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

**EXPLANATORY NOTE  
FOR THE TIME MANAGEMENT CHECKLIST**

*Document adopted at the 40th plenary meeting of the CEPEJ  
(Strasbourg, 15 and 16 June 2023)*

## I. INTRODUCTION

This Explanatory Note accompanies the questions in the revised Time Management Checklist (hereinafter: the Checklist).<sup>1</sup> It aims to assist the relevant stakeholders in clarifying the purpose of each question, explain the ideas behind the questions and provides definitions for the terms used.

The Checklist is aimed at all those responsible for the administration of justice including ministries of justice, judges, court officers in charge of court administration and case management, legislators, policy-makers, as well as research institutions that analyse the functioning of justice systems. It may also be used by all organisations and persons interested in the ability of the justice systems to manage duration of proceedings and establish a transparent, cost-effective and delay-free administration of justice<sup>2</sup>.

The Checklist is intended to help the courts collect appropriate information and analyse relevant aspects of the duration of court proceedings. Based on the collected information and outcomes of the analysis, its purpose is to support courts to implement measures to resolve cases within a reasonable time, set feasible timeframes and undue delays, ensure effectiveness of the proceedings and provide necessary transparency and predictability to the court users.

The Checklist should enable monitoring of the proceedings on two levels: i) the overall duration of the proceedings from filing of the initial act to the final decision (and, if enforcement is required, until the enforcement of the decision when this is of the duty of the State); and ii) the duration of individual stages of the proceedings. In order to enable easier data collection and analysis, the Checklist also contains general questions related to the use of information and communication technologies (ICT) in courts.

Consequently, the Checklist may assist in evaluating the functioning of the courts with respect to timeframes and the reasonable duration of proceedings. The “no” replies on certain questions could help identify areas for improvement and can be used for planning of future projects and justice reforms aimed at improving the situation in the respective justice system.

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<sup>1</sup> This document was drawn up by the Working group on judicial time management (CEPEJ-SATURN), assisted by Dimitrije Sujeranovic (Serbia), scientific expert.

<sup>2</sup> See also the CEPEJ(2018)26 Study on Length of court proceedings in the member states of the Council of Europe based on the case-law of the European Court of Human Rights, Françoise Calvez and Nicolas Regis (December 2018).

## II. COMMENTS BY QUESTIONS

### HOW TO ENTER INFORMATION

**“YES/NO”** - Where the answer to the question is obvious, please, enter **“YES/NO”**. If the answer with **“YES/NO”** requires additional elaboration, please use the **“Comment”** field.

**“NA” (Information is not available)** – If the concept/category referred to in the question exists in your judicial system, but you do not know the answer, please use **“NA”**

**“NAP” (Information is not applicable)** – Where the question is not relevant to your judicial system, please use **“NAP”** as the answer.

**NOTE:** The answers **“NA”** and **“NAP”** are different from each other, therefore, please observe the rules above.

### INDICATOR ONE: ASSESSING THE OVERALL LENGTH OF COURT PROCEEDINGS

*Proper time management requires not only the ability to assess the total duration of proceedings from their start to the final determination and, if applicable, to the enforcement of courts decisions, but also the duration of individual stages of proceedings. Time management is important for the planning of judges’ work on cases according to deadlines and legal requirements. Information about case proceedings is also of a crucial importance to the parties. The parties should be able to calculate costs and effort they need to invest before the courts. Alternatively, the parties might try to resolve their dispute through court settlements or alternative dispute resolution methods (ADR).*

#### Question 1.a.

Case duration may be calculated by duration of proceedings at the particular court instance (first instance, second, third...) or as a “total case duration”, which includes duration of the court proceedings at all instances, from the initial act to the final court decision. As one of the most important types of information for the parties in the case, total duration of case is a significant parameter of court effectiveness.

The judicial authorities may also collect data on the total duration of proceedings from their start to the enforcement of court decisions. Article 6 of the European Convention on Human Rights (ECHR) protects the implementation of final, binding decisions. The right to execution of such decisions, given by any court, is an integral part of the “right to a court”. An unreasonably long delay in enforcement of a binding judgment may therefore breach the ECHR.<sup>3</sup>

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<sup>3</sup> Guide on Article 6 of the European Convention on Human Rights, Right to a fair trial (civil limb), updated to 31 August 2022.

### **Question 1.b.**

Case duration should be tracked through the entire proceedings, including in situations where the initial case continues under a different jurisdiction. When the case is continued, and gets new case number for that particular court or jurisdiction, that case will be labelled a “newly received case”. However, to the parties involved in the case, that will be a continuation of court proceedings.

In case-tracking, the courts should take into consideration the period preceding court proceedings. For this purpose, the courts should register the starting point of cases (e.g. the date of a preliminary application to an administrative authority or in criminal proceedings the day on which a person is charged). The registration of a starting point of a case is important for measuring the length of court proceedings and should be part of the court system of prioritisation of cases helping to prevent their unreasonable length. Thus it would be recommendable to enter the starting points for cases in the newly opened case files in the case management systems.

### **Question 1.c.**

A “unique case number” is the number assigned to the case when that type of dispute or legal situation appears in the court for the first time. It remains the same until the final resolution of the case (including the enforcement procedure). The “unique case number” does not change even if the case is adjudicated at a different court instance or jurisdiction or even if, on the account of a legal remedy, a higher court decides to strike the decision and return the case for retrial.

### **Question 1.d.**

Based on the procedural laws, court procedures can go in different ways, depending on procedural circumstances or judge’s decisions and/or parties’ availabilities. Therefore, it is important to understand from which date the case duration is calculated if the case is merged with another case or separated (split) into two or more different cases. Even when the case is merged or separated (split), case duration remains an important piece of information for the parties, as well as for the adjudicating judge.

## **INDICATOR TWO: ESTABLISHING TIMEFRAMES / STANDARDS FOR DURATION OF PROCEEDINGS**

*For the purpose of planning, transparency, predictability and assessment of the duration of court proceedings, timeframes/standards should be established and should be communicated to the court users. Timeframes and standards represent part of the court’s accountability towards parties as well as towards society, which expects the court system to serve the citizens and legal entities requiring professional protection of human rights, access to justice and implement the principles of the rule of law.*

### **Setting timeframes/standards of proceedings**

#### **Question 2.a.**

The timeframe is an established period of time within which cases are expected to be resolved (for example, all civil cases should be resolved in less than 2 years). Timeframes should not be confused with procedural deadlines or time limits, which apply to individual cases. In some judicial systems, timeframes or standards for duration of court proceedings exist in order to

ensure predictability for parties involved in court proceedings. Also, these measurements are valuable for the judges, so they can create and implement a personal case management plan and try to adjudicate each case within the standards, towards the implementation of the right to trial within reasonable time under Article 6 of the European Convention on Human Rights (ECHR).

**Question 2.b.**

If the answer to this question is “no” because timeframes/standards do not cover all categories/types of cases, please indicate in the comment field for which case types those timeframes and standards are applicable, if any.

**Question 2.c.**

If the timeframes and/or standards for duration of court proceedings are implemented, they are usually predicted and prepared by a judicial body at a national level (e.g. Supreme Court, Judicial Council, Ministry of Justice). In some jurisdictions, all judges can prepare their personal timeframes/standards for themselves.

**Question 2.d.**

If standards for court proceedings exist, what tools do the judges use to monitor the duration of court proceedings? It can be the existing court case management system (electronic tool), the reports on duration and compliance with the standards provided by the court administration on a temporary basis, or any other tool.

**Question 2.e.**

An estimate of time necessary for the processing of the case should be understood as any kind of predictability or calculation of the time needed for case proceedings to help the judges and parties involved in cases to estimate the duration of court proceedings.

**Question 2.f.**

**ARBITRATION**

Procedure by which the parties select an impartial third person known as arbitrator to determine a dispute between them, whose decision is binding.

**MEDIATION**

Structured and confidential process in which an impartial third person, known as a mediator, assists the parties by facilitating the communication between them for the purpose of resolving issues in dispute. Mediation may be mandatory, either as a pre-requisite to the institution of proceedings, or as a requirement of the court during proceedings.

**CONCILIATION**

Confidential process by which an impartial third person, known as a conciliator, makes a non-binding proposal to the parties for the settlement of a dispute between them.

**Question 2.g.**

When the initial act is submitted to the court, and the case number is assigned to the case, it may be possible to initiate an ADR procedure, regardless of the court proceedings. This type of ADR is considered as a “court-related ADR procedure” (usually mediation). It is possible to calculate the duration of the ADR procedure, in addition to the regular court procedure, as the “total duration of the case”.

Alternatively, it is possible not to include this time into the overall duration of a court case (in some systems the court stops the procedure during the ADR and that time is deducted from the length of a court proceedings).

## **Predictability of the duration of proceedings<sup>4</sup>**

### **Question 2.h.**

This question concerns any mechanism for the court users to get information about the predictable duration of court proceedings, such as regulations that envisage timeframes, mechanisms for communication with court administration, communication with judges, etc.

### **Question 2.i.**

The information on duration of court proceedings can be made available to the public, for example on a monthly, semi-annual or annual basis. In some judicial systems, this information is available online for specific types of cases.

### **Question 2.j.**

The procedural calendar should be understood as a schedule of each phase in a case. Judges create procedural calendars in order to plan and predict the duration of cases according to phases. They are set by a judge or agreed between the judge and all participants of the proceedings. Calendars are usually obligatory for all the participants and deviations from the calendars should be minimal. Courts should be equipped by appropriate information technology enabling the drawing up of the procedural calendar and monitoring of compliance with the set deadlines. For more information on the procedural calendars, please see the Revised SATURN Guidelines for Judicial Time Management (Guidelines for judges – section B, Guidelines for non-judge court staff – section A.3. and Guidelines for lawyers – section C).

### **Question 2.k.**

If the judges create procedural calendars, do they consult participants of the proceedings prior to setting the calendar or make the calendar on their own without prior consultations? See the note to question 2.j. above.

### **Question 2.l.**

In some judicial systems, the judges are obliged by the law to plan the duration of court proceedings. The planning usually either happens the moment when they review the case file and all provided evidence for the first time, or at the preliminary hearing.

### **Question 2.m.**

In order to not only improve the efficiency of courts, but also create legal security and predictability for the parties and other participants, in some judicial systems the courts sign so-called, “framework agreements” (memorandum of understanding or similar) with the BARs and other lawyers’ associations. These agreements concern different procedural aspects and mechanisms for communication between the courts and lawyers in general, and not in individual cases.

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<sup>4</sup> For more information on measures to provide for effective time management of judicial proceedings, please see the Revised SATURN guidelines for judicial time management - 4<sup>th</sup> revision (December 2021).

### **Question 2.n.**

CEPEJ issued the Implementation Guide “Towards European timeframes for judicial proceedings,” providing guidelines to judicial authorities and courts on how to set up, implement and monitor judicial timeframes. The Guide provides four different timeframes for different categories of cases (civil, criminal and administrative) depending on whether they are priority, normal or complex cases. The Guide underlines that the timeframes should be seen as objectives to be progressively reached by all member States to decrease the duration of judicial proceedings. The timeframes are a useful tool to assess the functioning of the courts and general policies, and then to improve the pace of litigation.

### **INDICATOR THREE: ELABORATING CASE CATEGORIES AND CASE WEIGHTING**

*Realistic and appropriate planning of timeframes and overall duration of court proceedings requires a sufficiently elaborated grouping of cases with respect to their complexity. The introduction of a case weighting methodology (case complexity methodology) can be beneficial for the court functioning and for court users.*

### **Question 3.a.**

Categorisation of cases regarding their difference in legal matters should exist in all courts. Basis for this type of categorisation is difference in the “nature” of dispute: administrative, civil, criminal, litigious and non-litigious. These categories can be further split into sub-categories, such as labor, family, banking, infrastructure for civil law cases.

### **Question 3.b.**

Categorisation of cases regarding their complexity should be understood as any type of categorisation that divides cases into different groups on the basis of the amount of judicial time required for processing a case, such as: standard/medium/complex or any similar categorisation.

### **Question 3.c.**

Categorization of cases regarding their duration might be based on different criteria and serves as a tool to better organise court procedures. Also, it helps judges and court users to properly calculate deadlines and actions before the courts.

### **Question 3.d.**

Case weighting is a scoring system to assess the degree of complexity of case types based on the understanding that one case type may differ from another case type in the amount of judicial time required for processing. Case weighting is designed to identify the needs of the judicial system. It can be used to determine the number of judges, court staff, prosecutors and/or public defenders, allocate cases, support funding and budgetary requests and set productivity quotas. For more information on case weighting, please consult the CEPEJ Study No.28 on case weighting in judicial systems (July 2020) that provides information on a number of case weighting systems and analyses their advantages and disadvantages.

### **Question 3.e.**

If the answer to 3.c. is “yes”, do you use any ICT tools to implement the case weighting methodology? Case weighting relies on accurate and reliable statistical data on caseload and quality record keeping. It is also possible to implement a case weighting methodology manually, however this approach is not as reliable as electronic case assignment. The use of

ICT may significantly improve the accuracy, and secure the transparency of, case assignment, and provide evidence of previous case assignments.

#### **INDICATOR FOUR: MONITORING OF COURT PROCEEDINGS**

*Proper time management needs to take into account the duration of every individual stage of court proceedings. For this purpose, the duration of the various stages of proceedings should be monitored and analysed. Monitoring is an important part of case management at the level of the court or individual judge, since it enables the timely diagnosis of potential prolongations of court proceedings. Accurate and timely monitoring may help the court administration and judges to prevent unnecessary delays of court proceedings.*

##### **Question 4.a.**

The Checklist contains the list of the case events that usually occur in court proceedings, such as: date of the filing of the initial act, date of service of process to the other party(s), date of beginning of the trial stage (first oral hearing) or date of the final decision. Please indicate in the comment field whether there is any other information about the duration of court proceedings that you collect, which was not included in this question.

##### **Question 4.b.**

The collection of information on the duration (in days, weeks, months, years) of various stages of the court proceedings (listed in the question 4.a.) in most types of cases may be significant for the monitoring of deadlines set by laws or procedural rules. It also secures procedural discipline and prevents unnecessary delays, to the benefit of parties. It also helps judges to manage each particular case in accordance with the procedural rules and standards. If these data are not collected for the majority of case types, please select “no” and explain in the comment field what types of cases are included/excluded.

##### **Question 4.c.**

Information about procedural steps and their duration may serve as a tool to participants of court proceedings. It may help them to plan and monitor particular case proceedings in terms of duration, deadlines and costs. It is also significant for the transparency of courts' operations and may improve the public image of justice.

##### **Question 4.d.**

Information about procedural steps and their duration may be of use to the public and broader legal community for various purposes. It is also significant for the transparency of courts' operations and may improve the public image of courts.

##### **Question 4.e.**

One of the main reasons for collecting information related to the duration of case events and the overall court proceedings is planning and management. Collected information may assist judges to better plan the time needed for certain procedural steps, avoid delays and improve their personal calendars. However, it is also important for the participants of court proceedings, as it allows them to prepare their petitions, motions or evidence required for the court cases in a timely fashion.



#### **Question 4.f.**

An estimate of the expected or maximum time that is needed to accomplish particular procedural steps should be understood as a duration of particular procedural steps (such as service of documents, preliminary hearing, delivering of written decision, etc.) set by procedural laws or by-laws, aimed at regulating the actions of the courts and parties during court proceedings.

### **INDICATOR FIVE: DIAGNOSING DELAYS AND MITIGATING THEIR CONSEQUENCES**

*While monitoring the duration of proceedings, the courts need to have established mechanisms and dashboards to promptly flag excessive duration (delays) and backlogs<sup>5</sup>. These tools help the courts to immediately alert responsible persons and offices to act accordingly and remedy the situation to prevent further delays. Moreover, proper communication may significantly improve the efficiency of court proceedings and reduce their duration and expense, to the benefit of courts and their users. Communication must be based on the agreed rules.*

#### **Question 5.a.**

This question concerns monitoring the duration of court proceedings and the tool(s) used to identify their delays. The monitoring of court proceedings can be done centrally, at the different court instance levels or locally. Depending on the system, it can be done by different bodies or persons, such as the head of court department, court president, specialised office in a higher instance court and similar. This is often done with the help of dashboards which are considered a useful tool for the courts, court managers and justice professionals for monitoring and analysing the length of proceedings and performance of courts. For more information on court dashboards, please consult the CEPEJ Handbook on court dashboards (June 2021) that provides practical recommendations on how to set up dashboards consolidating court data.

Please indicate in the comment field: which mechanism(s) exist(s) in your judicial system and who the responsible persons or offices are for the identification of lateness of court proceedings. You may also make a broader comment about the practice in your respective judicial system.

#### **Question 5.b.**

The calculation of the time between case events, or the duration of particular phases of the case, may be monitored through electronic tools used in the courts. Notifications and signals may be programmed and set in existing electronic case management systems to automatically “flag” potential lateness in a timely manner, in particular phases or case events. The purpose of these notifications is to prevent delays in court proceedings and to help judges and court administrations to comply with the deadlines and timeframes set in the laws, other regulations or judges’ decisions. Proper data entry is a key condition to accurately track time. Notifications are a useful tools for judges, court staff and parties in judicial proceedings.

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<sup>5</sup> Backlog is defined in the CEPEJ Glossary as follows: Pending cases at the court concerned which have not been resolved within an established timeframe. For example, if the timeframe has been set at 24 months for all the civil proceedings, the backlog is the number of pending cases that are older than 24 months.

**Question 5.c.**

This question concerns accountability and management in situations when an undue duration of proceedings (delay) has been diagnosed. Various approaches are possible, so please feel free to elaborate more broadly on the situation in your respective judicial system in the comment field.

**Question 5.d.**

This question is related to a possibility of court users/parties to react if they notice undue delays or unreasonably long durations of court proceedings. The “mechanisms” for reaction might be based in laws, by-laws or any other regulation related to court operations and they are usually granted to court users/parties to in the form of a complaint or appeal to a higher instance.

**Question 5.e.**

This question concerns the obligation of the responsible person/office to inform the competent authorities of undue delays in court proceedings. As with the previous question (5.a.), this can be done at a centralised level, at different court instances or locally in each individual court. Notifications may be used as an “early warning” signal for deadlines, at the level of a particular judge, or as an information available on the courts/judiciary’s websites, through interactive maps which mark the performance of the courts.

**Question 5.f.**

When certain delays have been noticed, the competences of the responsible person/offices are crucial to address them. It is important to have an established proper system for a “response” to those situations, in order to resolve the problems in due time. The appointment of the responsible person may reside in the law, bi-laws, regulations or even internal court procedures. Also, it is crucial to understand whether it occurred on an “ad hoc” basis or is a systematic problem which needs a holistic and systemic solution, to prevent similar such situations in the future.

**Question 5.g.**

If a judge in the particular case notices unlawful behavior of parties and/or their legal representatives and deliberate breaches of procedural rules, some systems grant the possibility of imposing sanctions on the party(s) of the proceedings in compliance with national laws and regulations. These sanctions should be applied only where participants deliberately neglect their obligations and cause unjustified delays, which are detrimental to the continuation of proceedings. In situations when lawyers seriously and deliberately breach procedural rules, some systems allow the reporting of such events to the respective BARs or other lawyers’ professional associations for potential sanctioning, if appropriate.

**Question 5.h.**

This question concerns the registry, or any type of database, that contains information about the sanctions related to the participant’s unlawful behavior and may serve as important information to judges, but also BARs and other professional organisations participating in the

court procedures. It may help them to pay attention to such a behaviour in order to avoid undue delays and the deterioration of court procedural discipline.

#### **Question 5.i.**

This question is related to overall approach to proceedings that are prolonged for various reasons. It is crucial for court operations to periodically review the status of cases, so that all cases are processed. Also, periodical review may prevent undue prolongation of proceedings, and therefore prevent violation of human rights and the right to a fair trial within reasonable time..

#### **Question 5.j. and question 5.k.**

These questions strive to identify the potential reasons for undue delays in court proceedings. In particular, the questions intend to find out if it is possible in your judicial system to adjourn the case without scheduling a follow-up event in the case (hearing, examination, collection statements and collection documents, etc.). In case a trial is postponed without any future action/deadline scheduled, there is a danger that a case will remain unresolved without court taking any action toward closing it. Therefore, it is important for courts to have a system for the periodical review of cases, including cases which adjourned *sine die*.

#### **Question 5.l.**

Communication should be part of a general strategy to inform the public on proceedings and judicial activity as a whole. The existence of a communication strategy should ease internal and external communication and envisage proper communication channels and communication methods among different entities. It is important for a communication strategy to define its target audience, identify situations in which each target group needs to receive information, and define the message that the judicial authority wants to convey. Please indicate whether such communication strategy exists in your respective jurisdictions. Please consult the CEPEJ Guide on communication with the media and the public for courts and prosecution authorities (December 2018).

### **INDICATOR SIX: USING INFORMATION AND COMMUNICATION TECHNOLOGY (ICT) AS A TOOL FOR TIME MANAGEMENT OF COURT PROCEEDINGS**

*The court may best achieve proper time management by the use of up-to-date ICT for the purpose of monitoring timeframes and procedures, data analysis, court performance and strategic planning.*

#### **ICT as a tool for case registration, monitoring of duration and backlogs in the court proceedings**

##### **Question 6.a.**

This question concerns the use of any type of electronic case management, ranging from the simple (case tracking or case document system for cases registration) to the complex (e-filing, exchange of documents and digitalised procedures). Case management is a system, usually electronic, which enables the processing of cases in a court, including features such as case filing, case event scheduling, production of template for the drafting of judicial decisions and other documents, and recording extraction and reporting of case-flow data. An effective case

management system should also collect data about backlogs in court procedures and inform judges and/or court staff about delays.

#### **Question 6.b.**

Electronic court filing (or e-filing) refers to technological solutions facilitating access to justice, by establishing a digital channel that enables the interaction and exchange of data and e-documents between courts and court users. For further information on external and internal electronic communication, please consult the CEPEJ Guidelines on electronic court filing (e-filing) and digitalisation of courts.

#### **Question 6.c. / Question 6.d.**

Automated/electronic data collection, especially on delays in court proceedings may be a significant tool for the prevention of delays and proper analysis of reasons for such delays. Moreover, it is even more appropriate to collect information on the exact phase of the court proceedings when those delays occur, so that judges or judicial administration may properly respond to those situations as they occur.

#### **Question 6.e. / Question 6.f.**

In some judicial systems the use of an electronic case management system is mandatory for case tracking and management of cases, including the production of necessary reports. In those judicial systems the judges may get information and notifications from the electronic case management system, which ensures accuracy and saves time for the analysis of case events and deadlines. This question refers to those courts which use electronic case tracking and management of cases.

#### **Question 6.g.**

Accurate information on cases should be shared with parties to the proceedings in a timely manner. The electronic exchange of this information is important for procedural discipline and timely preparation for upcoming hearings, which ensures compliance with procedural deadlines, agreed timeliness in court proceedings and provisions of procedural laws. The ultimate goal is to exchange information quickly, so that the case can be resolved within agreed timelines.

### **ICT as a tool for statistical processing, improvement efficiency and planning in the area of timeframes**

#### **Question 6.h.**

This question is related to data collection and reporting about cases through the prompt production of accurate statistical reports. One of the main purposes of introducing ICT solutions is the production of reports containing data relevant for the monitoring of performance and taking managerial decisions. Useful tools for the courts, court managers and justice professionals for producing statistical reports include case management systems and different types of dashboards. For more information on court dashboards, please consult the CEPEJ Handbook on court dashboards (June 2021) that provides practical recommendations on how to set up dashboards consolidating court data.

**Question 6.i.**

This question is related to the previous one (6.h.) and concerns the transparency of court performance and data availability to court users. The statistical reports may be available on a periodic basis (monthly, semi-annually and annually) in the form of the official court reports. Another way to present the relevant data is to develop an interactive map of the court network, with statistical information available online, and updated automatically through a direct connection with the case management system.

**Question 6.j.**

Use of ICT tools may significantly support judges' personal case management, especially an electronic reporting system providing accurate, up-to-date information. It may include all benefits that those systems may offer, such as notifications, "flagging", early warning signals, reminders and predictions of trends in their cases (for example, the number of cases that may become "old", the deadlines for statute of limitations, etc.).

**Question 6.k.**

Standard electronic templates for the drafting of judicial decisions and judicial decision support software should be developed and used by judges and court staff (see the Revised SATURN Guidelines for judicial time management). Various electronic forms and templates help judges to draft court decisions and other types of court documents (such as hearing minutes, summons, etc.). They are usually produced by working groups at a national level composed of experienced practitioners, and made available in CMS or some work processing software. These forms may save judges significant time and also harmonise the forms of specific court decisions or writs.

**Question 6.l. / Question 6.m. / Question 6.n.**

The collection, selection and classification of court judgments represent an important part of the court's work, since court judgments may serve as tools for different areas of judges' work, as well as the guidelines for legal professionals and the public.

Most of the judicial systems which use electronic case management systems, do so in order to create a database of court judgments. They usually present them in electronic form, available internally within the court system, as well as externally to the public.

The availability of court judgments increases the transparency of the work of courts, which may lead to improvement of their image in the eyes of the general public.

**Question 6.o.**

Videoconferencing is considered one of tools with the potential to help courts to carry out proceedings more effectively. Videoconferencing is utilised in situations when the presence of the parties in court procedures is not possible or has been seriously hampered. Videoconferencing saves time, assets and secures compliance with the set deadlines, enabling the continuation of court proceedings, benefitting both parties and the courts. Videoconferencing in judicial proceedings should be carried out in compliance with the requirements of the European Court of Human Rights in order not to undermine the right to a fair trial, as enshrined in Article 6 of the European Convention on Human Rights. For more

information on videoconferencing, please consult the CEPEJ guidelines on videoconferencing in judicial proceedings (June 2021).

**Question 6.p.**

The CEPEJ is of the view that the application of Artificial intelligence (AI) in the field of justice can contribute towards the improvement of the efficiency and quality of judicial systems. Examples of AI tools, that could be used in courts, include: advanced case law search engines; assistance in drafting decisions (including templates); case assignment based on an algorithm; (semi)automatic anonymisation of decisions and chatbots to inform or support litigants in their legal proceedings. AI tools must be implemented in a responsible manner, complying with the fundamental rights guaranteed in the European Convention on Human Rights. The ethical Charter on the use of artificial intelligence in judicial systems and their environment identifies the core principles (December 2021). Structured and reliable information on AI systems and cyberjustice tools can be found in the CEPEJ Resource Centre on Cyberjustice and Artificial Intelligence.