14. SERVING CITIZENS

Timeliness of civil justice services

The inability to resolve legal needs in an effective and timely manner may diminish access to economic opportunity, reinforce the poverty trap, and undermine human potential. Reducing the length of civil justice proceedings is a key policy issue in a number of OECD and partner countries. Failures to deliver timely judicial decisions may deter citizens, and especially vulnerable groups of citizens, with legitimate legal problems from entering and using the system and can result in higher costs for society.

Every two years, the European Commission for the Efficiency of Justice (CEPEJ) collects data on the estimated length - also called disposition time - of civil, commercial, administrative and other (non-criminal) cases. Disposition time (DT) is a commonly used indicator to estimate the timeframe of a judicial system for solving a case (CEPEJ, 2016). Starting from the prospective capacity of courts of a country to solve a case (measured as the number of resolved cases in a year) DT estimates the maximum number of days necessary for a pending case to be solved by a court in a given jurisdiction.

Based on the latest data available, the estimated length of civil, commercial, administrative and other (non-criminal) cases generally improved between 2010 and 2014 in OECD-EU countries covered by the CEPEJ assessment. However, there are important variations across jurisdictions. In 2014, the estimated time needed was below 40 days in Denmark and Estonia whereas it was more than two years in Portugal and more than a year and a half in Greece in 2012 (latest year available for these two countries).

Focusing only on litigious civil and commercial cases, which include for instance litigious divorce cases or disputes regarding contracts, there were also improvements in the length of proceedings although important cross country differences remain. In 2014, estimated length of proceedings was below 6 months in Austria, the Czech Republic, Denmark, Estonia, Hungary, Luxembourg, the Netherlands and Sweden whereas it was above one year in Italy and the Slovak Republic. The estimated length of proceedings has decreased the most in Estonia, Luxembourg and Slovenia whereas it increased in the Netherlands.

Compared to civil and commercial litigious cases, the estimated length of proceedings for administrative cases is generally higher. It varies from less than 4 months in Slovenia and Sweden to more than 4 years in Greece and more than 2 years and a half in Italy for the latest year available. There have been important improvements in the length of proceedings for administrative cases in Latvia and the United Kingdom whereas it has deteriorated in the Slovak Republic.

In addition to timely procedures, responsive civil justice services also entail a range of services tailored to the needs and capabilities of people, including through the use of special mechanisms for vulnerable people in courts but also via a range of alternative dispute resolution mechanisms.

**Methodology and definitions**

All figures come from the 2016 EU Justice Scoreboard. Data are based on the 2016 CEPEJ evaluation of judicial systems. Countries are ranked in ascending order of the time needed in days of the latest year available. Length of proceedings indicates the estimated time needed to resolve a case in court, meaning the time taken by the court to reach a decision at first instance. It is obtained by dividing the number of pending cases at the end of the observed period by the number of resolved cases within the same period multiplied by 365. This indicator is not an estimate of the average time needed to process a case but a theoretical average of the duration of a case within a specific system.

Cross country comparisons on the estimated length of proceedings should be interpreted with caution as there can be differences in the cases and types of court covered across country as well as different data collection or categorisation (EU, 2016). Case level data of actual duration of cases from functional ICT systems would also be needed to capture accurately average length of proceedings. For detailed figure notes see: http://ec.europa.eu/justice/effective-justice/scoreboard/index_en.htm

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.

Litigious civil (and commercial) cases concern disputes between parties, e.g. disputes regarding contracts. By contrast, non-litigious civil (and commercial) cases concern uncontested proceedings, e.g. uncontested payment orders. Commercial cases are addressed by special commercial courts in some countries and by ordinary (civil) courts in others.

Administrative law cases concern disputes between citizens and local, regional or national authorities. Administrative law cases are addressed by special administrative courts in some countries and by ordinary (civil) courts in others.

**Further reading**


**Figure notes**

Data for all 3 figures are not available for OECD non-European countries.

Data are ranked in ascending order of the time needed in days on the latest year available.

14.24 and 14.25. data for Portugal for 2014 are not available due to technical constraints.

14. SERVING CITIZENS

Timeliness of civil justice services

14.24. Time needed to resolve civil, commercial, administrative and other cases (first instance / in days)

Source: EU Justice Scorecard, Based on the European Commission for the Efficiency of Justice (CEPEJ) study n°23 (2016)

StatLink http://dx.doi.org/10.1787/888933534195

14.25. Time needed to resolve litigious civil and commercial cases 2010-2014

Source: EU Justice Scorecard, Based on the European Commission for the Efficiency of Justice (CEPEJ) study n°23 (2016)

StatLink http://dx.doi.org/10.1787/888933534214

14.26. Time needed to resolve administrative cases (first instance / in days), 2010-2014

Source: EU Justice Scorecard, Based on the European Commission for the Efficiency of Justice (CEPEJ) study n°23 (2016)

StatLink http://dx.doi.org/10.1787/888933534233