

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: Obvodní soud pro Prahu 1 (Tribunal of district of Prague 1)

Country: Czech republic

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

- | | | |
|---|-------------------|----|
| A. Country | <u>yes</u> | no |
| B. Region (for instance for federal states) | yes | no |
| C. Court | <u>yes</u> | 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 | <u>no</u> |
| B. Job and operations processes | <u>yes</u> | no |
| C. Access to justice, communication to court users
and the public | <u>yes</u> | no |
| D. Human resources and status of judges and prosecutors | <u>yes</u> | no |
| E. Means of justice | yes | no |

F. Please specify the actions undertaken in these fields :

Ad I. A and II. C There is a long term Ministry programme of elektronisation of justice called eJustice /<http://portal.justice.cz/Justice2/Uvod/uvod.aspx/> which is focussed on developping of the electronical means of accessing the justice /<http://epodatelna.justice.cz/ePodatelna/epo1200new/form.do/> such as the electronic order of payment which can be brought to justice only by the eletronic gate on the web page of ministry and which is connected to the PC application on the relevant courts and producing automatically a draft of the decision, then electronic law action, information about the proceedings on internet etc... The next step is a programme which is being prepared nowadays concerning electronic file called e-file.

Ad I. C. and II. A. It is the task of every court management (the president and vice-president) to assign the quantity and the field of cases (not a concrete case of course) to the judges in the way that every case is finished the fastest possible.

Ad II. D. One of the main goals of Czech union of judges is the developpement of the status of judges /idem for Czech union of prosecutors/, in which there is unfortunatly a voluntary membership /and not every judge is a member/. The Union can not decide about these things just make suggestions to the ministry or to the legislator. Ministry decides the personal and financial questions of every court, which is found as unhappy for many judges, prosecutors and other lawyers and there is a big discussion about in constituing of independent body such as High Council of Judiciary.

Ad II. B. The new plan of the ministry is to increase the number of qualified administrative employees such as the assistants of judge and decrease the number of judges because today there is too much administrative work done by judges.

Ad II. B The ministry also runs a programme called "management quality" which is again voluntary (only the juges which accepts take part).

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

YES NO

A. On which tools are they based ?

- | | | |
|--|------------|----|
| 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 ? | | |

Ad A. 1. The ministry of Justice collects and analyse the statistical numbers about the case flows and the case length – the results are published on internet.

Ad. 3. Every appeal court leads an evaluation of every judge appealed and also every half year the president of the tribunal of first instance has a duty to evaluate one or two judges of his court and give the results to the appeal court.

Ad. 3. Recently has been open the access to the decisions of every appeal court on the Internet (the decisions of the Supreme Court are public for a long time)

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 ? | | |

Ad. 1 The rate of annulment of the court decisions is one of the data collected by the ministry and the Statistical Office and published on internet.

Ad. 2. There is a continuous training of judges and administrative employees provided by the Academy of Justice which is unfortunatly based only on the voluntary presence on the seminars and no evaluating of the work or of the erudition of judges and other employees of Justice is made by the Academy.

Mgr. Andrea Pešlová, judge