## EUR General Assembly 26<sup>th</sup> - 28<sup>th</sup> September 2018 Bucharest

The CEPEJ celebrated during its 30<sup>th</sup> plenary meeting in June this year the 15 years of establishing as it was created by the Committee of Ministers of the Council of Europe in September 2002.

Now we are just one week before official publication of the report "European judicial systems - Efficiency and quality of justice - Edition 2018" which will be officially published within the framework of a press conference on 4<sup>th</sup> October in Paris.

The report is based on data from the year 2016. It includes 45 Council of Europe Member States as well as two other countries: Israel and Morocco as observers, and this can be considered as an essential reference tool to guide reforms of public policies of justice.

But the Statute of the CEPEJ refers not only to the comparison of judicial systems and the exchange of knowledge on their functioning. The scope of this comparison is broader than just "efficiency" in a narrow sense: it also emphasises the quality of justice and the effectiveness of justice and try to offer a high level of quality and reliability of data.

As it was already the case in last edition, the report in paper version is limited to key issues and key data and there is a dynamic data base opened to the public on the internet which will allow researching data on the judicial systems of Member States or entities and observers at the Council of Europe and comparing data from years 2010, 2012 and 2014.

The CEPEJ-STAT data base is unique in the world as regards justice. It presents a detailed overview of the functioning of judicial systems in all Council of Europe member states, as well as Israel as an observer state, together with time-series statistics highlighting changes in the judicial systems in these countries.

The comparative tables and graphs and the comments help to understand the day-to-day functioning of courts, underline the main trends in judicial systems and identify any problems with a view to improving the quality, fairness and efficiency of the public service of justice. It is a sound tool for enhancing mutual knowledge of judicial systems and strengthening mutual confidence between judicial professionals.

The new report 2016-2018 includes 4 main chapters on:

- Budgets of Judicial Systems
- Judicial Staff and Lawyers including gender balance
- Organisation of courts

Efficiency and quality of the activity of courts and public prosecution services

The chapter on judicial staff includes also "non-judge staff", such as Greffiers, Rechtspfleger and similar personnel. The CEPEJ is aware that having competent staff with defined roles and a recognised status alongside judges is an essential precondition for the efficient functioning of the judicial system.

As in the previous reports, a distinction is made between five types of non-judge staff: the "Rechtspfleger", then non-judge staff whose task is to assist judges directly, then staff responsible for various administrative matters and for court management, technical staff responsible for IT equipment, security and cleaning and other type of non-judge staff.

The chapter contains number of different categories of non-judge staff mentioned above in 2016, evolution of number of non-judge staff per professional judge and per 100.000 inhabitants from 2010, number of non-judge staff by gender and different roles of Rechtspfleger.

As the data are strictly confidential till the official publication, I cannot mention any concrete figures. But I think I can tell that the number of States having established a Rechtspfleger or equivalent staff is stable. Again, in 2016 16 European States and Israel (Andorra, Austria, Bosnia and Herzegovina, Croatia, Czech Republic, Denmark, Estonia, Georgia, Germany, Hungary, Iceland, Ireland, Poland, Slovakia, Slovenia and Spain) indicated the number of Rechtspfleger or equivalent staff.

The diversity of the tasks entrusted to the Rechtspfleger is increasing and several States entrust them with very general missions, in very varied fields; this is essentially the case in Germany and Spain, but also in Iceland and Slovakia and to some extent, in Andorra.

In 2018 also renewal of multi-annual contract between Council of Europe/CEPEJ and European Commission to support the EU Justice Scoreboard was signed so the cooperation between CEPEJ and European Commission will continue. A new Justice Scoreboard which is based largely on the CEPEJ methodology and information was published in May 2018.

As I have already mentioned, all these quantitative approaches have to be balanced by the quality of judiciary, having its special role in society and independence in mind. It is even more important, if resources are reduced, to be aware of the impact on quality.

The work of the **CEPEJ quality group** is now focused in particular in the field of Artificial Intelligence and justice, the management system with regard to the needs of the users and creation of a handbook or vademecum to manage the communication of courts with the public and the media, and which would cover both the management of everyday business and crisis situations.

The **SATURN Centre for judicial time management** is now working on the documents concerning case weighting system in European courts - which applies also to the equitable distribution of cases between the different staff and registry services, role of the parties and the practioners in preventing delays in court proceedings, preparing dashboards, which are used as a court management tool (tables, graphs or statistics used for the day-to-day management of the court) and managing judicial time regulations for criminal cases in Article 5 and 6 of the European Convention on Human Rights.

The next meeting of the SATURN Centre will take place at the beginning of October together with the meeting of the Network of Pilot courts. The aim of the meeting with pilot courts is to gather their opinion, comments and feedback.

This time we will discuss with the representatives of the pilot courts namely the topics on the role of parties and legal professionals on procedural timeframes, new dashboard models and communication between the courts and prosecuting authorities and the public and the media (which is the ongoing work of CEPEJ-GT-QUAL).

From the work of **the working group on mediation** the Mediation Development Toolkit could be mentioned which was adopted by the last CEPEJ plenary meeting in June. This tool mentions the role of non-judge staff of the courts and the importance of their training on the topic. Indeed, in some countries non-judge staff play an important role in referring cases to mediation (Switzerland, Czech Republic). In others, they themselves act as mediators (Spain, Hungary).

Last but not least there is also an ad hoc working group which is entrusted with the harmonisation of the definitions used by CEPEJ. So far this working group has two meetings. The definition of non-judge staff (or rechtspfleger) is still to be examined.

The CEPEJ also continues in specific cooperation programmes to support in particular judicial reforms, namely in Albania and Kosovo, Slovakia, Morocco and Tunisia. The programme focused on "Evaluation of the Latvian judicial system" ended in April 2018.

Ivana Borzova

**European Commission for the Efficiency of Justice (CEPEJ)**