ticked in addition to last year's questionnaire can now be retrieved by the statistical service on an as needed basis at least for criminal cases. Identical markers are being implemented for civil and commercial cases and will available in a foreseeable future.

(2014): 2014: There is no regular monitoring system. However, new statistical tools are implemented and can provide monitoring elements when necessary without daily measurement current affairs.

Malta

(2015): The monitoring of court activities also takes place through the ongoing analysis of the Clearance Rate and Disposition Time of the various courts. This data is also being published online on a monthly basis.

The category "other" refers to the monitoring of the Clearance Rate and Disposition Time of all civil courts, boards and tribunals. This exercise was started in 2015.

(2014): In 2014, the court administration was monitoring length of proceedings through the number of incoming and resolved cases, as well as through the pending caseload. The age of civil cases was another parameter that was being assessed.

On the occasion of the 2014 exercise, it has been indicated that since 2015, Malta started computing the Disposition Time and Clearance Rate of all the civil and criminal courts. By the end of 2015, for the civil courts, this information will be made available online.

Poland

(2016): Supervision covers only the administrative activities of the courts. There are the internal supervision exercised by the presidents of the courts and the external supervision exercised by the Minister of Justice within the narrow scope specified in the law.

Portugal

(2016): Scheduling; delays of judges and sections.

(2015): Scheduling: time delays of judges and sections of the court.

Romania

(2016): - suspended cases etc.

(2010): In 2010, the category "other" included the number of suspended cases and the number of convictions to life.

Slovenia

(2015): The data on court activities are automatically collected on national level, thus statistical analysis is made possible.

All courts have access to a wide range of special reports, generated in the Court management information system. Reports include detailed information on court activities (e.g. length of specific phases of a court proceeding, top 20 oldest cases per legal area etc.), human resources, court performance indicators (the critical indicators are marked red for unsatisfactory performance and green when meeting the standards) 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”.

The business intelligence system that creates priority reports derives the data from the Data warehouse of the Supreme Court. The same source is used for Court statistics publications by the Ministry of Justice.

Each court is able to access the above mentioned reports at any moment, while some data are quarterly collected and published on national level (as prescribed by the Court rules).

Question 073

Belgium

(2016): There could be ad hoc evaluation systems within courts. However, there is not a centralized or coordinated such system.

Croatia

(2015): According to the Court Act, the president of court supervises accurate performance of court activities in due time. The president of court has a duty to write a report on the performed supervision and its results, as well as on the measures taken, at least once a month. The report has to be inserted into a case file of judicial administration. The president of court is obliged to ensure court efficiency in the resolution of cases, especially when it comes to the resolution of cases the procedure of which lasts more than three years.

The president of court, except for the president of the Supreme Court of the Republic of Croatia, has a duty to submit a report on the performed tasks of judicial administration, measures and activities undertaken to improve work and efficiency of the court in the resolution of cases. The report is to be submitted directly to a court of higher instance, to the State Judicial Council and the Ministry of Justice, once a year, at least before 31 March for the previous year.

The courts use special information systems for the management and operation of the courts' cases, which consist of standard applications, computer and telecommunications equipment and infrastructure, system software and tools and all the data that are entered, stored and transmitted in all of the registers of the system. Misdemeanour courts operate using JCMS (Joint Case Management System), while other courts of general jurisdiction and commercial courts use ICMS (Integrated Case Management System). Through these systems it is possible to regularly monitor and evaluate the activity, performance and output of courts.

France

(2016): Administrative courts resort to monthly dashboards, while civil and criminal courts receive every three months a monitoring board concerning their activity, by means of a specialized user software.

(2014): 2012, 2013, 2014: for the administrative courts, the performance indicators comprised an estimate and objectives updated every three months. The activity is assessed every year in the administrative jurisdictions during management conferences. A monitoring board for the activity is transmitted every month to the heads of administrative jurisdictions.

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Germany

(2013): In respect of the 2010, 2012 and 2013 exercises no information was provided from Mecklenburg-Western Pomerania and Thuringia. Five States provided a positive reply, while the remaining Landers answered "NO". As to Bavaria, the information varied depending on the individual court jurisdiction for which information was provided: "YES" for Bavarian fiscal courts and "NO" for the remaining Bavarian courts. □

In Brandenburg, the analysis is only subject to the figures provided regarding incoming cases, conclusions, duration of proceedings, number of court persons working, etc., which could possibly be used as indicators for the assessment of the performance abilities and the quality standards of the court. In Bremen, there is a benchmarking based upon key performance indicators.

In Lower Saxony regular assessments of the activities of the courts and public prosecution offices take place through administrative supervision. Qualitative evaluation of court activities is not possible through the implemented statistics and, based upon the constitutional law guarantee of judicial independence, is not desired. Likewise, the current view in Saarland is that such an evaluation system is incompatible with judicial independence protected by the Basic Law. Moreover, in North-Rhine/Westphalia, monitoring adjudicative activities is prohibited based upon constitutional law grounds. In this Lander there is a comprehensive system for assessing internal business. In certain areas there is also a management information system with statistical core data relevant to management on the number of incoming cases, duration of proceedings, and numbers of conclusions.

Saxony-Anhalt specified that the instrument for operative and strategic management of the courts is the management report. In the conceptual (as regards content) design of the management reports, the department comparison is defined as central criteria. This approach results, on the one hand, in a comparison of one's own department with the average of all departments and, on the other hand, in taking account of the basic idea behind benchmarking, with the average of the three best departments. Concrete measures with calculable targets are set forth in target agreements between the Ministry for Finance and the Ministry for Justice and Equality as well as in how they are structured with each budgeted department. The bases for this, among others, are indicators in the management reports.

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Hungary

(2014): On the occasion of the 2013 and 2014 evaluations, it has been stressed that the statistics of the court system are carried out every quarter, semi-annually and annually. It is published on the central internet website of the courts every half year.

If some elements of the IT system described in 2012 have been implemented, this system is not yet able to replace the regular methods of measuring workload.

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If some elements of the IT system described in 2012 have been implemented, this system is not yet able to replace the regular methods of measuring workload.

(2012): On the occasion of the 2012 exercise, it has been mentioned that the development of an IT system was under way which would make it possible to automatically measure and evaluate the workload of judges.

Latvia

(2015): Latvia has the Court Information System it contains statistical data about court performance. The statistical data have been published in the e-portal: www.manas.tiesas.lv and regularly analysed by Court administration and Ministry of Justice (MoJ).

Luxembourg

(2014): 2014: There is no regular monitoring system. Statistical tools and the court management system may be used to monitor the activity but this is not their primary function.

Malta

(2015): Currently, Malta carries out systematic quantitative analysis of the performance of the courts, based on established international indicators. Furthermore, ongoing internal reports, commissioned specifically to study areas of interest in the performance of certain courts, also complement the quantitative analysis, and serve to further address identified shortcomings in a more strategic manner.

(2014): On the occasion of the 2014 exercise, it has been indicated that since 2015, a system of monitoring court performance through quantitative means, using established performance indicators such as Clearance Rate and Pending caseload, has been initiated.

Portugal

(2015): Every month a data collection of all courts is assembled. In addition, in first degree courts the electronic procedures allow a daily basis analysis. The website is very exhaustive and can be consulted in 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

(2015): The courts have to carry out a monthly assessment and the Superior Council of Magistracy on the basis of individual reports as well as on the basis of the overall indicators carries out a half-yearly assessment of the judicial system.

Slovenia

(2014): 2014: Until, the 2013 the Judicial Council was entrusted with monitoring and evaluating the performance of courts and issuing a yearly report on the execution of judicial power (Courts Act, Article 28). With the amendment to the Courts Act (ZS-K) of the Courts Act that came in force in 2014 this responsibility is transferred to the Supreme Court.

Question 073-1

Czech Republic

(2016): In 2015, a new policy from the Ministry of Justice resulted in the fact that the evaluation of the court activity is used for the later allocation of means to this court.

(2015): In 2015, a new policy from the Ministry of Justice resulted in the fact that the evaluation of the court activity is used for the later allocation of means to this court.

Denmark

(2016): Danish Court administration take action on the half-yearly figures where more extended reports and productivity figures are worked out. These data are used to allocate funds and judges etc.

Estonia

(2016): It can be part of it but it's not a rule.

France

(2016): Annual conferences on management are organized either by the Ministry or by the General Secretariat of the State Council depending on the nature of the concerned jurisdictions – civil, criminal or administrative. During these conferences, analyses are carried out on the activity indicators for each court for the past year, while, against the background of the objectives that have been achieved, objectives and means in terms of credits and staff are determined for the coming year.

Ireland

(2016): NAP - answer to Q73 was no and therefore there is no evaluation used for later allocation of means to this court

Luxembourg

(2016): The figures presented by the SSJ are used on a regular basis to allocate (and ask for) means to the courts and prosecutorial services.

Malta

(2016): Court performance evaluation is brought to the attention of both the Minister for Justice, Culture and Local Government as well as to the attention of the Chief Justice. The Chief Justice, who is vested with the authority to effect changes in judicial duties, does make use of such performance data in the better interest of increased efficiency and expediency of the judicial process.

Romania

(2016): A periodic evaluation system of the activity (performance and result) of the court is not formally adopted (by law or by a subsequent regulatory act). SCM uses a series of performance indicators (see questions 71 and 74 below) concerning the activity of the courts. Periodical assessments are being carried out and further measures are being implemented on the highlighted results. By the decisions 1305/2014 and 149/2015, SCM has approved the reports on implementing these indicators and there were established new margins for their implementation.

Question 077

Czech Republic

(2016): There are performance indicators such as number of cases that the judge should resolve within a month, but these are not so strictly binding.

Denmark

(2016): In terms of productivity figures, weighted cases and target attainments.

Latvia

(2014): First standards of time periods for adjudication of matters were submitted to the Board of Justice in 2014.

Question 081

Belgium

(2016): The report concerns the overall functioning of the court/public prosecution office (staff, logistics, organization, consultation structures, statistics, measuring of workload, measuring of existing backlogs). Reports on court/public prosecution office functioning are submitted to the head of the immediately higher jurisdiction, the Ministry of Justice, the Superior Judicial Council and the presidents of the Federal Legislative Chambers.

Croatia

(2016): The reason for change in answer from "Yes" to "No" is that since 2016 the Ministry of Justice has access to all data through eFile and other court systems, and courts no longer have the obligation to submit reports.

Cyprus

(2016): The report is sent to the Supreme Court

Estonia

(2016): The reporting system has changed. There is no longer obligation to present reports to the Ministry of Justice. It only applies to cases older than 2 years.

France

(2016): In compliance with the Code on Judicial Organization, civil and criminal courts present, orally or by means of management tools, their activity pertaining to the solemn hearings carried out in the beginning of every judicial year (in January). However, we cannot consider this practice as an activity report, in the general sense of the term.

Germany

(2016): The difference with previous cycle is due to the fact that the federal states have predominantly stated in this cycle that such an obligation does not exist.

Ireland

(2016): The Annual Report principally contains information on the governance arrangements for the Courts Service, operational activities and developments in the year reported on, budgetary position and detailed statistics on court caseload for that year. The report is formally made to the Minister for Justice and Equality, but is made available to the public.

(2015): With regard to Questions 70 to 77, quarterly reports are provided to the Courts Service's Senior Management Team by the Operational Directorates administering the various court jurisdictional areas on caseload volume and waiting times to trial.

The Courts Service provides and publishes in its Annual report a range of caseload data including (a) average length of time of proceedings from issue to conclusion, (b) volume of incoming cases and cases determined by the courts or notified to the courts as resolved in each year and (c) waiting times to trial for various categories of proceedings and applications for the various jurisdictions see Chapter 3 (Statistics) of its Annual Report for 2015, and in particular pages 59 to 62 and 69 to 71 thereof:

[http://www.courts.ie/Courts.ie/library3.nsf/\(WebFiles\)/A9CCBEE01757C58280257FF00031EEBE/\\$FILE/Courts%20Service%20Annual%20Report%202015.pdf](http://www.courts.ie/Courts.ie/library3.nsf/(WebFiles)/A9CCBEE01757C58280257FF00031EEBE/$FILE/Courts%20Service%20Annual%20Report%202015.pdf)

Latvia

(2016): Court Administration provides statistics for most of the courts with the exception for Supreme court, that provides data individually.

Luxembourg

(2016): All the services of the judiciary report to the Prosecutor general who then assembles the data in a general report that is transmitted to the Ministry of Justice. The report contains figures as well as comments and remarks on these figures and also general considerations on the functioning of the judiciary. The report is published on the internet site of the judiciary (<http://www.justice.public.lu/fr/publications/index.html>).

(2015): The activity reports of the courts and prosecutors's offices can be found at following URL:

<http://www.justice.public.lu/fr/publications/index.html>

Malta

(2016): All the individual courts with pending cases over 5 years old have to draw an annual report detailing their yearly caseload, the number of pending cases and the age of these cases. This report is an internal report addressed solely to the Chief Justice. It is not made public and it is not even distributed internally to the court administration or to the respective Ministry. The report referenced in this comment is the only 'activity' report that individual courts are expected to submit on an annual basis, and in paper format, to the Chief Justice.

(2015): In view of the new question at 81.1, question 81 was answered differently than previous years. The individual courts do prepare an annual report detailing their yearly caseload, the number of pending cases that they have, and the age of these cases. However this report is internal and addressed solely to the Chief Justice. It is not distributed neither to the administration nor to the general public.

Poland

(2016): The presidents of appellate courts are required to submit, not later than the end of April of each year, the annual information on the activities of the courts acting in the appellate field.

Slovenia

(2016): For the content of the report and audience, please see Q73.

Spain

(2016): The statistics contain, among other data, cases entered, resolved, by type of procedure, hearings held, pending writings, resolutions adopted, sense of the decisions (if they are estimative or not), enforcement proceedings, appeals (entered and resolved), data on judges, judicial counsellor and staff. The statistic report is sent to the statistic department of the Council for the Judiciary.

Table 5.1: Type of legal aid (other than criminal cases) in 2016 (Q16)

States	Representation in court	Legal advice
Austria		
Belgium		
Bulgaria		
Croatia		
Cyprus		
Czech Republic		
Denmark		
Estonia		
Finland		
France		
Germany		
Greece		
Hungary		
Ireland		
Italy		
Latvia		
Lithuania		
Luxembourg		
Malta		
Netherlands		
Poland		
Portugal		
Romania		
Slovakia		
Slovenia		
Spain		
Sweden		
Yes	27	25
No or NAP	0	2

Table 5.2: Legal aid coverage of court fees in 2016 (Q17)

States	Coverage of or exemption from court fees	Enforcement of judicial decisions	Other costs (other than criminal cases)
Austria			
Belgium			
Bulgaria			
Croatia			
Cyprus			
Czech Republic			
Denmark			
Estonia			
Finland			
France			
Germany			
Greece			
Hungary			
Ireland			
Italy			
Latvia			
Lithuania			
Luxembourg			
Malta			
Netherlands			
Poland			
Portugal			
Romania			
Slovakia			
Slovenia			
Spain			
Sweden			
Yes	24	21	18
No or NAP	3	6	9

Table 5.3.1 Annual approved public budget allocated to legal aid by type in 2016 (Q12)

States	Total annual approved public budget allocated to legal aid				Annual approved public budget allocated to legal aid Cases brought to court			Annual approved public budget allocated to legal aid Non litigious cases and cases not brought to court		
	Total* (1 + 2)	Per inhabitant	Criminal cases	Other than criminal cases	Total 1	Criminal cases	Other than criminal cases	Total 2	Criminal cases	Other than criminal cases
Austria	19 500 000 €	2,2 €	NA	NA	NA	NA	NA	NA	NA	NA
Belgium	78 826 000 €	7,0 €	NA	NA	NA	NA	NA	NA	NA	NA
Bulgaria	4 202 804 €	0,6 €	NA	NA	NA	NA	NA	NA	NA	NA
Croatia	10 810 000 €	2,6 €	10 432 800 €	377 200 €	10 433 010 €	10 147 490 €	285 520 €	376 990 €	285 310 €	91 681 €
Cyprus	2 076 200 €	2,4 €	NA	NA	NA	NA	NA	NA	NA	NA
Czech Republic	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Denmark	NA	NA	NA	NA	139 692 531 €	71 029 873 €	68 662 659 €	NA	NA	NA
Estonia	3 835 000 €	2,9 €	NA	NA	NA	NA	NA	NA	NA	NA
Finland	89 400 000 €	16,2 €	NA	NA	NA	NA	NA	NA	NA	NA
France	400 832 233 €	6,2 €	NA	NA	330 748 321 €	NA	NA	7 083 912 €	NA	NA
Germany	690 047 549 €	8,4 €	111 657 102 €	256 747 640 €	494 850 642 €	111 657 102 €	229 352 140 €	53 506 200 €	NA	27 395 500 €
Greece	10 321 925 €	1,0 €	NA	NA	NA	NA	NA	NA	NA	NA
Hungary	804 784 €	0,1 €	NA	NA	NA	NA	NA	NA	NA	NA
Ireland	82 390 000 €	17,6 €	47 552 000 €	34 838 000 €	NA	47 552 000 €	NA	NA	NAP	NA
Italy	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Latvia	2 514 338 €	1,3 €	NA	NA	NA	NA	NA	NA	NA	NA
Lithuania	5 500 227 €	1,9 €	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Luxembourg	4 000 000 €	6,8 €	NA	NA	NAP	NAP	NAP	NAP	NAP	NAP
Malta	100 000 €	0,2 €	NA	NA	100 000 €	NA	NA	NAP	NAP	NAP
Netherlands	440 400 000 €	25,8 €	174 500 000 €	265 900 000 €	NA	NA	NA	NA	NA	NA
Poland	65 738 000 €	1,7 €	41 006 000 €	24 732 000 €	NAP	NAP	NAP	NAP	NAP	NAP
Portugal	31 816 000 €	3,1 €	NA	NA	NA	NA	NA	NA	NA	NA
Romania	10 306 534 €	0,5 €	9 606 247 €	700 287 €	10 306 534 €	9 606 247 €	700 287 €	NA	NA	NA
Slovakia	NA	NA	NA	1 714 751 €	NA	NA	NA	NA	NA	NA
Slovenia	3 200 000 €	1,5 €	NA	NA	NA	NA	NA	NA	NA	NA
Spain	260 079 600 €	5,6 €	NA	NA	NA	NA	NA	NA	NA	NA
Sweden	332 168 392 €	33,2 €	NA	NA	NA	NA	NA	NA	NA	NA
Average	110 820 417 €	6,5 €	65 792 358 €	83 572 840 €	164 355 173 €	49 998 542 €	74 750 152 €	20 322 367 €	285 310 €	13 743 591 €
Median	10 810 000 €	2,6 €	44 279 000 €	24 732 000 €	75 062 771 €	47 552 000 €	34 681 473 €	7 083 912 €	285 310 €	13 743 591 €
Minimum	100 000 €	0,1 €	9 606 247 €	377 200 €	100 000 €	9 606 247 €	285 520 €	376 990 €	285 310 €	91 681 €
Maximum	690 047 549 €	33,2 €	174 500 000 €	265 900 000 €	494 850 642 €	111 657 102 €	229 352 140 €	53 506 200 €	285 310 €	27 395 500 €
Nb of values	27	27	27	27	27	27	27	27	27	27
% of NA	15%	15%	74%	70%	67%	70%	74%	74%	78%	78%
% of NAP	0%	0%	4%	4%	11%	11%	11%	15%	19%	15%

Table 5.3.2 Annual implemented public budget allocated to legal aid by type in 2016 (Q12-1)

States	Total annual implemented public budget allocated to legal aid				Annual implemented aid Cases brought to court			Annual implemented public budget allocated to legal aid Non litigious cases and cases not brought to court		
	Total* ① + ②	Per inhabitant	Criminal cases	Other than criminal cases	Total ①	Criminal cases	Other than criminal cases	Total ②	Criminal cases	Other than criminal cases
Austria	19 700 000 €	2,25 €	NA	NA	NA	NA	NA	NA	NA	NA
Belgium	82 832 590 €	7,32 €	NA	NA	NA	NA	NA	NA	NA	NA
Bulgaria	4 197 520 €	0,59 €	NA	NA	NA	NA	NA	NA	NA	NA
Croatia	10 809 907 €	2,60 €	10 436 871 €	373 036 €	10 433 010 €	10 150 923 €	282 088 €	376 956 €	286 007 €	90 949 €
Cyprus	1 907 617 €	2,25 €	NA	NA	NA	NA	NA	NA	NA	NA
Czech Republic	21 135 536 €	2,00 €	15 766 130 €	5 369 406 €	21 135 536 €	15 766 130 €	5 369 406 €	NA	NA	NA
Denmark	NA	5 748 769,00 €	NA	NA	129 857 618 €	65 784 341 €	64 073 276 €	NA	NA	NA
Estonia	3 835 000 €	2,91 €	NA	NA	NA	NA	NA	NA	NA	NA
Finland	89 400 000 €	16,24 €	NA	NA	NA	NA	NA	NA	NA	NA
France	312 268 327 €	4,81 €	NA	NA	305 194 866 €	NA	NA	7 073 461 €	NA	NA
Germany	663 094 352 €	8,07 €	125 288 844 €	232 428 330 €	453 534 580 €	136 654 244 €	256 262 037 €	43 528 278 €	NA	23 118 293 €
Greece	6 120 564 €	0,57 €	NA	NA	NA	NA	NA	NA	NA	NA
Hungary	1 140 272 €	0,12 €	NA	NA	NA	NA	NA	NA	NA	NA
Ireland	91 666 000 €	19,61 €	52 998 000 €	38 668 000 €	NA	52 998 000 €	NA	NA	NAP	NA
Italy	233 477 724 €	3,85 €	141 769 784 €	91 707 940 €	233 477 724 €	141 769 784 €	91 707 940 €	0 €	0 €	0 €
Latvia	2 035 197 €	1,03 €	NA	NA	NA	NA	NA	NA	NA	NA
Lithuania	5 494 755 €	1,93 €	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Luxembourg	NA	590 700,00 €	NA	NA	NAP	NAP	NAP	NAP	NAP	NAP
Malta	161 662 €	0,37 €	NA	NA	161 662 €	NA	NA	NAP	NAP	NAP
Netherlands	468 300 000 €	27,42 €	170 700 000 €	297 600 000 €	NA	NA	NA	NA	NA	NA
Poland	27 427 000 €	0,71 €	16 039 000 €	11 388 000 €	NAP	NAP	NAP	NA	NA	NA
Portugal	60 335 899 €	5,85 €	NA	NA	NA	NA	NA	NA	NA	NA
Romania	10 173 620 €	0,52 €	9 483 803 €	689 817 €	10 173 620 €	9 483 803 €	689 817 €	NA	NA	NA
Slovakia	NA	5 435 343,00 €	NA	2 131 004 €	NA	NA	NA	NA	NA	NA
Slovenia	3 091 043 €	1,50 €	NA	NA	NA	NA	NA	NA	NA	NA
Spain	262 316 223 €	5,64 €	NA	NA	NA	NA	NA	NA	NA	NA
Sweden	361 941 952 €	36,21 €	NA	NA	NA	NA	NA	NA	NA	NA
Average	114 285 948 €	436 110 €	67 810 304 €	75 595 059 €	145 496 077 €	61 801 032 €	69 730 761 €	12 744 674 €	143 004 €	7 736 414 €
Median	20 417 768 €	3 €	34 518 500 €	11 388 000 €	75 496 577 €	52 998 000 €	34 721 341 €	3 725 209 €	143 004 €	90 949 €
Minimum	161 662 €	0 €	9 483 803 €	373 036 €	161 662 €	9 483 803 €	282 088 €	- €	- €	- €
Maximum	663 094 352 €	5 748 769 €	170 700 000 €	297 600 000 €	453 534 580 €	141 769 784 €	256 262 037 €	43 528 278 €	286 007 €	23 118 293 €
Nb of values	27	27	27	27	27	27	27	27	27	27
% of NA	11%	0%	67%	63%	59%	63%	67%	74%	78%	78%
% of NAP	0%	0%	4%	4%	11%	11%	11%	11%	15%	11%

*Depending on the country , only the total budgets are available and can be calculated by subcategory (Cases brought to court and/or cases not brought to court and non-litigious cases)

Table 5.4 Total annual approved public budget allocated to legal aid in 2010 to 2016 (absolute number and per inhabitant) (Q1, Q12)

States	2010		2012		2013		2014		2015		2016	
	Absolute number	Per inhabitant	Absolute number	Per inhabitant	Absolute number	Per inhabitant	Absolute number	Per inhabitant	Absolute number	Per inhabitant	Absolute number	Per inhabitant
Austria	18 400 000 €	2,2 €	19 000 000 €	2,2 €	19 000 000 €	2,2 €	19 000 000 €	2,2 €	19 000 000 €	2,2 €	19 500 000 €	2,2 €
Belgium	75 326 000 €	6,9 €	87 024 000 €	7,8 €	85 241 000 €	7,6 €	84 628 000 €	7,5 €	77 891 000 €	6,9 €	78 826 000 €	7,0 €
Bulgaria	3 867 730 €	0,5 €	3 579 030 €	0,5 €	4 588 828 €	0,6 €	4 306 647 €	0,6 €	4 785 010 €	0,7 €	4 202 804 €	0,6 €
Croatia	11 160 557 €	2,5 €	8 071 016 €	1,9 €	6 694 673 €	1,6 €	11 464 658 €	2,7 €	11 529 667 €	2,8 €	10 810 000 €	2,6 €
Cyprus	NA	NA	1 526 738 €	1,8 €	1 098 226 €	1,3 €	NA	NA	NA	NA	2 076 200 €	2,4 €
Czech Republic	28 361 213 €	2,7 €	24 142 835 €	2,3 €	20 805 554 €	2,0 €	NA	NA	NA	NA	NA	NA
Denmark	87 896 311 €	15,8 €	83 643 048 €	14,9 €	NA	NA	NA	NA	NA	NA	NA	NA
Estonia	2 982 213 €	2,2 €	3 835 000 €	3,0 €	3 835 000 €	2,9 €	3 835 000 €	2,9 €	3 838 326 €	2,9 €	3 835 000 €	2,9 €
Finland	58 100 000 €	10,8 €	67 697 000 €	12,5 €	71 208 000 €	13,1 €	65 276 000 €	11,9 €	77 700 000 €	14,2 €	89 400 000 €	16,2 €
France	361 197 138 €	5,6 €	367 180 000 €	5,6 €	369 270 787 €	5,6 €	345 406 000 €	5,2 €	389 200 710 €	5,8 €	400 832 233 €	6,2 €
Germany	NA	NA	344 535 431 €	4,3 €	345 878 597 €	4,3 €	686 978 779 €	8,5 €	673 149 670 €	8,2 €	690 047 549 €	8,4 €
Greece	2 500 000 €	0,2 €	8 300 000 €	0,8 €	7 970 370 €	0,7 €	10 225 994 €	0,9 €	12 010 629 €	1,1 €	10 321 925 €	1,0 €
Hungary	304 823 €	0,0 €	907 974 €	0,1 €	612 980 €	0,1 €	570 980 €	0,1 €	788 773 €	0,1 €	804 784 €	0,1 €
Ireland	87 435 000 €	19,1 €	83 159 000 €	18,1 €	84 623 000 €	18,4 €	80 126 000 €	17,3 €	79 971 000 €	17,1 €	82 390 000 €	17,6 €
Italy	127 055 510 €	2,1 €	153 454 322 €	2,6 €	160 755 405 €	2,7 €	NA	NA	NA	NA	NA	NA
Latvia	842 985 €	0,4 €	962 294 €	0,5 €	962 294 €	0,5 €	1 650 291 €	0,8 €	1 863 989 €	0,9 €	2 514 338 €	1,3 €
Lithuania	3 906 105 €	1,2 €	4 543 826 €	1,5 €	4 561 226 €	1,5 €	5 900 767 €	2,0 €	5 925 285 €	2,1 €	5 500 227 €	1,9 €
Luxembourg	3 000 000 €	5,9 €	3 500 000 €	6,7 €	3 000 000 €	5,5 €	3 000 000 €	5,3 €	3 500 000 €	6,2 €	4 000 000 €	6,8 €
Malta	85 000 €	0,2 €	49 500 €	0,1 €	49 500 €	0,1 €	70 000 €	0,2 €	51 000 €	0,1 €	100 000 €	0,2 €
Netherlands	481 655 000 €	28,9 €	495 300 000 €	29,5 €	498 200 000 €	29,6 €	430 000 000 €	25,4 €	417 100 000 €	24,6 €	440 400 000 €	25,8 €
Poland	23 244 000 €	0,6 €	24 107 000 €	0,6 €	-	-	25 029 000 €	0,7 €	-	-	65 738 000 €	1,7 €
Portugal	51 641 260 €	4,9 €	55 184 100 €	5,3 €	42 241 300 €	4,1 €	33 403 315 €	3,2 €	35 466 326 €	3,4 €	31 816 000 €	3,1 €
Romania	7 915 238 €	0,4 €	7 958 050 €	0,4 €	8 739 157 €	0,4 €	9 518 975 €	0,4 €	8 877 666 €	0,4 €	10 306 534 €	0,5 €
Slovakia	1 357 776 €	0,2 €	1 771 287 €	0,3 €	1 687 629 €	0,3 €	NA	NA	NA	NA	NA	NA
Slovenia	5 834 338 €	2,8 €	5 514 089 €	2,7 €	4 059 128 €	2,0 €	3 414 646 €	1,7 €	3 043 999 €	1,5 €	3 200 000 €	1,5 €
Spain	237 898 199 €	5,2 €	253 034 641 €	5,5 €	-	-	237 581 907 €	5,1 €	254 818 057 €	5,5 €	260 079 600 €	5,6 €
Sweden	195 683 782 €	20,8 €	236 399 146 €	24,7 €	255 679 979 €	26,5 €	244 442 713 €	25,1 €	268 378 957 €	27,2 €	332 168 392 €	33,2 €
Average	75 106 007 €	5,7 €	86 828 864 €	5,8 €	83 365 110 €	5,6 €	104 810 440 €	5,9 €	111 851 908 €	6,4 €	110 820 417 €	6,5 €
Median	18 400 000 €	2,5 €	19 000 000 €	2,6 €	8 354 764 €	2,1 €	15 232 329 €	2,8 €	12 010 629 €	2,9 €	10 810 000 €	2,6 €
Minimum	85 000 €	0,0 €	49 500 €	0,1 €	49 500 €	0,1 €	70 000 €	0,1 €	51 000 €	0,1 €	100 000 €	0,1 €
Maximum	481 655 000 €	28,9 €	495 300 000 €	29,5 €	498 200 000 €	29,6 €	686 978 779 €	25 €	673 149 670 €	27,2 €	690 047 549 €	33,2 €
Nb of values	27	27	27	27	25	25	27	27	26	26	27	27
% of NA	7%	7%	0%	0%	4%	4%	19%	19%	19%	19%	15%	15%
% of NAP	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

Bulgaria, Czech Republic, Finland, Netherlands: The amounts communicated are implemented budgets in 2010, 2012 and 2013(except legal aid for Bulgarian which is approved budget in 2012 and 2013)

Slovakia: The sum stated for the years 2010, 2012 and 2013 represents exclusively the budget of the Legal Aid Centre which grants legal aid in other than criminal cases to persons in material need

Table 5.6: Court fees required to start a proceeding at a court of general jurisdiction in 2016 (Q8)

States	Criminal cases	Other than criminal cases
Austria		
Belgium		
Bulgaria		
Croatia		
Cyprus		
Czech Republic		
Denmark		
Estonia		
Finland		
France		
Germany		
Greece		
Hungary		
Ireland		
Italy		
Latvia		
Lithuania		
Luxembourg		
Malta		
Netherlands		
Poland		
Portugal		
Romania		
Slovakia		
Slovenia		
Spain		
Sweden		
Yes	4	24
No	23	3

Table 5.7 (EC): Coverage of legal aid (other than criminal cases) in 2016 (Q16, Q17)

States	EC Code	Legal aid applies to representation in court	Legal aid applies to legal advice	Legal aid includes coverage of or exemption from court fees	Legal aid covers the fees that are related to the enforcement of judicial decisions	Legal aid covers other costs
Austria	20	Yes	Yes	Yes	Yes	Yes
Belgium	1	Yes	Yes	Yes	Yes	Yes
Bulgaria	2	Yes	Yes	No	No	Yes
Croatia	11	Yes	Yes	Yes	Yes	Yes
Cyprus	13	Yes	Yes	Yes	No	No
Czech Republic	3	Yes	Yes	Yes	Yes	Yes
Denmark	4	Yes	Yes	Yes	Yes	Yes
Estonia	6	Yes	Yes	Yes	Yes	Yes
Finland	26	Yes	Yes	Yes	Yes	Yes
France	10	Yes	Yes	Yes	Yes	Yes
Germany	5	Yes	Yes	Yes	Yes	Yes
Greece	8	Yes	Yes	Yes	Yes	Yes
Hungary	17	Yes	Yes	Yes	Yes	NAP
Ireland	7	Yes	Yes	Yes	No	Yes
Italy	12	Yes	NAP	Yes	Yes	Yes
Latvia	14	Yes	Yes	Yes	No	Yes
Lithuania	15	Yes	Yes	Yes	Yes	Yes
Luxembourg	16	Yes	Yes	Yes	No	No
Malta	18	Yes	No	Yes	Yes	No
Netherlands	19	Yes	Yes	No	Yes	Yes
Poland	21	Yes	Yes	Yes	Yes	Yes
Portugal	22	Yes	Yes	Yes	Yes	Yes
Romania	23	Yes	Yes	Yes	Yes	Yes
Slovakia	25	Yes	Yes	Yes	No	Yes
Slovenia	24	Yes	Yes	No	Yes	Yes
Spain	9	Yes	Yes	Yes	Yes	Yes
Sweden	27	Yes	Yes	Yes	Yes	Yes

Indicator 5: Legal aid

Comments provided by the national correspondents

organised by country

Question 8: Litigants required in general to pay a court tax or fee to start a proceeding at a court of general jurisdiction

Question 12: Annual approved public budget allocated to legal aid, in €

Question 12-1: Annual implemented public budget allocated to legal aid, in €

Question 16: Type of legal aid

Question 17: Courts fees covered by legal aid

Question 18: Enforcement of judicial decisions covered by legal aid

Question 19: Other costs covered by legal aid

Austria

Q008 (2016): The duty to pay court fees arises from the starting 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.

Q8 (2015): The duty to pay court fees arises from the starting 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.

Q012 (2016): A lump sum of € 19.500.000 represents the approved public budget for payment to the bar for “pro bono” representation of parties. The implemented public budget for payment to the bar for “pro bono” representation of parties is € 19.700.000. The difference between these two figures is mainly due to advance payments to the bar for “pro bono” representation in overlong cases.

These figures do, however, not include court fees for expertise or interpretation, which are also covered by legal aid, but not isolated within the budget. Therefore, no figures can be provided as regards the whole regime of legal aid.

Q12-1 (General Comment): The indicated 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. Accordingly, no figures can be provided as regards the whole regime of legal aid.

Q012-1 (2016): A lump sum of € 19.500.000 represents the approved public budget for payment to the bar for “pro bono” representation of parties. The implemented public budget for payment to the bar for “pro bono” representation of parties is € 19.700.000. The difference between these two figures is mainly due to advance payments to the bar for “pro bono” representation in overlong cases.

These figures do, however, not include court fees for expertise or interpretation, which are also covered by legal aid, but not isolated within the budget. Therefore, no figures can be provided as regards the whole regime of legal aid.

Q12-1 (2015): A lump sum of € 19.000.000 represents the approved public budget for payment to the bar for “pro bono” representation of parties. The implemented public budget for payment to the bar for “pro bono” representation of parties is € 20.800.000. The difference between these two figures is mainly due to advance payments to the bar for “pro bono” representation in overlong cases.

These figures do, however, not include court fees for expertise or interpretation, which are also covered by legal aid, but not isolated within the budget. Therefore, no figures can be provided as regards the whole regime of legal aid.

Q12-1 (2014): In the frame of the 2014 exercise, a lump sum of € 19 Mio represents the approved public budget for payment to the bar for “pro bono” representation of parties. The implemented public budget in this respect is € 21 070 101. The difference between these two figures is mainly due to advance payments to the bar for “pro bono” representation in overlong cases.

Q017 (2016): 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 trial detention; • during the entire procedure on the confinement in an institution for mentally abnormal offenders; • during the trial on the confinement in an institution for addicted offenders i need of curing and on the confinement in an institution for dangerous subsequent offender; •during the trial in front of a jury or of a court of lay assessors; • during the trial 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 of 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 trial 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 base of the minimum living wage which may not be provided given by sec 5 of

Q17 (2015): 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.

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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 trial detention;
- during the entire procedure on the confinement in an institution for mentally abnormal offenders;
- during the trial on the confinement in an institution for addicted offenders in need of curing and on the confinement in a institution for dangerous subsequent offender;
- during the trial in front of a jury or of a court of lay assessors;
- during the trial 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 of 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 trial 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

Belgium

Q008 (2016): No court tax is required for starting a proceeding in labour and tax matters for disputes which value is below 250 000 EUR.

Q8 (2015): There are no assignment rights for labor disputes and tax disputes with a value of less than EUR 250 000.

Q8 (2014): In criminal, correctional or police matters, even if there is a civil party, no court fees are required for starting the procedure. In other than criminal matters, court fees concern the registration of a case, request or application to the registry (article 269/1 of the Code of court fees and fees related to registration and mortgage). In respect of particular categories of cases, the law provides for exemption from court fees. Such exemption is also granted with regard to cases transferred to other courts in compliance with the law on the use of languages in administrative matters or in case of a judgment declining jurisdiction.

Q8 (2012): In criminal, correctional or police matters, even if there is a civil party, no court fees are required for starting the procedure. In other than criminal matters, court fees concern the registration of a case, request or application to the registry (article 269/1 of the Code of court fees and fees related to registration and mortgage). In respect of particular categories of cases, the law provides for exemption from court fees. Such exemption is also granted with regard to cases transferred to other courts in compliance with the law on the use of languages in administrative matters or in case of a judgment declining jurisdiction.

Q12 (2012): 2010: The 25% increase of the approved budget allocated to legal aid between 2008 and 2010 can be explained by an increase in costs and expenses.

Q016 (2016): In Belgium there are three kinds of legal aid: primary legal aid, secondary legal aid and legal assistance. Primary legal aid consists of practical information, legal information, an initial legal advice or referral to a specialised body (Article 508/1 of the Judicial Code). Secondary legal aid is provided to an individual in the form of a detailed legal advice or judicial assistance as part or not of a procedure or assistance in a trial including representation. Legal assistance consists in exempting, in whole or part, those who do not have the necessary income to meet the costs of proceedings, from paying the related costs that will consequently be covered by the budget of the State (Article 664 of the Judicial Code). Legal assistance may be obtained in criminal or civil matters and in any proceeding (judicial, administrative or arbitral).

Q017 (2016): Legal aid includes the coverage of or the exemption from court fees. Conversely, secondary legal aid (assistance and representation by a lawyer) does not cover justice costs, but solely lawyers' fees.

According to article 664 of the Belgian Judicial Code, the legal assistance consists in exempting, in whole or in part, those who do not have the incomes needed to meet the proceedings costs, even extra-judicial, from paying the various duties, of registration, court fees and shipping costs and other expenditures that might be involved. It also guarantees to the persons concerned the free of charge services of public and ministerial officers in the conditions hereinafter defined. It also enables the beneficiaries to receive free assistance of a technical advisor during judicial expertise.

Q17 (2012): Legal aid refers to the concept of legal assistance, that is to say the benefit of free proceedings.

Q018 (2016): Legal aid can be granted for the fees that are related to the enforcement of judicial decisions.

Q019 (2016): Legal aid covers:

- All acts pertaining to applications submitted or pending before a judge in civil, criminal or administrative matters, or before arbitrators;
- Acts related to enforcement of court decisions;
- Proceedings instituted upon application;
- Procedural acts that are within the competence of a civil or criminal judge or imply the intervention of a public or ministerial official;
- Mediation procedures (judicial or voluntary) carried out by a mediator certified by the Federal Mediation Commission (article 1727);
- All extra-judicial proceedings foreseen by law or the judge;
- Enforcement of authentic acts in another Member State of the European Union in the frame of article 11 of the Directive 2003/8/CE of the Council of 27 January 2003 intended to improve access to justice in cross-border disputes through the establishment of minimum common rules pertaining to legal aid granted in such matters, in compliance with the conditions defined by the mentioned directive;
- The assistance of a technical advisor within the frame of judicial expertise.

Articles 691 to 692bis of the Judicial Code refer to a series of costs advanced by the State (transport and accommodation costs of magistrates and public and ministerial officials, costs related to witnesses, interpreters, bailiffs, notaries etc.) at the discharge of the beneficiary of legal aid.

Bulgaria

Q008 (2016): Art. 83 of the Code of Civil Procedure (1) Fees and costs of the proceeding in the cases shall not be deposited:

1. by the plaintiffs who are factory or office workers or cooperative members in respect of any actions arising from employment relationships;

2. by the plaintiffs: in respect of any actions for maintenance obligations;

3. on any actions brought by a prosecutor;

4. by the plaintiff: in respect of any actions for damages sustained as a result of a tort or delict, for which a sentence has entered into effect;

5. by the ad hoc representatives of the party whose address is unknown, appointed by the court.

(2) Fees and costs of the proceeding shall not be deposited by any natural persons who have been found by the court to lack sufficient means to pay the said fees and costs. Considering the petition for waiver, the court shall take into consideration:

1. the income accruing to the person and to the family thereof;

2. the property status, as certified by a declaration;

3. the family situation;

4. the health status;

5. the employment status;

6. the age;

7. other circumstances ascertained.

(3) In the cases covered under Paragraphs (1) and (2), the costs of the proceeding shall be paid from the amounts allocated under the budget of the court.

Waiver in Special Cases

Article 84. Payment of stamp duty but not of court costs shall be waived for:

1. the State and the government institutions, except in actions for private state receivables and rights to corporeal things constituting private state property;

2. the Bulgarian Red Cross;

3. the municipalities, except in actions for private municipal receivables and rights to corporeal things constituting private municipal property.

Q8 (2015): Article 5 of the Stamp Duty Act states:

The following shall be exempt from stamp duties:

a) applications filed with the National Assembly, the President of the Republic, the Council of Ministers;

b) documentation in relation to the labour activities of workers and employees, regulated by the Labour Protection Law and the by-laws regulating their enforcement, as well as the labour contracts - both individual and collective;

c) claimants - workers and officers - on claims for remuneration for performed work, and on other claims, ensuing from labour contracts;

d) claimants, who are members of production cooperatives on claims for remuneration for the work performed by them in the same cooperatives;

e) (repealed);

f) claimants on remuneration claims, ensuing from rights on inventions;

g) claimants on claims for support;

h) registration of birth and death certificates and adoption certificates and the initial registration certificates of civil status;

i) (repealed);

k) all documents and papers concerning: criminal trials of general nature; lawsuits for money support; lawsuits for guardianship; lawsuits for establishing of origin; papers and documents for setting and granting relief to mothers of many children; for social and legal protection of minors; for social support, for obtaining the right to pension; for establishment, registration, and other changes of cooperatives;

l) papers and documents in relations to the activities of the mutual aid funds;

m) all types of requests, applications, enrollment forms, education certificates and certificates for completed training courses, as well as any other certificates, and duplicates thereof, which are issued by the educational and tutorial establishments for obtaining elementary and high education and by the Ministry of Education and Science;

n) foreign citizens, by the virtue of international agreements and understandings for participation in competitions for admission in the state higher and semi-higher educational establishments;

o) the disabled, pregnant, and mothers of children under 6 years of age, orphans, in the events of transfer from one educational establishment to another, from one specialty or form of study to another due to health reasons, established by the findings of a medical commission;

p) the Bulgarian Red Cross;

q) applications for recording school boards in the regional court register;

r) cases provided for in the international contracts effective for the Republic of Bulgaria;

Civil Procedure Code - Court fees on the cost of action and court costs are collected upon conduct of the case. Where the action is unappraisable, 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.

Fees and costs of the proceeding in the cases do not be deposited:

Q12 (2014): In the frame of the 2014 exercise, it has been specified that the implemented budget of legal aid exceeds the approved one because of a large number of criminal cases of serious crimes and a large number of civil cases with high material interest justifying higher legal fees.

Q12 (2012): In the frame of the 2012 exercise, it has been explained that the increase of the budget allocated to legal aid between 2010 and 2012 was due to the increase of the number of poor citizens.

Q16 (2014): In 2014, changes were made in the Regulations of the organization and activities of the National Legal Aid Bureau. Since May 2015, within the NLAB are permanently operating the National Primary Legal Aid Hotline and the Regional Consultation Centers for vulnerable social groups.

Q16 (2012): On the occasion of the 2012 evaluation, it has been stressed that in the last two years legislative changes in the Legal Aid Act have been carried out in several directions: increasing the powers of the authorities of the legal aid system and exercising control over granting legal aid; introduction of the figure of the stand-by defence counsel with the purpose of expediting court proceedings in criminal matters; changes in the order and circumstances for entering and striking from the National Legal Aid Register – the disciplinary measures towards lawyers have increased, being a ground for refusal for entering the Register and for striking from it; introducing legislative requirements (order, circumstances and terms) for reporting 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 benefit; persons placed in specialized institutions for provision of social services or using a resident-type social service or a Mother and Baby Unit social service; a child at risk within the meaning of the Child Protection Act; victims of domestic or sexual violence or of trafficking in human beings; seekers of international protection etc.).

Q17 (2015): Legal aid does not include the coverage of or the exemption from court fees but according to the Code of Civil Procedure fees and costs of the proceeding shall not be deposited by any natural persons who have been found by the court to lack sufficient means to pay the said fees and costs.

Croatia

Q008 (2016): According to the Court Fees Act (Official Gazette, No. 74/95, 57/96, 137/02, 26/03, 125/11, 112/12, 157/13, 110/15), 19 subjects are exempt from paying court fees, such as state government bodies, public authorities, employees in administrative and labour disputes, vulnerable groups, etc.

Q8 (2015): According to the Court Fees Act (OG 74/95, 57/96, 137/02, (26/03), 125/11, 112/12, 157/13, 110/15), the following subjects are exempt from paying court fees:

1. The Republic of Croatia and state government bodies
2. Persons and bodies performing public authorities for the performance of such authorities
3. Workers and employees in labour disputes and officials in administrative disputes with regard to exercising their rights from official relations
4. Workers in administrative disputes arising from pre-bankruptcy settlement
5. Disabled veterans of the Homeland War, based on adequate documents proving their status
6. Spouses, children and parents of veterans who were killed, missing or captured in the Homeland War, based on adequate documents proving their status
7. Spouses, children and parents of those who were killed, missing or captured in the Homeland War, based on adequate documents proving their status
8. Displaced persons, refugees and returnees, based on adequate documents proving their status
9. Social aid beneficiaries who receive a subsistence allowance
10. Humanitarian organisations and organisations dedicated to the protection of disabled persons and families of those who were killed, missing or captured during the performance of humanitarian activities
11. Children as parties in proceedings for child care support or in proceedings regarding claims based on that right
12. Plaintiffs in proceedings for acknowledgement of maternity and paternity, and for costs incurred from extramarital pregnancy and childbirth
13. Parties requesting the restoration of working competence
14. Minors requesting the acquisition of working competence based on becoming parents
15. Parties in procedures for transferring custody of a child and for reaching a decision on organizing meetings and spending time with the child
16. Plaintiffs in disputes regarding rights from mandatory pension and basic health insurance, rights of unemployed persons based on regulations on employment and social welfare rights
17. Plaintiffs, i.e. applicants in procedures for the protection of constitutionally guaranteed rights and freedoms against final decisions in individual acts, i.e. for protection due to unlawful actions
18. Plaintiffs in disputes regarding the compensation of damages for environmental pollution
19. Unions and higher level union associations in civil procedure acts for a replacement court agreement and in collective labour disputes, and union representatives in civil procedure acts performing the authority of a worker's council.

Foreign countries are exempt from paying fees if that is determined by an international agreement or subject to reciprocity.

Q012 (2016): The annual approved public budget allocated in other than criminal cases to primary legal aid (for non-litigious cases or cases not brought to court) in 2016 was significantly reduced, which results in great differences in total amount approved in other than criminal cases to legal aid in 2014/2015 and 2016.

Q12 (2014): In the 2014 exercise, it has been specified that the amount of legal aid approved and also allocated to the cases brought before the court (primary legal aid) was 1.450.000,00 kuna, and legal aid for non-litigious cases or cases not brought to court (secondary legal aid) was 2.570.000,00 kuna. The figures provided in the table are calculated according to the currency for 31st December 2014 which was 1 €=7,6577 kuna.

Q12 (2013): In the 2013 exercise, it is explained that the budget for legal aid was increased as a response to the observed trend of increased number of requests for granting legal aid. Besides, it is specified that 253 750 euro represent the funds allocated to legal aid in the budget of Croatia intended for free legal aid under the Free Legal Aid Act (civil and administrative proceedings). There also exist funds paid as per submitted requests for granting legal aid - 236 000 euro which could be registered in the following categories: "other than criminal law cases" – 210000; "annual public budget allocated to legal aid for non-litigious cases or cases not brought to court" – 26000.

Q12 (2012): In 2012, due to the decreased budget planned for the Ministry of Justice, the amount allocated to legal aid is lower than in 2010. More precisely, the reduction of the budget for legal aid in administrative and civil proceedings was due to the economic situation.

Q012-1 (2016): In the Ministry of Justice of the RoC there is a Department for legal aid in other than criminal cases and it keeps records on the total annual and implemented budget for legal aid in other than criminal cases in detail. The costs for the legal aid in other than criminal cases are paid after the end of the dispute before the first instance court.

The amount in 2016 for "other than criminal cases brought to court" is higher because more bills had to be paid in 2016. Namely, court proceedings last for several years, and probably in 2016 more bills for paying the costs of court experts and interpreters had been received since the Free Legal Aid Act (OG 143/13), which grants the exemption from paying the costs of court experts and interpreters, came into force on 1 January 2014.

Different methodologies were used in 2014 and 2016 for non-litigious cases or cases not brought to court. According to the methodology used in 2016, the total amount for non-litigious cases or cases not brought to court in 2014 would be 346779, while the amount for criminal cases would be 255 830.

Q12-1 (2015): The Ministry of Justice of the RoC keeps statistical records on the total annual approved and implemented budget for legal aid (separate for the other than criminal cases and separate for courts and public prosecution services). Since in the Ministry of Justice there is a Department for legal aid in other than criminal cases, it is possible to keep a track record on these cases in detail. However, it is not possible to present in detail all the other data for approved and implemented budget (total - cases brought to court and cases not brought to court; criminal cases - cases brought to court and cases not brought to court).

Q16 (2014): The new Free Legal Aid Act entered into force on the 1st of January 2014. The aim pursued by this reform was to unburden the existing judicial and administrative system. The procedure of exercising the right to primary legal aid (general legal information, legal advice, drawing up submissions in procedures before public and international bodies, representation in proceedings in public bodies, legal aid in amicable, out-of-court dispute resolution) is substantially simplified. Involvement of civil society groups, legal clinics and government bodies in the system of primary legal aid and legal counseling increased the territorial availability of expert legal aid. As to the approval of secondary legal aid in court proceedings and exoneration from paying court costs and court fees (secondary legal aid), the focus of the reform has been placed on increasing the property threshold for approving legal aid. As well, the average monthly income per member of the household of the applicant of the secondary legal aid has been increased.

Cyprus

Q12 (2013): 2013: The decrease in the Legal Aid budget is as a result of the austerity measures and in relation to the budget there were less applications for legal aid.

Q012-1 (2016): In 2016 there was an increase in the number of legal aid cases.

Czech Republic

Q012 (2016): The data on approved budget allocated to legal aid do not exist, the approved budget is not divided to this level.

Q12 (2014): Specifically, as concerns the 2014 exercise, it is indicated that data on approved budget allocated to legal aid do not exist because the approval budget is not divided to this level. Owing to the impossibility to identify the approved public budget for legal aid, the reply in respect of this question is NA.

Q12-1 (General Comment): The provided data covers only financial means from the State budget and only cases brought to court. Besides, legal aid is also provided by the Czech Bar Association on its own expenses (or on the expenses of the individual lawyers) and it could cover also cases not brought to court.

Q012-1 (2016): The data on implemented budget are obtained from individual courts from their economic system. The provided data covers only financial means from the State budget and only cases brought to court. Besides, legal aid is also provided by the Czech Bar Association on its own expenses (or on the expenses of the individual lawyers) and it could cover also cases not brought to court.

Q12-1 (2015): The data on approved budget allocated to legal aid do not exist, the approval budget is not divided to this level. The data on implemented budget are obtained from individual courts from their economic system.

The provided data covers only financial means from the State budget and only cases brought to court. Besides, legal aid is also provided by the Czech Bar Association on its own expenses (or on the expenses of the individual lawyers) and it could cover also cases not brought to court.

Q12-1 (2012): In the frame of the 2014 exercise, it has been indicated that data on implemented budget are obtained from individual courts from their respective economic systems.

Denmark

Q008 (2016): As a rule, legal fees must be paid in all civil cases. However, there are types of cases that are exempt from court fees. Cases of marriage, custody and paternity are examples of cases where there is no legal charge. If you have been given a free trial to prosecute, you will not pay a court fee.

Q12 (2014): In the frame of the 2014 exercise, it has been indicated that the budget foreseen for legal aid in 2012 and 2013 proved to be far less than the actual costs these years. Accordingly, the 2014 budget was increased considerably. Thus, there is not a significant increase in expenditure rather that budget is adapted to the actual consumption. This applies to the cost of both criminal and other cases.

Q12 (2013): In the ambit of the 2013 exercise, it has been noticed that the 2012 budget was well below the actual result for this year and that accordingly, the 2013 budget has been increased.

Q016 (2016): Criminal cases:

Defendants are in all cases appointed a defence attorney. Victims of certain criminal offences (e.g. sexual offences, homicide and acts of violence) have access to representation in court by a support attorney. Basic legal advice is available to all persons in criminal cases. Further legal advice is only available subject to certain economic criteria.

Q017 (2016): In civil cases, if a party is granted legal aid (fri proces) in a case before the court, the party is inter alia exempt from paying court fees. Legal aid can also be provided in the form of free legal advice (retshjælp).

Q018 (2016): The bailiff's court can grant legal aid if the person meeting before the court is deemed to need assistance from a lawyer.

Q019 (2016): E.g. expenses that with good reason have been held in connection with a trial. Under special circumstances fees for technical advisors or experts are covered in criminal cases.

Estonia

Q12 (2013): For 2013, according to the executed budget, the sums paid to lawyers represent 2 980 235 euros from the total (3 835 000). From these 2 980 235 euros, 2 226 315 euros were allocated to legal aid for criminal cases and 718 922 euros were allocated to legal aid for civil and administrative cases, the rest was allocated to legal aid for misdemeanor, enforcement procedure, administrative procedure and review procedure cases and legal consultation.

Q12 (2012): The variation observed between 2010 and 2012 should be explained in the light of the above-mentioned clarifications. For 2012, the sums paid to lawyers represent 2 857 850 euros from the total (3 835 000). In this respect, the difference with the amount provided for 2010 is not such important (2 307 334 euros). On the contrary, the IT costs included in the budget of legal aid for both of the exercises are especially high in 2012 due to the implementation of a new IT system. Basically, the increase of this specific part of the legal aid budget affects the total.

Q017 (2016): Partial or full exemption from the court fees (depending on the financial situation of the person).

Finland

Q8 (2015): 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, for example the coercive measures.

A beneficiary of legal aid is free from payment liability. Certain parties are likewise free from payment liability (for example the police and other preliminary investigation authorities as well as prosecutors, enforcement authorities and the authorities of the state and municipality).

In 2015, the litigants did not have to pay fees in criminal cases. However, it has to be noted that this has changed in the beginning of 2016.

Q8 (2014): On the occasion of the 2014 exercise, it has been indicated that a government proposal on extending the field of application of court fees is currently pending. It is presented that the fees should be higher and that the group of matters handled free of charge should be reduced.

Q012 (2016): The legal aid expenses has been increasing. This is due to the 4 % increase made in the legal fees. Also the number of refugees getting legal aid has been risen.

Q12 (2014): Legal aid expenses have been increasing. In 2014 this was due to the 4 % increase made in the legal fees. In 2015 this is due to the increase in the number of refugees to whom legal aid was granted.

Q012-1 (2016): A part of the expenses of the legal aid comes from cases which are not heard in the courts. The total amount includes the expenses of the public legal aid offices (net EUR 23 million) and the expenses paid to the private lawyers. Private lawyers were paid EUR 66.4 million as fees and compensations in legal aid matters, which is 24 per cent more than in the previous year. Expenses have grown as the number of clients has grown. In 74 per cent of the 15,600 legal aid decisions made concerning asylum seekers applying for international protection, the applicant was assisted by a private lawyer.

Q12-1 (2015): Q12: A part of the expenses of the legal aid comes from cases which are not heard in the courts. The total amount includes the expenses of the legal aid offices (24,2 milj. €) and the expenses paid to the Private lawyers (53,5 milj. €).

France

Q008 (2016): In civil and criminal matters, proceedings before first instance courts and the Court of cassation are free of charge (it is not the case for appeals). In administrative matters, proceedings are free of charge at all instances (first instance courts, courts of appeal and the State Council).

Q8 (2014): The Law on Finance for 2014 repealed the contribution that had been established by the 1991 Law on Finance. Proceedings before civil courts of first instance and cassation are free of charge, in contrast with the appeal. Proceedings before administrative courts at all instances are free of charge.

Q8 (2012): The 1991 Law on Finance, as amended in 2011, has established a contribution of 35 € aimed at financing legal aid. A beneficiary of legal aid is exempted from paying this contribution. The latter is not required before certain courts or court divisions (e.g. guardianship judge, children's judge, liberty and custody judge, Compensation Board for victims of crimes). An exemption is granted for certain proceedings which should be, according to the law, free of charge (especially social security disputes).

Finally, the contribution can be covered by the costs paid by the adverse party according to the court's decision.

Q8 (2010): The 1991 Law on Finance, as amended in 2011, has established a contribution of 35 € aimed at financing legal aid. A beneficiary of legal aid is exempted from paying this contribution. The latter is not required before certain courts or court divisions (e.g. guardianship judge, children's judge, liberty and custody judge, Compensation Board for victims of crimes). An exemption is granted for certain proceedings which should be, according to the law, free of charge (especially social security disputes).

Finally, the contribution can be covered by the costs paid by the adverse party according to the court's decision.

Q12 (2015): Thus the implemented budget for legal aid allocated to criminal cases increased significantly between 2014 and 2015 (by 141%).

The 90% decrease between 2014 and 2015 regarding the annual implemented public budget relating to legal aid for non-litigious cases or cases not brought to court results from the different presentation. The related legal aid costs, including those attributed to custody, have been included in the annual implemented public budget allocated to legal aid for cases brought to courts.

This also explains the decrease in other than criminal cases (by 53%). In the basis of calculation have been included the expenses relating to criminal field, the costs for custody (*garde à vue*), mediation and penal composition, assistance to prisoners, protocols art. 91 and the custodial agreements. The portion of other than criminal expenses is reduced by the same amount.

Q12 (2012): The methodology of presentation of data is different for 2010 and 2012. For 2012, legal aid for non-litigious proceedings amounts to 49,732,000 euros. Therefore, for all criminal cases (brought to court and out of court) 49,732,000 euros should be added to the 88,730,000 euros, bringing the figure to 138,462,000 euros. The increase stems from increased custody costs as a result of the 2011 reform.

Q12 (2010): The 2010 budget of legal aid takes into account budgetary credit derived from the recovery of credits (11.5 million euros) and fiscal expenses linked with the implementation of a 5.5% reduced VAT rate for services provided by lawyers as part of legal aid. Indeed, legal aid expenditure is reduced by the amount recovered by the Treasury services on the losing party when the latter is not granted legal aid. In addition, lawyers are paid by the Lawyers' Pecuniary Payment Fund whose evolution constitutes an adjustment variable (+ 10.8 million euros in 2010).

Q012-1 (2016): The discrepancy between the approved and the implemented annual public budget allocated to legal aid is due to the annulment of credits because of an overvaluation of the allocated budget.

Q017 (2016): According to article 40 of the Law n° 91-647 on Legal Aid of 10 July 1991, legal aid covers all charges relating to the proceedings, procedures or actions for which it is granted, except from the hearing right. Beneficiaries of legal aid are exempt from payment of advance or deposit of such charges. Expenditures related to investigatory measures are advanced by the State.

Q018 (2016): According to article 10 of the Law n° 91-647 on Legal Aid of 10 July 1991, legal aid can also be granted for the enforcement on the French territory of decisions of justice or other enforcement orders, including those delivered by another Member State of the European Union, except for Denmark.

Q019 (2016): According to article 40-1 of the Law n° 91-647 on Legal Aid of 10 July 1991, with regard to cross-border disputes mentioned in article 3-1, legal aid covers translation costs pertaining to the request and the documents needed for the investigation proceedings before transferring the request to the State hosting the court that is competent for ruling on the merits of the case. In respect of the same category of disputes, when proceedings take place in France, legal aid also covers: interpretation costs; translation costs for documents deemed by the judge as essential for the appreciation of the legal aid beneficiary's arguments; travelling costs concerning persons whose presence at the hearings is required by the judge.

Germany

Q008 (2016): There are exceptions in place for counterclaims, for European small claims procedures (ESCP), for disputes about inventions made by an employee inasmuch as the courts have exclusive competence for patent disputes, and for actions for retrial of a case pursuant to section 580 number 8 of the *Zivilprozessordnung* (ZPO, Code of Civil Procedure). This applies to a counterclaim in light of its close ties to a court dispute already pending; in all other regards, particular reasons are given that relate to the proceedings. Further exceptions have been provided for if a petitioner has been granted legal aid for the costs of the proceedings, if the petitioner is entitled to a release from the obligation to pay fees, or if legitimate interests are given for bringing an action or defending against an action, but the petitioner is unable to make the advance payment or if the delay caused to the proceedings by the obligation to pay the fees in advance would result in damages that it is impossible to compensate, or only with difficulty.

Q012 (2016): Data without the Länder Mecklenburg-Vorpommern and Schleswig-Holstein.

Q12 (2015): Re. Question 12:

The data refer to the year 2014. At present, no more recent data are available. Some of the Länder were unable to provide data regarding question 12. Accordingly, the information provided here is incomplete and is not comparable with the 2013 data. Inasmuch as the other Federal Länder have provided data, these were added to the aggregate amount. Since a number of Länder have provided the aggregate amount, but have otherwise indicated "NA" in all or some of the cases, it is not possible to form a sum total under 12.1 or 12.2. For this reason, "NA" was indicated.

Q12 (2014): In 2014, there was no information available from Hamburg, Saarland, and Thuringia.

Inasmuch as the other Federal Länder have provided data, these were added to the aggregate amount. In contrast to the previous cycles, figures indicated by individual Länder only in respect of the total are encompassed in the total which explains the considerable variation between 2013 and 2014 (which is not real and disappears when comparing comparable data (in 2012 the sum of € 304,584,278 was not included in the total and in 2013 - € 316,707,568). Since a number of Länder have provided the aggregate amount, but have otherwise indicated "NA" in all or some of the cases, it is not possible to form a sum total under 12.1 or 12.2. For this reason, "NA" was indicated.

Q12 (2013): In the frame of the 2013 exercise, 10 Länder provided data accompanied by comments.

As in 2012, only figures concerning Länder which provided complete data for the total and the sub-categories were represented in the total (Berlin, Mecklenburg-Western Pomerania, North Rhine/Westphalia, Rhineland-Palatinate, Saxony-Anhalt, and Thuringia). As to individual Länder that communicated only totals (Baden-Württemberg, Bavaria, Brandenburg, Bremen, Hesse, Lower Saxony, Saxony, and Schleswig-Holstein), these amounts were not taken into account (a sum of € 316,707,568). Therefore, the information remained incomplete.

Q12 (2012): In the frame of the 2012 exercise, it has been specified that according to the Legal Advice and Assistance Act, the so-called legal advice and assistance is a social benefit provided by the State to persons seeking justice who cannot afford the assistance of or representation by a lawyer and who have no other reasonable possibility of obtaining assistance. Legal advice and assistance is granted for asserting one's rights outside of court proceedings as well as for obligatory conciliation proceedings pursuant to section 15a of the Act on the Introduction of the Code of Civil Procedure.

In 2012, Bremen, Saarland and Schleswig-Holstein did not provide any information. Only figures concerning Länder which provided complete data for the total and the sub-categories were represented in the total. As to individual Länder that communicated only totals, these amounts were not taken into account (a sum of € 304,584,278). Therefore, the information remained incomplete.

Q12 (2010): In 2010, the sum of 285 625 euros corresponded to the part of the federal budget allocated to legal aid (47 885 for criminal matters and 237 740 for other than criminal matters).

Two Länder did not provide information. Data were not available for a considerable number of Länder in respect of the total or the sub-categories. Accordingly, the information is not complete.

Q012-1 (2016): Data without the Länder Mecklenburg-Vorpommern and Schleswig-Holstein.

Q12-1 (2015): The data refer to the year 2014. At present, no more recent data are available. Some of the Länder were unable to provide data regarding question 12.1. Accordingly, the information provided here is incomplete and is not comparable with the 2013 data. Inasmuch as the other Federal Länder have provided data, these were added to the aggregate amount. Since a number of Länder have provided the aggregate amount, but have otherwise indicated "NA" in all or some of the cases, it is not possible to form a sum total under 12.1 or 12.2. For this reason, "NA" was indicated.

Q017 (2016): Pursuant to section 122 of the Code of Civil Procedure, the granting of legal aid has the effect that the Treasury can only assert court costs if the court had ordered payment (in instalments) on account of the financial situation of the person requesting legal aid. Moreover, the recipient of legal aid is not obligated to pay any potential advance on costs.

Greece

Q012 (2016): A reassessment of the annual budgetary needs in legal aid was made by the Courts Building Fund. The annual cost is not a stable amount and depends on the number of cases where the legal aid is used.

Q12 (2014): The increase of the budget allocated to legal aid between 2013 and 2014 resulted to some extent from time limitations. In 31 December 2014 there were unpaid expenses. Generally, legal aid is entirely paid from the budget of the Courts Building Fund, a legal entity of public law, which draws its budget according to its expected annual revenues and its expected annual needs.

Q12 (2012): The observed increase of the budget allocated to legal aid in 2012 was due to accumulated debts from previous years.

Q12 (2010): The increase of the budget for lawyers in 2010 derived from the increased need and relative requests of payment.

Hungary

Q008 (2016): The court fee is approximately 32 Euro.

Q12 (2013): The annual public budget allocated to legal aid decreased with 33% between 2012 and 2013 as a consequence of the strengthening of the legal aid service.

Q12-1 (2015): Annual implemented public budget of 2015 not yet approved.

Ireland

Q008 (2016): Family Law Proceedings are exempt from court fees.

Q12-1 (2015): In the answer to Question 12 - the category 'other than criminal cases' is the amount as per the Grant in Aid which the Legal Aid Board received for the Government

In the answer to Question 12.1 - under the category 'Total annual public budget implemented regarding legal aid - other criminal cases' this amount includes the Grant in Aid, Client Contributions, Costs Recovered and Other Incomes

'The annual approved public budget allocated to legal aid in other than criminal cases is the state funding received by the Legal Aid Board in 2015. The annual public budget implemented regarding legal aid is the total expenditure of the Legal Aid Board. Please note that:

(1) the Legal Aid Board receives funding from sources other than state funding, in the form of contributions paid by legally aided persons and costs recovered from legally aided persons. This funding is paid into the same Legal Aid Fund as the state funding and therefore it is not possible to distinguish expenditure funded from this source as distinct as from state funding.

(2) The Legal Aid Board does not separately account for the money it spends on the provision of legal advice to the money it spends on the provision of legal representation. Nor does it separately account for the costs of the mediation service from that of the law centre service, and even if it did, that would not represent the full total of the Board's spending on non-litigious cases for the above reason.'

Q17 (2015): Court fees are not charged in criminal cases.

Other than criminal cases: Civil legal aid will pay the person's own costs subject to the possibility of recovering them either from the other party or from any money or property recovered or preserved on behalf of the legally aided person.

Italy

Q8 (2015): Except for cases concerning employment, agriculture, family matters and other specific cases as per law DPR 115/2002

Q012 (2016): In Italy there isn't a specific budget allocated to legal aid. Legal aid is part of the general budget allocated to justice expenses.

Q12 (2013): On the occasion of the 2013 exercise, it has been stressed that the impact of the "annual public budget allocated to legal aid for cases not brought to court" on the total is extremely low. Therefore -essentially- the figures indicated in the frame of 12.1 may be considered as the total budget allocated to legal aid, even though -strictly speaking- it is not so.

Q012-1 (2016): The increase experienced during the period 2014-2016 is very likely due to the higher number of cases for which legal aid was granted.

Latvia

Q008 (2016): Exceptions are regulated with Civil Procedure Law Article 43. (1) The following persons shall be exempt from payment of court costs to the State: 1) plaintiffs – in claims for recovery of remuneration for work and other claims of employees arising from legal employment relations or related to such; 1.1) plaintiffs – in claims arising from agreement on performance of work, if the plaintiff is a person who serves his or her sentence at a place of imprisonment; 2) plaintiffs – in regard to claims arising from personal injuries that result in mutilation or other damage to health, or the death of a person; 3) plaintiffs – in claims for recovery of child or parent support, as well as in claims for determination of paternity, if the action is brought concurrently with the claim for recovery of child support; 3.1) submitters of applications – in regard to recognition or recognition and enforcement of a decision of a foreign country on recovery of child or parent support; 4) plaintiffs – in claims for compensation for financial loss and moral injury resulting from criminal offences; 5) public prosecutors, state or local government institutions and persons who are conferred the right by law to defend the rights, and interests protected by law, of other persons in court; 6) the submitters of applications – in matters regarding restricting the capacity to act of a person due to mental disorders or other health disorders, revising the restriction of capacity to act or restoration of capacity to act; 6.1) the submitters of applications – in regard to establishment and termination of temporary trusteeship; 7) the submitters of applications – in regard to restricting the capacity to act of a person or establishment of trusteeship for a person due to a dissolute or spendthrift lifestyle, as well as excessive use of alcohol or other intoxicating substances; 8) defendants – in matters regarding reduction of child or parent support adjudged by a court, and reduction of such payments as the court has assessed in claims arising from personal injuries resulting in mutilation or other damage to health, or the death of a person; 9.1) the submitters of applications – in matters regarding the unlawful movement of children across borders or detention; 10) administrators – in claims that are brought for the benefit of persons in respect of which insolvency proceedings of a legal person and insolvency proceedings of a natural person have been announced, as well as when submitting an application in a matter regarding insolvency proceedings of a legal person in the case specified in Section 51, Paragraph three of the Insolvency Law; 11) judgment creditors – in execution matters regarding recoveries for payment into State revenues; 11.1) collectors – in execution matters when recovery should be performed according to the uniform instrument permitting enforcement of claims in the requested Member State; 12) tax (fee) administration – in applications in matters regarding insolvency proceedings of a legal person; 13) the Office of Citizenship and Migration Affairs – in matters regarding revocation of Latvian citizenship; and 14) the State Social Insurance Agency – in matters regarding recovery of financial resources in the State budget in the part regarding overpayment of social insurance services or State social allowances or disbursement of social insurance services or State social allowances due to road traffic accidents. (2) If a public prosecutor or state or local government institutions or persons who are conferred the right by law, to defend in court other persons' rights and interests protected by law, of other persons in court, withdraws from an application which has been submitted on behalf of another person, but such person demands adjudication of the matter on the merits, the court costs shall be paid in accordance with generally applicable provisions. (3) The parties may also be exempted from payment of court costs to the State in other cases provided for by law. (4) A court or a judge, upon considering the material situation of a natural person, shall exempt him or her partly or fully from payment of court costs into State revenues, as well as postpone payment of court costs adjudged into State revenues, or divide payment thereof into instalments. (5) In claims for dissolution of marriage upon the request of the plaintiff the judge shall postpone payment of State fees or divide payment thereof into instalments if a minor child is in the care of the

Q012 (2016): Through developing the state ensured legal aid system, the Cabinet of Ministers of the Republic of Latvia has revised amount of the payment due to the legal aid providers for the provision of legal aid, anticipating an annual increase starting with January 1, 2014, January 1, 2015 and July 1, 2016. Moreover additional funds were allocated from the state budget in 2014 to extend the provision of legal aid to the victims (Amendments to the Criminal Procedure Law on May 29, 2014).

Q12 (2014): Through developing the State ensured legal aid system, the Latvian Cabinet of Ministers has revised compensation for the provision of legal aid, anticipating an annual increase starting with January 1, 2014 and January 1, 2015. From 1 May, 2015 it has reached the maximum limit.

Q012-1 (2016): The Cabinet of Ministers Regulations No. 1493 "Regulations on the Extent of the state Ensured Legal Aid, the Amount of the Payment Due to the Legal Aid Providers, Reimbursable Expenses and Payment Procedure Thereof" of December 22, 2009 provides for the types and extent of legal aid, the amount of payment to be paid to the legal aid providers and the reimbursable expenses arising from the provision of legal aid, as well as the amount and payment procedure thereof. Through developing the state ensured legal aid system, the Latvian Cabinet of Ministers has revised amount of payment to be paid to the legal aid providers from 1 July, 2016.

Q12-1 (2015): The Cabinet of Ministers Regulations No. 1493 "Regulations on the Extent of the state Ensured Legal Aid, the Amount of the Payment Due to the Legal Aid Providers, Reimbursable Expenses and Payment Procedure Thereof" of December 22, 2009 provides for the types and extent of legal aid, the amount of payment to be paid to the legal aid providers and the reimbursable expenses arising from the provision of legal aid, as well as the amount and payment procedure thereof. Through developing the state ensured legal aid system, the Latvian Cabinet of Ministers has revised amount of payment to be paid to the legal aid providers from 1 May, 2015 and 1 July, 2016.

Q017 (2016): Since 1 January, 2016 for all recipients of the state ensured legal aid in civil cases there is automatically base of exemptions from the payment of court costs. In criminal and administrative cases a legal framework provides for exemptions from the payment of court costs both on the basis of law automatically and the judge or the person directing the proceedings deciding on the person exemption from the payment of court costs.

Q018 (2016): Answer for Q18 is “No”, but In the Republic of Latvia there is another mechanism how persons receive support at the enforcement of judicial decisions stage – a legal framework that provides for exemptions from the payment to sworn bailiffs of enforcement of the judgment expenditures on the basis of law and in addition sworn bailiffs right to reduce the remuneration fees in another cases.

Q019 (2016): indicates that additional persons are exempted, for example, from expertise, interpreters and travel expenses. In accordance with the Cabinet of Ministers Regulation No 1493 of 22 December 2009 “Regulations Regarding the Amount of State-ensured Legal Aid, the Amount of Payment, Reimbursable Expenses and the Procedures for Payment Thereof” the State shall pay to the provider of legal aid also for drawing up procedural documents in all kind of legal aid cases and for representation in pre-trial criminal proceedings.

Lithuania

Q008 (2016): According to Article 83(1) of the Code of Civil Procedure of the Republic of Lithuania there are 14 subjects to be released from the payment of the stamp duty (court fee) in cases which are heard by a court. For instance:

- 1) employees in cases concerning all claims arising from the legal relationships of employment and consumers in cases concerning unfair terms of consumer contracts;
- 2) 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;
- 3) a prosecutor, State and municipal institutions, other persons when a claim or petition is lodged in order to defend public, State and/or municipal interests in that part of a case, in which it is sought to defend a public, State and/or municipal interest;
- 4) spouses when lodging petitions to dissolve a marriage by mutual consent and on petition of one of the spouses;
- 5) applicants when lodging applications by the procedure established in Part V, Chapters XXIX (adoption cases) and XXXIX (cases on courts permissions or confirmation of facts, administration of property, the application of procedures of inheritance and other cases, which are heard by a simplified procedure established by the Civil Code and other law) of the Code of Civil Procedure;
- 6) persons in other circumstances, referred to in the Code of Civil Procedure and other law. Article 83(3) of 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 shall be reasoned. Proof providing the necessity of release of the stamp duty shall be annexed to the application. The court decision on the application has to be motivated.

Q12 (2014): In the ambit of the 2014 evaluation, it has been explained that within the approved public budget for legal aid (5900767,4 EUR), 560753,59 EUR concern primary legal aid and 5340013,9 EUR concern secondary legal aid.

The implemented public budget in 2014 is 5 43013,22 EUR for primary legal aid and 5340013,9 EUR for secondary legal aid.

It should be noticed that 17740,39 EUR of funds allocated to primary legal aid remained unused and were returned to the State budget.

The approved and the implemented public budget for secondary legal aid comprise remuneration for lawyers and, in contrast with 2012 and akin to 2013, other secondary legal aid costs. In 2014, 1985027 EUR were paid to lawyers providing legal aid in criminal cases and 1583728,53 EUR were paid to lawyers providing legal aid in civil and administrative cases.

Q12 (2013): In the frame of the 2013 exercise, it has been indicated that the annual approved public budget for primary legal aid was 519 868 EUR and this for secondary legal aid was 4 041 358 EUR. Besides, the approved public budget for secondary legal aid comprises remuneration for lawyers and, in contrast with 2012, other secondary legal aid costs.

Q12 (2012): In the ambit of the 2012 evaluation cycle, it has been indicated that the total encompasses the budget of both primary (513 681,15 €) and secondary legal aid (4 030 144,9 €). The budget of secondary legal aid includes the remuneration for lawyers and excludes other State-guaranteed legal aid expenses (e.g. costs related to collection of evidence, interpretation etc.). Moreover, according to the types of cases, information about the amounts paid for lawyers who provide secondary legal aid has been provided: in civil and administrative cases – 1 350 333,83 €, in criminal cases – 1 955 879,07 €.

Q12 (2010): In the frame of the 2010 exercise, it has been explained that the decrease in the budget allocated to legal aid is due to the general budgetary cuts.

Q012-1 (2016): Approved public budget for legal aid was € 5500227 (€ 563000 for primary legal aid and € 4937227 for secondary legal aid). Implemented public budget in 2016 was € 5494755 as €5472 of funds allocated to primary legal aid were unused and given back to the state budget.

Q12-1 (2015): Approved public budget for legal aid was 5 925 285 € (562 356 € for primary legal aid and 5 362 929 € for secondary legal aid). Implemented public budget in 2015 was 5 917 807,4 € (554 878,4 € for primary legal aid and 5 362 929 € for secondary legal aid). 7 477,6 € of funds allocated to primary legal aid were unused and returned to the state budget.

Luxembourg

Q012 (2016): There is no isolated budget for non-litigious cases or criminal cases.

Q12 (2012): It is not possible to differentiate the amount of legal aid allocated to criminal and non-criminal cases, whether they are contentious or not.

Q012-1 (2016): The bill containing the implemented budget of 2016 has not been approved yet.

Q017 (2016): There is no exemption from court fees.

Q17 (2015): There are no court fees.

Q17 (2012): Legal aid covers all costs pertaining to proceedings, procedures or actions for which it is granted, namely: stamp and registration duties; court fees; lawyers' fees; bailiffs' fees; notaries' fees; expenses for technical staff; witness fees; translators and interpreters' fees; costs of custom certificates; travelling expenses; expenses related to registration, mortgage and pledge, etc.

Malta

Q008 (2016): NAP

Q012 (2016): The Legal Aid budget does not differentiate between the services offered for criminal cases or the services offered for non-criminal cases. However Legal Aid in Malta is offered mainly for litigation purposes, and not for consultation, and hence the NAP response to question 12.2. 2016 was the first year in which the legal Aid Agency had a budget of its' own. The actual financial requirements needed to run the Agency.

Q12 (2012): In contrast with the 2010 exercise for which the provided figures were more generic, data communicated for 2012 are more accurate.

Q12 (2010): In 2010, funds were allocated in a different manner compared to the previous exercise. Basically, in 2008, a part of the legal aid funding was catered for by a different Ministry and such data was not then available.

Q012-1 (2016): The difference between the approved budget and the implemented budget for the Legal Aid Agency results from additional funds requested in 2016 in order to cover the increase in the honoraria of the lawyers and legal procurators offering their services to the Agency (also see answer to Q208)

It is possible that there will be an additional increase in the budget in the forthcoming evaluations.

It is not possible to differentiate between the budget allocated to criminal and 'other than criminal cases' and that is why it is marked as NAP (There are no means to distinguish between the two).

Q12-1 (2015): Up to 2015, the funds allocated to Legal Aid were not itemised separately from the budget of the Office of the Attorney General. Therefore whilst there was no approved a priori Legal Aid budget, any related costs were borne out of the budget of the Office of the Attorney General. The cost of Legal Aid throughout 2015 is the amount outlined in Question 12.1, and it does not discriminate on whether the funds were used for other-than-criminal or criminal cases.

Q16 (2014): In 2014, Malta implemented a major reform in the provision of Legal Aid, by establishing it as an Agency in its own right, with its own budget and management structure (Legal Notice 414 of 2014 (subsidiary legislation 497.11)). Prior to this, legal aid was another function falling within the remit of the office of the Attorney general. Currently, the Agency is in its initial stage to establish its organisation and procedures and in the coming weeks the Minister for Justice will be signing another Legal Notice. Thereafter, discussions will ensue with the Minister and the Legal Aid Advocate to find best practices for the Agency to function better and elevate it to a professional level compared with other European countries within the limits of government funds.

Q017 (2016): Litigants benefitting from Legal Aid are exempt from Court Fees.

Q018 (2016): Eligible candidates can enforce foreign judgements in Malta through legal aid as long as the procedure is carried out through court representation.

Netherlands

Q008 (2016): "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. "

Q12 (2014): On the occasion of the 2014 evaluation, it has been explained that the ongoing decrease over the period 2012-2014 concerning the annual approved public budget allocated to legal aid for other than criminal cases brought to court might be due to shortening in budget. The State Secretary for Security and Justice developed a policy intended to result in structural savings of 85 million euros annually. On February 1st 2015, the following measures took effect: temporary elimination of annual indexation with respect to the lawyers' fees and the client contribution; reassessment of a fixed number of paid working hours for specific parts of the criminal process and limitation of the legal aid commissioned by the court if the custody is suspended immediately after it is ordered; reduction of the hourly legal aid rate; reduction of lawyer's fee in time consuming cases. Other proposed cutbacks have been suspended because the Senate filed a number of motions in the beginning of 2015. A special commission is established that will issue an opinion after extensive research.

Q12 (2013): In 2013, the indicated amount does not include expenditures related to detention of illegal aliens, forced hospitalization by psychiatric problems, divorce and legal guardianship of children.

Q19 (2010): In the ambit of the 2010 exercise, it has been indicated that the defense may ask for advice or second opinion from experts. The costs of these operations are borne by the State. However, these costs do not make part of the legal aid.

Poland

Q012-1 (2016): In 2016 the costs of implementing changes in the Code of Criminal Procedure in the field of free legal aid granted ex officio were lower than expected. The amount of funds disbursed by the courts for defense is directly attributable to the number of incoming cases and the number of beneficiaries of unpaid legal aid granted ex officio, therefore implementation of the plan in this group of expenses during the financial year is independent of the activities of the financial services of individual courts.

Q017 (2016): Anyone who is unable to pay court fees without prejudice to the maintenance of himself and his family is entitled to exemption from such fees.

The application and the material situation must be sustained.

Q018 (2016): The cost are connected to the enforcement agent fees and actions.

Q019 (2016): Expert fees and travel cost reimbursement.

Portugal

Q12 (2014): The decrease in the approved budget allocated to legal aid between 2012 and 2014 can be explained by the current economic and financial situation that led to budget limitations. However, it should be stressed that in the past years, the approved budget allocated to legal aid has been revised and increased on the course of the year. In fact, legal aid expenses have not decreased, quite the opposite, if one checks the implemented budget.

For 2014, the implemented public budget regarding legal aid differs from the annual approved budget allocated to legal aid because the latter was in deficit regarding the needs of the year. Therefore it was necessary to strengthen an endowment by the Ministry of Finance.

Q12 (2013): The decrease of the budget of legal aid in 2013 has been justified by the financial constraints faced by the Portuguese government in the past years.

Q12 (2010): In the frame of the 2010 exercise, two main reasons have been pointed out in respect of the increase of the budget of legal aid between 2008 and 2010. Firstly, the amendments to the existing legislation granted a greater effectiveness to the fundamental right of access to the law and to the courts which resulted in a very marked increase in the granting of legal protection. Secondly, the elimination of the discretionary nature of setting fees, the table being set in the maximum amounts, and the fact that the service was no longer provided by trainee lawyers, who had a reduction in their salary, also contributed to the increased amounts budgeted.

Q12-1 (2015): The public budget implemented regarding legal aid is different from the annual approved budget allocated to legal aid because the annual approved budget was in deficit regarding the needs of the year, therefore it was necessary to strengthen an endowment by the Ministry of Finance

Romania

Q012 (2016): Despite the reply NA in respect of the category 12.2, the indicated totals are correct. In fact, the budget of this item is included in the budget concerning "other than criminal law cases". There is no separate budget classification for the moment with regard to litigious and non-litigious matters. Expenditure on legal aid covers costs incurred for beneficiaries' justice. Thus, they do not have the character of regularity and depend on different factors (number of cases, such legal assistance: in civil, criminal, international judicial cooperation in civil and criminal matters, the service provided, the number of persons the court accepts the application for legal aid and the amount granted, etc.).

Q012-1 (2016): Despite the reply NA in respect of the category 12.2, the indicated totals are correct. In fact, the budget of this item is included in the budget concerning “other than criminal law cases”. There is no separate budget classification for the moment with regard to litigious and non-litigious matters. Expenditure on legal aid covers costs incurred for beneficiaries’ justice. Thus, they do not have the character of regularity and depend on different factors (number of cases, such legal assistance: in civil, criminal, international judicial cooperation in civil and criminal matters, the service provided, the number of persons the court accepts the application for legal aid and the amount granted, etc.).

Slovenia

Q8 (2015): 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.

The parties are not required to pay court fees in court proceedings for judicial enforcement, when:

- enforcing decisions related to workers and labour disputes or
- recovering debt, if the debt in question is alimony.

In criminal cases, the payment of court fees is required for assuming prosecution as an injured party or filing a private charge only. The public prosecutor is not required to pay the court fees to start the proceeding before a criminal court, however if the accused is found guilty, he is required to pay the court fees.

Q12 (2014): 2014: The further decrement in the budget for legal aid in 2014 can be attributed to the amendment of insolvency legislation in 2013, which abolished the right for legal persons to apply for legal aid for financing the advances of the costs of the bankruptcy proceedings (legal persons are now exempt from paying the advance in bankruptcy proceedings in all cases, without having to apply for legal aid).”

Q12-1 (2015): According to art. 26 of the Free Legal Aid Act, legal aid may (in addition to expenses, related to cases, brought to court) also be granted for:

- legal advice;
- the formulation, verification and certification of documents on legal relations, facts and statements;
- legal advice and representation in cases of out-of-court settlement;
- legal advice and representation involving constitutional action;
- legal advice and representation before international courts;
- legal advice and representation involving the filing of a petition for the assessment of constitutionality and
- in form of exemption from payment of the costs of the extrajudicial proceedings.

No distinction is possible for the budget allocated to legal aid for:

- cases brought to court and cases not brought to court or
- civil or criminal matters.

Q18 (2014): 2014: In the previous cycle, the answer was No and in this cycle changed to Yes, because the question was interpreted as regarding the court fees, exemption of which is regulated under the Court Fees Act and not under the legal aid as regulated by Free Legal Aid Act (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).

Spain

Q008 (2016): Nowadays in Spain, the Law 10/2012 that regulates certain fees in the area of the Administration of Justice require to pay court fees to start the proceeding only to companies, not to natural persons. The Law mentioned was reformed on this point by Royal Decree 1/2015, 27 February.

Q12 (2014): The significant increase in the budget intended to legal aid between 2012 and 2014 stems from the fact that, by contrast to data provided for 2014, for the 2012 exercise, the budget allocated by the autonomous communities for legal aid was not included in the indicated figures. The total budget for legal aid in 2012 was 253.034.641 euros. It includes the budget allocated by the autonomous communities for legal aid.

Sweden

Q008 (2016): Following case types are excepted from the rule to pay a court tax or fee: administrative law cases, 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, cases where the litigant applies for bankruptcy as well as cases where the litigant has been granted legal aid.

Q012 (2016): The numbers for 2016 include legal aid in cases involving aliens and aliens cases.

Q12 (2012): As concerns the observed differences between the figures provided respectively for the 2010 and 2012 exercises, more funds have been allocated in 2012 on the one hand, and the exchange rate has varied between the two years, on the other hand. Actually, the increase which could be noticed appears more significant in Euro than in Swedish kronor.

Q12 (2010): The increase of the annual approved public budget allocated to legal aid between 2008 and 2010 was a result of the increase of the number of incoming and pending criminal cases in which a public defender was appointed and the complexity of these cases.

Q012-1 (2016): The numbers for 2016 include legal aid in cases involving aliens and aliens cases.

Indicator 5: Legal aid

Comments provided by the national correspondents

organised by question no.

Question 8: Litigants required in general to pay a court tax or fee to start a proceeding at a court of general jurisdiction

Question 12: Annual approved public budget allocated to legal aid, in €

Question 12-1: Annual implemented public budget allocated to legal aid, in €

Question 16: Type of legal aid

Question 17: Courts fees covered by legal aid

Question 18: Enforcement of judicial decisions covered by legal aid

Question 19: Other costs covered by legal aid

Question 008

Austria

(2016): The duty to pay court fees arises from the starting 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.

(2015): The duty to pay court fees arises from the starting 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

(2016): No court tax is required for starting a proceeding in labour and tax matters for disputes which value is below 250 000 EUR.

(2015): There are no assignment rights for labor disputes and tax disputes with a value of less than EUR 250 000.

(2014): In criminal, correctional or police matters, even if there is a civil party, no court fees are required for starting the procedure. In other than criminal matters, court fees concern the registration of a case, request or application to the registry (article 269/1 of the Code of court fees and fees related to registration and mortgage). In respect of particular categories of cases, the law provides for exemption from court fees. Such exemption is also granted with regard to cases transferred to other courts in compliance with the law on the use of languages in administrative matters or in case of a judgment declining jurisdiction.

(2012): In criminal, correctional or police matters, even if there is a civil party, no court fees are required for starting the procedure. In other than criminal matters, court fees concern the registration of a case, request or application to the registry (article 269/1 of the Code of court fees and fees related to registration and mortgage). In respect of particular categories of cases, the law provides for exemption from court fees. Such exemption is also granted with regard to cases transferred to other courts in compliance with the law on the use of languages in administrative matters or in case of a judgment declining jurisdiction.

Bulgaria

(2016): Art. 83 of the Code of Civil Procedure (1) Fees and costs of the proceeding in the cases shall not be deposited:

1. by the plaintiffs who are factory or office workers or cooperative members in respect of any actions arising from employment relationships;
2. by the plaintiffs: in respect of any actions for maintenance obligations;
3. on any actions brought by a prosecutor;
4. by the plaintiff: in respect of any actions for damages sustained as a result of a tort or delict, for which a sentence has entered into effect;
5. by the ad hoc representatives of the party whose address is unknown, appointed by the court.

(2) Fees and costs of the proceeding shall not be deposited by any natural persons who have been found by the court to lack sufficient means to pay the said fees and costs. Considering the petition for waiver, the court shall take into consideration:

1. the income accruing to the person and to the family thereof;
2. the property status, as certified by a declaration;
3. the family situation;
4. the health status;
5. the employment status;
6. the age;
7. other circumstances ascertained.

(3) In the cases covered under Paragraphs (1) and (2), the costs of the proceeding shall be paid from the amounts allocated under the budget of the court.

Waiver in Special Cases

Article 84. Payment of stamp duty but not of court costs shall be waived for:

1. the State and the government institutions, except in actions for private state receivables and rights to corporeal things constituting private state property;
2. the Bulgarian Red Cross;
3. the municipalities, except in actions for private municipal receivables and rights to corporeal things constituting private municipal property.

(2015): Article 5 of the Stamp Duty Act states:

The following shall be exempt from stamp duties:

- a) applications filed with the National Assembly, the President of the Republic, the Council of Ministers;
- b) documentation in relation to the labour activities of workers and employees, regulated by the Labour Protection Law and the by-laws regulating their enforcement, as well as the labour contracts - both individual and collective;
- c) claimants - workers and officers - on claims for remuneration for performed work, and on other claims, ensuing from labour contracts;
- d) claimants, who are members of production cooperatives on claims for remuneration for the work performed by them in the same cooperatives;
- e) (repealed);
- f) claimants on remuneration claims, ensuing from rights on inventions;
- g) claimants on claims for support;
- h) registration of birth and death certificates and adoption certificates and the initial registration certificates of civil status;
- i) (repealed);
- k) all documents and papers concerning: criminal trials of general nature; lawsuits for money support; lawsuits for guardianship; lawsuits for establishing of origin; papers and documents for setting and granting relief to mothers of many children; for social and legal protection of minors; for social support, for obtaining the right to pension; for establishment, registration, and other changes of cooperatives;
- l) papers and documents in relations to the activities of the mutual aid funds;
- m) all types of requests, applications, enrollment forms, education certificates and certificates for completed training courses, as well as any other certificates, and duplicates thereof, which are issued by the educational and tutorial establishments for obtaining elementary and high education and by the Ministry of Education and Science;
- n) foreign citizens, by the virtue of international agreements and understandings for participation in competitions for admission in the state higher and semi-higher educational establishments;
- o) the disabled, pregnant, and mothers of children under 6 years of age, orphans, in the events of transfer from one educational establishment to another, from one specialty or form of study to another due to health reasons, established by the findings of a medical commission;
- p) the Bulgarian Red Cross;
- q) applications for recording school boards in the regional court register;
- r) cases provided for in the international contracts effective for the Republic of Bulgaria;

Civil Procedure Code - Court fees on the cost of action and court costs are collected upon conduct of the case. Where the action is unappraisable, 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.

~~Fees and costs of the proceedings in the cases do not be deposited.~~

Croatia

(2016): According to the Court Fees Act (Official Gazette, No. 74/95, 57/96, 137/02, 26/03, 125/11, 112/12, 157/13, 110/15), 19 subjects are exempt from paying court fees, such as state government bodies, public authorities, employees in administrative and labour disputes, vulnerable groups, etc.

(2015): According to the Court Fees Act (OG 74/95, 57/96, 137/02, (26/03), 125/11, 112/12, 157/13, 110/15), the following subjects are exempt from paying court fees:

1. The Republic of Croatia and state government bodies
2. Persons and bodies performing public authorities for the performance of such authorities
3. Workers and employees in labour disputes and officials in administrative disputes with regard to exercising their rights from official relations
4. Workers in administrative disputes arising from pre-bankruptcy settlement
5. Disabled veterans of the Homeland War, based on adequate documents proving their status
6. Spouses, children and parents of veterans who were killed, missing or captured in the Homeland War, based on adequate documents proving their status
7. Spouses, children and parents of those who were killed, missing or captured in the Homeland War, based on adequate documents proving their status
8. Displaced persons, refugees and returnees, based on adequate documents proving their status
9. Social aid beneficiaries who receive a subsistence allowance
10. Humanitarian organisations and organisations dedicated to the protection of disabled persons and families of those who were killed, missing or captured during the performance of humanitarian activities
11. Children as parties in proceedings for child care support or in proceedings regarding claims based on that right
12. Plaintiffs in proceedings for acknowledgement of maternity and paternity, and for costs incurred from extramarital pregnancy and childbirth
13. Parties requesting the restoration of working competence
14. Minors requesting the acquisition of working competence based on becoming parents
15. Parties in procedures for transferring custody of a child and for reaching a decision on organizing meetings and spending time with the child
16. Plaintiffs in disputes regarding rights from mandatory pension and basic health insurance, rights of unemployed persons based on regulations on employment and social welfare rights
17. Plaintiffs, i.e. applicants in procedures for the protection of constitutionally guaranteed rights and freedoms against final decisions in individual acts, i.e. for protection due to unlawful actions
18. Plaintiffs in disputes regarding the compensation of damages for environmental pollution
19. Unions and higher level union associations in civil procedure acts for a replacement court agreement and in collective labour disputes, and union representatives in civil procedure acts performing the authority of a worker's council.

Foreign countries are exempt from paying fees if that is determined by an international agreement or subject to reciprocity.

Denmark

(2016): As a rule, legal fees must be paid in all civil cases. However, there are types of cases that are exempt from court fees. Cases of marriage, custody and paternity are examples of cases where there is no legal charge. If you have been given a free trial to prosecute, you will not pay a court fee.

Finland

(2015): 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, for example the coercive measures.

A beneficiary of legal aid is free from payment liability. Certain parties are likewise free from payment liability (for example the police and other preliminary investigation authorities as well as prosecutors, enforcement authorities and the authorities of the state and municipality).

In 2015, the litigants did not have to pay fees in criminal cases. However, it has to be noted that this has changed in the beginning of 2016.

(2014): On the occasion of the 2014 exercise, it has been indicated that a government proposal on extending the field of application of court fees is currently pending. It is presented that the fees should be higher and that the group of matters handled free of charge should be reduced.

France

(2016): In civil and criminal matters, proceedings before first instance courts and the Court of cassation are free of charge (it is not the case for appeals). In administrative matters, proceedings are free of charge at all instances (first instance courts, courts of appeal and the State Council).

(2014): The Law on Finance for 2014 repealed the contribution that had been established by the 1991 Law on Finance. Proceedings before civil courts of first instance and cassation are free of charge, in contrast with the appeal. Proceedings before administrative courts at all instances are free of charge.

(2012): The 1991 Law on Finance, as amended in 2011, has established a contribution of 35 € aimed at financing legal aid. A beneficiary of legal aid is exempted from paying this contribution. The latter is not required before certain courts or court divisions (e.g. guardianship judge, children's judge, liberty and custody judge, Compensation Board for victims of crimes). An exemption is granted for certain proceedings which should be, according to the law, free of charge (especially social security disputes).

Finally, the contribution can be covered by the costs paid by the adverse party according to the court's decision.

(2010): The 1991 Law on Finance, as amended in 2011, has established a contribution of 35 € aimed at financing legal aid. A beneficiary of legal aid is exempted from paying this contribution. The latter is not required before certain courts or court divisions (e.g. guardianship judge, children's judge, liberty and custody judge, Compensation Board for victims of crimes). An exemption is granted for certain proceedings which should be, according to the law, free of charge (especially social security disputes).

Finally, the contribution can be covered by the costs paid by the adverse party according to the court's decision.

Germany

(2016): There are exceptions in place for counterclaims, for European small claims procedures (ESCP), for disputes about inventions made by an employee inasmuch as the courts have exclusive competence for patent disputes, and for actions for retrial of a case pursuant to section 580 number 8 of the Zivilprozessordnung (ZPO, Code of Civil Procedure). This applies to a counterclaim in light of its close ties to a court dispute already pending; in all other regards, particular reasons are given that relate to the proceedings. Further exceptions have been provided for if a petitioner has been granted legal aid for the costs of the proceedings, if the petitioner is entitled to a release from the obligation to pay fees, or if legitimate interests are given for bringing an action or defending against an action, but the petitioner is unable to make the advance payment or if the delay caused to the proceedings by the obligation to pay the fees in advance would result in damages that it is impossible to compensate, or only with difficulty.

Hungary

(2016): The court fee is approximately 32 Euro.

Ireland

(2016): Family Law Proceedings are exempt from court fees.

Italy

(2015): Except for cases concerning employment, agriculture, family matters and other specific cases as per law DPR 115/2002

Latvia

(2016): Exceptions are regulated with Civil Procedure Law Article 43. (1) The following persons shall be exempt from payment of court costs to the State: 1) plaintiffs – in claims for recovery of remuneration for work and other claims of employees arising from legal employment relations or related to such; 1.1) plaintiffs – in claims arising from agreement on performance of work, if the plaintiff is a person who serves his or her sentence at a place of imprisonment; 2) plaintiffs – in regard to claims arising from personal injuries that result in mutilation or other damage to health, or the death of a person; 3) plaintiffs – in claims for recovery of child or parent support, as well as in claims for determination of paternity, if the action is brought concurrently with the claim for recovery of child support; 3.1) submitters of applications – in regard to recognition or recognition and enforcement of a decision of a foreign country on recovery of child or parent support; 4) plaintiffs – in claims for compensation for financial loss and moral injury resulting from criminal offences; 5) public prosecutors, state or local government institutions and persons who are conferred the right by law to defend the rights, and interests protected by law, of other persons in court; 6) the submitters of applications – in matters regarding restricting the capacity to act of a person due to mental disorders or other health disorders, revising the restriction of capacity to act or restoration of capacity to act; 6.1) the submitters of applications – in regard to establishment and termination of temporary trusteeship; 7) the submitters of applications – in regard to restricting the capacity to act of a person or establishment of trusteeship for a person due to a dissolute or spendthrift lifestyle, as well as excessive use of alcohol or other intoxicating substances; 8) defendants – in matters regarding reduction of child or parent support adjudged by a court, and reduction of such payments as the court has assessed in claims arising from personal injuries resulting in mutilation or other damage to health, or the death of a person; 9.1) the submitters of applications – in matters regarding the unlawful movement of children across borders or detention; 10) administrators – in claims that are brought for the benefit of persons in respect of which insolvency proceedings of a legal person and insolvency proceedings of a natural person have been announced, as well as when submitting an application in a matter regarding insolvency proceedings of a legal person in the case specified in Section 51, Paragraph three of the Insolvency Law; 11) judgment creditors – in execution matters regarding recoveries for payment into State revenues; 11.1) collectors – in execution matters when recovery should be performed according to the uniform instrument permitting enforcement of claims in the requested Member State; 12) tax (fee) administration – in applications in matters regarding insolvency proceedings of a legal person; 13) the Office of Citizenship and Migration Affairs – in matters regarding revocation of Latvian citizenship; and 14) the State Social Insurance Agency – in matters regarding recovery of financial resources in the State budget in the part regarding overpayment of social insurance services or State social allowances or disbursement of social insurance services or State social allowances due to road traffic accidents. (2) If a public prosecutor or state or local government institutions or persons who are conferred the right by law, to defend in court other persons' rights and interests protected by law, of other persons in court, withdraws from an application which has been submitted on behalf of another person, but such person demands adjudication of the matter on the merits, the court costs shall be paid in accordance with generally applicable provisions. (3) The parties may also be exempted from payment of court costs to the State in other cases provided for by law. (4) A court or a judge, upon considering the material situation of a natural person, shall exempt him or her partly or fully from payment of court costs into State revenues, as well as postpone payment of court costs adjudged into State revenues, or divide payment thereof into instalments. (5) In claims for dissolution of marriage upon the request of the plaintiff the judge shall postpone payment of State fees or divide payment thereof into instalments if a minor child is in the care of the plaintiff.

Lithuania

(2016): According to Article 83(1) of the Code of Civil Procedure of the Republic of Lithuania there are 14 subjects to be released from the payment of the stamp duty (court fee) in cases which are heard by a court. For instance:

- 1) employees in cases concerning all claims arising from the legal relationships of employment and consumers in cases concerning unfair terms of consumer contracts;
- 2) 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;
- 3) a prosecutor, State and municipal institutions, other persons when a claim or petition is lodged in order to defend public, State and/or municipal interests in that part of a case, in which it is sought to defend a public, State and/or municipal interest;
- 4) spouses when lodging petitions to dissolve a marriage by mutual consent and on petition of one of the spouses;
- 5) applicants when lodging applications by the procedure established in Part V, Chapters XXIX (adoption cases) and XXXIX (cases on courts permissions or confirmation of facts, administration of property, the application of procedures of inheritance and other cases, which are heard by a simplified procedure established by the Civil Code and other law) of the Code of Civil Procedure;
- 6) persons in other circumstances, referred to in the Code of Civil Procedure and other law. Article 83(3) of 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 shall be reasoned. Proof providing the necessity of release of the stamp duty shall be annexed to the application. The court decision on the application has to be motivated.

Malta

(2016): NAP

Netherlands

(2016): "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. "

Slovenia

(2015): 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.

The parties are not required to pay court fees in court proceedings for judicial enforcement, when:

- enforcing decisions related to workers and labour disputes or
- recovering debt, if the debt in question is alimony.

In criminal cases, the payment of court fees is required for assuming prosecution as an injured party or filing a private charge only. The public prosecutor is not required to pay the court fees to starts the proceeding before a criminal court, however if the accused is found guilty, he is required to pay the court fees.

Spain

(2016): Nowadays in Spain, the Law 10/2012 that regulates certain fees in the area of the Administration of Justice require to pay court fees to start the proceeding only to companies, not to natural persons. The Law mentioned was reformed on this point by Royal Decree 1/2015, 27 February.

Sweden

(2016): Following case types are excepted from the rule to pay a court tax or fee: administrative law cases, 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, cases where the litigant applies for bankruptcy as well as cases where the litigant has been granted legal aid.

Question 012

Austria

(2016): A lump sum of € 19.500.000 represents the approved public budget for payment to the bar for "pro bono" representation of parties. The implemented public budget for payment to the bar for "pro bono" representation of parties is € 19.700.000. The difference between these two figures is mainly due to advance payments to the bar for "pro bono" representation in overlong cases.

These figures do, however, not include court fees for expertise or interpretation, which are also covered by legal aid, but not isolated within the budget. Therefore, no figures can be provided as regards the whole regime of legal aid.

Belgium

(2012): 2010: The 25% increase of the approved budget allocated to legal aid between 2008 and 2010 can be explained by an increase in costs and expenses.

Bulgaria

(2014): In the frame of the 2014 exercise, it has been specified that the implemented budget of legal aid exceeds the approved one because of a large number of criminal cases of serious crimes and a large number of civil cases with high material interest justifying higher legal fees.

(2012): In the frame of the 2012 exercise, it has been explained that the increase of the budget allocated to legal aid between 2010 and 2012 was due to the increase of the number of poor citizens.

Croatia

(2016): The annual approved public budget allocated in other than criminal cases to primary legal aid (for non-litigious cases or cases not brought to court) in 2016 was significantly reduced, which results in great differences in total amount approved in other than criminal cases to legal aid in 2014/2015 and 2016.

(2014): In the 2014 exercise, it has been specified that the amount of legal aid approved and also allocated to the cases brought before the court (primary legal aid) was 1.450.000,00 kuna, and legal aid for non-litigious cases or cases not brought to court (secondary legal aid) was 2.570.000,00 kuna. The figures provided in the table are calculated according to the currency for 31st December 2014 which was 1 €=7,6577 kuna.

(2013): In the 2013 exercise, it is explained that the budget for legal aid was increased as a response to the observed trend of increased number of requests for granting legal aid. Besides, it is specified that 253 750 euro represent the funds allocated to legal aid in the budget of Croatia intended for free legal aid under the Free Legal Aid Act (civil and administrative proceedings). There also exist funds paid as per submitted requests for granting legal aid - 236 000 euro which could be registered in the following categories: "other than criminal law cases" – 210000; "annual public budget allocated to legal aid for non-litigious cases or cases not brought to court" – 26000.

(2012): In 2012, due to the decreased budget planned for the Ministry of Justice, the amount allocated to legal aid is lower than in 2010. More precisely, the reduction of the budget for legal aid in administrative and civil proceedings was due to the economic situation.

Cyprus

(2013): 2013: The decrease in the Legal Aid budget is as a result of the austerity measures and in relation to the budget there were less applications for legal aid.

Czech Republic

(2016): The data on approved budget allocated to legal aid do not exist, the approved budget is not divided to this level.

(2014): Specifically, as concerns the 2014 exercise, it is indicated that data on approved budget allocated to legal aid do not exist because the approval budget is not divided to this level. Owing to the impossibility to identify the approved public budget for legal aid, the reply in respect of this question is NA.

Denmark

(2014): In the frame of the 2014 exercise, it has been indicated that the budget foreseen for legal aid in 2012 and 2013 proved to be far less than the actual costs these years. Accordingly, the 2014 budget was increased considerably. Thus, there is not a significant increase in expenditure rather that budget is adapted to the actual consumption. This applies to the cost of both criminal and other cases.

(2013): In the ambit of the 2013 exercise, it has been noticed that the 2012 budget was well below the actual result for this year and that accordingly, the 2013 budget has been increased.

Estonia

(2013): For 2013, according to the executed budget, the sums paid to lawyers represent 2 980 235 euros from the total (3 835 000). From these 2 980 235 euros, 2 226 315 euros were allocated to legal aid for criminal cases and 718 922 euros were allocated to legal aid for civil and administrative cases, the rest was allocated to legal aid for misdemeanor, enforcement procedure, administrative procedure and review procedure cases and legal consultation.

(2012): The variation observed between 2010 and 2012 should be explained in the light of the above-mentioned clarifications. For 2012, the sums paid to lawyers represent 2 857 850 euros from the total (3 835 000). In this respect, the difference with the amount provided for 2010 is not such important (2 307 334 euros). On the contrary, the IT costs included in the budget of legal aid for both of the exercises are especially high in 2012 due to the implementation of a new IT system. Basically, the increase of this specific part of the legal aid budget affects the total.

Finland

(2016): The legal aid expenses has been increasing. This is due to the 4 % increase made in the legal fees. Also the number of refugees getting legal aid has been risen.

(2014): Legal aid expenses have been increasing. In 2014 this was due to the 4 % increase made in the legal fees. In 2015 this is due to the increase in the number of refugees to whom legal aid was granted.

France

(2015): Thus the implemented budget for legal aid allocated to criminal cases increased significantly between 2014 and 2015 (by 141%).

The 90% decrease between 2014 and 2015 regarding the annual implemented public budget relating to legal aid for non-litigious cases or cases not brought to court results from the different presentation. The related legal aid costs, including those attributed to custody, have been included in the annual implemented public budget allocated to legal aid for cases brought to courts.

This also explains the decrease in other than criminal cases (by 53%). In the basis of calculation have been included the expenses relating to criminal field, the costs for custody (garde à vue), mediation and penal composition, assistance to prisoners, protocols art. 91 and the custodial agreements. The portion of other than criminal expenses is reduced by the same amount.

(2012): The methodology of presentation of data is different for 2010 and 2012. For 2012, legal aid for non-litigious proceedings amounts to 49,732,000 euros. Therefore, for all criminal cases (brought to court and out of court) 49,732,000 euros should be added to the 88,730,000 euros, bringing the figure to 138,462,000 euros. The increase stems from increased custody costs as a result of the 2011 reform.

(2010): The 2010 budget of legal aid takes into account budgetary credit derived from the recovery of credits (11.5 million euros) and fiscal expenses linked with the implementation of a 5.5% reduced VAT rate for services provided by lawyers as part of legal aid. Indeed, legal aid expenditure is reduced by the amount recovered by the Treasury services on the losing party when the latter is not granted legal aid. In addition, lawyers are paid by the Lawyers' Pecuniary Payment Fund whose evolution constitutes an adjustment variable (+ 10.8 million euros in 2010).

Germany

(2016): Data without the Laender Mecklenburg-Vorpommern and Schleswig-Holstein.

(2015): Re. Question 12:

The data refer to the year 2014. At present, no more recent data are available. Some of the Länder were unable to provide data regarding question 12. Accordingly, the information provided here is incomplete and is not comparable with the 2013 data. Inasmuch as the other Federal Länder have provided data, these were added to the aggregate amount. Since a number of Länder have provided the aggregate amount, but have otherwise indicated "NA" in all or some of the cases, it is not possible to form a sum total under 12.1 or 12.2. For this reason, "NA" was indicated.

(2014): In 2014, there was no information available from Hamburg, Saarland, and Thuringia.

In as much as the other Federal Landers have provided data, these were added to the aggregate amount. In contrast to the previous cycles, figures indicated by individual Landers only in respect of the total are encompassed in the total which explains the considerable variation between 2013 and 2014 (which is not real and disappears when comparing comparable data (in 2012 the sum of € 304,584,278 was not included in the total and in 2013 - € 316,707,568). Since a number of Landers have provided the aggregate amount, but have otherwise indicated "NA" in all or some of the cases, it is not possible to form a sum total under 12.1 or 12.2. For this reason, "NA" was indicated.

(2013): In the frame of the 2013 exercise, 10 Landers provided data accompanied by comments.

As in 2012, only figures concerning Landers which provided complete data for the total and the sub-categories were represented in the total (Berlin, Mecklenburg-Western Pomerania, North Rhine/Westphalia, Rhineland-Palatinate, Saxony-Anhalt, and Thuringia). As to individual Landers that communicated only totals (Baden-Württemberg, Bavaria, Brandenburg, Bremen, Hesse, Lower Saxony, Saxony, and Schleswig-Holstein), these amounts were not taken into account (a sum of € 316,707,568). Therefore, the information remained incomplete.

(2012): In the frame of the 2012 exercise, it has been specified that according to the Legal Advice and Assistance Act, the so-called legal advice and assistance is a social benefit provided by the State to persons seeking justice who cannot afford the assistance of or representation by a lawyer and who have no other reasonable possibility of obtaining assistance. Legal advice and assistance is granted for asserting one's rights outside of court proceedings as well as for obligatory conciliation proceedings pursuant to section 15a of the Act on the Introduction of the Code of Civil Procedure.

In 2012, Bremen, Saarland and Schleswig-Holstein did not provide any information. Only figures concerning Landers which provided complete data for the total and the sub-categories were represented in the total. As to individual Landers that communicated only totals, these amounts were not taken into account (a sum of € 304,584,278). Therefore, the information remained incomplete.

(2010): In 2010, the sum of 285 625 euros corresponded to the part of the federal budget allocated to legal aid (47 885 for criminal matters and 237 740 for other than criminal matters).

Two Landers did not provide information. Data were not available for a considerable number of Landers in respect of the total or the sub-categories. Accordingly, the information is not complete.

Greece

(2016): A reassessment of the annual budgetary needs in legal aid was made by the Courts Building Fund. The annual cost is not a stable amount and depends on the number of cases where the legal aid is used.

(2014): The increase of the budget allocated to legal aid between 2013 and 2014 resulted to some extent from time limitations. In 31 December 2014 there were unpaid expenses. Generally, legal aid is entirely paid from the budget of the Courts Building Fund, a legal entity of public law, which draws its budget according to its expected annual revenues and its expected annual needs.

(2012): The observed increase of the budget allocated to legal aid in 2012 was due to accumulated debts from previous years.

(2010): The increase of the budget for lawyers in 2010 derived from the increased need and relative requests of payment.

Hungary

(2013): The annual public budget allocated to legal aid decreased with 33% between 2012 and 2013 as a consequence of the strengthening of the legal aid service.

Italy

(2016): In Italy there isn't a specific budget allocated to legal aid. Legal aid is part of the general budget allocated to justice expenses.

(2013): On the occasion of the 2013 exercise, it has been stressed that the impact of the "annual public budget allocated to legal aid for cases not brought to court" on the total is extremely low. Therefore -essentially- the figures indicated in the frame of 12.1 may be considered as the total budget allocated to legal aid, even though -strictly speaking- it is not so.

Latvia

(2016): Through developing the state ensured legal aid system, the Cabinet of Ministers of the Republic of Latvia has revised amount of the payment due to the legal aid providers for the provision of legal aid, anticipating an annual increase starting with January 1, 2014, January 1, 2015 and July 1, 2016. Moreover additional funds were allocated from the state budget in 2014 to extend the provision of legal aid to the victims (Amendments to the Criminal Procedure Law on May 29, 2014).

(2014): Through developing the State ensured legal aid system, the Latvian Cabinet of Ministers has revised compensation for the provision of legal aid, anticipating an annual increase starting with January 1, 2014 and January 1, 2015. From 1 May, 2015 it has reached the maximum limit.

Lithuania

(2014): In the ambit of the 2014 evaluation, it has been explained that within the approved public budget for legal aid (5900767,4 EUR), 560753,59 EUR concern primary legal aid and 5340013,9 EUR concern secondary legal aid. The implemented public budget in 2014 is 5 43013,22 EUR for primary legal aid and 5340013,9 EUR for secondary legal aid.

It should be noticed that 17740,39 EUR of funds allocated to primary legal aid remained unused and were returned to the State budget.

The approved and the implemented public budget for secondary legal aid comprise remuneration for lawyers and, in contrast with 2012 and akin to 2013, other secondary legal aid costs. In 2014, 1985027 EUR were paid to lawyers providing legal aid in criminal cases and 1583728,53 EUR were paid to lawyers providing legal aid in civil and administrative cases.

(2013): In the frame of the 2013 exercise, it has been indicated that the annual approved public budget for primary legal aid was 519 868 EUR and this for secondary legal aid was 4 041 358 EUR. Besides, the approved public budget for secondary legal aid comprises remuneration for lawyers and, in contrast with 2012, other secondary legal aid costs.

(2012): In the ambit of the 2012 evaluation cycle, it has been indicated that the total encompasses the budget of both primary (513 681,15 €) and secondary legal aid (4 030 144,9 €). The budget of secondary legal aid includes the remuneration for lawyers and excludes other State-guaranteed legal aid expenses (e.g. costs related to collection of evidence, interpretation etc.). Moreover, according to the types of cases, information about the amounts paid for lawyers who provide secondary legal aid has been provided: in civil and administrative cases – 1 350 333,83 €, in criminal cases – 1 955 879,07 €.

(2010): In the frame of the 2010 exercise, it has been explained that the decrease in the budget allocated to legal aid is due to the general budgetary cuts.

Luxembourg

(2016): There is no isolated budget for non-litigious cases or criminal cases.

(2012): It is not possible to differentiate the amount of legal aid allocated to criminal and non-criminal cases, whether they are contentious or not.

Malta

(2016): The Legal Aid budget does not differentiate between the services offered for criminal cases or the services offered for non-criminal cases. However Legal Aid in Malta is offered mainly for litigation purposes, and not for consultation, and hence the NAP response to question 12.2. 2016 was the first year in which the legal Aid Agency had a budget of its' own. The actual financial requirements needed to run the Agency.

(2012): In contrast with the 2010 exercise for which the provided figures were more generic, data communicated for 2012 are more accurate.

(2010): In 2010, funds were allocated in a different manner compared to the previous exercise. Basically, in 2008, a part of the legal aid funding was catered for by a different Ministry and such data was not then available.

Netherlands

(2014): On the occasion of the 2014 evaluation, it has been explained that the ongoing decrease over the period 2012-2014 concerning the annual approved public budget allocated to legal aid for other than criminal cases brought to court might be due to shortening in budget. The State Secretary for Security and Justice developed a policy intended to result in structural savings of 85 million euros annually. On February 1st 2015, the following measures took effect: temporary elimination of annual indexation with respect to the lawyers' fees and the client contribution; reassessment of a fixed number of paid working hours for specific parts of the criminal process and limitation of the legal aid commissioned by the court if the custody is suspended immediately after it is ordered; reduction of the hourly legal aid rate; reduction of lawyer's fee in time consuming cases. Other proposed cutbacks have been suspended because the Senate filed a number of motions in the beginning of 2015. A special commission is established that will issue an opinion after extensive research.

(2013): In 2013, the indicated amount does not include expenditures related to detention of illegal aliens, forced hospitalization by psychiatric problems, divorce and legal guardianship of children.

Portugal

(2014): The decrease in the approved budget allocated to legal aid between 2012 and 2014 can be explained by the current economic and financial situation that led to budget limitations. However, it should be stressed that in the past years, the approved budget allocated to legal aid has been revised and increased on the course of the year. In fact, legal aid expenses have not decreased, quite the opposite, if one checks the implemented budget.

For 2014, the implemented public budget regarding legal aid differs from the annual approved budget allocated to legal aid because the latter was in deficit regarding the needs of the year. Therefore it was necessary to strengthen an endowment by the Ministry of Finance.

(2013): The decrease of the budget of legal aid in 2013 has been justified by the financial constraints faced by the Portuguese government in the past years.

(2010): In the frame of the 2010 exercise, two main reasons have been pointed out in respect of the increase of the budget of legal aid between 2008 and 2010. Firstly, the amendments to the existing legislation granted a greater effectiveness to the fundamental right of access to the law and to the courts which resulted in a very marked increase in the granting of legal protection. Secondly, the elimination of the discretionary nature of setting fees, the table being set in the maximum amounts, and the fact that the service was no longer provided by trainee lawyers, who had a reduction in their salary, also contributed to the increased amounts budgeted.

Romania

(2016): Despite the reply NA in respect of the category 12.2, the indicated totals are correct. In fact, the budget of this item is included in the budget concerning “other than criminal law cases”. There is no separate budget classification for the moment with regard to litigious and non-litigious matters. Expenditure on legal aid covers costs incurred for beneficiaries’ justice. Thus, they do not have the character of regularity and depend on different factors (number of cases, such legal assistance: in civil, criminal, international judicial cooperation in civil and criminal matters, the service provided, the number of persons the court accepts the application for legal aid and the amount granted, etc.).

Slovenia

(2014): 2014: The further decrement in the budget for legal aid in 2014 can be attributed to the amendment of insolvency legislation in 2013, which abolished the right for legal persons to apply for legal aid for financing the advances of the costs of the bankruptcy proceedings (legal persons are now exempt from paying the advance in bankruptcy proceedings in all cases, without having to apply for legal aid).”

Spain

(2014): The significant increase in the budget intended to legal aid between 2012 and 2014 stems from the fact that, by contrast to data provided for 2014, for the 2012 exercise, the budget allocated by the autonomous communities for legal aid was not included in the indicated figures. The total budget for legal aid in 2012 was 253.034.641 euros. It includes the budget allocated by the autonomous communities for legal aid.

Sweden

(2016): The numbers for 2016 include legal aid in cases involving aliens and aliens cases.

(2012): As concerns the observed differences between the figures provided respectively for the 2010 and 2012 exercises, more funds have been allocated in 2012 on the one hand, and the exchange rate has varied between the two years, on the other hand. Actually, the increase which could be noticed appears more significant in Euro than in Swedish kronor.

(2010): The increase of the annual approved public budget allocated to legal aid between 2008 and 2010 was a result of the increase of the number of incoming and pending criminal cases in which a public defender was appointed and the complexity of these cases.

Question 12-1

Austria

(General Comment): The indicated 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. Accordingly, no figures can be provided as regards the whole regime of legal aid.

(2016): A lump sum of € 19.500.000 represents the approved public budget for payment to the bar for “pro bono” representation of parties. The implemented public budget for payment to the bar for “pro bono” representation of parties is € 19.700.000. The difference between these two figures is mainly due to advance payments to the bar for “pro bono” representation in overlong cases.

These figures do, however, not include court fees for expertise or interpretation, which are also covered by legal aid, but not isolated within the budget. Therefore, no figures can be provided as regards the whole regime of legal aid.

(2015): A lump sum of € 19.000.000 represents the approved public budget for payment to the bar for “pro bono” representation of parties. The implemented public budget for payment to the bar for “pro bono” representation of parties is € 20.800.000. The difference between these two figures is mainly due to advance payments to the bar for “pro bono” representation in overlong cases.

These figures do, however, not include court fees for expertise or interpretation, which are also covered by legal aid, but not isolated within the budget. Therefore, no figures can be provided as regards the whole regime of legal aid.

(2014): In the frame of the 2014 exercise, a lump sum of € 19 Mio represents the approved public budget for payment to the bar for “pro bono” representation of parties. The implemented public budget in this respect is € 21 070 101. The difference between these two figures is mainly due to advance payments to the bar for “pro bono” representation in overlong cases.

Croatia

(2016): In the Ministry of Justice of the RoC there is a Department for legal aid in other than criminal cases and it keeps records on the total annual and implemented budget for legal aid in other than criminal cases in detail. The costs for the legal aid in other than criminal cases are paid after the end of the dispute before the first instance court.

The amount in 2016 for "other than criminal cases brought to court" is higher because more bills had to be paid in 2016. Namely, court proceedings last for several years, and probably in 2016 more bills for paying the costs of court experts and interpreters had been received since the Free Legal Aid Act (OG 143/13), which grants the exemption from paying the costs of court experts and interpreters, came into force on 1 January 2014.

Different methodologies were used in 2014 and 2016 for non-litigious cases or cases not brought to court. According to the methodology used in 2016, the total amount for non-litigious cases or cases not brought to court in 2014 would be 346779, while the amount for criminal cases would be 255 830.

(2015): The Ministry of Justice of the RoC keeps statistical records on the total annual approved and implemented budget for legal aid (separate for the other than criminal cases and separate for courts and public prosecution services). Since in the Ministry of Justice there is a Department for legal aid in other than criminal cases, it is possible to keep a track record on these cases in detail. However, it is not possible to present in detail all the other data for approved and implemented budget (total - cases brought to court and cases not brought to court; criminal cases - cases brought to court and cases not brought to court).

Cyprus

(2016): In 2016 there was an increase in the number of legal aid cases.

Czech Republic

(General Comment): The provided data covers only financial means from the State budget and only cases brought to court. Besides, legal aid is also provided by the Czech Bar Association on its own expenses (or on the expenses of the individual lawyers) and it could cover also cases not brought to court.

(2016): The data on implemented budget are obtained from individual courts from their economic system. The provided data covers only financial means from the State budget and only cases brought to court. Besides, legal aid is also provided by the Czech Bar Association on its own expenses (or on the expenses of the individual lawyers) and it could cover also cases not brought to court.

(2015): The data on approved budget allocated to legal aid do not exist, the approval budget is not divided to this level. The data on implemented budget are obtained from individual courts from their economic system. The provided data covers only financial means from the State budget and only cases brought to court. Besides, legal aid is also provided by the Czech Bar Association on its own expenses (or on the expenses of the individual lawyers) and it could cover also cases not brought to court.

(2012): In the frame of the 2014 exercise, it has been indicated that data on implemented budget are obtained from individual courts from their respective economic systems.

Finland

(2016): A part of the expenses of the legal aid comes from cases which are not heard in the courts. The total amount includes the expenses of the public legal aid offices (net EUR 23 million) and the expenses paid to the private lawyers. Private lawyers were paid EUR 66.4 million as fees and compensations in legal aid matters, which is 24 per cent more than in the previous year. Expenses have grown as the number of clients has grown. In 74 per cent of the 15,600 legal aid decisions made concerning asylum seekers applying for international protection, the applicant was assisted by a private lawyer.

(2015): Q12: A part of the expenses of the legal aid comes from cases which are not heard in the courts. The total amount includes the expenses of the legal aid offices (24,2 milj. €) and the expenses paid to the Private lawyers (53,5 milj. €).

France

(2016): The discrepancy between the approved and the implemented annual public budget allocated to legal aid is due to the annulment of credits because of an overvaluation of the allocated budget.

Germany

(2016): Data without the Länder Mecklenburg-Vorpommern and Schleswig-Holstein.

(2015): The data refer to the year 2014. At present, no more recent data are available. Some of the Länder were unable to provide data regarding question 12.1. Accordingly, the information provided here is incomplete and is not comparable with the 2013 data. Inasmuch as the other Federal Länder have provided data, these were added to the aggregate amount. Since a number of Länder have provided the aggregate amount, but have otherwise indicated "NA" in all or some of the cases, it is not possible to form a sum total under 12.1 or 12.2. For this reason, "NA" was indicated.

Hungary

(2015): Annual implemented public budget of 2015 not yet approved.

Ireland

(2015): In the answer to Question 12 - the category 'other than criminal cases' is the amount as per the Grant in Aid which the Legal Aid Board received for the Government

In the answer to Question 12.1 - under the category 'Total annual public budget implemented regarding legal aid - other criminal cases' this amount includes the Grant in Aid, Client Contributions, Costs Recovered and Other Incomes

'The annual approved public budget allocated to legal aid in other than criminal cases is the state funding received by the Legal Aid Board in 2015. The annual public budget implemented regarding legal aid is the total expenditure of the Legal Aid Board. Please note that:

(1) the Legal Aid Board receives funding from sources other than state funding, in the form of contributions paid by legally aided persons and costs recovered from legally aided persons. This funding is paid into the same Legal Aid Fund as the state funding and therefore it is not possible to distinguish expenditure funded from this source as distinct as from state funding.

(2) The Legal Aid Board does not separately account for the money it spends on the provision of legal advice to the money it spends on the provision of legal representation. Nor does it separately account for the costs of the mediation service from that of the law centre service, and even if it did, that would not represent the full total of the Board's spending on non-litigious cases for the above reason.'

Italy

(2016): The increase experienced during the period 2014-2016 is very likely due to the higher number of cases for which legal aid was granted.

Latvia

(2016): The Cabinet of Ministers Regulations No. 1493 "Regulations on the Extent of the state Ensured Legal Aid, the Amount of the Payment Due to the Legal Aid Providers, Reimbursable Expenses and Payment Procedure Thereof" of December 22, 2009 provides for the types and extent of legal aid, the amount of payment to be paid to the legal aid providers and the reimbursable expenses arising from the provision of legal aid, as well as the amount and payment procedure thereof. Through developing the state ensured legal aid system, the Latvian Cabinet of Ministers has revised amount of payment to be paid to the legal aid providers from 1 July, 2016.

(2015): The Cabinet of Ministers Regulations No. 1493 "Regulations on the Extent of the state Ensured Legal Aid, the Amount of the Payment Due to the Legal Aid Providers, Reimbursable Expenses and Payment Procedure Thereof" of December 22, 2009 provides for the types and extent of legal aid, the amount of payment to be paid to the legal aid providers and the reimbursable expenses arising from the provision of legal aid, as well as the amount and payment procedure thereof. Through developing the state ensured legal aid system, the Latvian Cabinet of Ministers has revised amount of payment to be paid to the legal aid providers from 1 May, 2015 and 1 July, 2016.

Lithuania

(2016): Approved public budget for legal aid was € 5500227 (€ 563000 for primary legal aid and € 4937227 for secondary legal aid). Implemented public budget in 2016 was € 5494755 as €5472 of funds allocated to primary legal aid were unused and given back to the state budget.

(2015): Approved public budget for legal aid was 5 925 285 € (562 356 € for primary legal aid and 5 362 929 € for secondary legal aid). Implemented public budget in 2015 was 5 917 807,4 € (554 878,4 € for primary legal aid and 5 362 929 € for secondary legal aid). 7 477,6 € of funds allocated to primary legal aid were unused and returned to the state budget.

Luxembourg

(2016): The bill containing the implemented budget of 2016 has not been approved yet.

Malta

(2016): The difference between the approved budget and the implemented budget for the Legal Aid Agency results from additional funds requested in 2016 in order to cover the increase in the honoraria of the lawyers and legal procurators offering their services to the Agency (also see answer to Q208)

It is possible that there will be an additional increase in the budget in the forthcoming evaluations.

It is not possible to differentiate between the budget allocated to criminal and 'other than criminal cases' and that is why it is marked as NAP (There are no means to distinguish between the two).

(2015): Up to 2015, the funds allocated to Legal Aid were not itemised separately from the budget of the Office of the Attorney General. Therefore whilst there was no approved a priori Legal Aid budget, any related costs were borne out of the budget of the Office of the Attorney General. The cost of Legal Aid throughout 2015 is the amount outlined in Question 12.1, and it does not discriminate on whether the funds were used for other-than-criminal or criminal cases.

Poland

(2016): In 2016 the costs of implementing changes in the Code of Criminal Procedure in the field of free legal aid granted ex officio were lower than expected . The amount of funds disbursed by the courts for defense is directly attributable to the number of incoming cases and the number of beneficiaries of unpaid legal aid granted ex officio, therefore implementation of the plan in this group of expenses during the financial year is independent of the activities of the financial services of individual courts.

Portugal

(2015): The public budget implemented regarding legal aid is different from the annual approved budget allocated to legal aid because the annual approved budget was in deficit regarding the needs of the year, therefore it was necessary to strengthen an endowment by the Ministry of Finance

Romania

(2016): Despite the reply NA in respect of the category 12.2, the indicated totals are correct. In fact, the budget of this item is included in the budget concerning "other than criminal law cases". There is no separate budget classification for the moment with regard to litigious and non-litigious matters. Expenditure on legal aid covers costs incurred for beneficiaries' justice. Thus, they do not have the character of regularity and depend on different factors (number of cases, such legal assistance: in civil, criminal, international judicial cooperation in civil and criminal matters, the service provided, the number of persons the court accepts the application for legal aid and the amount granted, etc.).

Slovenia

(2015): According to art. 26 of the Free Legal Aid Act, legal aid may (in addition to expenses, related to cases, brought to court) also be granted for:

- legal advice;
- the formulation, verification and certification of documents on legal relations, facts and statements;
- legal advice and representation in cases of out-of-court settlement;
- legal advice and representation involving constitutional action;
- legal advice and representation before international courts;
- legal advice and representation involving the filing of a petition for the assessment of constitutionality and
- in form of exemption from payment of the costs of the extrajudicial proceedings.

No distinction is possible for the budget allocated to legal aid for:

- cases brought to court and cases not brought to court or
- civil or criminal matters.

Sweden

(2016): The numbers for 2016 include legal aid in cases involving aliens and aliens cases.

Question 016

Belgium

(2016): In Belgium there are three kinds of legal aid: primary legal aid, secondary legal aid and legal assistance. Primary legal aid consists of practical information, legal information, an initial legal advice or referral to a specialised body (Article 508/1 of the Judicial Code). Secondary legal aid is provided to an individual in the form of a detailed legal advice or judicial assistance as part or not of a procedure or assistance in a trial including representation. Legal assistance consists in exempting, in whole or part, those who do not have the necessary income to meet the costs of proceedings, from paying the related costs that will consequently be covered by the budget of the State (Article 664 of the Judicial Code). Legal assistance may be obtained in criminal or civil matters and in any proceeding (judicial, administrative or arbitral).

Bulgaria

(2014): In 2014, changes were made in the Regulations of the organization and activities of the National Legal Aid Bureau. Since May 2015, within the NLAB are permanently operating the National Primary Legal Aid Hotline and the Regional Consultation Centers for vulnerable social groups.

(2012): On the occasion of the 2012 evaluation, it has been stressed that in the last two years legislative changes in the Legal Aid Act have been carried out in several directions: increasing the powers of the authorities of the legal aid system and exercising control over granting legal aid; introduction of the figure of the stand-by defence counsel with the purpose of expediting court proceedings in criminal matters; changes in the order and circumstances for entering and striking from the National Legal Aid Register – the disciplinary measures towards lawyers have increased, being a ground for refusal for entering the Register and for striking from it; introducing legislative requirements (order, circumstances and terms) for reporting 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 benefit; persons placed in specialized institutions for provision of social services or using a resident-type social service or a Mother and Baby Unit social service; a child at risk within the meaning of the Child Protection Act; victims of domestic or sexual violence or of trafficking in human beings; seekers of international protection etc.).

Croatia

(2014): The new Free Legal Aid Act entered into force on the 1st of January 2014. The aim pursued by this reform was to unburden the existing judicial and administrative system. The procedure of exercising the right to primary legal aid (general legal information, legal advice, drawing up submissions in procedures before public and international bodies, representation in proceedings in public bodies, legal aid in amicable, out-of-court dispute resolution) is substantially simplified. Involvement of civil society groups, legal clinics and government bodies in the system of primary legal aid and legal counseling increased the territorial availability of expert legal aid. As to the approval of secondary legal aid in court proceedings and exoneration from paying court costs and court fees (secondary legal aid), the focus of the reform has been placed on increasing the property threshold for approving legal aid. As well, the average monthly income per member of the household of the applicant of the secondary legal aid has been increased.

Denmark

(2016): Criminal cases:

Defendants are in all cases appointed a defence attorney. Victims of certain criminal offences (e.g. sexual offences, homicide and acts of violence) have access to representation in court by a support attorney. Basic legal advice is available to all persons in criminal cases. Further legal advice is only available subject to certain economic criteria.

Malta

(2014): In 2014, Malta implemented a major reform in the provision of Legal Aid, by establishing it as an Agency in its own right, with its own budget and management structure (Legal Notice 414 of 2014 (subsidiary legislation 497.11)). Prior to this, legal aid was another function falling within the remit of the office of the Attorney general. Currently, the Agency is in its initial stage to establish its organisation and procedures and in the coming weeks the Minister for Justice will be signing another Legal Notice. Thereafter, discussions will ensue with the Minister and the Legal Aid Advocate to find best practices for the Agency to function better and elevate it to a professional level compared with other European countries within the limits of government funds.

Question 017

Austria

(2016): 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 trial detention; • during the entire procedure on the confinement in an institution for mentally abnormal offenders; • during the trial on the confinement in an institution for addicted offenders i need of curing and on the confinement in an institution for dangerous subsequent offender;

• during the trial in front of a jury or of a court of lay assessors;

• during the trial 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 of 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 trial 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 base of the minimum living wage which must be provided given by sec 5 of

(2015): 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 trial detention;
- during the entire procedure on the confinement in an institution for mentally abnormal offenders;
- during the trial on the confinement in an institution for addicted offenders in need of curing and on the confinement in a institution for dangerous subsequent offender;
- during the trial in front of a jury or of a court of lay assessors;
- during the trial 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 of 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 trial 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

Belgium

(2016): Legal aid includes the coverage of or the exemption from court fees. Conversely, secondary legal aid (assistance and representation by a lawyer) does not cover justice costs, but solely lawyers' fees.

According to article 664 of the Belgian Judicial Code, the legal assistance consists in exempting, in whole or in part, those who do not have the incomes needed to meet the proceedings costs, even extra-judicial, from paying the various duties, of registration, court fees and shipping costs and other expenditures that might be involved. It also guarantees to the persons concerned the free of charge services of public and ministerial officers in the conditions hereinafter defined. It also enables the beneficiaries to receive free assistance of a technical advisor during judicial expertise.

(2012): Legal aid refers to the concept of legal assistance, that is to say the benefit of free proceedings.

Bulgaria

(2015): Legal aid does not include the coverage of or the exemption from court fees but according to the Code of Civil Procedure fees and costs of the proceeding shall not be deposited by any natural persons who have been found by the court to lack sufficient means to pay the said fees and costs.

Denmark

(2016): In civil cases, if a party is granted legal aid (fri proces) in a case before the court, the party is inter alia exempt from paying court fees. Legal aid can also be provided in the form of free legal advice (retshjælp).

Estonia

(2016): Partial or full exemption from the court fees (depending on the financial situation of the person).

France

(2016): According to article 40 of the Law n° 91-647 on Legal Aid of 10 July 1991, legal aid covers all charges relating to the proceedings, procedures or actions for which it is granted, except from the hearing right. Beneficiaries of legal aid are exempt from payment of advance or deposit of such charges. Expenditures related to investigatory measures are advanced by the State.

Germany

(2016): Pursuant to section 122 of the Code of Civil Procedure, the granting of legal aid has the effect that the Treasury can only assert court costs if the court had ordered payment (in instalments) on account of the financial situation of the person requesting legal aid. Moreover, the recipient of legal aid is not obligated to pay any potential advance on costs.

Ireland

(2015): Court fees are not charged in criminal cases.

Other than criminal cases: Civil legal aid will pay the person's own costs subject to the possibility of recovering them either from the other party or from any money or property recovered or preserved on behalf of the legally aided person.

Latvia

(2016): Since 1 January, 2016 for all recipients of the state ensured legal aid in civil cases there is automatically base of exemptions from the payment of court costs. In criminal and administrative cases a legal framework provides for exemptions from the payment of court costs both on the basis of law automatically and the judge or the person directing the proceedings deciding on the person exemption from the payment of court costs.

Luxembourg

(2016): There is no exemption from court fees.

(2015): There are no court fees.

(2012): Legal aid covers all costs pertaining to proceedings, procedures or actions for which it is granted, namely: stamp and registration duties; court fees; lawyers' fees; bailiffs' fees; notaries' fees; expenses for technical staff; witness fees; translators and interpreters' fees; costs of custom certificates; travelling expenses; expenses related to registration, mortgage and pledge, etc.

Malta

(2016): Litigants benefitting from Legal Aid are exempt from Court Fees.

Poland

(2016): Anyone who is unable to pay court fees without prejudice to the maintenance of himself and his family is entitled to exemption from such fees.

The application and the material situation must be sustained.

Question 018

Belgium

(2016): Legal aid can be granted for the fees that are related to the enforcement of judicial decisions.

Denmark

(2016): The bailiff's court can grant legal aid if the person meeting before the court is deemed to need assistance from a lawyer.

France

(2016): According to article 10 of the Law n° 91-647 on Legal Aid of 10 July 1991, legal aid can also be granted for the enforcement on the French territory of decisions of justice or other enforcement orders, including those delivered by another Member State of the European Union, except for Denmark.

Latvia

(2016): Answer for Q18 is "No", but In the Republic of Latvia there is another mechanism how persons receive support at the enforcement of judicial decisions stage – a legal framework that provides for exemptions from the payment to sworn bailiffs of enforcement of the judgment expenditures on the basis of law and in addition sworn bailiffs right to reduce the remuneration fees in another cases.

Malta

(2016): Eligible candidates can enforce foreign judgements in Malta through legal aid as long as the procedure is carried out through court representation.

Poland

(2016): The cost are connected to the enforcement agent fees and actions.

Slovenia

(2014): 2014: In the previous cycle, the answer was No and in this cycle changed to Yes, because the question was interpreted as regarding the court fees, exemption of which is regulated under the Court Fees Act and not under the legal aid as regulated by Free Legal Aid Act (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).

Question 019

Belgium

(2016): Legal aid covers:

- All acts pertaining to applications submitted or pending before a judge in civil, criminal or administrative matters, or before arbitrators;
- Acts related to enforcement of court decisions;
- Proceedings instituted upon application;
- Procedural acts that are within the competence of a civil or criminal judge or imply the intervention of a public or ministerial official;
- Mediation procedures (judicial or voluntary) carried out by a mediator certified by the Federal Mediation Commission (article 1727);
- All extra-judicial proceedings foreseen by law or the judge;
- Enforcement of authentic acts in another Member State of the European Union in the frame of article 11 of the Directive 2003/8/CE of the Council of 27 January 2003 intended to improve access to justice in cross-border disputes through the establishment of minimum common rules pertaining to legal aid granted in such matters, in compliance with the conditions defined by the mentioned directive;
- The assistance of a technical advisor within the frame of judicial expertise.

Articles 691 to 692bis of the Judicial Code refer to a series of costs advanced by the State (transport and accommodation costs of magistrates and public and ministerial officials, costs related to witnesses, interpreters, bailiffs, notaries etc.) at the discharge of the beneficiary of legal aid.

Denmark

(2016): E.g. expenses that with good reason have been held in connection with a trial.

Under special circumstances fees for technical advisors or experts are covered in criminal cases.

France

(2016): According to article 40-1 of the Law n° 91-647 on Legal Aid of 10 July 1991, with regard to cross-border disputes mentioned in article 3-1, legal aid covers translation costs pertaining to the request and the documents needed for the investigation proceedings before transferring the request to the State hosting the court that is competent for ruling on the merits of the case. In respect of the same category of disputes, when proceedings take place in France, legal aid also covers: interpretation costs; translation costs for documents deemed by the judge as essential for the appreciation of the legal aid beneficiary's arguments; travelling costs concerning persons whose presence at the hearings is required by the judge.

Latvia

(2016): indicates that additional persons are exempted, for example, from expertise, interpreters and travel expenses.

In accordance with the Cabinet of Ministers Regulation No 1493 of 22 December 2009 "Regulations Regarding the Amount of State-ensured Legal Aid, the Amount of Payment, Reimbursable Expenses and the Procedures for Payment Thereof" the State shall pay to the provider of legal aid also for drawing up procedural documents in all kind of legal aid cases and for representation in pre-trial criminal proceedings.

Netherlands

(2010): In the ambit of the 2010 exercise, it has been indicated that the defense may ask for advice or second opinion from experts. The costs of these operations are borne by the State. However, these costs do not make part of the legal aid.

Poland

(2016): Expert fees and travel cost reimbursement.

Table 6.1 (EC) Possibility of online training for judges, prosecutors and/or court clerks in 2016 (Q62.10)

States	Online training	
	EC Code	Equipment rate
Austria	20	50-99%
Belgium	1	10-49%
Bulgaria	2	NA
Croatia	11	50-99%
Cyprus	13	1-9%
Czech Republic	3	100%
Denmark	4	
Estonia	6	50-99%
Finland	26	100%
France	10	1-9%
Germany	5	10-49%
Greece	8	
Hungary	17	50-99%
Ireland	7	100%
Italy	12	100%
Latvia	14	NA
Lithuania	15	NA
Luxembourg	16	100%
Malta	18	100%
Netherlands	19	50-99%
Poland	21	
Portugal	22	100%
Romania	23	100%
Slovakia	25	
Slovenia	24	100%
Spain	9	
Sweden	27	100%
Nb of values		27
% of NA		11%
% of NAP		19%

Table 6.2 (EC) Technologies used for court management and administration in 2016 (Q63.1, Q63.3, Q63.7)

"All matters" includes civil and commercial cases, criminal cases, administrative cases and other cases.

States	Case management systems						Tools of producing courts activity statistics					Measurement tools to assess the workload of judges, prosecutors and/or court clerks		
	EC Code	All matters	Civil and/or commercial	Administrative	Other (without criminal cases)	Equipment rate	All matters	Civil and/or commercial	Administrative	Other (without criminal cases)	Equipment rate	Equipment rate	Monitoring at national level	Monitoring at local level
Austria	20	100%				4	100%				4	100%	Yes	No
Belgium	1		100%	50-99%		2		50-99%	50-99%		2	10-49%	No	Yes
Bulgaria	2	100%				4	100%				4	-	-	-
Croatia	11	100%				4		100%	100%		3	100%	Yes	No
Cyprus	13					0					0	NA	No	No
Czech Republic	3	100%				4	100%				4	100%	Yes	Yes
Denmark	4	100%				4	50-99%				3	50-99%	Yes	Yes
Estonia	6	100%				4	100%				4	100%	Yes	Yes
Finland	26	100%				4	100%				4	100%	No	Yes
France	10		100%	100%		3		100%	100%		3	100%	Yes	Yes
Germany	5	100%				4	50-99%				3	50-99%	No	Yes
Greece	8	100%				4			50-99%		1	100%	Yes	No
Hungary	17	100%				4	100%				4	100%	Yes	Yes
Ireland	7	100%				4	50-99%				3		-	-
Italy	12		100%	100%		3		100%	100%		3	100%	Yes	Yes
Latvia	14	100%				4	100%				4	100%	Yes	Yes
Lithuania	15	100%				4	100%				4	100%	Yes	Yes
Luxembourg	16		100%	100%		3	100%				4	100%	Yes	Yes
Malta	18	100%				4	100%				4	100%	Yes	Yes
Netherlands	19		10-49%	10-49%	50-99%	2	50-99%				3	50-99%	No	Yes
Poland	21	100%				4	100%				4	100%	No	Yes
Portugal	22	100%				4	100%				4	100%	Yes	No
Romania	23	100%				4	100%				4	100%	Yes	Yes
Slovakia	25	100%				4					0		-	-
Slovenia	24		100%	100%	100%	4	100%				4	100%	Yes	Yes
Spain	9	100%				4	100%				4	100%	Yes	Yes
Sweden	27	100%				4	100%				4	-	-	-
Nb of values		25	7	7	5		5	27	7	5		5	27	-27
% of NA		0%	0%	0%	0%		0%	0%	0%	0%		0%	0%	0%
% of NAP		20%	14%	14%	60%		120%	11%	29%	100%		120%	11%	-7%

100%	= 4 points if applicable to all matters / 1,33 points per specific matter
50-99%	= 3 points if applicable to all matters / 1 point per specific matter
10-49%	= 2 points if applicable to all matters / 0,66 point per specific matter
1-9%	= 1 point if applicable to all matters / 0,33 points per specific matter
	= 0% (NAP)
NA	= Not Available

Table 6.2-C Technologies used for court management and administration in 2016 and eventual change from 2015 to 2016 (Q63.1, Q63.3, Q63.7)

"All matters" includes civil and commercial cases, criminal cases, administrative cases and other cases.

States	Case management systems						Tools of producing courts activity statistics					Measurement tools to assess the workload of judges, prosecutors and/or court clerks		
	EC Code	All matters	Civil and/or commercial	Administrative	Other (without criminal cases)	Equipment rate	All matters	Civil and/or commercial	Administrative	Other (without criminal cases)	Equipment rate	Equipment rate	Monitoring at national level	Monitoring at local level
Austria	20	100%				4	100%				4	100%	Yes	No
Belgium	1		100%	Changed to 50-99%	0% (NAP)	From 1 to 2		Changed to 50-99%	Changed to 50-99%	Changed to 0% (NAP)	From 4 to 2	Changed to 10-49%	Changed to No	Changed to Yes
Bulgaria	2	100%				4	100%				4	-	-	-
Croatia	11	Changed to 100%				From 3 to 4	0% (NAP)	100%	Changed to 100%		From 1 to 3	Changed to 100%	Yes	No
Cyprus	13	0% (NAP)	0% (NAP)	0% (NAP)	0% (NAP)	0	0% (NAP)	0% (NAP)	0% (NAP)	0% (NAP)	0	Changed to NA	Changed to No	Changed to No
Czech Republic	3	100%				4	100%				4	100%	Yes	Yes
Denmark	4	100%				4	50-99%				3	50-99%	Yes	Yes
Estonia	6	100%				4	100%				4	100%	Yes	Yes
Finland	26	100%				4	100%				4	100%	No	Yes
France	10	0% (NAP)	100%	100%	0% (NAP)	3	0% (NAP)	100%	100%	0% (NAP)	3	100%	Yes	Yes
Germany	5	Changed to 100%				From 3 to 4	50-99%				3	50-99%	No	Yes
Greece	8	100%				4	0% (NAP)	Changed to 0% (NAP)	Changed to 50-99%	0% (NAP)	From 2 to 1	100%	Yes	No
Hungary	17	100%				4	100%				4	100%	Yes	Yes
Ireland	7	100%				4	50-99%				3	0% (NAP)	-	-
Italy	12	0% (NAP)	100%	Changed to 100%		From 2 to 3	0% (NAP)	100%	100%		3	100%	Yes	Yes
Latvia	14	100%				4	100%				4	Changed to 100%	Changed to Yes	Yes
Lithuania	15	100%				4	100%				4	100%	Yes	Changed to Yes
Luxembourg	16		Changed to 100%	Changed to 100%		From 0 to 3	100%				4	100%	Yes	Yes
Malta	18	100%				4	100%				4	100%	Yes	Yes
Netherlands	19	Changed to 0% (NAP)	Changed to 10-49%	Changed to 10-49%	Changed to 50-99%	From 4 to 2	Changed to 50-99%				From 4 to 3	50-99%	No	Yes
Poland	21	Changed to 100%				From 3 to 4	100%				4	Changed to 100%	No	Yes
Portugal	22	Changed to 100%				4	Changed to 100%				From 3 to 4	100%	Yes	No
Romania	23	100%				4	100%				4	Changed to 100%	Changed to Yes	Changed to Yes
Slovakia	25	Changed to 100%				From 3 to 4	0% (NAP)	0% (NAP)	0% (NAP)	0% (NAP)	0	0% (NAP)	-	-
Slovenia	24	0% (NAP)	100%	100%	100%	4	100%				4	100%	Yes	Yes
Spain	9	100%				4	100%				4	100%	Yes	Yes
Sweden	27	100%				4	100%				4	-	-	-
Nb of values		25	7	7	5	27	7	5	27	-27	7	27	-27	26
% of NA		0%	0%	0%	0%		0%	0%	0%	0%		0%	0%	0%
% of NAP		16%	14%	14%	60%		86%	40%	7%	-15%		22%	-7%	8%

100% = 4 points if applicable to all matters / 1,33 points per specific matter
50-99% = 3 points if applicable to all matters / 1 point per specific matter
10-49% = 2 points if applicable to all matters / 0,66 point per specific matter
1-9% = 1 point if applicable to all matters / 0,33 points per specific matter
 = 0% (NAP)
NA = Not Available

Table 6.3 (EC) Technologies used for communication between courts, professionals and/or court users in 2016 (Q64.2, Q64.4, Q64.5, Q64.8, Q64.10)

"All matters" includes civil and commercial cases, criminal cases, administrative cases and other cases.

States	Possibility to submit a case to courts by electronic means					Possibility to transmit summons to a judicial meeting or a hearing by electronic means					Possibility to monitor the stages of an online judicial proceeding					Electronic signature of documents					Videoconferencing between courts, professionals and/or users					
	EC Code	All matters	Civil and/or comm.	Admin.	Other (without criminal cases)	Index	All matters	Civil and/or comm.	Admin.	Other (without criminal cases)	Index	All matters	Civil and/or comm.	Admin.	Other (without criminal cases)	Index	All matters	Civil and/or comm.	Admin.	Other (without criminal cases)	Index	All matters	Civil and/or comm.	Admin.	Other (without criminal cases)	Index
Austria	20	100%				4	100%				4	50-99%				3	100%				4	100%				4
Belgium	1		1-9%	50-99%		1			50-99%		1			50-99%		1					0	-	-	-	-	0
Bulgaria	2					0	10-49%				2	10-49%				2					0	1-9%				1
Croatia	11					0					0		100%		50-99%	2					0	100%				4
Cyprus	13					0	-	-	-	-	0					0					0					0
Czech Republic	3	100%				4	100%				4	100%				4	100%				4	100%				4
Denmark	4	1-9%				1	50-99%				3	1-9%				1					0					0
Estonia	6	100%				4	100%				4	100%				4	100%				4	100%				4
Finland	26	100%				4	100%				4					0					0	100%				4
France	10			100%		1		50-99%	100%		2			100%		1		1-9%			0		50-99%	50-99%		2
Germany	5	50-99%				3	10-49%				2					0	10-49%				2	10-49%				2
Greece	8		1-9%	10-49%		1					0			50-99%		1	10-49%				2					0
Hungary	17	100%				4	100%				4	100%				4	100%				4	1-9%				1
Ireland	7		50-99%			1	1-9%				1	50-99%				3					0	50-99%				3
Italy	12		100%	100%		3		100%	100%		3		100%	100%		3		100%	100%		3					0
Latvia	14	100%				4	100%				4	100%				4	100%				4	100%				4
Lithuania	15		100%	100%	100%	4		100%	100%	100%	4		100%	100%	100%	4		100%	100%	100%	4	100%				4
Luxembourg	16					0					0					0	100%				4					0
Malta	18	10-49%				2	1-9%				1	50-99%				3					0	100%				4
Netherlands	19	1-9%				1					0		10-49%	10-49%	10-49%	2		10-49%	10-49%		1	1-9%				1
Poland	21					0	100%				4	50-99%				3	10-49%				2	50-99%				3
Portugal	22	100%				4		100%	100%		3	100%				4	100%				4	100%				4
Romania	23	100%				4	10-49%				2	100%				4	10-49%				2	50-99%				3
Slovakia	25	100%				4					0					0					0	100%				4
Slovenia	24		50-99%	50-99%		2		100%	100%		3		50-99%		50-99%	2		50-99%		50-99%	2	100%				4
Spain	9	100%				4	50-99%				3	50-99%				3					0					0
Sweden	27	10-49%				2	-	-	-	-	0					0					0	100%				4
Nb of values		26	12	12	10		26	14	14	13		25	15	14	15		26	15	14	13		26	10	9	9	
% of NA		0%	0%	0%	0%		0%	0%	0%	0%		0%	0%	0%	0%		0%	0%	0%	0%		0%	0%	0%	0%	
% of NAP		42%	50%	50%	90%		38%	50%	50%	69%		48%	67%	57%	73%		58%	67%	79%	85%		23%	80%	78%	89%	
100%		= 4 points if applicable to all matters / 1,33 points per specific matter																								
50-99%		= 3 points if applicable to all matters / 1 point per specific matter																								
10-49%		= 2 points if applicable to all matters / 0,66 point per specific matter																								
1-9%		= 1 point if applicable to all matters / 0,33 points per specific matter																								
		= 0% (NAP)																								
NA		= Not Available																								

Denmark, Romania: Q64.2 (Possibility to submit a case by electronic means) - Cases may be submitted to courts by email

Table 6.3-C Technologies used for communication between courts, professionals and/or court users in 2016 and eventual change from 2015 to 2016 (Q64.2, Q64.4, Q64.5, Q64.8, Q64.10

"All matters" includes civil and commercial cases, criminal cases, administrative cases and other cases.

States	EC Code	Possibility to submit a case to courts by electronic means					Possibility to transmit summons to a judicial meeting or a hearing by electronic means					Possibility to monitor the stages of an online judicial proceeding					Electronic signature of documents					
		All matters	Civil and/or comm.	Admin.	Other (without criminal cases)	Index	All matters	Civil and/or comm.	Admin.	Other (without criminal cases)	Index	All matters	Civil and/or comm.	Admin.	Other (without criminal cases)	Index	All matters	Civil and/or comm.	Admin.	Other (without criminal cases)	Index	
Austria	20	100%				4	100%				4	50-99%				3	100%				4	
Belgium	1		1-9%	50-99%		1			50-99%		Changed from 1 to 1			50-99%		1			Changed to 0% (NAP)		Changed from 1 to 0	
Bulgaria	2					0	Changed to 10-49%				Changed from 0 to 2	10-49%				2					0	
Croatia	11					0					0		100%		50-99%	2					0	
Cyprus	13					0	-	-	-	-	0					0					0	
Czech Republic	3	100%				4	100%				4	100%				4	Changed to 100%				Changed from 3 to 4	
Denmark	4	1-9%				1	50-99%				Changed from 1 to 3					1					0	
Estonia	6	100%				4	100%				4	100%				4	100%				4	
Finland	26	100%				4	100%				4					0					0	
France	10			Changed to 100%		Changed from 0 to 1		Changed to 50-99%	Changed to 100%		Changed from 0 to 2			100%		1		Changed to 1-9%			Changed from 0 to 0	
Germany	5	Changed to 50-99%				Changed from 2 to 3	10-49%				2					0	10-49%				2	
Greece	8		Changed to 1-9%	Changed to 10-49%		Changed from 0 to 1					0	Changed to 0% (NAP)	Changed to 0% (NAP)	Changed to 50-99%	Changed to 0% (NAP)	Changed from 2 to 1	Changed to 10-49%				Changed from 1 to 2	
Hungary	17	100%				4	100%				4	100%				4	100%				4	
Ireland	7	Changed to 0% (NAP)	Changed to 50-99%	Changed to 0% (NAP)		Changed from 2 to 1	1-9%	Changed to 0% (NAP)	Changed to 0% (NAP)	Changed to 0% (NAP)	Changed from 2 to 1	50-99%	Changed to 0% (NAP)	Changed to 0% (NAP)	Changed to 0% (NAP)	3					0	
Italy	12		100%	Changed to 100%		Changed from 2 to 3		100%	100%		Changed from 2 to 3		100%	100%		3		100%	Changed to 100%		Changed from 2 to 3	
Latvia	14	100%				4	100%				4	100%				4	100%				4	
Lithuania	15		100%	100%	100%	4		100%	100%	100%	4		100%	100%	100%	4		100%	100%	100%	4	
Luxembourg	16					0					0					0	Changed to 100%				Changed from 0 to 4	
Malta	18	Changed to 10-49%				Changed from 1 to 2	Changed to 1-9%	Changed to 0% (NAP)	Changed to 0% (NAP)	Changed to 0% (NAP)	1	50-99%				3					0	
Netherlands	19	1-9%				1	Changed to 0% (NAP)	Changed to 0% (NAP)	Changed to 0% (NAP)	Changed to 0% (NAP)	Changed from 1 to 0		Changed to 10-49%	Changed to 10-49%	Changed to 10-49%	Changed from 0 to 2		Changed to 10-49%	Changed to 10-49%		Changed from 0 to 1	
Poland	21	Changed to 0% (NAP)	Changed to 0% (NAP)	Changed to 0% (NAP)	Changed to 0% (NAP)	-	Changed to 100%				-	Changed to 50-99%				-	Changed to 10-49%				-	
Portugal	22	Changed to 100%				Changed from 3 to 4		100%	100%		3	Changed to 100%				Changed from 3 to 4	Changed to 100%				Changed from 3 to 4	
Romania	23	100%				4	Changed to 10-49%				Changed from 4 to 2	100%				4	Changed to 10-49%				Changed from 1 to 2	
Slovakia	25	100%				4	Changed to 0% (NAP)	Changed to 0% (NAP)	Changed to 0% (NAP)	Changed to 0% (NAP)	Changed from 4 to 0					0					0	
Slovenia	24		50-99%	Changed to 50-99%		2		100%		100%	Changed from 2 to 3		50-99%		50-99%	2		50-99%		50-99%	2	
Spain	9	100%				4	50-99%				Changed from 4 to 3	Changed to 50-99%				Changed from 1 to 3	Changed to 0% (NAP)	Changed to 0% (NAP)	Changed to 0% (NAP)	Changed to 0% (NAP)	Changed from 2 to 0	
Sweden	27	10-49%				2	-	-	-	-	Changed from 2 to 0					0					0	
Nb of values			26	12	12	10	26	24	12	12	11	26	25	15	14	15	26	26	15	14	13	26
% of NA			0%	0%	0%	0%		0%	0%	0%	0%		0%	0%	0%	0%		0%	0%	0%	0%	
% of NAP			35%	42%	33%	80%		33%	25%	25%	45%		44%	53%	50%	60%		54%	60%	64%	77%	

100% = 4 points if applicable to all matters / 1,33 points per specific matter
50-99% = 3 points if applicable to all matters / 1 point per specific matter
10-49% = 2 points if applicable to all matters / 0,66 point per specific matter
1-9% = 1 point if applicable to all matters / 0,33 points per specific matter
0% (NAP) = 0% (NAP)
NA = Not Available

Table 6.3-C Technologies used for communication between courts, professionals and/or court users in 2016 and eventual change from 2015 to 2016 (Q64.2, Q64.4, Q64.5, Q64.8, Q64.10

"All matters" includes civil and commercial cases, criminal cases, administrative cases and other cases.

States	EC Code	Possibility to submit a case to courts by electronic means					Possibility to transmit summons to a judicial meeting or a hearing by electronic means					Possibility to monitor the stages of an online judicial proceeding					Electronic signature of documents				
		All matters	Civil and/or comm.	Admin.	Other (without criminal cases)	Index	All matters	Civil and/or comm.	Admin.	Other (without criminal cases)	Index	All matters	Civil and/or comm.	Admin.	Other (without criminal cases)	Index	All matters	Civil and/or comm.	Admin.	Other (without criminal cases)	Index
Austria	20	100%				4	100%				4	50-99%				3	100%				4
Belgium	1		1-9%	50-99%		1			50-99%		Changed from 1 to 1			50-99%		1			Changed to 0% (NAP)		Changed from 1 to 0
Bulgaria	2					0	Changed to 10-49%				Changed from 0 to 2	10-49%				2					0
Croatia	11					0					0		100%		50-99%	2					0
Cyprus	13					0	-	-	-	-	0					0					0
Czech Republic	3	100%				4	100%				4	100%				4	Changed to 100%				Changed from 3 to 4
Denmark	4	1-9%				1	50-99%				Changed from 1 to 3			1-9%		1					0
Estonia	6	100%				4	100%				4	100%				4	100%				4
Finland	26	100%				4	100%				4					0					0
France	10			Changed to 100%		Changed from 0 to 1		Changed to 50-99%	Changed to 100%		Changed from 0 to 2			100%		1		Changed to 1-9%			Changed from 0 to 0
Germany	5	Changed to 50-99%				Changed from 2 to 3	10-49%				2					0	10-49%				2
Greece	8		Changed to 1-9%	Changed to 10-49%		Changed from 0 to 1					0	Changed to 0% (NAP)	Changed to 0% (NAP)	Changed to 50-99%	Changed to 0% (NAP)	Changed from 2 to 1	Changed to 10-49%				Changed from 1 to 2
Hungary	17	100%				4	100%				4	100%				4	100%				4
Ireland	7	Changed to 0% (NAP)	Changed to 50-99%	Changed to 0% (NAP)		Changed from 2 to 1	1-9%	Changed to 0% (NAP)	Changed to 0% (NAP)	Changed to 0% (NAP)	Changed from 2 to 1	50-99%	Changed to 0% (NAP)	Changed to 0% (NAP)	Changed to 0% (NAP)	3					0
Italy	12		100%	Changed to 100%		Changed from 2 to 3		100%	100%		Changed from 2 to 3		100%	100%		3		100%	Changed to 100%		Changed from 2 to 3
Latvia	14	100%				4	100%				4	100%				4	100%				4
Lithuania	15		100%	100%	100%	4		100%	100%	100%	4		100%	100%	100%	4		100%	100%	100%	4
Luxembourg	16					0					0					0	Changed to 100%				Changed from 0 to 4
Malta	18	Changed to 10-49%				Changed from 1 to 2	Changed to 1-9%	Changed to 0% (NAP)	Changed to 0% (NAP)	Changed to 0% (NAP)	1	50-99%				3					0
Netherlands	19	1-9%				1	Changed to 0% (NAP)	Changed to 0% (NAP)	Changed to 0% (NAP)	Changed to 0% (NAP)	Changed from 1 to 0		Changed to 10-49%	Changed to 10-49%	Changed to 10-49%	Changed from 0 to 2		Changed to 10-49%	Changed to 10-49%		Changed from 0 to 1
Poland	21	Changed to 0% (NAP)	Changed to 0% (NAP)	Changed to 0% (NAP)	Changed to 0% (NAP)	-	Changed to 100%				-	Changed to 50-99%				-	Changed to 10-49%				-
Portugal	22	Changed to 100%				Changed from 3 to 4		100%	100%		3	Changed to 100%				Changed from 3 to 4	Changed to 100%				Changed from 3 to 4
Romania	23	100%				4	Changed to 10-49%				Changed from 4 to 2	100%				4	Changed to 10-49%				Changed from 1 to 2
Slovakia	25	100%				4	Changed to 0% (NAP)	Changed to 0% (NAP)	Changed to 0% (NAP)	Changed to 0% (NAP)	Changed from 4 to 0					0					0
Slovenia	24		50-99%	Changed to 50-99%		2		100%		100%	Changed from 2 to 3		50-99%		50-99%	2		50-99%		50-99%	2
Spain	9	100%				4	50-99%				Changed from 4 to 3	Changed to 50-99%				Changed from 1 to 3	Changed to 0% (NAP)	Changed to 0% (NAP)	Changed to 0% (NAP)	Changed to 0% (NAP)	Changed from 2 to 0
Sweden	27	10-49%				2	-	-	-	-	Changed from 2 to 0					0					0
Nb of values		26	12	12	10	26	24	12	12	11	26	25	15	14	15	26	26	15	14	13	26
% of NA		0%	0%	0%	0%		0%	0%	0%	0%		0%	0%	0%	0%		0%	0%	0%	0%	0%
% of NAP		35%	42%	33%	80%		33%	25%	25%	45%		44%	53%	50%	60%		54%	60%	64%	77%	

100% = 4 points if applicable to all matters / 1,33 points per specific matter
50-99% = 3 points if applicable to all matters / 1 point per specific matter
10-49% = 2 points if applicable to all matters / 0,66 point per specific matter
1-9% = 1 point if applicable to all matters / 0,33 points per specific matter
0% (NAP) = 0% (NAP)
NA = Not Available

Table 6.4 Technologies used for communication between courts, professionals and/or court users in 2016 (Q64.1, Q64.3, Q64.6)

"All matters" includes civil and commercial cases, criminal cases, administrative cases and

States	Websites					Is it possible to request for granting legal aid by electronic means?				Electronic communication between courts and lawyers				
	EC Code	General interest website	Website with national information	Specific website for each court	Equipment rate	All matters	Equipment rate	Request in paper mandatory	Specific legislative framework	All matters	Civil and/or comm.	Admin.	Other (without criminal cases)	Index
Austria	20	Yes	Yes	Yes	100%	Yes	100%	No	Yes	100%	-	-	-	4
Belgium	1	Yes	Yes	Yes	100%	No	-	-	-	-	10-49%	50-99%	-	2
Bulgaria	2	Yes	Yes	Yes	100%	-	-	-	-	10-49%	-	-	-	2
Croatia	11	Yes	No	Yes	100%	No	-	-	-	-	-	-	-	0
Cyprus	13	Yes	Yes	No	-	-	-	-	-	-	-	-	-	0
Czech Republic	3	Yes	Yes	Yes	100%	No	-	-	-	100%	-	-	-	4
Denmark	4	Yes	Yes	Yes	100%	Yes	1-9%	No	No	50-99%	-	-	-	3
Estonia	6	Yes	Yes	Yes	100%	Yes	100%	No	Yes	100%	-	-	-	4
Finland	26	Yes	Yes	Yes	100%	Yes	100%	No	Yes	100%	-	-	-	4
France	10	Yes	Yes	Yes	50-99%	No	-	-	-	-	50-99%	100%	-	2
Germany	5	Yes	Yes	Yes	100%	Yes	10-49%	No	Yes	50-99%	-	-	-	3
Greece	8	Yes	No	Yes	10-49%	No	-	-	-	1-9%	-	50-99%	-	1
Hungary	17	Yes	Yes	Yes	100%	Yes	100%	No	Yes	50-99%	-	-	-	3
Ireland	7	Yes	Yes	Yes	100%	No	-	-	-	50-99%	-	-	-	3
Italy	12	Yes	Yes	Yes	100%	No	-	-	-	-	100%	100%	-	3
Latvia	14	Yes	Yes	No	-	Yes	100%	No	Yes	100%	-	-	-	4
Lithuania	15	Yes	Yes	Yes	100%	Yes	-	No	No	-	-	-	-	0
Luxembourg	16	Yes	Yes	No	-	No	-	-	-	100%	-	-	-	4
Malta	18	Yes	Yes	Yes	50-99%	No	-	-	-	100%	-	-	-	4
Netherlands	19	Yes	Yes	Yes	100%	No	-	-	-	-	10-49%	10-49%	-	1
Poland	21	Yes	No	Yes	50-99%	No	-	-	-	100%	-	-	-	4
Portugal	22	Yes	Yes	Yes	100%	Yes	NA	Yes	Yes	100%	-	-	-	4
Romania	23	Yes	Yes	Yes	100%	Yes	100%	No	Yes	100%	-	-	-	4
Slovakia	25	Yes	Yes	Yes	100%	No	-	-	-	-	-	-	-	0
Slovenia	24	Yes	Yes	Yes	100%	No	-	-	-	-	50-99%	-	50-99%	2
Spain	9	Yes	Yes	Yes	100%	Yes	100%	No	Yes	100%	-	-	-	4
Sweden	27	Yes	Yes	Yes	100%	No	-	-	-	100%	-	-	-	4
Nb of values		27	27	27	24	25	11	11	11	22	7	7	4	27
% of NA		0%	0%	0%	0%	0%	9%	0%	0%	0%	0%	0%	0%	0%
% of NAP		0%	0%	0%	0%	0%	9%	0%	0%	18%	29%	29%	75%	0%

100%	= 4 points if applicable to all matters / 1,33 points per specific matter
50-99%	= 3 points if applicable to all matters / 1 point per specific matter
10-49%	= 2 points if applicable to all matters / 0,66 point per specific matter
1-9%	= 1 point if applicable to all matters / 0,33 points per specific matter
	= 0% (NAP)
NA	= Not Available

Table 6.4-C Technologies used for communication between courts, and lawyers in 2016 and eventual change
 "All matters" includes civil and commercial cases, criminal cases, administrative cases and other cases.

States	Electronic communication between courts and lawyers					
	EC Code	All matters	Civil and/or comm.	Admin.	Other (without criminal cases)	Equipment rate
Austria	20	100%	-	-	-	4
Belgium	1	-	10-49%	50-99%	0% (NAP)	2
Bulgaria	2	10-49%	-	-	-	2
Croatia	11	-	-	-	-	0
Cyprus	13	-	-	-	-	0
Czech Republic	3	100%	-	-	-	4
Denmark	4	50-99%	-	-	-	3
Estonia	6	100%	-	-	-	4
Finland	26	100%	-	-	-	4
France	10	0% (NAP)	50-99%	100%	0% (NAP)	2
Germany	5	50-99%	-	Changed to 0% (NAP)	Changed to 0% (NAP)	3
Greece	8	Changed to 1-9%	-	Changed to 50-99%	-	Changed from 0 to 1
Hungary	17	50-99%	-	-	-	3
Ireland	7	50-99%	Changed to 0% (NAP)	Changed to 0% (NAP)	-	3
Italy	12	0% (NAP)	100%	Changed to 100%	-	Changed from 2 to 3
Latvia	14	100%	-	-	-	4
Lithuania	15	0% (NAP)	0% (NAP)	-	-	0
Luxembourg	16	100%	-	-	-	4
Malta	18	100%	-	-	-	4
Netherlands	19	-	Changed to 10-49%	Changed to 10-49%	-	Changed from 0 to 1
Poland	21	Changed to 100%	-	-	-	-
Portugal	22	100%	-	-	-	4
Romania	23	100%	-	-	-	4
Slovakia	25	-	-	-	-	0
Slovenia	24	0% (NAP)	50-99%	-	50-99%	2
Spain	9	100%	-	-	-	4
Sweden	27	100%	-	-	-	4
Nb of values		22	7	7	4	26
% of NA		0%	0%	0%	0%	
% of NAP		18%	14%	0%	50%	

100%	= 4 points if applicable to all matters / 1,33 points per specific matter
50-99%	= 3 points if applicable to all matters / 1 point per specific matter
10-49%	= 2 points if applicable to all matters / 0,66 point per specific matter
1-9%	= 1 point if applicable to all matters / 0,33 points per specific matter
0% (NAP)	= 0% (NAP)
NA	= Not Available

Table 6.5 Technologies used for communication between courts and enforcement agents in 2016 (Q64.7)

States	EC Code	Enforcement agents								
		Electronic communication between enforcement agents and users					Conditions			Specific legislative framework
		Equipment rate	Summon to court	Notification of decisions	Debt collection	Other	Email	Specific computer application	Other	
Austria	20	100%	Yes	Yes	Yes	Yes	No	Yes	No	Yes
Belgium	1									
Bulgaria	2	NA								
Croatia	11									
Cyprus	13									
Czech Republic	3	100%	Yes	Yes	No	Yes	No	Yes	No	Yes
Denmark	4	100%	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes
Estonia	6	100%	Yes	Yes	Yes	No	Yes	No	No	Yes
Finland	26	100%	Yes	Yes	Yes	No	No	Yes	No	Yes
France	10	100%	No	Yes	No	No	Yes	No	No	Yes
Germany	5	10-49%	No	Yes	Yes	No	No	No	Yes	No
Greece	8									
Hungary	17	50-99%	Yes	Yes	Yes	Yes	No	Yes	No	Yes
Ireland	7									
Italy	12	100%	Yes	No	No	No	Yes	Yes	No	Yes
Latvia	14	100%	Yes	No	No	No	Yes	No	No	No
Lithuania	15									
Luxembourg	16	100%	No	No	No	Yes	Yes	No	No	
Malta	18	50-99%	Yes	Yes	No	No	Yes	Yes	No	
Netherlands	19									
Poland	21	50-99%	No	No	No	Yes	Yes	Yes	Yes	
Portugal	22	100%	No	No	No	No	No	Yes	No	Yes
Romania	23									
Slovakia	25									
Slovenia	24	100%	No	No	Yes	No	No	Yes	No	Yes
Spain	9	100%	Yes	Yes	Yes	No	No	Yes	No	Yes
Sweden	27	100%	Yes	Yes	Yes	Yes	Yes	No	No	No
Nb of values		27	17	17	17	17	17	17	17	14
% of NA		4%	0%	0%	0%	0%	0%	0%	0%	0%
% of NAP		33%	0%	0%	0%	0%	0%	0%	0%	0%

100% = 4 points if applicable to all matters / 1,33 points per specific matter
50-99% = 3 points if applicable to all matters / 1 point per specific matter
10-49% = 2 points if applicable to all matters / 0,66 point per specific matter
1-9% = 1 point if applicable to all matters / 0,33 points per specific matter
 = 0% (NAP)
NA = Not Available

Table 6.6 Technologies used for communication between courts and notaries in 2016 (Q64.7)

States	EC Code	Notaries								
		Electronic communication between notaries and users					Conditions			Specific legislative framework
		Equipment rate	In civil proceeding	In matter of legal advice	To authenticate deeds/certificates	Other	Email	Specific computer application	Other	
Austria	20	100%	Yes	Yes	Yes	Yes	No	Yes	No	Yes
Belgium	1	100%	Yes	No	No	No	No	Yes	No	Yes
Bulgaria	2	NA								
Croatia	11									
Cyprus	13									
Czech Republic	3	100%	Yes	Yes	Yes	Yes	Yes	No	No	Yes
Denmark	4	100%	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes
Estonia	6	100%	Yes	Yes	Yes	No	Yes	Yes	No	Yes
Finland	26	100%	Yes	No	No	No	No	Yes	No	Yes
France	10	100%	Yes	No	Yes	No	Yes	Yes	No	Yes
Germany	5	NA	Yes	Yes	Yes	Yes	Yes	Yes	No	No
Greece	8									
Hungary	17									
Ireland	7	NA	No	No	No	No	No	No	No	
Italy	12	10-49%	Yes	Yes	Yes	No	Yes	No	No	Yes
Latvia	14	100%	Yes	Yes	No	No	No	Yes	No	No
Lithuania	15									
Luxembourg	16									
Malta	18	50-99%	Yes	No	No	No	No	Yes	No	
Netherlands	19									
Poland	21	50-99%	No	No	No	Yes	Yes	Yes	Yes	
Portugal	22	100%	No	No	No	Yes	No	No	Yes	Yes
Romania	23									
Slovakia	25									
Slovenia	24	100%	No	No	No	Yes	No	Yes	No	Yes
Spain	9	100%	Yes	Yes	Yes	No	No	Yes	No	Yes
Sweden	27									
Nb of values		24	16	16	16	16	16	16	16	13
% of NA		13%	0%	0%	0%	0%	0%	0%	0%	0%
% of NAP		29%	0%	0%	0%	0%	0%	0%	0%	0%

100% = 4 points if applicable to all matters / 1,33 points per specific matter
50-99% = 3 points if applicable to all matters / 1 point per specific matter
10-49% = 2 points if applicable to all matters / 0,66 point per specific matter
1-9% = 1 point if applicable to all matters / 0,33 points per specific matter
 = 0% (NAP)
NA = Not Available

Table 6.7 Technologies used for communication between courts and experts in 2016 (Q64.7)

States	EC Code	Experts							
		Electronic communication between experts and users				Conditions			Specific legislative framework
		Equipment rate	To exchange evidences/costs	For monitoring expertises	Other	Email	Specific computer application	Other	
Austria	20	100%	Yes	Yes	No	Yes	No	Yes	No
Belgium	1						No	Yes	No
Bulgaria	2	NA							
Croatia	11								
Cyprus	13								
Czech Republic	3	100%	Yes	Yes	Yes	Yes	Yes	No	No
Denmark	4	100%	Yes	Yes	Yes	Yes	Yes	Yes	No
Estonia	6	100%	Yes	Yes	No	Yes	Yes	Yes	No
Finland	26	100%	Yes	No	No	Yes	No	Yes	No
France	10	50-99%	Yes	Yes	No	No	Yes	Yes	No
Germany	5	1-9%	Yes	Yes	No	Yes	Yes	Yes	No
Greece	8								
Hungary	17								
Ireland	7						No	No	No
Italy	12	100%	Yes	Yes	No	Yes	Yes	No	No
Latvia	14	NA	No	No	No	No	No	Yes	No
Lithuania	15								
Luxembourg	16								
Malta	18						No	Yes	No
Netherlands	19								
Poland	21	50-99%	Yes	Yes	No	Yes	Yes	Yes	Yes
Portugal	22	NA	No	No	No	No	No	No	Yes
Romania	23								
Slovakia	25								
Slovenia	24						No	Yes	No
Spain	9	100%	Yes	Yes	Yes	No	No	Yes	No
Sweden	27	100%	Yes	Yes	Yes	Yes			
Nb of values		25	13	13	13	13	16	16	16
% of NA		12%	0%	0%	0%	0%	0%	0%	0%
% of NAP		44%	0%	0%	0%	0%	0%	0%	0%

100%	= 4 points if applicable to all matters / 1,33 points per specific matter
50-99%	= 3 points if applicable to all matters / 1 point per specific matter
10-49%	= 2 points if applicable to all matters / 0,66 point per specific matter
1-9%	= 1 point if applicable to all matters / 0,33 points per specific matter
	= 0% (NAP)
NA	= Not Available

Table 6.8 Admissibility of electronic evidence in 2016 (Q64.12)

States	EC Code	In civil and commercial matters				In criminal matter				In administrative matter			
		Admission	General law to admit electronic evidence	General and specialised law to admit electronic evidence	Specialised law to admit electronic evidence	Admission	General law to admit electronic evidence	General and specialised law to admit electronic evidence	Specialised law to admit electronic evidence	Admission	General law to admit electronic evidence	General and specialised law to admit electronic evidence	Specialised law to admit electronic evidence
Austria	20	Yes	Yes	Yes	No	Yes	Yes	Yes	No	Yes	Yes	Yes	No
Belgium	1												
Bulgaria	2	Yes	Yes	Yes	No	Yes	Yes	Yes	No	Yes	Yes	Yes	No
Croatia	11	Yes	Yes	No	No	Yes	Yes	No	No	Yes	Yes	No	No
Cyprus	13	No				No				No			
Czech Republic	3	No				No				No			
Denmark	4	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No
Estonia	6	Yes	Yes	Yes	No	Yes	Yes	Yes	No	Yes	Yes	Yes	No
Finland	26	Yes	Yes	No	No	Yes	Yes	No	No	Yes	Yes	No	No
France	10	Yes	Yes	No	No	Yes	Yes	No	No	Yes	Yes	No	No
Germany	5												
Greece	8	Yes	Yes	No	No	Yes	Yes	No	No	No			
Hungary	17	Yes	Yes	Yes	No	Yes	Yes	Yes	No	Yes	Yes	Yes	No
Ireland	7	Yes	No	No	Yes	Yes	No	No	Yes				
Italy	12	Yes	Yes	Yes	No	Yes	Yes	No	No	Yes	No	Yes	No
Latvia	14	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No
Lithuania	15	Yes	Yes	No	No	Yes	Yes	No	No	Yes	Yes	No	No
Luxembourg	16	No				No				No			
Malta	18	Yes	Yes	No	No	Yes	Yes	No	No	Yes	Yes	No	No
Netherlands	19	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No
Poland	21	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No
Portugal	22	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No
Romania	23	Yes	No	No	No								
Slovakia	25	No				No				No			
Slovenia	24	Yes	Yes	No	No	Yes	Yes	No	No	Yes	Yes	No	No
Spain	9	Yes	Yes	No	No	Yes	Yes	No	No	Yes	Yes	No	No
Sweden	27	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No
Nb of values		25	21	21	21	24	20	20	20	23	18	18	18
Yes		84%	62%	52%	5%	83%	65%	50%	5%	78%	61%	61%	0%
No		16%	38%	48%	95%	17%	35%	50%	95%	22%	39%	39%	100%

Table 6.9 Other aspects of the ICT systems in courts in 2016 (Q65.4)

States	EC Code	Measuring actual benefits resulting of the use of one or several components of your information system
Austria	20	Yes
Belgium	1	Yes
Bulgaria	2	No
Croatia	11	No
Cyprus	13	
Czech Republic	3	Yes
Denmark	4	Yes
Estonia	6	Yes
Finland	26	No
France	10	Yes
Germany	5	No
Greece	8	No
Hungary	17	Yes
Ireland	7	Yes
Italy	12	Yes
Latvia	14	Yes
Lithuania	15	Yes
Luxembourg	16	No
Malta	18	Yes
Netherlands	19	Yes
Poland	21	Yes
Portugal	22	Yes
Romania	23	Yes
Slovakia	25	
Slovenia	24	Yes
Spain	9	Yes
Sweden	27	No
Nb of values		25
Yes		72%
No		28%

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

Comments provided by the national correspondents

organised by country

Question 62-4: Central national database of caselaw

Question 63-1: Case management systems

Question 63-3: Statistic tools

Question 64-2: Submit a case to courts by electronic means

Question 64-5: Monitor the stages of an online proceeding

Question 64-6: Electronic communication between courts and lawyers

Question 64-8: Device for electronic signatures of documents

Question 65: Other aspects of the ICT systems in courts

Czech Republic

Q63 (2015): Land register is managed by Czech statistical Office

Denmark

Q62-4 (2015): 62.4 There is no centralized case law database yet, but decision have been made to establish a national case law database. The public prosecutions office has an internat databaseon criminal cases, the Supreme Court, Higher Courts and Maritime court publishes judgements in small database on their websites.

Q62-4 (2014): The question has been understood differently in 2013 and 2015. There does not exist a centralized national case law database, and that such a database did also not exist in 2013.

Q63 (2015): Same comment as in 2014) Equipment rate is not really defines in this context. We have defined it as "There is a set up to measure and calculate weighted cases, number of cases processed, number of judget etc. and it is being used"

Q64-2 (2015): 64.2: electronic forms are available on website, but can currently only be submitted by e-mail

Finland

Q63-1 (2015): Q63.1. Ministry of Justice has a new project in which electronic services and e-filing are developed to prosecution offices and district courts, courts of appeal and Supreme Court. The inauguration of this system will be earliest in 2019. The system consists for example the portal to lawyers. The same kind of project is going on concerning the Administrative Courts. Time frame is a bit different: system is to be functioning 2020. Q63.2 The Courts don't manage the registers themselves, but they have several national registres in use. Services are available online. The land registry is managed by National Land Survey of Finland. The Business registry is managed by Finnish Patent and Registration Office. Other national registries that are used in courts are Population Register (Population Register Centre) and Vehicular and Driver Data Register (Finnish Transport Safety Agency).

Q63-1 (2014): Ministry of Justice has a new project in which electronic services and e-filing are developed to prosecution offices and district courts, courts of appeal and Supreme Court. The inauguration of this system will be earliest in 2018. The system consists for example the portal to lawyers.

France

Q64-8 (2014): Electronic signature in civil matters only concerns decisions of the Cour de Cassation (french supreme court).

Germany

Q63-3 (2015): 63.3 Statistics are kept in all jurisdictions, based on a uniform template applicable throughout Germany, as regards the actions brought, the proceedings that have been dealt with, and the ongoing proceedings.

Q63-3 (2014): Statistics are kept in all jurisdictions, based on a uniform template applicable throughout Germany, as regards the actions brought, the proceedings that have been dealt with, and the ongoing proceedings.

Greece

Q62-4 (2014): Covered by "Isocratis" application provided by Athens Bar Association and the State of Council concerning the administrative caselaw.

Hungary

Q62-4 (2015): 62.4.: Act CLXI of 2011

Section 163 (1)

The following decisions shall published in digital form in the Collection of Court Decisions: the uniformity decision, the guiding court decision, and the decision adopted by the Kúria in the merits of the case, the decision adopted by the high court in the merits of the case, and the decision adopted by the administrative and labour court in the merits of the case in an administrative lawsuit, if the revised administrative decision had been adopted in a single level procedure and there is no place for ordinary appeal against the court's decision.

(2) In the Collection of Court Decisions

a) decisions concerning payment orders, enforcement, company registry court-, bankruptcy- and liquidation procedures, as well as those related to the lists of names kept by the courts shall not be published,

b) decisions taken in marital litigation, in lawsuits for the determination of fatherhood and parentage, in litigation aimed at the termination of parental supervision or aimed at placement under guardianship may not be published if any of the parties had asked for no publication, and

c) decisions taken in a criminal procedure based on a crime against sexual morals may not be published if the victim fails to give approval to it upon the court's call to do so.

(3) Connected to the court decision published, at the same time, all decisions reviewing or revising the court decision published, taken by the judicial or other authorities or other bodies shall be published in the form of an anonymous digital copy made by the court in a procedure specified by the president of NOJ.

(4) The court decisions on the review of public procurement procedures shall be published in accordance with the Act on public procurements.

Q62-4 (2014): Act CLXI of 2011 - Section 163

(1) The following decisions shall published in digital form in the Collection of Court Decisions: the uniformity decision, the guiding court decision, and the decision adopted by the Kúria in the merits of the case, the decision adopted by the high court in the merits of the case, and the decision adopted by the administrative and labour court in the merits of the case in an administrative lawsuit, if the revised administrative decision had been adopted in a single level procedure and there is no place for ordinary appeal against the court's decision.

(2) In the Collection of Court Decisions

a) decisions concerning payment orders, enforcement, company registry court-, bankruptcy- and liquidation procedures, as well as those related to the lists of names kept by the courts shall not be published,

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(3) Connected to the court decision published, at the same time, all decisions reviewing or revising the court decision published, taken by the judicial or other authorities or other bodies shall be published in the form of an anonymous digital copy made by the court in a procedure specified by the president of NOJ.

(4) The court decisions on the review of public procurement procedures shall be published in accordance with the Act on public procurements.

Ireland

Q62 (2015): 62.7 - Court Registrars at the various jurisdictional levels have access to template/model court forms (orders, warrants etc.) case tracking systems, staff intranet or shared folders. The Courts Service provides Dragon software, which is a voice recognition application, to all judges on request. "Winscribe" is provided to all High Court, Court of Appeal and Supreme Court judges on request.

62.10 - Information of an educational nature is available to judges via a judges intranet and a sentencing information website. Courts staff can access training materials via the Training and Development Section of courts links on the Courts Service network. The Training Unit is also planning the introduction of a new online video-based training function.

Q64-2 (2015): Based on the coverage of jurisdictional areas equipped with Courts Service On-line (CSOL) for small claims, or personal insolvency or Criminal Justice Integration Project (CJIP) for criminal cases in 2015, we feel justified in increasing the figure for cover to 10-49% from 0-9% given in 2014.

Q64-2 (2014): Electronic case filing is mandatory for personal insolvency cases other than bankruptcy and optional for any small claim.

Italy

Q63 (2015): Audio and Videoconferencing is enabled for all internal users through Microsoft Skype for Business

Lithuania

Q64-2 (2015): Regarding the question 64.2 "Other", in administrative offence cases documents may be submitted to courts via Lithuanian courts electronic services portal e.teismas.lt, operating as a part of the Lithuanian courts information system, the Lithuanian police portal epolicija.lt. and via the integration between the Register of Administrative Offences and the Lithuanian courts information system. For the question 64.4, it shall be noted that the summons may be transmitted to the parties via the Lithuanian courts electronic services portal www.e.teismas.lt. Additionally, it shall be mentioned that upon the national regulations there are particular process participants, who/which are obliged to apply to court and to receive courts documents electronically, for instance, notaries, bailiffs, states institutions, insurance companies and etc. These groups are stated in the legal regulation. Additionally to the question 64.4 part "Other", the summons may be sent via the Lithuanian courts electronic services portal e.teismas.lt and the integration between the Lithuanian courts information system and the Register of Administrative Offences in administrative offence cases as well. For the question 64.5 part "Other", the process participants may monitor the stages of the cases examination in administrative offence cases in Lithuanian courts electronic services portal e.teismas.lt. Regarding the question 64.8, electronic signatures may be used in administrative offence cases proceedings. Using video conferencing equipments, it is expected to save the expenditures referred for the transportation of experts, specialists, imprisoned persons to courts, to protect the rights and interests of vulnerable people, victims, witnesses, to shorten the terms of the examination of the cases.

Q64-2 (2014): The information about the usage of the particular technologies in the administrative offence cases was filled in.

Q64-5 (2014): The information about the usage of the particular technologies in the administrative offence cases was filled in.

Q64-8 (2014): The information about the usage of the particular technologies in the administrative offence cases was filled in.

it shall be noted that according the national regulation since the 1st July, 2013 all documents in civil, administrative and since the 1st July, 2015, in administrative offence cases may be signed digitally.

Luxembourg

Q62 (2015): Civil and commercial jurisdictions will have in medium-term a new case management application, which will include a number of standardised templates. In criminal matters, the public prosecutor service has computerised assistance in drafting the issuing of summons. Similarly most recurring mails are standardised or even automated until they are placed in an envelope for some of them.

Q63 (2015): 63.2: The Registry of Companies is not managed by the courts, but the courts have 100% access to this Registry of Companies if necessary. The answer for 2014 should be corrected.

Q64-2 (2014): It should be noted that Luxembourg started a multiannual project in early 2015 to implement "paperless Justice" for 2023. This project will be organised in a modular form, i.e. through small progressive and cumulative improvements.

Q64-6 (2015): 64.6: see the reply and the comment provided for 2014; the JUPAL project is progressing at the expected rate.

Netherlands

Q64 (2015): Grants for legal aid are by the Raad voor de Rechtsbijstand (see: rvr.org).

Poland

Q64-2 (2014): The possibility to bring a case to the court by electronic means only exists in category of writ of payment cases

Portugal

Q64-2 (2015): <https://citius.tribunaisnet.mj.pt/habilus/myhabilus/Login.aspx>

<https://www.taf.mj.pt/>

<https://bna.mj.pt/Default.aspx>

Q64-6 (2015): <https://citius.tribunaisnet.mj.pt/habilus/myhabilus/Login.aspx>

<https://www.taf.mj.pt/>

<https://bna.mj.pt/Default.aspx>

Decree Order 280/2013, 26th of August

Q64-8 (2015): Decree Order 280/2013 26th of August

Romania

Q62-4 (2015): <http://portal.just.ro/SitePages/acasa.aspx>

(on this portal are published summary of every case law)

Q64-2 (2015): 64.2 - A case may be submitted to courts via e-mail. Afterwards the submission is printed to the file case and the e-file in Ecris.

Q64-2 (2014): A case may be submitted to courts via e-mail. Afterwards the submission is printed to the file case and the e-file in Ecris.

Slovakia

Q63 (2015): We are still in phase of implementing new complex economic system (SAP). We have several partial systems implemented within the Ministry which operate individually-payroll system for budget, etc.

Q63-3 (2015): Data is collected mainly manually but partially in electronic way too. But there is no direct link to the case management system. The overview of courts activity is done only by the statistics department at Ministry of Justice via xls reports provided from courts.

Q64-5 (2015): 64.5 Citizen has access to information about court proceedings via courts websites. Information is divided by matter (civil, criminal, and administrative). When opening a search result you can obtain static information about court and judge, date and time of proceeding. ID number of proceeding from of an action, parties of proceeding and place of proceeding. It is not possible to monitor the stage of the proceeding- from the submission of a case to its end.
64.11 Under the legal framework there is a possibility to record special criminal hearings.

Slovenia

Q62-4 (2015): Q 62.4

The case law database includes second and highest instance decisions on civil, criminal, administrative, commercial, labour and social disputes matters. The decisions are anonymised to protect personal data of parties. There is also a separated database of case law on compensation for injuries, which includes the basic information on first, second and highest instance cases, categorized by type of injury.

All the adopted legislation is publicly accessible through the Official Journal web page (<https://www.uradni-list.si>). The courts have access to a specialised database, containing current and earlier versions of legislation, provided by a contractor. Adopted legislation is also publicly available through web pages of state institutions, such as the Parliament (<https://www.dz-rs.si>) and the Government's Office of legislation (<http://www.pisrs.si>), as well as commercial web pages.

Q62-4 (2014): The case law database includes second and highest instance decisions on civil, criminal, administrative, commercial, labour and social disputes matters. The decisions are anonymised to protect personal data of parties. There is also a separated database of case law on compensation for injuries, which includes the basic information on first, second and highest instance cases, categorized by type of injury.

All the adopted legislation is publicly accessible through the Official Journal (Uradni list Republike Slovenije) webpage. The courts have access to a specialised database, containing current and earlier versions of legislation, provided by a contractor. Adopted legislation is also publicly available through webpages of state institutions, such as the Parliament and the Government's Office of legislation, as well as commercial webpages.

Q63-1 (2015): Q 63.1

There is no unique centralised (universal) database - the case management systems for different types of cases are developed simultaneously – more or less independently from each other. The efforts to create an universal case management system are currently taking place.

All case managements systems enable users to enter the notifications (calendar) and some of them enable automatic warnings for some events. The reports (list of critical cases) are periodically generated and sent to presidents of courts.

Q63-1 (2014): There is no unique centralised (universal) database - the case management systems for different types of cases are developed simultaneously – more or less independently from each other. Nevertheless, the goal is to have one universal case management system. All the case managements systems enable users to enter the notifications (calendar) and some of them enable automatic warnings for some events. The reports (list of critical cases) are periodically generated and sent to presidents of courts.

Q63-3 (2015): Q 63.3

The President's dashboards are a customized statistical analysis tool. There is also a more general BI tool available, allowing users to make customized reports. Both applications work based on the data from the Data warehouse (PSP) at the Supreme Court, which contains data for all courts.

Q63-3 (2014): The President's dashboards are a customized statistical analysis tool. There is also a more general BI tool, allowing users to make customized reports. Both applications work based on the data from the Supreme Court's Data warehouse, which contains data of all courts.

Q64-2 (2015): 64.2

The law provides the possibility for submitting a case by electronic means in Civil (incl. Commercial), Criminal and Administrative procedures. However, it further provides that the ministry, responsible for justice prescribes conditions for electronic filing, as well as the organisation and functioning of the IT system in court. Since the ministry has yet to issue some of the aforementioned acts, the courts have not implemented the application (case management system), which would (technically) allow for e-submission in all types of cases.

The e-submission is possible in the following Civil procedures: insolvency cases (eINS), civil enforcement cases (elzvršba), land registry cases (eZK) and business registry cases (iSRG). These types of cases represent 78% of all incoming cases at first instance courts in the Civil category above (categories 1. Civil (and commercial) litigious cases and 2. Non litigious cases at Q91).

The category Other includes civil enforcement cases on basis of authentic document (elzvršba) . These cases represent 83% of all incoming cases at first instance (category 4. Other cases at Q91). (For further explanation on categories, please refer to Q 91 - 96).

Q64-2 (2014): The law provides the possibility for submitting a case by electronic means in Civil (incl. Commercial), Criminal and Administrative procedures. However, it further provides that the ministry, responsible for justice prescribes conditions for electronic filing, as well as the organisation and functioning of the IT system in court. Since the ministry has yet to issue some of the aforementioned acts, the courts have not implemented the application (case management system), which would (technically) allow for e-submission in all types of cases.

The e-submission is possible in the following Civil procedures: civil enforcement cases (elzvršba), land registry cases (eZK) and business registry cases (iSRG). These types of cases represent 86% of all incoming cases at first instance courts in the Civil (litigious and non-litigious) category.

The category Other includes civil enforcement cases on basis of authentic document (elzvršba) and insolvency cases (eINS). These second types of cases represent 91% of all incoming cases at first instance courts in the Other category. For further explanation on categories, please refer to Q 91 - 96.

Q64-5 (2015): 64.5

In enforcement cases (Civil and Other category), land registry cases (Civil category) and insolvency cases (Other category) the monitoring of procedural acts is possible (including brief description and date). It is possible to access the whole content of a procedural act, if the writing had been digitalised or composed electronically. For equipment rate and percentage description, please refer to the comment above (Q 64.2).

It is also possible to monitor statistical data for types of proceedings at individual courts (for example disposition time) on the web page of the judiciary.

Q64-5 (2014): In enforcement cases (Civil and Other category), land registry cases (Civil category) and insolvency cases (Other category) the monitoring of procedural acts is possible (including brief description and date). It is possible to access the whole content of a procedural act, if the writing had been digitalised or composed electronically. For equipment rate and percentage description, please refer to the comment above (Q 64.2).

It is also possible to monitor statistical data for types of proceedings at individual courts (for example disposition time) on the webpage of the judiciary.

Q64-6 (2015): 64.6

Other: civil enforcement cases; insolvency cases, land registry cases (see the comment at Q 64.13 – above).

Q64-8 (2015):

64.8

Civil: civil enforcement cases; insolvency cases, land registry cases, business registry cases.

Other: civil enforcement cases on basis of authentic document, insolvency cases.

Q64-8 (2014): Civil: civil enforcement cases; insolvency cases, land registry cases, business registry cases.

Other: civil enforcement cases on basis of authentic document, insolvency cases.

Spain

Q62 (2015): There are also writing assistance tools for labour and penal courts and, in general, all courts in Spain no matter the jurisdiction they deal with are provided with writing assistance tools.

(62.7), writing assistance tools have been available for the huge majority of the judges and courts since long time ago. In 2014 the availability was already really very near to 100% and in 2015 it was developed to the 100%.

Q63 (2015): the Insolvency registry is managed by the commercial courts which provide some relevant information concerning the different stages of the insolvency proceedings both for companies and natural persons, but this registry is mainly managed by the Business Registry which is another entity totally independent from the courts.

Q64 (2015): The deployment and use of the ICT between courts and users as well as the e-justice have been have been a main priority of the Spanish Ministry of Justice during the years 2015 and 2016. This way, all courts have been provided with the necessary electronic tools to use it (the system called LEXNET as well as special software and necessary hardware when necessary), a programme for the training of the users has been developed and implemented all over the Spanish territory and currently the electronic case management system is being developed and implemented in some pilot cities with the objective of reducing the use of paper in courts as much as possible as a way to increase the efficiency and time response of courts.

Sweden

Q62 (2015): The comments on 62.4 and 62.10 from 2015 are still valid.

Q62-4 (2014): Only case-law from the Court of appeal, the Administrative courts of appeal, the Supreme Court and the Supreme Administrative Court. On the website lagrummet.se only some cases (landmark cases) are published, but all matters are included (civil, criminal and administrative).

Q64 (2015): The comments on questions 64.2, 64.4, 64.6, 64.8 and 64.9 from 2014 are still valid.

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

Comments provided by the national correspondents

organised by question no.

Question 62-4: Central national database of caselaw

Question 63-1: Case management systems

Question 63-3: Statistic tools

Question 64-2: Submit a case to courts by electronic means

Question 64-5: Monitor the stages of an online proceeding

Question 64-6: Electronic communication between courts and lawyers

Question 64-8: Device for electronic signatures of documents

Question 65: Other aspects of the ICT systems in courts

Question 62

Ireland

(2015): 62.7 - Court Registrars at the various jurisdictional levels have access to template/model court forms (orders, warrants etc.) case tracking systems, staff intranet or shared folders. The Courts Service provides Dragon software, which is a voice recognition application, to all judges on request. "Winscribe" is provided to all High Court, Court of Appeal and Supreme Court judges on request.

62.10 - Information of an educational nature is available to judges via a judges intranet and a sentencing information website. Courts staff can access training materials via the Training and Development Section of courts links on the Courts Service network. The Training Unit is also planning the introduction of a new online video-based training function.

Luxembourg

(2015): Civil and commercial jurisdictions will have in medium-term a new case management application, which will include a number of standardised templates. In criminal matters, the public prosecutor service has computerised assistance in drafting the issuing of summons. Similarly most recurring mails are standardised or even automated until they are placed in an envelope for some of them.

Spain

(2015): There are also writing assistance tools for labour and penal courts and, in general, all courts in Spain no matter the jurisdiction they deal with are provided with writing assistance tools.

(62.7), writing assistance tools have been available for the huge majority of the judges and courts since long time ago. In 2014 the availability was already really very near to 100% and in 2015 it was developed to the 100%.

Sweden

(2015): The comments on 62.4 and 62.10 from 2015 are still valid.

Question 62-4

Denmark

(2015): 62.4 There is no centralized case law database yet, but decision have been made to establish a national case law database. The public prosecutions office has an internat databaseon criminal cases, the Supreme Court, Higher Courts and Maritime court publishes judgements in small database on their websites.

(2014): The question has been understood differently in 2013 and 2015. There does not exist a centralized national case law database, and that such a database did also not exist in 2013.

Greece

(2014): Covered by “Isocratis” application provided by Athens Bar Association and the State of Council concerning the administrative caselaw.

Hungary

(2015): 62.4.: Act CLXI of 2011

Section 163 (1)

The following decisions shall published in digital form in the Collection of Court Decisions: the uniformity decision, the guiding court decision, and the decision adopted by the Kúria in the merits of the case, the decision adopted by the high court in the merits of the case, and the decision adopted by the administrative and labour court in the merits of the case in an administrative lawsuit, if the revised administrative decision had been adopted in a single level procedure and there is no place for ordinary appeal against the court’s decision.

(2) In the Collection of Court Decisions

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b) decisions taken in marital litigation, in lawsuits for the determination of fatherhood and parentage, in litigation aimed at the termination of parental supervision or aimed at placement under guardianship may not be published if any of the parties had asked for no publication, and

c) decisions taken in a criminal procedure based on a crime against sexual morals may not be published if the victim fails to give approval to it upon the court’s call to do so.

(3) Connected to the court decision published, at the same time, all decisions reviewing or revising the court decision published, taken by the judicial or other authorities or other bodies shall be published in the form of an anonymous digital copy made by the court in a procedure specified by the president of NOJ.

(4) The court decisions on the review of public procurement procedures shall be published in accordance with the Act on public procurements.

(2014): Act CLXI of 2011 - Section 163

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c) decisions taken in a criminal procedure based on a crime against sexual morals may not be published if the victim fails to give approval to it upon the court’s call to do so.

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(4) The court decisions on the review of public procurement procedures shall be published in accordance with the Act on public procurements.

Romania

(2015): <http://portal.just.ro/SitePages/acasa.aspx>

(on this portal are published summary of every case law)

Slovenia

(2015): Q 62.4

The case law database includes second and highest instance decisions on civil, criminal, administrative, commercial, labour and social disputes matters. The decisions are anonymised to protect personal data of parties. There is also a separated database of case law on compensation for injuries, which includes the basic information on first, second and highest instance cases, categorized by type of injury.

All the adopted legislation is publicly accessible through the Official Journal web page (<https://www.uradni-list.si>). The courts have access to a specialised database, containing current and earlier versions of legislation, provided by a contractor. Adopted legislation is also publicly available through web pages of state institutions, such as the Parliament (<https://www.dz-rs.si>) and the Government's Office of legislation (<http://www.pisrs.si>), as well as commercial web pages.

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Sweden

(2014): Only case-law from the Court of appeal, the Administrative courts of appeal, the Supreme Court and the Supreme Administrative Court. On the website lagrummet.se only some cases (landmark cases) are published, but all matters are included (civil, criminal and administrative).

Question 63

Czech Republic

(2015): Land register is managed by Czech statistical Office

Denmark

(2015): Same comment as in 2014) Equipment rate is not really defines in this context. We have defined it as "There is a set up to measure and calculate weighted cases, number of cases processed, number of judget etc. and it is being used"

Italy

(2015): Audio and Videoconferencing is enabled for all internal users through Microsoft Skype for Business

Luxembourg

(2015): 63.2: The Registry of Companies is not managed by the courts, but the courts have 100% access to this Registry of Companies if necessary. The answer for 2014 should be corrected.

Slovakia

(2015): We are still in phase of implementing new complex economic system (SAP). We have several partial systems implemented within the Ministry which operate individually-payroll system for budget, etc.

Spain

(2015): the Insolvency registry is managed by the commercial courts which provide some relevant information concerning the different stages of the insolvency proceedings both for companies and natural persons, but this registry is mainly managed by the Business Registry which is another entity totally independent from the courts.

Question 63-1

Finland

(2015): Q63.1. Ministry of Justice has a new project in which electronic services and e-filing are developed to prosecution offices and district courts, courts of appeal and Supreme Court. The inauguration of this system will be earliest in 2019. The system consists for example the portal to lawyers. The same kind of project is going on concerning the Administrative Courts. Time frame is a bit different: system is to be functioning 2020. Q63.2 The Courts don't manage the registers themselves, but they have several national registres in use. Services are available online. The land registry is managed by National Land Survey of Finland. The Business registry is managed by Finnish Patent and Registration Office. Other national registries that are used in courts are Population Register (Population Register Centre) and Vehicular and Driver Data Register (Finnish Transport Safety Agency).

(2014): Ministry of Justice has a new project in which electronic services and e-filing are developed to prosecution offices and district courts, courts of appeal and Supreme Court. The inauguration of this system will be earliest in 2018. The system consists for example the portal to lawyers.

Slovenia

(2015): Q 63.1

There is no unique centralised (universal) database - the case management systems for different types of cases are developed simultaneously – more or less independently from each other. The efforts to create create an universal case management system are currently taking place.

All case managements systems enable users to enter the notifications (calendar) and some of them enable automatic warnings for some events. The reports (list of critical cases) are periodically generated and sent to presidents of courts.

(2014): There is no unique centralised (universal) database - the case management systems for different types of cases are developed simultaneously – more or less independently from each other. Nevertheless, the goal is to have one universal case management system. All the case managements systems enable users to enter the notifications (calendar) and some of them enable automatic warnings for some events. The reports (list of critical cases) are periodically generated and sent to presidents of courts.

Question 63-3

Germany

(2015): 63.3 Statistics are kept in all jurisdictions, based on a uniform template applicable throughout Germany, as regards the actions brought, the proceedings that have been dealt with, and the ongoing proceedings.

(2014): Statistics are kept in all jurisdictions, based on a uniform template applicable throughout Germany, as regards the actions brought, the proceedings that have been dealt with, and the ongoing proceedings.

Slovakia

(2015): Data is collected mainly manually but partially in electronic way too. But there is no direct link to the case management system. The overview of courts activity is done only by the statistics department at Ministry of Justice via xls reports provided from courts.

Slovenia

(2015): Q 63.3

The President's dashboards are a customized statistical analysis tool. There is also a more general BI tool available, allowing users to make customized reports. Both applications work based on the data from the Data warehouse (PSP) at the Supreme Court, which contains data for all courts.

(2014): The President's dashboards are a customized statistical analysis tool. There is also a more general BI tool, allowing users to make customized reports. Both applications work based on the data from the Supreme Court's Data warehouse, which contains data of all courts.

Question 64

Netherlands

(2015): Grants for legal aid are by the Raad voor de Rechtsbijstand (see: rvr.org).

Spain

(2015): The deployment and use of the ICT between courts and users as well as the e-justice have been have been a main priority of the Spanish Ministry of Justice during the years 2015 and 2016. This way, all courts have been provided with the necessary electronic tools to use it (the system called LEXNET as well as special software and necessary hardware when necessary), a programme for the training of the users has been developed and implemented all over the Spanish territory and currently the electronic case management system is being developed and implemented in some pilot cities with the objective of reducing the use of paper in courts as much as possible as a way to increase the efficiency and time response of courts.

Sweden

(2015): The comments on questions 64.2, 64.4, 64.6, 64.8 and 64.9 from 2014 are still valid.

Question 64-2

Denmark

(2015): 64.2: electronic forms are available on website, but can currently only be submitted by e-mail

Ireland

(2015): Based on the coverage of jurisdictional areas equipped with Courts Service On-line (CSOL) for small claims, or personal insolvency or Criminal Justice Integration Project (CJIP) for criminal cases in 2015, we feel justified in increasing the figure for cover to 10-49% from 0-9% given in 2014.

(2014): Electronic case filing is mandatory for personal insolvency cases other than bankruptcy and optional for any small claim.

Lithuania

(2015): Regarding the question 64.2 "Other", in administrative offence cases documents may be submitted to courts via Lithuanian courts electronic services portal e.teismas.lt, operating as a part of the Lithuanian courts information system, the Lithuanian police portal epolicija.lt. and via the integration between the Register of Administrative Offences and the Lithuanian courts information system. For the question 64.4, it shall be noted that the summons may be transmitted to the parties via the Lithuanian courts electronic services portal www.e.teismas.lt. Additionally, it shall be mentioned that upon the national regulations there are particular process participants, who/which are obliged to apply to court and to receive courts documents electronically, for instance, notaries, bailiffs, state institutions, insurance companies and etc. These groups are stated in the legal regulation. Additionally to the question 64.4 part "Other", the summons may be sent via the Lithuanian courts electronic services portal e.teismas.lt and the integration between the Lithuanian courts information system and the Register of Administrative Offences in administrative offence cases as well. For the question 64.5 part "Other", the process participants may monitor the stages of the cases examination in administrative offence cases in Lithuanian courts electronic services portal e.teismas.lt. Regarding the question 64.8, electronic signatures may be used in administrative offence cases proceedings. Using video conferencing equipments, it is expected to save the expenditures referred for the transportation of experts, specialists, imprisoned persons to courts, to protect the rights and interests of vulnerable people, victims, witnesses, to shorten the terms of the examination of the cases.

(2014): The information about the usage of the particular technologies in the administrative offence cases was filled in.

Luxembourg

(2014): It should be noted that Luxembourg started a multiannual project in early 2015 to implement "paperless Justice" for 2023. This project will be organised in a modular form, i.e. through small progressive and cumulative improvements.

Poland

(2014): The possibility to bring a case to the court by electronic means only exists in category of writ of payment cases

Portugal

(2015): <https://citius.tribunaisnet.mj.pt/habilus/myhabilus/Login.aspx>
<https://www.taf.mj.pt/>
<https://bna.mj.pt/Default.aspx>

Romania

(2015): 64.2 - A case may be submitted to courts via e-mail. Afterwards the submission is printed to the file case and the e-file in Ecris.

(2014): A case may be submitted to courts via e-mail. Afterwards the submission is printed to the file case and the e-file in Ecris.

Slovenia

(2015): 64.2

The law provides the possibility for submitting a case by electronic means in Civil (incl. Commercial), Criminal and Administrative procedures. However, it further provides that the ministry, responsible for justice prescribes conditions for electronic filing, as well as the organisation and functioning of the IT system in court. Since the ministry has yet to issue some of the aforementioned acts, the courts have not implemented the application (case management system), which would (technically) allow for e-submission in all types of cases.

The e-submission is possible in the following Civil procedures: insolvency cases (eINS), civil enforcement cases (elzvršba), land registry cases (eZK) and business registry cases (iSRG). These types of cases represent 78% of all incoming cases at first instance courts in the Civil category above (categories 1. Civil (and commercial) litigious cases and 2. Non litigious cases at Q91).

The category Other includes civil enforcement cases on basis of authentic document (elzvršba) . These cases represent 83% of all incoming cases at first instance (category 4. Other cases at Q91). (For further explanation on categories, please refer to Q 91 - 96).

(2014): The law provides the possibility for submitting a case by electronic means in Civil (incl. Commercial), Criminal and Administrative procedures. However, it further provides that the ministry, responsible for justice prescribes conditions for electronic filing, as well as the organisation and functioning of the IT system in court. Since the ministry has yet to issue some of the aforementioned acts, the courts have not implemented the application (case management system), which would (technically) allow for e-submission in all types of cases.

The e-submission is possible in the following Civil procedures: civil enforcement cases (elzvršba), land registry cases (eZK) and business registry cases (iSRG). These types of cases represent 86% of all incoming cases at first instance courts in the Civil (litigious and non-litigious) category.

The category Other includes civil enforcement cases on basis of authentic document (elzvršba) and insolvency cases (eINS). These second types of cases represent 91% of all incoming cases at first instance courts in the Other category. For further explanation on categories, please refer to Q 91 - 96.

Question 64-5**Lithuania**

(2014): The information about the usage of the particular technologies in the administrative offence cases was filled in.

Slovakia

(2015): 64.5 Citizen has access to information about court proceedings via courts websites. Information is divided by matter (civil, criminal, and administrative). When opening a search result you can obtain static information about court and judge, date and time of proceeding. ID number of proceeding from of an action, parties of proceeding and place of proceeding. It is not possible to monitor the stage of the proceeding- from the submission of a case to its end.
64.11 Under the legal framework there is a possibility to record special criminal hearings.

Slovenia**(2015): 64.5**

In enforcement cases (Civil and Other category), land registry cases (Civil category) and insolvency cases (Other category) the monitoring of procedural acts is possible (including brief description and date). It is possible to access the whole content of a procedural act, if the writing had been digitalised or composed electronically. For equipment rate and percentage description, please refer to the comment above (Q 64.2).

It is also possible to monitor statistical data for types of proceedings at individual courts (for example disposition time) on the web page of the judiciary.

(2014): In enforcement cases (Civil and Other category), land registry cases (Civil category) and insolvency cases (Other category) the monitoring of procedural acts is possible (including brief description and date). It is possible to access the whole content of a procedural act, if the writing had been digitalised or composed electronically. For equipment rate and percentage description, please refer to the comment above (Q 64.2).

It is also possible to monitor statistical data for types of proceedings at individual courts (for example disposition time) on the webpage of the judiciary.

Question 64-6

Luxembourg

(2015): 64.6: see the reply and the comment provided for 2014; the JUPAL project is progressing at the expected rate.

Portugal

(2015): <https://citius.tribunaisnet.mj.pt/habilus/myhabilus/Login.aspx>
<https://www.taf.mj.pt/>
<https://bna.mj.pt/Default.aspx>
Decree Order 280/2013, 26th of August

Slovenia

(2015): 64.6
Other: civil enforcement cases; insolvency cases, land registry cases (see the comment at Q 64.13 – above).

Question 64-8

France

(2014): Electronic signature in civil matters only concerns decisions of the Cour de Cassation (french supreme court).

Lithuania

(2014): The information about the usage of the particular technologies in the administrative offence cases was filled in.

it shall be noted that according the national regulation since the 1st July, 2013 all documents in civil,administrative and since the 1st July, 2015, in administrative offence cases may be signed digitally.

Portugal

(2015): Decree Order 280/2013 26th of August

Slovenia

(2015):

64.8

Civil: civil enforcement cases; insolvency cases, land registry cases, business registry cases.
Other: civil enforcement cases on basis of authentic document, insolvency cases.

(2014): Civil: civil enforcement cases; insolvency cases, land registry cases, business registry cases.
Other: civil enforcement cases on basis of authentic document, insolvency cases.

Table 7.1 (EC): Trainings for judges in 2016 (Q127)

States	EC Code	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	20	Compulsory	Optional	Optional	Optional	Optional	1
Belgium	1	Compulsory	Optional	Compulsory and optional	Optional	Optional	2
Bulgaria	2	Compulsory	Optional	Optional	Optional	No training offered	1
Croatia	11	Compulsory	Optional	Optional	Optional	Optional	1
Cyprus	13	Compulsory	Optional	Optional	Optional	No training offered	1
Czech Republic	3	Compulsory	Optional	Optional	Optional	Optional	1
Denmark	4	Compulsory	Optional	Optional	Optional	Optional	1
Estonia	6	Compulsory	Compulsory	Compulsory	Optional	Optional	3
Finland	26	Optional	Optional	Optional	Optional	Optional	0
France	10	Compulsory	Compulsory	Compulsory	Compulsory	Optional	4
Germany	5	Compulsory	Compulsory	Optional	Compulsory	Optional	3
Greece	8	Compulsory	Optional	Optional	Optional	Optional	1
Hungary	17	Compulsory and optional	Compulsory and optional	Compulsory and optional	Compulsory and optional	Compulsory and optional	5
Ireland	7	Compulsory	Compulsory	Compulsory	No training offered	Compulsory	4
Italy	12	Compulsory	Optional	Optional	Optional	Optional	1
Latvia	14	Compulsory	Compulsory	Optional	Optional	Optional	2
Lithuania	15	Compulsory	Compulsory	Compulsory	No training offered	No training offered	3
Luxembourg	16	Compulsory	Optional	Optional	Optional	Optional	1
Malta	18	Optional	Optional	Optional	No training offered	No training offered	0
Netherlands	19	Compulsory	Compulsory	Compulsory	Compulsory	Compulsory	5
Poland	21	Compulsory and optional	Compulsory and optional	Optional	Optional	Optional	2
Portugal	22	Compulsory	Compulsory	Compulsory	Compulsory	No training offered	4
Romania	23	Compulsory	Compulsory and optional	Optional	Optional	Optional	2
Slovakia	25	Compulsory	Optional	Optional	Optional	Optional	1
Slovenia	24	Compulsory	Optional	Optional	Compulsory	Optional	2
Spain	9	Compulsory and optional	Compulsory and optional	Compulsory and optional	No training offered	Optional	3
Sweden	27	Optional	Optional	Optional	Optional	Optional	0

Indicator 7: Training of judges

comments provided by the national correspondents

organised by country

Question 127: Training for judges

Austria

Q127 (2015): ad human rights:

In Austria the field of fundamental and human rights is trained in special seminars to raise the awareness of the judiciary for tolerance and the combat racism.

Since 2008 future judges and public prosecutors have to pass a special curriculum within their initial training. This "Curriculum of Fundamental Rights" was developed by the Association of Judges in cooperation with the Ludwig Boltzmann Institute of Human Rights/Vienna, the European Training- and Research Centre for Human Rights and Democracy Graz (ETC) and the Austrian Institute for Human Rights Salzburg (ÖIM). It is organised as a three day seminar; in addition to that apprentice judges and public prosecutors have the possibility to participate in a study visit to the ECHR. To ensure the support of victims future judges and prosecutors are obliged to pass a two weeks internship at a victim protection facility.

Austrian judges and prosecutors have the possibility to visit a range of seminars on this topic.

On European level the European Judicial Training Network (EJTN) is providing a wide range of seminars on the topic of fundamental rights for the target group judges and prosecutors.

ad training system:

The Austrian Federal Ministry of Justice is trying to find a good combination of legal training in all fields of jurisdiction (civil/criminal) on the one hand and workshops to enhance human skills on the other. During the last years priorities were set on the following issues:

- efficiency in proceedings
- soft skills of judges and prosecutors
- management functions/administration of justice
- increase of economic competence of judges and prosecutors
- improvement of job satisfaction especially for older people (aged over 45)

Belgium

Q127 (2016): In-service training for specialized judicial functions: the exercise of certain functions or exercising the judicial activity in certain specialized chambers (e.g. youth judge, amicable settlement chamber, enforcement judge) implies to undergo a compulsory specialized training. For other assignments, no mandatory specialized training is required.

Bulgaria

Q127 (2012): In 2012, the NIJ held 1 roundtable and 2 seminars in cooperation with the Council of Europe on the ECHR for judges, prosecutors, investigators and lawyers with 108 participants altogether. The seminars were on the following topics: Round table on the European standards in relation to election, promotion and disciplinary proceedings in respect of the judiciary and review of the case law of the European Court of human rights with specific emphasis on the articles 6 and 10 (Sofia, 20 April 2012, 44 participants); The European convention on human rights (with specific emphasis on articles 6 and 8) (Sofia, 12-13 June 2012, 47 participants); Professional training of lawyers on national defense of the rights of Roma (Sofia, 19-20 June 2012, 17 participants (lawyers)).

A visit to the Council of Europe including the European Court of Human Rights was organized for Supreme Judges and Prosecutors from Bulgaria (Strasbourg, 14-15.05.2012, 23 participants).

Also a seminar on the topic "Charter of Fundamental Rights of the EU and EU accession to the ECHR" (Sofia, 30 May- 1 June 2012, 30 participants (judges and prosecutors)) was organized by NIJ in cooperation with IRZ(German Foundation for international legal cooperation).

Q127 (2010): In 2010, the NIJ held 4 seminars on the European Convention of Human Rights and its protocols for judges, prosecutors and investigators with 136 participants altogether: Right to liberty and security. Right to a fair trial. (Art.5 and Art.6 of the ECHR - penal aspects); Prohibition of discrimination. (Art.14 and Protocol n°12 of the ECHR); Right to a fair trial. (Art. 6 of the ECHR – civil aspects); Right to private and family life (Art.8 and Art.5 of Protocol n°7 of the ECHR).

Croatia

Q127 (2015): I. Comments for interpreting the data mentioned in question 127

Lifelong professional development is a legally founded right and duty of judges and public prosecutors in Croatia, but there are no disciplinary actions or consequences for judges not attending judicial training.

In 2015, the Croatian Judicial Academy organised the following trainings that can be regarded as covering the in-service training for specialised judicial functions, management functions of the court and the use of computer facilities in courts:

- E-course: Accounting Skills for Judges in Insolvency Matters: 71 participants;
- The right of Access to Information in the Judiciary: 4 workshops for 61 participants;
- European Civil Justice as E-justice: 1 workshop for 16 participants;
- How can judges improve their work in the courtroom by using non-legal knowledge and skills: 1 training event for 48 participants.

II. Comments regarding the attention given in the curricula to the European Convention on Human Rights and the case law of the Court

In 2015, the Croatian Judicial Academy organised a cycle of 6 workshops dedicated to the European Convention on Human Rights and the case law of the Court. They were entitled “The ECtHR and the Croatian Constitutional Court: Criminal Law Aspect – Decisions on Detention/Investigating Custody and the Case Law Search”. The workshops were attended by a total of 84 participants.

III. The characteristics of the Croatian training system for judges and public prosecutors and the main reforms that have been implemented over the last two years

In Croatia, the training of judges and public prosecutors has been entrusted to the Judicial Academy (JA). The JA is the central national judicial training institution in charge of the judicial training of trainees in judicial bodies, the initial training of future judges and public prosecutors (i.e. attendants of the State School for Judicial Officials which is an integral part of the Judicial Academy), continuous judicial training of judges and public prosecutors and the judicial training of judicial advisors. As of 1 September 2015, the Academy has been put in charge of the training of civil servants in the judiciary as well.

The Academy is seated in Zagreb and it provides judicial training at both the national and the regional level. In addition to the trainings in Zagreb, it organises training activities in its regional centres located at the county courts (second-instance courts) of Split, Rijeka, Osijek and Varaždin. The Academy is financed from the state budget. It is governed by the Steering Council and managed by the Director assisted by advisors (i.e. a judge and a public prosecutor seconded to the Judicial Academy).

The annual programme of the JA is proposed by the Programme Council and adopted by the Steering Council.
Q127 (2014): Within the project IPA 2009 „Professional development of advisors in judicial bodies and future judge and state attorneys through the establishment of self-sustainable training system“ (implemented between May 2012 and February 2014) on-line education is introduced and a system of education is developed for lifelong education of judicial advisors in judicial bodies. This is a target group of the Academy for which a specific education program has not been systematically developed with topics adapted exclusively for advisors, but advisors mostly used to join education activities intended for judicial officials, respectively judges and state attorneys.

Q127 (2013): According to the current Courts Act and amendments to the State Attorney's Office Act from 2013, judges and state attorneys are obliged to the professional education, but the judges are no longer obliged to attend the workshops of the Judicial Academy. However, that participation in professional education should influence on the assessment of judges. On the contrary, the state attorneys are still obliged to the professional education within the Budget.

In 2013, the Judicial Academy organised 284 activities for the total number of 2844 participants. During 2013, workshops at the State School for Judicial Officials for the second generation of judicial advisors were implemented. Besides, the Judicial Academy target groups also attended workshops and seminars within projects and through international and bilateral cooperation.

In 2013 the Judicial Academy participated in the project of the European university institute from Florence (EUI) “European judicial cooperation in the fundamental rights practice of national courts – the unexplored potential of judicial dialogue methodology”. Within this project, 2 workshops were held in 2013 (one on non-discrimination and the other on the right to fair trial). 10 judges from Croatia participated. In 2013, 1 one-day workshop was organised for judges (7 attendees) on enforcement of the Anti-Discrimination Act.

Q127 (2012): In 2012 a two-day workshop was organized under the name “European systems of human rights protection“, for the total of 21 attendees (judges, state attorneys, advisors in judicial bodies). Within the project “Judgments of the European Court for human rights against the Republic of Croatia in criminal matters“ which the Academy carried out in cooperation with the Faculty of Law in Zagreb, the total of 8 one-day workshops were organized for 72 attendees.

Within the IPA project 2009 “Establishing a Comprehensive System for Anti-Discrimination Protection“, in 2012, the Academy organized 2 two-day workshops for judges (total of 45 judges) and one for state attorneys (16 attendees) on enforcement of Anti-Discrimination Act. The project was carried out by the Office for Human Rights and Rights of National Minorities of the Republic of Croatia in cooperation with the Office of the Ombudsman and the Institute for human rights Ludwig Boltzmann from Vienna.

Q127 (2010): In the frame of the 2010 exercise, the Courts Act and the State Attorney’s Office Act, in force at that moment, prescribed the duty of training for judges and prosecutors and attendance of workshops of the Judicial Academy. Accordingly, in 2010, the Minister of Justice issued the Ordinance on Access to Professional Education which stipulated that judicial officials are required to participate annually in at least two educational activities of the Judicial Academy. However, this Ordinance expired in 2011 and since then this obligation no longer exists.

As a result of a regional project IPA 2010 “Regional cooperation in combating cyber-crime in the countries of Southeast Europe“ (carried out by the Council of Europe), a Regional Centre was established within the Judicial Academy for education of judicial officials in combating cyber-crime. Three to four activities a year are planned annually within the Centre, and the organization of these activities should be financed via European Union projects and bilateral projects.

Cyprus

Q127 (2016): from 2016 a two week training is provided to all newly appointed judges.

Denmark

Q127 (2016): Concerning “No training proposed” category: The answer is “no” because training was in fact offered to the judges. The training is however optional except the initial training that is compulsory for deputy judges. The Danish Court Administration offers on a yearly basis approx. 250 different sessions/seminars.

Q127 (2015): Comments concerning:

Initial training: Deputy judges’ training is compulsory

In-service training for specialised judicial functions: Denmark do not have any specialised judges

In-service training for the use of computer facilities: It is anticipated that almost all judges will attend some of these courses

All of the above answered questions only concern judges and not public prosecutors

Estonia

Q127 (2014): The in-service trainings for management functions of the court and for the use of computer facilities in office are compulsory in 2014 whereas they were not in 2012. No such trainings were planned for 2012.

Finland

Q127 (2016): The renewed legislation concerning the Courts (Courts Act) will be in force 1.1.2017. This Act has a new provision which states that every judge has both a right and a obligation to maintain their judicial knowledge and train themselves. However the legislation does not set any timeframes of how much training a judge has to have per year. The need will be estimated individually.

Q127 (2015): The renewed legislation concerning the Courts (Act on Courts) will be in force 1.1.2017. This Act has a new provision which states that every judge has both a right and a obligation to maintain their judicial knowledge and train themselves. However the legislation does not set any timeframes of how much training a judge has to have per year. The need will be estimated individually.

France

Q127 (2013): 2013: the initial and in-service training of the judges is provided by the National School of Magistrates. In recent years, the National School of Magistrates has been developing a training offer for some non-professional judges, in particular local judges and judge of commercial cases (commercial courts).

Germany

Q127 (2014): In the frame of the 2013 and 2014 exercises, it has been noticed that the variations of the replies in comparison with the previous evaluations were due to the differences between the Landers.

Q127 (2013): In the frame of the 2013 and 2014 exercises, it has been noticed that the variations of the replies in comparison with the previous evaluations were due to the differences between the Landers.

Q127 (2012): For the 2012 evaluation, only one Lander, Brandenburg, provided specific explanation related to training of judges. Namely, the Joint Legal Training Office of the Lander Berlin and Brandenburg is responsible for the further training of judges and public prosecutors in the Landers Berlin and Brandenburg. The basic training takes place separately, for Brandenburg at Brandenburg Higher Regional Court and for Berlin at Berlin Court of Appeal. It is only the Second State Examination in Law after completion of the basic training for which the Joint Legal Training Office of the Lander Berlin and Brandenburg is responsible.

Q127 (2010): For the 2010 evaluation, data related to training of judges did not include information from Mecklenburg-Western Pomerania and Thuringia. Regarding the information communicated by Bavaria, it diverged with regard to the respective individually-stated jurisdictions: Labour and Social courts: 2-month familiarization at the beginning of the second instance; Finance Courts: completion of familiarization period in accordance with Finance Officials Training Act.

Greece

Q127 (General Comment): The in service training is not a compulsory procedure in general. Nevertheless, the National School of Judges may, taking into account the special needs of the judiciary, organize special training seminars compulsory for certain categories of the judiciary. For example in 2016, a training seminar was organized concerning mutual legal assistance in criminal matters that was a compulsory one for certain judges and prosecutors.

Q127 (2012): On the occasion of the 2012 exercise, it has been pointed out that in-service training for specialized judicial functions in the form of seminars, conferences, etc. is available and provided for but it is not obligatory, in order to ensure practically the smooth and efficient functioning of courts on the days of training.

Hungary

Q127 (2016): The National Office for the Judiciary developed the institutional strategy of the Hungarian Academy of Justice (MIA) in 2013. Its implementation resulted in strengthening the coordinating role of the MIA through the expansion of local and regional training, enabling judges and judicial staff to choose from a wider range of trainings, motivating them for participation in the training courses.

It is impossible to provide satisfactory training to the nearly 11,000 persons working in the judicial organisation exclusively in the central premises, so it is important to hold trainings in a coordinated way at local and regional levels of the court system with central coordination offered by the MIA. By fostering a centrally coordinated training system in 2016, 528 central trainings were organised and the number of participants was 25703.

Q127 (2015): In 2015 it was possible to strengthen the role of local and regional trainings, and to enable the judges and the judicial staff to choose from a wider range of trainings, motivating them for participation in the training courses.

It is impossible to provide satisfactory training to the nearly 11,000 persons working in the judicial organisation exclusively in Budapest, so it is important to hold trainings in a coordinated way at the local and regional levels as well while the Hungarian Academy of Justice (as part of the National Office for the Judiciary) offers central coordination. By opening the centrally coordinated training system towards the regional and local levels, 7,293 persons took part in trainings organized by the courts, an 12,748 persons took part in trainings organized by the Hungarian Academy of Justice.

Q127 (2013): In 2013, there were training courses held at the Hungarian Academy of Justice and ones organised at venues outside Budapest, in the areas of jurisdiction of the courts of appeal. In addition, the number of locally initiated consultations, training programmes and conferences also increased. Both the central and local training courses are characterised by the fact that they are also attended by representatives of other legal professional communities.

A significant challenge for 2013 was the preparation for the application of the new Codes. Therefore, in connection with major Acts, a series of comprehensive training courses was organised (in the form of central thematic training, regional classroom training and e-learning training).

In the year 2013, 191 training courses were held for the judiciary (103 in 2012) with 14.241 participants (5.671 in 2012).

Q127 (2012): 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.

Regarding the European Convention on Human Rights and the case law of the Court the following trainings and courses were organized in 2012:

two day seminar for EU trainer judges related to various topics, among which Recent decisions of the ECHR, Cases and decisions rendered against Hungary by the ECHR.

three day seminar on the procedure before the ECHR.

It is noteworthy that the Act on the Organization and Management of Courts was amended in 2012 regarding the Hungarian Judicial Academy. The institution has been renamed to Hungarian Academy of Justice, and its responsibilities have been widened. Namely, it is partly responsible for the training of prosecutors and other contributors of justice (notaries, advocates).

Latvia

Q127 (2015): In recent years in Annual Training program of judges are included less in a separate human rights themes, but more and more these human rights themes are seen with both the national and EU law issues (e.g. VAT application of topical issues etc). Human Rights topics as separate are included only in cases where the question at issue is extensive or also very topical and important in public area.

Training on human rights issues are on a regular basis and for various target audience - judges candidates, judges, who work with civil case, administrative judges, assistant of judges, the judges who work with the criminal case and other judges.

Lithuania

Q127 (2012): In 2012, due to limited funds, the priority was given to training in professional fields, therefore no computer skills' training was offered.

Luxembourg

Q127 (2016): Due to the small number of personnel concerned, only some in-house training is proposed on specific issues (e.g. new laws, new electronic procedures, etc.). However, a large portion of the judges participate in training sessions at foreign institutions, e.g. the ENM in Paris or the ERA in Trier.

Q127 (2015): Since many years, Luxembourg has agreements with the French and Belgian magistrates' training schools creating a framework for initial and continuous training. Luxemburg is also co-financing the European Law Academy in Trier (D) and is actively participating in the EJTN (European Judicial Training Network).

Malta

Q127 (2016): Throughout 2016, the Judicial Studies Committee secured the training of the newly-appointed members of the judiciary in judge craft through EJTN. Given the fact that judicial appointments are neither pre-announced nor given at a fixed schedule, organising a proper initial training course can prove to be very difficult. Hence the Judicial Studies Committee, through EJTN, are sending the newly-appointed magistrates to attend such training courses abroad.

Q127 (2010): On the occasion of the 2010 evaluation, it has been specified that the Judicial Studies Committee was established in order to aid the Judiciary in the training. In 2010, it was being taken care of by a Retired Appeal Court Judge.

Netherlands

Q127 (2014): According to 2014 data, there is a standard of 90 hours per 3 years. Compared with previous years, the flexibility is augmented.

Q127 (2010): In the ambit of the 2010 exercise, it has been explained that there is a standard of 30 hours in-service training a year per judge.

Portugal

Q127 (General Comment): According to Law 45/2013, 3 July, magistrates have the right and the duty to participate in "in service training" (Article 74). In addition, these training activities are taken into consideration in the judges performance evaluation, for purposes of placement in courts with specialized or specific competence, as well as for career progression (Article 79). Accordingly, the general in-service training is compulsory.

Romania

Q127 (2016): Insofar as for continuous training judges have to follow a continuous training, but they are free to select the specific training sessions.

Q127 (2012): In 2012, the National Institute of Magistracy has trained 74% of the total number of judges and prosecutors and has organised 110 seminars and 4 national conferences dedicated exclusively to the new codes. In addition, the training covered different fields of law, including European Union law, case law of the Court of Justice of the European Union and of the European Court of Human Rights, public procurement, competition law, cyber-crime, fighting corruption and fraud, fighting economic and financial crime etc.

Slovakia

Q127 (2016): For the detailed information on judicial training refer to the Annual report of the Judicial Academy http://www.ja-sr.sk/files/VS_JA_2016.pdf

Q127 (2014): The following training activities were organised by the JA in 2014 in the field of Human rights:

- Protection of personal rights - right to respect for private life; recovery of non-pecuniary damage, included jurisprudence of ECHR (19 May 2014, 48 participants);
- Article 2, 3 ECHR, protection of victims (project funded by European Commission), (4-5 September 2014, 21 Slovak participants and 19 international participants from V4 countries);
- Current jurisprudence in family cases in the Slovak Republic - included jurisprudence of ECHR, (22 September 2014, 42 participants);
- Victims of crimes, violence on women and children - included jurisprudence of ECHR, (14 November 2014, 36 participants);
- Right to a fair trial in Constitutional court jurisprudence in the light of jurisprudence of ECHR, (19 November 2014, 40 participants);

Training activities organised in English in cooperation with the JA partners in the field of Human rights:

- Seminar on Human Rights and Access to Justice in the EU, (28-29 April 2014, participants from EU and 1 Slovak participant);
- Study visit in ECHR organised by European Judicial Training Network, (8-9 July 2014, participants from EU and 3 Slovak participants);
- Right to Fair Trial, (16-17 June 2014, participants from V4 and 3 Slovak participants);

Training activities organised by individual judicial institutions lectured by the Slovak Agent before the ECtHR:

- Current jurisprudence of the ECtHR and its impact on national judicial decisions (criminal aspects) – Regional Court Bratislava (22 May 2014);
- Jurisprudence of the ECtHR in criminal matters touching the Slovak Republic – Regional Court Trnava (29 May 2014); □
- Protection of human rights of children in preliminary phase of criminal procedure in the light of Constitutional court and European court of human rights – General prosecution office and Constitutional Court (27-28 October); □
- Cochem system in family cases – Activity for judges dealing with family agenda (24 November 2014). The “Cochem system” is related to a German method of solving conflicts in parental cases.

Slovenia

Q127 (General Comment): 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 Council consists of the following 11 members:

- two representatives of the ministry competent for justice;
- one representative of the Supreme Court of the Republic of Slovenia;
- one representative of the Supreme State Prosecutor's Office of the Republic of Slovenia;
- one representative of the State Attorney's Office of the Republic of Slovenia;
- one representative of the Judicial Council of the Republic of Slovenia;
- one representative of the Slovenian Judges' Association;
- one representative of the Association of State Prosecutors of Slovenia;
- one representative of each law faculty in the Republic of Slovenia (3 altogether).

The work of the Expert Council is conducted by the Minister of Justice or by the state secretary under his authorisation. It is the Minister of Justice who adopts the programme of the Centre as well.

The Judicial Training Centre carries out education and professional training of public prosecutors. Individual education and professional training of public prosecutors could be organized under the Prosecutor General's Office. Department for education and professional supervision of the Supreme State Prosecutor is responsible for preparation and implementation appropriate forms of education according to the findings of the peer reviews on deficiencies and faults in the work of public prosecutors. Education, trainings as well as advanced trainings of public prosecutors are being organized in a similar way as legislation stipulates for judicial education

Initial training for judges includes training before election for a judge, as well as seminars and other educational events for first-instance judges. Initial training courses or consultations for first-instance judges are organized in the form of workshops and are carried out by higher-court judges and as simulations of main hearings.

General in-service-training includes various courses, lectures and conferences, e.g. ethics for judges, foreign language law terminology, attitude towards problematic parties, etc. International exchange and visits for judges are also provided.

In-service training for management functions of the court are compulsory for all newly appointed presidents and directors of courts (and heads and directors of state prosecutor's offices) within one year of their appointment. The training is a five-day course in the field of public management and basic managerial skills, like human resources management, conflict management, public appearance, etc. One day workshops on the use of new IT solutions designed to better manage the judicial authorities are carried out for managerial staff as well.

Q127 (2016): The Judicial Training Centre is a body of the Ministry of Justice. Its approved budget was 220.000 EUR and implemented budget 412.020 EUR.

Q127 (2015): 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 Council consists of the following 11 members:

- two representatives of the ministry competent for justice;
- one representative of the Supreme Court of the Republic of Slovenia;
- one representative of the Supreme State Prosecutor's Office of the Republic of Slovenia;
- one representative of the State Attorney's Office of the Republic of Slovenia;
- one representative of the Judicial Council of the Republic of Slovenia;
- one representative of the Slovenian Judges' Association;
- one representative of the Association of State Prosecutors of Slovenia;
- one representative of each law faculty in the Republic of Slovenia (3 altogether).

The work of the Expert Council is conducted by the Minister of Justice or by the state secretary under his authorisation. It is the Minister of Justice who adopts the programme of the Centre as well.

The Judicial Training Centre carries out education and professional training of public prosecutors. Individual education and professional training of public prosecutors could be organized under the Prosecutor General's Office. Department for education and professional supervision of the Supreme State Prosecutor is responsible for preparation and implementation appropriate forms of education according to the findings of the peer reviews on deficiencies and faults in the work of public prosecutors. Education, trainings as well as advanced trainings of public prosecutors are being organized in a similar way as legislation stipulates for judicial education.

Q127 (2014): 2014: The Judicial Training Centre spent 235.000,00 EUR in 2014."

Spain

Q127 (2015): On a yearly basis a training curricula on very different subjects is offered as part of the continuous training that judges can voluntarily apply for. Most of the courses are about the law, but courses on other branches such as economics, ethics or use of the software tools, for instance, are also organized. The continuous training is organized by the Judicial School located in Barcelona but it is also decentralised in the Legal Centers managed by the Autonomous Communities. So judges can apply for courses organized by the Judicial School and by the Centers of Legal Studies of the Autonomous Communities.

Sweden

Q127 (2015): The Courts of Sweden Judicial Training Academy provides a wide range of courses available to judges. None of them are compulsory. A majority of approved judges are so called Associate Judges, which means that they have completed a six-year training programme, containing extensive mandatory training and fulltime work, both in district- and appeal courts.

Table 8.1 Number of accredited or registered mediators (absolute values and per 100 000 inhabitants) in 2010 to 2016 (Q1, Q166)

States	2010		2012		2013		2014		2015		2016	
	Absolute number	Per 100 000 inhab.	Absolute number	Per 100 000 inhab.	Absolute number	Per 100 000 inhab.	Absolute number	Per 100 000 inhab.	Absolute number	Per 100 000 inhab.	Absolute number	Per 100 000 inhab.
Austria	NA	NA	2 400	28,4	2 400	28,3	2 456	28,6	2 313	26,6	2 562	29,3
Belgium	1 099	10,1	1 134	10,2	1 157	10,4	1 352	12,1	1 457	12,9	1 454	12,8
Bulgaria	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Croatia	388	8,8	406	9,5	406	9,6	453	10,7	474	11,3	549	13,2
Cyprus	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Czech Republic	281	2,7	388	3,7	442	4,2	421	4,0	589	5,6	620	5,9
Denmark	NA	NA	127	2,3	124	2,2	151	2,7	147	2,6	143	2,5
Estonia	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Finland	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
France	NA	NA	NA	NA	2 435	3,7	2 450	3,7	2 571	3,9	2 940	4,5
Germany	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Greece	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	1 665	15,4
Hungary	1 185	11,9	12	0,1	20	0,2	120	1,2	160	1,6	174	1,8
Ireland	25	0,5	35	0,8	NA	NA	NA	NA	NA	NA	NA	NA
Italy	NA	NA	NA	NA	NA	NA	19 266	31,7	21 555	35,5	23 612	39,0
Latvia	NAP	NAP	NAP	NAP	NAP	NAP	24	1,2	38	1,9	43	2,2
Lithuania	43	1,3	47	1,6	47	1,6	109	3,7	129	4,5	269	9,4
Luxembourg	NA	NA	110	21,0	130	23,6	135	24,0	110	19,5	173	29,3
Malta	50	12,0	69	16,4	69	16,2	61	14,2	61	14,0	66	15,0
Netherlands	768	4,6	820	4,9	927	5,5	1 187	7,0	1 409	8,3	1 466	8,6
Poland	2 470	6,5	NA	NA	-	-	NA	NA	-	-	NA	NA
Portugal	255	2,4	255	2,4	250	2,4	196	1,9	221	2,1	514	5,0
Romania	661	3,1	4 136	19,4	10 847	54,4	6 833	30,7	11 701	59,2	5 080	25,9
Slovakia	491	9,0	633	11,7	846	15,6	1 068	19,7	1 248	23,0	1 450	26,7
Slovenia	344	16,8	347	16,9	341	16,5	311	15,1	292	14,1	281	13,6
Spain	NA	NA	NA	NA	-	-	1 151	2,5	3 289	7,1	NA	NA
Sweden	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Average	620	6,9	728	9,9	1 363	9,9	2 097	11,9	2 654	14,1	2 392	14,4
Median	388	6,5	347	9,5	406	9,5	437	8,9	532	9,8	585	13,0
Minimum	25	0,5	12	0,1	20	0,1	24	1,2	38	1,6	43	1,8
Maximum	2 470	16,8	4 136	28,4	10 847	28,4	19 266	31,7	21 555	59,2	23 612	39,0
Nb of values	27	27	27	27	25	25	27	27	26	26	27	27
% of NA	33%	33%	26%	26%	20%	28%	19%	19%	15%	15%	19%	19%
% of NAP	19%	19%	19%	19%	20%	20%	15%	15%	15%	15%	15%	15%

Table 8.2 (EC): Availability of judicial mediation in 2016 (Q163)

States	EC Code	Judicial mediation procedure
Austria	20	Yes
Belgium	1	Yes
Bulgaria	2	Yes
Croatia	11	Yes
Cyprus	13	Yes
Czech Republic	3	Yes
Denmark	4	Yes
Estonia	6	Yes
Finland	26	Yes
France	10	Yes
Germany	5	Yes
Greece	8	Yes
Hungary	17	Yes
Ireland	7	Yes
Italy	12	Yes
Latvia	14	Yes
Lithuania	15	Yes
Luxembourg	16	Yes
Malta	18	Yes
Netherlands	19	Yes
Poland	21	Yes
Portugal	22	Yes
Romania	23	Yes
Slovakia	25	Yes
Slovenia	24	Yes
Spain	9	Yes
Sweden	27	Yes

Table 8.3 Number of judicial mediation procedures (absolute values) in 2016 (Q167)

States	Total number of mediation cases (total 1 + 2 + 3 + 4 + 5)	1. Civil and commercial cases	2. Family cases	3. Administrative cases	4. Employment dismissal cases	5. Criminal cases
Austria	NAP	NAP	NAP	NAP	NAP	NAP
Belgium	NA	NA	NA	NA	NA	NA
Bulgaria	NA	NA	NA	NA	NA	NA
Croatia	NA	508	NA	NA	NA	NA
Cyprus	NA	NA	NA	NA	NA	NA
Czech Republic	NA	NA	NA	NA	NA	982
Denmark	554	321	190	NA	NA	NAP
Estonia	NA	NA	NA	NA	NA	NA
Finland	673	204	425	NAP	44	NA
France	NA	NA	NA	NA	NA	NA
Germany	NAP	NAP	NAP	NAP	NAP	NAP
Greece	NA	NA	NA	NAP	NA	NAP
Hungary	919	NA	NA	NAP	NA	NAP
Ireland	NA	NA	NA	NAP	NAP	NAP
Italy	NA	183 977	NAP	NAP	NAP	NA
Latvia	NA	NA	NA	NA	NA	NA
Lithuania	313	139	172	NAP	2	NAP
Luxembourg	NA	NA	NA	NA	NA	NA
Malta	1 896	NAP	1 896	NAP	NAP	NAP
Netherlands	2 399	NA	NA	NA	NA	NA
Poland	20 856	12 986	5 151	8	1 536	1 175
Portugal	1 679	1 241	434	NAP	NA	4
Romania	NA	NA	NA	NAP	NAP	NA
Slovakia	NA	NA	NA	NAP	NA	NA
Slovenia	2 844	2 320	NA	NAP	524	NAP
Spain	15 437	951	7 336	NAP	4 571	2 579
Sweden	NAP	NAP	NAP	NAP	NAP	NAP
Average	4 757	22 516	2 229	22 516	1 335	1 185
Median	1 788	951	434	951	524	1 079
Minimum	313	139	172	139	2	4
Maximum	20 856	183 977	7 336	183 977	4 571	2 579
Nb of values	27	27	27	27	27	27
% of NA	52%	52%	59%	52%	56%	48%

Table 8.4 Number of judicial mediation procedures (per 100 000 inhabitants) in 2016 (Q1, Q167)

States	Total number of mediation cases (total 1 + 2 + 3 + 4 + 5)	1. Civil and commercial cases	2. Family cases	3. Administrative cases	4. Employment dismissal cases	5. Criminal cases
Austria	NAP	NAP	NAP	NAP	NAP	NAP
Belgium	NA	NA	NA	NA	NA	NA
Bulgaria	NA	NA	NA	NA	NA	NA
Croatia	NA	12,2	NA	NA	NA	NA
Cyprus	NA	NA	NA	NA	NA	NA
Czech Republic	NA	NA	NA	NA	NA	9,3
Denmark	9,6	5,6	3,3	NA	NA	NAP
Estonia	NA	NA	NA	NA	NA	NA
Finland	12,2	3,7	7,7	NAP	0,8	NA
France	NA	NA	NA	NA	NA	NA
Germany	NAP	NAP	NAP	NAP	NAP	NAP
Greece	NA	NA	NA	NAP	NA	NAP
Hungary	9,4	NA	NA	NAP	NA	NAP
Ireland	NA	NA	NA	NAP	NAP	NAP
Italy	NA	303,6	NAP	NAP	NAP	NA
Latvia	NA	NA	NA	NA	NA	NA
Lithuania	11,0	4,9	6,0	NAP	0,1	NAP
Luxembourg	NA	NA	NA	NA	NA	NA
Malta	430,5	NAP	430,5	NAP	NAP	NAP
Netherlands	14,0	NA	NA	NA	NA	NA
Poland	54,3	33,8	13,4	0,0	4,0	3,1
Portugal	16,3	12,0	4,2	NAP	NA	0,0
Romania	NA	NA	NA	NAP	NAP	NA
Slovakia	NA	NA	NA	NAP	NA	NA
Slovenia	137,7	112,3	NA	NAP	25,4	NAP
Spain	33,2	2,0	15,8	NAP	9,8	5,5
Sweden	NAP	NAP	NAP	NAP	NAP	NAP
Average	72,8	54,5	68,7	54,5	8,0	4,5
Median	15,2	12,0	7,7	12,0	4,0	4,3
Minimum	9,4	2,0	3,3	2,0	0,1	0,0
Maximum	430,5	303,6	430,5	303,6	25,4	9,3
Nb of values	27	27	27	27	27	27
% of NA	52%	52%	59%	52%	56%	48%

Indicator 8: The existence and use of alternative dispute resolution methods

comments provided by the national correspondents

organised by country

Question 163: Judicial mediation procedures

Question 166: Number of accredited or registered mediators who practice judicial mediation

Question 168: Alternate Dispute Resolution

Austria

Q163 (General Comment): In the field of family law, especially in proceedings regarding custody or the right of personal contact to children, the Court has the possibility to organize a first conversation about mediation or about an arbitration procedure.

Q166 (2015): Q166

<http://www.mediatorenliste.justiz.gv.at>

Q168

Sec. 198 – 209 CPC

Q168 (General Comment): The legal basis for procedures of alternative dispute resolution other than judicial mediation includes the Law on Mediation in Civil Matters and the Non-litigious Procedure Code. Relevant provisions can also be found within the Codes of civil and criminal procedures. 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, the public prosecutor is entitled under specific conditions to withdraw from prosecuting a punishable act and accompany the parties in the establishment of a settlement. In this frame, an expert in conflict resolving can be involved. The latter has to report to the public prosecutor about the settlement negotiations and review their fulfilment and by the end prepares a final report.

Belgium

Q166 (General Comment): Information on mediation: <http://www.mediation-justice.be>

Q166 (2015): number of médiateurs at 13/10/2016

Q166 (2012): 2012: the competence over the court houses is transferred from the federal level to the authorities.

Q166 (2010): The Law of 21 February 2005 created a Federal Mediation Commission, composed of a general commission and 3 special commissions. The general commission is composed of 6 members specialised in mediation, namely: two notaries, two lawyers, two representatives of the mediators who are neither working as lawyers nor as notaries. Its main functions consist in: approving training institutions for mediators as well as their training programs; determining accreditation criteria for mediators by type of mediation; accrediting mediators; withdrawing, temporarily or permanently the accreditation in respect of mediators who do not comply any more with the requirements of article 1726 of the Judicial Code; defining the procedure of accreditation and withdrawal of accreditations; establishing and communicating the register of mediators to all courts; conceiving a Code of conduct and the possible sanctions in case of violation.

Q168 (General Comment): Any dispute which has arisen or may arise of a specific legal relationship and in respect of which it is permissible to compromise, may be the subject of an arbitration agreement.

Whosoever has the capacity or is empowered to compromise may conclude an arbitration agreement.

In Belgium, the parties can also be reconciled. There are mandatory attempts and optional ones.

In case of disagreement, the hearing is concluded by a conciliation report.

Bulgaria

Q166 (General Comment): In Bulgaria, there is no differentiation between mediators who practice judicial mediation and others.

Q166 (2015): Number of registered mediators is 1501 up to 31.12.2015. There is no differentiation between mediators who practice judicial mediation and others.

Q168 (General Comment): The legal basis of mediation is constituted of the Law on mediation, the Ordinance n° 2 on the Conditions and Order for the Approval of the Organizations for Mediators Training; Requirements for Mediators Training; Order for Registration and Deletion of Mediators from the Uniform Register of Mediators and Procedural and Ethical Rules of Mediator Conduct. Mediation is applicable to civil, commercial, labour, family and administrative disputes related to consumer rights, and other disputes between natural and/or legal persons. The Civil Procedure Code includes as well provisions concerning mediation. The court may direct the parties to mediation or another procedure for voluntary resolution of the dispute according to the general procedure for the examination of cases. The same opportunity is also explicitly envisaged for the proceedings on matrimonial cases and for the proceedings on commercial disputes.

Conciliation and other alternative dispute resolutions are provided in certain sectors, for example on consumer cases, some cases under Energy Sector Act, etc. The Civil Procedure Code refers explicitly to arbitration. The parties to a property dispute may agree that their 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 arbitration may have a seat abroad if one of the parties has his, her or its habitual residence, registered office according to the basic instrument thereof or place of the actual management thereof abroad.

Besides, a specific law regulates the international commercial arbitration, based on an arbitration agreement when the place of arbitration is on the territory of the Republic of Bulgaria. The International commercial arbitration allows civil property disputes resulting from foreign economic relations as well as disputes for filling in the gaps in a contract or its adaptation to changed circumstances, if the domicile or the seat of at least one of the parties is not in the Republic of Bulgaria.

Croatia

Q166 (2010): In the frame of the 2010 exercise, it has been specified that a register of mediators (conciliators) has been established as well as a register of accredited institutions for mediators which is kept by the Ministry of Justice. Accordingly, registration of mediators began in 2010. Accordingly, the communicated number of accredited mediators (388) was not final because mediators were continuing registering for accreditation. The figure provided for 2008 (1000) corresponded to the number of trained mediators and not registered mediators.

Q168 (General Comment): In Croatia, the following system of judicial settlement is set up (within mediation centres at courts and extrajudicial settlement at mediation centres outside courts) – Mediation Centre at the Croatian Chamber of Economy, Mediation Centre at the Croatian Chamber of Trades and Crafts, Mediation Centre at the Croatian Employers Association, Mediation Centre at the Croatian Mediation Association, Independent Service for social partnership at the Ministry of Labour and Pension System (former Office for Social Partnership that became inoperative in 2012), Banking Mediation Centre at the Croatian Banking Association, Mediation Centre at the Croatian Insurance Office.

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, this verification should not be considered as “other alternative dispute resolution”. □

Mediators are enlisted in official register of mediators established at the Ministry of Justice. In the cases where a person intends to institute a litigious proceeding against 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 within three months of its filing, the applicant may file a complaint to 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.

In family law cases a judge can be appointed as an arbitrator.

In civil and commercial cases, private mediators, meaning lawyers who are accredited mediators, can be appointed as mediators.

In 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 the 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).

In cases of employment dismissals court annexed mediation can be held, private mediator and public authority can be appointed as mediators, as well as state attorney.

Q168 (2010): In the frame of the 2010 exercise, it has been stressed that a new Mediation Act was enacted in 2011. It additionally emphasized the basic principles of mediation such as the party autonomy, voluntariness and consensual principle, informality and confidentiality of proceedings. Moreover, a new Ordinance on Mediators Register and Standards for Accreditation of Mediation Institutions and Mediators was enacted in 2011; a new Code of Ethics for mediators was adopted in November 2009; a Practice Book was written in 2011 presenting a certain guide for courts in carrying out conciliation processes. Brochures on the mediation process were published by the Ministry of Justice in 2011. Numerous round tables and conciliation conferences were organized the same year.

Cyprus

Q163 (General Comment): A law on mediation was introduced in 2012 and applies only to civil cases. The case is transmitted to mediation and the judge does not act as a mediator.

Czech Republic

Q163 (General Comment): Initially, judicial mediation was regulated by law only in criminal matters. The Act on mediation in non-criminal matters entered into force in September 2012.

Q166 (General Comment): In the frame of the 2012 evaluation, for the first time after the entry into force of the law on judicial mediation in civil matters, it was possible to provide separate data concerning the number of accredited mediators for civil law cases (88, data as of December 2013). For 2013, this number was 145 and for 2014 it is 101. From the above mentioned number of mediators there are 398 probate and mediation officials and 222 mediators in non criminal cases. The number of mediators in non criminal cases is constantly increasing since the entry into force of a law on judicial mediation in civil matters in 2012.

Q166 (2016): From the above mentioned number of mediators there are 398 probate and mediation officials and 222 mediators in non criminal cases. The number of mediators in non criminal cases is constantly increasing since the entry into force of a law on judicial mediation in civil matters in 2012.

Q166 (2015): From the above mentioned number of mediators there are 381 probate and mediation officials and 208 mediators in non criminal cases.

The number of mediators in non criminal cases is constantly increasing since the entry into force of a law on judicial mediation in civil matters in 2012.

Q166 (2010): In the frame of the 2010 exercise, it was explained that the increase of 49% of the total number of accredited or registered mediators practicing judicial mediation between 2008 and 2010 was due to the introduction of the new Criminal Code. Namely, there were 90 new people engaged as probate servants who were educated in the field of mediation and enabled to mediate in criminal matters.

Denmark

Q163 (General Comment): The Danish Administration of Justice Act provides for two different types of judicial mediation in chapters 26 and 27.

In accordance with article 268(1) in chapter 26 of the Administration of Justice Act the court must provide for judicial mediation in every case in the first instance in an attempt to reach a judicial settlement. The court can however refrain from providing such judicial mediation if, due to the nature of the case, the relationship between the parties to the proceedings, or similar circumstances, it can be assumed in advance that judicial mediation would provide no result, cf. article 268(2). In accordance with article 272 in chapter 27 of the Administration of Justice Act the court can, if so requested by the parties to the proceedings, appoint a judicial mediator to assist the parties in reaching, by themselves, a solution to a dispute, which is at the parties' disposition.

Q166 (General Comment): In Denmark it is possible to call the services of a mediator on a private basis (out of court mediation) and in civil cases before a court (court mediation). The number of registered judges who serves as mediators in court mediation in 2016 is 89. The number of registered attorneys who is appointed to serve as mediator in court mediation in 2016 is 58.

Mediators in civil cases (court mediation) Court mediation is regulated by law. Attorneys and judges, including judges in training, with a special training in mediation can serve as mediators, and each court has a panel to choose from. Judges serve this panel as a part of their regular work at court, while attorneys are paid a set fee per case. The attorneys are appointed by the Danish Court Administration to serve as a mediator in court mediation. The attorneys are generally accepted for 4-year period where as there is no time limit for the judges who are appointed as mediators in court mediation. When parties agree to mediate, a mediator is appointed by the district court administration from the panel. The mediator is provided free of charge to the parties as this service is covered by the filing fee.

Mediators on private basis (out of court mediation)

Mediation on a private basis is not regulated by law and the costs have to be borne by the parties. A private mediation is often led by a lawyer who is a trained mediator. There is no specific regulation to function as a private mediator.

The variations in the number of mediators depend only on how many mediators the Court Administration has appointed the given year.

Q166 (2016): 57 attorneys.

86 judges.

The number alters from one year to another depending on how many mediators are being appointed for the given year.

Q168 (General Comment): Conciliation does not exist in the Danish legal system. However, the latter does provide for different forms of judicial mediation (chapters 26 and 27 of the Danish Administration of Justice Act).

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.

The State Administration offers mediation in cases regarding separation, divorce and parental responsibilities at no cost for the parties concerned.

Estonia

Q166 (General Comment): In Estonia, there are no accredited or registered mediators. The number could be given only with regard to some categories, for example the number of social support workers or the number of registered family mediators. But in all civil, commercial, family and employment dismissal cases, the mediator can be any person whom the parties have entrusted the task of carrying out the mediation according to the Conciliation Act – a private person (lawyer, family mediator) or a public authority (notary, mediation body of the government or a local authority). In criminal matters, mediators are not private but public authorities (victim support workers of the Social Insurance Board, a government authority under the jurisdiction of the Ministry of Social Affairs).

Q168 (General Comment): Despite the fact that the Estonian legislation refers to the term of “conciliation” and according to the CEPEJ explanatory note, it is more accurate to talk about “judicial mediation”. □

In civil matters, it is rare to resort to mediation (conciliation) without the involvement of a court (property claims for example). The parties’ consent is usually required for resorting to mediation, but the latter can be ordered by the court under certain conditions. 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 he/she has to take all possible measures to settle a matter by a compromise or in another manner through an 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 family cases regarding the access to the child, the court directs the parties to the family mediators.

For collective labour disputes, public and local mediators (conciliators) – impartial experts appointed to office by the Government – help the parties to reach mutually satisfactory resolutions. □

In criminal matters a Prosecutor’s Office or court may suggest to resort to mediation, but the consent of the suspect/accused and the victim is necessary. The mediation service is entrusted by the Social Insurance Board (government authority under the jurisdiction of the Ministry of Social Affairs) and is carried out by victim support workers who have received relevant training.

In administrative matters, 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 as well as the consent of the third parties are needed.

In addition to the non-judicial mediation (family cases), conciliation (conciliation proceedings in civil, administrative and criminal cases) and arbitration (labour disputes committee, consumer disputes committee, lease committee etc.) there is an institution of Public Conciliator (Riiklik Lepitaja). The latter is appointed to office by the Government to prevent and to resolve collective labour disputes. He/she appoints regional conciliators for minor collective labour disputes.

Q168 (2015): There is no other types of ADR.

Q168 (2014): There is no other types of ADR.

Finland

Q168 (General Comment): 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 (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.

The court mediation was first introduced in 2006, but the legislation was reformed in 2011 (one reason being the EU directive 2008/52/EY). Act on mediation in civil matters and confirmation of settlements in general courts (394/2011) can be found here (unofficial English translation): <http://www.finlex.fi/fi/laki/kaannokset/2011/en20110394.pdf>

In district courts, mediation may be conducted in civil and petitionary matters. Mediation is an alternative to a trial. The mediator is a judge of the court. The purpose of the mediator is to assist the parties in resolving their dispute in a manner that satisfies both the parties. Mediation serves the needs of the parties, and the settlement is not thus directly based on the application of law.

If special expertise is needed in the matter to be mediated, the mediator may use the help of an expert assistant with the parties' consent.

Mediation is always voluntary, which is why commencement of mediation requires that all the parties to the dispute consent to it. Mediation also requires that the matter is amenable to mediation and that a settlement is appropriate in view of the claims of the parties. The court decides whether mediation is to be commenced.

Parties can apply for court mediation even if a case is not currently pending. This requires a written application (no specific form) made by one party or both parties together. In the application, parties must describe what the dispute concerns and how their views differ. They must also indicate the grounds on which the matter is amenable to mediation. It is possible to ask for a specific judge to be appointed as the mediator.

Mediation is confidential, which means that the mediator must not disclose contents of the mediation to any third parties and especially not to the judge dealing with the matter in a trial. No minutes shall be drawn up on the mediation, and the discussions conducted during the mediation are not recorded. As a rule, mediation sessions are public in the same manner as trials. However, there are seldom any third parties present. The parties may also request that mediation be conducted without any public present. Private discussions between the mediator and a party are always confidential and closed for the public.

If the parties have reached an agreement during out-of-court mediation, the settlement may, upon application, be confirmed as enforceable in the district court. In that case, for example an agreed compensation may be recovered through enforcement measures, if necessary. Mediation provided by the Finnish Bar Association and other corresponding procedures constitute out-of-court mediation. A settlement reached in mediation in criminal cases may also be confirmed as enforceable insofar as the settlement concerns a civil matter (damages).

France

Q166 (2016): Except for family mediators for which a State diploma is required, the profession of mediator in civil and commercial matters is not regulated in France and there is no national register of mediators. Nevertheless, can be considered as accredited mediators: criminal mediators entrusted with certain measures by prosecutors (312), judicial conciliators who are volunteers and are selected by courts (1958), and family mediators selected by the family allowance fund (670). These data are not provided in full time equivalent.

Q166 (2015): Accredited mediators are family mediators, criminal mediators and legal conciliators, who work in courts or are subsidised by the family allowance funds.

Source: Ministry of Justice, General Secretariat, Sub-Directorate of Statistics and Studies, Access to Law and Victim Assistance Unit

Germany

Q168 (General Comment): All forms of out-of court conflict resolution are possible as a matter of principle. The arbitral conflict resolution is possible in civil and commercial cases and also in family cases. The provisions on arbitral jurisdiction can be found in sections 1025 et seqq. of the Code of Civil Procedure.

Greece

Q163 (General Comment): Judicial mediation is regulated by the Law 3898/2010. Judicial mediation is optional and it is possible to resort to it before filing any action or during pendency before the Court of first instance or the Court of Appeal.

Q168 (2013): The category "other" encompasses quasi-judicial administrative applications in tax disputes.

Hungary

Q163 (General Comment): Judicial mediation was introduced in the Hungarian legal system in 2012. 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. Different laws encourage the parties to choose the mediation procedure in compliance with the voluntary principle. Among these, the most significant are the Civil Procedure Code, the Act on Charges and the Act on the Service of the Judicial Employees. 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. It is noteworthy that the 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, procedure is an alternative to a trial. The mediator is a judge of the court

Q163 (2013): In 2013, 75 court employees (judges, court secretaries and administrative employees) took part at special courses organized by the National Office for the Judiciary. The strategic goal of the NOJ was to have a judicial mediator at every court that has more than 7 judges, which implies further trainings.

Q163 (2012): In October 2012, judicial mediators have been appointed at six general courts in order to contribute to the resolution of judicial procedures in the shortest time possible and in a satisfactory way for the parties.

Q166 (General Comment): In 2010, the indicated number referred to mediators in general while since 2012, only the number of judicial mediators is communicated.

Q166 (2016): There is a continuous training for court secretaries and judges in the field of mediation so that is the reason for the increasing number. To be registered as a court mediator one must finish this training (organized by the National Office for the Judiciary).

Q166 (2014): The increase in the number of judicial mediators between 2013 and 2014 is a result of constant training organized by the National Office for the Judiciary.

Q166 (2013): Registered mediator can be any natural or legal person, who complies with the legal requirements (concerning university degree, mediation training etc.). According to the relevant legislation (Act LV of 2002 on Mediation) mediators established in other EEA Member States (i.e. living in the European Economic Area) can act in a current case in Hungary. The foreign mediator should inform the Ministry of Justice, which shall specify the rights for one year.

Q168 (General Comment): The category other encompasses:

Reconciliation Committee: the national labour unions, the unions of employers and the government are continuously consulting in order to prevent conflicts and to share information.

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 to reach agreements, prevent and arrange national conflicts, exchange information, monitor the recommendations and alternatives.

Conciliation board: its aim is to try to arrange the matter of dispute between the customer and the business organization with a settlement and even 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), namely:

Arbitration procedure regulated by the Act LXXI of 1994 on Arbitration;

Act I of 2004 on Sport establishing the Permanent Court of Arbitration for Sport;

Mediation regulated by the Act LV of 2002 on Mediation;

Mediation in healthcare regulated by the Act CXVI of 2000 on Mediation in Healthcare;

Mediation in matters of child protection regulated by the 2003 amendment to Decree No. 149/1997 (IX. 10.);

Conciliatory corporate proceedings: the Labour Mediation and Arbitration Service established under the Act XXII of 1992 on the Labour Code; the Act CLV of 1997 on Consumer Protection establishing conciliation bodies attached to the regional economic chambers.

The Mediation Service for Education dealing with the issue of school violence – according to the Educational Act and the Act of Higher Education the resort to the MSE is an educational right

The current Hungarian criminal 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 – implies real reparation for the victims, besides giving way to the state's criminal law interests.

Ireland

Q163 (General Comment): 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. 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.

Q166 (General Comment): Within the courts system, rules to promote mediation and conciliation in proceedings in the Superior Courts have been in force since 2010. These rules provide for a mechanism similar to the type used extensively in the Commercial Court whereby a judge can order the parties to engage in ADR. The provisions specify that the refusal or failure without good reason of a party to participate in mediation or conciliation may be taken into account by the court when awarding costs. The aim of this measure is to promote recourse to ADR where this would be appropriate, to minimise the cost of the proceedings and to ensure that the time and other resources of the court are employed optimally.

Please note a change in the reporting starting 2013. The answer is NA as the previous returns do not properly reflect the number of mediators available to the courts and it is difficult to accurately establish the number of accredited or registered mediators who practice judicial mediation in Ireland.

Q166 (2014): 2014: Reforms are also under consideration. Legislation is being prepared to promote mediation as a viable, effective and efficient alternative to court proceedings thereby reducing legal costs, speeding up the resolution of disputes and relieving the stress involved in court proceedings. It is anticipated that a Mediation Bill will be published in 2015 with a view to enactment of the legislation quickly thereafter.

Italy

Q166 (General Comment): Till 2014, the number of accredited mediators was not available. The only data communicated on the occasion of the 2012 and 2013 exercises concern the number of registered mediation organizations which was 963 in December 2012 and 929 in March 2014. At the end of 2014, a new electronic online register of mediators has been introduced allowing providing information on the number of accredited mediators (19 266 in September 2015).

Q168 (General Comment): According to the relevant legal provisions, conciliation bodies have competence in the fields of company law, financial brokerage, banking and credit. The Chambers of Commerce have competence with regard to conciliation procedures and can even play a role as mediation and arbitration organizations. Conciliation bodies are also intervening in respect of disputes in the telecommunication sector. Besides, there are private procedures of mediation ("negoziazione paritetica") established by consumers' associations and companies. The latter are acting on behalf of consumers who may decide at the end of the procedure to accept or not the proposal of settlement. There is also another ADR procedure called "conciliazione bancaria" intended to address issues between a customer and a bank or a financial intermediary.

It is noteworthy that in 2010 a large reform on ADR took place in Italy. Accordingly, since 2011, a number of matters in the civil sector require that a mandatory mediation procedure is executed before the case can be treated in court. In 2012, mediation procedure became mandatory for additional subjects of the civil sector.

Latvia

Q163 (2015): Since the 1st January 2015 we have implemented Court-Annexed Mediation in Latvia. The court must propose to parties to use mediation at the initiation of a civil case as well as at other stages. And if the outcome of mediation is agreement between parties, the plaintiff can receive back 50 % of the State Fee.

According to the Mediation Law we have mediators and certified mediators in Latvia. Anyone can be a mediator who has been selected freely by the parties and who has agreed to conduct the mediation. But regarding the certified mediators we have specified procedure to become a certified mediator and to maintain certification. Regarding the law a certified mediator can be a person who: is of good standing and higher education; has attended a mediator's training course and has obtained a mediator's certificate. The certificate gives the right to be included in the list of certified mediators. Certified mediators are tested by the Certification and attestation commission of mediators.

According to the Section 25 of the Mediation Law the Council of Certified Mediators is an autonomous self-governance body subject to public law which: ensures the issuance of a certificate to the mediator who has passed the certification examination, organises certification examinations of mediators and attestation examinations of certified mediators, keeps a list of certified mediators, supervises the mediation quality, examining complaints regarding activities of certified mediators and performs other tasks specified in the Mediation Law.

Q163 (2014): On the occasion of the 2013 and 2014 exercises, it has been specified that in Latvia mediation has been traditionally considered as a structured co-operation process on voluntary basis whereby the parties attempt to reach a mutually acceptable agreement on the settlement of their dispute with the assistance of a mediator.

The court-annexed mediation module will be implemented from January 2015, when the court, within the court proceedings, is going to be able to suggest to the parties to resort to mediation (not court-internal mediation model where another judge of the court is endowed with the responsibility to ensure the mediation).

For the court-annexed mediation model, certified mediators institute has been established, but it should be mentioned that there is no exclusive mandate for certified mediators. Both – mediators without certificate and certified mediators may manage court cases. Parties are free to choose. The first mediator's certification took place on October 1, 2014 and was passed by 24 candidates.

Notwithstanding that, before the implementation of the specific ADR institute - mediation – the parties were entitled to conclude a settlement. The settlement has also been considered as an ADR mechanism differing from mediation by the methods of reaching an agreement.

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Q166 (2015): Variation of the number of mediators is constant since every year new mediators pass the exam and become certified mediators

Q168 (General Comment): As concerns the category “other”, in criminal procedure law there is a settlement institute, while in administrative procedure law there is an administrative contract institute.

The Civil Procedure Law regulates arbitration procedures in Latvia, namely an arbitration court may be established for the resolution of a specific dispute or operate permanently. A permanent arbitration court operates on the basis of articles of association or by-law, whereas an arbitration court established for the resolution of a specific dispute operates in accordance with the procedures prescribed by the Civil Procedure Law. The permanent arbitration court shall commence operations after registration in the Arbitration Court Register. The Arbitration Court Register is maintained by The Enterprise Register. A permanent arbitration court may be established by legal persons. The resolution of disputes by an arbitration court is not an entrepreneurial activity.

As regards conciliation, according to Article 149 § 2 of the Civil Procedure Law, in preparing a case for trial, the judge shall strive to reconcile the parties. In addition Article 151 § 3 set forth that the judge shall strive to reconcile the parties also during the trial. Moreover, the Civil Procedure Law determines that a settlement is permitted at any stage in the procedure and in any civil dispute, except in cases explicitly enumerated by the Civil Procedure Law.

Regarding conciliation in criminal cases, Article 381 of the Criminal Procedure Law provides for that in the case of a settlement, an intermediary (a mediator) from the State Probation Service may facilitate the conciliation of a victim and the persons who committed a criminal offence. In determining that a settlement is possible in criminal proceedings, and that the involvement of an intermediary (a mediator) is useful, a person directing the proceedings may inform the State Probation Service regarding such possibility or usefulness.

Mediation has been developed in practice before the adoption of a specific legislation regulating this procedure. The first step in devising mediation institute was taken in 2009 when the concept on mediation in civil disputes resolution was adopted by the government, implying the gradual implementation of 4 mediation modules from pure mediation to court–annexed mediation, from court–annexed mediation to court–internal mediation, from court–internal mediation to integrated mediation. □

- o In Latvia mediation has been traditionally considered as a structured co-operation process on voluntary basis whereby the parties attempt to reach a mutually acceptable agreement on the settlement of their dispute with the assistance of a mediator.

- o The court-annexed mediation module will be implemented from January 2015, when the court, within the court proceedings, is going to be able to suggest to the parties to resort to mediation (not court-internal mediation model where another judge of the court is endowed with the responsibility to ensure the mediation).

- o For the court-annexed mediation model, certified mediators institute has been established, but it should be mentioned that there is no exclusive mandate for certified mediators. Both – mediators without certificate and certified mediators may manage court cases. Parties are free to choose. The first mediator’s certification took place on October 1, 2014 and was passed by 24 candidates.

Q168 (2015): In Criminal Procedure Law there is a settlement institute, and in Administrative Procedure Law - an administrative contract institute.

Lithuania

Q166 (2016): The judicial mediation is becoming more popular, efforts made by the judiciary and National Courts Administration, as well as the legislator, resulted in the increased number of the mediators.

Q166 (2015): National Courts Administration, data of the Activities report of 2015 of the Commission of the Judicial Mediation (<http://www.teismai.lt/data/public/uploads/2016/03/teismines-mediacijos-komisijos-2015-m.-veiklos-apibendrinimas.pdf>)

The main reforms that have been implemented over the last two years in judicial mediation:

From the 1st January 2015 the judicial mediation is available in all the courts of general jurisdiction. Before it was only available in courts, who participated in the pilot project. It is only available in civil cases. The judicial mediation is free of charge and parties may choose the judicial mediator from the List of Judicial Mediators (the List of Judicial Mediators is available at website <https://e.teismas.lt/lt/public/teismin%C4%97-mediacija/>). Judges, assistants of judges, lawyers, psychologists and other persons of different background are on the List of Judicial Mediators.

The peculiarity is that judges can also have the status of judicial mediator. The parties may choose the judge, who deals with the case (if she/he has the status of judicial mediator) to act as judicial mediator. If a peaceful agreement is reached in such a case he/she has also the power to validate it.

Parties may also choose the judge of the Court of Appeal, the Supreme Court of Lithuania to deal with their dispute, which is heard by the court of lower instance, i.e. the dispute, which arose in the court of first instance, can be dealt with by the judge of the higher court.

In order to secure the impartiality of a judge, the judge, who was dealing with the dispute as judicial mediator has an obligation to opt out from the case at later stage.

In order to promote the peaceful settlement of disputes, the Judicial Council has also decided, that judges in every case should decide on suitability of the case for judicial mediation. It was also decided to set at least 4 hours of trainings on judicial mediation in the training programmes of judges.

National Courts Administration has implemented the EU project on e-services in administration of justice in 2015. During the project, management of the process of judicial mediation was created in the Information System of Lithuanian Courts LITEKO. Parties have a possibility to make a statement in the claim or other document on judicial mediation, the judicial mediator can access the case via electronic means, can arrange the judicial mediation session via electronic means, the parties can discuss on a peaceful agreement, can sign and deliver it to the court via electronic means, i.e. E-Service Portal of Lithuanian Courts (<https://e.teismas.lt/en/public/home/>).

Q166 (2014): One of the reasons explaining the increase of the number of judicial mediators in 2014 is that from 1st January, 2015 new regulations on judicial mediation came into force, which set stricter requirements for candidates to judicial mediators (requirement for longer trainings (32 hours instead of 16 hours), requirement to attend the meetings of the Judicial Mediation Commission). Therefore persons, who wished to act as judicial mediators hurried to deliver their documents before the 1st. January, 2015, so that their request would be considered under rules, which were valid before 1st. January, 2015.

Q168 (General Comment): In Lithuania, judicial mediation is available in civil cases, where the agreement can be reached (family cases are treated as civil cases). From 2015 judicial mediation is available in all the courts of Lithuania. The data on number of judicial mediation cases is received by the courts. Arbitration is regulated by a special law.

Luxembourg

Q166 (2016): There are 92 mediators for criminal matter and 81 in civil and commercial matter.

Q168 (General Comment): Non-judicial mediation exists in criminal matters (although ordered by public prosecutors).

Arbitration is provided in particular under article 429 of the Civil Procedure Code, which states: "if parties should be referred to the arbitrators, for examination of the accounts, documents and registers, one or three arbitrators should be appointed to hear the parties, and reconcile them, if possible, or give them a notice.

If necessary to visit or estimate the work or merchandises, one or three experts should be appointed.

Arbitrators and experts are nominated ex officio by the court except if parties agree about it during the hearing".

The judge can always suggest conciliation to the parties.

Malta

Q166 (2016): The data regarding the number of mediators was provided by The Malta Mediation Centre, quoting the number of mediators duly accredited and registered in terms of the provisions of the Mediation Act, 2004 (Cap. 474 of the Laws of Malta).

Q166 (2015): The data regarding the number of mediators was provided by The Malta Mediation Centre, quoting the number of mediators duly accredited and registered in terms of the provisions of the Mediation Act, 2004 (Cap. 474 of the Laws of Malta).

Q168 (General Comment): Arbitration is mandatory in cases relating to traffic collision which do not exceed €11,600 in value and which do not include bodily injury. Furthermore, arbitration is mandatory in cases of condominium and contestations of water and electricity bills. Likewise, parties may choose to resort to arbitration on any civil and commercial litigious matter, provided both parties agree.

The Malta Arbitration Centre is constantly improving the services for arbitration and promotes the issue of arbitration regularly. Its web site is www.mac.com.mt

Netherlands

Q163 (General Comment): Judicial mediation always implies 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).

Q163 (2012): In the frame of the 2010 and 2012 exercises, it has been mentioned that from April 2005 until January 2011, parties who were referred to mediation via the Courts and who were not eligible for legal aid, could apply for an incentive contribution (stimuleringsbijdrage). This contribution covered both parties' expenses for the first 2.5 hours of mediation. The incentive contribution stopped in January 2011.

Q163 (2010): In the frame of the 2010 and 2012 exercises, it has been mentioned that from April 2005 until January 2011, parties who were referred to mediation via the Courts and who were not eligible for legal aid, could apply for an incentive contribution (stimuleringsbijdrage). This contribution covered both parties' expenses for the first 2.5 hours of mediation. The incentive contribution stopped in January 2011.

Q166 (General Comment): Judicial mediators are entitled to carry out judicial mediation as well as other forms of mediation.

Q166 (2015): In the frame of the 2015 exercise the number of mediators has increased, especially since the increase of the own financial contribution in divorce cases. Lawyers practice more often judicial mediation, which is less expensive.

Q166 (2014): In the frame of the 2014 exercise, it has been explained that the number of mediations has increased, especially since the increase of the own financial contribution in divorce cases. Lawyers practice more often judicial mediation, which is less expensive.

Q166 (2012): The number provided for 2012 refers to accredited judicial mediators. In 2010 there were 4 015 mediators registered at the Dutch Mediation Institute (NMI).

The number provided for 2012 refers to accredited judicial mediators. The number of accredited mediators in general was 2 949. The decrease observed between 2010 and 2012 was due to new registration directives of the Dutch Mediation Institute.

Q168 (General Comment): Category "Other" include: Binding advice in consumer cases by Consumer complaints Board (Geschillencommissie consumentenzaken); Binding advice in financial insurance cases by KIFID; Binding advice in health insurance cases by SKGZ; Binding advice in rent cases (Huurcommissie); Arbitration: (Raad van arbitrage voor de bouw)

Q168 (2015): In 2015 there were following number of cases for other:

- Binding advice in consumer cases: 4627 incoming cases
- Binding advice in financial insurance cases: 6493 cases
- Binding advice in health insurance cases: 3152 cases
- Binding advice in rent cases: 9959 incoming cases
- Arbitration: In Dutch: 556 incoming cases."

Q168 (2014): On the occasion of the 2014 exercise, it has been explained that in recent years the Ministry of Security and Justice and various relevant criminal justice actors (the Council for the Judiciary, the Public Prosecution Service, the police, Rehabilitation, Victim Support, 'Victim in Focus', and the Dutch federation of mediators have voiced their support for the introduction of mediation in criminal justice. As a consequence, in October 2013, the Ministry of Security and Justice asked actors in the field to submit proposals for pilot projects on mediation. Five projects received funding.

Poland

Q163 (2016): In regard to Q163-1 it is necessary to indicate that there are not mandatory mediation procedures.

The number of mediation procedure increased significantly caused by implemented changes in law, especially in Code of Civil Procedure. We can notice that percentage of mediation cases raise in relation to cases in which mediation procedure can be apply.

Q166 (General Comment): The central register of mediators in Poland is not maintained. There are two separate list of registered mediators maintained by each regional courts – a list of permanent mediators created by the president of a regional court and a list of mediators created by mediation organisations. There is no possibility to account number of registered mediators because mediators are repeated on both lists and in different courts also.

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Portugal

Q163 (2016): Concerning the significant increase in the number of family mediations, with initiative in the courts (with the consent of the parties):

The increase in the number of cases is due, on one hand, to a greater dissemination of the Family Mediation System and to a wider perception of its benefits by users and other operators of the System and on the other hand to the legislative reform operated in 2015, with the approval of the General Regime of the Civil Guardianship Process (RGPTC) that originated the increase of Family Mediation applications originating in the Courts.

This occurred as a consequence of the new paradigm established in this new legislation, according to which, in the majority of civil juvenile cases, where it is not possible to obtain the agreement of the parties in court, the court must suspend the proceedings and refer the parties to one of two interventions: Family mediation (if the parties agree to submit to the procedure) or the specialized technical hearing, if they do not agree to resort to Family Mediation. The RGPTC entered into force in October 2015 and its effects were immediately felt in the statistical data for the subsequent year.

Regarding the decrease in the number of mediations in civil and commercial matters, we do not have data that allows us to clarify the trend.

As for the decrease in the number of mediations in criminal matters, we do not have data to clarify the trend. Next year, the Directorate-General for Justice Policy (Ministry of Justice) will develop a Monitoring and Diagnostic Evaluation Study of the Criminal Mediation System that may shed light on this trend.

Q166 (2016): this number includes mediators of the Ministry of Justice registered public systems mediation and mediators of the Peace Courts. Unlike the 2015 data, it also includes accredited conflict mediators in accordance with Law n.29/2013 of 19 April (Mediation Law).

Q166 (2015):

The given number in question 166 includes the mediators of the Ministry of Justice' registered public systems mediation and mediators of the Peace Courts. In addition to this number there are 234 accredited conflict mediators in accordance with article 9 (1) (e) of Law No. 29/2013, of 19 April (Mediation Law), regulated by Ministerial Ordinance No. 344/2013, of 27 November.

Please acknowledge that registered public system mediators and mediators of the Peace Courts can also be accredited conflict mediators but not the other way around.

Q168 (General Comment): In Portugal, mediation is admissible in a number of areas. Moreover, public measures have been adopted in order to increase recourse to public mediation systems in specific areas of law: namely, family, employment, criminal, civil and commercial matters.

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 at the Courts of Peace (Julgados de Paz). The latter are part of the Portuguese legal system and are based on an extra-judicial basis (Law 78/2001, 13 July). If the parties have not reached an agreement through mediation, they can go to trial, where a decision is issued by the Peace Judge, who may also promote the parties' conciliation.

Romania

Q163 (General Comment): In Romania, the mediation procedure is regulated by Law no. 192/2006 concerning the mediation and the organization of the mediator profession. Even if in certain circumstances, according to the Civil Procedure Code, the judge may recommend the parties to use mediation, we cannot talk about a judicial mediation. According to the Law no. 192/2006, the mediation activity is organized as a liberal profession and the control mechanism of mediation is given to an inside body; also, taking into consideration the fact that it is a new profession, the law encourages and promotes a free development of the mediation – as an alternative method for judicial proceedings – without any interference from the State authorities regarding the selection of mediators. The parties (natural or legal persons) may have voluntary recourse to mediation, inclusively after the beginning of a trial in front of the courts, convening to settle in this way any conflicts in civil, criminal and other matters (e.g. family disputes, consumers' protection litigation etc.). According to the Civil Procedure Code, the judge has the duty to try, during the whole trial, the reconciliation of the parties. If necessary, taking into account the circumstances of the case, the judge shall recommend to the parties to have recourse to mediation, for the dispute settlement on amiable way, in any stage of the trial. Mediation is not compulsory for the parties. If, in the mentioned conditions, the parties reconcile, the judge shall ascertain their agreement in the content of the judgment he/she will pronounce.

For a short period of time (July 2013 – May 2014), the Law on mediation provided for a mandatory information session regarding the benefits of mediation (only the information session on mediation was mandatory and not the mediation itself). By Decision no. 266/2014, the Romanian Constitutional Court found the abovementioned provisions unconstitutional, violating the right of access to court.

As for the conciliation procedure, the former Civil Procedure Code provided for a direct conciliation procedure between parties, in case of commercial litigation, before filing a case in court (art. 7201 of the former Civil Procedure Code). This procedure was not retained by the New Civil Procedure Code, in force since 2014.

Q166 (General Comment): Regarding the variation registered in the number of authorizations granted to the mediators during the period 2014-2016, we mention that this was due to the legislative changes in the field of mediation occurred during that period.”

In fact, for a short period of time (July 2013 – May 2014), the Law on mediation provided for a mandatory information session regarding the benefits of mediation. (NB: only the information session on mediation was mandatory and not the mediation itself). More exactly, article 2 of Law no. 192/2006 imposed an obligation on the parties to attend an informative session on the advantages of mediation prior to initiating several types of court proceedings. If this obligation was not fulfilled, the application before the court would be rejected as inadmissible. By Decision no. 266/2014, the Romanian Constitutional Court found the abovementioned provisions unconstitutional, as they contravened to Article 21 of the Constitution which guarantees the right of access to court. The Constitutional Court considered that rejecting the application for failure to attend the informative session on the advantages of mediation prevents the exercise of the right of access to court. Consequently, the abovementioned provisions are no longer in force.

Q166 (2016): Regarding the variation registered in the number of authorizations granted to the mediators during the period 2014-2016, we mention that this was due to the legislative changes in the field of mediation occurred during that period.

Q166 (2013): The increase of the number of mediators in 2012 and 2013 comparing to 2010 is a result of the legislative reforms, stimulating the ADR.

Q166 (2012): The increase of the number of mediators in 2012 and 2013 comparing to 2010 is a result of the legislative reforms, stimulating the ADR.

Q168 (General Comment): The Romanian civil procedural legislation regulates, as alternative methods for the settlement of disputes, mediation, arbitration and conciliation.

Mediation is regulated by Law 192/2006 on Mediation and Organization of the Profession of Mediator. The parties may have voluntary recourse to mediation, inclusively after the beginning of a trial in civil, criminal and other matters (the law contains special provisions regarding family conflicts and mediation in criminal cases, which are supplemented by provisions referring to mediate in a dispute before the courts). The law also applies in the conflicts of the consumers' protection field.

According to the Civil Procedure Code, the judge has the duty to try, during the whole trial, the reconciliation of the parties, giving them the necessary instructions. If necessary, he/she can recommend to the parties to resort to mediation. The Criminal Procedure Code regulates the possibility to renounce to the civil claims, as well as the recognition by the defendant of the civil claims and the conclusion of a mediation transaction/ agreement.

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 Civil Procedure Code. There may be the object of arbitration disputes between persons with full legal capacity, apart from those involving marital status, individuals' capacity, succession debate, family relationships and rights to which the parties may not dispose of.

In the matter of labour law, the collective labour conflicts may be settled by alternative means of disputes settlement: conciliation, mediation and arbitration (Law of Social Dialogue no. 62/2011). Basically, these alternative methods specific to the labor law, with its own rules, have a distinct legal status and are separated from the mechanisms and the rules provided by the basic legal framework on ADR (Law 192/2006 concerning mediation and also the rules laid down in the procedural codes). According to the Law 202/2010, in trials and applications in commercial matters 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.

Slovakia

Q166 (General Comment): The Ministry of Justice keeps the register of mediators and the mediation centres practicing the mediation in the non-criminal matters. The ministry registers as a mediator every person meeting the statutory conditions for being a mediator. The increase in the total number of registered mediators follows from the interest of qualified persons in being mediators. Any registered mediator is entitled to practice the mediation procedure in the non-criminal matters either recommended by court or out of the court.

In the criminal procedure the mediation is performed at the court by the special member of the court staff - the probation and mediation officer.

Q166 (2012): In 2012, all disciplinary proceedings against lawyers were initiated on the basis of alleged breach of professional obligations laid down by the Act on the Legal Profession or the Code on Professional Conduct for Lawyers. A criminal offence committed by a lawyer (who was found guilty by the criminal court in final judgment) is the reason for suspension or disbarment under the Act on the Legal Profession. However, it is not an issue of disciplinary proceedings.

Q168 (General Comment): The out of court mediation is the form of solving the disputes arisen from civil and commercial legal relations as well as disputes in family matters and employer/employee relations. The mediation may result in the written agreement which should be enforced if approved by the court or is in the form of notarial deed.

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.

The Consumer arbitration:

According to Act on the consumer arbitration (335/2014 Coll.) the dispute arisen from consumer contract may be decided by the certified arbitration court. The Ministry of Justice is keeping the list of permanent consumer arbitration courts.

Conciliation:

The conciliation proceedings is a type of pretrial settlement which can be initiated by a motion. The proceeding is conducted by a single judge. The purpose of the conciliation is to settle a dispute by the pretrial settlement approved by a judge.

Q168 (2014): On the occasion of the 2014 exercise, it has been indicated that the new Act on consumer arbitration (No. 335/2014 Coll.) entered into force on 1st January 2015. Its aim is to strengthen the protection of consumers. The arbitration agreement has to be concluded separately from the contract itself. Within this agreement the contracting parties are obliged to choose a particular arbitration court to decide the potential disputes. Despite the arbitration agreement, the consumer has the right to file a claim originated in the contract to a general court. The act requires new prerequisites to establish the arbitration court for consumers. At the same time the amendment to the Act on arbitration entered into force.

Slovenia

Q163 (2016): The Act on Alternative Dispute Resolution in Judicial Matters has been adopted in November 2009. According to aforementioned 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 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 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.

Other specific legislation that regulates mediation and other ADR:

- The Patient Rights Act (Official Gazette of the Republic of Slovenia, No. 15/08) regulates the mediation proceeding between patients and health-care service providers (Article 71 and 72).
- The Employment Relationship Act (Official Gazette of the Republic of Slovenia, No. 21/13, 78/13 and 47/15 - ZZSDT) stipulates in article 201 the possibility that the employer and the employee agree on resolving their dispute in mediation or arbitration proceedings.

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Q166 (General Comment): - According to the Act on Alternative Dispute Resolution in Judicial Matters all local, district, labour and higher courts and higher labour and social court are obliged to provide mediation to the parties. Besides, they may also provide other forms of alternative dispute settlement. An alternative dispute settlement is defined as a procedure that does not entail trial and in which one or more neutral third parties co-operate in the dispute settlement using the procedures of mediation, arbitration, preliminary neutral evaluation or other similar procedures.

- The Mediation in Civil and Commercial Matters Act regulates mediation in disputes arising from civil, commercial, labour, family and other property relationships with regard to claims which may be freely disposed of and settled by the parties, unless otherwise stipulated for individual disputes by a special law. Pursuant to Article 2(2) of MCCMA, mediation is also possible in case of other disputes as well (other than civil, commercial, labour, family, and property disputes), as long as it is not contrary to law.

Q168 (General Comment): The Act on Alternative Dispute Resolution in Judicial Matters has been adopted in November 2009. According to aforementioned 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 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 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.

Other specific legislation that regulates mediation and other ADR:

- The Patient Rights Act (Official Gazette of the Republic of Slovenia, No. 15/08) regulates the mediation proceeding between patients and health-care service providers (Article 71 and 72)..

Spain

Q163 (2015): In Spain a law has been passed in order to regulate mediation in civil and commercial matters: Law 5/2012, 6 July. Furthermore, within the Ministry of Justice a database with a list mediators has been set up. The objective of this database is to facilitate the use of this ADR. Citizens have an online and free access to this database. Nevertheless it is important to mention that registration in this database is only compulsory for mediators in insolvency proceedings. For the rest of the cases subject to mediation, the registration of mediators in this database is merely voluntary. This means that the number of mediators in Spain is higher than the number of mediators registered in this database, since registration is not compulsory to exercise the profession except for the case of mediators in insolvency proceedings.

Some legal measures have been adopted in order to boost the use of mediation:

-Law 5/2012 has modified the Civil Procedure Code in order to encourage the parties to use mediation

- The use of a mediation service before opening an insolvency proceeding for a natural person facilitates the release of the debts once the judicial proceeding is completed (Real-Decreto Ley 1/2015, 27 February

Q166 (2016): In the Registry of the Ministry of Justice there are 1160 private mediators registered who work in the whole territory. The mediation takes place out of Courts. The Court during the first hearing informs to the parties about the possibility of going to mediation, and can suspend the procedure if the parties decide to try the mediation.

The registry mentioned is voluntary (not mandatory), so the figure is a possible approximation. The number of Institutions of Mediation is 66.

Q166 (2015): The approval in 2012 of the Act on mediation in civil and commercial matters could have influence on the increase in the number of mediators.

Q168 (2014): For the 2014 exercise, a reference has been made to a specific law regulating mediation in civil and commercial matters. It entered into force in 2012 and has modified the Civil Procedure Code in order to encourage parties to resort to mediation. Additional legal measures have been adopted with the aim of facilitating the use of mediation. For example, a database has been established within the Ministry of Justice, containing information on mediators. Citizens have a free online access to this database. Moreover, in certain autonomous regions (Cataluña) and for certain procedures (foreclosure proceedings), the use of mediation prior to the opening of a trial is compulsory.

Besides, a royal statutory order of 2015 provides for that the use of a mediation service before opening an insolvency proceeding for a natural person facilitates the release of the debts once the judicial proceeding is completed.

Q168 (2012): In 2012, a specific law has been passed, intended to regulate mediation in civil and commercial matters and modifying the Civil Procedure Code in order to encourage parties to resort to mediation. Additional legal measures have been adopted with the aim of facilitating the use of mediation. For example, a database has been established within the Ministry of Justice, containing information on mediators. Citizens have a free online access to this database. Moreover, in certain autonomous regions (Cataluña) and for certain procedures (foreclosure proceedings), the use of mediation prior to the opening of a trial is compulsory.

Sweden

Q168 (General Comment): In civil cases amenable to out-of-court settlements, the court is obliged to work for a settlement, unless it is inappropriate in the specific case. Most often this is done through negotiations between the parties led by the judge. The latter can however decide, if the parties agree with that, the involvement of a private mediator. This procedure is called special mediation. If the parties do not need to pay for the time the judge spends on the settlement negotiations, they normally have to pay for the work of the private mediator. The State has to bear the cost of such a private mediator only if one of the parties has been granted legal aid. Moreover, a mediator can be appointed in cases concerning children (custody of, residence and visitation) in which hypothesis the State bears the costs. Before a mediator is appointed, the judge would normally lead a conversation with the parties aimed at reaching an agreement. The State and the municipalities can also arrange mediation between anammes that are offered by courts. Mediation in disputes in relations between parents and children and in labour disputes due to termination of an employment

Indicator 8: The existence and use of alternative dispute resolution methods

comments provided by the national correspondents

organised by question no.

Question 163: Judicial mediation procedures

Question 166: Number of accredited or registered mediators who practice judicial mediation

Question 168: Alternate Dispute Resolution

Question 163

Austria

(General Comment): In the field of family law, especially in proceedings regarding custody or the right of personal contact to children, the Court has the possibility to organize a first conversation about mediation or about an arbitration procedure.

Cyprus

(General Comment): A law on mediation was introduced in 2012 and applies only to civil cases. The case is transmitted to mediation and the judge does not act as a mediator.

Czech Republic

(General Comment): Initially, judicial mediation was regulated by law only in criminal matters. The Act on mediation in non-criminal matters entered into force in September 2012.

Denmark

(General Comment): The Danish Administration of Justice Act provides for two different types of judicial mediation in chapters 26 and 27.

In accordance with article 268(1) in chapter 26 of the Administration of Justice Act the court must provide for judicial mediation in every case in the first instance in an attempt to reach a judicial settlement. The court can however refrain from providing such judicial mediation if, due to the nature of the case, the relationship between the parties to the proceedings, or similar circumstances, it can be assumed in advance that judicial mediation would provide no result, cf. article 268(2). In accordance with article 272 in chapter 27 of the Administration of Justice Act the court can, if so requested by the parties to the proceedings, appoint a judicial mediator to assist the parties in reaching, by themselves, a solution to a dispute, which is at the parties' disposition.

Greece

(General Comment): Judicial mediation is regulated by the Law 3898/2010. Judicial mediation is optional and it is possible to resort to it before filing any action or during pendency before the Court of first instance or the Court of Appeal.

Hungary

(General Comment): Judicial mediation was introduced in the Hungarian legal system in 2012. 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. Different laws encourage the parties to choose the mediation procedure in compliance with the voluntary principle. Among these, the most significant are the Civil Procedure Code, the Act on Charges and the Act on the Service of the Judicial Employees. 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. It is noteworthy that the 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 erammes that are offered by courts. Mediation in disputes in re

(2013): In 2013, 75 court employees (judges, court secretaries and administrative employees) took part at special courses organized by the National Office for the Judiciary. The strategic goal of the NOJ was to have a judicial mediator at every court that has more than 7 judges, which implies further trainings.

(2012): In October 2012, judicial mediators have been appointed at six general courts in order to contribute to the resolution of judicial procedures in the shortest time possible and in a satisfactory way for the parties.

Ireland

(General Comment): 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. 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.

Latvia

(2015): Since the 1st January 2015 we have implemented Court-Annexed Mediation in Latvia. The court must propose to parties to use mediation at the initiation of a civil case as well as at other stages. And if the outcome of mediation is agreement between parties, the plaintiff can receive back 50 % of the State Fee.

According to the Mediation Law we have mediators and certified mediators in Latvia. Anyone can be a mediator who has been selected freely by the parties and who has agreed to conduct the mediation. But regarding the certified mediators we have specified procedure to become a certified mediator and to maintain certification. Regarding the law a certified mediator can be a person who: is of good standing and higher education; has attended a mediator's training course and has obtained a mediator's certificate. The certificate gives the right to be included in the list of certified mediators. Certified mediators are tested by the Certification and attestation commission of mediators.

According to the Section 25 of the Mediation Law the Council of Certified Mediators is an autonomous self-governance body subject to public law which: ensures the issuance of a certificate to the mediator who has passed the certification examination, organises certification examinations of mediators and attestation examinations of certified mediators, keeps a list of certified mediators, supervises the mediation quality, examining complaints regarding activities of certified mediators and performs other tasks specified in the Mediation Law.

(2014): On the occasion of the 2013 and 2014 exercises, it has been specified that in Latvia mediation has been traditionally considered as a structured co-operation process on voluntary basis whereby the parties attempt to reach a mutually acceptable agreement on the settlement of their dispute with the assistance of a mediator.

The court-annexed mediation module will be implemented from January 2015, when the court, within the court proceedings, is going to be able to suggest to the parties to resort to mediation (not court-internal mediation model where another judge of the court is endowed with the responsibility to ensure the mediation).

For the court-annexed mediation model, certified mediators institute has been established, but it should be mentioned that there is no exclusive mandate for certified mediators. Both – mediators without certificate and certified mediators may manage court cases. Parties are free to choose. The first mediator's certification took place on October 1, 2014 and was passed by 24 candidates.

Notwithstanding that, before the implementation of the specific ADR institute - mediation – the parties were entitled to conclude a settlement. The settlement has also been considered as an ADR mechanism differing from mediation by the methods of reaching an agreement.

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Notwithstanding that, before the implementation of the specific ADR institute - mediation – the parties were entitled to conclude a settlement. The settlement has also been considered as an ADR mechanism differing from mediation by the methods of reaching an agreement.

Netherlands

(General Comment): Judicial mediation always implies 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).

(2012): In the frame of the 2010 and 2012 exercises, it has been mentioned that from April 2005 until January 2011, parties who were referred to mediation via the Courts and who were not eligible for legal aid, could apply for an incentive contribution (stimuleringsbijdrage). This contribution covered both parties' expenses for the first 2.5 hours of mediation. The incentive contribution stopped in January 2011.

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Poland

(2016): In regard to Q163-1 it is necessary to indicate that there are not mandatory mediation procedures.

The number of mediation procedure increased significantly caused by implemented changes in law, especially in Code of Civil Procedure. We can notice that percentage of mediation cases raise in relation to cases in which mediation procedure can be apply.

Portugal

(2016): Concerning the significant increase in the number of family mediations, with initiative in the courts (with the consent of the parties):

The increase in the number of cases is due, on one hand, to a greater dissemination of the Family Mediation System and to a wider perception of its benefits by users and other operators of the System and on the other hand to the legislative reform operated in 2015, with the approval of the General Regime of the Civil Guardianship Process (RGPTC) that originated the increase of Family Mediation applications originating in the Courts.

This occurred as a consequence of the new paradigm established in this new legislation, according to which, in the majority of civil juvenile cases, where it is not possible to obtain the agreement of the parties in court, the court must suspend the proceedings and refer the parties to one of two interventions: Family mediation (if the parties agree to submit to the procedure) or the specialized technical hearing, if they do not agree to resort to Family Mediation. The RGPTC entered into force in October 2015 and its effects were immediately felt in the statistical data for the subsequent year.

Regarding the decrease in the number of mediations in civil and commercial matters, we do not have data that allows us to clarify the trend.

As for the decrease in the number of mediations in criminal matters, we do not have data to clarify the trend. Next year, the Directorate-General for Justice Policy (Ministry of Justice) will develop a Monitoring and Diagnostic Evaluation Study of the Criminal Mediation System that may shed light on this trend.

Romania

(General Comment): In Romania, the mediation procedure is regulated by Law no. 192/2006 concerning the mediation and the organization of the mediator profession. Even if in certain circumstances, according to the Civil Procedure Code, the judge may recommend the parties to use mediation, we cannot talk about a judicial mediation. According to the Law no. 192/2006, the mediation activity is organized as a liberal profession and the control mechanism of mediation is given to an inside body; also, taking into consideration the fact that it is a new profession, the law encourages and promotes a free development of the mediation – as an alternative method for judicial proceedings – without any interference from the State authorities regarding the selection of mediators. The parties (natural or legal persons) may have voluntary recourse to mediation, inclusively after the beginning of a trial in front of the courts, convening to settle in this way any conflicts in civil, criminal and other matters (e.g. family disputes, consumers' protection litigation etc.). According to the Civil Procedure Code, the judge has the duty to try, during the whole trial, the reconciliation of the parties. If necessary, taking into account the circumstances of the case, the judge shall recommend to the parties to have recourse to mediation, for the dispute settlement on amiable way, in any stage of the trial. Mediation is not compulsory for the parties. If, in the mentioned conditions, the parties reconcile, the judge shall ascertain their agreement in the content of the judgment he/she will pronounce.

For a short period of time (July 2013 – May 2014), the Law on mediation provided for a mandatory information session regarding the benefits of mediation (only the information session on mediation was mandatory and not the mediation itself). By Decision no. 266/2014, the Romanian Constitutional Court found the abovementioned provisions unconstitutional, violating the right of access to court.

As for the conciliation procedure, the former Civil Procedure Code provided for a direct conciliation procedure between parties, in case of commercial litigation, before filling a case in court (art. 7201 of the former Civil Procedure Code). This procedure was not retained by the New Civil Procedure Code, in force since 2014.

Slovenia

(2016): The Act on Alternative Dispute Resolution in Judicial Matters has been adopted in November 2009. According to aforementioned 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.

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- The Patient Rights Act (Official Gazette of the Republic of Slovenia, No. 15/08) regulates the mediation proceeding between patients and health-care service providers (Article 71 and 72).
- The Employment Relationship Act (Official Gazette of the Republic of Slovenia, No. 21/13, 78/13 and 47/15 - ZZSDT) stipulates in article 201 the possibility that the employer and the employee agree on resolving their dispute in mediation or arbitration proceedings.

(2015): The Act on Alternative Dispute Resolution in Judicial Matters has been adopted in November 2009. According to aforementioned 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 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 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.

Other specific legislation that regulates mediation and other ADR:

- The Patient Rights Act (Official Journal of the Republic of Slovenia, No. 15/08) regulates the mediation proceeding between patients and health-care service providers (art. 71 and 72).
- The Employment Relationship Act (Official Journal of the Republic of Slovenia, No. 21/13, 78/13 and 47/15 - ZZSDT) stipulates in art. 201 the possibility that the employer and the employee agree on resolving their dispute in mediation or arbitration proceedings.

Spain

(2015): In Spain a law has been passed in order to regulate mediation in civil and commercial matters: Law 5/2012, 6 July. Furthermore, within the Ministry of Justice a database with a list mediators has been set up. The objective of this database is to facilitate the use of this ADR. Citizens have an online and free access to this database. Nevertheless it is important to mention that registration in this database is only compulsory for mediators in insolvency proceedings. For the rest of the cases subject to mediation, the registration of mediators in this database is merely voluntary. This means that the number of mediators in Spain is higher than the number of mediators registered in this database, since registration is not compulsory to exercise the profession except for the case of mediators in insolvency proceedings.

Some legal measures have been adopted in order to boost the use of mediation:

- Law 5/2012 has modified the Civil Procedure Code in order to encourage the parties to use mediation
- The use of a mediation service before opening an insolvency proceeding for a natural person facilitates the release of the debts once the judicial proceeding is completed (Real-Decreto Ley 1/2015, 27 February

Question 166

Austria

(2015): Q166

<http://www.mediatorenliste.justiz.gv.at>

Q168

Sec. 198 – 209 CPC

Belgium

(General Comment): Information on mediation: <http://www.mediation-justice.be>

(2015): number of médiateurs at 13/10/2016

(2012): 2012: the competence over the court houses is transferred from the federal level to the authorities.

(2010): The Law of 21 February 2005 created a Federal Mediation Commission, composed of a general commission and 3 special commissions. The general commission is composed of 6 members specialised in mediation, namely: two notaries, two lawyers, two representatives of the mediators who are neither working as lawyers nor as notaries. Its main functions consist in: approving training institutions for mediators as well as their training programs; determining accreditation criteria for mediators by type of mediation; accrediting mediators; withdrawing, temporarily or permanently the accreditation in respect of mediators who do not comply any more with the requirements of article 1726 of the Judicial Code; defining the procedure of accreditation and withdrawal of accreditations; establishing and communicating the register of mediators to all courts; conceiving a Code of conduct and the possible sanctions in case of violation.

Bulgaria

(General Comment): In Bulgaria, there is no differentiation between mediators who practice judicial mediation and others.

(2015): Number of registered mediators is 1501 up to 31.12.2015. There is no differentiation between mediators who practice judicial mediation and others.

Croatia

(2010): In the frame of the 2010 exercise, it has been specified that a register of mediators (conciliators) has been established as well as a register of accredited institutions for mediators which is kept by the Ministry of Justice. Accordingly, registration of mediators began in 2010. Accordingly, the communicated number of accredited mediators (388) was not final because mediators were continuing registering for accreditation. The figure provided for 2008 (1000) corresponded to the number of trained mediators and not registered mediators.

Czech Republic

(General Comment): In the frame of the 2012 evaluation, for the first time after the entry into force of the law on judicial mediation in civil matters, it was possible to provide separate data concerning the number of accredited mediators for civil law cases (88, data as of December 2013). For 2013, this number was 145 and for 2014 it is 101. From the above mentioned number of mediators there are 398 probate and mediation officials and 222 mediators in non criminal cases. The number of mediators in non criminal cases is constantly increasing since the entry into force of a law on judicial mediation in civil matters in 2012.

(2016): From the above mentioned number of mediators there are 398 probate and mediation officials and 222 mediators in non criminal cases. The number of mediators in non criminal cases is constantly increasing since the entry into force of a law on judicial mediation in civil matters in 2012.

(2015): From the above mentioned number of mediators there are 381 probate and mediation officials and 208 mediators in non criminal cases.

The number of mediators in non criminal cases is constantly increasing since the entry into force of a law on judicial mediation in civil matters in 2012.

(2010): In the frame of the 2010 exercise, it was explained that the increase of 49% of the total number of accredited or registered mediators practicing judicial mediation between 2008 and 2010 was due to the introduction of the new Criminal Code. Namely, there were 90 new people engaged as probate servants who were educated in the field of mediation and enabled to mediate in criminal matters.

Denmark

(General Comment): In Denmark it is possible to call the services of a mediator on a private basis (out of court mediation) and in civil cases before a court (court mediation). The number of registered judges who serves as mediators in court mediation in 2016 is 89. The number of registered attorneys who is appointed to serve as mediator in court mediation in 2016 is 58.

Mediators in civil cases (court mediation) Court mediation is regulated by law. Attorneys and judges, including judges in training, with a special training in mediation can serve as mediators, and each court has a panel to choose from. Judges serve this panel as a part of their regular work at court, while attorneys are paid a set fee per case. The attorneys are appointed by the Danish Court Administration to serve as a mediator in court mediation. The attorneys are generally accepted for 4-year period where as there is no time limit for the judges who are appointed as mediators in court mediation. When parties agree to mediate, a mediator is appointed by the district court administration from the panel. The mediator is provided free of charge to the parties as this service is covered by the filing fee.

Mediators on private basis (out of court mediation)

Mediation on a private basis is not regulated by law and the costs have to be borne by the parties. A private mediation is often led by a lawyer who is a trained mediator. There is no specific regulation to function as a private mediator.

The variations in the number of mediators depend only on how many mediators the Court Administration has appointed the given year.

(2016): 57 attorneys.

86 judges.

The number alters from one year to another depending on how many mediators are being appointed for the given year.

Estonia

(General Comment): In Estonia, there are no accredited or registered mediators. The number could be given only with regard to some categories, for example the number of social support workers or the number of registered family mediators. But in all civil, commercial, family and employment dismissal cases, the mediator can be any person whom the parties have entrusted the task of carrying out the mediation according to the Conciliation Act – a private person (lawyer, family mediator) or a public authority (notary, mediation body of the government or a local authority). In criminal matters, mediators are not private but public authorities (victim support workers of the Social Insurance Board, a government authority under the jurisdiction of the Ministry of Social Affairs).

France

(2016): Except for family mediators for which a State diploma is required, the profession of mediator in civil and commercial matters is not regulated in France and there is no national register of mediators. Nevertheless, can be considered as accredited mediators: criminal mediators entrusted with certain measures by prosecutors (312), judicial conciliators who are volunteers and are selected by courts (1958), and family mediators selected by the family allowance fund (670). These data are not provided in full time equivalent.

(2015): Accredited mediators are family mediators, criminal mediators and legal conciliators, who work in courts or are subsidised by the family allowance funds.

Source: Ministry of Justice, General Secretariat, Sub-Directorate of Statistics and Studies, Access to Law and Victim Assistance Unit

Hungary

(General Comment): In 2010, the indicated number referred to mediators in general while since 2012, only the number of judicial mediators is communicated.

(2016): There is a continuous training for court secretaries and judges in the field of mediation so that is the reason for the increasing number. To be registered as a court mediator one must finish this training (organized by the National Office for the Judiciary).

(2014): The increase in the number of judicial mediators between 2013 and 2014 is a result of constant training organized by the National Office for the Judiciary.

(2013): Registered mediator can be any natural or legal person, who complies with the legal requirements (concerning university degree, mediation training etc.). According to the relevant legislation (Act LV of 2002 on Mediation) mediators established in other EEA Member States (i.e. living in the European Economic Area) can act in a current case in Hungary. The foreign mediator should inform the Ministry of Justice, which shall specify the rights for one year.

Ireland

(General Comment): Within the courts system, rules to promote mediation and conciliation in proceedings in the Superior Courts have been in force since 2010. These rules provide for a mechanism similar to the type used extensively in the Commercial Court whereby a judge can order the parties to engage in ADR. The provisions specify that the refusal or failure without good reason of a party to participate in mediation or conciliation may be taken into account by the court when awarding costs. The aim of this measure is to promote recourse to ADR where this would be appropriate, to minimise the cost of the proceedings and to ensure that the time and other resources of the court are employed optimally.

Please note a change in the reporting starting 2013. The answer is NA as the previous returns do not properly reflect the number of mediators available to the courts and it is difficult to accurately establish the number of accredited or registered mediators who practice judicial mediation in Ireland.

(2014): 2014: Reforms are also under consideration. Legislation is being prepared to promote mediation as a viable, effective and efficient alternative to court proceedings thereby reducing legal costs, speeding up the resolution of disputes and relieving the stress involved in court proceedings. It is anticipated that a Mediation Bill will be published in 2015 with a view to enactment of the legislation quickly thereafter.

Italy

(General Comment): Till 2014, the number of accredited mediators was not available. The only data communicated on the occasion of the 2012 and 2013 exercises concern the number of registered mediation organizations which was 963 in December 2012 and 929 in March 2014. At the end of 2014, a new electronic online register of mediators has been introduced allowing providing information on the number of accredited mediators (19 266 in September 2015).

Latvia

(2015): Variation of the number of mediators is constant since every year new mediators pass the exam and become certified mediators

Lithuania

(2016): The judicial mediation is becoming more popular, efforts made by the judiciary and National Courts Administration, as well as the legislator, resulted in the increased number of the mediators.

(2015): National Courts Administration, data of the Activities report of 2015 of the Commission of the Judicial Mediation (<http://www.teismai.lt/data/public/uploads/2016/03/teismines-mediacijos-komisijos-2015-m.-veiklos-apibendrinimas.pdf>)

The main reforms that have been implemented over the last two years in judicial mediation:

From the 1st January 2015 the judicial mediation is available in all the courts of general jurisdiction. Before it was only available in courts, who participated in the pilot project. It is only available in civil cases. The judicial mediation is free of charge and parties may choose the judicial mediator from the List of Judicial Mediators (the List of Judicial Mediators is available at website <https://e.teismas.lt/lt/public/teismin%C4%97-mediacija/>). Judges, assistants of judges, lawyers, psychologists and other persons of different background are on the List of Judicial Mediators.

The peculiarity is that judges can also have the status of judicial mediator. The parties may choose the judge, who deals with the case (if she/he has the status of judicial mediator) to act as judicial mediator. If a peaceful agreement is reached in such a case he/she has also the power to validate it.

Parties may also choose the judge of the Court of Appeal, the Supreme Court of Lithuania to deal with their dispute, which is heard by the court of lower instance, i.e. the dispute, which arose in the court of first instance, can be dealt with by the judge of the higher court.

In order to secure the impartiality of a judge, the judge, who was dealing with the dispute as judicial mediator has an obligation to opt out from the case at later stage.

In order to promote the peaceful settlement of disputes, the Judicial Council has also decided, that judges in every case should decide on suitability of the case for judicial mediation. It was also decided to set at least 4 hours of trainings on judicial mediation in the training programmes of judges.

National Courts Administration has implemented the EU project on e-services in administration of justice in 2015. During the project, management of the process of judicial mediation was created in the Information System of Lithuanian Courts LITEKO. Parties have a possibility to make a statement in the claim or other document on judicial mediation, the judicial mediator can access the case via electronic means, can arrange the judicial mediation session via electronic means, the parties can discuss on a peaceful agreement, can sign and deliver it to the court via electronic means, i.e. E-Service Portal of Lithuanian Courts (<https://e.teismas.lt/en/public/home/>).

(2014): One of the reasons explaining the increase of the number of judicial mediators in 2014 is that from 1st January, 2015 new regulations on judicial mediation came into force, which set stricter requirements for candidates to judicial mediators (requirement for longer trainings (32 hours instead of 16 hours), requirement to attend the meetings of the Judicial Mediation Commission). Therefore persons, who wished to act as judicial mediators hurried to deliver their documents before the 1st. January, 2015, so that their request would be considered under rules, which were valid before 1st. January, 2015.

Luxembourg

(2016): There are 92 mediators for criminal matter and 81 in civil and commercial matter.

Malta

(2016): The data regarding the number of mediators was provided by The Malta Mediation Centre, quoting the number of mediators duly accredited and registered in terms of the provisions of the Mediation Act, 2004 (Cap. 474 of the Laws of Malta).

(2015): The data regarding the number of mediators was provided by The Malta Mediation Centre, quoting the number of mediators duly accredited and registered in terms of the provisions of the Mediation Act, 2004 (Cap. 474 of the Laws of Malta).

Netherlands

(General Comment): Judicial mediators are entitled to carry out judicial mediation as well as other forms of mediation.

(2015): In the frame of the 2015 exercise the number of mediators has increased, especially since the increase of the own financial contribution in divorce cases. Lawyers practice more often judicial mediation, which is less expensive.

(2014): In the frame of the 2014 exercise, it has been explained that the number of mediations has increased, especially since the increase of the own financial contribution in divorce cases. Lawyers practice more often judicial mediation, which is less expensive.

(2012): The number provided for 2012 refers to accredited judicial mediators. In 2010 there were 4 015 mediators registered at the Dutch Mediation Institute (NMI).

The number provided for 2012 refers to accredited judicial mediators. The number of accredited mediators in general was 2 949. The decrease observed between 2010 and 2012 was due to new registration directives of the Dutch Mediation Institute.

Poland

(General Comment): The central register of mediators in Poland is not maintained. There are two separate list of registered mediators maintained by each regional courts – a list of permanent mediators created by the president of a regional court and a list of mediators created by mediation organisations. There is no possibility to account number of registered mediators because mediators are repeated on both lists and in different courts also.

(2016): The central register of mediators in Poland is not maintained. There are two separate list of registered mediators maintained by each regional courts – a list of permanent mediators created by the president of a regional court and a list of mediators created by mediation organisations. There is no possibility to account number of registered mediators because mediators are repeated on both lists and in different courts also.

Portugal

(2016): this number includes mediators of the Ministry of Justice registered public systems mediation and mediators of the Peace Courts. Unlike the 2015 data, it also includes accredited conflict mediators in accordance with Law n.29/2013 of 19 April (Mediation Law).

(2015):

The given number in question 166 includes the mediators of the Ministry of Justice' registered public systems mediation and mediators of the Peace Courts. In addition to this number there are 234 accredited conflict mediators in accordance with article 9 (1) (e) of Law No. 29/2013, of 19 April (Mediation Law), regulated by Ministerial Ordinance No. 344/2013, of 27 November.

Please acknowledge that registered public system mediators and mediators of the Peace Courts can also be accredited conflict mediators but not the other way around.

Romania

(General Comment): Regarding the variation registered in the number of authorizations granted to the mediators during the period 2014-2016, we mention that this was due to the legislative changes in the field of mediation occurred during that period.”

In fact, for a short period of time (July 2013 – May 2014), the Law on mediation provided for a mandatory information session regarding the benefits of mediation. (NB: only the information session on mediation was mandatory and not the mediation itself). More exactly, article 2 of Law no. 192/2006 imposed an obligation on the parties to attend an informative session on the advantages of mediation prior to initiating several types of court proceedings. If this obligation was not fulfilled, the application before the court would be rejected as inadmissible. By Decision no. 266/2014, the Romanian Constitutional Court found the abovementioned provisions unconstitutional, as they contravened to Article 21 of the Constitution which guarantees the right of access to court. The Constitutional Court considered that rejecting the application for failure to attend the informative session on the advantages of mediation prevents the exercise of the right of access to court. Consequently, the abovementioned provisions are no longer in force.

(2016): Regarding the variation registered in the number of authorizations granted to the mediators during the period 2014-2016, we mention that this was due to the legislative changes in the field of mediation occurred during that period.

(2013): The increase of the number of mediators in 2012 and 2013 comparing to 2010 is a result of the legislative reforms, stimulating the ADR.

(2012): The increase of the number of mediators in 2012 and 2013 comparing to 2010 is a result of the legislative reforms, stimulating the ADR.

Slovakia

(General Comment): The Ministry of Justice keeps the register of mediators and the mediation centres practicing the mediation in the non-criminal matters. The ministry registers as a mediator every person meeting the statutory conditions for being a mediator. The increase in the total number of registered mediators follows from the interest of qualified persons in being mediators. Any registered mediator is entitled to practice the mediation procedure in the non-criminal matters either recommended by court or out of the court.

In the criminal procedure the mediation is performed at the court by the special member of the court staff - the probation and mediation officer.

(2012): In 2012, all disciplinary proceedings against lawyers were initiated on the basis of alleged breach of professional obligations laid down by the Act on the Legal Profession or the Code on Professional Conduct for Lawyers. A criminal offence committed by a lawyer (who was found guilty by the criminal court in final judgment) is the reason for suspension or disbarment under the Act on the Legal Profession. However, it is not an issue of disciplinary proceedings.

Slovenia

(General Comment): - According to the Act on Alternative Dispute Resolution in Judicial Matters all local, district, labour and higher courts and higher labour and social court are obliged to provide mediation to the parties. Besides, they may also provide other forms of alternative dispute settlement. An alternative dispute settlement is defined as a procedure that does not entail trial and in which one or more neutral third parties co-operate in the dispute settlement using the procedures of mediation, arbitration, preliminary neutral evaluation or other similar procedures.

- The Mediation in Civil and Commercial Matters Act regulates mediation in disputes arising from civil, commercial, labour, family and other property relationships with regard to claims which may be freely disposed of and settled by the parties, unless otherwise stipulated for individual disputes by a special law. Pursuant to Article 2(2) of MCCMA, mediation is also possible in case of other disputes as well (other than civil, commercial, labour, family, and property disputes), as long as it is not contrary to law.

Spain

(2016): In the Registry of the Ministry of Justice there are 1160 private mediators registered who work in the whole territory. The mediation takes place out of Courts. The Court during the first hearing informs to the parties about the possibility of going to mediation, and can suspend the procedure if the parties decide to try the mediation.

The registry mentioned is voluntary (not mandatory), so the figure is a possible approximation. The number of Institutions of Mediation is 66.

(2015): The approval in 2012 of the Act on mediation in civil and commercial matters could have influence on the increase in the number of mediators.

Question 168

Austria

(General Comment): The legal basis for procedures of alternative dispute resolution other than judicial mediation includes the Law on Mediation in Civil Matters and the Non-litigious Procedure Code. Relevant provisions can also be found within the Codes of civil and criminal procedures. 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, the public prosecutor is entitled under specific conditions to withdraw from prosecuting a punishable act and accompany the parties in the establishment of a settlement. In this frame, an expert in conflict resolving can be involved. The latter has to report to the public prosecutor about the settlement negotiations and review their fulfilment and by the end prepares a final report.

Belgium

(General Comment): Any dispute which has arisen or may arise of a specific legal relationship and in respect of which it is permissible to compromise, may be the subject of an arbitration agreement.

Whosoever has the capacity or is empowered to compromise may conclude an arbitration agreement.

In Belgium, the parties can also be reconciled. There are mandatory attempts and optional ones.

In case of disagreement, the hearing is concluded by a conciliation report.

Bulgaria

(General Comment): The legal basis of mediation is constituted of the Law on mediation, the Ordinance n° 2 on the Conditions and Order for the Approval of the Organizations for Mediators Training; Requirements for Mediators Training; Order for Registration and Deletion of Mediators from the Uniform Register of Mediators and Procedural and Ethical Rules of Mediator Conduct. Mediation is applicable to civil, commercial, labour, family and administrative disputes related to consumer rights, and other disputes between natural and/or legal persons. The Civil Procedure Code includes as well provisions concerning mediation. The court may direct the parties to mediation or another procedure for voluntary resolution of the dispute according to the general procedure for the examination of cases. The same opportunity is also explicitly envisaged for the proceedings on matrimonial cases and for the proceedings on commercial disputes.

Conciliation and other alternative dispute resolutions are provided in certain sectors, for example on consumer cases, some cases under Energy Sector Act, etc. The Civil Procedure Code refers explicitly to arbitration. The parties to a property dispute may agree that their 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 arbitration may have a seat abroad if one of the parties has his, her or its habitual residence, registered office according to the basic instrument thereof or place of the actual management thereof abroad.

Besides, a specific law regulates the international commercial arbitration, based on an arbitration agreement when the place of arbitration is on the territory of the Republic of Bulgaria. The International commercial arbitration allows civil property disputes resulting from foreign economic relations as well as disputes for filling in the gaps in a contract or its adaptation to changed circumstances, if the domicile or the seat of at least one of the parties is not in the Republic of Bulgaria.

Croatia

(General Comment): In Croatia, the following system of judicial settlement is set up (within mediation centres at courts and extrajudicial settlement at mediation centres outside courts) – Mediation Centre at the Croatian Chamber of Economy, Mediation Centre at the Croatian Chamber of Trades and Crafts, Mediation Centre at the Croatian Employers Association, Mediation Centre at the Croatian Mediation Association, Independent Service for social partnership at the Ministry of Labour and Pension System (former Office for Social Partnership that became inoperative in 2012), Banking Mediation Centre at the Croatian Banking Association, Mediation Centre at the Croatian Insurance Office.

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, this verification should not be considered as “other alternative dispute resolution”. □

Mediators are enlisted in official register of mediators established at the Ministry of Justice. In the cases where a person intends to institute a litigious proceeding against 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 within three months of its filing, the applicant may file a complaint to 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.

In family law cases a judge can be appointed as an arbitrator.

In civil and commercial cases, private mediators, meaning lawyers who are accredited mediators, can be appointed as mediators.

In 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 the 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).

In cases of employment dismissals court annexed mediation can be held, private mediator and public authority can be appointed as mediators, as well as state attorney.

(2010): In the frame of the 2010 exercise, it has been stressed that a new Mediation Act was enacted in 2011. It additionally emphasized the basic principles of mediation such as the party autonomy, voluntariness and consensual principle, informality and confidentiality of proceedings. Moreover, a new Ordinance on Mediators Register and Standards for Accreditation of Mediation Institutions and Mediators was enacted in 2011; a new Code of Ethics for mediators was adopted in November 2009; a Practice Book was written in 2011 presenting a certain guide for courts in carrying out conciliation processes. Brochures on the mediation process were published by the Ministry of Justice in 2011. Numerous round tables and conciliation conferences were organized the same year.

Denmark

(General Comment): Conciliation does not exist in the Danish legal system. However, the latter does provide for different forms of judicial mediation (chapters 26 and 27 of the Danish Administration of Justice Act).

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.

The State Administration offers mediation in cases regarding separation, divorce and parental responsibilities at no cost for the parties concerned.

Estonia

(General Comment): Despite the fact that the Estonian legislation refers to the term of “conciliation” and according to the CEPEJ explanatory note, it is more accurate to talk about “judicial mediation”. □

In civil matters, it is rare to resort to mediation (conciliation) without the involvement of a court (property claims for example). The parties’ consent is usually required for resorting to mediation, but the latter can be ordered by the court under certain conditions. 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 he/she has to take all possible measures to settle a matter by a compromise or in another manner through an 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 family cases regarding the access to the child, the court directs the parties to the family mediators.

For collective labour disputes, public and local mediators (conciliators) – impartial experts appointed to office by the Government – help the parties to reach mutually satisfactory resolutions. □

In criminal matters a Prosecutor’s Office or court may suggest to resort to mediation, but the consent of the suspect/accused and the victim is necessary. The mediation service is entrusted by the Social Insurance Board (government authority under the jurisdiction of the Ministry of Social Affairs) and is carried out by victim support workers who have received relevant training.

In administrative matters, 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 as well as the consent of the third parties are needed.

In addition to the non-judicial mediation (family cases), conciliation (conciliation proceedings in civil, administrative and criminal cases) and arbitration (labour disputes committee, consumer disputes committee, lease committee etc.) there is an institution of Public Conciliator (Riiklik Lepitaja). The latter is appointed to office by the Government to prevent and to resolve collective labour disputes. He/she appoints regional conciliators for minor collective labour disputes.

(2015): There is no other types of ADR.

(2014): There is no other types of ADR.

Finland

(General Comment): 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 (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.

The court mediation was first introduced in 2006, but the legislation was reformed in 2011 (one reason being the EU directive 2008/52/EY). Act on mediation in civil matters and confirmation of settlements in general courts (394/2011) can be found here (unofficial English translation): <http://www.finlex.fi/fi/laki/kaannokset/2011/en20110394.pdf>

In district courts, mediation may be conducted in civil and petitionary matters. Mediation is an alternative to a trial. The mediator is a judge of the court. The purpose of the mediator is to assist the parties in resolving their dispute in a manner that satisfies both the parties. Mediation serves the needs of the parties, and the settlement is not thus directly based on the application of law.

If special expertise is needed in the matter to be mediated, the mediator may use the help of an expert assistant with the parties' consent.

Mediation is always voluntary, which is why commencement of mediation requires that all the parties to the dispute consent to it. Mediation also requires that the matter is amenable to mediation and that a settlement is appropriate in view of the claims of the parties. The court decides whether mediation is to be commenced.

Parties can apply for court mediation even if a case is not currently pending. This requires a written application (no specific form) made by one party or both parties together. In the application, parties must describe what the dispute concerns and how their views differ. They must also indicate the grounds on which the matter is amenable to mediation. It is possible to ask for a specific judge to be appointed as the mediator.

Mediation is confidential, which means that the mediator must not disclose contents of the mediation to any third parties and especially not to the judge dealing with the matter in a trial. No minutes shall be drawn up on the mediation, and the discussions conducted during the mediation are not recorded. As a rule, mediation sessions are public in the same manner as trials. However, there are seldom any third parties present. The parties may also request that mediation be conducted without any public present. Private discussions between the mediator and a party are always confidential and closed for the public.

If the parties have reached an agreement during out-of-court mediation, the settlement may, upon application, be confirmed as enforceable in the district court. In that case, for example an agreed compensation may be recovered through enforcement measures, if necessary. Mediation provided by the Finnish Bar Association and other corresponding procedures constitute out-of-court mediation. A settlement reached in mediation in criminal cases may also be confirmed as enforceable insofar as the settlement concerns a civil matter (damages).

Germany

(General Comment): All forms of out-of court conflict resolution are possible as a matter of principle. The arbitrational conflict resolution is possible in civil and commercial cases and also in family cases. The provisions on arbitrational jurisdiction can be found in sections 1025 et seqq. of the Code of Civil Procedure.

Greece

(2013): The category "other" encompasses quasi-judicial administrative applications in tax disputes.

Hungary

(General Comment): The category other encompasses:

Reconciliation Committee: the national labour unions, the unions of employers and the government are continuously consulting in order to prevent conflicts and to share information.

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 to reach agreements, prevent and arrange national conflicts, exchange information, monitor the recommendations and alternatives.

Conciliation board: its aim is to try to arrange the matter of dispute between the customer and the business organization with a settlement and even 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), namely:

Arbitration procedure regulated by the Act LXXI of 1994 on Arbitration;

Act I of 2004 on Sport establishing the Permanent Court of Arbitration for Sport;

Mediation regulated by the Act LV of 2002 on Mediation;

Mediation in healthcare regulated by the Act CXVI of 2000 on Mediation in Healthcare;

Mediation in matters of child protection regulated by the 2003 amendment to Decree No. 149/1997 (IX. 10.);

Conciliatory corporate proceedings: the Labour Mediation and Arbitration Service established under the Act XXII of 1992 on the Labour Code; the Act CLV of 1997 on Consumer Protection establishing conciliation bodies attached to the regional economic chambers.

The Mediation Service for Education dealing with the issue of school violence – according to the Educational Act and the Act of Higher Education the resort to the MSE is an educational right

The current Hungarian criminal 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 – implies real reparation for the victims, besides giving way to the state's criminal law interests.

Italy

(General Comment): According to the relevant legal provisions, conciliation bodies have competence in the fields of company law, financial brokerage, banking and credit. The Chambers of Commerce have competence with regard to conciliation procedures and can even play a role as mediation and arbitration organizations. Conciliation bodies are also intervening in respect of disputes in the telecommunication sector. Besides, there are private procedures of mediation ("negoziazione paritetica") established by consumers' associations and companies. The latter are acting on behalf of consumers who may decide at the end of the procedure to accept or not the proposal of settlement. There is also another ADR procedure called "conciliazione bancaria" intended to address issues between a customer and a bank or a financial intermediary.

It is noteworthy that in 2010 a large reform on ADR took place in Italy. Accordingly, since 2011, a number of matters in the civil sector require that a mandatory mediation procedure is executed before the case can be treated in court. In 2012, mediation procedure became mandatory for additional subjects of the civil sector.

Latvia

(General Comment): As concerns the category “other”, in criminal procedure law there is a settlement institute, while in administrative procedure law there is an administrative contract institute.

The Civil Procedure Law regulates arbitration procedures in Latvia, namely an arbitration court may be established for the resolution of a specific dispute or operate permanently. A permanent arbitration court operates on the basis of articles of association or by-law, whereas an arbitration court established for the resolution of a specific dispute operates in accordance with the procedures prescribed by the Civil Procedure Law. The permanent arbitration court shall commence operations after registration in the Arbitration Court Register. The Arbitration Court Register is maintained by The Enterprise Register. A permanent arbitration court may be established by legal persons. The resolution of disputes by an arbitration court is not an entrepreneurial activity.

As regards conciliation, according to Article 149 § 2 of the Civil Procedure Law, in preparing a case for trial, the judge shall strive to reconcile the parties. In addition Article 151 § 3 set forth that the judge shall strive to reconcile the parties also during the trial. Moreover, the Civil Procedure Law determines that a settlement is permitted at any stage in the procedure and in any civil dispute, except in cases explicitly enumerated by the Civil Procedure Law.

Regarding conciliation in criminal cases, Article 381 of the Criminal Procedure Law provides for that in the case of a settlement, an intermediary (a mediator) from the State Probation Service may facilitate the conciliation of a victim and the persons who committed a criminal offence. In determining that a settlement is possible in criminal proceedings, and that the involvement of an intermediary (a mediator) is useful, a person directing the proceedings may inform the State Probation Service regarding such possibility or usefulness.

Mediation has been developed in practice before the adoption of a specific legislation regulating this procedure. The first step in devising mediation institute was taken in 2009 when the concept on mediation in civil disputes resolution was adopted by the government, implying the gradual implementation of 4 mediation modules from pure mediation to court-annexed mediation, from court-annexed mediation to court-internal mediation, from court-internal mediation to integrated mediation. □

o In Latvia mediation has been traditionally considered as a structured co-operation process on voluntary basis whereby the parties attempt to reach a mutually acceptable agreement on the settlement of their dispute with the assistance of a mediator.

o The court-annexed mediation module will be implemented from January 2015, when the court, within the court proceedings, is going to be able to suggest to the parties to resort to mediation (not court-internal mediation model where another judge of the court is endowed with the responsibility to ensure the mediation).

o For the court-annexed mediation model, certified mediators institute has been established, but it should be mentioned that there is no exclusive mandate for certified mediators. Both – mediators without certificate and certified mediators may manage court cases. Parties are free to choose. The first mediator’s certification took place on October 1, 2014 and was passed by 24 candidates.

(2015): In Criminal Procedure Law there is a settlement institute, and in Administrative Procedure Law - an administrative contract institute.

Lithuania

(General Comment): In Lithuania, judicial mediation is available in civil cases, where the agreement can be reached (family cases are treated as civil cases). From 2015 judicial mediation is available in all the courts of Lithuania. The data on number of judicial mediation cases is received by the courts. Arbitration is regulated by a special law.

Luxembourg

(General Comment): Non-judicial mediation exists in criminal matters (although ordered by public prosecutors).

Arbitration is provided in particular under article 429 of the Civil Procedure Code, which states: "if parties should be referred to the arbitrators, for examination of the accounts, documents and registers, one or three arbitrators should be appointed to hear the parties, and reconcile them, if possible, or give them a notice.

If necessary to visit or estimate the work or merchandises, one or three experts should be appointed.

Arbitrators and experts are nominated ex officio by the court except if parties agree about it during the hearing".

The judge can always suggest conciliation to the parties.

Malta

(General Comment): Arbitration is mandatory in cases relating to traffic collision which do not exceed €11,600 in value and which do not include bodily injury. Furthermore, arbitration is mandatory in cases of condominium and contestations of water and electricity bills. Likewise, parties may choose to resort to arbitration on any civil and commercial litigious matter, provided both parties agree.

The Malta Arbitration Centre is constantly improving the services for arbitration and promotes the issue of arbitration regularly. Its web site is www.mac.com.mt

Netherlands

(General Comment): Category "Other" include: Binding advice in consumer cases by Consumer complaints Board (Geschillencommissie consumentenzaken); Binding advice in financial insurance cases by KIFID; Binding advice in health insurance cases by SKGZ; Binding advice in rent cases (Huurcommissie); Arbitration: (Raad van arbitrage voor de bouw)

(2015): In 2015 there were following number of cases for other:

- Binding advice in consumer cases: 4627 incoming cases
- Binding advice in financial insurance cases: 6493 cases
- Binding advice in health insurance cases: 3152 cases
- Binding advice in rent cases: 9959 incoming cases
- Arbitration: In Dutch: 556 incoming cases."

(2014): On the occasion of the 2014 exercise, it has been explained that in recent years the Ministry of Security and Justice and various relevant criminal justice actors (the Council for the Judiciary, the Public Prosecution Service, the police, Rehabilitation, Victim Support, 'Victim in Focus', and the Dutch federation of mediators have voiced their support for the introduction of mediation in criminal justice. As a consequence, in October 2013, the Ministry of Security and Justice asked actors in the field to submit proposals for pilot projects on mediation. Five projects received funding.

Portugal

(General Comment): In Portugal, mediation is admissible in a number of areas. Moreover, public measures have been adopted in order to increase recourse to public mediation systems in specific areas of law: namely, family, employment, criminal, civil and commercial matters.

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 at the Courts of Peace (Julgados de Paz). The latter are part of the Portuguese legal system and are based on an extra-judicial basis (Law 78/2001, 13 July). If the parties have not reached an agreement through mediation, they can go to trial, where a decision is issued by the Peace Judge, who may also promote the parties' conciliation.

Romania

(General Comment): The Romanian civil procedural legislation regulates, as alternative methods for the settlement of disputes, mediation, arbitration and conciliation.

Mediation is regulated by Law 192/2006 on Mediation and Organization of the Profession of Mediator. The parties may have voluntary recourse to mediation, inclusively after the beginning of a trial in civil, criminal and other matters (the law contains special provisions regarding family conflicts and mediation in criminal cases, which are supplemented by provisions referring to mediate in a dispute before the courts). The law also applies in the conflicts of the consumers' protection field.

According to the Civil Procedure Code, the judge has the duty to try, during the whole trial, the reconciliation of the parties, giving them the necessary instructions. If necessary, he/she can recommend to the parties to resort to mediation. The Criminal Procedure Code regulates the possibility to renounce to the civil claims, as well as the recognition by the defendant of the civil claims and the conclusion of a mediation transaction/ agreement.

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 Civil Procedure Code. There may be the object of arbitration disputes between persons with full legal capacity, apart from those involving marital status, individuals' capacity, succession debate, family relationships and rights to which the parties may not dispose of.

In the matter of labour law, the collective labour conflicts may be settled by alternative means of disputes settlement: conciliation, mediation and arbitration (Law of Social Dialogue no. 62/2011). Basically, these alternative methods specific to the labor law, with its own rules, have a distinct legal status and are separated from the mechanisms and the rules provided by the basic legal framework on ADR (Law 192/2006 concerning mediation and also the rules laid down in the procedural codes). According to the Law 202/2010, in trials and applications in commercial matters 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.

Slovakia

(General Comment): The out of court mediation is the form of solving the disputes arisen from civil and commercial legal relations as well as disputes in family matters and employer/employee relations. The mediation may result in the written agreement which should be enforced if approved by the court or is in the form of notarial deed.

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.

The Consumer arbitration:

According to Act on the consumer arbitration (335/2014 Coll.) the dispute arisen from consumer contract may be decided by the certified arbitration court. The Ministry of Justice is keeping the list of permanent consumer arbitration courts.

Conciliation:

The conciliation proceedings is a type of pretrial settlement which can be initiated by a motion. The proceeding is conducted by a single judge. The purpose of the conciliation is to settle a dispute by the pretrial settlement approved by a judge.

(2014): On the occasion of the 2014 exercise, it has been indicated that the new Act on consumer arbitration (No. 335/2014 Coll.) entered into force on 1st January 2015. Its aim is to strengthen the protection of consumers. The arbitration agreement has to be concluded separately from the contract itself. Within this agreement the contracting parties are obliged to choose a particular arbitration court to decide the potential disputes. Despite the arbitration agreement, the consumer has the right to file a claim originated in the contract to a general court. The act requires new prerequisites to establish the arbitration court for consumers. At the same time the amendment to the Act on arbitration entered into force.

Slovenia

(General Comment): The Act on Alternative Dispute Resolution in Judicial Matters has been adopted in November 2009. According to aforementioned 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 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 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.

Other specific legislation that regulates mediation and other ADR:

- The Patient Rights Act (Official Gazette of the Republic of Slovenia, No. 15/08) regulates the mediation proceeding between patients and health-care service providers (Article 71 and 72)..

Spain

(2014): For the 2014 exercise, a reference has been made to a specific law regulating mediation in civil and commercial matters. It entered into force in 2012 and has modified the Civil Procedure Code in order to encourage parties to resort to mediation. Additional legal measures have been adopted with the aim of facilitating the use of mediation. For example, a database has been established within the Ministry of Justice, containing information on mediators. Citizens have a free online access to this database. Moreover, in certain autonomous regions (Cataluña) and for certain procedures (foreclosure proceedings), the use of mediation prior to the opening of a trial is compulsory.

Besides, a royal statutory order of 2015 provides for that the use of a mediation service before opening an insolvency proceeding for a natural person facilitates the release of the debts once the judicial proceeding is completed.

(2012): In 2012, a specific law has been passed, intended to regulate mediation in civil and commercial matters and modifying the Civil Procedure Code in order to encourage parties to resort to mediation. Additional legal measures have been adopted with the aim of facilitating the use of mediation. For example, a database has been established within the Ministry of Justice, containing information on mediators. Citizens have a free online access to this database. Moreover, in certain autonomous regions (Cataluña) and for certain procedures (foreclosure proceedings), the use of mediation prior to the opening of a trial is compulsory.

Sweden

(General Comment): In civil cases amenable to out-of-court settlements, the court is obliged to work for a settlement, unless it is inappropriate in the specific case. Most often this is done through negotiations between the parties led by the judge. The latter can however decide, if the parties agree with that, the involvement of a private mediator. This procedure is called special mediation. If the parties do not need to pay for the time the judge spends on the settlement negotiations, they normally have to pay for the work of the private mediator. The State has to bear the cost of such a private mediator only if one of the parties has been granted legal aid. Moreover, a mediator can be appointed in cases concerning children (custody of, residence and visitation) in which hypothesis the State bears the costs. Before a mediator is appointed, the judge would normally lead a conversation with the parties aimed at reaching an agreement. The State and the municipalities can also arrange mediation between an offes that are offered by courts. Mediation in disputes in relations between parents and children and in labour disputes due to termination of an employment

Table 9.1.1 Total number of professional judges (all instances - absolute number and per 100 000 inhabitants) in 2010 to 2016 (Q1, Q46)

States	Number of professional judges						Number of professional judges per 100 000 inhabitants					
	2010	2012	2013	2014	2015	2016	2010	2012	2013	2014	2015	2016
Austria	1 491	1 547	1 565	1 620	1 621	2 396	17,8	18,3	18,4	19,2	18,6	27,4
Belgium	1 607	1 598	1 604	1 602	1 614	1 600	14,8	14,3	14,4	14,4	14,3	14,1
Bulgaria	2 212	2 239	2 191	2 220	2 225	2 255	30,0	30,7	30,2	30,5	31,1	31,8
Croatia	1 887	1 932	1 912	1 875	1 864	1 797	42,8	45,3	45,0	44,0	44,5	43,3
Cyprus	104	103	101	97	113	111	12,9	11,9	11,8	11,2	13,3	13,1
Czech Republic	3 063	3 055	3 054	3 028	3 018	3 005	29,1	29,1	29,1	28,8	28,6	28,4
Denmark	372	372	355	377	374	372	6,7	6,6	6,3	6,7	6,6	6,5
Estonia	224	228	226	231	234	232	16,7	17,7	17,2	18,0	17,8	17,6
Finland	967	981	986	988	991	1 068	18,0	18,1	18,1	18,2	18,1	19,4
France	6 945	7 033	7 054	6 935	6 967	6 995	10,7	10,7	10,7	10,6	10,5	10,8
Germany	19 832	19 832	19 323	19 323	19 282	19 867	24,3	24,7	23,9	24,1	23,6	24,2
Greece	3 313	2 574	3 877	2 231	2 206	2 744	29,3	23,3	35,0	20,2	20,3	25,4
Hungary	2 891	2 767	2 807	2 813	2 813	2 811	29,0	27,9	28,4	28,4	28,6	28,7
Ireland	147	144	148	160	159	162	3,2	3,1	3,2	3,5	3,4	3,5
Italy	6 654	6 347	6 579	6 939	6 590	6 395	11,0	10,6	11,0	11,6	10,9	10,6
Latvia	472	439	481	488	493	503	21,2	21,5	23,8	23,9	25,0	25,5
Lithuania	776	768	772	754	762	778	23,9	25,6	26,2	25,1	26,4	27,3
Luxembourg	188	212	227	184	183	187	36,7	40,4	41,3	35,0	32,5	31,7
Malta	39	40	42	41	42	45	9,3	9,5	9,9	9,7	9,7	10,2
Netherlands	2 530	2 410	2 378	2 359	2 357	2 331	15,2	14,4	14,1	14,1	13,9	13,6
Poland	10 625	10 114	-	10 096	-	9 980	27,8	26,2	-	26,2	-	26,0
Portugal	1 956	2 009	2 025	1 990	1 990	1 986	18,4	19,2	19,4	19,0	19,2	19,3
Romania	4 081	4 310	4 511	4 577	4 608	4 628	19,0	20,2	22,6	21,5	23,3	23,6
Slovakia	1 351	1 307	1 342	1 322	1 292	1 311	24,9	24,2	24,8	24,4	23,8	24,1
Slovenia	1 024	970	951	924	897	880	49,9	47,1	46,1	44,9	43,5	42,6
Spain	4 689	5 155	-	5 353	5 367	5 367	10,2	11,2	-	11,6	11,6	11,5
Sweden	1 081	1 123	1 132	1 150	1 159	1 179	11,5	11,8	11,7	12,0	11,8	11,8
Average	2 982	2 948	2 626	2 951	2 662	2 999	20,9	20,9	21,7	20,6	20,4	21,2
Median	1 607	1 598	1 565	1 620	1 618	1 797	18,4	19,2	19,4	19,2	18,9	23,6
Minimum	39	40	42	41	42	45	3,2	3,1	3,2	3,5	3,4	3,5
Maximum	19 832	19 832	19 323	19 323	19 282	19 867	49,9	47,1	46,1	44,9	44,5	43,3
Nb of values	27	27	25	27	26	27	27	27	25	27	26	27
% of NA	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
% of NAP	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

Austria: The administrative courts were established January 1st 2014. Data on administrative justice is introduced for 2016 cycle for the first time.

Greece: Unlike 2014 and 2015 data, the 2016 data on number of professional judges includes all the ranks for criminal and political justice as well as administrative judges.

Italy: The regional administrative courts, regional audit commissions, local tax commissions and military courts are not taken into consideration

Table 9.1.2 Annual variation of the total number of professional judges (all instances) between cycles 2015 and 2016 (Q1, Q46)

States	Variation 2015-2016	
	Number of professional judges	Number of professional judges per 100 000 inhabitants
Austria	47,8%	47,1%
Belgium	-0,9%	-1,3%
Bulgaria	1,3%	2,1%
Croatia	-3,6%	-2,7%
Cyprus	-1,8%	-1,8%
Czech Republic	-0,4%	-0,7%
Denmark	-0,5%	-1,3%
Estonia	-0,9%	-0,8%
Finland	7,8%	7,4%
France	0,4%	3,1%
Germany	3,0%	2,5%
Greece	24,4%	25,2%
Hungary	-0,1%	0,3%
Ireland	1,9%	1,7%
Italy	-3,0%	-2,8%
Latvia	2,0%	2,0%
Lithuania	2,1%	3,6%
Luxembourg	2,2%	-2,6%
Malta	7,1%	5,7%
Netherlands	-1,1%	-1,7%
Poland	-	-
Portugal	-0,2%	0,1%
Romania	0,4%	1,1%
Slovakia	1,5%	1,3%
Slovenia	-1,9%	-2,0%
Spain	0,0%	-0,2%
Sweden	1,7%	0,3%
Average	5,6%	5,6%
Median	0,4%	0,3%
Minimum	-3,6%	-2,8%
Maximum	47,8%	47,1%
Nb of values	27	27
% of NA	0%	0%
% of NAP	0%	0%

Austria: The administrative courts were established January 1st 2014. Data on administrative justice is introduced for 2016 cycle.

Italy: The regional administrative courts, regional audit commissions, local tax commissions and military courts are not taken in

Table 9.1.3 Distribution of professional judges by instances in 2010 to 2016 (Q46)

States	Number of professional judges 2012				Number of professional judges 2012				Number of professional judges 2013				Number of professional judges 2014				Number of professional judges 2015				Number of professional judges 2016			
	Total	1st instance	2nd instance	Supreme court	Total	1st instance	2nd instance	Supreme court	Total	1st instance	2nd instance	Supreme court	Total	1st instance	2nd instance	Supreme court	Total	1st instance	2nd instance	Supreme court	Total	1st instance	2nd instance	Supreme court
Austria	1 491	1 263	173	55	1 547	1 325	157	65	1 565	1 341	160	63	1 620	1 224	330	66	1 621	1 223	331	67	2 396	1 225	1 038	134
Belgium	1 607	1 275	305	27	1 598	1 293	305	30	1 604	1 271	305	28	1 602	1 271	302	29	1 614	1 284	303	27	1 600	1 274	297	29
Bulgaria	2 212	1 206	831	175	2 239	1 188	859	192	2 191	1 614	396	181	2 220	1 753	277	190	2 225	1 760	277	188	2 255	1 789	276	190
Croatia	1 887	1 355	492	40	1 932	1 378	514	40	1 912	1 366	506	40	1 875	1 343	489	43	1 864	1 348	476	40	1 797	1 277	483	37
Cyprus	104	91	NAP	13	103	90	NAP	13	101	88	NAP	13	97	84	NAP	13	113	100	NAP	13	111	98	NAP	13
Czech Republic	3 063	1 863	969	231	3 055	1 857	964	234	3 054	1 859	1 098	97	3 028	1 838	1 090	100	3 018	1 838	1 081	99	3 005	1 820	1 083	102
Denmark	372	259	94	19	372	259	94	19	355	236	101	18	377	261	97	19	374	260	95	19	372	254	99	19
Estonia	224	163	42	19	228	167	42	19	226	165	43	18	231	169	44	18	234	170	45	19	232	168	45	19
Finland	967	731	193	43	981	744	194	43	986	758	185	43	988	758	186	44	991	761	188	42	1 068	834	184	50
France	6 945	4 850	1 760	335	7 033	4 962	1 695	376	7 054	4 977	1 708	369	6 935	4 876	1 706	353	6 967	4 883	1 721	363	6 995	4 919	1 731	345
Germany	19 832	14 861	4 056	457	19 832	14 861	4 056	457	19 323	14 840	4 024	459	19 323	14 840	4 024	459	19 282	14 833	3 993	456	19 867	15 385	4 018	464
Greece	3 313	1 179	592	270	2 574	1 518	812	244	3 877	2 643	984	250	2 231	1 540	459	232	2 206	1 517	450	239	2 744	1 605	890	249
Hungary	2 891	1 666	1 136	89	2 767	1 672	1 021	74	2 807	1 687	1 036	84	2 813	1 684	1 047	82	2 813	1 662	1 066	85	2 811	1 678	1 051	82
Ireland	147	139	NAP	8	144	136	NAP	8	148	138	NAP	10	160	140	10	10	159	140	9	10	162	143	10	9
Italy	6 654	5 366	993	295	6 347	4 929	1 118	300	6 579	5 101	1 164	314	6 939	5 404	1 195	340	6 590	5 072	1 152	366	6 395	4 878	1 155	362
Latvia	472	298	125	49	439	263	126	50	481	298	133	50	488	307	134	47	493	310	136	47	503	313	143	47
Lithuania	776	693	46	37	768	684	51	33	772	691	48	33	754	671	49	34	762	679	48	35	778	692	51	35
Luxembourg	188	148	NA	40	212	186	NA	41	227	186	NA	41	184	143	37	4	183	142	37	4	187	143	40	4
Malta	39	34	5	NAP	40	34	6	NAP	42	36	6	NAP	41	33	8	NAP	42	34	8	NAP	45	36	9	NAP
Netherlands	2 530	1 944	548	38	2 410	1 855	519	36	2 378	1 850	528	NA	2 359	1 829	530	NA	2 357	1 811	546	NA	2 331	1 788	543	NA
Poland	10 625	7 234	3 213	178	10 114	9 441	497	176	-	-	-	-	10 096	9 516	494	86	-	-	-	-	9 980	9 422	475	83
Portugal	1 956	1 449	422	85	2 009	1 480	445	84	2 025	1 525	425	75	1 990	1 478	430	82	1 990	1 495	411	84	1 986	1 479	425	82
Romania	4 081	1 872	2 101	108	4 310	1 998	2 217	95	4 511	3 571	825	115	4 577	2 101	2 360	116	4 608	2 097	2 404	107	4 628	2 055	2 463	110
Slovakia	1 351	908	363	80	1 307	871	352	84	1 342	888	370	84	1 322	877	369	76	1 292	846	369	77	1 311	859	374	78
Slovenia	1 024	793	194	37	970	753	183	34	951	738	116	33	924	724	171	29	897	665	202	30	880	641	208	31
Spain	4 689	3 209	1 401	79	5 155	3 647	1 431	77	-	-	-	-	5 353	3 855	1 416	82	5 367	3 781	1 505	81	5 367	3 786	1 496	85
Sweden	1 081	734	308	39	1 123	766	324	33	1 132	764	334	34	1 150	771	343	36	1 159	780	343	36	1 179	785	361	33
Average	2 982	2 059	848	109	2 948	2 161	749	110	2 626	1 945	659	107	2 951	2 203	677	104	2 662	1 904	688	106	2 999	2 198	729	108
Median	1 607	1 206	457	52	1 598	1 293	471	57	1 565	1 271	383	50	1 620	1 271	356	66	1 618	1 254	343	57	1 797	1 274	400	78
Minimum	39	34	5	8	40	34	6	8	42	36	6	10	41	33	8	4	42	34	8	4	45	36	9	4
Maximum	19 832	14 861	4 056	457	19 832	14 861	4 056	457	19 323	14 840	4 024	459	19 323	14 840	4 024	459	19 282	14 833	3 993	456	19 867	15 385	4 018	464
Nb of values	27	27	27	27	27	27	27	27	25	25	25	25	27	27	27	27	26	26	26	26	27	27	27	27
% of NA	0%	0%	4%	0%	0%	0%	4%	0%	0%	0%	4%	4%	0%	0%	0%	4%	0%	0%	0%	4%	0%	0%	0%	4%
% of NAP	0%	0%	7%	4%	0%	0%	7%	4%	0%	0%	8%	4%	0%	0%	4%	4%	0%	0%	4%	4%	0%	0%	4%	4%

Austria: The administrative courts were established January 1st 2014. Data on administrative justice is introduced for 2016 cycle for the first time.

Czech Republic: Czech Republic has a four-tier system and since 2013 have included the number of judges of the high courts in the number of the second instance judges.

Greece: Unlike 2014 and 2015 data, the 2016 data on number of professional judges includes all the ranks for second instance criminal and political justice as well as administrative judges.

Italy: Administrative justice is not taken into account in the above table

Romania: Since there are 4 level of courts in Romania, judges of 2nd instance are the sum up of the judges from tribunal and of court of appeals. The variation between first instance and second instance courts is the result of different methods of calculation. In 2103, in first instance judges from 1st instance courts and from tribunals were summed up together.

Table 9.1.3B Distribution of professional judges per 100 000 inhabitants by instances in 2010 to 2016 (Q1 and Q46)

States	Number of professional judges per 100 000 inhabitants in 2010				Number of professional judges per 100 000 inhabitants in 2012				Number of professional judges per 100 000 inhabitants in 2013				Number of professional judges per 100 000 inhabitants in 2014				Number of professional judges per 100 000 inhabitants in 2015				Number of professional judges 2016			
	Total	1st instance	2nd instance	Supreme court	Total	1st instance	2nd instance	Supreme court	Total	1st instance	2nd instance	Supreme court	Total	1st instance	2nd instance	Supreme court	Total	1st instance	2nd instance	Supreme court	Total	1st instance	2nd instance	Supreme court
Austria	17,6	14,9	2,0	0,7	18,3	15,7	1,9	0,8	18,4	15,8	1,9	0,7	18,9	14,3	3,8	0,8	18,6	14,1	3,8	0,8	27,4	14,0	11,9	1,5
Belgium	14,4	11,4	2,7	0,2	14,3	11,6	2,7	0,3	14,4	11,4	2,7	0,3	14,3	11,3	2,7	0,3	14,3	11,4	2,7	0,2	14,1	11,3	2,6	0,3
Bulgaria	30,4	16,6	11,4	2,4	30,7	16,3	11,8	2,6	30,2	22,3	5,5	2,5	30,8	24,3	3,8	2,6	31,1	24,6	3,9	2,6	31,8	25,2	3,9	2,7
Croatia	44,3	31,8	11,5	0,9	45,3	32,3	12,1	0,9	45,0	32,2	11,9	0,9	44,4	31,8	11,6	1,0	44,5	32,2	11,4	1,0	43,3	30,7	11,6	0,9
Cyprus	12,0	10,5	NAP	1,5	11,9	10,4	NAP	1,5	11,8	10,3	NAP	1,5	11,3	9,8	NAP	1,5	13,3	11,8	NAP	1,5	13,1	11,6	NAP	1,5
Czech Republic	29,1	17,7	9,2	2,2	29,1	17,7	9,2	2,2	29,1	17,7	10,4	0,9	28,8	17,5	10,4	1,0	28,6	17,4	10,2	0,9	28,4	17,2	10,2	1,0
Denmark	6,6	4,6	1,7	0,3	6,6	4,6	1,7	0,3	6,3	4,2	1,8	0,3	6,7	4,6	1,7	0,3	6,6	4,6	1,7	0,3	6,5	4,4	1,7	0,3
Estonia	17,4	12,7	3,3	1,5	17,7	13,0	3,3	1,5	17,2	12,5	3,3	1,4	17,6	12,9	3,4	1,4	17,8	12,9	3,4	1,4	17,6	12,8	3,4	1,4
Finland	17,8	13,5	3,6	0,8	18,1	13,7	3,6	0,8	18,1	13,9	3,4	0,8	18,1	13,9	3,4	0,8	18,1	13,9	3,4	0,8	19,4	15,2	3,3	0,9
France	10,6	7,4	2,7	0,5	10,7	7,6	2,6	0,6	10,7	7,6	2,6	0,6	10,5	7,4	2,6	0,5	10,5	7,3	2,6	0,5	10,8	7,6	2,7	0,5
Germany	24,7	18,5	5,1	0,6	24,7	18,5	5,1	0,6	23,9	18,4	5,0	0,6	23,9	18,4	5,0	0,6	23,6	18,1	4,9	0,6	24,2	18,7	4,9	0,6
Greece	29,9	10,7	5,4	2,4	23,3	13,7	7,3	2,2	35,0	23,9	8,9	2,3	20,6	14,2	4,2	2,1	20,3	14,0	4,1	2,2	25,4	14,9	8,3	2,3
Hungary	29,2	16,8	11,5	0,9	27,9	16,9	10,3	0,7	28,4	17,1	10,5	0,9	28,5	17,1	10,6	0,8	28,6	16,9	10,8	0,9	28,7	17,1	10,7	0,8
Ireland	3,2	3,0	NAP	0,2	3,1	3,0	NAP	0,2	3,2	3,0	NAP	0,2	3,5	3,0	0,2	0,2	3,4	3,0	0,2	0,2	3,5	3,1	0,2	0,2
Italy	11,1	9,0	1,7	0,5	10,6	8,3	1,9	0,5	11,0	8,5	2,0	0,5	11,4	8,9	2,0	0,6	10,9	8,4	1,9	0,6	10,6	8,1	1,9	0,6
Latvia	23,1	14,6	6,1	2,4	21,5	12,9	6,2	2,4	23,8	14,7	6,6	2,5	24,4	15,3	6,7	2,3	25,0	15,7	6,9	2,4	25,5	15,9	7,3	2,4
Lithuania	25,8	23,1	1,5	1,2	25,6	22,8	1,7	1,1	26,2	23,5	1,6	1,1	25,8	23,0	1,7	1,2	26,4	23,5	1,7	1,2	27,3	24,3	1,8	1,2
Luxembourg	35,8	28,2	NA	7,6	40,4	35,4	NA	7,8	41,3	33,8	NA	7,5	32,7	25,4	6,6	0,7	32,5	25,2	6,6	0,7	31,7	24,2	6,8	0,7
Malta	9,3	8,1	1,2	NAP	9,5	8,1	1,4	NAP	9,9	8,5	1,4	NAP	9,5	7,7	1,9	NAP	9,7	7,8	1,8	NAP	10,2	8,2	2,0	NAP
Netherlands	15,1	11,6	3,3	0,2	14,4	11,1	3,1	0,2	14,1	11,0	3,1	NA	14,0	10,8	3,1	NA	13,9	10,7	3,2	NA	13,6	10,5	3,2	NA
Poland	27,6	18,8	8,3	0,5	26,2	24,5	1,3	0,5	-	-	-	-	26,2	24,7	1,3	0,2	-	-	-	-	26,0	24,5	1,2	0,2
Portugal	18,7	13,8	4,0	0,8	19,2	14,1	4,2	0,8	19,4	14,6	4,1	0,7	19,2	14,2	4,1	0,8	19,2	14,5	4,0	0,8	19,3	14,3	4,1	0,8
Romania	19,2	8,8	9,9	0,5	20,2	9,4	10,4	0,4	22,6	17,9	4,1	0,6	20,5	9,4	10,6	0,5	23,3	10,6	12,2	0,5	23,6	10,5	12,5	0,6
Slovakia	25,0	16,8	6,7	1,5	24,2	16,1	6,5	1,6	24,8	16,4	6,8	1,6	24,4	16,2	6,8	1,4	23,8	15,6	6,8	1,4	24,1	15,8	6,9	1,4
Slovenia	49,7	38,5	9,4	1,8	47,1	36,6	8,9	1,7	46,1	35,8	5,6	1,6	44,8	35,1	8,3	1,4	43,5	32,2	9,8	1,5	42,6	31,0	10,1	1,5
Spain	10,2	7,0	3,0	0,2	11,2	7,9	3,1	0,2	-	-	-	-	11,5	8,3	3,0	0,2	11,6	8,1	3,2	0,2	11,5	8,1	3,2	0,2
Sweden	11,3	7,7	3,2	0,4	11,8	8,0	3,4	0,3	11,7	7,9	3,5	0,4	11,8	7,9	3,5	0,4	11,8	7,9	3,5	0,4	11,8	7,9	3,6	0,3
Average	21,1	14,7	5,3	1,3	20,9	15,2	5,1	1,3	21,7	16,1	4,8	1,3	20,5	15,1	4,7	0,9	20,4	14,7	5,0	1,0	21,2	15,1	5,4	1,0
Median	18,7	13,5	3,8	0,8	19,2	13,7	3,5	0,8	19,4	14,7	3,8	0,9	19,2	14,2	3,7	0,8	18,9	13,9	3,8	0,8	23,6	14,3	3,7	0,8
Minimum	3,2	3,0	1,2	0,2	3,1	3,0	1,3	0,2	3,2	3,0	1,4	0,2	3,5	3,0	0,2	0,2	3,4	3,0	0,2	0,2	3,5	3,1	0,2	0,2
Maximum	49,7	38,5	11,5	7,6	47,1	36,6	12,1	7,8	46,1	35,8	11,9	7,5	44,8	35,1	11,6	2,6	44,5	32,2	12,2	2,6	43,3	31,0	12,5	2,7
Nb of values	27	27	27	27	27	27	27	27	25	25	25	25	27	27	27	27	26	26	26	26	27	27	27	27
% of NA	0%	0%	4%	0%	0%	0%	4%	0%	0%	0%	4%	4%	0%	0%	0%	4%	0%	0%	0%	4%	0%	0%	0%	4%
% of NAP	0%	0%	7%	4%	0%	0%	7%	4%	0%	0%	8%	4%	0%	0%	4%	4%	0%	0%	4%	4%	0%	0%	4%	4%

Austria: The administrative courts were established January 1st 2014. Data on administrative justice is introduced for 2016 cycle for the first time.

Czech Republic: Czech Republic has a four-tier system and since 2013 have included the number of judges of the high courts in the number of the second instance judges.

Greece: Unlike 2014 and 2015 data, the 2016 data on number of professional judges includes all the ranks for second instance criminal and political justice as well as administrative judges.

Table 9.1.4 Distribution of male and female professional judges within the total number of professional judges in first instance in 2010 to 2016 (Q46)

States	Number of professional judges in first instance 2010					Number of professional judges in first instance 2012					Number of professional judges in first instance 2013				
	Total	Male	Female	% Male	%Female	Total	Male	Female	% Male	%Female	Total	Male	Female	% Male	%Female
Austria	1 263	624	639	49,4%	50,6%	1 325	653	672	49,3%	50,7%	1 341	647	694	48,2%	51,8%
Belgium	1 275	657	618	51,5%	48,5%	1 293	622	641	48,1%	49,6%	1 271	616	655	48,5%	51,5%
Bulgaria	1 206	NA	NA	NA	NA	1 188	NA	NA	NA	NA	1 614	NA	NA	NA	NA
Croatia	1 355	394	961	29,1%	70,9%	1 378	389	989	28,2%	71,8%	1 366	379	987	27,7%	72,3%
Cyprus	91	47	44	51,6%	48,4%	90	47	43	52,2%	47,8%	88	44	44	50,0%	50,0%
Czech Republic	1 863	655	1 208	35,2%	64,8%	1 857	644	1 213	34,7%	65,3%	1 859	632	1 227	34,0%	66,0%
Denmark	259	NA	NA	NA	NA	259	111	148	42,9%	57,1%	236	101	135	42,8%	57,2%
Estonia	163	49	114	30,1%	69,9%	167	49	118	29,3%	70,7%	165	50	115	30,3%	69,7%
Finland	731	380	351	52,0%	48,0%	744	350	394	47,0%	53,0%	758	362	396	47,8%	52,2%
France	4 850	1 585	3 265	32,7%	67,3%	4 962	1 819	3 143	36,7%	63,3%	4 977	1 772	3 205	35,6%	64,4%
Germany	14 861	NA	NA	NA	NA	14 861	NA	NA	NA	NA	14 840	NA	NA	NA	NA
Greece	1 179	347	832	29,4%	70,6%	1 518	411	1 107	27,1%	72,9%	2 643	NA	NA	NA	NA
Hungary	1 666	501	1 165	30,1%	69,9%	1 672	496	1 176	29,7%	70,3%	1 687	502	1 185	29,8%	70,2%
Ireland	139	106	33	76,3%	23,7%	136	99	37	72,8%	27,2%	138	99	39	71,7%	28,3%
Italy	5 366	2 602	2 764	48,5%	51,5%	4 929	2 259	2 670	45,8%	54,2%	5 101	2 284	2 817	44,8%	55,2%
Latvia	298	65	233	21,8%	78,2%	263	47	216	17,9%	82,1%	298	59	239	19,8%	80,2%
Lithuania	693	272	421	39,2%	60,8%	684	259	425	37,9%	62,1%	691	261	430	37,8%	62,2%
Luxembourg	148	51	97	34,5%	65,5%	186	NA	NA	NA	NA	186	46	140	24,7%	75,3%
Malta	34	22	12	64,7%	35,3%	34	20	14	58,8%	41,2%	36	21	15	58,3%	41,7%
Netherlands	1 944	859	1 085	44,2%	55,8%	1 855	784	1 071	42,3%	57,7%	1 850	757	1 093	40,9%	59,1%
Poland	7 234	2 523	4 711	34,9%	65,1%	9 441	3 371	6 070	35,7%	64,3%	-	-	-	-	-
Portugal	1 449	511	938	35,3%	64,7%	1 480	507	973	34,3%	65,7%	1 525	518	1 007	34,0%	66,0%
Romania	1 872	547	1 325	29,2%	70,8%	1 998	619	1 379	31,0%	69,0%	3 571	985	2 586	27,6%	72,4%
Slovakia	908	329	579	36,2%	63,8%	871	310	561	35,6%	64,4%	888	319	569	35,9%	64,1%
Slovenia	793	154	639	19,4%	80,6%	753	148	605	19,7%	80,3%	738	122	589	16,5%	79,8%
Spain	3 209	1 402	1 807	43,7%	56,3%	3 647	1 533	2 114	42,0%	58,0%	-	-	-	-	-
Sweden	734	428	306	58,3%	41,7%	766	428	338	55,9%	44,1%	764	414	350	54,2%	45,8%
Average	2 059	630	1 006	40,7%	59,3%	2 161	666	1 088	39,8%	60,1%	1 945	500	842	39,1%	60,7%
Median	1 206	411	639	35,7%	64,3%	1 293	420	656	37,3%	62,7%	1 271	371	579	36,8%	63,2%
Minimum	34	22	12	19,4%	23,7%	34	20	14	17,9%	27,2%	36	21	15	16,5%	28,3%
Maximum	14 861	2 602	4 711	76,3%	80,6%	14 861	3 371	6 070	72,8%	82,1%	14 840	2 284	3 205	71,7%	80,2%
Nb of values	27	27	27	27	27	27	27	27	27	27	25	25	25	25	25
% of NA	0%	11%	11%	11%	11%	0%	11%	11%	11%	11%	0%	12%	12%	12%	12%
% of NAP	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

Austria: The administrative courts were established January 1st 2014. Data on administrative justice is introduced for 2016 cycle for the first time.

Italy: Administrative justice is not taken into account in the above table

Number of professional judges in first instance 2014					Number of professional judges in first instance 2015					Number of professional judges in first instance 2016				
Total	Male	Female	% Male	%Female	Total	Male	Female	% Male	%Female	Total	Male	Female	% Male	%Female
1 224	556	668	45,4%	54,6%	1 223	559	664	45,7%	54,3%	1 225	555	670	45,3%	54,7%
1 271	592	679	46,6%	53,4%	1 284	595	689	46,3%	53,7%	1 274	582	692	45,7%	54,3%
1 753	NA	NA	NA	NA	1 760	NA	NA	NA	NA	1 789	NA	NA	NA	NA
1 343	377	966	28,1%	71,9%	1 348	373	975	27,7%	72,3%	1 277	341	936	26,7%	73,3%
84	44	40	52,4%	47,6%	100	51	49	51,0%	49,0%	98	49	49	50,0%	50,0%
1 838	632	1 206	34,4%	65,6%	1 838	629	1 209	34,2%	65,8%	1 820	609	1 211	33,5%	66,5%
261	NA	NA	NA	NA	260	NA	NA	NA	NA	254	113	141	44,5%	55,5%
169	51	118	30,2%	69,8%	170	51	119	30,0%	70,0%	168	51	117	30,4%	69,6%
758	356	402	47,0%	53,0%	761	338	423	44,4%	55,6%	834	368	466	44,1%	55,9%
4 876	1 701	3 175	34,9%	65,1%	4 883	1 657	3 226	33,9%	66,1%	4 919	1 628	3 291	33,1%	66,9%
14 840	NA	NA	NA	NA	14 833	NA	NA	NA	NA	15 385	NA	NA	NA	NA
1 540	369	1 171	24,0%	76,0%	1 517	NA	NA	NA	NA	1 605	NA	NA	NA	NA
1 684	500	1 184	29,7%	70,3%	1 662	484	1 178	29,1%	70,9%	1 678	472	1 206	28,1%	71,9%
140	93	47	66,4%	33,6%	140	92	48	65,7%	34,3%	143	92	51	64,3%	35,7%
5 404	2 429	2 975	44,9%	55,1%	5 072	2 243	2 829	44,2%	55,8%	4 878	2 108	2 770	43,2%	56,8%
307	62	245	20,2%	79,8%	310	62	248	20,0%	80,0%	313	60	253	19,2%	80,8%
671	246	425	36,7%	63,3%	679	240	439	35,3%	64,7%	692	245	447	35,4%	64,6%
143	49	94	34,3%	65,7%	142	48	94	33,8%	66,2%	143	49	94	34,3%	65,7%
33	18	15	54,5%	45,5%	34	17	17	50,0%	50,0%	36	18	18	50,0%	50,0%
1 829	738	1 091	40,3%	59,7%	1 811	722	1 089	39,9%	60,1%	1 788	693	1 095	38,8%	61,2%
9 516	3 451	6 065	36,3%	63,7%	-	-	-	-	-	9 422	3 400	6 022	36,1%	63,9%
1 478	494	984	33,4%	66,6%	1 495	498	997	33,3%	66,7%	1 479	493	986	33,3%	66,7%
2 101	569	1 532	27,1%	72,9%	2 097	573	1 524	27,3%	72,7%	2 055	568	1 487	27,6%	72,4%
877	318	559	36,3%	63,7%	846	313	533	37,0%	63,0%	859	322	537	37,5%	62,5%
724	139	585	19,2%	80,8%	665	126	539	18,9%	81,1%	641	115	526	17,9%	82,1%
3 855	1 574	2 281	40,8%	59,2%	3 781	1 520	2 261	40,2%	59,8%	3 786	1 525	2 261	40,3%	59,7%
771	412	359	53,4%	46,6%	780	410	370	52,6%	47,4%	785	397	388	50,6%	49,4%
2 203	657	1 119	38,2%	61,8%	1 904	527	887	38,2%	61,8%	2 198	619	1 071	37,9%	62,1%
1 271	395	674	36,3%	63,7%	1 254	392	602	36,2%	63,8%	1 274	383	604	36,8%	63,2%
33	18	15	19,2%	33,6%	34	17	17	18,9%	34,3%	36	18	18	17,9%	35,7%
14 840	3 451	6 065	66,4%	80,8%	14 833	2 243	3 226	65,7%	81,1%	15 385	3 400	6 022	64,3%	82,1%
27	27	27	27	27	26	26	26	26	26	27	27	27	27	27
0%	11%	11%	11%	11%	0%	15%	15%	15%	15%	0%	11%	11%	11%	11%
0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

Table 9.1.5 Distribution of male and female professional judges within the total number of professional judges in second instance in 2010 to 2016 (Q46)

States	Number of professional judges in second instance 2010					Number of professional judges in second instance 2012					Number of professional judges in second instance 2013				
	Total	Male	Female	% Male	%Female	Total	Male	Female	% Male	%Female	Total	Male	Female	% Male	%Female
Austria	173	108	65	62,4%	37,6%	157	94	64	59,5%	40,5%	160	94	66	58,6%	41,4%
Belgium	305	180	125	59,0%	41,0%	305	173	132	56,7%	43,3%	305	168	137	55,1%	44,9%
Bulgaria	831	NA	NA	NA	NA	859	NA	NA	NA	NA	396	NA	NA	NA	NA
Croatia	492	200	292	40,7%	59,3%	514	192	322	37,4%	62,6%	506	189	317	37,4%	62,6%
Cyprus	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Czech Republic	969	391	578	40,4%	59,6%	964	407	557	42,2%	57,8%	1 098	483	615	44,0%	56,0%
Denmark	94	NA	NA	NA	NA	94	59	35	62,8%	37,2%	101	62	39	61,4%	38,6%
Estonia	42	18	24	42,9%	57,1%	42	17	25	40,5%	59,5%	43	17	26	39,5%	60,5%
Finland	193	107	86	55,4%	44,6%	194	105	89	54,1%	45,9%	185	95	90	51,4%	48,6%
France	1 760	785	975	44,6%	55,4%	1 695	787	908	46,4%	53,6%	1 708	760	948	44,5%	55,5%
Germany	4 056	NA	NA	NA	NA	4 056	NA	NA	NA	NA	4 024	NA	NA	NA	NA
Greece	592	207	385	35,0%	65,0%	812	291	521	35,8%	64,2%	984	NA	NA	NA	NA
Hungary	1 136	361	775	31,8%	68,2%	1 021	326	695	31,9%	68,1%	1 036	350	686	33,8%	66,2%
Ireland	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
Italy	993	598	395	60,2%	39,8%	1 118	609	509	54,5%	45,5%	1 164	606	558	52,1%	47,9%
Latvia	125	27	98	21,6%	78,4%	126	31	95	24,6%	75,4%	133	31	102	23,3%	76,7%
Lithuania	46	30	16	65,2%	34,8%	51	31	20	60,8%	39,2%	48	27	21	56,3%	43,8%
Luxembourg	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Malta	5	5	0	100,0%	0,0%	6	6	0	100,0%	0,0%	6	6	0	100,0%	0,0%
Netherlands	548	330	218	60,2%	39,8%	519	306	213	59,0%	41,0%	528	301	227	57,0%	43,0%
Poland	3 213	1 261	1 952	39,2%	60,8%	497	221	276	44,5%	55,5%	-	-	-	-	-
Portugal	422	290	132	68,7%	31,3%	445	282	163	63,4%	36,6%	425	263	162	61,9%	38,1%
Romania	2 101	529	1 572	25,2%	74,8%	2 217	554	1 663	25,0%	75,0%	825	210	615	25,5%	74,5%
Slovakia	363	139	224	38,3%	61,7%	352	140	212	39,8%	60,2%	370	145	225	39,2%	60,8%
Slovenia	194	53	141	27,3%	72,7%	183	48	135	26,2%	73,8%	116	16	73	13,8%	62,9%
Spain	1 401	950	451	67,8%	32,2%	1 431	964	467	67,4%	32,6%	-	-	-	-	-
Sweden	308	159	149	51,6%	48,4%	324	152	172	46,9%	53,1%	334	149	185	44,6%	55,4%
Average	848	320	412	49,4%	50,6%	749	263	331	49,1%	50,9%	659	209	268	47,3%	51,5%
Median	457	200	218	44,6%	55,4%	471	183	192	46,7%	53,3%	383	149	162	44,6%	55,4%
Minimum	5	5	0	21,6%	0,0%	6	6	0	24,6%	0,0%	6	6	0	13,8%	0,0%
Maximum	4 056	1 261	1 952	100,0%	78,4%	4 056	964	1 663	100,0%	75,4%	4 024	760	948	100,0%	76,7%
Nb of values	27	27	27	27	27	27	27	27	27	27	25	25	25	25	25
% of NA	4%	15%	15%	15%	15%	4%	11%	11%	11%	11%	4%	16%	16%	16%	16%
% of NAP	7%	7%	7%	7%	7%	7%	7%	7%	7%	7%	8%	8%	8%	8%	8%

Austria: The administrative courts were established January 1st 2014. Data on administrative justice is introduced for 2016 cycle for the first time.

Italy: Administrative justice is not taken into account in the above table

Number of professional judges in second instance 2014					Number of professional judges in second instance 2015					Number of professional judges in second instance 2016				
Total	Male	Female	% Male	%Female	Total	Male	Female	% Male	%Female	Total	Male	Female	% Male	%Female
330	191	139	57,9%	42,1%	331	188	143	56,8%	43,2%	1 038	566	472	54,5%	45,5%
302	161	141	53,3%	46,7%	303	152	151	50,2%	49,8%	297	149	148	50,2%	49,8%
277	NA	NA	NA	NA	277	NA	NA	NA	NA	276	NA	NA	NA	NA
489	180	309	36,8%	63,2%	476	170	306	35,7%	64,3%	483	171	312	35,4%	64,6%
NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP
1 090	487	603	44,7%	55,3%	1 081	482	599	44,6%	55,4%	1 083	494	589	45,6%	54,4%
97	58	39	59,8%	40,2%	95	NA	NA	NA	NA	99	57	42	57,6%	42,4%
44	20	24	45,5%	54,5%	45	20	25	44,4%	55,6%	45	20	25	44,4%	55,6%
186	89	97	47,8%	52,2%	188	85	103	45,2%	54,8%	184	84	100	45,7%	54,3%
1 706	719	987	42,1%	57,9%	1 721	701	1 020	40,7%	59,3%	1 731	687	1 044	39,7%	60,3%
4 024	NA	NA	NA	NA	3 993	NA	NA	NA	NA	4 018	NA	NA	NA	NA
459	132	327	28,8%	71,2%	450	NA	NA	NA	NA	890	NA	NA	NA	NA
1 047	332	715	31,7%	68,3%	1 066	341	725	32,0%	68,0%	1 051	358	693	34,1%	65,9%
10	8	2	80,0%	20,0%	9	7	2	77,8%	22,2%	10	8	2	80,0%	20,0%
1 195	618	577	51,7%	48,3%	1 152	568	584	49,3%	50,7%	1 155	558	597	48,3%	51,7%
134	31	103	23,1%	76,9%	136	33	103	24,3%	75,7%	143	35	108	24,5%	75,5%
49	27	22	55,1%	44,9%	48	27	21	56,3%	43,8%	51	29	22	56,9%	43,1%
37	14	23	37,8%	62,2%	37	14	23	37,8%	62,2%	40	13	27	32,5%	67,5%
8	7	1	87,5%	12,5%	8	7	1	87,5%	12,5%	9	8	1	88,9%	11,1%
530	293	237	55,3%	44,7%	546	304	242	55,7%	44,3%	543	295	248	54,3%	45,7%
494	229	265	46,4%	53,6%	-	-	-	-	-	475	221	254	46,5%	53,5%
430	267	163	62,1%	37,9%	411	249	162	60,6%	39,4%	425	250	175	58,8%	41,2%
2 360	608	1 752	25,8%	74,2%	2 404	613	1 791	25,5%	74,5%	2 463	633	1 830	25,7%	74,3%
369	146	223	39,6%	60,4%	369	151	218	40,9%	59,1%	374	147	227	39,3%	60,7%
171	45	126	26,3%	73,7%	202	57	145	28,2%	71,8%	208	52	156	25,0%	75,0%
1 416	927	489	65,5%	34,5%	1 505	965	540	64,1%	35,9%	1 496	940	556	62,8%	37,2%
343	150	193	43,7%	56,3%	343	140	203	40,8%	59,2%	361	151	210	41,8%	58,2%
677	239	315	47,8%	52,2%	688	251	338	47,5%	52,5%	729	258	341	47,5%	52,5%
356	156	178	45,9%	54,1%	343	152	162	44,6%	55,4%	400	151	210	45,7%	54,3%
8	7	1	23,1%	12,5%	8	7	1	24,3%	12,5%	9	8	1	24,5%	11,1%
4 024	927	1 752	87,5%	76,9%	3 993	965	1 791	87,5%	75,7%	4 018	940	1 830	88,9%	75,5%
27	27	27	27	27	26	26	26	26	26	27	27	27	27	27
0%	7%	7%	7%	7%	0%	15%	15%	15%	15%	0%	11%	11%	11%	11%
4%	4%	4%	4%	4%	4%	4%	4%	4%	4%	4%	4%	4%	4%	4%

Table 9.2.1 Number of non-judge staff vs professional judges from 2012 to 2016 (values per 100 000 inhabitants) (Q1, Q46, Q52)

States	2012		2013		2014		2015		2016	
	Nb of professional judges per 100 000 inhabitants	Nb of non-judge staff per 100 000 inhabitants	Nb of professional judges per 100 000 inhabitants	Nb of non-judge staff per 100 000 inhabitants	Nb of professional judges per 100 000 inhabitants	Nb of non-judge staff per 100 000 inhabitants	Nb of professional judges per 100 000 inhabitants	Nb of non-judge staff per 100 000 inhabitants	Nb of professional judges per 100 000 inhabitants	Nb of non-judge staff per 100 000 inhabitants
Austria	18,3	54,8	18,4	55,4	19,2	54,8	18,6	54,4	27,4	63,4
Belgium	14,3	48,9	14,4	47,6	14,4	47,2	14,3	46,2	14,1	44,6
Bulgaria	30,7	82,6	30,2	82,2	30,5	83,5	31,1	85,9	31,8	86,9
Croatia	45,3	146,3	45,0	146,5	44,0	143,4	44,5	141,5	43,3	140,3
Cyprus	11,9	49,0	11,8	49,8	11,2	52,2	13,3	50,0	13,1	51,5
Czech Republic	29,1	86,9	29,1	86,6	28,8	88,4	28,6	89,2	28,4	91,8
Denmark	6,6	32,5	6,3	31,1	6,7	31,0	6,6	30,5	6,5	28,6
Estonia	17,7	74,4	17,2	75,2	18,0	77,4	17,8	73,3	17,6	66,7
Finland	18,1	40,8	18,1	40,3	18,2	39,5	18,1	39,1	19,4	39,4
France	10,7	33,2	10,7	33,3	10,6	33,7	10,5	33,5	10,8	35,0
Germany	24,7	66,9	23,9	66,0	24,1	66,0	23,6	65,2	24,2	NA
Greece	23,3	48,2	35,0	48,6	20,2	50,5	20,3	51,3	25,4	39,3
Hungary	27,9	82,2	28,4	81,0	28,4	81,4	28,6	81,2	28,7	81,7
Ireland	3,1	20,6	3,2	20,1	3,5	20,0	3,4	20,2	3,5	20,9
Italy	10,6	39,7	11,0	38,5	11,6	36,0	10,9	35,2	10,6	35,0
Latvia	21,5	78,6	23,8	78,8	23,9	78,8	25,0	77,1	25,5	80,3
Lithuania	25,6	87,2	26,2	88,4	25,1	89,3	26,4	94,5	27,3	96,2
Luxembourg	40,4	67,6	41,3	36,0	35,0	34,8	32,5	35,0	31,7	32,0
Malta	9,5	85,4	9,9	106,0	9,7	90,6	9,7	90,5	10,2	87,0
Netherlands	14,4	37,3	14,1	43,3	14,1	43,9	13,9	42,8	13,6	42,8
Poland	26,2	106,0	-	-	26,2	107,9	-	-	26,0	112,3
Portugal	19,2	58,3	19,4	57,6	19,0	54,9	19,2	56,1	19,3	54,8
Romania	20,2	43,6	22,6	48,3	21,5	45,5	23,3	51,9	23,6	52,4
Slovakia	24,2	82,8	24,8	83,0	24,4	82,4	23,8	80,9	24,1	82,5
Slovenia	47,1	161,7	46,1	157,2	44,9	162,8	43,5	159,9	42,6	161,2
Spain	11,2	97,3	-	-	11,6	104,6	11,6	107,1	11,5	105,7
Sweden	11,8	54,1	11,7	48,9	12,0	49,2	11,8	48,7	11,8	48,6
Average	20,9	69,1	21,7	69,1	20,6	68,5	20,4	67,0	21,2	68,5
Median	19,2	66,9	19,4	66,9	19,2	54,9	18,9	55,2	23,6	59,1
Minimum	3,1	20,6	3,2	20,6	3,5	20,0	3,4	20,2	3,5	20,9
Maximum	47,1	161,7	46,1	161,7	44,9	162,8	44,5	159,9	43,3	161,2
Nb of values	27	27	27	27	27	27	27	27	27	27
% of NA	0%	0%	0%	0%	0%	0%	0%	0%	0%	4%
% of NAP	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

Austria: The administrative courts were established January 1st 2014. Data on administrative justice is introduced for 2016 cycle for the first time.

France: There is no differentiation between non-judge staff attached to judges and prosecutors.

Italy: Administrative justice is not taken into account in the above table

Table 9.2.2(2012) Total number of non-judge staff (absolute number and per 100 000 inhabitants) and its distribution per category in 2012 (Q1, Q52)

States	Total number of non-judge staff		Distribution of non-judge staff per category				
	Absolute number	Per 100 000 inhabitants	Rechtspfleger	Assisting the judge	In charge of administrative tasks	Technical staff	Other non-judge staff
Austria	4 631	54,8	760	20	437	33	3 381
Belgium	5 458	48,9	NAP	1 708	2 766	984	NAP
Bulgaria	6 014	82,6	NAP	4 479	1 480	NA	55
Croatia	6 234	146,3	311	4 648	544	731	NAP
Cyprus	424	49,0	NAP	133	124	129	38
Czech Republic	9 135	86,9	1 950	4 463	2 038	636	48
Denmark	1 823	32,5	319	1 072	201	67	164
Estonia	957	74,4	63	220	489	138	47
Finland	2 214	40,8	NAP	NA	NA	NA	NA
France	21 758	33,2	NAP	17 663	1 352	964	1 779
Germany	53 649	66,9	8 461	29 144	7 478	1 281	7 285
Greece	5 327	48,2	NAP	NAP	NA	NA	NA
Hungary	8 142	82,2	767	2 406	NA	NA	4 969
Ireland	945	20,6	31	787	125	2	NAP
Italy	23 672	39,7	NAP	14 811	4 542	497	3 822
Latvia	1 608	78,6	NAP	1 090	351	160	7
Lithuania	2 619	87,2	NAP	1 348	776	425	70
Luxembourg	355	67,6	NAP	191	117	7	40
Malta	360	85,4	NAP	213	111	8	28
Netherlands	6 252	37,3	NAP	4 847	NA	NA	1 405
Poland	40 844	106,0	1 810	23 110	7 239	3 487	5 198
Portugal	6 110	58,3	NAP	5 601	256	251	2
Romania	9 283	43,6	NAP	5 489	1 486	1 762	546
Slovakia	4 482	82,8	1 046	2 079	1 357	NA	NA
Slovenia	3 330	161,7	346	481	NA	NA	NA
Spain	44 748	97,3	3 559	NAP	NAP	NAP	NAP
Sweden	5 173	54,1	NAP	3 500	1 054	119	500
Average	10 205	69,1	1 619	5 396	1 634	615	1 547
Median	5 327	66,9	764	2 243	776	251	164
Minimum	355	20,6	31	20	111	2	2
Maximum	53 649	161,7	8 461	29 144	7 478	3 487	7 285
Nb of values	27	27	27	27	27	27	27
% of NA	0%	0%	0%	4%	19%	26%	15%
% of NAP	0%	0%	56%	7%	4%	4%	15%

France: There is no differentiation between non-judge staff attached to judges and prosecutors.

Italy: Administrative justice is not taken into account in the above table

Table 9.2.2(2013) Total number of non-judge staff (absolute number and per 100 000 inhabitants) and its distribution per category in 2013 (Q1, Q52)

States	Total number of non-judge staff		Distribution of non-judge staff per category				
	Absolute number	Per 100 000 inhabitants	Rechtspfleger	Assisting the judge	In charge of administrative tasks	Technical staff	Other non-judge staff
Austria	4 698	55,4	771	20	434	28	3 445
Belgium	5 307	47,6	NAP	1 752	2 700	855	NAP
Bulgaria	5 958	82,2	NAP	4 445	1 458	NA	55
Croatia	6 222	146,5	285	4 643	562	732	NAP
Cyprus	427	49,8	NAP	133	131	125	38
Czech Republic	9 107	86,6	1 907	4 418	2 131	625	26
Denmark	1 751	31,1	308	17	1 360	61	5
Estonia	990	75,2	54	239	501	149	47
Finland	2 196	40,3	NAP	NA	NA	NA	NA
France	21 946	33,3	NAP	17 920	2 979	1 047	NAP
Germany	53 302	66,0	8 482	28 621	7 503	1 119	7 578
Greece	5 376	48,6	NAP	NAP	NA	NA	NA
Hungary	8 000	81,0	777	2 254	NA	NA	4 969
Ireland	927	20,1	21	778	128	NAP	NAP
Italy	22 991	38,5	NAP	14 349	4 395	494	3 753
Latvia	1 594	78,8	NAP	1 093	347	147	7
Lithuania	2 602	88,4	NAP	1 358	733	428	83
Luxembourg	198	36,0	NAP	192	5	1	NAP
Malta	451	106,0	NAP	156	103	8	36
Netherlands	7 287	43,3	NAP	NA	NA	NA	NA
Poland	-	-	-	-	-	-	-
Portugal	6 005	57,6	NAP	5 558	217	230	0
Romania	9 639	48,3	NAP	5 743	1 563	1 784	549
Slovakia	4 497	83,0	1 083	2 055	NA	NA	1 359
Slovenia	3 239	157,2	425	838	1 562	414	NAP
Spain	-	-	-	-	-	-	-
Sweden	4 716	48,9	NAP	3 260	688	91	677
Average	7 577	66,0	1 411	4 538	1 475	463	1 414
Median	4 716	55,4	598	1 903	711	322	69
Minimum	198	20,1	21	17	5	1	0
Maximum	53 302	157,2	8 482	28 621	7 503	1 784	7 578
Nb of values	25	25	25	25	25	25	25
% of NA	0%	0%	0%	8%	20%	24%	12%
% of NAP	0%	0%	60%	4%	0%	4%	24%

France: There is no differentiation between non-judge staff attached to judges and prosecutors.

Italy: Administrative justice is not taken into account in the above table

Table 9.2.2(2014) Total number of non-judge staff (absolute number and per 100 000 inhabitants) and its distribution per category in 2014 (Q1, Q52)

States	Total number of non-judge staff		Distribution of non-judge staff per category				
	Absolute number	Per 100 000 inhabitants	Rechtspfleger	Assisting the judge	In charge of administrative tasks	Technical staff	Other non-judge staff
Austria	4 705	54,8	785	19	439	23	3 439
Belgium	5 290	47,2	NAP	1 928	2 474	889	NAP
Bulgaria	6 014	83,5	NAP	4 468	1 491	NAP	55
Croatia	6 061	143,4	381	4 384	579	717	NAP
Cyprus	448	52,2	NAP	129	128	151	40
Czech Republic	9 309	88,4	2 073	4 539	2 006	614	77
Denmark	1 754	31,0	572	18	1 091	68	5
Estonia	1 017	77,4	51	684	78	161	43
Finland	2 161	39,5	NAP	NA	NA	NA	NA
France	22 360	33,7	NAP	18 816	2 493	1 051	NAP
Germany	53 302	66,0	8 482	28 621	7 503	1 119	7 577
Greece	5 474	50,5	NA	NA	NA	NA	NA
Hungary	8 022	81,4	778	907	NA	NA	6 337
Ireland	927	20,0	24	771	131	1	NAP
Italy	21 903	36,0	NAP	13 760	4 116	488	3 539
Latvia	1 578	78,8	NAP	1 071	354	144	9
Lithuania	2 608	89,3	NAP	1 369	801	353	85
Luxembourg	196	34,8	NAP	132	63	1	NAP
Malta	389	90,6	NAP	231	59	9	90
Netherlands	7 422	43,9	NAP	NA	NA	NA	NA
Poland	41 534	107,9	1 847	23 428	7 324	3 741	5 194
Portugal	5 698	54,9	NAP	5 293	101	227	77
Romania	10 147	45,5	NAP	6 072	1 585	1 854	636
Slovakia	4 468	82,4	1 030	2 105	NA	NA	1 333
Slovenia	3 355	162,8	505	1 080	1 639	131	NAP
Spain	48 563	104,6	3 667	NAP	NAP	NAP	44 896
Sweden	4 797	49,2	NAP	3 290	707	106	694
Average	10 352	68,5	1 683	5 353	1 674	592	4 118
Median	5 290	54,9	782	1 928	801	194	363
Minimum	196	20,0	24	18	59	1	5
Maximum	53 302	162,8	8 482	28 621	7 503	3 741	44 896
Nb of values	27	27	27	27	27	27	27
% of NA	0%	0%	4%	11%	19%	19%	11%
% of NAP	0%	0%	52%	4%	4%	7%	22%

France: There is no differentiation between non-judge staff attached to judges and prosecutors.

Italy: Administrative justice is not taken into account in the above table

Table 9.2.2(2015) Total number of non-judge staff (absolute number and per 100 000 inhabitants) and its distribution per category in 2015 (Q1, Q52)

States	Total number of non-judge staff		Distribution of non-judge staff per category				
	Absolute number	Per 100 000 inhabitants	Rechtspfleger	Assisting the judge	In charge of administrative tasks	Technical staff	Other non-judge staff
Austria	4 735	54,4	798	19	440	22	3 456
Belgium	5 204	46,2	NAP	1 881	2 408	915	NAP
Bulgaria	6 143	85,9	NAP	4 395	1 191	502	55
Croatia	5 929	141,5	474	4 231	534	689	NAP
Cyprus	424	50,0	NAP	130	130	128	36
Czech Republic	9 409	89,2	2 190	4 519	2 053	610	37
Denmark	1 740	30,5	568	14	1 089	63	6
Estonia	965	73,3	71	652	87	111	44
Finland	2 145	39,1	NAP	NA	NA	NA	NA
France	22 326	33,5	NAP	18 906	2 513	907	NAP
Germany	53 292	65,2	8 564	28 336	7 626	1 087	7 679
Greece	5 572	51,3	NA	NA	NA	NA	NA
Hungary	7 979	81,2	808	899	NA	NA	6 272
Ireland	942	20,2	25	775	141	1	NAP
Italy	21 360	35,2	NAP	13 392	4 068	474	3 426
Latvia	1 519	77,1	NAP	1 044	323	141	11
Lithuania	2 729	94,5	NAP	1 475	816	350	88
Luxembourg	197	35,0	NAP	129	67	1	NAP
Malta	393	90,5	NAP	239	60	5	89
Netherlands	7 265	42,8	NA	NA	NA	NA	NA
Poland	-	-	-	-	-	-	-
Portugal	5 799	56,1	NAP	5 422	88	225	64
Romania	10 251	51,9	NAP	6 149	1 615	1 844	643
Slovakia	4 390	80,9	1 001	2 011	NA	NA	1 378
Slovenia	3 300	159,9	481	659	1 998	162	NAP
Spain	49 746	107,1	3 710	NAP	NAP	NAP	46 036
Sweden	4 800	48,7	NAP	3 269	708	104	719
Average	9 175	67,0	1 699	4 479	1 398	417	4 120
Median	5 002	55,2	798	1 678	762	194	89
Minimum	197	20,2	25	14	60	1	6
Maximum	53 292	159,9	8 564	28 336	7 626	1 844	46 036
Nb of values	26	26	26	26	26	26	26
% of NA	0%	0%	8%	12%	19%	19%	12%
% of NAP	0%	0%	50%	4%	4%	4%	23%

France: There is no differentiation between non-judge staff attached to judges and prosecutors.

Italy: Administrative justice is not taken into account in the above table

Table 9.2.2(2016) Total number of non-judge staff (absolute number and per 100 000 inhabitants) and its distribution per category in 2015 (Q1, Q52)

States	Total number of non-judge staff		Distribution of non-judge staff per category				
	Absolute number	Per 100 000 inhabitants	Rechtspfleger	Assisting the judge	In charge of administrative tasks	Technical staff	Other non-judge staff
Austria	5 544	63,4	837	494	686	52	3 475
Belgium	5 054	44,6	NAP	1 946	2 335	773	NAP
Bulgaria	6 174	86,9	NAP	4 478	1 162	481	53
Croatia	5 827	140,3	523	4 124	498	682	NAP
Cyprus	437	51,5	NAP	138	135	130	34
Czech Republic	9 714	91,8	2 408	4 497	2 091	656	62
Denmark	1 642	28,6	275	12	1 285	63	7
Estonia	877	66,7	51	615	82	88	41
Finland	2 170	39,4	NAP	NA	NA	NA	NA
France	22 712	35,0	NAP	18 904	2 613	923	272
Germany	NA	NA	8 720	28 069	6 524	NA	8 002
Greece	4 236	39,3	NA	NA	NA	NA	NA
Hungary	8 003	81,7	820	897	NA	NA	6 286
Ireland	975	20,9	23	790	161	1	NAP
Italy	21 182	35,0	NAP	13 297	4 071	351	3 463
Latvia	1 582	80,3	NAP	1 071	355	142	14
Lithuania	2 740	96,2	NAP	1 526	855	272	87
Luxembourg	189	32,0	NAP	131	66	3	NAP
Malta	383	87,0	NAP	227	59	7	90
Netherlands	7 317	42,8	NA	NA	NA	NA	NA
Poland	43 176	112,3	2 138	24 231	7 687	3 261	5 859
Portugal	5 652	54,8	NAP	5 342	92	210	8
Romania	10 297	52,4	NAP	6 191	1 621	1 822	663
Slovakia	4 482	82,5	937	2 143	NA	NA	1 402
Slovenia	3 330	161,2	516	826	1 796	192	NAP
Spain	49 186	105,7	4 379	NAP	NAP	NAP	44 807
Sweden	4 859	48,6	NAP	3 343	706	104	706
Average	8 759	68,5	1 802	5 361	1 661	511	3 965
Median	4 957	59,1	829	1 946	855	201	272
Minimum	189	20,9	23	12	59	1	7
Maximum	49 186	161,2	8 720	28 069	7 687	3 261	44 807
Nb of values	27	27	27	27	27	27	27
% of NA	4%	4%	7%	11%	19%	22%	11%
% of NAP	0%	0%	48%	4%	4%	4%	19%

France: There is no differentiation between non-judge staff attached to judges and prosecutors.

Italy: Administrative justice is not taken into account in the above table

Table 9.3.1 Number of lawyers* (absolute number and per 100 000 inhabitants) in 2010 to 2016 (Q1, Q146, Q147)

States	Number of lawyers						Number of lawyers per 100 000 inhabitants					
	2010	2012	2013	2014	2015	2016	2010	2012	2013	2014	2015	2016
Austria	7 510	7 861	8 000	8 092	6 138	6 216	89,5	93,0	94,3	94,3	70,5	71,1
Belgium	16 517	17 336	17 795	18 134	18 402	18 532	152,4	155,3	159,6	161,8	163,3	163,7
Bulgaria	11 825	12 010	12 010	12 696	13 013	13 500	160,6	164,9	165,8	176,3	181,9	190,1
Croatia	4 133	4 392	4 408	4 487	4 560	4 690	93,7	103,0	103,8	106,2	108,8	112,9
Cyprus	2 400	2 558	2 896	3 114	3 208	3 605	298,3	295,4	337,5	362,9	378,2	425,0
Czech Republic	10 158	10 944	10 255	11 842	12 300	11 310	96,6	104,1	97,6	112,5	116,5	106,9
Denmark	5 814	6 021	6 053	6 134	6 235	6 236	104,6	107,5	107,6	108,4	109,2	108,5
Estonia	788	846	878	934	970	993	58,8	65,8	66,7	71,1	73,7	75,5
Finland	1 893	1 935	2 009	2 115	3 550	3 791	35,2	35,7	36,9	38,7	64,7	68,9
France	51 758	56 176	60 223	62 073	62 073	63 923	79,6	85,7	91,5	93,6	93,2	98,6
Germany	155 679	160 880	162 695	163 513	163 772	164 393	190,4	200,5	201,4	202,4	200,3	200,1
Greece	41 794	42 113	42 177	42 052	42 226	42 091	369,5	380,7	381,3	387,7	388,9	390,3
Hungary	12 099	13 000	13 000	13 000	13 000	11 191	121,2	131,2	131,6	131,9	132,2	114,2
Ireland	10 933	11 055	11 215	11 588	11 907	12 237	238,6	240,8	243,7	250,5	255,3	261,8
Italy	211 962	226 202	226 202	223 842	237 132	229 292	349,6	379,0	379,0	368,2	390,9	378,4
Latvia	1 360	1 343	1 336	1 363	1 363	1 231	61,0	65,7	66,0	68,1	69,2	62,5
Lithuania	1 660	1 796	1 988	1 988	2 117	2 213	51,2	59,8	67,5	68,1	73,3	77,7
Luxembourg	1 903	2 020	2 203	2 180	2 323	2 381	371,8	384,8	400,5	387,2	412,6	403,1
Malta	1 600	1 400	1 112	1 485	1 569	1 327	383,1	332,3	261,4	345,9	361,2	301,3
Netherlands	16 275	17 068	17 298	17 713	17 343	17 498	97,7	101,7	102,8	104,8	102,1	102,4
Poland	38 750	43 974	-	52 760	-	48 315	101,4	114,1	-	137,1	-	125,7
Portugal	27 591	28 341	28 765	29 337	27 277	30 475	259,4	270,2	275,9	282,8	263,8	295,6
Romania	20 620	20 919	23 332	23 244	23 635	23 205	96,2	98,2	117,0	104,3	119,6	118,2
Slovakia	4 546	5 210	5 541	5 827	5 993	6 142	83,6	96,3	102,3	107,5	110,4	113,0
Slovenia	1 294	1 417	1 529	1 628	1 669	1 711	63,1	68,8	74,2	79,0	80,9	82,8
Spain	125 208	131 337	-	135 016	149 818	142 061	272,3	285,5	-	290,7	322,6	305,3
Sweden	5 000	5 246	5 422	5 575	5 800	5 263	53,1	54,9	56,2	57,2	58,9	52,7
Average	30 353	30 867	26 734	31 916	32 207	32 364	160,5	165,7	164,9	174,0	180,9	178,0
Median	10 546	10 944	8 000	11 588	9 071	11 191	101,4	107,5	107,6	112,5	118,1	114,2
Minimum	788	846	878	934	970	993	35,2	35,7	36,9	38,7	58,9	52,7
Maximum	211 962	226 202	226 202	223 842	237 132	229 292	383,1	384,8	400,5	387,7	412,6	425,0
Nb of values	27	27	25	27	26	27	27	27	25	27	26	27
% of NA	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
% of NAP	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

* In 2010, 2012, 2013 the total number of practising lawyers does not include "legal advisors" (information not requested for this study in 2014 and 2015) except for Cyprus.

Czech Republic: From the above mentioned number of lawyers there are 11011 active practising and 1289 temporary inactive.

Finland: For 2015, the number of lawyers provided includes both the number of lawyers working in the private sector and the number of lawyers working in the public sector. For the previous years, the number given only included the members of the Finnish Bar Association who are entitled to use the professional titles advokat (advocate).

Germany: No distinction is made between different groups of lawyers in Germany, such as between solicitors and barristers.

Table 9.3.2 Variation of the total number of lawyers between cycles 2015 and 2016 (Q1, Q146)

States	Variation 2015 - 2016	
	Number of lawyers	Number of lawyers per 100 000 inhabitants
Austria	1,3%	0,8%
Belgium	0,7%	0,2%
Bulgaria	3,7%	4,5%
Croatia	2,9%	3,8%
Cyprus	12,4%	12,4%
Czech Republic	-8,0%	-8,3%
Denmark	0,0%	-0,7%
Estonia	2,4%	2,4%
Finland	6,8%	6,5%
France	3,0%	5,8%
Germany	0,4%	-0,1%
Greece	-0,3%	0,4%
Hungary	-13,9%	-13,6%
Ireland	2,8%	2,6%
Italy	-3,3%	-3,2%
Latvia	-9,7%	-9,7%
Lithuania	4,5%	6,0%
Luxembourg	2,5%	-2,3%
Malta	-15,4%	-16,6%
Netherlands	0,9%	0,3%
Poland	-	-
Portugal	11,7%	12,1%
Romania	-1,8%	-1,2%
Slovakia	2,5%	2,3%
Slovenia	2,5%	2,4%
Spain	-5,2%	-5,4%
Sweden	-9,3%	-10,6%
Average	5,0%	5,2%
Median	1,1%	0,3%
Minimum	-15,4%	-16,6%
Maximum	12,4%	12,4%
Nb of values	26	26
% of NA	0%	0%
% of NAP	0%	0%

Table 9.3.3 Number of lawyers vs professional judges in 2012 to 2016 (values per 100 000 inhabitants) (Q1, Q46, Q52)

States	2012		2013		2014		2015		2016	
	Nb of professional judges per 100 000 inhabitants	Nb of lawyers per 100 000 inhabitants	Nb of professional judges per 100 000 inhabitants	Nb of lawyers per 100 000 inhabitants	Nb of professional judges per 100 000 inhabitants	Nb of lawyers per 100 000 inhabitants	Nb of professional judges per 100 000 inhabitants	Nb of lawyers per 100 000 inhabitants	Nb of professional judges per 100 000 inhabitants	Nb of lawyers per 100 000 inhabitants
Austria	18,3	93,0	18,4	94,3	19,2	94,3	18,6	70,5	27,4	71,1
Belgium	14,3	155,3	14,4	159,6	14,4	161,8	14,3	163,3	14,1	163,7
Bulgaria	30,7	164,9	30,2	165,8	30,5	176,3	31,1	181,9	31,8	190,1
Croatia	45,3	103,0	45,0	103,8	44,0	106,2	44,5	108,8	43,3	112,9
Cyprus	11,9	295,4	11,8	337,5	11,2	362,9	13,3	378,2	13,1	425,0
Czech Republic	29,1	104,1	29,1	97,6	28,8	112,5	28,6	116,5	28,4	106,9
Denmark	6,6	107,5	6,3	107,6	6,7	108,4	6,6	109,2	6,5	108,5
Estonia	17,7	65,8	17,2	66,7	18,0	71,1	17,8	73,7	17,6	75,5
Finland	18,1	35,7	18,1	36,9	18,2	38,7	18,1	64,7	19,4	68,9
France	10,7	85,7	10,7	91,5	10,6	93,6	10,5	93,2	10,8	98,6
Germany	24,7	200,5	23,9	201,4	24,1	202,4	23,6	200,3	24,2	200,1
Greece	23,3	380,7	35,0	381,3	20,2	387,7	20,3	388,9	25,4	390,3
Hungary	27,9	131,2	28,4	131,6	28,4	131,9	28,6	132,2	28,7	114,2
Ireland	3,1	240,8	3,2	243,7	3,5	250,5	3,4	255,3	3,5	261,8
Italy	10,6	379,0	11,0	379,0	11,6	368,2	10,9	390,9	10,6	378,4
Latvia	21,5	65,7	23,8	66,0	23,9	68,1	25,0	69,2	25,5	62,5
Lithuania	25,6	59,8	26,2	67,5	25,1	68,1	26,4	73,3	27,3	77,7
Luxembourg	40,4	384,8	41,3	400,5	35,0	387,2	32,5	412,6	31,7	403,1
Malta	9,5	332,3	9,9	261,4	9,7	345,9	9,7	361,2	10,2	301,3
Netherlands	14,4	101,7	14,1	102,8	14,1	104,8	13,9	102,1	13,6	102,4
Poland	26,2	114,1	-	-	26,2	137,1	-	-	26,0	125,7
Portugal	19,2	270,2	19,4	275,9	19,0	282,8	19,2	263,8	19,3	295,6
Romania	20,2	98,2	22,6	117,0	21,5	104,3	23,3	119,6	23,6	118,2
Slovakia	24,2	96,3	24,8	102,3	24,4	107,5	23,8	110,4	24,1	113,0
Slovenia	47,1	68,8	46,1	74,2	44,9	79,0	43,5	80,9	42,6	82,8
Spain	11,2	285,5	-	-	11,6	290,7	11,6	322,6	11,5	305,3
Sweden	11,8	54,9	11,7	56,2	12,0	57,2	11,8	58,9	11,8	52,7
Average	20,9	165,7	21,7	165,7	20,6	174,0	20,4	180,9	21,2	178,0
Median	19,2	107,5	19,4	107,5	19,2	112,5	18,9	118,1	23,6	114,2
Minimum	3,1	35,7	3,2	35,7	3,5	38,7	3,4	58,9	3,5	52,7
Maximum	47,1	384,8	46,1	384,8	44,9	387,7	44,5	412,6	43,3	425,0
Nb of values	27	27	25	25	27	27	26	26	27	27
% of NA	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
% of NAP	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

Table 9.4 (EC) Number of professional judges sitting in courts per 100 000 inhabitants in 2010, 2014, 2015 and 2016 (Q1, Q46)

States	EC Code	2010	2014	2015	2016
Austria	20	17,8	19,2	18,6	27,4
Belgium	1	14,8	14,4	14,3	14,1
Bulgaria	2	30,0	30,5	31,1	31,8
Croatia	11	42,8	44,0	44,5	43,3
Cyprus	13	12,9	11,2	13,3	13,1
Czech Republic	3	29,1	28,8	28,6	28,4
Denmark	4	6,7	6,7	6,6	6,5
Estonia	6	16,7	18,0	17,8	17,6
Finland	26	18,0	18,2	18,1	19,4
France	10	10,7	10,6	10,5	10,8
Germany	5	24,3	24,1	23,6	24,2
Greece	8	29,3	20,2	20,3	25,4
Hungary	17	29,0	28,4	28,6	28,7
Ireland	7	3,2	3,5	3,4	3,5
Italy	12	11,0	11,6	10,9	10,6
Latvia	14	21,2	23,9	25,0	25,5
Lithuania	15	23,9	25,1	26,4	27,3
Luxembourg	16	36,7	35,0	32,5	31,7
Malta	18	9,3	9,7	9,7	10,2
Netherlands	19	15,2	14,1	13,9	13,6
Poland	21	27,8	26,2	-	26,0
Portugal	22	18,4	19,0	19,2	19,3
Romania	23	19,0	21,5	23,3	23,6
Slovakia	25	24,9	24,4	23,8	24,1
Slovenia	24	49,9	44,9	43,5	42,6
Spain	9	10,2	11,6	11,6	11,5
Sweden	27	11,5	12,0	11,8	11,8

Austria: Administrative justice is introduced in 2014 and included in the data since 2016

Italy: Administrative justice is not taken into account in the above table

Table 9.5 (EC) Number of lawyers per 100 000 inhabitants in 2010, 2014, 2015 and 2016(Q1, Q146)

States	EC Code	2010	2014	2015	2016
Austria	20	89,5	94,3	70,5	71,1
Belgium	1	152,4	161,8	163,3	163,7
Bulgaria	2	160,6	176,3	181,9	190,1
Croatia	11	93,7	106,2	108,8	112,9
Cyprus	13	298,3	362,9	378,2	425,0
Czech Republic	3	96,6	112,5	116,5	106,9
Denmark	4	104,6	108,4	109,2	108,5
Estonia	6	58,8	71,1	73,7	75,5
Finland	26	35,2	38,7	64,7	68,9
France	10	79,6	93,6	93,2	98,6
Germany	5	190,4	202,4	200,3	200,1
Greece	8	369,5	387,7	388,9	390,3
Hungary	17	121,2	131,9	132,2	114,2
Ireland	7	238,6	250,5	255,3	261,8
Italy	12	349,6	368,2	390,9	378,4
Latvia	14	61,0	68,1	69,2	62,5
Lithuania	15	51,2	68,1	73,3	77,7
Luxembourg	16	371,8	387,2	412,6	403,1
Malta	18	383,1	345,9	361,2	301,3
Netherlands	19	97,7	104,8	102,1	102,4
Poland	21	101,4	137,1	-	125,7
Portugal	22	259,4	282,8	263,8	295,6
Romania	23	96,2	104,3	119,6	118,2
Slovakia	25	83,6	107,5	110,4	113,0
Slovenia	24	63,1	79,0	80,9	82,8
Spain	9	272,3	290,7	322,6	305,3
Sweden	27	53,1	57,2	58,9	52,7

Indicator 9: Professionals of justice

comments provided by the national correspondents

organised by country

Question 46: Number of professional judges sitting in courts

Question 52: Number of non-judge staff

Question 146 Number of lawyers

Austria

Q046 (2016): This cycle administrative courts were taken into account for the first time.

The administrative courts were established January 1st 2014. After their establishment the data of the administrative courts is introduced this cycle for the first time.

Q46 (2015): The right (not rounded) numbers are:

TotalMalesFemales

Total number of professional judges (1 + 2 + 3)1620,65 - 790,52 - 830,13

1. Number of first instance professional judges1222,95 - 559,08 - 663,87

2. Number of second instance (court of appeal) professional judges 330,35 - 187,75 - 142,60

3. Number of supreme court professional judges 67,35 - 43,69 - 23,66

Data in full time equivalent

1.: district and partly regional courts

2.: partly regional courts and courts of appeal

Q46 (2014): Besides, in the frame of the 2014 exercise, the numerical values in the table have been rounded in order to comply with the new CEPEJ methodology. The most exact replies for this period would be:

Total number of professional judges: 1 620,04 (789,68 Male, 830,36 Female)

1. Number of first instance professional judges: 1 224,36 (556,01 Male, 668,35 Female)

2. Number of second instance professional judges: 329,63 (190,78 Male, 138,85 Female)

3. Number of supreme court professional judges: 66,05 (42,89 Male, 23,16 Female).

· In 2014, some judges entitled to adjudicate in different law fields have been counted twice which explains the significant increase of the number of second instance judges between 2013 and 2014.

Q46 (2013): Specifically, the numbers indicated for 2012 and 2013 differ from the previous periods because the different tasks had been more exactly assigned to the full time equivalent judges, distinguishing between 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.

Q46 (2012): Specifically, the numbers indicated for 2012 and 2013 differ from the previous periods because the different tasks had been more exactly assigned to the full time equivalent judges, distinguishing between 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.

Q052 (2016): This cycle administrative courts were taken into account for the first time.

The administrative courts were established January 1st 2014. After their establishment the data of the administrative courts is introduced this cycle for the first time.

Q52 (2015): The right (not rounded) numbers are:

Total non-judge staff working in courts (1 + 2 + 3 + 4 + 5) 4734,55 - 1407,08 - 3327,47

1. Rechtspfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal 798,11 - 331,63 - 466,48
2. Non-judge staff whose task is to assist the judges such as registrars (case file preparation, assistance during the hearing, court recording, helping to draft the decisions) 19,05 - 1 - 18,05
3. Staff in charge of different administrative tasks and of the management of the courts (human resources management, material and equipment management, including computer systems, financial and budgetary management, training management) 439,56 - 155,86 - 283,70
4. Technical staff 21,70 - 9,85 - 11,85
5. Other non-judge staff 3456,13 - 908,74 - 2547,39

Q52 (2014): As previously specified, in the frame of the 2014 exercise, the numerical values in the table have been rounded in order to comply with the new CEPEJ methodology. The most exact replies for this period would be:

Total non-judge staff working in courts: 4 704,51 (1 388 Male, 3 316,51 Female)

1. Rechtspfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to Appeal: 784,78 (320,21 Male, 464,57 Female)
2. Non-judge staff whose task is to assist the judges such as registrars (case file preparation, assistance during the hearing, court recording, helping to draft the decisions): 19,18 (1 Male, 18,18 Female)
3. Staff in charge of different administrative tasks and of the management of the courts (human resources management, material and equipment management, including computer systems, financial and budgetary management, training management): 438,97 (159,85 Males, 279,12 Females)
4. Technical staff: 23,05 (9,95 Males, 13,10 Females)
5. Other non-judge staff: 3 438,53 (896,99 Males, 2 541,54 Females)

Q52 (2010): On the occasion of the 2010 exercise, it was specified that some persons of the cleaning staff were – still - employed by the courts and were counted in the category “technical staff”. In the case of retirements, the posts were not filled in any longer because usually this kind of work is done by external cleaning companies.

Q146 (2016): Statistic from the Austrian Bar (Österreichischer Rechtsanwaltskammertag) of 31st December 2016 (available at www.rechtsanwaelte.at).

The data only includes lawyers registered in the list of Austrian lawyers (6.132), lawyers registered in the list of established European lawyers (84) registered by 31st of December 2016. It does not include solicitors nor legal advisors as such professions/types of service providers do not exist in Austria.

Q146 (2015): Statistic from the Austrian Bar (Österreichischer Rechtsanwaltskammertag) of 31st December 2015 (available at www.rechtsanwaelte.at). The data only includes lawyers registered in the list of Austrian lawyers (6.057), lawyers registered in the list of established European lawyers (81) registered by 31st of December 2015. It does not include solicitors nor legal advisors as such professions/types of service providers do not exist in Austria. (and see Mail from Oct 5th 2016)

Q146 (2014): Data provided for 2014 includes lawyers registered in the list of Austrian lawyers (5940), lawyers registered in the list of established European lawyers (80) and trainee lawyers (2072) registered by 31 December 2014. It does not encompass solicitors or legal advisors as such professions/types of service providers do not exist in Austria.

Belgium

Q46 (2014): 2014: the number of professional judges includes the presidents of the courts.

Q46 (2013): The 2013 data on the number of professional judges reflects the situation as at 18 January 2014.

Q52 (2013): The number of women per category is as follows: Total: 3839,45; category 2: 1212,62; category 3: 2031,93; category 4: 594,90.

Q52 (2012): 2012: The 2d category "non-judge staff whose task is to assist the judges such as registrars" covers clerks and referendaries; the 3d category "staff in charge of different administrative tasks" includes HRM staff, seconded staff to specific authorities of the judicial organisation and administrative staff of the court registry. This distribution can be presented with the following figures: Total: 5457,95 (3930,35 women); 2: 1707,72 (1166,52 women); 3: 2766,23 (2075,73 women); 5: 984 (688,10 women).

Q146 (2016): As at 1 December 2016, there were 7 930 French-speaking and German-speaking lawyers and 10 602 Dutch-speaking lawyers (OVb).

Q146 (2015): As at 1 December 2015, there were 7,882 French-speaking and German-speaking lawyers (avocats.be) and 10,520 Dutch-speaking lawyers (Orde van Vlaamse balies).

Bulgaria

Q046 (2016): P. 1 – The number of first instance professional judges consists of judges in 27 Regional courts within regional centres; 86 out of regional centres; 28 Administrative courts; 1 Specialized Criminal Court; 3 Military courts; and the number of the first instance judges in District courts has been added to them;

P.2 – The number of the second instance judges consists of judges in 27 District courts; Sofia City Court; 5 Courts of Appeal; 1 Military court of appeal and 1 Appealate Specialized Criminal Court. This number does not include the second instance judges which have served in first instance courts. P.3- The number of working judges in the Supreme Court of Cassation and Supreme Administrative Court at 31.12.2016

Q46 (2015): 1. The figure 1760 includes the number of judges, employed at the 1st instance courts ((113 regional courts (27 Regional courts in the district centers and 86 regional courts outside the district centers); 28 Administrative courts; 1 Specialized criminal court; 3 Military courts) including the number of the first instance judges` (524) working in the first instance court formations in the District courts as from 31.12.2015. The number of Military courts has been reduced after decision under protocol ? 44/13.12.2013 of the Supreme Judicial Council from 5 to 3.

2. The number of judges, employed at the 2nd instance courts as from 31.12.2015 and the Courts of Appeal is 277. This figure is a result from the addition of the judges in the 28 District courts; 6 Courts of appeal and 1 Specialized criminal court of appeal – 801 judges in total, where the number of the first instance judges in the District courts (524) have been deducted.

3. The number of judges, employed in the Supreme Court of Cassation and the Supreme Administrative courts as from 31.12.2015 is 188.

Q46 (2014): In 2014, the number 1753 shows the number of judges employed in the first instance courts (113 regional, 28 administrative and 3 military courts) and 550 first instance judges, working in the district courts. The number of military courts was reduced from 5 to 3 following a decision of the SJC protocol 44/13.11.2013. The number of second instance judges is 277 and does not encompass first instance judges, working in the first instance chambers of the district courts.

Q52 (2015): Unlike the previous evaluation cycles, now we indicate the figure 502 – technical staff (it includes drives, cleaning staff, guards, etc.), which reduce the number of the employees engaged with administrative tasks and court management under number 3.

Other non-judge staff includes 55 court servants working in recreation department.

Q52 (2013): The number of non-judge staff assisting judges includes the number of all court staff from the so called specialized administration supporting judges, including court secretaries and court assistance, while for 2010 it subsumes only court secretaries. The category “staff in charge of different administrative tasks” subsumes the number of non – judge staff of general administration.

Q52 (2012): The number of non-judge staff assisting judges includes the number of all court staff from the so called specialized administration supporting judges, including court secretaries and court assistance, while for 2010 it subsumes only court secretaries.

Croatia

Q46 (2015): The Republic of Croatia submits correct numbers of professional judges sitting in courts for previous cycles (2013 and 2014), because in the previous cycles this number did not include court presidents, while there were excluded in the separate questions. Therefore, the correct numbers for these cycles are as follows:

2013.	Total	Males	Females
Total number of professional judges (1 + 2 + 3)	1.912,059	1.013	21,0
1. Number of first instance professional judges	1.366,037	998	7,0
2. Number of second instance (court of appeal) professional judges	506,018	9,031	7,0
3. Number of supreme court professional judges	40,023	0	17,0

2014.	Total	Males	Females
Total number of professional judges (1 + 2 + 3)	1.875,058	1.029	2,0
1. Number of first instance professional judges	1.343,037	7,096	6,0
2. Number of second instance (court of appeal) professional judges	489,018	0	309,0
3. Number of supreme court professional judges	43,026	0	17,0

The total number of judges does not include: judges on unpaid leave, judges who work part-time, judges who are on maternity leave or on parental leave, judges suspended after disciplinary proceedings, judges working in a shortened working time care of a child with special needs, judges transferred in another state body (Ministry of Justice and Judicial Academy).

Q46 (2014): In 2014, the number of professional judges in first instance courts includes judges of municipal, commercial, administrative and misdemeanour courts. The number of judges in second instance courts includes judges of the county courts, High Commercial Court, High Misdemeanour Court and High Administrative Court. The number of 3rd instance judges refers to the Supreme Court of the Republic of Croatia.

According to the Act on Territorial Jurisdiction and Seats of the Courts adopted in 2010, four first instance administrative courts were established. The mentioned Act came into force on 1st January 2012, when the mentioned four courts became operational. Moreover, the Act on Amendments to the Act on Courts from 2011 prescribes that the Administrative Court of the Republic of Croatia, starting from 1 January 2012 continues its work as the High Administrative Court of the Republic of Croatia.

Q46 (2010): In 2010, the number of professional judges in first instance courts included judges of municipal, commercial and misdemeanour courts. The number of judges in second instance courts included judges of the county courts, High Commercial Court, High Misdemeanor Court and Administrative Court of the Republic of Croatia.

Q52 (2015): The Republic of Croatia submits correct numbers of non-judge staff who are working in courts for previous cycles (2012, 2013 and 2014), because in the previous cycles this number included the staff working for public prosecutors. Therefore, the correct numbers for these cycles are as follows:

2012.TotalMalesFemales

Total non-judge staff working in courts (1 + 2 + 3 + 4 + 5)6 2348705 364

1. Rechtspfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal31165246

2. Non-judge staff whose task is to assist the judges such as registrars (case file preparation, assistance during the hearing, court recording, helping to draft the decisions)4 6484214 227

3. Staff in charge of different administrative tasks and of the management of the courts (human resources management, material and equipment management, including computer systems, financial and budgetary management, training management)544105439

4. Technical staff

731

279

452

5. Other non-judge staff

2013.TotalMalesFemales

Total non-judge staff working in courts (1 + 2 + 3 + 4 + 5)6 2228735 349

1. Rechtspfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal28563222

2. Non-judge staff whose task is to assist the judges such as registrars (case file preparation, assistance during the hearing, court recording, helping to draft the decisions)4 6434244 219

3. Staff in charge of different administrative tasks and of the management of the courts (human resources management, material and equipment management, including computer systems, financial and budgetary management, training management)562107455

4. Technical staff

732

279

453

5. Other non-judge staff

Q52 (2014): On the occasion of the 2014 exercise, it has been explained that in 2013, the number of "Rechtspfleger" included judicial advisors because they work autonomously on cases, on the one hand, and staff who are not judges, but who can enact decisions (land registry officials and court registry officials), on the other hand. In 2014, the interpretation changed and judicial advisors were moved to category 2 "non-judicial staff whose task is to assist the judges" since they work autonomously but their decision must be signed by a judge. The other category of staff who are not judges, but who can enact decisions are still included in Rechtspfleger.

Q52 (2013): In the frame of the 2013 exercise, it has been indicated that the significant variations that can be noticed for the period 2012-2013 in respect of certain sub-categories are due only to a different methodology of classification followed in 2012 and 2013. In other words, the total is slightly different for the two years. More specifically, in 2013, with regard to the sub-category "staff in charge of administrative tasks" within item no 3 staff in charge of various administrative tasks and management of courts was counted, and in item no 2, the Ministry of Justice counted in this item the staff working as clerk of the court, who also simultaneously work in the capacity of clerks in court management in smaller courts, where the president of the court is also a judge. This was shown as increase in comparison to 2012, when the clerks of the court were counted within item "non-judicial staff assisting judges". Following everything said above, the real increase did not occur.

Cyprus

Q46 (2015): From 2014, following the retirement of male judges at last instance, female judges were appointed.

Q052 (2016): court bailiff

Q52 (2015): Between 2014 and 2015, there was a change in the distribution of non-judge staff. In 2014, in the category "staff in charge of administrative tasks", only the number of high-level administrative staff was included. The other administrative staff were included in the category "other non judge staff". Whereas in 2015, all administrative staff were included in the category "staff in charge of administrative tasks". This change of distribution leads to significant variations.

Q52 (2014): Variations concerning data on different categories of non-judge staff are due to different methodology of presentation of data used for 2014 and the previous evaluations.

Q146 (General Comment): Three universities offering law degrees were established which increased the number of lawyers registered.

Czech Republic

Q052 (2016): Small discrepancy present in some categories is a result of ordinary turnover of staff in 98 organizations.

Q52 (2015): In 2015, compared to 2014, the number of non-judge staff increased due to a project financed from the European social fund and state budget: "Project on improvement of the efficiency of courts by strengthening of the administrative capacities". The project is running until 30th December 2015.

Q52 (2014): In 2014, the number of non-judge staff increased due to a project financed from the European social fund and State budget: "Project on improvement of the efficiency of courts by strengthening of the administrative capacities". The project is running until 30th December 2015.

Q146 (2015): From the above mentioned number of lawyers there are 11011 active practising and 1289 temporary inactive.

Q146 (2013): In the frame of the 2013 exercise, it is specified that 10 255 lawyers are practicing in an active manner, while 1 141 lawyers discontinued their practicing.

Denmark

Q146 (2013): In the frame of the 2013 exercise, it has been indicated that the figure provided for 2013 corresponds to the statistical data for September 2014.

Q146 (2012): In the frame of the 2012 exercise it has been specified that the indicated number does not include assistant attorneys.

Estonia

Q46 (2014): In 2014, one male judge left and a female judge was appointed.

Q46 (2012): In 2010, there were 3 female professional judges at the Supreme Court. At the beginning of 2012, one female judge of the Supreme Court became the judge representing Estonia in the European Human Rights Court.

Q052 (2016): The observed variations in the numbers with regard to the different sub-categories are due to a general movement of staff.

Q52 (2015): Other non-judge staff is court interpreters.

Q52 (2014): On the occasion of the 2014 evaluation, the attention was drawn on the pilot project introduced in 2013 in one county court consisting in providing each judge with a personal legal assistant who had to have a master's degree in law and whose salary was increased to 50% of the judge's salary. As a result, judges could delegate more functions to assistants and the quality of the support provided by their assistants increased.

After the first year of the pilot project, the average proceeding times in civil cases in that particular court dropped from 201 days to 160 days; after the second year the average proceeding times dropped further to 132 days.

At present, the project has been introduced in all first and second instance courts too.

Q52 (2013): Since 2013, the second category includes a new position among court staff – judicial clerk. The latter was established in order to raise the qualification level of the non-judge staff working in the courts and thus improve the quality and efficiency of the performance of the courts. Judicial clerks have to have a master's degree in law and their salary represents 50% of the judge's salary. They assist judges in the administration of justice, participating in the preparation of the court cases or in the court proceedings to the extent prescribed by law. In the course of efficiency raising projects in first and second instance courts, judicial clerks replace step by step former consultants. As a result of the project, there is one judicial clerk for every judge as a personal assistant.

In 2013, the efficiency raising project was implemented in the largest court of general jurisdiction as a pilot (Harju County Court) and therefore the increase in the number of non-judge staff (category 2) can be seen. After the first year of implementation, the average proceeding times in civil cases in that particular court dropped from 201 days to 160 days; after the second year the average proceeding times dropped further to 132 days.

In 2015, the project has been introduced in all first and second instance courts too.

Q52 (2012): For the period 2010-2012, a significant variation is observed with regard to the item "non-judge staff assisting the judges". In this respect, it is noteworthy that the overall number of court staff has not changed much during the last years: 976 (2010), 957 (2012) and 990 (2013). Basically, the differences in figures in the sub-categories between 2010 and 2012 are due to the different categorization of court staff.

Finland

Q052 (2016): office staff 1473, summoners 248, trainee district judges 136, junior district judges 1, referendaries 312

Q52 (2015): office staff 1428, summoners 265, trainee district judges 138, junior district judges 5, referendaries 309

Q52 (2014): For the 2014 exercise the total of 2 161 subsumes 1 434 office staff, 266 summoners, 136 trainee district judges, 7 junior district judges and 318 referendaries.

Q52 (2013): For 2013, the total of 2 196 subsumes 1445 office staff, 265 summoners, 133 trainee district judges, 7 junior district judges, 346 referendaries.

Q52 (2012): For 2012, the total of 2 214 subsumes 1447 office staff, 264 summoners, 129 trainee district judges, 9 junior district judges, 365 referendaries.

Q52 (2010): For 2010, the total of 2 285 subsumes 1479 office staff, 272 summoners, 130 trainee district judges, 15 junior district judges, 389 referendaries.

Q146 (General Comment): The number of lawyers indicated for 2012, 2013 and 2014 refers to members of the Finnish Bar Association who are entitled to use the professional titles *advokat* (advocate). Law firms (firms owned by members of the Bar) employ also associates. Besides, legal aid offices employ also legal advisers who are not all members of the Bar Association. Till 2014, jurists (persons who have a Master's Degree in law) could offer similar legal services than members of the Bar. From the beginning of the year 2014, only advocates, public legal aid attorneys and counsels who have obtained the license referred to in the Licensed Counsel Act are allowed to represent a client in the court.

In 2016, the total number of lawyers 3,791 includes 2,119 members of the Finnish Bar Association, 1,540 licensed lawyers and 229 public legal aid lawyers (97 public legal aid lawyers are also members of the Finnish Bar Association). Only members of the Finnish Bar Association are entitled to use the professional title "advocate".

France

Q46 (2014): The 2014 data on number of judges of courts of law subsumes also the presidents appointed by 31 December 2014.

Q46 (2013): In 2013, in first instance, there are 161 presidents of ordinary courts of law and 42 presidents of administrative courts. In second instance, there are 37 first presidents of courts of law and 8 presidents of administrative courts. They are encompassed in the indicated figures. However, presidents of administrative courts of appeal are not included (being members of the State Council, they are included within the number of Supreme court judges).

Q46 (2012): The 2012 data is expressed in FTE, for positions actually filled on 31 December 2012 within courts of law and administrative courts. For the latter, data in FTE concerning the distribution between men and women is not available. Out of the 1377 first instance and appeal judges, there are 816 men and 561 women. Data on men-women distribution for the State Council is not available in FTE: there were 105 men and 47 women. For courts of law, there were in FTE: total: 5771 FTE (2066 men/3705 women); first instance professional judges (1326 men/2804 women); appeal court professional judges (622 men/795 women); Supreme court professional judges (118 men/106 women). The State Council used different calculation methods for 2010 and 2012.

Q46 (2010): The 2010 data refers to judges of courts of law and administrative courts appointed by 31 December 2010. The data concerning only judges of courts of law is as follows: total - 5855 2188 3667; first instance professional judges: 4128 1362 2766; appeal court professional judges - 1504 707 797; Supreme court professional judges: 223 119 104.

Q052 (2016): The distinction between staff attached to judges and staff attached to prosecutors is not possible to be carried out. The category "other" refers to specialized assistants (18) and legal assistants (111) who work in civil and criminal courts.

Q52 (2015): It should be noted that as of 31 December 2015, 1013 categories A and B staff (including 886 women) were in initial training at the *Ecole nationale des greffes* (French National School for Registrars), most of them in practical training in courts. This high volume of staff has joined the courts in 2016 or will do so in 2017, which will increase the number of staff actually working in the courts and regional administrative offices.

The distinction between staff in charge of assisting judges and staff in charge of assisting prosecutors is not possible. The latter are therefore part of the figures provided.

Q52 (2013): The 2013 data relating to court staff comprises the staff appointed to judges and public prosecutors. It is not possible to separate them.

Significant recruitments are ongoing in the judiciary. On 31 December 2013, 1064 agents of categories A and B (among which 931 women) were in initial training. These agents joined the judicial jurisdictions in 2014 or will do in 2015.

Among the 21946 non-judge staff, 1911 were appointed to the administrative jurisdictions, that is to say 476 (among which 351 women) in category 2, 1326 (among which 991 women) in category 3 and 109 (among which 72 women) in category 4.

The size of the administrative order is bigger than in 2012 (+132 FTE), because the field was specified. If the size of the courts and courts of appeal are stable (1499), on the contrary the 274 agents of the State Council counted in 2012 were appointed to a support function; they are therefore excluded from the 2013 figures. However, the size of the litigation section of the State Council (juridict section strictly speaking) represents 87 FET. The number of staff of the national court for asylum right has also been taken into account in categories 2, 3 and 4 for a total of 325 FET, while this specialised administrative jurisdiction was not counted until now.

The share of women in the total staff is:

1. Total number of non-judge female staff working in courts: 18215
2. Staff in charge of assisting judges in the manner of registrars: 15662
3. Staff in charge of tasks relating to administration and management of courts: 2300
4. Technical staff: 253

In 2013, the State Council distributed non-judge staff which was before included in the category "other non-judge staff" in the proposed categories.

This is especially the reason why there is an increase of the staff in charge of administrative tasks between 2012 and 2013. It is explained by the redistribution of the category "other non-judge staff" carried out in 2013 to the category "staff in charge of administrative and management of the court tasks".

Q52 (2012): On 31 December 2012, 1039 staff in Categories A and B were in initial training at the National School for Registrars, most of them in practical training in the courts. This important volume of agents joined the jurisdictions in 2013 or will do so by 2014, which will increase the number of agents actually in office in courts and regional administrative services.

The data of the administrative courts are classified as "other non-judge staff". Because of the versatility of non-judges of administrative courts and administrative courts of appeal, non-judge staff cannot be integrated in any of the categories mentioned. This concerns 1,505.5 FTE. Also for the State Council, the number of FTEs of these non-judge staff: 274 FTE (151 women / 130 men, not available FTE for the male / female distribution) (source: General Secretariat of the State Council). This categorisation due to the versatility of the staff in administrative justice can explain the difference found in the "other non-judge staff" between 2010 and 2012.

Q52 (2010): The total includes civil servants working in administrative courts as well as the staff attached to judges and public prosecutors. It also subsumes the staff in charge of tasks related to administration and management of 1st and 2d instance administrative courts. The category "other" includes judicial assistants who are non-permanent staff assigned to assist judges in decision making (237,62 FTE) and seasonal contracts (250,92 FTE).

Q146 (2014): 2014: the data concern the number of lawyers on 1 January 2015 by prospective application and economy of professions of the directorate for civil cases and the Ministry of Justice.

Q146 (2012): 2012: the data concern the number of lawyers on January 2012.

Germany

Q046 (2016): The information provided counts the number of full-time equivalent staff. There are no absolute figures for the number of persons making up this staff. A judge working full hours is counted as a full-time equivalent (i.e. 1). A judge working part-time is counted as a fraction of 1. This fraction corresponds to the number of hours worked in relation to a full-time equivalent (e.g. 0.5 for a judge working half the usual number of hours). Re 1 and 2: Information based on staffing overviews. These data are ascertained according to a complex calculation mechanism as an annual average of the actual personnel deployed (for example: minus the number of staff absent for more than 20 working days in a single quarter for reasons other than vacation and/or further-training). Re 3: The number of supreme court professional judges is based on judicial statistics. These data are collected and collated every two years (last updated 31/12/2016). Statistics on the number judges on file at the end of the year (including staff placed on leave of absence or suffering from long-term illness), permit the following calculation for the total number of full-time equivalent staff (which, however, cannot be broken down according to first instance/appeal court):

Total number of full-time equivalent staff: 20738, of which 11517 are male and 9222 are female.

Q46 (2015): The data refer to the year 2014. At present, no more recent data are available.

This information relates to manpower percentages. There are no absolute figures for the number of persons. As to the information regarding manpower percentages, a judge working full-time is counted as 1. A judge who works part-time is counted as a portion of 1, depending upon his work hours as a percentage of full-time (e.g. 0.5 for a judge who works half of the full-time working hours).

As to 1. and 2.: The information is based upon summaries of the staff. This data is derived from a complex calculation key as an annual average value of the actual personnel deployed (for example, excluding employees who were not present more than 20 working days during a quarter for reasons other than holiday and/or training).

As to 3.: The number of professional judges at the highest courts of law is based upon judicial statistics. This data is collected every two years and compiled into an overview (most recent: 31 December 2014).

Q052 (2016): This figures denotes the number of staff (full-time equivalent) who are:

- granted unpaid leave for training/further-training purposes,
- released to work in staff representation bodies, as representatives for staff with disabilities, and as gender equality commissioners,
- employed in a special facility,
- employed as reception/security staff,
- employed by the court switchboard,
- motorpool staff,
- cleaners and other non-salaried personnel

Comments:

These are personnel-deployment figures denoting the number of full-time equivalent employees not exercising judicial office. Personnel-deployment figures are not collected according to reference date. Instead, an annual average is calculated over four quarters. There are no absolute figures for the number of persons making up this staff. An employee working full hours is counted as a full-time equivalent (i.e. 1). An employee working part-time is counted as a fraction of 1. This fraction corresponds to the number of hours worked in relation to a full-time equivalent (e.g. 0.5 for an employee working half the usual number of hours). Figures for the federal courts are not included.

Q52 (2014): The 2013 and 2014 data are the same due to the impossibility to obtain data for 2014. The trend observed since 2010 reveals stable figures.

Q146 (General Comment): Re question 147: All lawyers in Germany are empowered to plead before court. No distinction is made between different groups of lawyers in Germany, such as between solicitors and barristers. In addition to lawyers, certain other individuals may also appear in court as 'legal advisers'; there are no statistical data on these individuals.

Greece

Q046 (2016): The 2015 data concerning the number of second instance judges did not, inadvertently, include all the ranks for penal and political justice and the respective administrative judges. Accordingly, this year the number is higher and explains also the variation in the total.

Q46 (2014): Data provided for 2014 are accurate. The variation observed in respect of the number of second instance judges, namely the decrease between 2013 and 2014, is due to the fact that in contrast with the previous exercise, administrative judges are not counted in this category for 2014.

Q46 (2013): In 2013, justices of peace are included, while Court of Auditors' judges are not considered in the total.

Q46 (2012): For the 2012 evaluation, the total number subsumed judicial officials of the civil-penal and administrative courts. It should be noticed that 688 magistrates were not included, as well as Court of Auditors' judges.

Q46 (2010): In the frame of the 2010 evaluation, the total number of judges (3 313) was detailed in the following way: 2041 associate judges (first instance, second instance and Supreme Court judges); 159 judicial officials of the Council of State; 551 magistrates; 562 first instance, second instance and Supreme Court presidents.

Q052 (2016): The 2015 data did not, inadvertently, exclude staff working for the public prosecution services.

Q52 (2010): On the occasion of the 2010 exercise, it has been indicated that there is no differentiation between staff assisting judges and staff assisting prosecutors.

Q146 (2013): The figure provided for 2013 corresponds to the total number until the end of December 2013.

Hungary

Q46 (2014): In 2014, 26 judges were assigned to the National Office for the Judiciary (for work in accordance with the judicial administration) and 7 judges were assigned to the Ministry of Justice (to contribute to the legislative work of the ministry). These judges do not hear cases when carrying out their specific missions within the NOJ and the Ministry of Justice.

Q46 (2013): The number of Supreme Court female judges decreased between 2010 and 2012, while the number of Supreme Court male judges increased between 2012 and 2013. There is no specific reason in this respect, as the vacant positions are filled through an open application process, where the gender of the applicants is not taken into consideration in any way.

Q46 (2012): The number of Supreme Court female judges decreased between 2010 and 2012, while the number of Supreme Court male judges increased between 2012 and 2013. There is no specific reason in this respect, as the vacant positions are filled through an open application process, where the gender of the applicants is not taken into consideration in any way.

Q52 (2015): For the gender ratio we are only able to provide the total figures.

Other non-judge staff (5) includes Staff in charge of different administrative tasks and of the management of the courts (3) and technical staff (4).

Q52 (2014): In 2014, the category "other non-judge staff" includes "staff in charge of different administrative tasks and of the management of the courts" and "technical staff". □

As to the category "other" and the observed variation between 2013 and 2014, it is due to different methodologies of presentation of data. Some of those judicial employees who in 2012 were counted as non-judge staff whose task is to assist the judges such as registrars are taken into account for 2014 in the category "other non-judge staff".

Q52 (2013): The resort to a different methodology of presentation of data in 2013 gave the impression of a decrease in the number of non-judge staff assisting judges. Some of those judicial employees who in 2012 year were included in the category "non-judge staff whose task is to assist the judges such as registrars" were taken into account in the category "other non-judge staff". □

The category "other non-judge staff" included in 2013 the total number of "staff in charge of different administrative tasks and of the management of the courts" and "technical staff" because these numbers could not be separated within the national database.

Q52 (2012): In 2012, it has been specified that court secretaries are enabled to perform duties of judges in cases specifically defined by law. In connection with this, it has been explained that the increase of the number of Rechtspfleger between 2010 and 2012 was mainly due to the expanding scope of their authority according to the amended procedural codes. One of the main strategic goals of the NOJ was to rationalize the courts human resources and so to decrease the administrative workload of judges. Year by year more administrative tasks and cases of lesser difficulties (e.g. misdemeanor cases) are dealt by Rechtspfleger.

The difference in the number of non-judge staff assisting judges was the result of a different interpretation of the question. In 2012, this category included only staff directly assisting judges while in 2010, it encompassed other staff as well. In 2012, staff whose task does not consist in directly assisting judges was included in the item "other".

Q146 (General Comment): In Hungary attorneys are those who hold a degree in law, have passed the BAR exam and are members of the local bar association. An attorney can only work as an individual attorney, or as a member of a law firm, he/she can't be an employee. Those lawyers who work as employees of a company are called "legal advisors". They have the right to represent their employers in any proceedings, the limitation is that they can only act on behalf of their employers and cannot have any other clients.

Ireland

Q046 (2016): Number of first instance professional judges refers to ordinary judges of the District Court, ordinary and specialist judges of the Circuit Court and ordinary judges of the High Court - including Court Presidents.

Q46 (2015): The discrepancy between the total figures and the figures for gender is explained by vacancies in the judiciary's establishment, as follows: Supreme Court: 1; High Court: 1; Circuit Court: 2.

First instance judges are judges of the High Court, Circuit Court and District Court. The High Court and Circuit Court also exercise appellate jurisdiction.

Numbers above include Court Presidents.

Q46 (2014): In 2014 Category 2 (2nd instance judges) was included since the new Court of Appeal was established only in 2014.

Q052 (2016): Staff numbers in the Irish Courts Service are computed on the basis of "Full-time equivalent" resources, requiring that staff numbers include decimal points, reflecting part-time, work-sharing and other reduced time working arrangements. As decimal points are not inputtable to this question in the data base, it has been necessary round up or round down figures. Additional staff have been employed since the last reporting cycle (3)

Q52 (2015): Figures have rounded up or down to adjust for the fact that actual personnel resource numbers are calculated to decimal points to reflect employment of part of a full-time personnel resource (e.g. where work-sharing arrangements are in place).

Q52 (2013): 2013: The reduction in the number of Rechtspfleger and similar positions since 2012 reflects in part the appointment of number of County Registrars falling within the Rechtspfleger category as Specialist Judges of the Circuit Court. There were also a number of vacant posts at the end of 2013.

Q146 (2016): This figure represents the current membership of the Bar Council of Ireland and the Law Society of Ireland.

Q146 (2014): The figure of lawyers comprises Solicitors and Barristers at end December 2014.

Italy

Q46 (2015): The overall reduction of judges between 2014 and 2015 is partly due to the effect of the recent labor reform that lowered the mandatory retirement age for judges from 75 to 70.

Q46 (2013): In the frame of the 2013 exercise, it has been specified that in the last few competitive exams held in Italy the percentage of women was higher than this of men. Owing to that, a positive variation can be observed in respect of the number of female judges between 2010 and 2013.

Q052 (2016): According to the data provided for 2014, 2015 and 2016, we can notice a downward trend as concerns the number of technical staff (a decrease of 28% between 2014 and 2015 and a decrease of 26% between 2015 and 2016), especially the number of female staff (a decrease of 33% between 2014 and 2015 and of 32% between 2015 and 2016). An explanation of these variations is not available at this stage.

Q52 (2015): '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.

Q146 (2013): For the 2013 exercise, the number of practicing lawyers was not available. The provided figure corresponds to the number of lawyers in 2012, assuming that data should be almost the same for both years.

Latvia

Q46 (2014): The number of male judges in the Supreme Court decreased per 5 judges between 2012 and 2014 due to various reasons: three male judges retired (having reached maximum age to hold an office of a judge, which is 70 years in Latvia); two male judges returned to regional courts (because they worked in the Supreme Court temporarily, during the vacancy of a judge); one male judge passed away in 2014; one new male judge came to work in the Department of Civil Cases of the Supreme Court.

Q52 (2014): For the last three evaluations (2012, 2013 and 2014), the category "other" includes employees from the Division of Provision of Secrecy Regime and the Supreme Court Division of Case-Law. The latter is a unit of the Supreme Court responsible for the compilation, analysis and publication of court opinions, as well as for summarizing, selecting, processing and publishing in the case-law database court rulings which are important for promotion of coordination, research and development of court practice. For 2014, the category "other" also subsumes consultants of the Supreme Court.

Q52 (2013): For the last three evaluations (2012, 2013 and 2014), the category "other" includes employees from the Division of Provision of Secrecy Regime and the Supreme Court Division of Case-Law. The latter is a unit of the Supreme Court responsible for the compilation, analysis and publication of court opinions, as well as for summarizing, selecting, processing and publishing in the case-law database court rulings which are important for promotion of coordination, research and development of court practice. For 2014, the category "other" also subsumes consultants of the Supreme Court.

Q52 (2012): For the last three evaluations (2012, 2013 and 2014), the category "other" includes employees from the Division of Provision of Secrecy Regime and the Supreme Court Division of Case-Law. The latter is a unit of the Supreme Court responsible for the compilation, analysis and publication of court opinions, as well as for summarizing, selecting, processing and publishing in the case-law database court rulings which are important for promotion of coordination, research and development of court practice. For 2014, the category "other" also subsumes consultants of the Supreme Court.

Q52 (2010): In the frame of the 2010 exercise, it has been specified that the category "non-judge staff whose task is to assist the judge" includes assistants to judges, court hearing secretaries, court interpreters. The category "staff in charge of different administrative tasks" encompasses assistants to chief judges, head of Chancellery, deputy head of Chancellery, court secretaries, archivists, administrators and consultants. The category "technical staff" subsumes court couriers, physical work performers.

Q146 (2013): In the frame of the 2013 exercise, it has been indicated that there were 1 336 sworn lawyers in Latvia on December 31, 2013, of which 70 - assistants to lawyers and 13 - lawyers from other countries. 116 State legal aid providers have been concluded contracts with the Legal Aid Administration about State-guaranteed legal assistance in civil cases, administrative cases, cross-border disputes and provision of out of court legal assistance. It is noteworthy that State provided legal assistance in criminal matters in Latvia is provided by sworn lawyers, not by legal aid providers.

Lithuania

Q46 (2010): The increase of the number of judges between 2008 and 2010 may be explained by the filling existing free places for judges, i.e. only the number of working judges increased and not the number of judges determined by law.

Q052 (2016): Other non-judge staff: translators and psychologists.

In 2016, the number of technical staff has decreased while at the same time increasing the number of staff for assistance.

Q52 (2014): For 2014 the number of non-judge staff by gender is not available. The National Courts Administration has never collected data on statistics of court personnel according to the gender. The data, which was provided in earlier evaluation cycles, was preliminary data, manually gathered by considering name and surname data, which is a too big effort.

Q52 (2010): The following clarifications have been provided in the frame of the 2010 evaluation:

“staff in charge of different administrative tasks” – chancellors and their support, advisors of the chairman of the court, financiers, secretaries of administration of the courts, IT specialists, accountants, etc.;

“technical staff” - employees working under labour agreements, i.e. cleaners, drivers, etc.; □

“other” – other helping staff (civil servants and working under the labour agreement). □

The number of non-judicial staff was taken from the line of “Staff in charge of different administrative tasks and of the management of the courts” since in 2010 there already were 6 chancellors in Lithuania, who under the legislation, are responsible for the administrative tasks.

Q146 (2016): The number is provided by the Lithuanian Bar Association (the number of practising lawyers (advocats). Also there are 870 lawyers' assistants who provide legal service also.

Q146 (2015): Numbers are taken from the List of Practising Advocates of Lithuania. The list is regulated by the Law on the Bar and administered by Lithuanian Bar Association. The assistants of advocates is not presented in the data.

Luxembourg

Q046 (2016): The figures differ from those indicated in the last data collection campaigns on two points.

1) concerning the number of judges at the highest level: starting with 2016, we have distinguished between the judges sitting at the court of appeal and those of the Cour de cassation, which is the highest court in Luxembourg. Until 2016, and as the two courts taken together form the Cour supérieure de Justice (which as such has some very specific competences), we indicated only the total of the judges affected to the Cour supérieure. It might be useful for statistical purposes to distinguish between the two levels.

2) concerning the number of judges at the first level: the figures indicated until 2016 were superior to the real figures, as, erroneously, the prosecutors (which by law are also magistrates affected to these courts) had been included. This error has now been corrected. The same data were also provided for 2014 and 2015.

Q46 (2015): In 2014, the judges of the Administrative Court were included in the number of judges in the Supreme Court but in 2015 these judges were accounted as second instance judges.

Q46 (2014): The 2014 data are identical to those of 2013 and may vary slightly regarding the male/female distribution. To the total number of judges should be added 12 trainees ("attachés de justice"). Judges of second instance and those of the Court of Cassation are all part of the Superior Court of Justice.

Q46 (2013): To the total number of judges, should be added 4 trainees ("attachés de justice"). The increase in the number of female judges at all instances between 2010 and 2013 is explained by the special attraction for a profession that allows to combine work and family life. Judges of second instance and those of the Court of Cassation are all part of the Superior Court of Justice.

Q46 (2012): 2012: The total number of professional judges indicated (212) does not correspond to the sum of the number of judges before each instance (227) because some judges have jurisdiction in two courts. For example, the Constitutional Court is composed of judges of the Court of Cassation and the Administrative Court.

Q46 (2010): For 2010, the total number of professional judges includes magistrates of the Court of Appeal as well as those of the Court of Cassation (both courts form together the Superior Court of Justice) and judges of the Administrative Court. Judges of the Constitutional Court are not counted because they are all under another main jurisdiction.

Q052 (2016): Last year the separation of the sections 1, 2 and 3 was not done correctly. This year this task was made by the parquet general RH office. The same data were also provided for 2014 and 2015.

Q52 (2014): The overall administrative tasks concerning ordinary courts are centralized at the level of the Prosecutor General Office. The same applies to technical staff. Among the 192 non-judge staff assisting judges, 117 are women. The category "staff in charge of different administrative tasks" (3 women, 2 men) and the category "technical staff" (1) refer exclusively to the Administrative Court (which was not the case for 2012). The 2014 data reflects the administrative reality, the staff that cannot be categorized to one specific task being attached to the State Prosecutor General. The total remains stable; slight variations are due to temporary replacements. The category "other" does not subsume external staff hired on contractual basis, e.g. in IT matters (as in 2012).

Q52 (2013): The overall administrative tasks concerning ordinary courts are centralized at the level of the Prosecutor General Office. The same applies to technical staff. Among the 192 non-judge staff assisting judges, 117 are women. The category "staff in charge of different administrative tasks" (3 women and 2 men) and the category "technical staff" (1) refer exclusively to the Administrative Court staff. The 2013 data reflects the administrative reality, the staff that cannot be categorized to one specific task being attached to the State Prosecutor General. The total remains stable; slight variations are due to temporary replacements. The category "other" does not subsume any more external staff intervening on contractual basis, for example in IT matters.

Q52 (2012): 2012: With the exception of categories 1 ('Rechtspfleger') and 2 (non-judge staff whose task is to assist the judges such as registrars), all others carry on their work in the interest of the whole judicial system, that is to say, both for judges and prosecutors.

Q52 (2010): 2010: The number of personnel in charge of administrative tasks is 108; it includes those who carry out their duties full time as well as those who are also responsible for other tasks.

As reported in 2008, the number of technical staff also includes temporary staff with fixed-term employment contracts. These include the maintenance and cleaning staff.

The registry of the Constitutional Court has no specific staff, these tasks are performed by the registry of the Superior Court of Justice. The figure provided does not include IT staff, which report to the State Computer Centre [Centre informatique de l'Etat (CTIE)]. It should also be noted that the work of some clerks also includes administrative tasks, especially for the chief clerks (6 units).

Q146 (2015): The number indicated includes the number of lawyers, trainee lawyer, lawyers practising under their home-country professional titles and independent lawyers at September 1st, 2016.

Malta

Q046 (2016): Despite the categorical manner in which the Maltese judiciary have been classified for the purpose of this exercise, it is important to note that the roles of some of the judges are very fluid. Hence, some of the 1st Instance judges sit, when the need arises, in 2nd Instance courts, whilst 2nd Instance judges hear cases at 1st Instance such as at the Civil Court, First Hall or the Civil Court, Family Section.

There has been an increase of 3 female judges at 1st instance since 2014. There was an increase from 15 to 17 female judges at 1st instance in 2015 and a further increase of 1 female judge at 1st instance in 2016. Care is being taken in order to ensure an equal gender representation in the appointments of the judiciary.

Q46 (2015): Regarding the number of judges, the high percentage variations that might be observed results from the small absolute number of judges that Malta has. Malta has been trying, and there are still on-going efforts, at increasing the number of judges. If between 2010 and 2015 the number of male judges decreased (by 1), this was complemented by an increase in the number of female judges (also by 1).

Q46 (2010): On the occasion of the 2010 exercise, it was explained that in the past ten to fifteen years, the authorities had promoted the appointment of women in the judicial field.

Q052 (2016): Other non-judge staff includes:

- Director Civil Courts and staff
- Director Criminal Court and staff
- Registry Criminal Court
- Chief Marshal
- Senior Marshal
- Marshals
- Judiciary Drivers
- Subasti staff

Concerning "Technical Staff", 2 technical staff were employed. Between 2014 and 2015, there was a decrease in the number of tradesman employed with the court administration.

Q52 (2015): In the 2015 data, the category 'Non-judge staff whose task is to assist the judges' includes 13 Court Attorneys that have been introduced for the first time in October 2015. This staff is meant to assist the judges in the drafting of the sentences and other related matters. However the Court Attorneys are not autonomous and the responsibility for the sentences that they draft ultimately lies with the presiding judge.

The differences noted between 2014 and the previous regarding the categories "staff in charge of administrative tasks" and "other non-judge staff" is due to a change in the distribution. After 2014, some non-judge staff who were included in the category "staff in charge of administrative tasks" were integrated in "other non-judge staff".

The decrease between 2014 and 2015 in the number of "technical staff" is due to a decrease in the number of tradesman.

Q52 (2014): The differences noted between 2014 and the previous regarding the categories "staff in charge of administrative tasks" and "other non-judge staff" is due to a change in the distribution.

Q52 (2013): In 2013, the number of non-judge staff was detailed in the following way:

staff assisting judges – deputy registrars (67), court messengers (19), judicial assistants (30), clerical staff (141), ushers (25), senior court recorders (12), court recorder in charge (1), and Children's advocate (2); □

staff in charge of administrative tasks – Directorate Support Services (86), Directors and staff (12), Asset Management unit (3), Archives (3), One stop shop (7), Subasti (3), Library (1), Publications (3);

technical staff – tradesmen (7), Bookbinder (1); □

"other" – cleaners (8), Chief Marshal (1), Marshals (20). □

An exercise at beefing up the Court administration staff was undertaken by the Government in 2013, following its election as a result of which, the numbers for different sub-categories have increased considerably.

Q52 (2012): In 2012, the number of non-judge staff was detailed in the following way:

staff assisting judges – deputy registrars (65), court messengers (19), judicial assistants (30), clerical staff (59), ushers (25), senior court recorders (12), court recorder in charge (1), and Children's advocate (2); □

staff in charge of administrative tasks – Directorate Support Services (83), Directors and staff (13), Asset Management unit (3), Archives (3), One stop shop (4), Subasti (2), Library (1), Publications (2);

technical staff – tradesmen (7), Bookbinder (1); □

"other" – cleaners (7), Chief Marshal (1), Marshals (20).

Q146 (2016): The number of lawyers quoted in this answer refers to the number of warranted lawyers who are also members of the Chamber of Advocates, at the end of 2016. Throughout 2016, the Chamber of Advocates has been updating their list of members in order to clear the names of the lawyers who have either retired or have passed away. Furthermore, it is important to note that at present membership with the Chamber of Advocates, which is the sole Bar Association in Malta, is not mandatory. Hence over the past few months, the Department of Justice, in collaboration with the Chamber of Advocates, are drawing up the first complete list of warranted and non-warranted lawyers in Malta. Work is still underway so it is important to note that the figure quoted above, which is less than that submitted in the previous evaluation, reflects a more faithful representation of the number of warranted lawyers in Malta.

Q146 (2015): The number of lawyers quoted in this answer refers to the number of warranted lawyers on the list of advocates at the end of 2015. It is possible that some of these lawyers have retired so whilst the warrant remains valid, it does not necessarily mean that all 1569 lawyers are practising the profession. At present there does not exist any mechanism wherein lawyers register once they are given the Warrant to practice, and membership with the Chamber of Advocates, which is the sole Bar Association in Malta, is not mandatory to practice as a lawyer.

Netherlands

Q046 (2016): All data in number of persons. FTE data are only available for the total: 2148.

Q46 (2015): Number of deputy judges courts in 2015 = 1.100

The numbers provided in the table are posts. The FTE is available only for the total and it is 2.169. Other categories are NA.

Q46 (2014): In 2014, the number of first instance judges did not include judges of the Trade and Industry Tribunal, the Supreme Court and the Council of State. The number of second instance judges included magistrates of the Trade and Industry Appeals Tribunal and the Administrative High Court, excluding these of the Supreme Court and the Council of State.

Q46 (2013): In 2013, the total (1+2+3, and men+women) in fte was 2 181. This was excluding the Supreme Court. The number of first instance judges excluded judges of the Trade and Industry Appeals Tribunal, the Supreme Court and the Council of State. The number of second instance judges included magistrates of the Trade and Industry Appeals Tribunal and the Administrative High Court, excluding these of the Supreme Court and the Council of State.

Q46 (2012): In 2012, the total (1+2+3, and men+women) in fte was 2 194. This was excluding the Supreme Court. The number of first instance judges excluded judges of the Trade and Industry Appeals Tribunal, the Supreme Court and the Council of State. The number of second instance judges included magistrates of the Trade and Industry Appeals Tribunal and the Administrative High Court, excluding these of the Supreme Court and the Council of State.

Q46 (2010): In 2010, the total (1+2+3, and men+women) in fte was 2 273. The number of first instance judges did not include judges of the Trade and Industry Appeals Tribunal. The number of second instance judges did not subsume magistrates of the Council of State (Raad van State). The number of 3rd instance judges included one president and 6 vice-presidents.

Q052 (2016): Number of FTE = 6530.

Q52 (2015): FTE in 2015 is 6.497

Q52 (2014): According to 2013 data, the figure 7.287 pertains to persons, data in fte is 6.495.

Q52 (2013): According to 2013 data, the figure 7.287 pertains to persons, data in fte is 6.495.

Poland

Q052 (2016): Other non-judge staff - 5859

of which:

Professional probation officers - 5212

Employed in Consultative Team of Judicial Specialists - 647.

Q52 (2010): In the frame of the 2010 exercise it has been indicated that the category "other non-judge staff" encompasses assistants of judges whose role is strictly connected to the judge's judicial function (ex. preparation of judgment and justification drafts) - they do not perform any administrative tasks.

Q146 (2012): In the frame of the 2012 evaluation, it has been stressed that since 2010, the part-deregulation (carried out in 2007/2008) of the lawyer's profession has been implemented and resulted in a major change in the number of lawyers.

Portugal

Q46 (2014): In the frame of the 2014 exercise it has been explained that the increase of the number of Supreme Court females professional judges is due to the general tendency of increase of female judges in the last decade at first instance courts. It is natural that gradually the proportion of female judges in the higher courts will tend to grow as a result of their career progression.

Q52 (2014): In the frame of the 2014 exercise, it has been explained that the decrease of the number of staff in charge of administrative tasks is linked to the staff that went to retirement and that was not replaced by new one as well as to the continuous IT modernization.

Q52 (2013): In the ambit of the 2013 exercise, it has been noticed that the number of judicial staff is decreasing owing to the retirements that have been occurring since 2010. In addition, due to the reform of the Public Administration that is taking place since 2009 and the financial constraints of the past few years, the number of public servants has decreased.

Q146 (General Comment): The Portuguese Bar Association grants some titles within several areas of law, under Regulation n° 204/2006 of 30th October. However, only registered lawyers are allowed to carry legal practice and represent people in courts, according to Law 49/2004 of August 24th, thus the registration at the Portuguese Bar Association (OA) is mandatory (article 61 of the Statute).

The number of lawyers provided does not include jurisconsults of recognised competence and law professors (legal advisors). These professionals are registered in the Bar Association and can give legal advice.

Romania

Q046 (2016): In Romania there are four level of courts (first instance courts, tribunals, courts of appeal and the High Court of Cassation and Justice). In the table above the judges from tribunals are included in the category "second instance professional judges".

Q46 (2014): For 2014, in contrast with the 2013 evaluation and akin to the 2010 and 2012 exercises, judges mentioned at 46.1 are judges within first instance courts, while judges mentioned at 46.2 are judges within tribunals and courts of appeal.

Q46 (2013): On the occasion of the 2013 exercise, it has been specified that after entering into force of the new Codes, in the Romanian judicial system there are three levels of jurisdiction in civil matters and two levels of jurisdiction in criminal matters. Thus, in civil matters, the first instance courts (Judecatorii) rule in first instance. The tribunals rule generally in first instance, but also in appeal (appeal on the merits) and in second appeal (appeal on the law) while the courts of appeal rule, generally, on the appeals, but they may also rule in first instance and in second appeal in the cases expressly provided by law. In criminal matters, the first instance courts rule in first instance. The tribunals rule, generally, as first instance courts while the courts of appeal generally rule on appeal, but sometimes also in first instance. In such situation, judges mentioned at 46.1 are judges within first instance courts and tribunals (first level of jurisdiction), while judges mentioned at 46.2 are judges within courts of appeal.

The increase of the number of Supreme Court judges between 2012 and 2013 is due to the fact that in 2012 and 2013, the Superior Council of Magistracy brought important changes to the Regulation for the promotion of judges to the High Court of Cassation and Justice and 19 judges were promoted.

Q46 (2012): In the frame of the 2010 and 2012 exercise, judges were categorized according to the following hierarchical system in terms of courts organization: courts of first instance (judecatorii) 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; the 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. Thus, at 46.1 were mentioned judges within courts of first instance (having full competence for judging in first instance), while at 46.2 were mentioned judges within tribunals and courts of appeal.

Q46 (2010): In the frame of the 2010 and 2012 exercise, judges were categorized according to the following hierarchical system in terms of courts organization: courts of first instance (judecatorii) 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; the 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. Thus, at 46.1 were mentioned judges within courts of first instance (having full competence for judging in first instance), while at 46.2 were mentioned judges within tribunals and courts of appeal.

Q052 (2016): 6191 represents the number of clerks with judicial tasks (- 165 work only within the High Court of Cassation and Justice); 1621 - the number of registering clerks, documentary clerks, statistician clerks, archivist clerks and public servants (- 9 work only within the High Court of Cassation and Justice); 1822 - number of IT staff, contractual personnel and other personnel / drivers, ushers, procedural agents (- 109 work only within the High Court of Cassation and Justice).

Other categories of personnel which function within the Romanian courts (663):
Assistance magistrates: 113 Judicial assistants: 173 Probation counselors: 377

Q52 (2015): 6149 represents the number of clerks with judicial tasks (- 149 work only within the High Court of Cassation and Justice); 1615 - the number of registering clerks, documentary clerks, statistician clerks, archivist clerks and public servants (- 9 work only within the High Court of Cassation and Justice); 1844 - number of IT staff, contractual personnel and other personnel / drivers, ushers, procedural agents (- 109 work only within the High Court of Cassation and Justice).

Other categories of personnel which function within the Romanian courts: Assistance magistrates: 115 ; Judicial assistants: 176 ; Probation counselors: 352

Q52 (2014): In 2014, there were 6072 clerks with judicial tasks (153 work only within the High Court of Cassation and Justice); 1585 registering clerks, documentary clerks, statistician clerks, archivist clerks and public servants (9 work only within the HCCJ); 1854 IT staff, contractual personnel and other personnel / drivers, ushers, procedural agents (96 work only within the HCCJ). The category "other" subsumed 101 Assistance magistrates, 175 Judicial assistants and 360 Probation counselors.

Q52 (2013): In 2013, there were 5743 clerks with judicial tasks; 1563 registering clerks, documentary clerks, statistician clerks, archivist clerks and public servants; 1784 IT staff, contractual personnel and other personnel (drivers, ushers, procedural agents). The category "other" subsumed 92 Assistance magistrates, 176 Judicial assistants and 281 Probation counselors.

Q52 (2012): In 2012, there were 5489 clerks with judicial tasks; 1486 registering clerks, documentary clerks, statistician clerks, archivist clerks and public servants; 1762 IT staff, contractual personnel and other personnel (drivers, ushers, procedural agents). The category "other" subsumed 90 Assistance magistrates; 175 Judicial assistants; 281 Probation counselors.

Q52 (2010): In 2010, there were 5325 clerks with judicial tasks; 1427 registering clerks, documentary clerks, statistician clerks, archivist clerks and public servants; 1729 IT staff, contractual personnel and other personnel (drivers, ushers, procedural agents). The category “other” subsumed 83 Assistance magistrates, 169 Judicial assistants and 292 Probation counselors.

Slovakia

Q46 (2015): The total number of the judges in the records of the Ministry of justice is 1337 (499 males, 838 females) including also judges temporary assigned to the other institution (Ministry of justice, Judicial Academy, other judicial institutions including European and other international courts), the judges at the maternity leave etc.

The decrease in the number of judges in comparison with the previous cycle has been caused by the retirement of the judges whose posts have not been filled yet. The selection procedures for the vacant posts are under way.

Q46 (2014): In 2014, the total number of judges in the records of the Ministry of justice was 1366 (503 males, 863 females), including judges temporary assigned to other institutions, judges granted maternity leave etc.

Q46 (2013): In 2013, the total number of judges in the records of the Ministry of justice was 1385 (511 males, 874 females), including judges temporary assigned to other institutions, judges granted maternity leave etc.

Q46 (2012): In 2012, the total number of judges in the records of the Ministry of justice was 1344 (497 males, 847 females), including judges temporary assigned to other institutions, judges granted maternity leave etc.

Q46 (2010): In 2010, the total number of judges in the records of the Ministry of justice was 1387, including judges temporary assigned to other institutions, judges granted maternity leave etc.

Q52 (2014): In 2014, the category “Rechtspfleger” subsumes 967 higher judicial officers and 63 mediation and probation officers. The category “staff assisting judges” includes assistants of judges and court secretaries. The category “staff in charge of different administrative tasks” encompasses court staff responsible for court administration, contact with the public (information centre, filing office), archives and technical staff.

In 2010, 2012 and 2014, due to the different categorisation, it was not possible to extract the accurate number of “technical staff” and “other non-judge staff” from the number “staff in charge of different administrative tasks”.

Q52 (2013): In 2013, the category “Rechtspfleger” includes 975 judicial officers, 45 legal assistants at the Supreme Court and 63 mediation and probation officers. The category “non-judge staff assisting judges” includes 1348 assistants and 752 judicial secretaries. Due to the different categorization of the rest of non-judge staff, it was not possible to identify the number of court management staff and the number of technical staff. Owing to that, the rest of the non-judge staff (excluding “Rechtspfleger” and “non-judge staff assisting judges”) was subsumed in the category “other”. □

On the occasion of the 2013 exercise, it has been stressed that within the years 2011 and 2012, the Ministry of Justice decided to increase the total number of the judicial officers with the intention to improve the disposition of certain court agendas.

Q52 (2012): In 2012, the category “Rechtspfleger” includes 982 judicial officers and 64 mediation and probation officers.

In 2010, 2012 and 2014, due to the different categorisation, it was not possible to extract the accurate number of “technical staff” and “other non-judge staff” from the number “staff in charge of different administrative tasks”.

Q52 (2010): In 2010, the category “Rechtspfleger” includes 738 higher court officers and 75 mediation and probation officers.

In 2010, 2012 and 2014, due to the different categorisation, it was not possible to extract the accurate number of “technical staff” and “other non-judge staff” from the number “staff in charge of different administrative tasks”.

Q146 (General Comment): The Slovak Bar Association registers lawyers who fulfilled the statutory conditions for being a practising lawyer (advocate).

Q146 (2012): On the occasion of the 2012 exercise, the attention was drawn on the fact that the number of practising lawyers was increasing constantly.

Slovenia

Q046 (2016): At the end of 2016, 897 judicial posts were formally occupied (full-time equivalent method), although some post were de facto vacant (e.g. judge absent due to maternity leave). The actual presence is also calculated, based on number of hours judges are actually present in court (excluding the maternity or sick leave, but including the annual leave). The number of judges in Slovenian judicial system in 2016 was 811,52 according to actual presence calculations.

Nevertheless, we report that 880 professional judges sit in courts (perform judicial function), since the rest of the judges (17 judges - difference to the total of 897 judges) were assigned to other duties (e.g. the Ministry of Justice, the Supreme Court, the Judicial Council) and do not sit in courts.

Q46 (2015): At the end of 2015, 912 judicial posts were formally occupied (full-time equivalent method), although some posts were de facto vacant (e.g. judge absent due to maternity leave). The actual presence is also calculated, based on number of hours judges are actually present in court (excluding the maternity or sick leave, but including the annual leave). The number of judges in Slovenian judicial system in 2015 was 829,39 according to actual presence calculations.

Nevertheless, we report that 897 professional judges sit in courts (perform judicial function), since some judges were assigned to other duties (they do not sit in courts):

- 11 are appointed to the Supreme Court: General Secretary of the Supreme Court (1), informatisation projects (8), case law (1) and other projects (1),
- 2 are appointed to the Judicial Council and
- 2 are appointed to the Ministry of Justice.

We reported the Administrative court as the first instance court (Q42 and Q91). However, the law requires for the Administrative court judge to be a higher judge (2nd instance judge), therefore the Administrative court judges are included as the 2nd instance professional judges.

Q46 (2012): In 2012, in the previous evaluation cycle the judges of administrative court were included in the number of second instance judges, since they have a position of higher judges. Regarding the fact they judge in first instance administrative cases and to ensure compatibility with the answer for Q42 where Administrative Court is classified as a first instance court, from 2012 they are included in the number of first instance judges. The variation with 2010 is due to this change.

Q46 (2010): In 2010, the judges of administrative court were included in the number of second instance judges, since they have a position of higher judges regardless that they deal with first instance cases.

Q052 (2016): Differences to 2015 within categories (including male/female ratio):

The number of court staff is reported according to the actual work tasks of the staff. Between years, court staff can be assigned to different departments and tasks and therefore the variation of Rechtspfleger/Non-judge/Administrative staff categories and male/female ratio within categories can change, even though no major hiring or letting go for different categories of court staff had occurred. The relative differences in the Technical staff category are due to the small (absolute) number of staff.

Q52 (2015): The difference between 2014 and 2015 data is due to the methodology of gathering the data. In this cycle, all the courts were asked to provide the additional data to assure the accuracy of the answer. The reporting method was further improved and some adjustments were made according to the definition of "Rechtspfleger", "Non-judge staff" and "Administrative staff" categories (for updated definitions see below).

1. "Rechtspfleger" category includes only the staff (judicial assistants and judicial advisers) with autonomous competence to adopt final decisions (decisions on the merits of the case), set explicitly in procedural laws - currently the Claim Enforcement and Security Act, the Financial Operations, Insolvency Proceedings and Compulsory Winding-up Act, the Court Register of Legal Entities Act and the Land Register Act.

2. "Non-judge staff" category includes staff, whose tasks are generally set by the Courts Act. These are judicial assistants (filing applications and statements by parties for the record and, by order of a judge, perform less demanding tasks related to preparation for trial proceedings or other procedural acts, making calculations of costs, preparing drafts of decisions and performing other tasks in judicial proceedings under the orders of a judge) and judicial advisers (performing work connected with the examination of parties, witnesses and experts (outside the main hearings), performing more complex preparatory work for hearings, reporting at panel meetings, drafting decisions, conducting hearings under the guidance of a judge and performing other work by order of a judge.)

All the other staff, not mentioned above and not corresponding to 4. "Technical staff" is included in 3. "Administrative staff". The latter includes, along with the court management staff, the office support staff, whose tasks are not specifically set by the law and include case registering, administrative case preparation, court fees, typing and/or recording of court sessions etc.

Q52 (2014): In 2014.: "Due to restrictions in the BI system regarding human resources, we were not able to provide information on the number of male and female staff, without judges, according to CEPEJ categories. In courts, there were 14,55 % of males and 85,45 % of females (judges included) on 31. 12. 2014.

The difference between 2013 and 2014 data is due to the methodology of gathering the data. In this cycle the reporting method was further improved and some adjustments were made according to the definition of "Administrative" and "Technical" categories of staff."

The Supreme Court's strategic orientation according to this matter is to decrease the number of judges, while increasing the number of staff (corresponding mainly to "non-judge" and "administrative" categories). The Supreme Court can, in order to ensure timeliness of proceedings, distribute additional finances for temporary employment of additional staff to individual courts. The evaluation and distribution of funds is conducted yearly.

Q52 (2013): In 2013: The reporting method used in the previous response to this question was improved and more detailed information on the non-judge court staff is available.

Category 1 - 'Rechtspfleger' included court clerks are included but also the independent and higher judicial advisors in the field of commercial (court) register, land register and civil enforcement procedure, as they have the competence to decide on certain kind of cases that are not in the competence of judges. We also included judicial advisers in the field of civil enforcement, who have even slightly broader competences than judicial assistants.

Category 2. Non-judge (judicial) staff included the judicial advisers (except the ones counted in the 1st point), The remaining judicial assistants (except the ones counted in the 1st point) were also included in this category..

Category 3. 'Administrative staff' was also included this year and represented by administrative support to the judge and court management – court director, human resources office, financing-accounting office.

Category 4. 'Technical staff' was including cleaning, security, system administration, drivers, etc.

Category 5. 'Other non-judge staff' – no staff was included in this category (NAP)

Q52 (2012): In 2012,:

Category 1 - 'Rechtspfleger' included court clerks,

Category 2 – included judicial advisers. □

The other court staff was not further categorised and NA is used.

Q52 (2010): In 2010, category 1 - 'Rechtspfleger' included court clerks; other categorisation according to the CEPEJ classification was not made since the division is not clear.

Q146 (General Comment): There are no obligatory rules about continuous training for lawyers in Slovenia.

The Article 14 of the Code of Professional Conduct of the Bar Association of Slovenia enacts that the lawyer shall permanently engage in his expert advance studies and shall mind his general education and broad knowledge. Through his professional practice he shall assert and intensify the importance of legal aid as well as the good reputation of the social function of the Bar. The Code also provides that the lawyer shall help other lawyers with his expert knowledge and shall contribute to the expert and general education of prospective entrants and pupils.

Every year a "Lawyers school" is organized in order to introduce them the latest education about the newer legislation and other issues important to Slovenian lawyers by the Slovenian Bar Association. Nevertheless, the attendance of lawyers is not obligatory.

The lawyer who has been awarded the title of specialist in a certain subject or the academic title of Master of Law shall on his demand be recognized the status of specialist lawyer, provided that he has practiced the legal profession and/or has held a judicial office in the claimed domain for at least five years. The lawyer who has been elected assistant senior lecturer, associate professor or full professor of the Faculty of Law, shall be recognized the status of lawyer specialized in the legal domain where he practiced his pedagogical and scientific work, even if he does not fulfil the conditions of the five years' practice (Article 33 of the Attorneys Act)."

Spain

Q46 (2010): The figures presented for 2010 refer to the number of professional judges on active service on 1 January 2011, except for those who were on leave.

It is noteworthy that the observed vertical inconsistencies are justified by the particular category of territorial judges (31, 23 males and 8 females). The peculiarity of the latter consists in the impossibility to classify them in a specific instance. Basically, they are attached to second instance courts but most of them practice in first instance courts. Owing to that, they are included in the total number of professional judges.

Within the frame of an overall reform process in respect of the judicial system, the Council of Ministers approved the creation of 150 new judicial units in 2010: 134 courts, 16 posts for judges (National High Court and Regional High Courts of Justice) and 50 posts for territorial judges. The latter are a new figure foreseen by the Strategic Plan for Modernization of the Justice System, intended to promote occupation of judicial posts by highly qualified professional judges.

Q052 (2016): The figure for other non judge staff includes the judicial civil servants who are in charge of the processing of files, communication acts, and other tasks, and are distributed in three categories (called Auxilio Judicial, Tramitación Procesal, Gestión Procesal).

Q52 (2014): In 2014, there are 44 896 other non-judge staff (judicial clerks) and 3 667 judicial counsellors (this is the new name for the secretario judiciales since October 1st).

Q52 (2010): In 2010, the total number of 'Secretarios Judiciales' (Rechtspfleger or similar bodies) equals the sum of 3 477 professional +979 occasional staff.

Q146 (2016): Resident Lawyers (31 December 2016)

Q146 (2015): In civil cases, mainly the legal representation is for Procuradores. In criminal cases, lawyers can assume legal representation until a Procurador is appointed for the case. In administrative cases legal representation is mostly assumed by lawyers. Graduados sociales' (consultants on labour and social security matters) may represent the parties in labour law proceedings. The responses above are given on the basis that lawyers have a monopoly on practising the defence at Court which, in Spain, is not equivalent to "legal representation".

Sweden

Q046 (2016): There were vacancies on 31 December 2016.

Q52 (2014): The figures indicated for the 2014 evaluation cycle do not encompass staff on leave, which was the case in 2012.

Besides, akin to the 2013 exercise and in contrast with the 2012 exercise, for 2014, the staff of the Swedish National Courts Administration (SNCA) is not included within the category "staff in charge of different administrative tasks and of the management of the courts".

Q52 (2013): The figures indicated for the 2013 evaluation cycle do not encompass staff on leave, which was the case in 2012.

Besides, in contrast with the 2012 exercise, for 2013, the staff of the Swedish National Courts Administration (SNCA) is not included within the category "staff in charge of different administrative tasks and of the management of the courts", which explains the observed variation between 2012 and 2013.

With regard to the category "technical staff", there is no specific reason explaining the noticed decrease between 2012 and 2013. In respect of the category "other", the number of assistant judges and reporting clerks has increased for the same period.

Q52 (2012): Figures provided for 2012 encompass staff on leave.

Q146 (General Comment): The number includes all members of the Swedish Bar Association than incorporates: "advokater"= advocates and 1 900 associate lawyers at law firms (not fully qualified to become advocate, but qualified to represent clients in court and give legal advice). Only those who have qualified and passed all the mandatory requirements are able to be admitted as member of the Swedish Bar Association. Only members of the Swedish Bar may give legal advice and represent client in courts under the professional title "Advokat". The title "advokat" (advocate) is protected by law and it is a criminal offence to act under the title without being a member of the Bar. An interesting characteristic of the lawyers profession in Sweden is that we have an open and free legal market and no monopoly for advocates; everyone can act as a counsel in legal matters and represent clients in a court of law (even in the Supreme courts – but not under the title "advokat", which is reserved for members of the SBA).

Q146 (2015): Today there are 5 800 members of the Swedish Bar Association ("advokater"; advocates) and 1 900 associate lawyers at law firms (not fully qualified to become advocate, but qualified to represent clients in court and give legal advice). Furthermore there are 20 EU-lawyers (established in Sweden registered and acting under their home professional title) and approx. 1 600 law firms (of which half is sole practitioners).

Q146 (2014): By the 1st of January 2014, there were 5 422 members of the Swedish Bar (professional title "advokat"; advocate) and 1 733 associate lawyers (registered at the Swedish Bar Association). The total number of lawyers indicated for the 2014 exercise (5 575) refers to the total number of members of the Swedish Bar Association by the 31st of December 2014.

Indicator 9: Professionals of justice

comments provided by the national correspondents

organised by question no.

Question 46: Number of professional judges sitting in courts

Question 52: Number of non-judge staff

Question 146 Number of lawyers

Question 046

Austria

(2016): This cycle administrative courts were taken into account for the first time.

The administrative courts were established January 1st 2014. After their establishment the data of the administrative courts is introduced this cycle for the first time.

(2015): The right (not rounded) numbers are:

Total Males Females

Total number of professional judges (1 + 2 + 3) 1620,65 - 790,52 - 830,13

1. Number of first instance professional judges 1222,95 - 559,08 - 663,87

2. Number of second instance (court of appeal) professional judges 330,35 - 187,75 - 142,60

3. Number of supreme court professional judges 67,35 - 43,69 - 23,66

Data in full time equivalent

1.: district and partly regional courts

2.: partly regional courts and courts of appeal

(2014): Besides, in the frame of the 2014 exercise, the numerical values in the table have been rounded in order to comply with the new CEPEJ methodology. The most exact replies for this period would be:

Total number of professional judges: 1 620,04 (789,68 Male, 830,36 Female)

1. Number of first instance professional judges: 1 224,36 (556,01 Male, 668,35 Female)

2. Number of second instance professional judges: 329,63 (190,78 Male, 138,85 Female)

3. Number of supreme court professional judges: 66,05 (42,89 Male, 23,16 Female).

. In 2014, some judges entitled to adjudicate in different law fields have been counted twice which explains the significant increase of the number of second instance judges between 2013 and 2014.

(2013): Specifically, the numbers indicated for 2012 and 2013 differ from the previous periods because the different tasks had been more exactly assigned to the full time equivalent judges, distinguishing between 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.

(2012): Specifically, the numbers indicated for 2012 and 2013 differ from the previous periods because the different tasks had been more exactly assigned to the full time equivalent judges, distinguishing between 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

(2014): 2014: the number of professional judges includes the presidents of the courts.

(2013): The 2013 data on the number of professional judges reflects the situation as at 18 January 2014.

Bulgaria

(2016): P. 1 – The number of first instance professional judges consists of judges in 27 Regional courts within regional centres; 86 out of regional centres; 28 Administrative courts; 1 Specialized Criminal Court; 3 Military courts; and the number of the first instance judges in District courts has been added to them;

P.2 – The number of the second instance judges consists of judges in 27 District courts; Sofia City Court; 5 Courts of Appeal; 1 Military court of appeal and 1 Appealate Specialized Criminal Court. This number does not include the second instance judges which have served in first instance courts. P.3- The number of working judges in the Supreme Court of Cassation and Supreme Administrative Court at 31.12.2016

(2015): 1. The figure 1760 includes the number of judges, employed at the 1st instance courts ((113 regional courts (27 Regional courts in the district centers and 86 regional courts outside the district centers); 28 Administrative courts; 1 Specialized criminal court; 3 Military courts) including the number of the first instance judges` (524) working in the first instance court formations in the District courts as from 31.12.2015. The number of Military courts has been reduced after decision under protocol ? 44/13.12.2013 of the Supreme Judicial Council from 5 to 3.

2. The number of judges, employed at the 2nd instance courts as from 31.12.2015 and the Courts of Appeal is 277. This figure is a result from the addition of the judges in the 28 District courts; 6 Courts of appeal and 1 Specialized criminal court of appeal – 801 judges in total, where the number of the first instance judges in the District courts (524) have been deducted.

3. The number of judges, employed in the Supreme Court of Cassation and the Supreme Administrative courts as from 31.12.2015 is 188.

(2014): In 2014, the number 1753 shows the number of judges employed in the first instance courts (113 regional, 28 administrative and 3 military courts) and 550 first instance judges, working in the district courts. The number of military courts was reduced from 5 to 3 following a decision of the SJC protocol 44/13.11.2013. The number of second instance judges is 277 and does not encompass first instance judges, working in the first instance chambers of the district courts.

Croatia

(2015): The Republic of Croatia submits correct numbers of professional judges sitting in courts for previous cycles (2013 and 2014), because in the previous cycles this number did not include court presidents, while there were excluded in the separate questions. Therefore, the correct numbers for these cycles are as follows:

2013.	Total	Males	Females
Total number of professional judges (1 + 2 + 3)	1.912,059	1.013	21,0
1. Number of first instance professional judges	1.366,037	998	7,0
2. Number of second instance (court of appeal) professional judges	506,018	9,031	7,0
3. Number of supreme court professional judges	40,023	0	17,0

2014.	Total	Males	Females
Total number of professional judges (1 + 2 + 3)	1.875,058	1.029	2,0
1. Number of first instance professional judges	1.343,037	7,096	6,0
2. Number of second instance (court of appeal) professional judges	489,018	0	309,0
3. Number of supreme court professional judges	43,026	0	17,0

The total number of judges does not include: judges on unpaid leave, judges who work part-time, judges who are on maternity leave or on parental leave, judges suspended after disciplinary proceedings, judges working in a shortened working time care of a child with special needs, judges transferred in another state body (Ministry of Justice and Judicial Academy).

(2014): In 2014, the number of professional judges in first instance courts includes judges of municipal, commercial, administrative and misdemeanour courts. The number of judges in second instance courts includes judges of the county courts, High Commercial Court, High Misdemeanour Court and High Administrative Court. The number of 3rd instance judges refers to the Supreme Court of the Republic of Croatia.

According to the Act on Territorial Jurisdiction and Seats of the Courts adopted in 2010, four first instance administrative courts were established. The mentioned Act came into force on 1st January 2012, when the mentioned four courts became operational. Moreover, the Act on Amendments to the Act on Courts from 2011 prescribes that the Administrative Court of the Republic of Croatia, starting from 1 January 2012 continues its work as the High Administrative Court of the Republic of Croatia.

(2010): In 2010, the number of professional judges in first instance courts included judges of municipal, commercial and misdemeanour courts. The number of judges in second instance courts included judges of the county courts, High Commercial Court, High Misdemeanour Court and Administrative Court of the Republic of Croatia.

Cyprus

(2015): From 2014, following the retirement of male judges at last instance, female judges were appointed.

Estonia

(2014): In 2014, one male judge left and a female judge was appointed.

(2012): In 2010, there were 3 female professional judges at the Supreme Court. At the beginning of 2012, one female judge of the Supreme Court became the judge representing Estonia in the European Human Rights Court.

France

(2014): The 2014 data on number of judges of courts of law subsumes also the presidents appointed by 31 December 2014.

(2013): In 2013, in first instance, there are 161 presidents of ordinary courts of law and 42 presidents of administrative courts. In second instance, there are 37 first presidents of courts of law and 8 presidents of administrative courts. They are encompassed in the indicated figures. However, presidents of administrative courts of appeal are not included (being members of the State Council, they are included within the number of Supreme court judges).

(2012): The 2012 data is expressed in FTE, for positions actually filled on 31 December 2012 within courts of law and administrative courts. For the latter, data in FTE concerning the distribution between men and women is not available. Out of the 1377 first instance and appeal judges, there are 816 men and 561 women. Data on men-women distribution for the State Council is not available in FTE: there were 105 men and 47 women. For courts of law, there were in FTE: total: 5771 FTE (2066 men/3705 women); first instance professional judges (1326 men/2804 women); appeal court professional judges (622 men/795 women); Supreme court professional judges (118 men/106 women). The State Council used different calculation methods for 2010 and 2012.

(2010): The 2010 data refers to judges of courts of law and administrative courts appointed by 31 December 2010. The data concerning only judges of courts of law is as follows: total - 5855 2188 3667; first instance professional judges: 4128 1362 2766; appeal court professional judges - 1504 707 797; Supreme court professional judges: 223 119 104.

Germany

(2016): The information provided counts the number of full-time equivalent staff. There are no absolute figures for the number of persons making up this staff. A judge working full hours is counted as a full-time equivalent (i.e. 1). A judge working part-time is counted as a fraction of 1. This fraction corresponds to the number of hours worked in relation to a full-time equivalent (e.g. 0.5 for a judge working half the usual number of hours). Re 1 and 2: Information based on staffing overviews. These data are ascertained according to a complex calculation mechanism as an annual average of the actual personnel deployed (for example: minus the number of staff absent for more than 20 working days in a single quarter for reasons other than vacation and/or further-training). Re 3: The number of supreme court professional judges is based on judicial statistics. These data are collected and collated every two years (last updated 31/12/2016). Statistics on the number judges on file at the end of the year (including staff placed on leave of absence or suffering from long-term illness), permit the following calculation for the total number of full-time equivalent staff (which, however, cannot be broken down according to first instance/appeal court): Total number of full-time equivalent staff: 20738, of which 11517 are male and 9222 are female.

(2015): The data refer to the year 2014. At present, no more recent data are available. This information relates to manpower percentages. There are no absolute figures for the number of persons. As to the information regarding manpower percentages, a judge working full-time is counted as 1. A judge who works part-time is counted as a portion of 1, depending upon his work hours as a percentage of full-time (e.g. 0.5 for a judge who works half of the full-time working hours).

As to 1. and 2.: The information is based upon summaries of the staff. This data is derived from a complex calculation key as an annual average value of the actual personnel deployed (for example, excluding employees who were not present more than 20 working days during a quarter for reasons other than holiday and/or training).

As to 3.: The number of professional judges at the highest courts of law is based upon judicial statistics. This data is collected every two years and compiled into an overview (most recent: 31 December 2014).

Greece

(2016): The 2015 data concerning the number of second instance judges did not, inadvertently, include all the ranks for penal and political justice and the respective administrative judges. Accordingly, this year the number is higher and explains also the variation in the total.

(2014): Data provided for 2014 are accurate. The variation observed in respect of the number of second instance judges, namely the decrease between 2013 and 2014, is due to the fact that in contrast with the previous exercise, administrative judges are not counted in this category for 2014.

(2013): In 2013, justices of peace are included, while Court of Auditors' judges are not considered in the total.

(2012): For the 2012 evaluation, the total number subsumed judicial officials of the civil-penal and administrative courts. It should be noticed that 688 magistrates were not included, as well as Court of Auditors' judges.

(2010): In the frame of the 2010 evaluation, the total number of judges (3 313) was detailed in the following way: 2041 associate judges (first instance, second instance and Supreme Court judges); 159 judicial officials of the Council of State; 551 magistrates; 562 first instance, second instance and Supreme Court presidents.

Hungary

(2014): In 2014, 26 judges were assigned to the National Office for the Judiciary (for work in accordance with the judicial administration) and 7 judges were assigned to the Ministry of Justice (to contribute to the legislative work of the ministry). These judges do not hear cases when carrying out their specific missions within the NOJ and the Ministry of Justice.

(2013): The number of Supreme Court female judges decreased between 2010 and 2012, while the number of Supreme Court male judges increased between 2012 and 2013. There is no specific reason in this respect, as the vacant positions are filled through an open application process, where the gender of the applicants is not taken into consideration in any way.

(2012): The number of Supreme Court female judges decreased between 2010 and 2012, while the number of Supreme Court male judges increased between 2012 and 2013. There is no specific reason in this respect, as the vacant positions are filled through an open application process, where the gender of the applicants is not taken into consideration in any way.

Ireland

(2016): Number of first instance professional judges refers to ordinary judges of the District Court, ordinary and specialist judges of the Circuit Court and ordinary judges of the High Court - including Court Presidents.

(2015): The discrepancy between the total figures and the figures for gender is explained by vacancies in the judiciary's establishment, as follows: Supreme Court: 1; High Court: 1; Circuit Court: 2.

First instance judges are judges of the High Court, Circuit Court and District Court. The High Court and Circuit Court also exercise appellate jurisdiction.

Numbers above include Court Presidents.

(2014): In 2014 Category 2 (2nd instance judges) was included since the new Court of Appeal was established only in 2014.

Italy

(2015): The overall reduction of judges between 2014 and 2015 is partly due to the effect of the recent labor reform that lowered the mandatory retirement age for judges from 75 to 70.

(2013): In the frame of the 2013 exercise, it has been specified that in the last few competitive exams held in Italy the percentage of women was higher than this of men. Owing to that, a positive variation can be observed in respect of the number of female judges between 2010 and 2013.

Latvia

(2014): The number of male judges in the Supreme Court decreased per 5 judges between 2012 and 2014 due to various reasons: three male judges retired (having reached maximum age to hold an office of a judge, which is 70 years in Latvia); two male judges returned to regional courts (because they worked in the Supreme Court temporarily, during the vacancy of a judge); one male judge passed away in 2014; one new male judge came to work in the Department of Civil Cases of the Supreme Court.

Lithuania

(2010): The increase of the number of judges between 2008 and 2010 may be explained by the filling existing free places for judges, i.e. only the number of working judges increased and not the number of judges determined by law.

Luxembourg

(2016): The figures differ from those indicated in the last data collection campaigns on two points.

1) concerning the number of judges at the highest level: starting with 2016, we have distinguished between the judges sitting at the court of appeal and those of the Cour de cassation, which is the highest court in Luxembourg. Until 2016, and as the two courts taken together form the Cour supérieure de Justice (which as such has some very specific competences), we indicated only the total of the judges affected to the Cour supérieure. It might be useful for statistical purposes to distinguish between the two levels.

2) concerning the number of judges at the first level: the figures indicated until 2016 were superior to the real figures, as, erroneously, the prosecutors (which by law are also magistrates affected to these courts) had been included. This error has now been corrected. The same data were also provided for 2014 and 2015.

(2015): In 2014, the judges of the Administrative Court were included in the number of judges in the Supreme Court but in 2015 these judges were accounted as second instance judges.

(2014): The 2014 data are identical to those of 2013 and may vary slightly regarding the male/female distribution. To the total number of judges should be added 12 trainees ("attachés de justice"). Judges of second instance and those of the Court of Cassation are all part of the Superior Court of Justice.

(2013): To the total number of judges, should be added 4 trainees ("attachés de justice"). The increase in the number of female judges at all instances between 2010 and 2013 is explained by the special attraction for a profession that allows to combine work and family life. Judges of second instance and those of the Court of Cassation are all part of the Superior Court of Justice.

(2012): 2012: The total number of professional judges indicated (212) does not correspond to the sum of the number of judges before each instance (227) because some judges have jurisdiction in two courts. For example, the Constitutional Court is composed of judges of the Court of Cassation and the Administrative Court.

(2010): For 2010, the total number of professional judges includes magistrates of the Court of Appeal as well as those of the Court of Cassation (both courts form together the Superior Court of Justice) and judges of the Administrative Court. Judges of the Constitutional Court are not counted because they are all under another main jurisdiction.

Malta

(2016): Despite the categorical manner in which the Maltese judiciary have been classified for the purpose of this exercise, it is important to note that the roles of some of the judges are very fluid. Hence, some of the 1st Instance judges sit, when the need arises, in 2nd Instance courts, whilst 2nd Instance judges hear cases at 1st Instance such as at the Civil Court, First Hall or the Civil Court, Family Section.

There has been an increase of 3 female judges at 1st instance since 2014. There was an increase from 15 to 17 female judges at 1st instance in 2015 and a further increase of 1 female judge at 1st instance in 2016. Care is being taken in order to ensure an equal gender representation in the appointments of the judiciary.

(2015): Regarding the number of judges, the high percentage variations that might be observed results from the small absolute number of judges that Malta has. Malta has been trying, and there are still on-going efforts, at increasing the number of judges. If between 2010 and 2015 the number of male judges decreased (by 1), this was complemented by an increase in the number of female judges (also by 1).

(2010): On the occasion of the 2010 exercise, it was explained that in the past ten to fifteen years, the authorities had promoted the appointment of women in the judicial field.

Netherlands

(2016): All data in number of persons. FTE data are only available for the total: 2148.

(2015): Number of deputy judges courts in 2015 = 1.100

The numbers provided in the table are posts. The FTE is available only for the total and it is 2.169. Other categories are NA.

(2014): In 2014, the number of first instance judges did not include judges of the Trade and Industry Tribunal, the Supreme Court and the Council of State. The number of second instance judges included magistrates of the Trade and Industry Appeals Tribunal and the Administrative High Court, excluding these of the Supreme Court and the Council of State.

(2013): In 2013, the total (1+2+3, and men+women) in fte was 2 181. This was excluding the Supreme Court. The number of first instance judges excluded judges of the Trade and Industry Appeals Tribunal, the Supreme Court and the Council of State. The number of second instance judges included magistrates of the Trade and Industry Appeals Tribunal and the Administrative High Court, excluding these of the Supreme Court and the Council of State.

(2012): In 2012, the total (1+2+3, and men+women) in fte was 2 194. This was excluding the Supreme Court. The number of first instance judges excluded judges of the Trade and Industry Appeals Tribunal, the Supreme Court and the Council of State. The number of second instance judges included magistrates of the Trade and Industry Appeals Tribunal and the Administrative High Court, excluding these of the Supreme Court and the Council of State.

(2010): In 2010, the total (1+2+3, and men+women) in fte was 2 273. The number of first instance judges did not include judges of the Trade and Industry Appeals Tribunal. The number of second instance judges did not subsume magistrates of the Council of State (Raad van State). The number of 3rd instance judges included one president and 6 vice-presidents.

Portugal

(2014): In the frame of the 2014 exercise it has been explained that the increase of the number of Supreme Court females professional judges is due to the general tendency of increase of female judges in the last decade at first instance courts. It is natural that gradually the proportion of female judges in the higher courts will tend to grow as a result of their career progression.

Romania

(2016): In Romania there are four level of courts (first instance courts, tribunals, courts of appeal and the High Court of Cassation and Justice). In the table above the judges from tribunals are included in the category "second instance professional judges".

(2014): For 2014, in contrast with the 2013 evaluation and akin to the 2010 and 2012 exercises, judges mentioned at 46.1 are judges within first instance courts, while judges mentioned at 46.2 are judges within tribunals and courts of appeal.

(2013): On the occasion of the 2013 exercise, it has been specified that after entering into force of the new Codes, in the Romanian judicial system there are three levels of jurisdiction in civil matters and two levels of jurisdiction in criminal matters. Thus, in civil matters, the first instance courts (Judecatorii) rule in first instance. The tribunals rule generally in first instance, but also in appeal (appeal on the merits) and in second appeal (appeal on the law) while the courts of appeal rule, generally, on the appeals, but they may also rule in first instance and in second appeal in the cases expressly provided by law. In criminal matters, the first instance courts rule in first instance. The tribunals rule, generally, as first instance courts while the courts of appeal generally rule on appeal, but sometimes also in first instance. In such situation, judges mentioned at 46.1 are judges within first instance courts and tribunals (first level of jurisdiction), while judges mentioned at 46.2 are judges within courts of appeal.

The increase of the number of Supreme Court judges between 2012 and 2013 is due to the fact that in 2012 and 2013, the Superior Council of Magistracy brought important changes to the Regulation for the promotion of judges to the High Court of Cassation and Justice and 19 judges were promoted.

(2012): In the frame of the 2010 and 2012 exercise, judges were categorized according to the following hierarchical system in terms of courts organization: courts of first instance (judecatorii) 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; the 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. Thus, at 46.1 were mentioned judges within courts of first instance (having full competence for judging in first instance), while at 46.2 were mentioned judges within tribunals and courts of appeal.

(2010): In the frame of the 2010 and 2012 exercise, judges were categorized according to the following hierarchical system in terms of courts organization: courts of first instance (judecatorii) 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; the 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. Thus, at 46.1 were mentioned judges within courts of first instance (having full competence for judging in first instance), while at 46.2 were mentioned judges within tribunals and courts of appeal.

Slovakia

(2015): The total number of the judges in the records of the Ministry of justice is 1337 (499 males, 838 females) including also judges temporary assigned to the other institution (Ministry of justice, Judicial Academy, other judicial institutions including European and other international courts), the judges at the maternity leave etc.

The decrease in the number of judges in comparison with the previous cycle has been caused by the retirement of the judges whose posts have not been filled yet. The selection procedures for the vacant posts are under way.

(2014): In 2014, the total number of judges in the records of the Ministry of justice was 1366 (503 males, 863 females), including judges temporary assigned to other institutions, judges granted maternity leave etc.

(2013): In 2013, the total number of judges in the records of the Ministry of justice was 1385 (511 males, 874 females), including judges temporary assigned to other institutions, judges granted maternity leave etc.

(2012): In 2012, the total number of judges in the records of the Ministry of justice was 1344 (497 males, 847 females), including judges temporary assigned to other institutions, judges granted maternity leave etc.

(2010): In 2010, the total number of judges in the records of the Ministry of justice was 1387, including judges temporary assigned to other institutions, judges granted maternity leave etc.

Slovenia

(2016): At the end of 2016, 897 judicial posts were formally occupied (full-time equivalent method), although some post were de facto vacant (e.g. judge absent due to maternity leave). The actual presence is also calculated, based on number of hours judges are actually present in court (excluding the maternity or sick leave, but including the annual leave). The number of judges in Slovenian judicial system in 2016 was 811,52 according to actual presence calculations.

Nevertheless, we report that 880 professional judges sit in courts (perform judicial function), since the rest of the judges (17 judges - difference to the total of 897 judges) were assigned to other duties (e.g. the Ministry of Justice, the Supreme Court, the Judicial Council) and do not sit in courts.

(2015): At the end of 2015, 912 judicial posts were formally occupied (full-time equivalent method), although some post were de facto vacant (e.g. judge absent due to maternity leave). The actual presence is also calculated, based on number of hours judges are actually present in court (excluding the maternity or sick leave, but including the annual leave). The number of judges in Slovenian judicial system in 2015 was 829,39 according to actual presence calculations.

Nevertheless, we report that 897 professional judges sit in courts (perform judicial function), since some judges were assigned to other duties (they do not sit in courts):

- 11 are appointed to the Supreme Court: General Secretary of the Supreme Court (1), informatisation projects (8), case law (1) and other projects (1),
- 2 are appointed to the Judicial Council and
- ?2 are appointed to the Ministry of Justice.

We reported the Administrative court as the first instance court (Q42 and Q91). However, the law requires for the Administrative court judge to be a higher judge (2nd instance judge), therefore the Administrative court judges are included as the 2nd instance professional judges.

(2012): In 2012, In the previous evaluation cycle the judges of administrative court were included in the number of second instance judges, since they have a position of higher judges. Regarding the fact they judge in first instance administrative cases and to ensure compatibility with the answer for Q42 where Administrative Court is classified as a first instance court, from 2012 they are included in the number of first instance judges. The variation with 2010 is due to this change.

(2010): In 2010, the judges of administrative court were included in the number of second instance judges, since they have a position of higher judges regardless that they deal with first instance cases.

Spain

(2010): The figures presented for 2010 refer to the number of professional judges on active service on 1 January 2011, except for those who were on leave.

It is noteworthy that the observed vertical inconsistencies are justified by the particular category of territorial judges (31, 23 males and 8 females). The peculiarity of the latter consists in the impossibility to classify them in a specific instance. Basically, they are attached to second instance courts but most of them practice in first instance courts. Owing to that, they are included in the total number of professional judges.

Within the frame of an overall reform process in respect of the judicial system, the Council of Ministers approved the creation of 150 new judicial units in 2010: 134 courts, 16 posts for judges (National High Court and Regional High Courts of Justice) and 50 posts for territorial judges. The latter are a new figure foreseen by the Strategic Plan for Modernization of the Justice System, intended to promote occupation of judicial posts by highly qualified professional judges.

Sweden

(2016): There were vacancies on 31 December 2016.

Question 052

Austria

(2016): This cycle administrative courts were taken into account for the first time.

The administrative courts were established January 1st 2014. After their establishment the data of the administrative courts is introduced this cycle for the first time.

(2015): The right (not rounded) numbers are:

Total non-judge staff working in courts (1 + 2 + 3 + 4 + 5) 4734,55 - 1407,08 - 3327,47

1. Rechtspfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal 798,11 - 331,63 - 466,48
2. Non-judge staff whose task is to assist the judges such as registrars (case file preparation, assistance during the hearing, court recording, helping to draft the decisions) 19,05 - 1 - 18,05
3. Staff in charge of different administrative tasks and of the management of the courts (human resources management, material and equipment management, including computer systems, financial and budgetary management, training management) 439,56 - 155,86 - 283,70
4. Technical staff 21,70 - 9,85 - 11,85
5. Other non-judge staff 3456,13 - 908,74 - 2547,39

(2014): As previously specified, in the frame of the 2014 exercise, the numerical values in the table have been rounded in order to comply with the new CEPEJ methodology. The most exact replies for this period would be:

Total non-judge staff working in courts: 4 704,51 (1 388 Male, 3 316,51 Female)

1. Rechtspfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to Appeal: 784,78 (320,21 Male, 464,57 Female)
2. Non-judge staff whose task is to assist the judges such as registrars (case file preparation, assistance during the hearing, court recording, helping to draft the decisions): 19,18 (1 Male, 18,18 Female)
3. Staff in charge of different administrative tasks and of the management of the courts (human resources management, material and equipment management, including computer systems, financial and budgetary management, training management): 438,97 (159,85 Males, 279,12 Females)
4. Technical staff: 23,05 (9,95 Males, 13,10 Females)
5. Other non-judge staff: 3 438,53 (896,99 Males, 2 541,54 Females)

(2010): On the occasion of the 2010 exercise, it was specified that some persons of the cleaning staff were – still - employed by the courts and were counted in the category “technical staff”. In the case of retirements, the posts were not filled in any longer because usually this kind of work is done by external cleaning companies.

Belgium

(2013): The number of women per category is as follows: Total: 3839,45; category 2: 1212,62; category 3: 2031,93; category 4: 594,90.

(2012): 2012: The 2d category "non-judge staff whose task is to assist the judges such as registrars" covers clerks and referendaries; the 3d category "staff in charge of different administrative tasks" includes HRM staff, seconded staff to specific authorities of the judicial organisation and administrative staff of the court registry. This distribution can be presented with the following figures: Total: 5457,95 (3930,35 women); 2: 1707,72 (1166,52 women); 3: 2766,23 (2075,73 women); 5: 984 (688,10 women).

Bulgaria

(2015): Unlike the previous evaluation cycles, now we indicate the figure 502 – technical staff (it includes drives, cleaning staff, guards, etc.), which reduce the number of the employees engaged with administrative tasks and court management under number 3.

Other non-judge staff includes 55 court servants working in recreation department.

(2013): The number of non-judge staff assisting judges includes the number of all court staff from the so called specialized administration supporting judges, including court secretaries and court assistance, while for 2010 it subsumes only court secretaries. The category “staff in charge of different administrative tasks” subsumes the number of non – judge staff of general administration.

(2012): The number of non-judge staff assisting judges includes the number of all court staff from the so called specialized administration supporting judges, including court secretaries and court assistance, while for 2010 it subsumes only court secretaries.

Croatia

(2015): The Republic of Croatia submits correct numbers of non-judge staff who are working in courts for previous cycles (2012, 2013 and 2014), because in the previous cycles this number included the staff working for public prosecutors. Therefore, the correct numbers for these cycles are as follows:

2012.TotalMalesFemales

Total non-judge staff working in courts (1 + 2 + 3 + 4 + 5)6 2348705 364

1. Rechtspfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal31165246

2. Non-judge staff whose task is to assist the judges such as registrars (case file preparation, assistance during the hearing, court recording, helping to draft the decisions)4 6484214 227

3. Staff in charge of different administrative tasks and of the management of the courts (human resources management, material and equipment management, including computer systems, financial and budgetary management, training management)544105439

4. Technical staff

731

279

452

5. Other non-judge staff

2013.TotalMalesFemales

Total non-judge staff working in courts (1 + 2 + 3 + 4 + 5)6 2228735 349

1. Rechtspfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal28563222

2. Non-judge staff whose task is to assist the judges such as registrars (case file preparation, assistance during the hearing, court recording, helping to draft the decisions)4 6434244 219

3. Staff in charge of different administrative tasks and of the management of the courts (human resources management, material and equipment management, including computer systems, financial and budgetary management, training management)562107455

4. Technical staff

732

279

453

5. Other non-judge staff

(2014): On the occasion of the 2014 exercise, it has been explained that in 2013, the number of "Rechtspfleger" included judicial advisors because they work autonomously on cases, on the one hand, and staff who are not judges, but who can enact decisions (land registry officials and court registry officials), on the other hand. In 2014, the interpretation changed and judicial advisors were moved to category 2 "non-judicial staff whose task is to assist the judges" since they work autonomously but their decision must be signed by a judge. The other category of staff who are not judges, but who can enact decisions are still included in Rechtspfleger.

(2013): In the frame of the 2013 exercise, it has been indicated that the significant variations that can be noticed for the period 2012-2013 in respect of certain sub-categories are due only to a different methodology of classification followed in 2012 and 2013. In other words, the total is slightly different for the two years. More specifically, in 2013, with regard to the sub-category "staff in charge of administrative tasks" within item no 3 staff in charge of various administrative tasks and management of courts was counted, and in item no 2, the Ministry of Justice counted in this item the staff working as clerk of the court, who also simultaneously work in the capacity of clerks in court management in smaller courts, where the president of the court is also a judge. This was shown as increase in comparison to 2012, when the clerks of the court were counted within item "non-judicial staff assisting judges". Following everything said above, the real increase did not occur.

Cyprus

(2016): court bailiff

(2015): Between 2014 and 2015, there was a change in the distribution of non-judge staff. In 2014, in the category "staff in charge of administrative tasks", only the number of high-level administrative staff was included. The other administrative staff were included in the category "other non judge staff". Whereas in 2015, all administrative staff were included in the category "staff in charge of administrative tasks". This change of distribution leads to significant variations.

(2014): Variations concerning data on different categories of non-judge staff are due to different methodology of presentation of data used for 2014 and the previous evaluations.

Czech Republic

(2016): Small discrepancy present in some categories is a result of ordinary turnover of staff in 98 organizations.

(2015): In 2015, compared to 2014, the number of non-judge staff increased due to a project financed from the European social fund and state budget: "Project on improvement of the efficiency of courts by strengthening of the administrative capacities". The project is running until 30th December 2015.

(2014): In 2014, the number of non-judge staff increased due to a project financed from the European social fund and State budget: "Project on improvement of the efficiency of courts by strengthening of the administrative capacities". The project is running until 30th December 2015.

Estonia

(2016): The observed variations in the numbers with regard to the different sub-categories are due to a general movement of staff.

(2015): Other non-judge staff is court interpreters.

(2014): On the occasion of the 2014 evaluation, the attention was drawn on the pilot project introduced in 2013 in one county court consisting in providing each judge with a personal legal assistant who had to have a master's degree in law and whose salary was increased to 50% of the judge's salary. As a result, judges could delegate more functions to assistants and the quality of the support provided by their assistants increased.

After the first year of the pilot project, the average proceeding times in civil cases in that particular court dropped from 201 days to 160 days; after the second year the average proceeding times dropped further to 132 days.

At present, the project has been introduced in all first and second instance courts too.

(2013): Since 2013, the second category includes a new position among court staff – judicial clerk. The latter was established in order to raise the qualification level of the non-judge staff working in the courts and thus improve the quality and efficiency of the performance of the courts. Judicial clerks have to have a master's degree in law and their salary represents 50% of the judge's salary. They assist judges in the administration of justice, participating in the preparation of the court cases or in the court proceedings to the extent prescribed by law. In the course of efficiency raising projects in first and second instance courts, judicial clerks replace step by step former consultants. As a result of the project, there is one judicial clerk for every judge as a personal assistant.

In 2013, the efficiency raising project was implemented in the largest court of general jurisdiction as a pilot (Harju County Court) and therefore the increase in the number of non-judge staff (category 2) can be seen. After the first year of implementation, the average proceeding times in civil cases in that particular court dropped from 201 days to 160 days; after the second year the average proceeding times dropped further to 132 days.

In 2015, the project has been introduced in all first and second instance courts too.

(2012): For the period 2010-2012, a significant variation is observed with regard to the item "non-judge staff assisting the judges". In this respect, it is noteworthy that the overall number of court staff has not changed much during the last years: 976 (2010), 957 (2012) and 990 (2013). Basically, the differences in figures in the sub-categories between 2010 and 2012 are due to the different categorization of court staff.

Finland

(2016): office staff 1473, summoners 248, trainee district judges 136, junior district judges 1, referendaries 312

(2015): office staff 1428, summoners 265, trainee district judges 138, junior district judges 5, referendaries 309

(2014): For the 2014 exercise the total of 2 161 subsumes 1 434 office staff, 266 summoners, 136 trainee district judges, 7 junior district judges and 318 referendaries.

(2013): For 2013, the total of 2 196 subsumes 1445 office staff, 265 summoners, 133 trainee district judges, 7 junior district judges, 346 referendaries.

(2012): For 2012, the total of 2 214 subsumes 1447 office staff, 264 summoners, 129 trainee district judges, 9 junior district judges, 365 referendaries.

(2010): For 2010, the total of 2 285 subsumes 1479 office staff, 272 summoners, 130 trainee district judges, 15 junior district judges, 389 referendaries.

France

(2016): The distinction between staff attached to judges and staff attached to prosecutors is not possible to be carried out. The category "other" refers to specialized assistants (18) and legal assistants (111) who work in civil and criminal courts.

(2015): It should be noted that as of 31 December 2015, 1013 categories A and B staff (including 886 women) were in initial training at the Ecole nationale des greffes (French National School for Registrars), most of them in practical training in courts. This high volume of staff has joined the courts in 2016 or will do so in 2017, which will increase the number of staff actually working in the courts and regional administrative offices.

The distinction between staff in charge of assisting judges and staff in charge of assisting prosecutors is not possible. The latter are therefore part of the figures provided.

(2013): The 2013 data relating to court staff comprises the staff appointed to judges and public prosecutors. It is not possible to separate them.

Significant recruitments are ongoing in the judiciary. On 31 December 2013, 1064 agents of categories A and B (among which 931 women) were in initial training. These agents joined the judicial jurisdictions in 2014 or will do in 2015.

Among the 21946 non-judge staff, 1911 were appointed to the administrative jurisdictions, that is to say 476 (among which 351 women) in category 2, 1326 (among which 991 women) in category 3 and 109 (among which 72 women) in category 4.

The size of the administrative order is bigger than in 2012 (+132 FTE), because the field was specified. If the size of the courts and courts of appeal are stable (1499), on the contrary the 274 agents of the State Council counted in 2012 were appointed to a support function; they are therefore excluded from the 2013 figures. However, the size of the litigation section of the State Council (juridict section strictly speaking) represents 87 FET. The number of staff of the national court for asylum right has also been taken into account in categories 2, 3 and 4 for a total of 325 FET, while this specialised administrative jurisdiction was not counted until now.

The share of women in the total staff is:

1. Total number of non-judge female staff working in courts: 18215
2. Staff in charge of assisting judges in the manner of registrars: 15662
3. Staff in charge of tasks relating to administration and management of courts: 2300
4. Technical staff: 253

In 2013, the State Council distributed non-judge staff which was before included in the category "other non-judge staff" in the proposed categories.

This is especially the reason why there is an increase of the staff in charge of administrative tasks between 2012 and 2013. It is explained by the redistribution of the category "other non-judge staff" carried out in 2013 to the category "staff in charge of administrative and management of the court tasks".

(2012): On 31 December 2012, 1039 staff in Categories A and B were in initial training at the National School for Registrars, most of them in practical training in the courts. This important volume of agents joined the jurisdictions in 2013 or will do so by 2014, which will increase the number of agents actually in office in courts and regional administrative services.

The data of the administrative courts are classified as "other non-judge staff". Because of the versatility of non-judges of administrative courts and administrative courts of appeal, non-judge staff cannot be integrated in any of the categories mentioned. This concerns 1,505.5 FTE. Also for the State Council, the number of FTEs of these non-judge staff: 274 FTE (151 women / 130 men, not available FTE for the male / female distribution) (source: General Secretariat of the State Council). This categorisation due to the versatility of the staff in administrative justice can explain the difference found in the "other non-judge staff" between 2010 and 2012.

(2010): The total includes civil servants working in administrative courts as well as the staff attached to judges and public prosecutors. It also subsumes the staff in charge of tasks related to administration and management of 1st and 2d instance administrative courts. The category "other" includes judicial assistants who are non-permanent staff assigned to assist judges in decision making (237,62 FTE) and seasonal contracts (250,92 FTE).

Germany

(2016): This figures denotes the number of staff (full-time equivalent) who are:

- granted unpaid leave for training/further-training purposes,
- released to work in staff representation bodies, as representatives for staff with disabilities, and as gender equality commissioners,
- employed in a special facility,
- employed as reception/security staff,
- employed by the court switchboard,
- motorpool staff,
- cleaners and other non-salaried personnel

Comments:

These are personnel-deployment figures denoting the number of full-time equivalent employees not exercising judicial office. Personnel-deployment figures are not collected according to reference date. Instead, an annual average is calculated over four quarters. There are no absolute figures for the number of persons making up this staff. An employee working full hours is counted as a full-time equivalent (i.e. 1). An employee working part-time is counted as a fraction of 1. This fraction corresponds to the number of hours worked in relation to a full-time equivalent (e.g. 0.5 for an employee working half the usual number of hours). Figures for the federal courts are not included.

(2014): The 2013 and 2014 data are the same due to the impossibility to obtain data for 2014. The trend observed since 2010 reveals stable figures.

Greece

(2016): The 2015 data did not, inadvertently, exclude staff working for the public prosecution services.

(2010): On the occasion of the 2010 exercise, it has been indicated that there is no differentiation between staff assisting judges and staff assisting prosecutors.

Hungary

(2015): For the gender ratio we are only able to provide the total figures.

Other non-judge staff (5) includes Staff in charge of different administrative tasks and of the management of the courts (3) and technical staff (4).

(2014): In 2014, the category “other non-judge staff” includes “staff in charge of different administrative tasks and of the management of the courts” and “technical staff”. □

As to the category “other” and the observed variation between 2013 and 2014, it is due to different methodologies of presentation of data. Some of those judicial employees who in 2012 were counted as non-judge staff whose task is to assist the judges such as registrars are taken into account for 2014 in the category “other non-judge staff”.

(2013): The resort to a different methodology of presentation of data in 2013 gave the impression of a decrease in the number of non-judge staff assisting judges. Some of those judicial employees who in 2012 year were included in the category “non-judge staff whose task is to assist the judges such as registrars” were taken into account in the category “other non-judge staff”. □

The category “other non-judge staff” included in 2013 the total number of “staff in charge of different administrative tasks and of the management of the courts” and “technical staff” because these numbers could not be separated within the national database.

(2012): In 2012, it has been specified that court secretaries are enabled to perform duties of judges in cases specifically defined by law. In connection with this, it has been explained that the increase of the number of Rechtspfleger between 2010 and 2012 was mainly due to the expanding scope of their authority according to the amended procedural codes. One of the main strategic goals of the NOJ was to rationalize the courts human resources and so to decrease the administrative workload of judges. Year by year more administrative tasks and cases of lesser difficulties (e.g. misdemeanor cases) are dealt by Rechtspfleger.

The difference in the number of non-judge staff assisting judges was the result of a different interpretation of the question. In 2012, this category included only staff directly assisting judges while in 2010, it encompassed other staff as well. In 2012, staff whose task does not consist in directly assisting judges was included in the item “other”.

Ireland

(2016): Staff numbers in the Irish Courts Service are computed on the basis of “Full-time equivalent” resources, requiring that staff numbers include decimal points, reflecting part-time, work-sharing and other reduced time working arrangements. As decimal points are not inputtable to this question in the data base, it has been necessary round up or round down figures. Additional staff have been employed since the last reporting cycle (3)

(2015): Figures have rounded up or down to adjust for the fact that actual personnel resource numbers are calculated to decimal points to reflect employment of part of a full-time personnel resource (e.g. where work-sharing arrangements are in place).

(2013): 2013: The reduction in the number of Rechtspfleger and similar positions since 2012 reflects in part the appointment of number of County Registrars falling within the Rechtspfleger category as Specialist Judges of the Circuit Court. There were also a number of vacant posts at the end of 2013.

Italy

(2016): According to the data provided for 2014, 2015 and 2016, we can notice a downward trend as concerns the number of technical staff (a decrease of 28% between 2014 and 2015 and a decrease of 26% between 2015 and 2016), especially the number of female staff (a decrease of 33% between 2014 and 2015 and of 32% between 2015 and 2016). An explanation of these variations is not available at this stage.

(2015): ‘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.

Latvia

(2014): For the last three evaluations (2012, 2013 and 2014), the category “other” includes employees from the Division of Provision of Secrecy Regime and the Supreme Court Division of Case-Law. The latter is a unit of the Supreme Court responsible for the compilation, analysis and publication of court opinions, as well as for summarizing, selecting, processing and publishing in the case-law database court rulings which are important for promotion of coordination, research and development of court practice. For 2014, the category “other” also subsumes consultants of the Supreme Court.

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(2010): In the frame of the 2010 exercise, it has been specified that the category “non-judge staff whose task is to assist the judge” includes assistants to judges, court hearing secretaries, court interpreters. The category “staff in charge of different administrative tasks” encompasses assistants to chief judges, head of Chancellery, deputy head of Chancellery, court secretaries, archivists, administrators and consultants. The category “technical staff” subsumes court couriers, physical work performers.

Lithuania

(2016): Other non-judge staff: translators and psychologists.

In 2016, the number of technical staff has decreased while at the same time increasing the number of staff for assistance.

(2014): For 2014 the number of non-judge staff by gender is not available. The National Courts Administration has never collected data on statistics of court personnel according to the gender. The data, which was provided in earlier evaluation cycles, was preliminary data, manually gathered by considering name and surname data, which is a too big effort.

(2010): The following clarifications have been provided in the frame of the 2010 evaluation:

“staff in charge of different administrative tasks” – chancellors and their support, advisors of the chairman of the court, financiers, secretaries of administration of the courts, IT specialists, accountants, etc.;

“technical staff” - employees working under labour agreements, i.e. cleaners, drivers, etc.; □

“other” – other helping staff (civil servants and working under the labour agreement). □

The number of non-judicial staff was taken from the line of “Staff in charge of different administrative tasks and of the management of the courts” since in 2010 there already were 6 chancellors in Lithuania, who under the legislation, are responsible for the administrative tasks.

Luxembourg

(2016): Last year the separation of the sections 1, 2 and 3 was not done correctly. This year this task was made by the parquet general RH office. The same data were also provided for 2014 and 2015.

(2014): The overall administrative tasks concerning ordinary courts are centralized at the level of the Prosecutor General Office. The same applies to technical staff. Among the 192 non-judge staff assisting judges, 117 are women. The category "staff in charge of different administrative tasks" (3 women, 2 men) and the category "technical staff" (1) refer exclusively to the Administrative Court (which was not the case for 2012). The 2014 data reflects the administrative reality, the staff that cannot be categorized to one specific task being attached to the State Prosecutor General. The total remains stable; slight variations are due to temporary replacements. The category "other" does not subsume external staff hired on contractual basis, e.g. in IT matters (as in 2012).

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(2012): 2012: With the exception of categories 1 ('Rechtspfleger') and 2 (non-judge staff whose task is to assist the judges such as registrars), all others carry on their work in the interest of the whole judicial system, that is to say, both for judges and prosecutors.

(2010): 2010: The number of personnel in charge of administrative tasks is 108; it includes those who carry out their duties full time as well as those who are also responsible for other tasks.

As reported in 2008, the number of technical staff also includes temporary staff with fixed-term employment contracts. These include the maintenance and cleaning staff.

The registry of the Constitutional Court has no specific staff, these tasks are performed by the registry of the Superior Court of Justice. The figure provided does not include IT staff, which report to the State Computer Centre [Centre informatique de l'Etat (CTIE)]. It should also be noted that the work of some clerks also includes administrative tasks, especially for the chief clerks (6 units).

Malta

(2016): Other non-judge staff includes:

- Director Civil Courts and staff
- Director Criminal Court and staff
- Registry Criminal Court
- Chief Marshal
- Senior Marshal
- Marshals
- Judiciary Drivers
- Subasti staff

Concerning "Technical Staff", 2 technical staff were employed. Between 2014 and 2015, there was a decrease in the number of tradesman employed with the court administration.

(2015): In the 2015 data, the category 'Non-judge staff whose task is to assist the judges' includes 13 Court Attorneys that have been introduced for the first time in October 2015. This staff is meant to assist the judges in the drafting of the sentences and other related matters. However the Court Attorneys are not autonomous and the responsibility for the sentences that they draft ultimately lies with the presiding judge.

The differences noted between 2014 and the previous regarding the categories "staff in charge of administrative tasks" and "other non-judge staff" is due to a change in the distribution. After 2014, some non-judge staff who were included in the category "staff in charge of administrative tasks" were integrated in "other non-judge staff".

The decrease between 2014 and 2015 in the number of "technical staff" is due to a decrease in the number of tradesman.

(2014): The differences noted between 2014 and the previous regarding the categories "staff in charge of administrative tasks" and "other non-judge staff" is due to a change in the distribution.

(2013): In 2013, the number of non-judge staff was detailed in the following way:
staff assisting judges – deputy registrars (67), court messengers (19), judicial assistants (30), clerical staff (141), ushers (25), senior court recorders (12), court recorder in charge (1), and Children’s advocate (2); □
staff in charge of administrative tasks – Directorate Support Services (86), Directors and staff (12), Asset Management unit (3), Archives (3), One stop shop (7), Subasti (3), Library (1), Publications (3);
technical staff – tradesmen (7), Bookbinder (1); □
“other” – cleaners (8), Chief Marshal (1), Marshals (20). □
An exercise at beefing up the Court administration staff was undertaken by the Government in 2013, following its election as a result of which, the numbers for different sub-categories have increased considerably.

(2012): In 2012, the number of non-judge staff was detailed in the following way:
staff assisting judges – deputy registrars (65), court messengers (19), judicial assistants (30), clerical staff (59), ushers (25), senior court recorders (12), court recorder in charge (1), and Children’s advocate (2); □
staff in charge of administrative tasks – Directorate Support Services (83), Directors and staff (13), Asset Management unit (3), Archives (3), One stop shop (4), Subasti (2), Library (1), Publications (2);
technical staff – tradesmen (7), Bookbinder (1); □
“other” – cleaners (7), Chief Marshal (1), Marshals (20).

Netherlands

(2016): Number of FTE = 6530.

(2015): FTE in 2015 is 6.497

(2014): According to 2013 data, the figure 7.287 pertains to persons, data in fte is 6.495.

(2013): According to 2013 data, the figure 7.287 pertains to persons, data in fte is 6.495.

Poland

(2016): Other non-judge staff - 5859
of which:
Professional probation officers - 5212
Employed in Consultative Team of Judicial Specialists - 647.

(2010): In the frame of the 2010 exercise it has been indicated that the category “other non-judge staff” encompasses assistants of judges whose role is strictly connected to the judge’s judicial function (ex. preparation of judgment and justification drafts) - they do not perform any administrative tasks.

Portugal

(2014): In the frame of the 2014 exercise, it has been explained that the decrease of the number of staff in charge of administrative tasks is linked to the staff that went to retirement and that was not replaced by new one as well as to the continuous IT modernization.

(2013): In the ambit of the 2013 exercise, it has been noticed that the number of judicial staff is decreasing owing to the retirements that have been occurring since 2010. In addition, due to the reform of the Public Administration that is taking place since 2009 and the financial constraints of the past few years, the number of public servants has decreased.

Romania

(2016): 6191 represents the number of clerks with judicial tasks (- 165 work only within the High Court of Cassation and Justice); 1621 - the number of registering clerks, documentary clerks, statistician clerks, archivist clerks and public servants (- 9 work only within the High Court of Cassation and Justice); 1822 - number of IT staff, contractual personnel and other personnel / drivers, ushers, procedural agents (- 109 work only within the High Court of Cassation and Justice).

Other categories of personnel which function within the Romanian courts (663):
Assistance magistrates: 113 Judicial assistants: 173 Probation counselors: 377

(2015): 6149 represents the number of clerks with judicial tasks (- 149 work only within the High Court of Cassation and Justice); 1615 - the number of registering clerks, documentary clerks, statistician clerks, archivist clerks and public servants (- 9 work only within the High Court of Cassation and Justice); 1844 - number of IT staff, contractual personnel and other personnel / drivers, ushers, procedural agents (- 109 work only within the High Court of Cassation and Justice).

Other categories of personnel which function within the Romanian courts: Assistance magistrates: 115 ; Judicial assistants: 176 ; Probation counselors: 352

(2014): In 2014, there were 6072 clerks with judicial tasks (153 work only within the High Court of Cassation and Justice); 1585 registering clerks, documentary clerks, statistician clerks, archivist clerks and public servants (9 work only within the HCCJ); 1854 IT staff, contractual personnel and other personnel / drivers, ushers, procedural agents (96 work only within the HCCJ). The category "other" subsumed 101 Assistance magistrates, 175 Judicial assistants and 360 Probation counselors.

(2013): In 2013, there were 5743 clerks with judicial tasks; 1563 registering clerks, documentary clerks, statistician clerks, archivist clerks and public servants; 1784 IT staff, contractual personnel and other personnel (drivers, ushers, procedural agents). The category "other" subsumed 92 Assistance magistrates, 176 Judicial assistants and 281 Probation counselors.

(2012): In 2012, there were 5489 clerks with judicial tasks; 1486 registering clerks, documentary clerks, statistician clerks, archivist clerks and public servants; 1762 IT staff, contractual personnel and other personnel (drivers, ushers, procedural agents). The category "other" subsumed 90 Assistance magistrates; 175 Judicial assistants; 281 Probation counselors.

(2010): In 2010, there were 5325 clerks with judicial tasks; 1427 registering clerks, documentary clerks, statistician clerks, archivist clerks and public servants; 1729 IT staff, contractual personnel and other personnel (drivers, ushers, procedural agents). The category "other" subsumed 83 Assistance magistrates, 169 Judicial assistants and 292 Probation counselors.

Slovakia

(2014): In 2014, the category "Rechtspfleger" subsumes 967 higher judicial officers and 63 mediation and probation officers. The category "staff assisting judges" includes assistants of judges and court secretaries. The category "staff in charge of different administrative tasks" encompasses court staff responsible for court administration, contact with the public (information centre, filing office), archives and technical staff.

In 2010, 2012 and 2014, due to the different categorisation, it was not possible to extract the accurate number of "technical staff" and "other non-judge staff" from the number "staff in charge of different administrative tasks".

(2013): In 2013, the category "Rechtspfleger" includes 975 judicial officers, 45 legal assistants at the Supreme Court and 63 mediation and probation officers. The category "non-judge staff assisting judges" includes 1348 assistants and 752 judicial secretaries. Due to the different categorization of the rest of non-judge staff, it was not possible to identify the number of court management staff and the number of technical staff. Owing to that, the rest of the non-judge staff (excluding "Rechtspfleger" and "non-judge staff assisting judges") was subsumed in the category "other". □

On the occasion of the 2013 exercise, it has been stressed that within the years 2011 and 2012, the Ministry of Justice decided to increase the total number of the judicial officers with the intention to improve the disposition of certain court agendas.

(2012): In 2012, the category "Rechtspfleger" includes 982 judicial officers and 64 mediation and probation officers. In 2010, 2012 and 2014, due to the different categorisation, it was not possible to extract the accurate number of "technical staff" and "other non-judge staff" from the number "staff in charge of different administrative tasks".

(2010): In 2010, the category "Rechtspfleger" includes 738 higher court officers and 75 mediation and probation officers. In 2010, 2012 and 2014, due to the different categorisation, it was not possible to extract the accurate number of "technical staff" and "other non-judge staff" from the number "staff in charge of different administrative tasks".

Slovenia

(2016): Differences to 2015 within categories (including male/female ratio):

The number of court staff is reported according to the actual work tasks of the staff. Between years, court staff can be assigned to different departments and tasks and therefore the variation of Rechtspfleger/Non-judge/Administrative staff categories and male/female ratio within categories can change, even though no major hiring or letting go for different categories of court staff had occurred. The relative differences in the Technical staff category are due to the small (absolute) number of staff.

(2015): The difference between 2014 and 2015 data is due to the methodology of gathering the data. In this cycle, all the courts were asked to provide the additional data to assure the accuracy of the answer. The reporting method was further improved and some adjustments were made according to the definition of "Rechtspfleger", "Non-judge staff" and "Administrative staff" categories (for updated definitions see below).

1. "Rechtspfleger" category includes only the staff (judicial assistants and judicial advisers) with autonomous competence to adopt final decisions (decisions on the merits of the case), set explicitly in procedural laws - currently the Claim Enforcement and Security Act, the Financial Operations, Insolvency Proceedings and Compulsory Winding-up Act, the Court Register of Legal Entities Act and the Land Register Act.

2. "Non-judge staff" category includes staff, whose tasks are generally set by the Courts Act. These are judicial assistants (filing applications and statements by parties for the record and, by order of a judge, perform less demanding tasks related to preparation for trial proceedings or other procedural acts, making calculations of costs, preparing drafts of decisions and performing other tasks in judicial proceedings under the orders of a judge) and judicial advisers (performing work connected with the examination of parties, witnesses and experts (outside the main hearings), performing more complex preparatory work for hearings, reporting at panel meetings, drafting decisions, conducting hearings under the guidance of a judge and performing other work by order of a judge.)

All the other staff, not mentioned above and not corresponding to 4. "Technical staff" is included in 3. "Administrative staff". The latter includes, along with the court management staff, the office support staff, whose tasks are not specifically set by the law and include case registering, administrative case preparation, court fees, typing and/or recording of court sessions etc.

(2014): In 2014, "Due to restrictions in the BI system regarding human resources, we were not able to provide information on the number of male and female staff, without judges, according to CEPEJ categories. In courts, there were 14,55 % of males and 85,45 % of females (judges included) on 31. 12. 2014.

The difference between 2013 and 2014 data is due to the methodology of gathering the data. In this cycle the reporting method was further improved and some adjustments were made according to the definition of "Administrative" and "Technical" categories of staff."

The Supreme Court's strategic orientation according to this matter is to decrease the number of judges, while increasing the number of staff (corresponding mainly to "non-judge" and "administrative" categories). The Supreme Court can, in order to ensure timeliness of proceedings, distribute additional finances for temporary employment of additional staff to individual courts. The evaluation and distribution of funds is conducted yearly.

(2013): In 2013: The reporting method used in the previous response to this question was improved and more detailed information on the non-judge court staff is available.

Category 1 - 'Rechtspfleger' included court clerks are included but also the independent and higher judicial advisors in the field of commercial (court) register, land register and civil enforcement procedure, as they have the competence to decide on certain kind of cases that are not in the competence of judges. We also included judicial advisors in the field of civil enforcement, who have even slightly broader competences than judicial assistants.

Category 2. Non-judge (judicial) staff included the judicial advisors (except the ones counted in the 1st point), The remaining judicial assistants (except the ones counted in the 1st point) were also included in this category..

Category 3. 'Administrative staff' was also included this year and represented by administrative support to the judge and court management – court director, human resources office, financing-accounting office.

Category 4. 'Technical staff' was including cleaning, security, system administration, drivers, etc.

Category 5. 'Other non-judge staff' – no staff was included in this category (NAP)

(2012): In 2012,:

Category 1 - 'Rechtspfleger' included court clerks,

Category 2 – included judicial advisors. □

The other court staff was not further categorised and NA is used.

(2010): In 2010, category 1 - 'Rechtspfleger' included court clerks; other categorisation according to the CEPEJ classification was not made since the division is not clear.

Spain

(2016): The figure for other non judge staff includes the judicial civil servants who are in charge of the processing of files, communication acts, and other tasks, and are distributed in three categories (called Auxilio Judicial, Tramitación Procesal, Gestión Procesal).

(2014): In 2014, there are 44 896 other non-judge staff (judicial clerks) and 3 667 judicial counsellors (this is the new name for the secretario judiciales since October 1st).

(2010): In 2010, the total number of 'Secretarios Judiciales' (Rechtspfleger or similar bodies) equals the sum of 3 477 professional +979 occasional staff.

Sweden

(2014): The figures indicated for the 2014 evaluation cycle do not encompass staff on leave, which was the case in 2012. Besides, akin to the 2013 exercise and in contrast with the 2012 exercise, for 2014, the staff of the Swedish National Courts Administration (SNCA) is not included within the category "staff in charge of different administrative tasks and of the management of the courts".

(2013): The figures indicated for the 2013 evaluation cycle do not encompass staff on leave, which was the case in 2012. Besides, in contrast with the 2012 exercise, for 2013, the staff of the Swedish National Courts Administration (SNCA) is not included within the category "staff in charge of different administrative tasks and of the management of the courts", which explains the observed variation between 2012 and 2013.

With regard to the category "technical staff", there is no specific reason explaining the noticed decrease between 2012 and 2013. In respect of the category "other", the number of assistant judges and reporting clerks has increased for the same period.

(2012): Figures provided for 2012 encompass staff on leave.

Question 146

Austria

(2016): Statistic from the Austrian Bar (Österreichischer Rechtsanwaltskammertag) of 31st December 2016 (available at www.rechtsanwaelte.at).

The data only includes lawyers registered in the list of Austrian lawyers (6.132), lawyers registered in the list of established European lawyers (84) registered by 31st of December 2016. It does not include solicitors nor legal advisors as such professions/types of service providers do not exist in Austria.

(2015): Statistic from the Austrian Bar (Österreichischer Rechtsanwaltskammertag) of 31st December 2015 (available at www.rechtsanwaelte.at). The data only includes lawyers registered in the list of Austrian lawyers (6.057), lawyers registered in the list of established European lawyers (81) registered by 31st of December 2015. It does not include solicitors nor legal advisors as such professions/types of service providers do not exist in Austria. (and see Mail from Oct 5th 2016)

(2014): Data provided for 2014 includes lawyers registered in the list of Austrian lawyers (5940), lawyers registered in the list of established European lawyers (80) and trainee lawyers (2072) registered by 31 December 2014. It does not encompass solicitors or legal advisors as such professions/types of service providers do not exist in Austria.

Belgium

(2016): As at 1 December 2016, there were 7 930 French-speaking and German-speaking lawyers and 10 602 Dutch-speaking lawyers (OVb).

(2015): As at 1 December 2015, there were 7,882 French-speaking and German-speaking lawyers (avocats.be) and 10,520 Dutch-speaking lawyers (Orde van Vlaamse balies).

Cyprus

(General Comment): Three universities offering law degrees were established which increased the number of lawyers registered.

Czech Republic

(2015): From the above mentioned number of lawyers there are 11011 active practising and 1289 temporary inactive.

(2013): In the frame of the 2013 exercise, it is specified that 10 255 lawyers are practicing in an active manner, while 1 141 lawyers discontinued their practicing.

Denmark

(2013): In the frame of the 2013 exercise, it has been indicated that the figure provided for 2013 corresponds to the statistical data for September 2014.

(2012): In the frame of the 2012 exercise it has been specified that the indicated number does not include assistant attorneys.

Finland

(General Comment): The number of lawyers indicated for 2012, 2013 and 2014 refers to members of the Finnish Bar Association who are entitled to use the professional title *advokat* (advocate). Law firms (firms owned by members of the Bar) employ also associates. Besides, legal aid offices employ also legal advisers who are not all members of the Bar Association. Till 2014, jurists (persons who have a Master's Degree in law) could offer similar legal services than members of the Bar. From the beginning of the year 2014, only advocates, public legal aid attorneys and counsels who have obtained the license referred to in the Licensed Counsel Act are allowed to represent a client in the court. In 2016, the total number of lawyers 3,791 includes 2,119 members of the Finnish Bar Association, 1,540 licensed lawyers and 229 public legal aid lawyers (97 public legal aid lawyers are also members of the Finnish Bar Association). Only members of the Finnish Bar Association are entitled to use the professional title "advocate".

France

(2014): 2014: the data concern the number of lawyers on 1 January 2015 by prospective application and economy of professions of the directorate for civil cases and the Ministry of Justice.

(2012): 2012: the data concern the number of lawyers on January 2012.

Germany

(General Comment): Re question 147: All lawyers in Germany are empowered to plead before court. No distinction is made between different groups of lawyers in Germany, such as between solicitors and barristers. In addition to lawyers, certain other individuals may also appear in court as 'legal advisers'; there are no statistical data on these individuals.

Greece

(2013): The figure provided for 2013 corresponds to the total number until the end of December 2013.

Hungary

(General Comment): In Hungary attorneys are those who hold a degree in law, have passed the BAR exam and are members of the local bar association. An attorney can only work as an individual attorney, or as a member of a law firm, he/she can't be an employee. Those lawyers who work as employees of a company are called "legal advisors". They have the right to represent their employers in any proceedings, the limitation is that they can only act on behalf of their employers and cannot have any other clients.

Ireland

(2016): This figure represents the current membership of the Bar Council of Ireland and the Law Society of Ireland.

(2014): The figure of lawyers comprises Solicitors and Barristers at end December 2014.

Italy

(2013): For the 2013 exercise, the number of practicing lawyers was not available. The provided figure corresponds to the number of lawyers in 2012, assuming that data should be almost the same for both years.

Latvia

(2013): In the frame of the 2013 exercise, it has been indicated that there were 1 336 sworn lawyers in Latvia on December 31, 2013, of which 70 - assistants to lawyers and 13 - lawyers from other countries. 116 State legal aid providers have been concluded contracts with the Legal Aid Administration about State-guaranteed legal assistance in civil cases, administrative cases, cross-border disputes and provision of out of court legal assistance. It is noteworthy that State provided legal assistance in criminal matters in Latvia is provided by sworn lawyers, not by legal aid providers.

Lithuania

(2016): The number is provided by the Lithuanian Bar Association (the number of practising lawyers (advocats). Also there are 870 lawyers' assistants who provide legal service also.

(2015): Numbers are taken from the List of Practising Advocates of Lithuania. The list is regulated by the Law on the Bar and administered by Lithuanian Bar Association. The assistants of advocates is not presented in the data.

Luxembourg

(2015): The number indicated includes the number of lawyers, trainee lawyer, lawyers practising under their home-country professional titles and independent lawyers at September 1st, 2016.

Malta

(2016): The number of lawyers quoted in this answer refers to the number of warranted lawyers who are also members of the Chamber of Advocates, at the end of 2016. Throughout 2016, the Chamber of Advocates has been updating their list of members in order to clear the names of the lawyers who have either retired or have passed away. Furthermore, it is important to note that at present membership with the Chamber of Advocates, which is the sole Bar Association in Malta, is not mandatory. Hence over the past few months, the Department of Justice, in collaboration with the Chamber of Advocates, are drawing up the first complete list of warranted and non-warranted lawyers in Malta. Work is still underway so it is important to note that the figure quoted above, which is less than that submitted in the previous evaluation, reflects a more faithful representation of the number of warranted lawyers in Malta.

(2015): The number of lawyers quoted in this answer refers to the number of warranted lawyers on the list of advocates at the end of 2015. It is possible that some of these lawyers have retired so whilst the warrant remains valid, it does not necessarily mean that all 1569 lawyers are practising the profession. At present there does not exist any mechanism wherein lawyers register once they are given the Warrant to practice, and membership with the Chamber of Advocates, which is the sole Bar Association in Malta, is not mandatory to practice as a lawyer.

Poland

(2012): In the frame of the 2012 evaluation, it has been stressed that since 2010, the part-deregulation (carried out in 2007/2008) of the lawyer's profession has been implemented and resulted in a major change in the number of lawyers.

Portugal

(General Comment): The Portuguese Bar Association grants some titles within several areas of law, under Regulation n° 204/2006 of 30th October. However, only registered lawyers are allowed to carry legal practice and represent people in courts, according to Law 49/2004 of August 24th, thus the registration at the Portuguese Bar Association (OA) is mandatory (article 61 of the Statute).

The number of lawyers provided does not include jurisconsults of recognised competence and law professors (legal advisors). These professionals are registered in the Bar Association and can give legal advice.

Slovakia

(General Comment): The Slovak Bar Association registers lawyers who fulfilled the statutory conditions for being a practising lawyer (advocate).

(2012): On the occasion of the 2012 exercise, the attention was drawn on the fact that the number of practising lawyers was increasing constantly.

Slovenia

(General Comment): There are no obligatory rules about continuous training for lawyers in Slovenia.

The Article 14 of the Code of Professional Conduct of the Bar Association of Slovenia enacts that the lawyer shall permanently engage in his expert advance studies and shall mind his general education and broad knowledge. Through his professional practice he shall assert and intensify the importance of legal aid as well as the good reputation of the social function of the Bar. The Code also provides that the lawyer shall help other lawyers with his expert knowledge and shall contribute to the expert and general education of prospective entrants and pupils.

Every year a "Lawyers school" is organized in order to introduce them the latest education about the newer legislation and other issues important to Slovenian lawyers by the Slovenian Bar Association. Nevertheless, the attendance of lawyers is not obligatory.

The lawyer who has been awarded the title of specialist in a certain subject or the academic title of Master of Law shall on his demand be recognized the status of specialist lawyer, provided that he has practiced the legal profession and/or has held a judicial office in the claimed domain for at least five years. The lawyer who has been elected assistant senior lecturer, associate professor or full professor of the Faculty of Law, shall be recognized the status of lawyer specialized in the legal domain where he practiced his pedagogical and scientific work, even if he does not fulfil the conditions of the five years' practice (Article 33 of the Attorneys Act)."

Spain

(2016): Resident Lawyers (31 December 2016)

(2015): In civil cases, mainly the legal representation is for Procuradores. In criminal cases, lawyers can assume legal representation until a Procurador is appointed for the case. In administrative cases legal representation is mostly assumed by lawyers. Graduados sociales' (consultants on labour and social security matters) may represent the parties in labour law proceedings. The responses above are given is on the basis that lawyers have a monopoly on practising the defence at Court which, in Spain, is not equivalent to "legal representation".

Sweden

(General Comment): The number includes all members of the Swedish Bar Association than incorporates: "advokater"= advocates and 1 900 associate lawyers at law firms (not fully qualified to become advocate, but qualified to represent clients in court and give legal advice). Only those who have qualified and passed all the mandatory requirements are able to be admitted as member of the Swedish Bar Association. Only members of the Swedish Bar may give legal advice and represent client in courts under the professional title "Advokat". The title "advokat" (advocate) is protected by law and it is a criminal offence to act under the title without being a member of the Bar. An interesting characteristic of the lawyers profession in Sweden is that we have an open and free legal market and no monopoly for advocates; everyone can act as a counsel in legal matters and represent clients in a court of law (even in the Supreme courts – but not under the title "advokat", which is reserved for members of the SBA.

(2015): Today there are 5 800 members of the Swedish Bar Association ("advokater"; advocates) and 1 900 associate lawyers at law firms (not fully qualified to become advocate, but qualified to represent clients in court and give legal advice). Furthermore there are 20 EU-lawyers (established in Sweden registered and acting under their home professional title) and approx. 1 600 law firms (of which half is sole practitioners).

(2014): By the 1st of January 2014, there were 5 422 members of the Swedish Bar (professional title "advokat"; advocate) and 1 733 associate lawyers (registered at the Swedish Bar Association). The total number of lawyers indicated for the 2014 exercise (5 575) refers to the total number of members of the Swedish Bar Association by the 31st of December 2014.

Table 10.1: Centralised institution responsible for collecting statistic regarding the functioning of the courts and judiciary in 2012 to 2016

States	2012	2013	2014	2015
Austria				
Belgium				
Bulgaria				
Croatia				
Cyprus				
Czech Republic				
Denmark				
Estonia				
Finland				
France				
Germany				
Greece				
Hungary				
Ireland				
Italy				
Latvia				
Lithuania				
Luxembourg				
Malta				
Netherlands				
Poland				
Portugal				
Romania				
Slovakia				
Slovenia				
Spain				
Sweden				
Yes	27	25	27	26
No	0	0	0	0
No answer	0	2	0	1

Table 10.2: Publication of statistics on the functioning of each court on the internet in 2012 to 2016 (Q80.1)

States	2012	2013	2014	2015
Austria				
Belgium				
Bulgaria				
Croatia				
Cyprus				
Czech Republic				
Denmark				
Estonia				
Finland				
France				
Germany				
Greece				
Hungary				
Ireland				
Italy				
Latvia				
Lithuania				
Luxembourg				
Malta				
Netherlands				
Poland		-		-
Portugal				
Romania				
Slovakia				
Slovenia				
Spain		-		
Sweden				
Yes	24	23	25	25
Only on intranet	2	2	2	1
No	1	0	0	0
No answer	0	2	0	1

Table 10.3: Requirement for individual courts to prepare activity report in 2012 to 2016 (Q80.1)

States	2012	2013	2014	2015
Austria				
Belgium				
Bulgaria				
Croatia				
Cyprus				
Czech Republic				
Denmark				
Estonia				
Finland				
France				
Germany				
Greece				
Hungary				
Ireland				
Italy				
Latvia				
Lithuania				
Luxembourg				
Malta				
Netherlands				
Poland				
Portugal				
Romania				
Slovakia				
Slovenia				
Spain				
Sweden				
Yes	23	21	23	22
Only on intranet	4	3	0	0
No	0	1	4	4
No answer	0	2	0	1

Indicator 10: The methods, sources and efficiency of national data collection

comments provided by the national correspondents

organised by country

Question 80: Centralised institution that is responsible for collecting statistical data regarding the functioning of the courts and judiciary

Question 80-1: Publication of statistics on the functioning of each court on the internet

Belgium

Q80 (2015): The College of courts and tribunals (statistics office)

Bulgaria

Q080 (2016): Supreme Judicial Council of the Republic of Bulgaria, 1000, Sofa, Ekzarh Yosif Street №12

Q80 (2015): Supreme Judicial Council; Sofia, 1000; Ekzarh Yosif str. 12

Cyprus

Q080 (2016): Supreme Court

Q080-1 (2016): statistics are not at present published on the internet

Finland

Q80 (2015): The Ministry of Justice collects data and publishes the annual operational statistics, see <http://www.oikeusministerio.fi/fi/index/julkaisut/julkaisuarkisto/1459753681075.html>

Germany

Q080 (2016): Federation:

Federal Statistical Office, Wiesbaden (www.destatis.de), rechtspflegestatistik@destatis.de.

See also C.4 below.

Q80 (2014): In 2014, most of the Landers answered that there is a centralized institution responsible for collecting statistical data except for one Lander.

Q80 (2012): For 2010 and 2012, most of the Lander answered that there was a centralized institution responsible for collecting statistical data except for two Lander and another one (Bavaria) answered that there was one institution for ordinary courts but that there was no institution for the specialized jurisdictions.

Q80 (2010): For 2010 and 2012, most of the Lander answered that there was a centralized institution responsible for collecting statistical data except for two Lander and another one (Bavaria) answered that there was one institution for ordinary courts but that there was no institution for the specialized jurisdictions.

Q80-1 (2013): In the frame of the 2013 exercise, the reply with regard to the Federation was positive, while most of the Landers answered negatively.

Greece

Q080 (2016): Ministry of Justice, Transparency and Human Rights (Mesogeion Avenue 96, 11527, Athens)

Q080-1 (2016): www.ministryofjustice.gr

Ireland

Q080-1 (2016): Annual statistics are also published in the Courts Service Annual Report.

Italy

Q80 (2015): Direzione Generale di Statistica e Analisi Organizzativa – Ministero della Giustizia - Via Arenula 70 - Roma
Department of Statistics and Organizational Analysis - Ministry of Justice

Luxembourg

Q080-1 (2016): The SSJ started publishing figures a first time in 2017 by publishing a report on the year 2016. This report is available on the internet site of the judiciary (<http://www.justice.public.lu/fr/publications/justice-en-chiffres/La-justice-en-chiffres-2016.pdf>)

Netherlands

Q080 (2016): Council for the Judiciary

Romania

Q80 (2013): 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.

Q80-1 (2013): The Superior Council of Magistracy (SCM) publishes the annual report on the Judiciary which includes statistical data. The report is public and is accessible to any person on the website of the SCM. The SCM also publishes statistical data on intranet website for the courts.

Slovenia

Q080 (2016): The data for Court statistic, published by Ministry of Justice is obtained from the Supreme Court's Data warehouse (PSP Project).

Spain

Q80-1 (2012): On the occasion of the 2012 exercise, it has been indicated that the Statistic Service of the General Council of the Judiciary publishes an annual report 'Justice data to data', which contains relevant information about financial budgetary, personal resources, case flow, among others.

Indicator 10: The methods, sources and efficiency of national data collection

comments provided by the national correspondents

organised by question no.

Question 80: Centralised institution that is responsible for collecting statistical data regarding the functioning of the courts and judiciary

Question 80-1: Publication of statistics on the functioning of each court on the internet

Question 80

Belgium

(2015): The College of courts and tribunals (statistics office)

Bulgaria

(2016): Supreme Judicial Council of the Republic of Bulgaria, 1000, Sofia, Ekzarh Yosif Street №12

(2015): Supreme Judicial Council; Sofia, 1000; Ekzarh Yosif str. 12

Cyprus

(2016): Supreme Court

Finland

(2015): The Ministry of Justice collects data and publishes the annual operational statistics, see <http://www.oikeusministerio.fi/fi/index/julkaisut/julkaisuarkisto/1459753681075.html>

Germany

(2016): Federation:

Federal Statistical Office, Wiesbaden (www.destatis.de), rechtspflegestatistik@destatis.de.

See also C.4 below.

(2014): In 2014, most of the Landers answered that there is a centralized institution responsible for collecting statistical data except for one Lander.

(2012): For 2010 and 2012, most of the Lander answered that there was a centralized institution responsible for collecting statistical data except for two Lander and another one (Bavaria) answered that there was one institution for ordinary courts but that there was no institution for the specialized jurisdictions.

(2010): For 2010 and 2012, most of the Lander answered that there was a centralized institution responsible for collecting statistical data except for two Lander and another one (Bavaria) answered that there was one institution for ordinary courts but that there was no institution for the specialized jurisdictions.

Greece

(2016): Ministry of Justice, Transparency and Human Rights (Mesogeion Avenue 96, 11527, Athens)

Italy

(2015): Direzione Generale di Statistica e Analisi Organizzativa – Ministero della Giustizia - Via Arenula 70 - Roma
Department of Statistics and Organizational Analysis - Ministry of Justice

Netherlands

(2016): Council for the Judiciary

Romania

(2013): 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.

Slovenia

(2016): The data for Court statistic, published by Ministry of Justice is obtained from the Supreme Court's Data warehouse (PSP Project).

Question 080-1

Cyprus

(2016): statistics are not at present published on the internet

Germany

(2013): In the frame of the 2013 exercise, the reply with regard to the Federation was positive, while most of the Landers answered negatively.

Greece

(2016): www.ministryofjustice.gr

Ireland

(2016): Annual statistics are also published in the Courts Service Annual Report.

Luxembourg

(2016): The SSJ started publishing figures a first time in 2017 by publishing a report on the year 2016. This report is available on the internet site of the judiciary (<http://www.justice.public.lu/fr/publications/justice-en-chiffres/La-justice-en-chiffres-2016.pdf>)

Romania

(2013): The Superior Council of Magistracy (SCM) publishes the annual report on the Judiciary which includes statistical data. The report is public and is accessible to any person on the website of the SCM. The SCM also publishes statistical data on intranet website for the courts.

Spain

(2012): On the occasion of the 2012 exercise, it has been indicated that the Statistic Service of the General Council of the Judiciary publishes an annual report 'Justice data to data', which contains relevant information about financial budgetary, personal resources, case flow, among others.

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Annex 2

**Extract of the CEPEJ Scheme
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(without IT)**

Click below to open the file
[CEPEJ Scheme for evaluating judicial system \(without IT\)](#)

Annex 3

**Extract of the CEPEJ Scheme
for evaluating judicial system
(IT part)**

Click below to open the file

[Methodological documents\2017\6 CEPEJ Questionnaire IT v4.0.3.xlsx](#)

Annex 4

**Extract of the explanatory note
to the scheme for evaluating
judicial system (without IT)**

Click below to open the file
[Explanatory note to the scheme for evaluating judicial system \(without IT\)](#)

Annex 5

**Extract of the explanatory note
to the scheme for evaluating
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Click below to open the file
[Explanatory note to the scheme for evaluating judicial system \(IT part\)](#)

Annex 6

Definitions of the Clearance Rate (CR) and the Disposition Time (DT)

The CEPEJ has chosen to develop performance indicators of courts at the European level. The GOJUST Guidelines[1] invite the member states to organise their data collection system so as to be able to provide the relevant information for calculating such indicators. The first indicator is the Clearance Rate. This allows a useful comparison even though the parameters of the cases concerned are not identical in every respect. This indicator can be used to see if the courts are keeping up with the number of incoming cases without increasing their backlog. The second indicator is the calculated Disposition Time. By making use of a specific calculation method, it is possible to generate data concerning the estimated time that is needed to bring a case to an end. This method can provide relevant information on the overall functioning of the courts of a state or entity. Gradually, the report of the CEPEJ will enable a comparative evaluation of the functioning of judicial systems in dealing with case-flows coming in and going out of the courts.

Clearance Rate (CR)

The Clearance Rate, expressed as a percentage, is obtained when the number of resolved cases is divided by the number of incoming cases and the result is multiplied by 100:

$$\text{Clearance Rate (\%)} = \frac{\text{Resolved cases in a period}}{\text{Incoming cases in a period}} \times 100$$

A Clearance Rate close to 100 % indicates the ability of the court or of a judicial system to resolve more or less as many cases as the number of incoming cases within the given time period. A Clearance Rate above 100 % indicates the ability of the system to resolve more cases than received, thus reducing any potential backlog. Finally, if the number of incoming cases is higher than the number of resolved cases, the Clearance Rate will fall below 100 %. When a Clearance Rate goes below 100 %, the number of unresolved cases at the end of a reporting period (backlog) will rise.

Essentially, a Clearance Rate shows how the court or judicial system is coping with the in-flow of cases.

Disposition Time (DT)

Apart from the Clearance Rate indicator, a case turnover ratio and a Disposition Time indicator provide further insight into how a judicial system manages its flow of cases. Generally, a case turnover ratio and Disposition Time compares the number of resolved cases during the observed period and the number of unresolved cases at the end of the observed period. The ratios measure how quickly a judicial system (or a court) turns over the received cases – that is, how long it takes for a type of case to be resolved.

The relationship between the number of cases that are resolved during an observed period and the number of unresolved cases at the end of the period can be expressed in two ways. The first measures the share of resolved cases from the same category in the remaining backlog. The case turnover ratio is calculated as follows:

$$\text{Case Turnover Ratio} = \frac{\text{Number of resolved cases in a period}}{\text{Number of unresolved cases at the end of a period}}$$

The second possibility, which relies on the first data, determines the number of days necessary for a pending case to be solved in court. This prospective indicator, which is of direct interest for the users, is an indicator of timeframe, more precisely of Disposition Time, which is calculated by dividing 365 days in a year by the case turnover ratio as follows:

$$\text{Calculated Disposition Time} = \frac{365}{\text{Case Turnover Ratio}}$$

The translation of the result into days simplifies the understanding of what this relationship entails. For example, a lengthening of a judicial Disposition Time from 57 days to 72 days is much easier to grasp than a decline in case turnover ratio from 6.4 to 5.1. This conversion into days also makes it more relevant for comparing a judicial system's turnover with the projected overall length of proceedings or established standards for the duration of proceedings.

It needs to be mentioned that this ratio does not provide a clear estimate of the average time needed to process each case. For example, if the ratio indicates that two cases will be processed within 600 days, one case might be resolved on the 30th day and the second on the 600th day. The ratio fails to indicate the mix, concentration, or validity of the cases. Case level data from functional (and cost-intensive) ICT systems are needed in order to review these details and make a full analysis. In the meantime, this formula offers valuable information on the estimated length of proceedings. A shorter version of calculated Disposition Time formula can be also used:

$$\textit{Calculated Disposition Time} = \frac{\textit{Number of unresolved cases at the end of a period}}{\textit{Number of resolved cases in a period}} \times 365$$

[1] CEPEJ(2017)12

Annex 7

IT Evaluation - methodology of calculation of indicators used

An index from 0 (no or very low development) to 4 (high development) is calculated to assess the level of development of some IT technologies.

According to the 5 different modalities of answers of the member States (0% (NAP) to 100%) an adequate number of points is allocated.

For some questions, the member States have the choice to answer for all the categories of cases (“All matters”) if the technology is the same or answer per category of other than criminal cases (civil/commercial, administrative or other).

If a technology is used for all matters, the number of points allocated starts from 4 to 0 point. If a technology is used only for a matter, the number of points allocated starts from 1,33 to 0 point as in the list below.

100%	= 4 points if applicable to all matters / 1,33 points per specific matter
50-99%	= 3 points if applicable to all matters / 1 point per specific matter
10-49%	= 2 points if applicable to all matters / 0,66 point per specific matter
1-9%	= 1 point if applicable to all matters / 0,33 points per specific matter
	= 0% (NAP)
NA	= Not Available

All the calculated indexes have been joined in one table to produce an overall evaluation of IT in the country fiche. The “General IT equipment rate”, on 10, is calculated as a sum of average points for administration (0 to 4) plus average points for communication (0 to 4). This sum is divided by 8 and multiplied by 10 to obtain a rate on 10 points.

Example:

States	Administration			Communication						General IT Equipment rate (/10)
	Case management systems	Tools of producing courts activity statistics	Total	Possibility to submit a case to courts by electronic means	Possibility to monitor the stages of an online judicial proceeding	Electronic communication between courts and lawyers	Electronic signature of documents	Videokonferencing with users	Total	
Country 1	4,0	4,0	4,0	4,0	3,0	4,0	4,0	4,0	3,8	9,8
Country 2	2,3	2,0	2,2	1,3	1,0	1,7	0,0	0,0	0,8	3,7
Country 3	4,0	4,0	4,0	0,0	2,0	2,0	0,0	1,0	1,0	6,3
Country 4	4,0	2,7	3,3	0,0	2,3	0,0	0,0	4,0	1,3	5,8

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