

The European Union of Rechtspfleger (E.U.R)
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Allow me just to briefly introduce myself: my name is Ivana Borzová, I come from the Czech Republic, I work at the Ministry of Justice. I represent the Czech Republic in the European Commission for the Efficiency of Justice, I work with the CEPEJ for more than 10 years, mainly on topics of time management. For the time being I am also member of the Bureau.

In our judicial system the “Rechtspfleger“ or as it is in Czech „higher judicial officers“ play very important role, although they are not organized in an union and the Czech Republic is not a member of your organization.

Several years ago, the length of judicial proceedings in many European countries was caused by the fact, that judges were forced to deal with number of non-judicial tasks and at the same time there were lack of judicial personnel.

But the situation is improving and today the Rechtspfleger or comparable higher officials are at the heart of the judicial process. They help improving court efficiency, they help bringing justice closer to citizens. They therefore help improving the efficiency of justice. That is why the work of our organizations is so closely connected.

I won't to talk long, because you are quit familiar with the CEPEJ work. But let me just briefly present some of our latest activities.

From the work of the SATURN Centre for judicial time management the document **Towards European Timeframes for Judicial Proceedings** could be mentioned.

Timeframes are operational tools, they can be defined as a percentage of case that has to be disposed in a certain time.

The setting of Timeframes is a fundamental step to start measuring and comparing case processing performance, while “backlog” is the number or percentage of pending cases that do not accomplish the set or planned timeframe.

The document proposes - on the basis of the case law of the European Court of Human Rights - four groups of judicial timeframes for the Council of Europe member states for civil, administrative and criminal cases. These timeframes are expressed as a percentage of cases disposed in 12, 18, 24 or 30 months with the buffer of 5% for very complex cases.

At the last CEPEJ plenary meeting in December 2016 the document **Measuring the quality of justice** was also adopted. The document summarizes the long-standing work of the Commission in the field of quality.

The document suggests measures of performance of the judicial services, such as:

- case flows, case turnover ratio,
- duration of proceedings,
- age of pending proceedings,
- efficiency rate (relation between number of personnel and the output of cases),
- structural and organisational indicators (e.g. number of judges in relation to population),
- efficiency of management, costs of justice and cost per procedure,
- effectiveness of the appeal system and
- court user's satisfaction surveys.

Representing CEPEJ I really cannot miss to mention the Report on “**European judicial systems - efficiency and quality of justice**”. The document contains the comparison of judicial systems of all 47 Council of Europe member states and the exchange of knowledge on how they function. The scope of this comparison is however broader than just efficiency in a narrow sense: it also emphasizes the quality and the effectiveness of justice and try to offer a high level of quality and reliability of data.

Last edition of this document was published in October 2016 and it is already its 6th edition as the CEPEJ has undertaken this task since 2004 every two years.

The document is prepared on basis of the questionnaire filled by national correspondents from each member state and contains many useful information as regards financing judicial systems, information about legal aid, protection of victims of crimes, information about professionals in courts - judges, public prosecutors (their number, status, education, promotion, salaries at the beginning and at the end of their carrier, performance etc.), about lawyers, judicial experts and interpreters, about alternative dispute resolution, execution of judicial decisions, use of technologies in courts etc.

As you know, one chapter is also devoted to judicial staff and especially profession of Rechtspfleger. In 2014, 16 European countries indicated the number of Rechtspfleger or equivalent staff. Excluding Common Law States (United Kingdom, Ireland and Malta), the average number of non-judge staff per 100.000 inhabitants were 73 and per professional judge 3,5. In 2014, there were 9,5 Rechtspfleger per 100.000 inhabitants.

Last year the CEPEJ has decided for the first time to modify the manner of presentation of the results. The report in paper version is limited to key issues and key data and what is new is a dynamic data base opened to the public on the internet.

You can either have specific data for one country or you can choose up to 3 countries to compare. You can also compare the data with European average or median. You can compare countries according to the characteristics of the judicial system (civil law and common law countries, countries with relatively new or newly reformed judicial systems

or countries with old judicial traditions), geographical criteria (size, population) or economic criteria (size of GDP, within or outside the Euro zone, etc.).

But comparisons must always be limited to what can be compared as the population concerned by this study is roughly about 820 million people, from Monaco with about 37.000 inhabitants to the Russian Federation with more than 146 million inhabitants. The report aims to give an overview of the situation of the European judicial systems, and not to rank the best judicial systems in Europe. Indeed, it should be stressed that comparing does not mean ranking.

The data also demonstrate the large differences regarding wealth and living standards in the various countries. So you cannot compare for example Republic of Moldova which has 1.700 EUR gross domestic product per capita with Luxembourg which has GDP per capita more than 50 times higher.

Last edition of the report were complemented by a comprehensive thematic report devoted to the use of information technologies in courts. Currently we are working on the new edition of the report - edition 2018 which will contain data from the year 2016. This edition will be devoted to users and victims.

Currently, there is also newly establish, or more precisely re-establish working group on mediation and the CEPEJ also set up an ad hoc working group entrusted with the harmonisation of the definitions used in the various documents published by CEPEJ to ensure that they are applied uniformly within the Member States. Among the terms for which 2 or more definitions exist and which need to be harmonized by the „CEPEJ definiton“, is also „non judge staff“ and „Rechtspfleger“. The text of these definitions are under review by the working group.

Last but not least many cooperation programmes should be mentioned which the CEPEJ develops with Council of Europe member states and also with non-European states such as Morocco, Tunisia or Israel.

All documents and reports can be found on the CEPEJ's website (www.coe.int/cepej). So I invite you to visit this web site and I am at your disposal for your possible questions.