



COUNCIL OF EUROPE    CONSEIL DE L'EUROPE

**EUROPEAN COMMISSION**  
**FOR THE EFFICIENCY OF JUSTICE**  
**(CEPEJ)**

**PILOT-SCHEME**  
**FOR**  
**EVALUATING JUDICIAL SYSTEMS**



# SCHEME FOR EVALUATING JUDICIAL SYSTEMS

**Country:** .....

**Contact Name:** .....

**E-mail:** .....

<b>I. General information</b>
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**1. Number of inhabitants**

Number: ..... Year of reference: .....

Source: .....  
.....

**2. Total annual State/regional public budget**

Budget: ..... Year of reference: .....

Source: .....  
.....

**3. Average gross annual salary**

Salary: ..... Year of reference: .....

Source : .....  
.....

**II. Access to Justice and to all courts**

**II. A. Legal aid/cost of justice**

**4. Annual public budget spent on legal aid**

Annual budget: ..... Year : .....  
Source : .....

**5. If possible, specify**

**- the annual public budget spent on legal aid in criminal cases**

Annual budget: ..... Year : .....  
Source : .....

**- annual public budget spent on legal aid in other court cases**

Annual budget: ..... Year : .....  
Source : .....

**6. Total number of legal aid cases (in a year)**

Number of cases: ..... Year : .....  
Source : .....

**7. If possible, specify:**

**- the total number of legal aid cases in criminal matters (in a year)**

Number of cases: ..... Year : .....  
Source : .....

**- the total number of legal aid cases in other court cases (in a year)**

Number of cases: ..... Year : .....  
Source : .....



14. In your country, have studies been carried out on the costs of cases brought to courts concerning: - users? Yes / No  
 - the State? Yes / No

If yes, please indicate the references of these studies published in the year 2002 or 2003:  
 (Author / instance) (Title) (Type of courts or costs reported on):

.....  
 .....  
 .....

**II. B. Users of the courts and victims**

15. Are there official internet sites/portals (eg. Ministry of justice, etc..) through which the general public may have free access to:

- legal texts (eg. codes, laws, regulations, etc..)? Yes / No  
 internet address:

- to the case-law of the higher court/s? Yes / No  
 internet address:

- to other documents (for examples legal forms)? Yes / No  
 internet address:

If yes, please give the internet address

16. Is there a public and free-of-charge specific information system to inform and to help victims of crimes? Yes / No

Comments:

17. Is there a public, free of charge and personalised specific information system, managed by the police or the justice system, on the follow up given to complaints by victims of crime? Yes / No

Comments:

18. Does your country have a public compensation fund to compensate financially victims of crimes? Yes / No

Comments:

19. Does your country have users' or legal professionals' (judges, lawyers, officials, etc.) surveys to measure public trust and satisfaction with the services delivered by the judiciary?  
Yes / No

If yes, are these surveys

- at national level Yes / No

- at court level Yes / No

20. Is there a national or local procedure for making complaints about the performance of the judiciary (eg. through an ombudsman)? Yes / No

Please specify:

- at court level/internal procedure Yes / No

- at court level/external procedure Yes / No

- at national level/internal procedure Yes / No

- at national level/external procedure Yes / No

Comments:

21. As a general rule, do the institutions which receive such complaints have an obligation to respond and/or to deal with the complaint within a certain time limit?

- time limit to respond: Yes / No

- time limit for dealing with the complaint: Yes / No

### **III. Functioning of courts and efficiency of justice**

#### **III. A. Functioning**

22. Total number of courts

Number of courts:  
.....

23. Number of general jurisdiction first instance courts

Number of courts:  
.....

24. Number of specialised first instance courts

*Please specify the different areas of specialisation*

(area of specialisation)

(number of courts)



**What are the figures?**

Budget ..... Year  
.....  
Budget ..... Year  
.....

**31. Which institution is formally responsible for setting up the budget devoted to courts?**

- the ministry of Justice (or equivalent) Yes / No
- the Government Yes / No
- the Parliament Yes / No
- the Judicial Council Yes / No
- the Courts Yes / No
- other:  
.....

**32. Who manages the budget of the courts?**

- the President of the Court Yes / No
- the person administratively responsible for the court Yes / No
- other:  
.....

**33. Which institution is responsible for arranging and scheduling the court hearings/sessions?**

- in criminal cases: the court / public prosecutor / lawyer / other: .....
- in other than criminal cases the court / public prosecutor / lawyer / other: .....

**III. B. Efficiency**

**34. Total number of criminal cases received by the public prosecutor (in a year)**

Number of cases: ..... Year :  
.....  
Source : .....  
.....

**35. Total number of criminal cases dropped by the public prosecutor (in a year)**

Number of cases: ..... Year :  
.....  
Source : .....  
.....

Please indicate also, out of this total, those dropped as the offender has not been identified

Number of cases: ..... Year : .....  
Source : .....

**36. Total number of criminal cases which are concluded by a sanction/measure, imposed or negotiated by the public prosecutor (in a year)**

Number of cases: ..... Year : .....  
Source : .....

**37. Total number of criminal cases charged by the public prosecutor before the courts (in a year)**

Number of cases: ..... Year : .....  
Source : .....

**38. Total number of incoming criminal cases in the courts involving robbery cases (in a year)**

Number of cases: ..... Year : .....  
Source : .....

**39. Total number of judicial decisions, involving robbery (in a year)**

Number of cases: ..... Year : .....  
Source : .....

*Please indicate, if possible:*

Number of convicted persons: ..... % of convicted persons: .....  
Number of acquitted persons: ..... % of acquitted persons: .....

**40. Percentage of decisions involving robbery subject to an appeal to a higher court (in a year)**

Percentage of decisions: ..... Year : .....  
Source : .....

**41. Total number of incoming criminal cases in the courts, involving intentional homicide (in a year)**

Number of cases: ..... Year : .....  
Source : .....

**42. Total number of judicial decisions, involving intentional homicide (in a year)**

Number of decisions: ..... Year : .....  
Source : .....

*Please indicate also if possible:*

Number of convicted persons: .....	% of convicted persons: .....
Number of acquitted persons: .....	% of acquitted persons: .....

**43. Percentage of decisions concerning intentional homicide subject to an appeal to a higher court (in a year)**

Percentage of decisions: ..... Year : .....  
Source : .....

**44. Total number of incoming civil and administrative cases in the courts (in a year)**

Number of cases: ..... Year : .....  
Source : .....

**45. Total number of judicial decisions in civil and administrative matters (in a year)**

Number of decisions: ..... Year : .....  
Source : .....

**46. Percentage of decisions concerning civil and administrative matters subject to an appeal to a higher court (in a year)**

Percentage of decisions: ..... Year : .....  
Source : .....

**47. Total number of incoming divorce cases in the courts (in a year)**

Number of cases: ..... Year : .....  
Source : .....

.....

**48. Total number of judicial decisions in divorce cases (in a year)**

Number of decisions: ..... Year : .....  
Source : .....  
.....

**49. Percentage of decisions concerning divorce cases subject to an appeal to a higher court (in a year)**

Percentage of decisions: ..... Year : .....  
Source : .....  
.....

**50. Total number of incoming employment dismissal cases in the courts (in a year)**

Number of cases: ..... Year : .....  
Source : .....  
.....

**51. Total number of judicial decisions of employment dismissal cases (in a year)**

Number of decisions: ..... Year : .....  
Source : .....  
.....

**52. Percentage of decisions concerning employment dismissal cases subject to an appeal to a higher court (in a year)**

Percentage of decisions: ..... Year : .....  
Source : .....  
.....

**IV. Use of Information Technology in the court**

**53. Annual IT budget allocated to the courts (if possible in Euros)**

Annual budget: ..... Year : .....  
Source : .....  
.....

54. In general, do the courts in your country have computer facilities?

- for judges Yes / No
- for non-judges court staff Yes / No

55. Is there a centralised institution which is responsible for collecting statistical data regarding the functioning of the courts and judiciary? Yes / No

If yes, please specify the name and the address of this institution

(Name) ..... (Address) .....

56. What kind of facilities can be used by the clients of the courts to communicate with the courts?

- Telephone Yes / No
- Mail Yes / No
- Fax Yes / No
- E-mail Yes / No
- Internet Yes / No

57. Is there an electronic form to carry out certain procedural steps? Yes / No

**V. Fair trial**

58. Percentage of adversary judgements in criminal cases in first instance

Percentage of judgements: ..... Year : .....  
Source : .....

59. Is there a right to an interpreter for all those within your jurisdiction if the persons cannot understand or speak the language used in court? Yes / No

60. Is there an effective remedy to a superior jurisdiction for all cases? Yes / No

61. Are reasons given for all prison sentences? Yes / No

62. Average length, in days, of robbery cases from the formal beginning of the prosecution until the first instance judgment



Yes / No

If yes, please specify:

.....

## VI. Judges

**70. Gross annual salary of a first instance professional judge at the beginning of his/her career**

Annual salary : ..... Year : .....

Source : .....  
.....

**71. Gross annual salary of a judge of the Supreme Court or of the highest appellate court**

Annual salary : ..... Year : .....

Source : .....  
.....

**72. Can judges combine their work with other professions (for example as a university professor, arbitrator, consultant)?** Yes / No

If yes, please specify:

.....

**73. Are judges recruited and nominated by an independent institution?** Yes / No

(if yes), who are represented in this institution:

- the members of the judiciary Yes / No
- officials not part of the judiciary Yes / No
- a mixture of the two categories referred to above Yes / No

**Is the process of selection and nomination of judges carried out according to pre-established procedures ?** Yes / No

**74. Is there a system of induction I and continuation training for judges?**

No / Yes, but not compulsory / Yes, compulsory

**What is the average percentage of judges who have attended a continuation training session each year?**

Percentage of judges: ..... Year : .....

Source : .....

.....

**75. Is there a system of supervision and control on the courts - other than through appeal ?** Yes / No

If yes, please specify: .....

**76. Is there in your country a system of temporary judges?** Yes / No

If yes, are these temporary judges paid on the basis of their activity? Yes / No

If yes, please specify: .....

**77. Annual number of disciplinary proceedings against judges**

Number of proceedings: ..... Year : .....

Source : .....

**78. Annual number of sanctions against judges**

Number of sanctions: ..... Year : .....

Source : .....

<b>VII. Public prosecutors</b>
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**79. Annual budget for the public prosecution**

Annual budget: ..... Year : .....

Source : .....

**80. Number of professional public prosecutors (in full time equivalent)**

Number of prosecutors: ..... Year : .....

Source : .....

**81. Gross annual salary of a public prosecutor at the beginning of his/her career**

Annual salary : ..... Year : .....  
Source : .....

**82. Gross annual salary of a public prosecutor of the Supreme Court or of the highest appellate court**

Annual salary : ..... Year : .....  
Source : .....

**83. Can public prosecutors combine their work with other professions? Yes / No**

If yes, please specify: .....

**84. Are public prosecutors recruited and nominated by an independent institution? Yes / No**

(If yes), who are represented in this institution:

- the public prosecutors ? Yes / No
- other stakeholders outside? Yes / No
- a mixture of the two categories referred to above? Yes / No

**Is the process of selection and nomination of public prosecutors done according to pre-established procedures? Yes / No**

**85. Is there a system of induction and continuation training for public prosecutors?**

No / Yes, but not compulsory / Yes, but compulsory

**What is the average percentage of prosecutors who have participated in continuation training each year?**

Percentage of prosecutors: ..... Year : .....  
Source : .....

**86. Is there a system of supervision and control on public prosecutors? Yes / No**

If yes, please specify: .....

**87. Annual number of disciplinary proceedings against public prosecutors**

Number of proceedings: ..... Year : .....

Source :  
.....

### 88. Annual number of sanctions against public prosecutors

Number of sanctions: ..... Year :  
.....

Source :  
.....

## VIII. Lawyers

### 89. Number of lawyers practising in your country

Number of lawyers: ..... Year :  
.....

Source :  
.....

90. Is there a national bar association? Yes / No

91. Have quality standards been formulated for lawyers? Yes / No

If yes, who is responsible for formulating these quality standards?

- the bar association Yes / No

- the legislature Yes / No

- other Yes / No

92. Can disciplinary proceedings be instituted against lawyers? Yes / No

### 93. Annual number of disciplinary proceedings against lawyers

Number of proceedings: ..... Year :  
.....

Source :  
.....

### 94. Annual number of sanctions against lawyers

Number of sanctions: ..... Year :  
.....

Source :  
.....

95. Is it possible to complain about the performance of lawyers? Yes / No

If yes, please specify: .....

96. What is the amount paid to a lawyer by the State in respect of legal aid for a first instance divorce case?

Amount: ..... Year : .....  
Source : .....

**IX. Mediators and mediation proceedings**

97. Number of accredited or registered mediators

Number of mediators: ..... Year : .....  
Source : .....

98. How much public budget is devoted to mediation?

Amount: ..... Year : .....  
Source : .....

99. Number of incoming mediation cases (in a year)

Number of cases: ..... Year : .....  
Source : .....

100. Number of cases solved through mediation (in a year)

Number of cases: ..... Year : .....  
Source : .....

If possible, please specify:

- number of criminal cases solved through mediation: .....
- number of cases other than criminal solved through mediation: .....

101. In which areas of law is mediation most practised and successful in your country?

- in criminal cases? Yes / No

- in other than criminal cases? Yes / No

Year : ..... Source : .....

**X. Enforcement agents and execution of court decisions**

**102. Number and types of enforcement agents**

- in criminal cases:

(Type)	(Number)	(Year)	(Source)
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....

- in other than criminal cases:

.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....

**103. Is there an institution to supervise or control the activities of enforcement agents?**  
Yes / No

If yes, please specify: .....

**104. Annual number of disciplinary proceedings against enforcement agents**

Number of proceedings: ..... Year : .....  
Source : .....

**105. Annual number of sanctioned enforcements agents**

Number of agents: ..... Year : .....  
Source : .....

**106. Is it possible to file a complaint against an enforcement agent? Yes / No**

If yes, please specify: .....

**107. Does the court play a role in the execution of court decisions? Yes / No**

If yes, please specify: .....

**108. Are the courts competent to decide against public authorities? Yes / No**

**Are the courts involved in executing decisions against public authorities? Yes / No**