

## **I. JUDICIAL REFORM STRATEGY AND ACTION PLAN**

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In order to further implement reforms in the judiciary, the Ministry of Justice adopted the **Judicial Reform Strategy for the period 2013-2018** on 14 December 2012. It is based on five general areas as the basis of future strategic plans:

1. Independence, impartiality and professionalism of the judiciary
2. Efficiency
3. Croatian judiciary as part of the European judiciary
4. Human resources management
5. Using the potential of modern technologies

The **Action Plan for the implementation of strategic guidelines of the Judicial Reform Strategy 2013-2018 for years 2013 and 2014**. It was adopted in June 2013.

In order to monitor and implement the key reforms, the Ministry of Justice has continued to strengthen the administrative capacities by employing new staff. Until the end of 2012, six persons have been employed in the Directorate for EU and International Cooperation, nine persons in the Directorate for Criminal Law and Probation and five persons in the Independent Sector for the Suppression of Corruption of the Ministry of Justice.

In order to ensure a quality **planning of the required staff in the judiciary**, and taking into account the reform processes that are underway, in October 2012 the Ministry of Justice adopted the **long term employment plans for judges and state attorneys in the period 2013-2025**.

## **II. INDEPENDENCE, ACCOUNTABILITY, IMPARTIALITY AND PROFESSIONALISM OF THE JUDICIARY**

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According to the objective and transparent criteria the SJC and the SAC have continued with the **appointment procedures of judges, courts presidents and state attorneys**.

<b>APPOINTED JUDGES BY YEAR</b>	
<b>Year</b>	<b>Appointed</b>
<b>2011</b>	<b>98</b>
<b>2012</b>	<b>53</b>
<b>2013 (until 29 August)</b>	<b>29</b>

<b>APPOINTED COURTS' PRESIDENTS BY YEAR</b>	
<b>Year</b>	<b>Appointed</b>
<b>2011</b>	<b>54</b>
<b>2012</b>	<b>43</b>
<b>2013 (until 29 August)</b>	<b>31</b>

The Republic of Croatia continues to strengthen the proper functioning of the **State School for Judicial Officials**. **Ordinance on the final exam and final evaluation in the State School for Judicial Officials was adopted on 26 February 2013.**

Pursuant to the Plan of the required number of judges and state attorneys in 2015, on 1 October 2012 the Judicial Academy published a public call for the enrolment of the **3<sup>rd</sup> generation of attendees of the State School** (10 candidates for judges and 10 candidates for state attorneys).

**Strengthening of the State Judicial Council (SJC) and the State Attorney’s Council (SAC)**

In order to strengthen the administrative capacities, from 2012, the SJC and the SAC have been separated as special beneficiaries of the State Budget (the planned amount of funds in the Budget for 2013 for SJC is HRK 2.153.280 (284.339,8 € )and for SAC is HRK 1.962.900 (259.200,19 €).

The new Framework Criteria for the Work of Judges were adopted on 28 December 2012. According to Article 6, when calculating the annual norm for the work of judges, the norm is reduced by 50% for judges – members of the SJC and by 75% for the president of SJC.

The Amendments to the **Act on the State Judiciary Council entered into force on 14 March 2013**. The judicial duty is reduced by 50% for the members of the SJC and by 75% for the President. Judges who want to be permanently or temporarily transferred to another court, need to submit to the SJC a written request for transfer and the decision of the court president on the fulfillment of their judicial duty for the last two years.

**Impartiality**

<b>DISCIPLINARY PUNISHMENTS AND DISCIPLINARY SANCTIONS FOR JUDGES</b>		
	<b>PUNISHMENTS and SANCTIONS</b>	
<b>Year</b>	<b>Punishments</b>	<b>Sanctions</b>
<b>2011</b>	<b>10</b>	<b>7</b>
<b>2012</b>	<b>29</b>	<b>4</b>
<b>2013 (until 29 August)</b>	<b>15</b>	<b>0</b>

The **declarations of assets** have been submitted by all state attorneys, their deputies and judges, and they have been reviewed by the SAC and the SJC. In order to verify the declarations of assets, the SJC has requested the delivery of the available data on assets of judges from the Tax Administration. The Tax Administration has submitted to the State

Judiciary Council the data on the vehicles, unified register of accounts, securities, register on the order of payments, dividends and shares.

### III. EFFICIENCY OF THE JUDICIARY

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#### Resolution of old unresolved cases at courts

The **measures for increasing the efficiency of judicial proceedings** aimed at reducing the number of unresolved cases older than three years have been continuously applied.

***Delegating cases*** from overburdened courts to those that are less burdened has intensified. **In the second half of 2012, a total of 26 566 cases** were transferred by the Supreme Court's decision from over burdened to less burdened courts (**total of 36 796 cases in 2012**). For comparison, in 2011 a total of 6.123 cases were delegated.

In order to further ***improve the possibilities of transferring the judges*** according to current and objective requirements of the judiciary, situation is as follows:

<b>TRANSFERS OF JUDGES BY YEAR</b>				
	<b>Permanently</b>	<b>Temporary</b>	<b>Prolongation of temporary</b>	<b>Total</b>
<b>2011</b>	<b>36</b>	<b>11</b>	<b>0</b>	<b>47</b>
<b>2012</b>	<b>22</b>	<b>11</b>	<b>5</b>	<b>38</b>
<b>2013 (until 29 August)</b>	<b>4</b>	<b>5</b>	<b>13</b>	<b>22</b>

Regarding ***backlog***, Between **December 2011 and 31 March 2013**, the **total number of unresolved cases** pending before the courts **decreased from 827.102 to 802.129**.

**On 31 March 2013** the **total number of unresolved cases** pending before the courts was **802.129**.

	<b>December 2011</b>	<b>December 2012</b>	<b>March 2013</b>
<b>Criminal cases</b>	<b>35.081</b>	<b>28.298</b> <b>(-19,33%)</b>	<b>27.430</b> <b>(-3,07%)</b>
<b>Civil cases</b>	<b>268.532</b>	<b>279.087</b> <b>(+3,78)</b>	<b>288.956</b> <b>(+3,42)</b>
<b>Misdemeanor cases</b>	<b>241.633</b>	<b>246.874</b> <b>(+2,12%)</b>	<b>257.625</b> <b>(+4,17)</b>
<b>Enforcement cases</b>	<b>127.306</b>	<b>105.820</b> <b>(-23,09%)</b>	<b>97.906</b> <b>(-7,48%)</b>

Numerous amendments were adopted to increase the efficiency;

- **The new Courts Act entered into force on 14 March 2013**
- **The Amendments to the Act on the State Judiciary Council entered into force on 14 March 2013.**
- **The amendments of the Civil Procedure Act entered into force on 1 April 2013.** The Act introduces the prohibition of repeated annulment of first-instance decisions by second-instance courts in all types of cases, thus ensuring civil-law protection within a reasonable time.
- **Amendments to the Land Registry Act were adopted on 26 April 2013.**
- **The new Enforcement Act and the Act on the Amendments to the Act on the Implementation of the Enforcement on Monetary Funds entered into force on 15 October 2012.**
- **The amendments to the Civil Procedure Act entered into force on 1 April 2013.**
- **The amendments to the new Criminal Code entered into force on 1 January 2013**
- **Act on the Amendments to the Criminal Procedure Act entered into force on 1 January 2013.**
- **The amendments to the Misdemeanor Act were adopted at the Croatian Parliament on 22 March 2013 and entered into force on 1 July 2013.**