

Strasbourg, 1 August 2011

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

NETWORK OF PILOT COURTS

**6th Plenary Meeting
Strasbourg, Agora building
22 September 2011**

**PREPARATORY QUESTIONNAIRE ABOUT ITEM 5 OF THE AGENDA
"WHICH INDICATORS FOR MEASURING THE QUALITY OF JUSTICE ?"**

Name of the pilot court: **Landgericht Freiburg**.....

Country: **Germany**.....

I. Is there in your ... a programme or programmes regarding the quality of justice ?

A. Country	yes	no
B. Region (for instance for federal states)	yes	no
C. Court	yes	no

II. If yes, which scopes are concerned by these programmes in the five following fields (to know the content of these fields, please refer to the Checklist for promoting the quality of justice and courts

http://www.coe.int/t/dghl/cooperation/cepej/quality/default_EN.asp) ?

A. Strategy and policies	yes	no
B. Job and operations processes	yes	no
C. Access to justice, communication to court users and the public	yes	no
D. Human resources and status of judges and prosecutors	yes	no
E. Means of justice	yes	no

F. Please specify the actions undertaken in these fields :

The German Judicial Academy (*Deutsche Richterakademie*) at Trier and Wustrau (<http://www.deutsche-richterakademie.de/dra/index.jsp>) offers training for judges from all branches of jurisdiction, as well as public prosecutors. The seminars are usually being paid for by the federal states (*Länder*).

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III. Is there in your country a programme for evaluating the quality of justice?

YES ~~NO~~

A. On which tools are they based ?

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|--|----------------|---------------|
| 1. Satisfaction surveys? | yes | no |
| Inspection (inspectorate body, High Council of the Judiciary, other) ? | yes | no |
| 2. Peer evaluation ? | yes | no |
| 3. Other tools ? | yes | no |

Which are they ?

The work of judges is regularly evaluated through personnel review reports (*Dienstliche Beurteilungen*) prepared by the presiding judges of the courts. In turns of three years, courts are inspected by the higher courts (*Nachschau*).

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IV. Do you have indicators for measuring quality ? **YES** ~~NO~~

If yes, which ones :

- | | | |
|---|----------------|---------------|
| 1. Rate of annulment/challenge of court decisions | | |
| By higher courts ? | yes | no |
| 2. Continuous training ? | yes | no |
| 3. Others ? | yes | no |

If yes, which ones ?

The quantity of cases resolved is an important aspect for personnel review as well as inspections as mentioned above. In preparation of personnel review reports, the presiding judges will attend court sessions. However, comments on the material quality of decisions rendered, even if based on annulment/challenge rates, cannot be made as they are considered to be in conflict with the principle of judicial independence.

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Free comments :

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