



European Commission

THE 2020 EU JUSTICE SCOREBOARD

Quantitative data | July 2020

This document contains a selection of graphs with quantitative data from the *2020 EU Justice Scoreboard*.

(The figure numbers correspond to those of the original publication).



See the complete *2020 EU Justice Scoreboard* at:

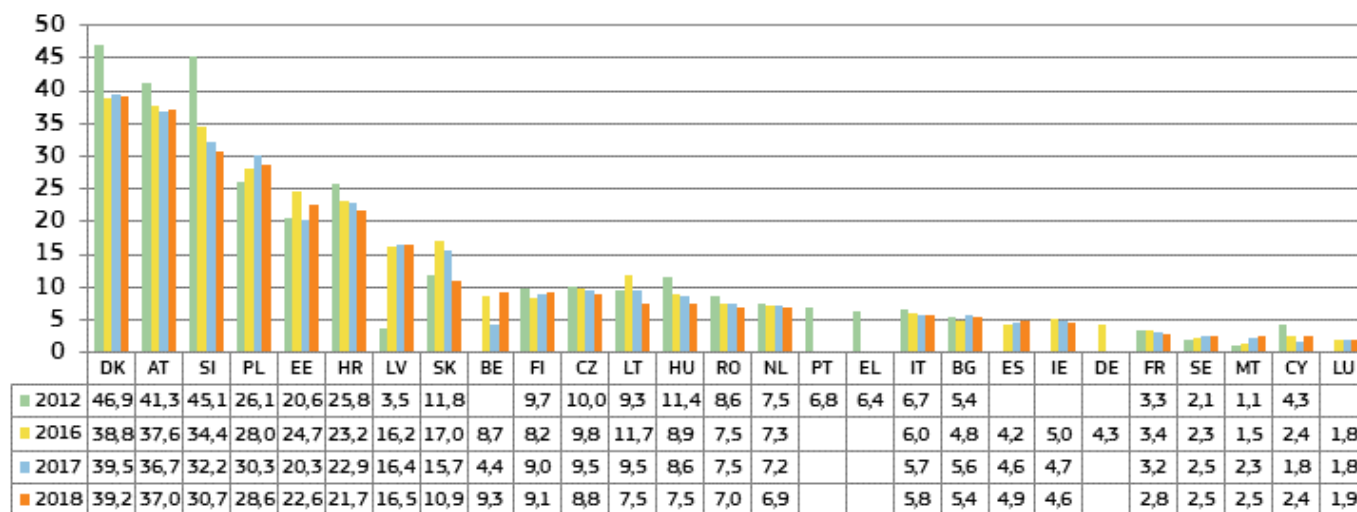
https://ec.europa.eu/info/strategy/justice-and-fundamental-rights/effective-justice/eu-justice-scoreboard_en

3.1. Efficiency of justice systems

3.1.1. Developments in caseload

Figure 2 Number of incoming civil, commercial, administrative and other cases, 2012 – 2018 (*) (1st instance/per 100 inhabitants)

(source: CEPEJ study⁽¹⁾)



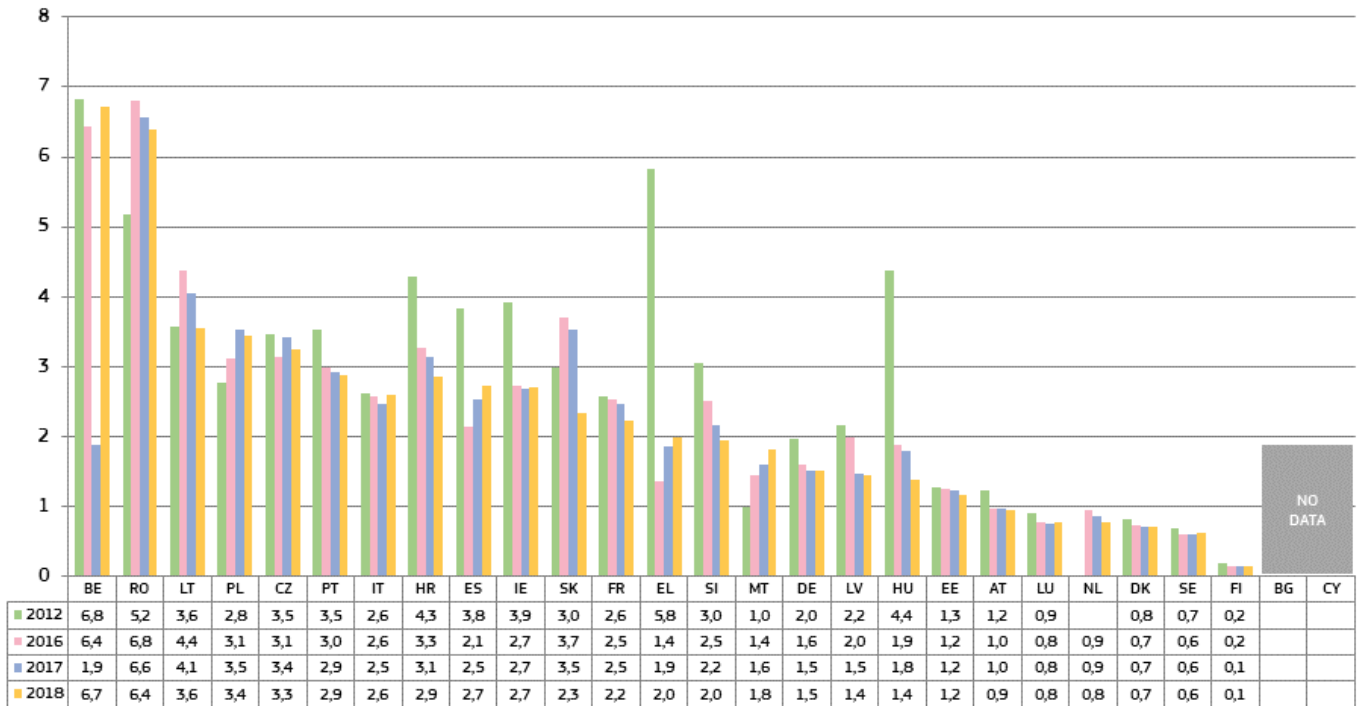
(*) Under the CEPEJ methodology, this category includes all civil and commercial litigious and non-litigious cases, non-litigious land and business registry cases, other registry cases, other non-litigious cases, administrative law cases and other non-criminal cases. Methodology changes in **LV** (applied retroactively to 2016 and also 2017) **SK** and **SE** (data for 2016 and 2017 has been adapted to include migration law cases as administrative cases, in line with CEPEJ methodology).

1. 2019 study on the functioning of judicial systems in the EU Member States, carried out by the CEPEJ Secretariat for the Commission: https://ec.europa.eu/info/strategy/justice-and-fundamental-rights/effective-justice/eu-justice-scoreboard_en

Efficiency of justice systems | Developments in caseload

Figure 3 Number of incoming civil and commercial litigious cases, 2012 – 2018 (*) (1st instance/per 100 inhabitants)

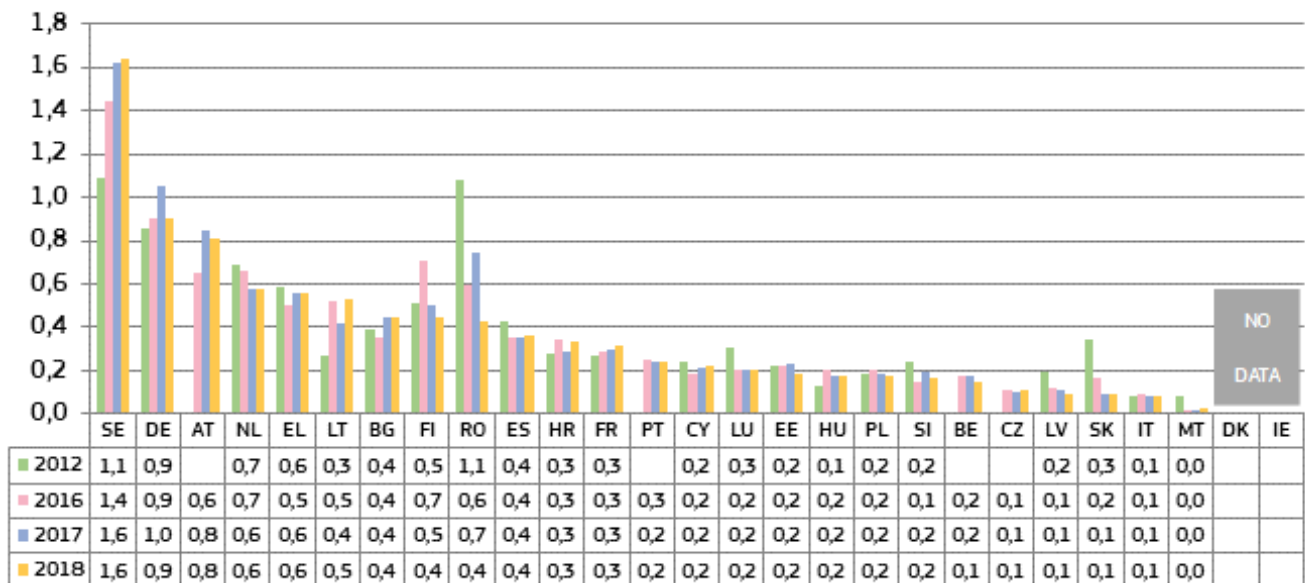
(source: CEPEJ study)



(*) Under the CEPEJ methodology, litigious civil/commercial cases concern disputes between parties, e.g. disputes about contracts. Non-litigious civil/commercial cases concern uncontested proceedings, e.g. uncontested payment orders. Methodology changes in **EL** and **SK**. Data for **NL** include non-litigious cases.

Figure 4 Number of incoming administrative cases, 2012 – 2018 (*) (1st instance/per 100 inhabitants)

(source: CEPEJ study)



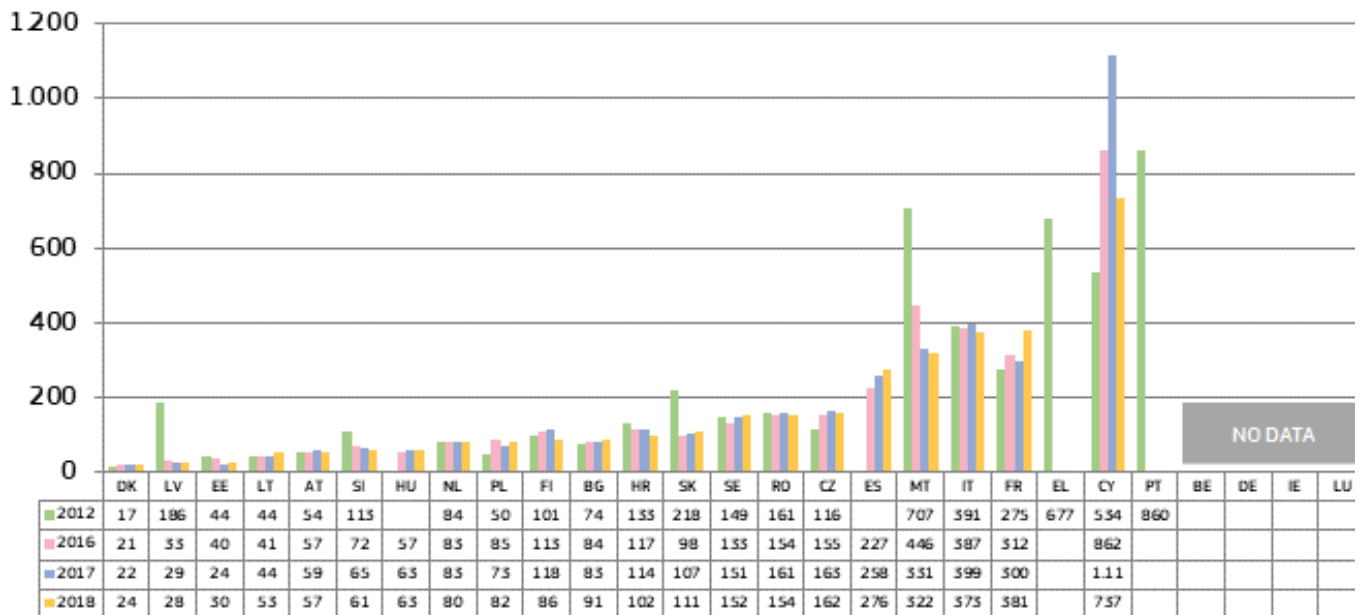
(*) Under the CEPEJ methodology, administrative law cases concern disputes between individuals and local, regional or national authorities. **DK** and **IE** do not record administrative cases separately. Dejudicialisation of some administrative procedures have occurred in **RO** in 2018. Methodology changes in **EL**, **SK** and **SE**. In **SE**, migration cases have been included under administrative cases (retractively applied for 2016 and also 2017).

3.1.2. General data on efficiency

Estimated length of proceedings

Figure 5 Estimated time needed to resolve civil, commercial, administrative and other cases, 2012 – 2018 (*) (1st instance/in days)

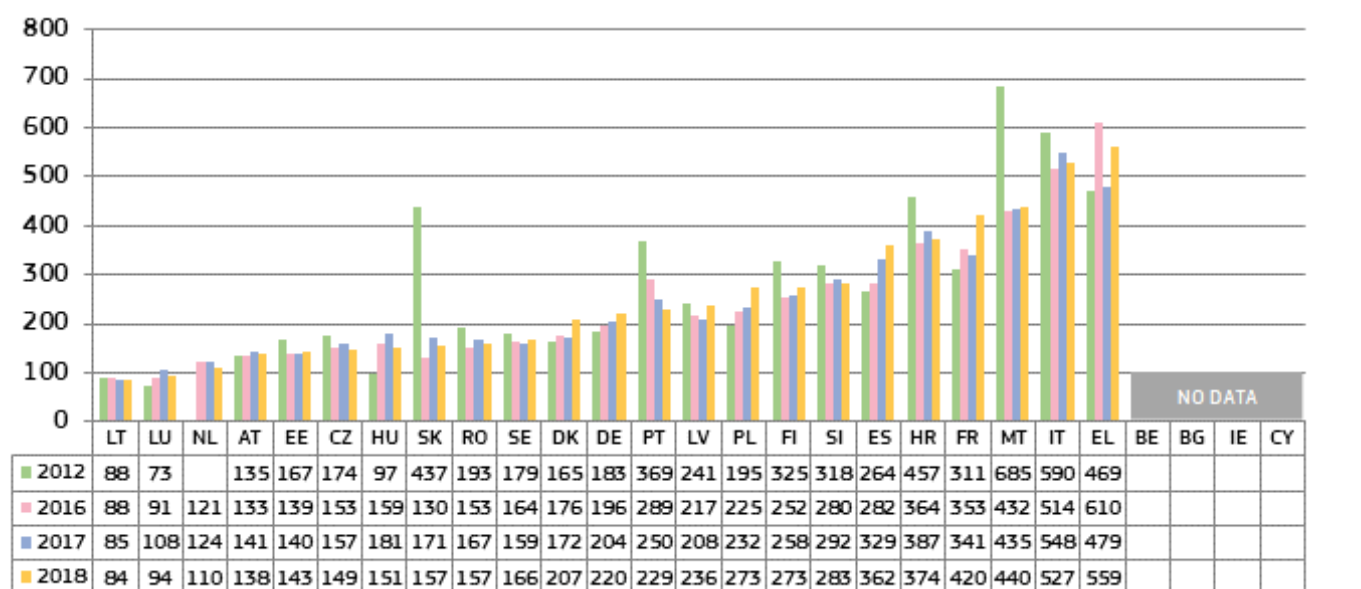
(source: CEPEJ study)



(*) Under the CEPEJ methodology, this category includes all civil and commercial litigious and non-litigious cases, non-litigious land and business registry cases, other registry cases, other non-litigious cases, administrative law cases and other non-criminal cases. Methodology changes in **SK**. Pending cases include all instances in **CZ** and, until 2016, in **SK**. **LV**: the sharp decrease is due to court system reform, and error checks and data clean-ups in the Court information system.

Figure 6 Estimated time needed to resolve litigious civil and commercial cases, 2012 – 2018 (*) (1st instance/in days)

(source: CEPEJ study)

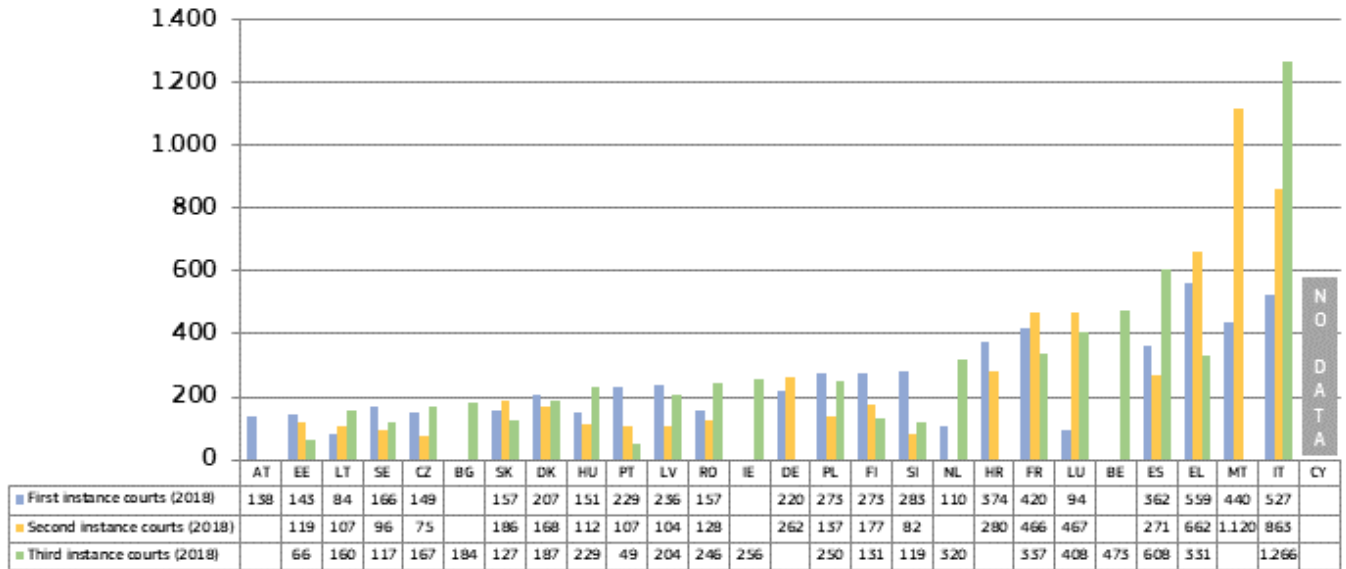


(*) Under the CEPEJ methodology, litigious civil/commercial cases concern disputes between parties, e.g disputes about contracts. Non-litigious civil/commercial cases concern uncontested proceedings, e.g. uncontested payment orders. Methodology changes in **EL** and **SK**. Pending cases include all instances in **CZ** and, until 2016, in **SK**. Data for **NL** include non-litigious cases.

Efficiency of justice systems | General data on efficiency | Length of proceedings

Figure 7 Estimated time needed to resolve litigious civil and commercial cases (*) at all court instances in 2018 (1st, 2nd and 3rd instance/in days)

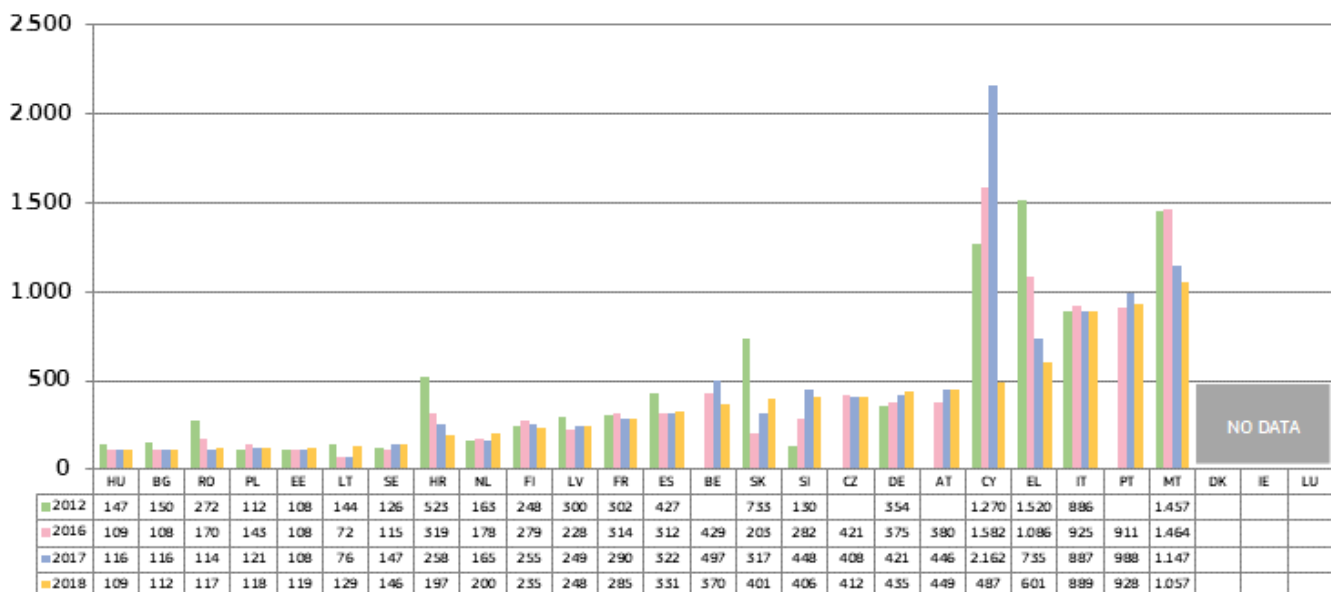
(source: CEPEJ study)



(*) The order is determined by the court instance with the longest proceedings in each Member State. No data are available for first and second instance courts in **BE**, **BG** and **IE**, for second instance courts in **NL**, for second and third instance courts in **NL** and **AT** or for second instance courts in **DE** and **HR**. There is no third instance court in **MT**. Access to a third instance court may be limited in some Member States.

Figure 8 Estimated time needed to resolve administrative cases, 2012 – 2018 (*) (1st instance/in days)

(source: CEPEJ study)

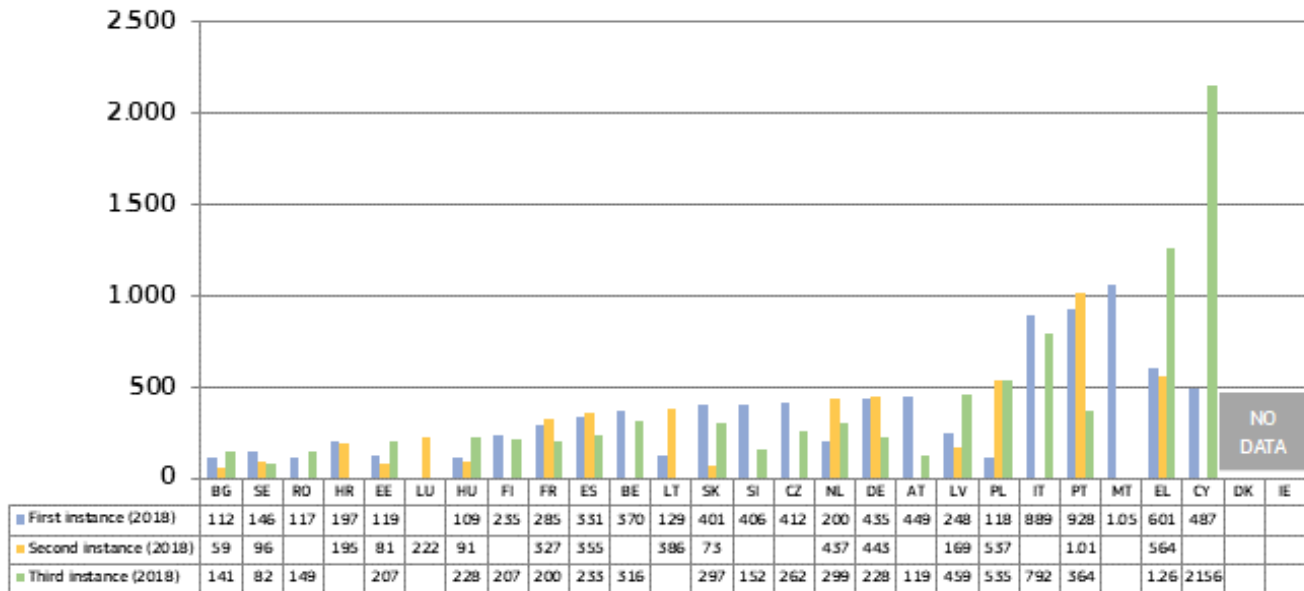


(*) Administrative law cases concern disputes between individuals and local, regional or national authorities, under the CEPEJ methodology. Methodology changes in **EL** and **SK**. Pending cases include all court instances in **CZ** and, until 2016, in **SK**. **DK** and **IE** do not record administrative cases separately. **CY**: in 2018, the number of resolved cases has increased as a consequence of cases being tried together, the withdrawal of 2,724 consolidated cases and the creation of an Administrative Court 2 years ago.

Efficiency of justice systems | General data on efficiency | Length of proceedings

Figure 9 Estimated time needed to resolve administrative cases (*) at all court instances in 2018 (1st and, where applicable, 2nd and 3rd instance/in days)

(source: CEPEJ study)

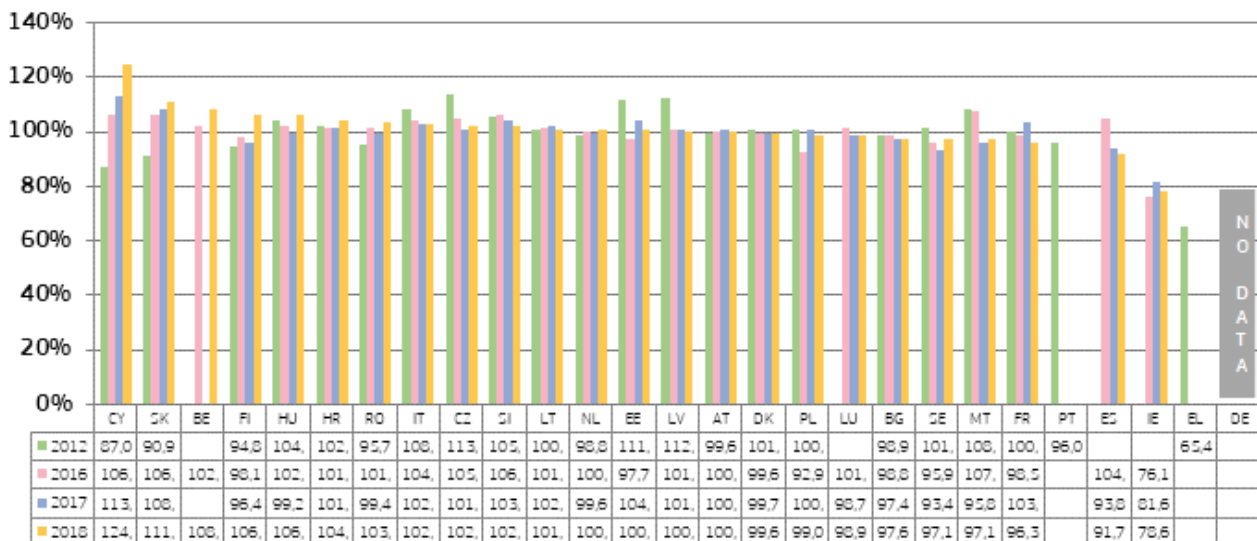


(*) The order is determined by the court instance with the longest proceedings in each Member State. No data available: for the first instance court in **LU**, for second instance courts in **MT** and **RO** and for the third instance court in **NL**. The supreme or another highest court is the only appeal instance in **CZ**, **IT**, **CY**, **AT**, **SI** and **FI**. There is no third instance court for these types of cases in **HR**, **LT**, **LU**, and **MT**. The highest Administrative Court is the first and only instance for certain cases in **BE**. Access to third instance court may be limited in some Member States. **DK** and **IE** do not record administrative cases separately.

Clearance rate

Figure 10 Rate of resolving civil, commercial, administrative and other cases, 2012 – 2018 (*) (1st instance/in % — values higher than 100 % indicate that more cases are resolved than come in, while values below 100 % indicate that fewer cases are resolved than come in)

(source: CEPEJ study)

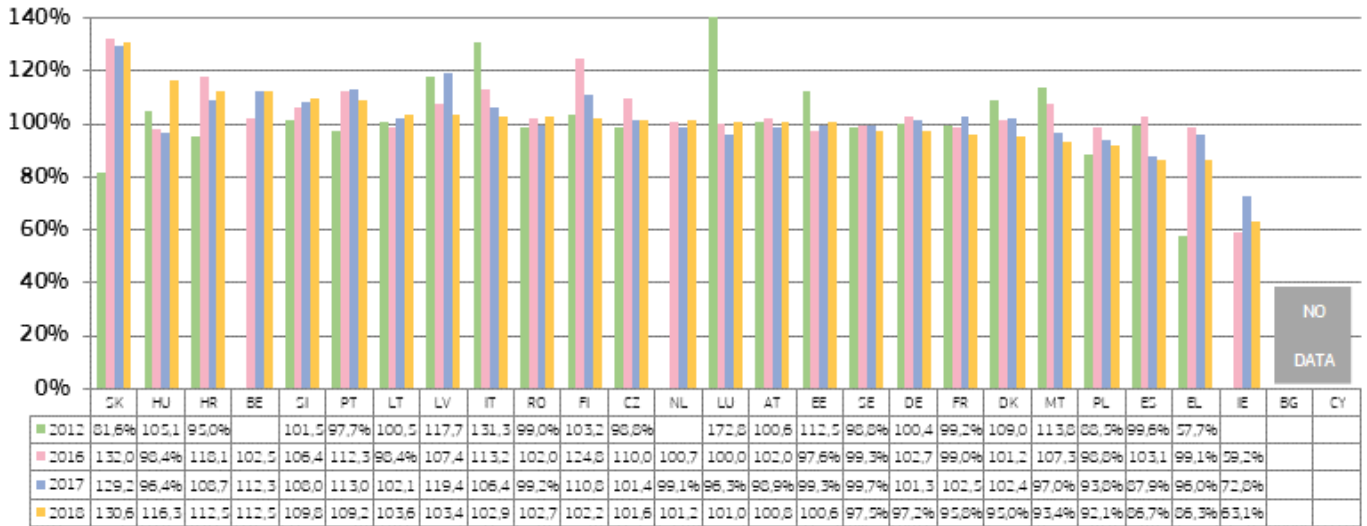


(*) Methodology changes in **SK**. **IE**: the number of resolved cases is expected to be underreported due to the methodology. **IT**: different classification of civil cases introduced in 2013.

Efficiency of justice systems | General data on efficiency | Clearance rate

Figure 11 Rate of resolving litigious civil and commercial cases, 2012 – 2018 (*) (1st instance/in %)

(source: CEPEJ study)



(*) Methodology changes in **EL** and **SK**. **IE**: the number of resolved cases is expected to be underreported due to the methodology. **IT**: different classification of civil cases introduced in 2013. Data for **NL** include non-litigious cases.

Figure 12 Rate of resolving administrative cases, 2012 – 2018 (*) (1st instance/in %)

(source: CEPEJ study)

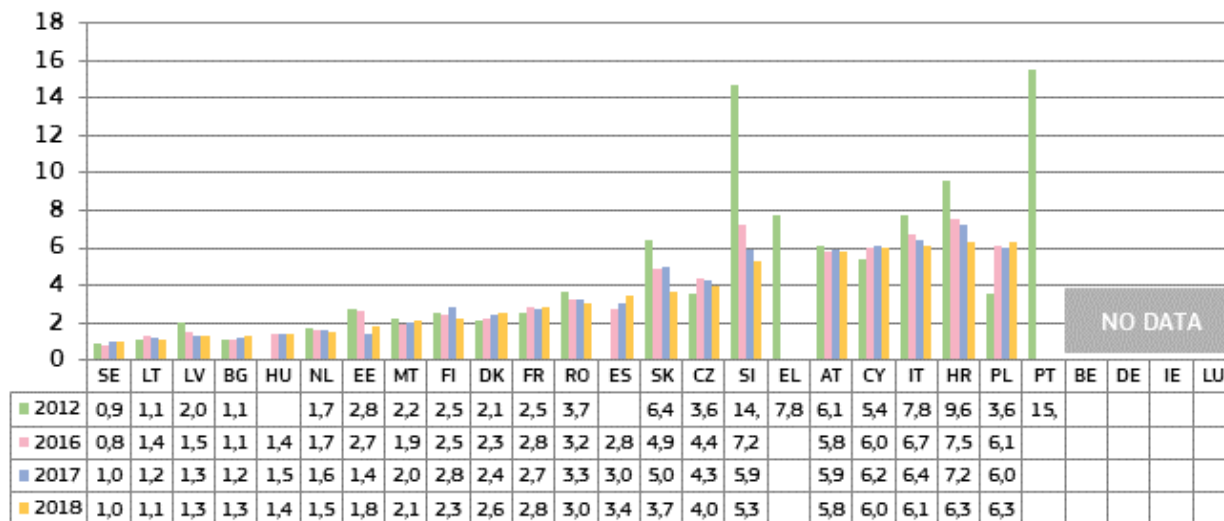


(*) Past values for some Member States have been reduced for presentation purposes (**CY** in 2018 = 219%; **IT** in 2012=279,8 %); Methodology changes in **EL** and **SK**. **DK** and **IE** do not record administrative cases separately. In **CY** the number of resolved cases has increased as a consequence of cases being tried together, the withdrawal of 2,724 consolidated cases and the creation of an Administrative Court 2 years ago.

Pending cases

Figure 13 Number of pending civil, commercial and administrative and other cases, 2012 – 2018 (*) (1st instance/per 100 inhabitants)

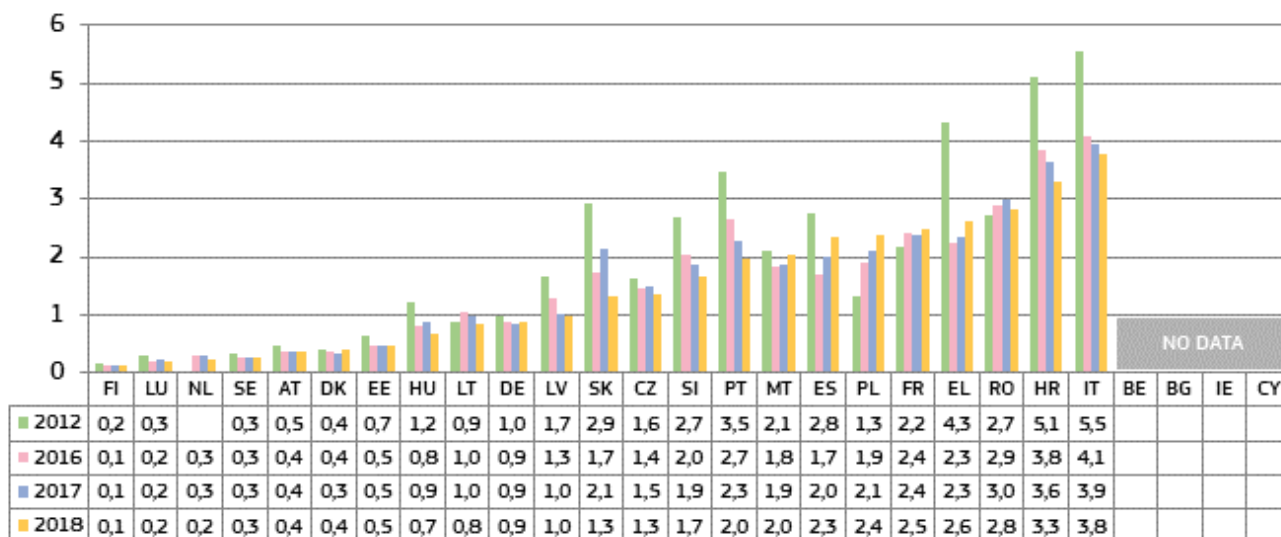
(source: CEPEJ study)



(*) Methodology changes in **SK**. Pending cases include all instances in **CZ** and, until 2016, in **SK**. **IT**: different classification of civil cases introduced in 2013.

Figure 14 Number of pending litigious civil and commercial cases, 2012 – 2018 (*) (1st instance/per 100 inhabitants)

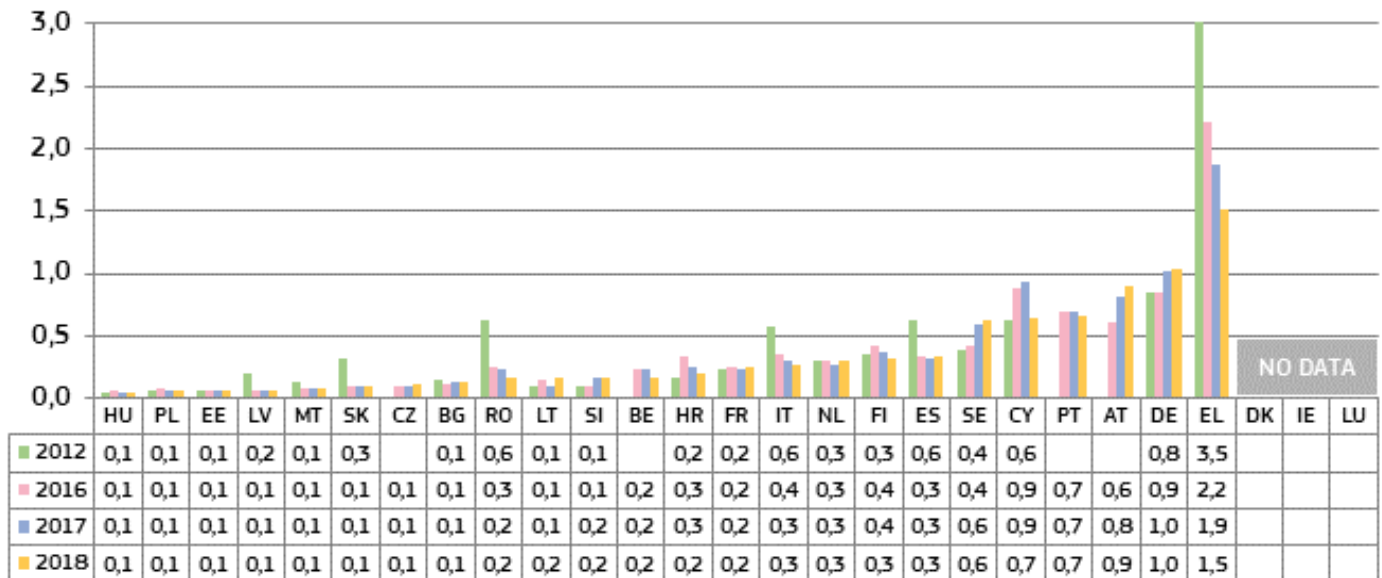
(source: CEPEJ study)



(*) Methodology changes in **EL** and **SK**. Pending cases include all instances in **CZ** and, until 2016, in **SK**. **IT**: different classification of civil cases introduced in 2013. Data for **NL** include non-litigious cases.

Figure 15 Number of pending administrative cases, 2012 – 2018 (*) (1st instance/per 100 inhabitants)

(source: CEPEJ study)



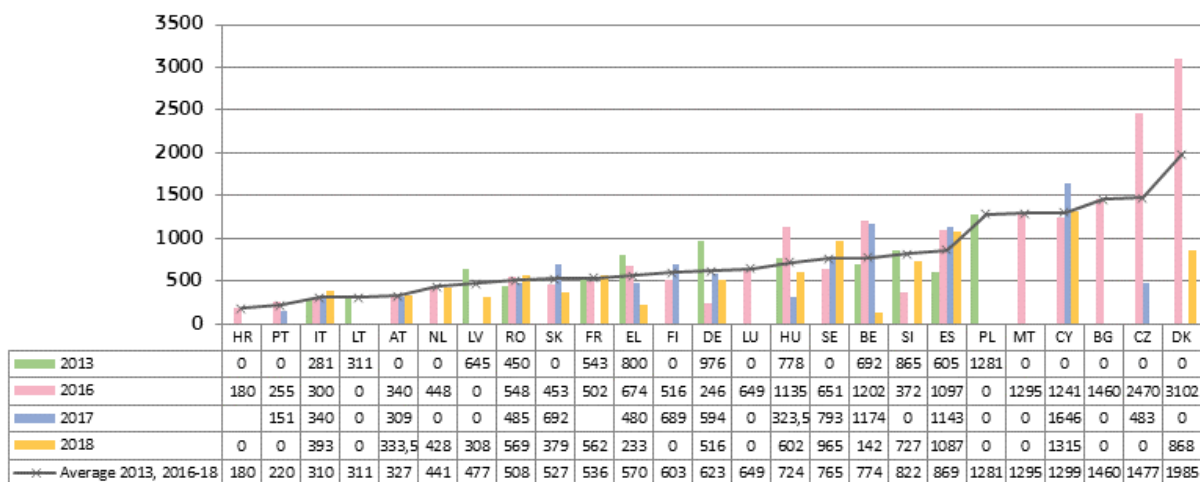
(*) Past values for some Member States have been reduced for presentation purposes (EL in 2012=3.5). Methodology changes in EL and SK. Pending cases include all instances in CZ and, until 2016, in SK. DK and IE do not record administrative cases separately.

3.1.3. Efficiency in specific areas of EU law

Competition

Figure 16 Average length of judicial review, 2013-2018 (*) (1st instance/in days)

(source: European Commission with the European Competition Network)

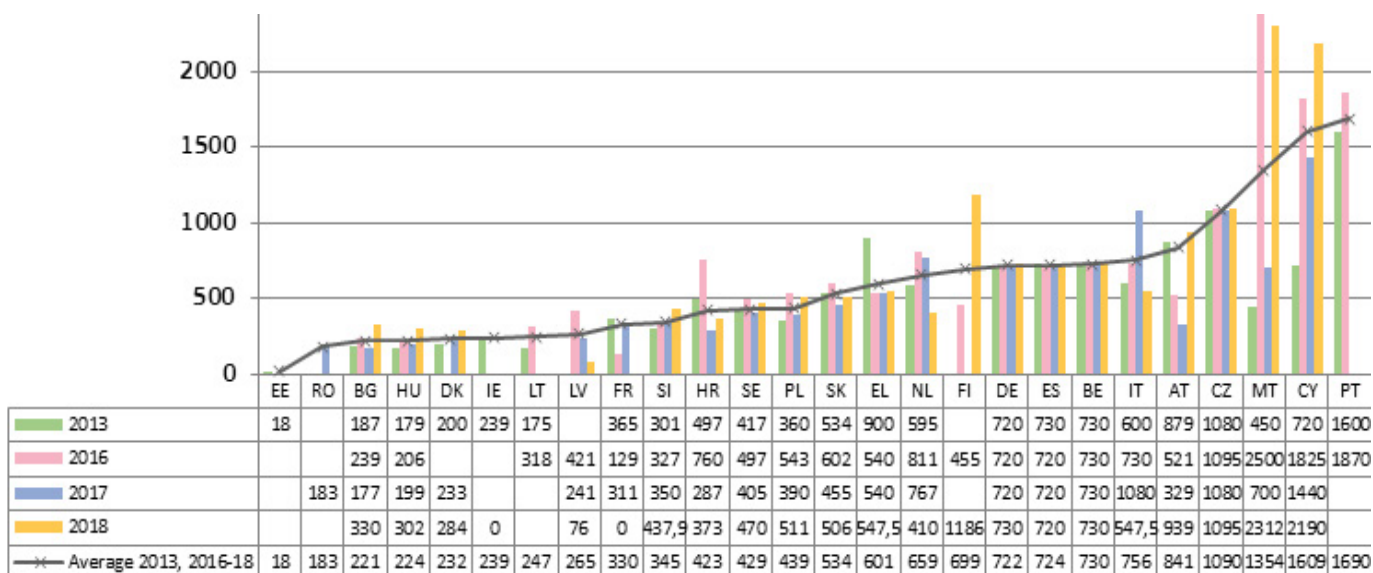


(*) EE: no cases. IE and AT: scenario is not applicable as the authorities do not have powers to take respective decisions. AT: data includes cases decided by the Cartel Court involving an infringement of Articles 101 and 102 TFEU, but not based on appeals against the national competition authority. An estimation of length was used in BG, IT. An empty column can indicate that the Member State reported no cases for the year. The number of cases is low (below 5 per year) in many Member States, which can make the annual data dependent on one exceptionally long or short case. A number of the longest cases in the dataset included the time needed for a reference to the Court of Justice of the European Union (e.g. LT), a constitutional review (e.g. SK) or specific procedural delays (e.g. CZ, EL, HU).

Electronic communications

Figure 17 Electronic communications: Average length of judicial review cases, 2013-2018 (*) (1st instance/in days)

(source: European Commission with the Communications Committee)

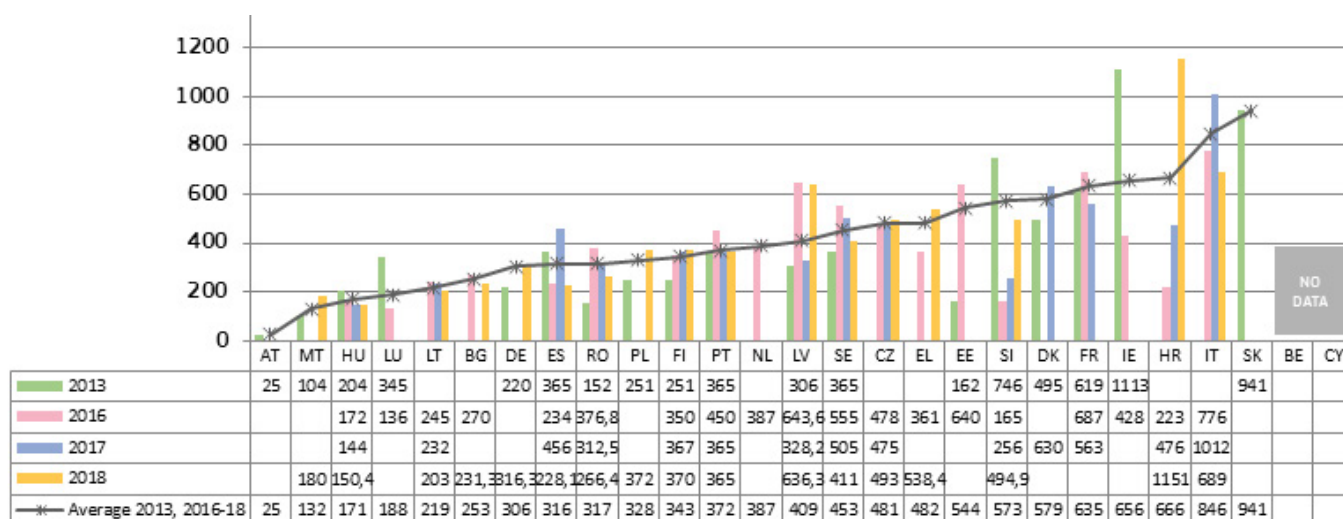


(*) The number of cases varies by Member State. An empty column indicates that the Member State reported no cases for the year (except PT for 2017 and 2018, and RO for 2018: no data). LU: no cases. In some court instances, the limited number of relevant cases (LV, LT, MT, SK, SE) can make the annual data dependent on one exceptionally long or short case and result in large variations from one year to the other. DK: quasi-judicial body in charge of 1st instance appeals. ES, AT, and PL: different courts in charge depending on the subject matter. MT: an exceptionally long case of 2500 days was reported in 2016, which related to a complex issue whereby a local authority, together with several residents, filed proceedings in relation to alleged harmful emissions from base mobile radiocommunications stations.

EU trademark

Figure 18 EU trademark: Average length of EU trademark infringement cases, 2013-2018 (*) (1st instance/in days)

(source: European Commission with the European Observatory on infringements of intellectual property rights)

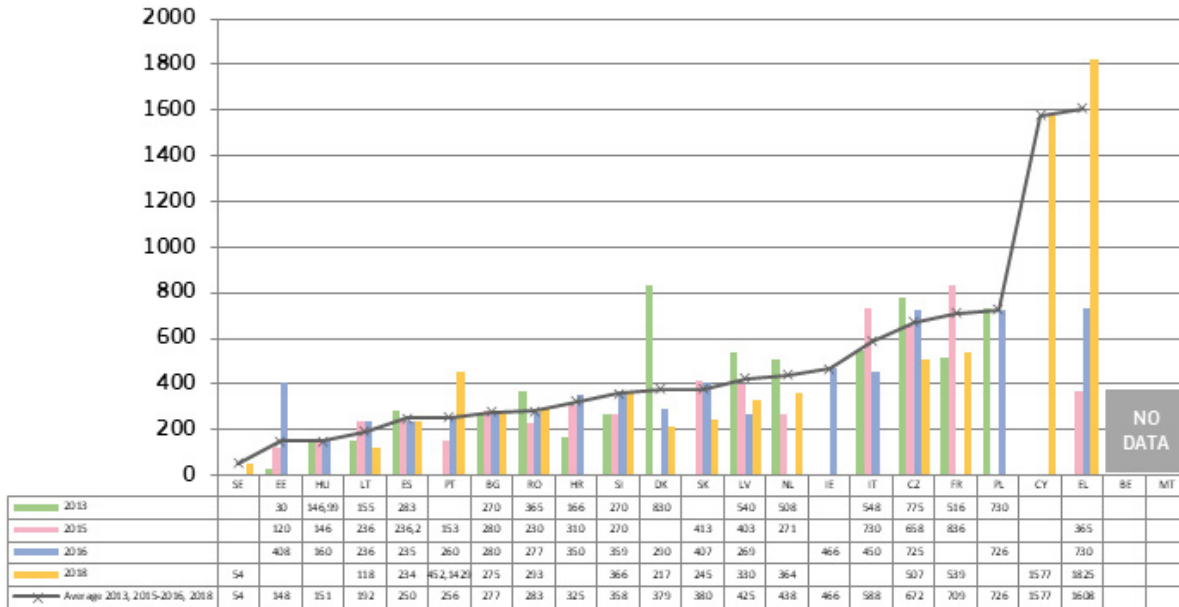


(*) FR, IT, LT, LU: a sample of cases used for data for certain years. BG: estimation by courts used for 2016. PL: estimation by courts used for 2015. Particularly long cases affecting the average reported in EE, IE, LV and SE. EL: data based on weighted average length from two courts. DK: data from all trademark cases - not only EU - in Commercial and Maritime High Courts; for 2018, no data on average length due to new ICT system. ES: cases concerning other EU IP titles are included in the calculation of average length; for 2018, an estimation is used.

Consumer Protection

Figure 19 Consumer protection: Average length of judicial review, 2013-2018 (*) (1st instance/in days)

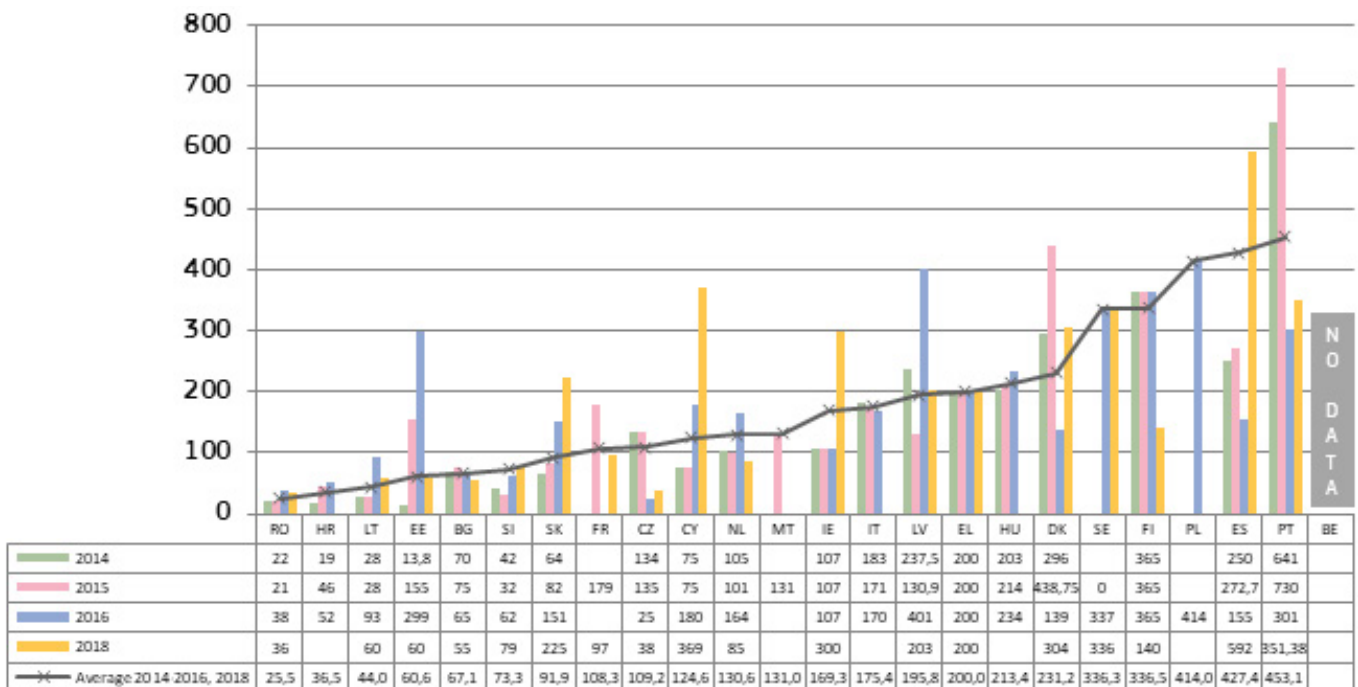
(source: European Commission with the Consumer Protection Cooperation Network)



(*) **AT, FI, DE, LU:** scenario is not applicable as consumer authorities are not empowered to decide on infringements of relevant consumer rules. The number of relevant cases is low (less than five) in **CY, IE, NL** and **SE**. An estimate of average length was provided by **EL** and **RO**.

Figure 20 Consumer protection: Average length of administrative decisions by consumer protection authorities, 2014-2018(*) (1st instance/in days)

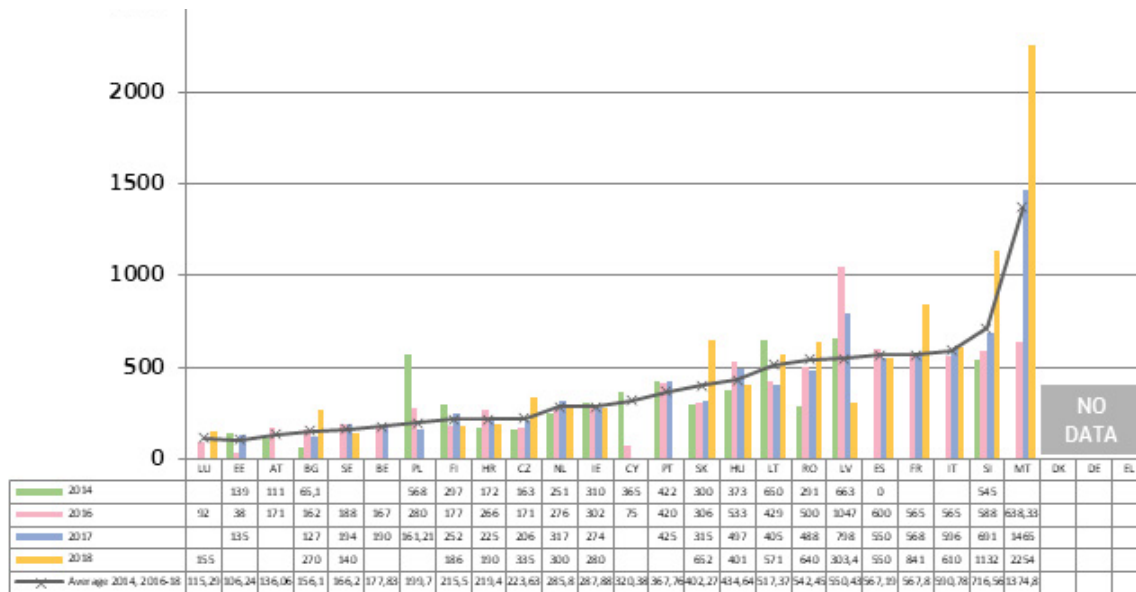
(source: European Commission with the Consumer Protection Cooperation Network)



(*) **AT, DE, LU:** scenario is not applicable as consumer authorities are not empowered to decide on infringements of relevant consumer rules. The number of relevant cases is low (less than five) in **NL** and **SE**. An estimate of average length was provided by **DK, FI, FR, EL, FR** and **RO**.

Figure 21 Money laundering: Average length of court cases, 2014-2018 (*) (1st instance/in days)

(source: European Commission with the Expert Group on Money Laundering and Financing of Terrorism)



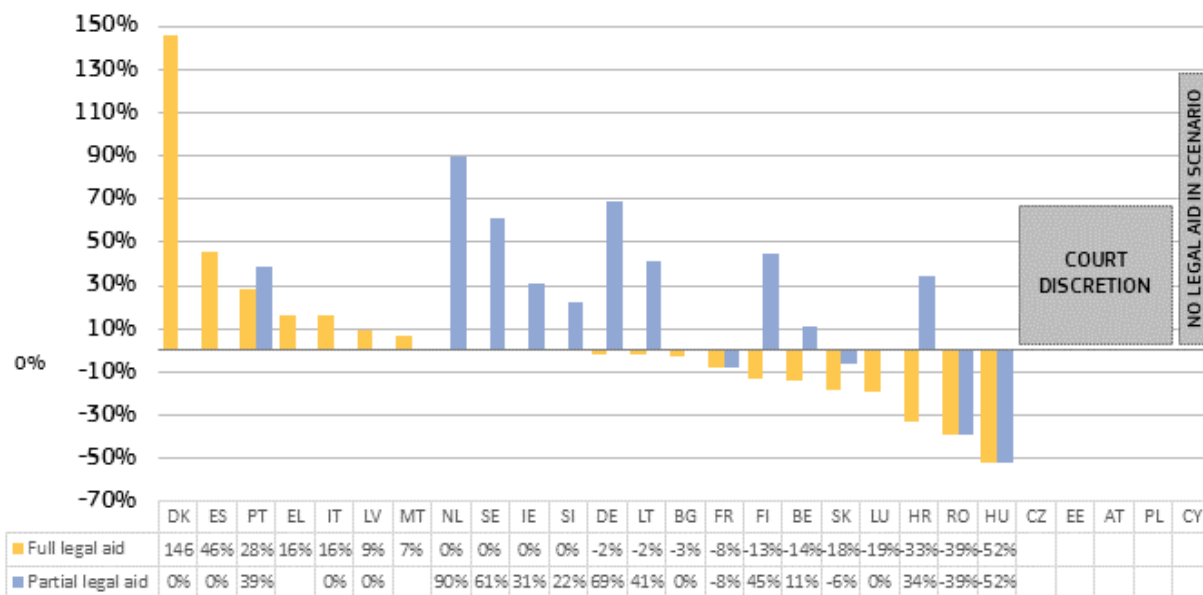
(*) No data for 2018: **BE, EE, CY, AT, PL,** and **PT. ES, NL:** estimated length. **LV:** Due to a relatively low number of cases in 2016 various factors possibly impact the length of proceeding, e.g. a stay in a single case for objective reasons. **PL:** Calculation of length for 2016 based on a randomly selected sample of cases. **SE:** calculation in 2017 based on a sample of resolved cases; the data for 2018 are preliminary. **IT:** data refer to the responding courts, covering about 91% of the total proceedings in 2015, and about 99% in 2016 and 2017; data refer to both trial and preliminary court hearings.

3.2. Quality of justice systems

3.2.1. Accessibility

Figure 23 Income threshold for legal aid in a specific consumer case, 2019 (*) (differences in % from Eurostat poverty threshold)

(source: European Commission with the CCBE(?))



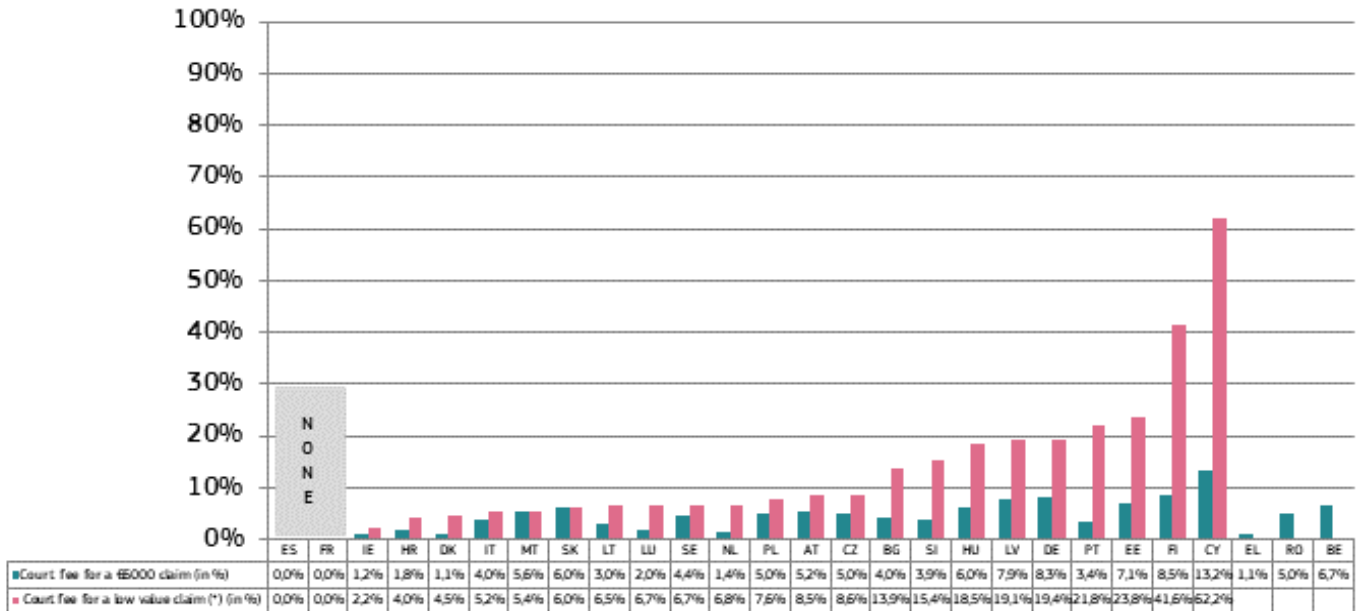
(*) **EE:** decision to grant legal aid is not based on the level of financial resources of the applicant. **IE:** partial legal aid has to take into account also the disposable assets of the applicant. **LV:** thresholds vary by municipality, upper limit is represented in the chart.

2. 2019 data collected through replies by CCBE members to a questionnaire based on the following specific scenario: a dispute of a consumer with a company (two different values of the claim have been indicated: €6 000 and the Eurostat poverty threshold in each Member State). Given that conditions for legal aid depend on the applicant's situation, the following scenario was used: a single 35-year-old employed applicant without any dependant and legal expenses insurance, with a regular income and a rented apartment.

Quality of justice systems Accessibility

Figure 24 Court fee to start judicial proceedings in a specific consumer case, 2019 (*) (level of court fee as a share of the value of the claim)

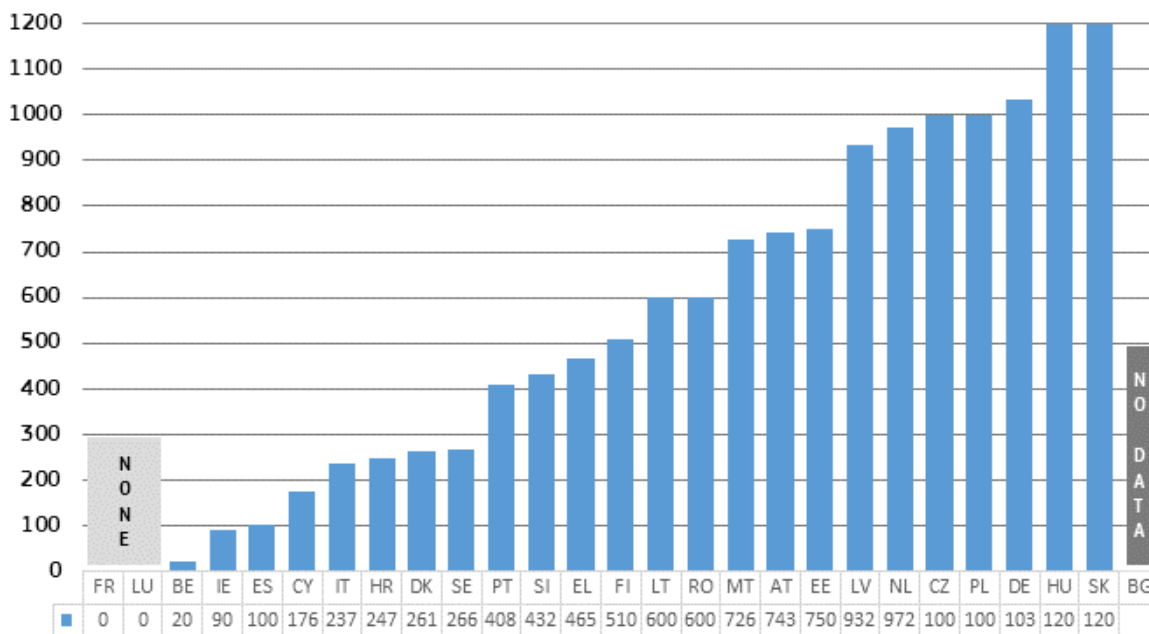
(source: European Commission with the CCBE⁽³⁾)



(*) 'Low value claim' is a claim corresponding to the Eurostat poverty threshold for a single person in each Member State, converted to monthly income (e.g. in 2019, this value ranged from €164 in **RO** to €1,804 in **LU**). **BE, EL** and **RO**: no information on court fees for a low value claim was provided. **LU**: Litigants have to pay bailiff fees to start proceedings as a plaintiff unless they benefit from legal aid. **NL**: Court fees for income <€2275/month.

Figure 25 Court fee to start judicial proceedings in a specific commercial case, 2019 (*) (in €)

(Source: European Commission with the CCBE⁽⁴⁾)



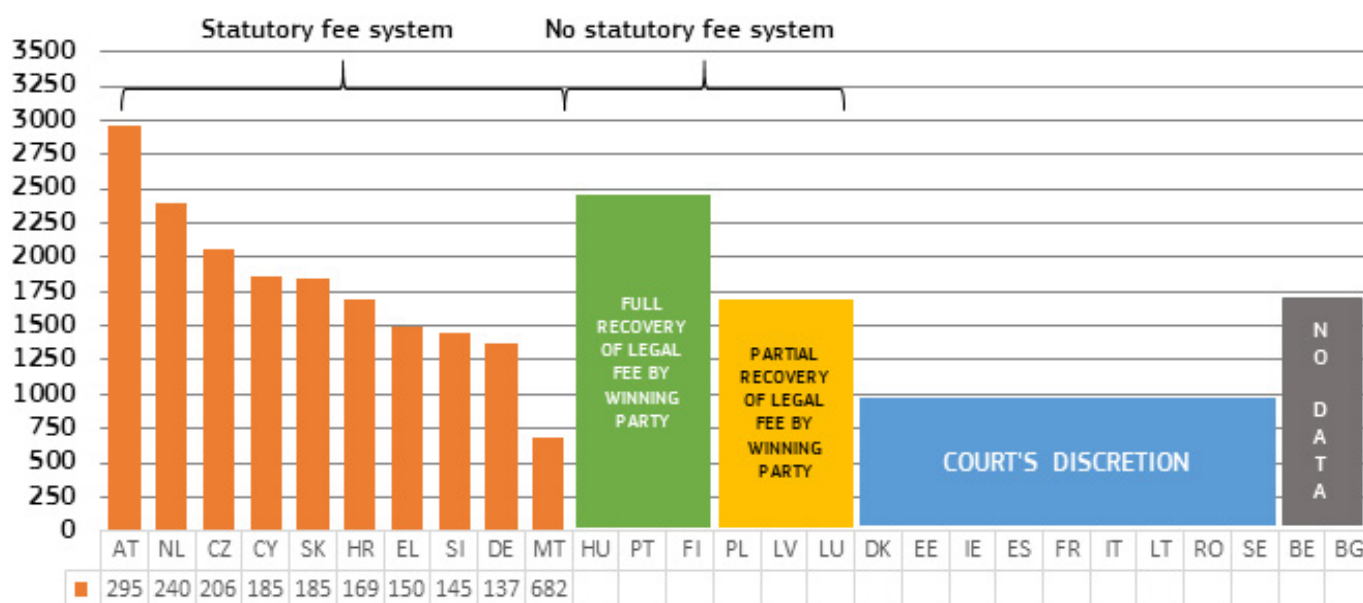
(*) Recovery of court fees is decided on a case-by-case basis in **ES, PT** and **RO**. There is no full recovery of court fees by the winning party in **EL** and **HU**.

3. The data refer to income thresholds valid in 2019 and have been collected through replies by CCBE members to a questionnaire based on the following specific scenario: a dispute of a consumer with a company (two different values of the claim have been indicated: €6000 and the Eurostat poverty threshold in each Member State).

4. The data have been collected through replies by CCBE members to a questionnaire based on the following specific scenario: a dispute between two companies in trans-border commercial litigation concerning the enforcement of contract. The value of the claim has been indicated as 20.000€. CCBE members were asked to provide information on the payable court fee to file the action in the case in the scenario.

Figure 26 Recoverability of legal fees in a commercial trial, 2019 (*) (in EUR)

(source: European Commission with the CCBE⁽⁹⁾)



(*) For this figure, legal fees do not include clerical costs and VAT, if payable. The hypothetical legal fee for the litigious phase provided for in the scenario is €1 650. Full recovery in systems without statutory fee means that this amount (€1,650) can be recovered. Member States with partial recovery (PL, LV, LU) are sorted by order of the recoverable legal fee (highest to lowest, amounts range from €1,275 – €500). The figure does not include information on the recoverability of legal fees for the pre-litigious phase, which is not envisaged in all Member States. **AT**: scenario not fully applicable to ATs system of reimbursement. **MT**: there is no concept of an hourly legal fee in **MT**, reimbursement is determined based on the value of the claim. **IT**: there is a statutory fee in **IT** (€3235 in the scenario), but the court can decide on reimbursement within a set range. **LT**: court decides taking into account guidance by the Ministry of Justice, maximum amount in the scenario would be €3,350.

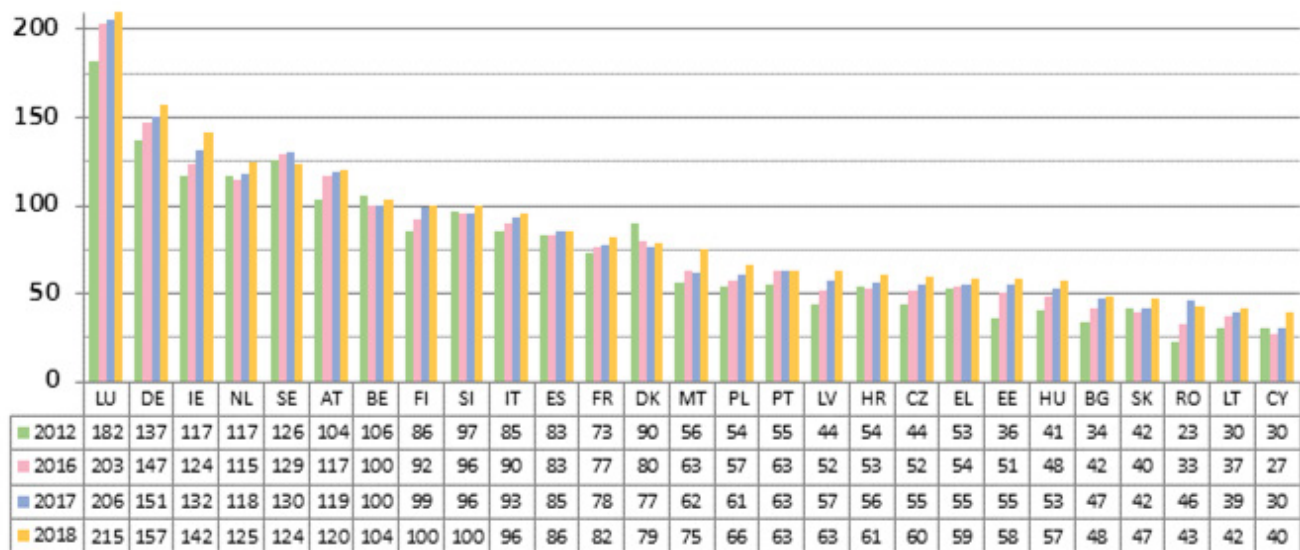
5. The data have been collected through replies by CCBE members to a questionnaire based on the same hypothetical case as for figure 25 (cf. FN 58). The following scenario was used as a basis for calculating the legal fees: the company seeking to enforce the contract contracted a specialised and experienced lawyer, who carried out the following work: In the pre-litigious phase: 3 hours of work, one document produced for an hourly legal fee of 150€ (overall 450€). Litigious phase: 11 hours of work, 3 documents produced, 2 court hearings for an hourly legal fee of 150€ net (overall 1650€). CCBE members were asked to provide information on a) the statutory fee foreseen for the work in the (pre-) litigious phase, if existing and b) the amount of legal fee that the court would reasonably order to be reimbursed by the losing party.

3.2.2 Ressources

Financial Ressources

Figure 32 General government total expenditure on law courts, 2012, 2016-2018 (*) (in EUR per inhabitant)

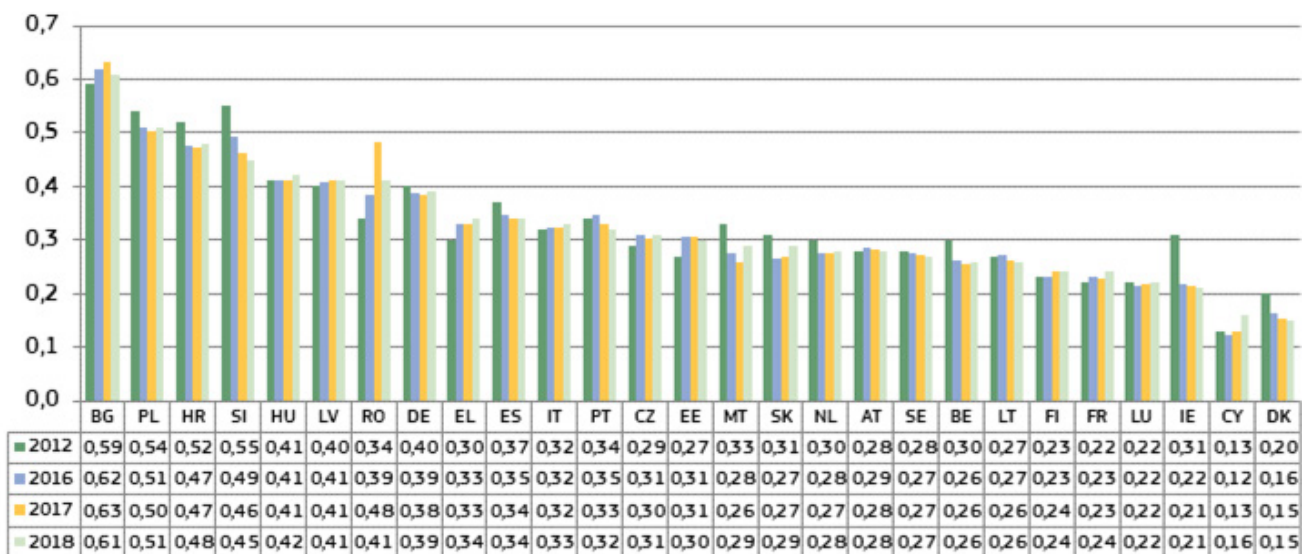
(source: Eurostat)



(*) Member States are ordered according to the expenditure in 2018 (from highest to lowest). 2018 data for **ES, FR, HR, PT** and **SK** are provisional.

Figure 33 General government total expenditure on law courts, 2012, 2016-2018 (*) (as a percentage of GDP)

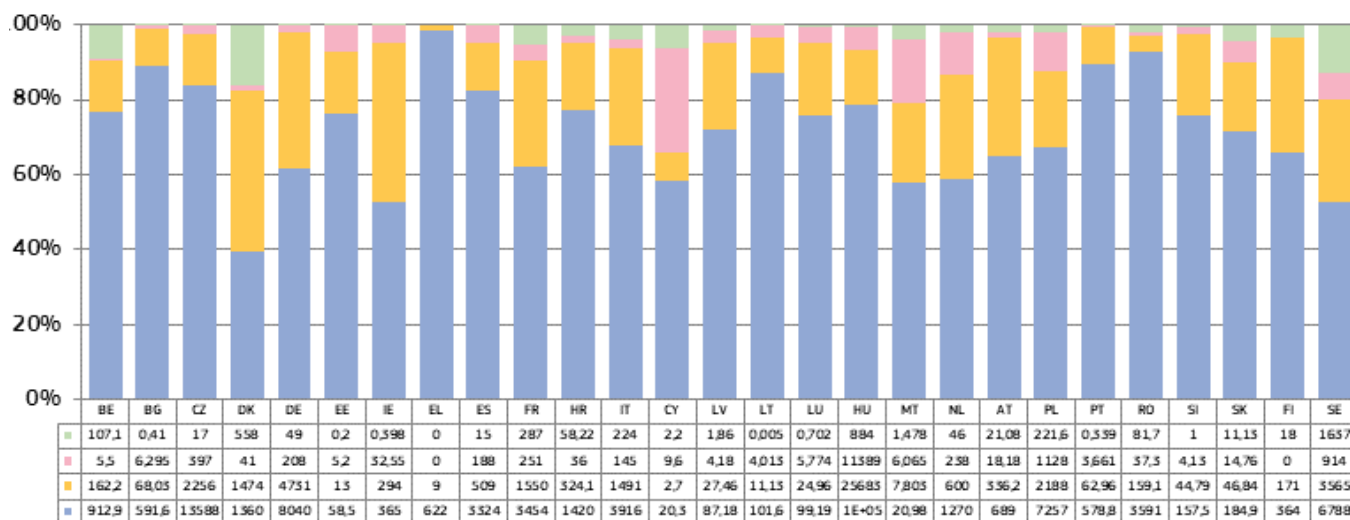
(source: Eurostat)



(*) Member States are ordered according to the expenditure in 2018 (from highest to lowest). 2018 data for **ES, FR, HR, PT** and **SK** are provisional.

Figure 34 General government total expenditure on law courts by category (*) (in 2018, as a percentage of total expenditure)

(source: Eurostat)

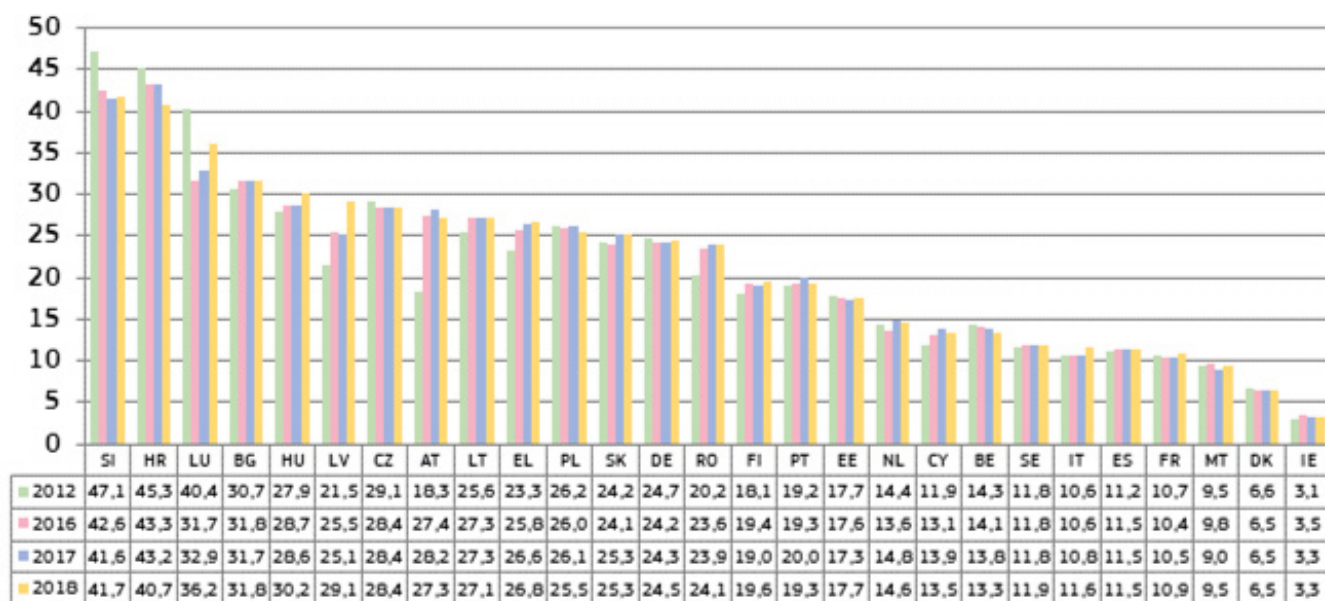


(*) Data for ES, FR, HR and SK are provisional, data for PT are estimated.

Human Resources

Figure 35 Number of judges, 2012-2018 (*) (per 100,000 inhabitants)

(source: CEPEJ study)



(*) This category consists of judges working full-time, under the CEPEJ methodology. It does not include the Rechtspfleger/court clerks that exist in some Member States. AT: Data on administrative justice is introduced for 2016 cycle for the first time. EL: the total number of professional judges includes different categories over the years shown above, which partly explains their variation. Since 2016, data on number of professional judges includes all the ranks for criminal and political justice as well as administrative judges. IT: The regional audit commissions, local tax commissions and military courts are not taken into consideration. LU: numbers have been revised following an improved methodology.

Figure 36 Proportion of female professional judges at Supreme Courts 2017-2019 (*)

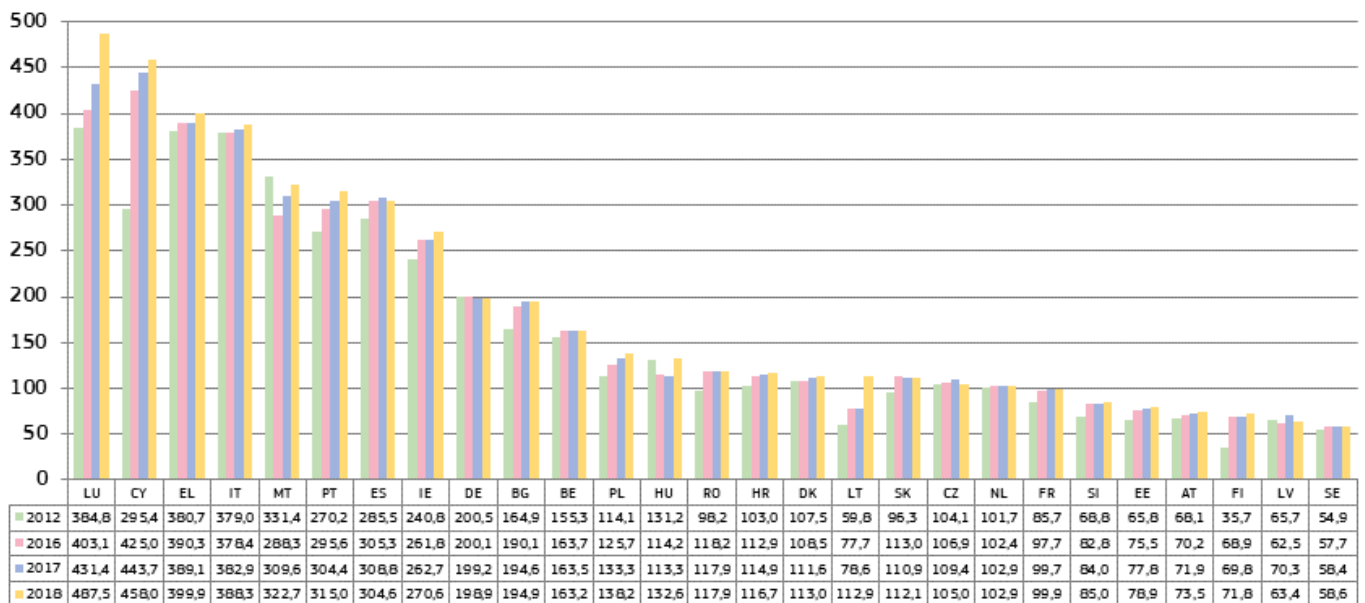
(source: European Commission⁽⁶⁾)



(*) sorted by 2019 figures, highest to lowest.

Figure 37 Number of lawyers, 2012 - 2018 (*) (per 100,000 inhabitants)

(source: CEPEJ study)

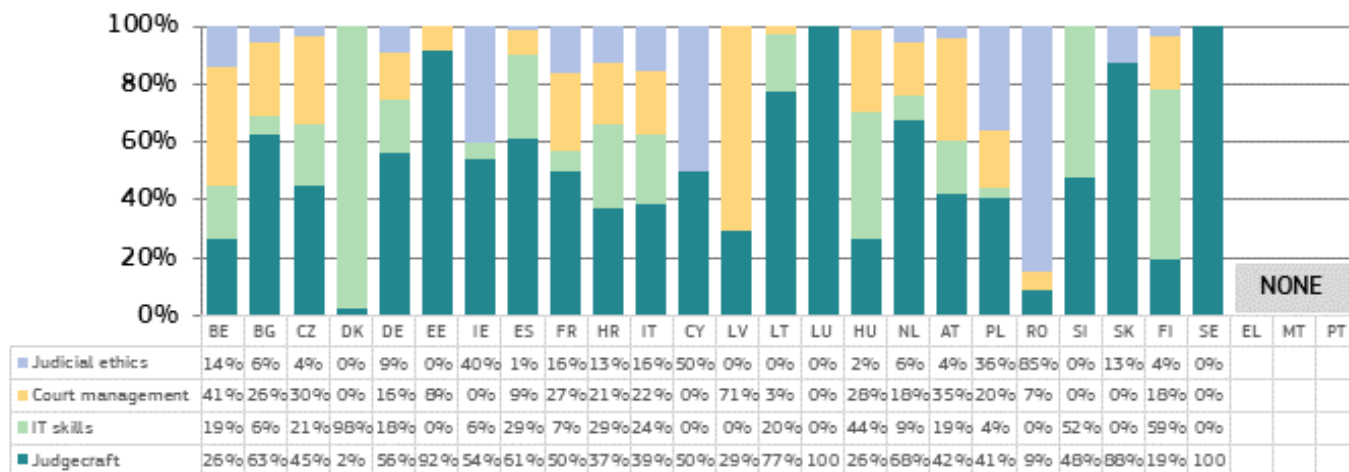


(*) Under CEPEJ methodology a lawyer is a person qualified and authorised according to national law to plead and act on behalf of his or her clients, to engage in the practice of law, to appear before the courts or advise and represent his or her clients in legal matters (Recommendation Rec (2000)21 of the Committee of Ministers of the Council of Europe on the freedom of exercise of the profession of lawyer). **DE**: no distinction is made between different groups of lawyers in Germany, such as between solicitors and barristers. **FI**: since 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.

Quality of justice systems Resources Human resources

Figure 38 Share of continuous training of judges on various types of skills, 2018 (*) (as a percentage of total number of judges receiving these types of training)

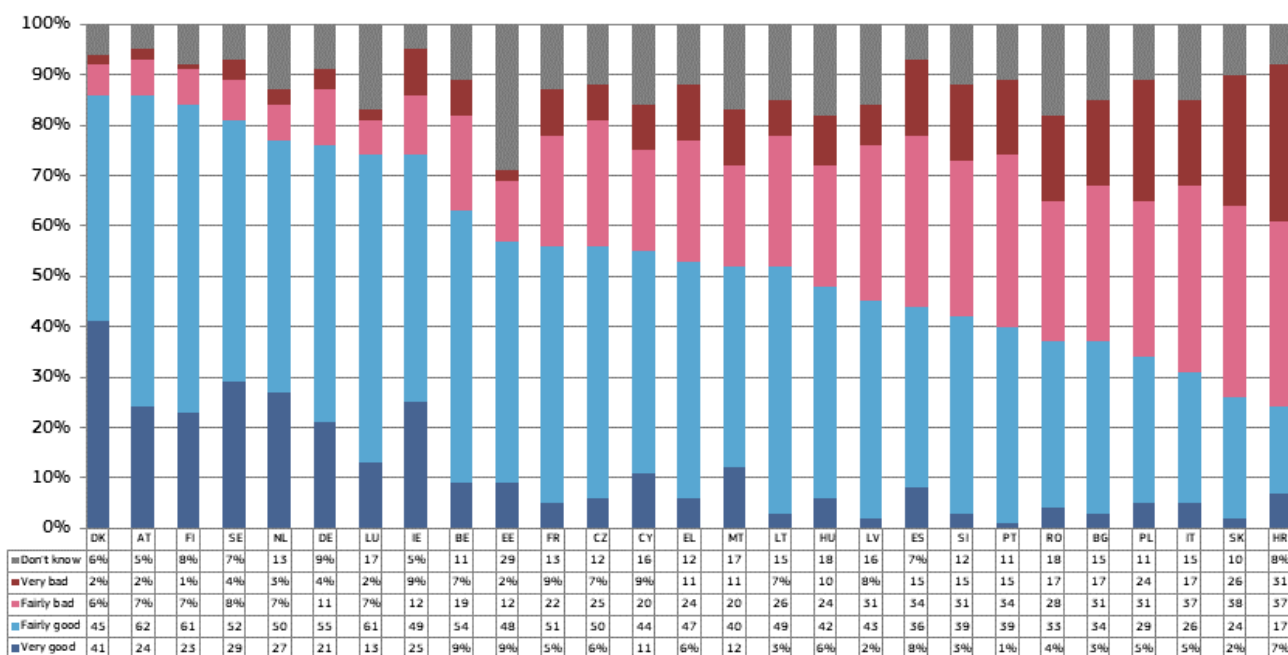
(source: European Commission(?))



(*) (*) Figure 38 shows the distribution of judges participating in continuous training activities (i.e. those taking place after the initial training period to become a judge) in each of the four identical areas as a percentage of the total number of judges trained in these types of training. Legal training activities are not taken into account. Judicial training authorities in EL, MT and PT did not provide specific training activities on the selected skills. DK: including court staff. AT: including prosecutors.

Figure 44 Perceived independence of courts and judges among the general public (*)

(source: Eurobarometer (8) — light colours: 2016, 2018 and 2019, dark colours: 2020)



(*) Member States are ordered first by the percentage of respondents who stated that the independence of courts and judges is very good or fairly good (total good); if some Member States have the same percentage of total good, then they are ordered by the percentage of respondents who stated that the independence of courts and judges is fairly bad or very bad (total bad); if some Member States have the same percentage of total good and total bad, then they are ordered by the percentage of respondents who stated that the independence of courts and judges is very good; if some Member States have the same percentage of total good, total bad and of very good, then they are ordered by the percentage of respondents who stated that the independence of courts and judges is very bad.

7. 2018 data collected in cooperation with the European Judicial Training Network and CEPEJ. 'Judgecraft' includes activities such as conducting hearings, writing decisions or rhetoric.

Quality of justice systems Resources Human resources

Figure 45 Main reasons among the general public for the perceived lack of independence (share of all respondents — higher value means more influence)

(Source: Eurobarometer⁽⁹⁾)

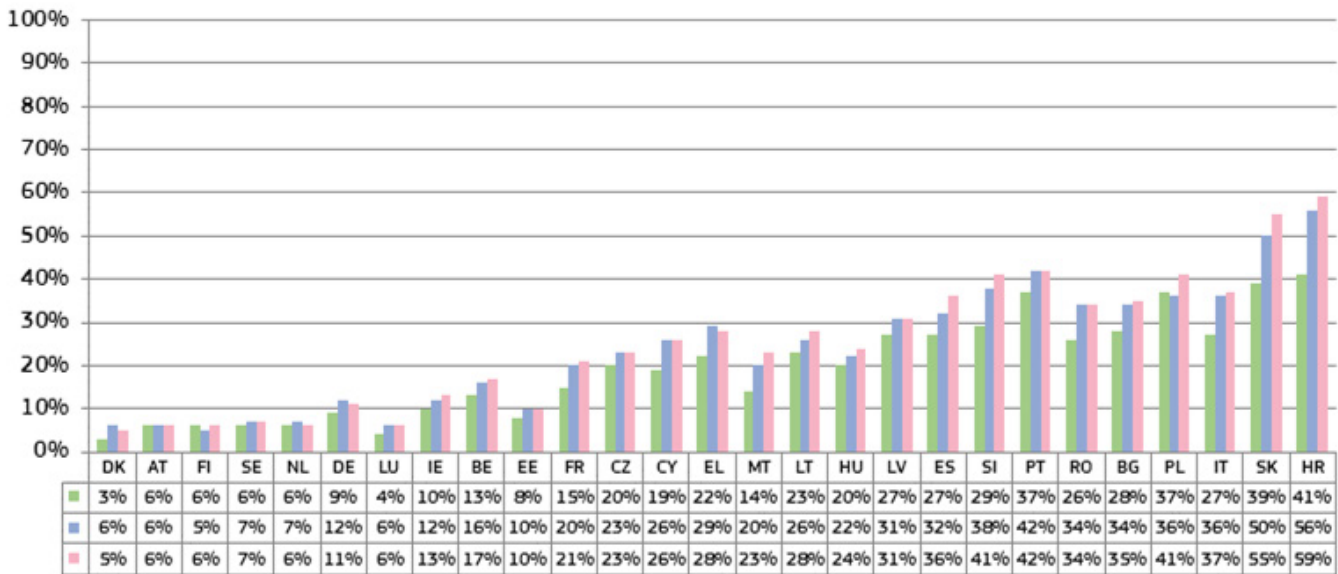
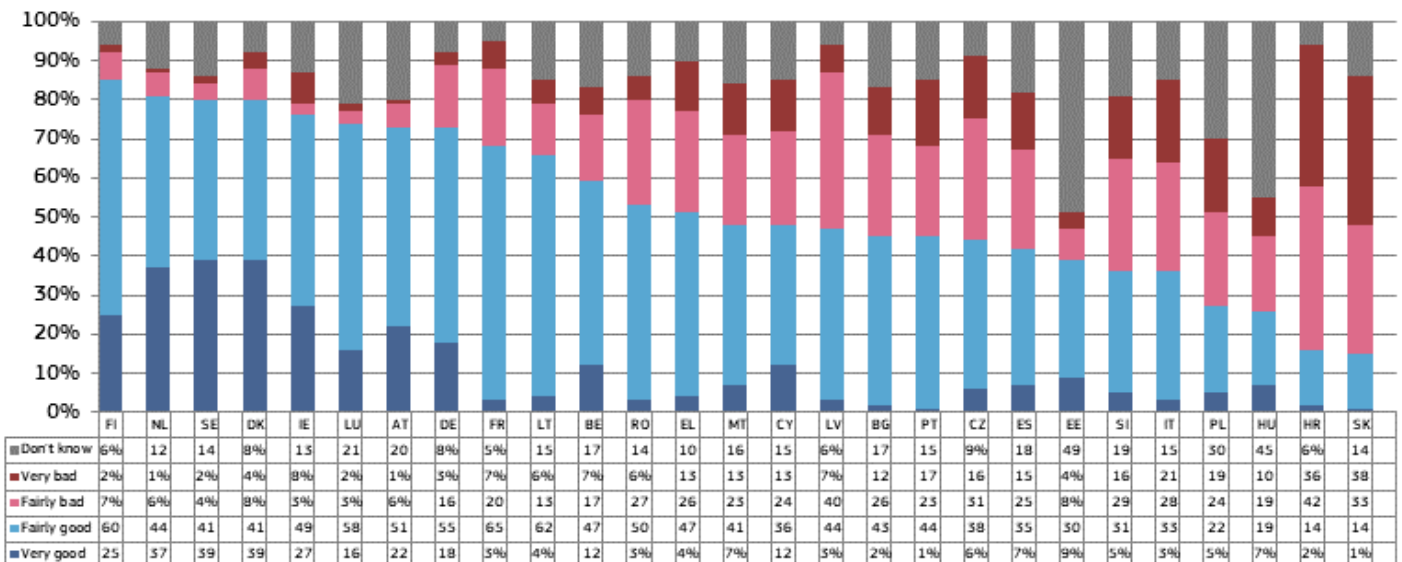


Figure 46 Perceived independence of courts and judges among companies (*)

(source: Eurobarometer⁽¹⁰⁾ — light colours: 2017, 2018 and 2019, dark colours: 2020)



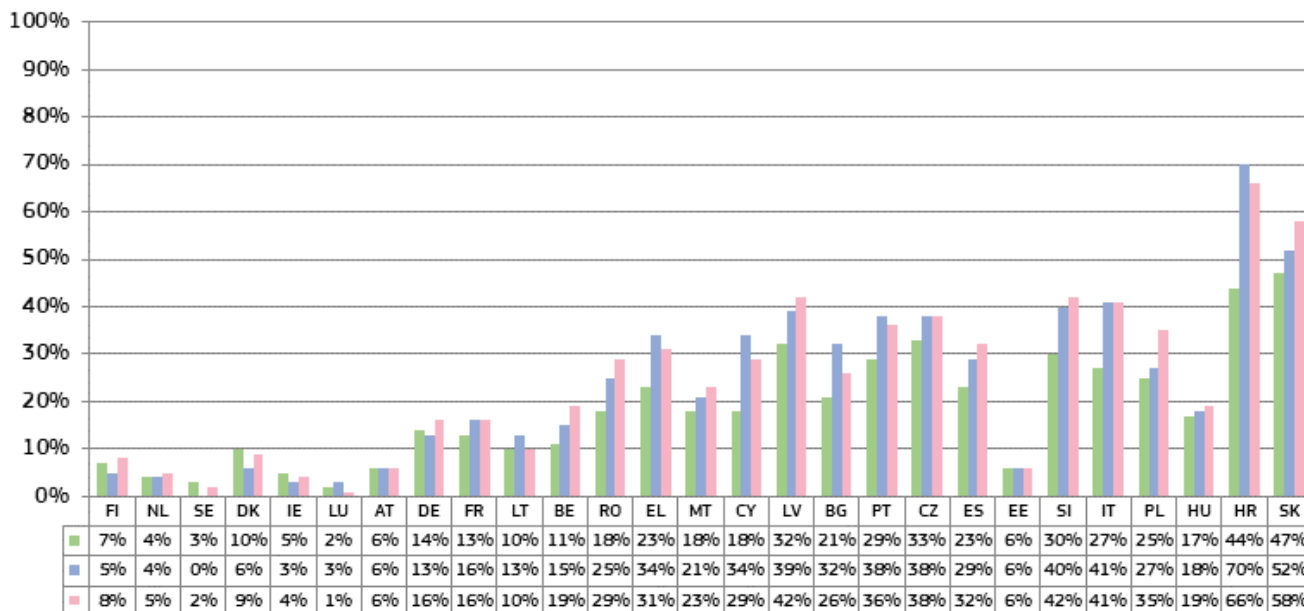
(*) Member States are ordered first by the percentage of respondents who stated that the independence of courts and judges is very good or fairly good (total good); if some Member States have the same percentage of total good, then they are ordered by the percentage of respondents who stated that the independence of courts and judges is fairly bad or very bad (total bad); if some Member States have the same percentage of total good and total bad, then they are ordered by the percentage of respondents who stated that the independence of courts and judges is very good; if some Member States have the same percentage of total good, total bad and of very good, then they are ordered by the percentage of respondents who stated that the independence of courts and judges is very bad.

9 Eurobarometer survey FL483, replies to the question: 'Could you tell me to what extent each of the following reasons explains your rating of the independence of the justice system in (our country): very much, somewhat, not really, not at all?'

10. Eurobarometer survey FL484, conducted between 7 January and 20 January 2019. Replies to the question: 'From what you know, how would you rate the justice system in (our country) in terms of the independence of courts and judges? Would you say it is very good, fairly good, fairly bad or very bad?', see: https://ec.europa.eu/info/strategy/justice-and-fundamental-rights/effective-justice/eu-justice-scoreboard_en.

Figure 47 Main reasons among companies for the perceived lack of independence (rate of all respondents — higher value means more influence)

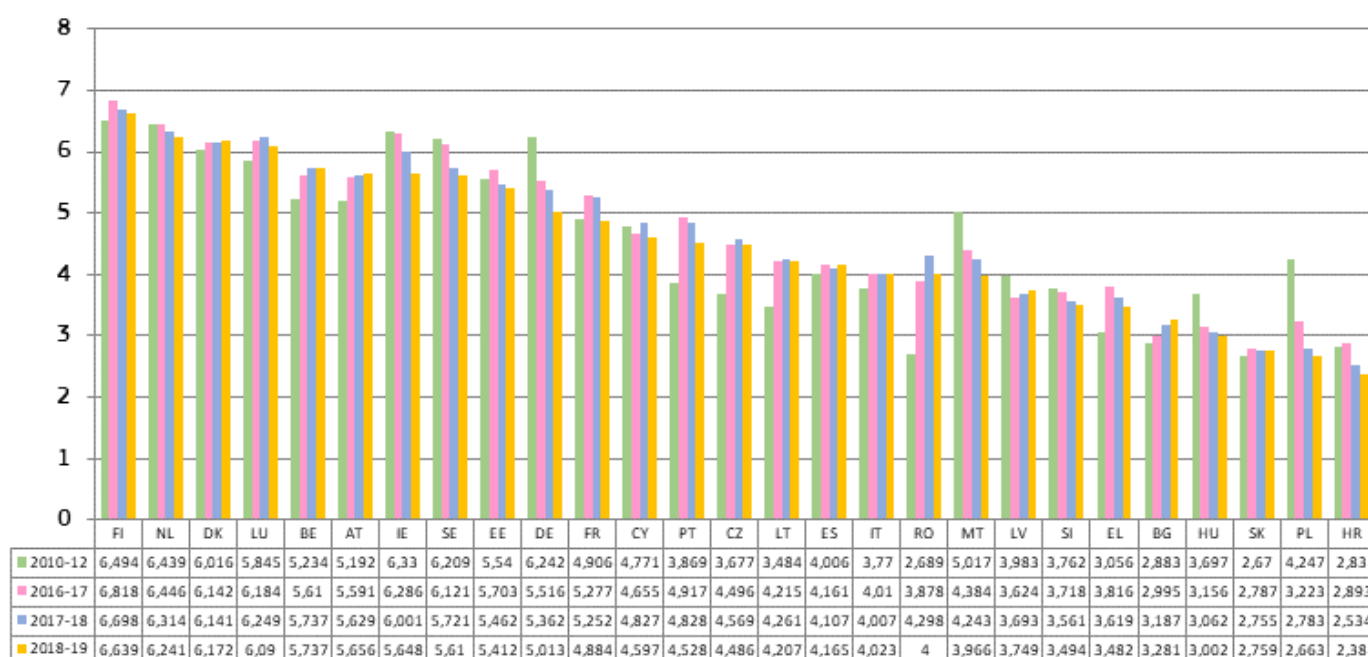
(source: Eurobarometer ⁽¹¹⁾)



(*) Member States are ordered first by the percentage of respondents who stated that the independence of courts and judges is very good or fairly good (total good); if some Member States have the same percentage of total good, then they are ordered by the percentage of respondents who stated that the independence of courts and judges is fairly bad or very bad (total bad); if some Member States have the same percentage of total good and total bad, then they are ordered by the percentage of respondents who stated that the independence of courts and judges is very good; if some Member States have the same percentage of total good, total bad and of very good, then they are ordered by the percentage of respondents who stated that the independence of courts and judges is very bad.

Figure 48 WEF: businesses' perception of judicial independence, 2010-2019 (perception — higher value means better perception)

(source: World Economic Forum ⁽¹²⁾)



11 Eurobarometer survey FL484; replies to the question: 'Could you tell me to what extent each of the following reasons explains your rating of the independence of the justice system in (our country): very much, somewhat, not really, not at all?'

12. The World Economic Forum (WEF) bases its indicator on survey answers to the question: 'In your country, how independent is the judicial system from influences of the government, individuals, or companies? [1 = not independent at all; 7 = entirely independent]'. Responses to the survey came from a representative sample of businesses representing the main sectors of the economy (agriculture, manufacturing industry, non-manufacturing industry, and services) in all the Member States concerned. The survey is administered in a variety of formats, including face-to-face or telephone interviews with business executives, mailed paper forms, and online surveys. See <https://www.weforum.org/reports/global-competitiveness-report-2019>

