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STUDY ON WORKLOAD MEASUREMENT SYSTEMS IN COURTS

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Executive Summary

Following two studies on case-weighting systems in European courts and prosecution services, the CEPEJ has expanded its focus to include a broader range of workload measurement systems (WMSs) across Europe. Based on information collected from Council of Europe (CoE) member States via online questionnaires, seven of the 24 States reporting a WMS (Croatia, Iceland, Italy, Poland, Slovenia, Switzerland, and the United Kingdom - England and Wales) were selected for in-depth analysis to reflect the diversity of European approaches.

The study highlights Croatia's hybrid point-based system integrated into the judicial case management system (CMS); Iceland's workforce model for allocating judges, judicial assistants and financial resources; Italy's detailed organisational tables supported by automated data; Poland's IT-based random case allocation; Slovenia's dashboards for workload monitoring; Switzerland's interactive software for the Federal Supreme Court management; and United Kingdom - England and Wales's Business Management System for managing resources and tracking administrative performance of court staff.

The WMSs examined reflect diverse development pathways shaped by national judicial structures. They are developed either by Ministries of Justice (Croatia, Poland), independent judicial administrations (Iceland), the courts themselves (Slovenia, Switzerland), or judicial councils. Private sector involvement is usually limited to technical support, such as database maintenance or software licensing.

The scope of WMSs varies considerably. Case-related activities, such as information on pre-trial preparations, hearings, and judgment writing, remain the main focus, while non-case-related duties (training, management, or communication) are only partially covered. The principal aims of WMSs are to ensure fair case and staff distribution, assess productivity, identify specific needs, and reduce backlogs. Although data-driven, most systems retain an element of managerial discretion to ensure contextual fairness.

Three broad types of WMSs emerge: Quota/statistical systems (Croatia, Iceland) rely on historical data and manual assessment; Automation-focused systems (Poland, Switzerland) use digital tools to manage allocation and monitor workloads; Comprehensive digital systems (Italy, Slovenia, UK - England and Wales) integrate dashboards, CMS data, and HR functions to support management and planning.

Most systems measure workload either at the level of individual judges or courts, sometimes combining both. Case numbers are the most common measurement unit, although time-based indicators are used for administrative staff in UK-England and Wales. There is also variance in how case-types are disaggregated: from Iceland's simple categorisation to Croatia's detailed typology.

Some systems incorporate case-weighting to some degree to balance workloads or assess productivity. The degree of weighting depends on purpose. WMSs designed for individual evaluation use it extensively, while institution-oriented systems apply it as an adjustment factor. Levels of digitalisation vary widely: from Iceland's Excel model to the fully integrated systems of Italy and Slovenia.

This study confirms that valuable experience in workload measurement exists across European judicial systems but remains only partially explored. Common challenges include difficulties in validating weights, complexity in highly digitalised systems, and inconsistent use across courts.

The effectiveness of WMSs depends not only on robust methodology but also on user trust, adaptability, and transparency.

Despite differing designs, all examined systems share some key features: strong institutional leadership (by ministries, judicial councils, or supreme courts), use of ICT, and reliance on data. Case-type classification and consideration of judges' working time further support efforts to ensure an equitable workload distribution. Introducing even basic case-weighting mechanisms, as seen in Croatia, Iceland, and UK-England and Wales, appears to enhance accuracy and fairness. Regular updates ensure sustainability, although few systems follow a fixed review schedule.

Overall, WMSs across Europe demonstrate convergence in promoting fairness and efficiency, while reflecting wide diversity in governance, technology, and implementation.

Part I – Introduction

Having published two documents on case-weighting systems in European courts and public prosecution services, the CEPEJ extended its efforts to investigate other workload measurement systems (WMSs) in courts that fall outside the definition of a case-weighting system. The aim was to gain a more comprehensive understanding of how judicial workload is assessed and managed across Europe.

This part introduces the study's objectives, defines key concepts of workload measurement, and explains its purpose and relevance in promoting judicial efficiency, equitable case distribution, and the effective allocation of resources. It also outlines the approach used to assess and compare practices across the examined jurisdictions².

I – Objective of the study

Article 6 §1 of the European Convention on Human Rights (ECHR) stipulates that “everyone is entitled to a fair and public hearing within a reasonable time”. Ensuring the timely administration of justice remains one of the key guarantees of the right to a fair trial.

The 2020 CEPEJ Study on case-weighting in judicial systems indicated that 23 out of 36 member States reported using a system to determine the complexity of case-types. However, not all these systems fully corresponded to the CEPEJ's definition of a case-weighting system (CWS). Several States reported relying instead on tools such as random case allocation, quota systems, or framework criteria, while others were planning to introduce formal case-weighting.

Furthermore, the 2023 CEPEJ Study on case-weighting in public prosecution services, particularly Part IV, explored “alternative systems to case-weighting”. The findings revealed that while a significant number of member States do not apply formal case-weighting in their prosecution services, other mechanisms serving similar purposes had been introduced.

CASE-WEIGHTING SYSTEM *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.*

CEPEJ Glossary

Against this background, it was considered appropriate to explore the broader landscape of workload measurement mechanisms used in courts, particularly in member States that have not yet implemented a CWS. These States nonetheless use various systems to measure workloads. However, these systems often do not assess the complexity of individual case-types, or at least not in a way that aligns with the CEPEJ definition of a CWS.

² This document was prepared by experts Alexandre Palanco, associate professor at Lyon Catholic University (France), and Ana Krnić-Kulušić, justice-reform expert (Croatia).

II – Essentials on workload measurement

When discussing workload measurement, it is essential to first define what is meant by caseload and workload, and why measuring workload is important. This section also presents the study's methodology.

A – Definition

CASELOAD: *Sum of the pending cases at a given time (e.g. 1st January 2019) plus the incoming cases in a given period (e.g. from 1st January 2019 to 30th June 2019). It is an indicator of the stock of cases that a court or a judge requires to deal with.*

WORKLOAD: *Totality of the court activities required to be carried out (e.g. case management, management duties, any other activity that is part of the work of the court, judge or public prosecution service). This definition should not be confused with a narrower definition of the term used in certain literature to indicate the number of cases once they have been weighted.*

CEPEJ Glossary

In short, caseload refers solely to the quantity of cases, while workload refers to the overall effort needed to process and complete those cases, including all related administrative court activities.

Therefore, it is proposed at this stage to define a “workload measurement system” in courts as an instrument or method used to assess and quantify the overall volume, and possibly the complexity, of all court-related activities.

B – Purpose and relevance

Workload measurement stands as a critical pillar for ensuring efficiency, timeliness, fairness within judicial systems as well as the effective allocation of resources. By quantifying the volume and, to a certain extent, the complexity of activities, workload measurement provides invaluable insights into the operational demands faced by judicial institutions. This knowledge is crucial for implementing policies aimed at preventing violations of the right to a fair trial within a reasonable time, as protected by Article 6 of the ECHR.

This not only helps optimise case management processes but also facilitates informed decision-making regarding staffing, budget allocation, and procedural reforms. Moreover, workload measurement fosters transparency and accountability by enabling stakeholders to assess performance and identify areas for improvement.

III – Methodology of the study

The study is based primarily on information provided by member States of the Council of Europe (CoE) through online questionnaires during the first half of 2025.³ Out of 24 respondent States, 21 reported having a WMS in place, and seven were selected for further in-depth analysis (**Croatia, Iceland, Italy, Poland, Slovenia, Switzerland, and the UK - England and Wales**). These member States were selected to reflect the diversity of judicial systems across different parts of Europe.

However, the questionnaires and their respective replies proved insufficient for providing a detailed overview of the WMSs in Europe. This was due not only to the limitations inherent in written questionnaires, but also to the many specific features of national WMSs and the frequent need for oral explanations to achieve a common understanding of the topic. For this reason, the seven selected States that reported having a WMS in place were interviewed, some of them multiple times, to enable the preparation of this analysis. These interviews proved to be an invaluable source of knowledge for this research.

³ The following countries responded to the questionnaire: Albania, Belgium, Croatia, Estonia, Finland, Germany, Greece, Hungary, Iceland, Ireland, Italy, Lithuania, North Macedonia, Norway, Republic of Moldova, Netherlands, Poland, Romania, Slovak Republic, Slovenia, Sweden, Switzerland, Türkiye and United Kingdom - England and Wales).

Part II – Overview of example workload measurement systems

This part presents an overview of the WMSs employed in courts across seven selected CoE member States. When referring to “workload measurement systems” in the study, this term includes one or more tools that are developed and deployed in courts.

I – Croatia

Despite some efforts to explore the possibility of introducing a case-weighting system, the workload of Croatian courts⁴ continues to be measured exclusively using a long-standing hybrid point-based system known as the Framework Criteria for the work of judges (hereinafter: Framework Criteria).⁵ This methodology for measuring workload is also applied to public prosecutors, who adhere to their own set of criteria.

The Framework Criteria were first introduced in the 1990s, primarily as a tool for assessing the number of judges required in courts in Croatia. They have undergone several changes since their introduction, and their scope has expanded to serve additional purposes, such as identifying the need for judicial specialisation, distributing cases among judges, and assessing the workload and performance of judges. They cover all court types and instances, with the exception of the Supreme Court.

The development and implementation of the Framework Criteria have, from the outset, been under the jurisdiction of the ministry responsible for judicial affairs, currently the Ministry of Justice, Public Administration, and Digital Transformation. All work related to their development and implementation has been carried out in-house with no external assistance. However, both the calculation of the Framework Criteria and the subsequent reporting are performed within the national judicial CMS, which was developed by an external party.

Pursuant to the current Law on courts⁶, the Framework Criteria are prescribed by the minister responsible for judicial affairs, following the prior opinion of the General session of the Supreme Court. If the Supreme Court fails to provide the opinion by the deadline, the minister is authorised to adopt the Framework Criteria. There is no pre-set schedule for Framework Criteria amendments.

The Framework Criteria set targets for each individual judge, based on estimating how many “typical” cases of a specific type can be resolved within a calendar year. Additionally, they also encompass non-case-related activities, such as administrative tasks, public relations and communications, training of interns and new employees, and management. Each of these activities is awarded separately as a percentage of the overall workload and treated as exemptions from the Framework Criteria.

The Framework Criteria are based on a predetermined number of 220 working days per year, used solely for workload calculation purposes. The assessment of judicial duties is adjusted for days when a judge is unable to perform their regular duties due to reasons such as illness, paid

⁴ The overview of the Croatian WMS was prepared based on information from the CEPEJ Questionnaire completed by Martina Vrdoljak, Head of the Sector for Statistical Monitoring, Analytics, and Support for the Business Processes of Judicial Bodies, Ministry of Justice, Public Administration, and Digital Transformation (March 2025).

⁵ Available at <https://mpudt.gov.hr/vijesti-8/objavljena-nova-okvirna-mjerila-za-rad-sudaca/25843>

⁶ See <https://www.zakon.hr/z/122/Zakon-o-sudovima>

leave, supervising lower courts, substituting for the court president, participating in hearings before large criminal panels, or other justified reasons.

The Framework Criteria focus on measuring output rather than input, evaluating not only the type of case but also the outcome. This means that case resolutions achieved through procedural decisions are valued lower than merits-based decisions. They specify the number of decisions a judge is required to make in specific areas of law (case-types) during regular working hours within a calendar year. For example, a municipal court civil judge (first instance) is expected to resolve 220 family disputes, or 120 mobbing claims, or 200 labour disputes, or 500 orders for payment etc. Since a judge's docket may (and mostly does) include a variety of case-types, the final result is determined by combining these numerical targets and expressing them as percentages.

Example: A municipal court judge who resolves 25% of cases from each of the four categories mentioned—55 family disputes, 30 mobbing claims, 50 labour disputes, and 125 orders for payment—would meet the quota and achieve 100%.

Failure to meet the established quota can potentially trigger disciplinary proceedings, whereas surpassing it can earn the judge additional recognition and opportunities for advancement. Some circumstances may result in a case resolution not being counted toward a judge's performance, such as cases resolved through transfer to another court, cases where the statute of limitations has expired, and administrative cases related to court management.

Although the concept of the Framework Criteria was implemented years ago, there are challenges in its application. Specifically, the estimated number of cases a judge should resolve in a given year within a specific category is based on an assessment. While this assessment is informed by several years of statistical data, analysis, and the experience of the assessors (representatives of courts and the ministry), it remains, at best, an informed and discretionary judgement made in good faith. As a result, numerous deviations occur in practice for various reasons.

Additionally, it is challenging to empirically verify these estimated values. In practice, very few judges, if any, work solely on one case-type as defined by the Framework Criteria. Furthermore, some of the defined case-types are too rare to provide enough data to verify the accuracy of the weight factor assigned to them. For example, if "mobbing disputes" are assigned a value of 150 cases per year, there may not be enough of these cases to confirm whether that value is accurate. This challenge extends to other categories as well.

Furthermore, many judges contend that in certain types of cases, the values set by the Framework Criteria are relatively easy to achieve within a year, while in others, they are nearly unattainable. This creates a disparity, placing judges with a more favourable "combination" of case categories and assigned case numbers in a better position compared to those working on categories where the Framework Criteria are "stricter" or more challenging to meet.

Finally, the suboptimal performance of the judicial system may be connected to the issues described above. Namely, if judges are motivated solely by the need to meet set quotas, this approach could contribute to growing backlogs or hinder the reduction of existing ones. Specifically, judges may prioritise the easiest cases to meet targets, potentially undermining overall judicial efficiency.

EXAMPLE Report on the fulfilment of Framework Criteria for the period 1 January – 31 December 2024

The table below shows the number of cases resolved by a particular criminal judge within their area of adjudication, per case-types as defined by the Framework Criteria. Additionally, the table displays the weights assigned to each case-type. For instance, the yearly target for a case-type "Cases completed by judgment (main registers)" is 115 resolved cases meaning that each case of this type is worth 0,87 percentage points ($115 \times 0,87\% = 100\%$).

The number of resolved cases may be adjusted by weighting factors if they are considered especially complex. For example, a case will be valued 50% higher (as 1,5 cases) if the judge rules on both the claim and the counterclaim, or 60% higher (as 1,6 cases) if the resolved case is over five years old and has not been assigned to the judge for more than two years.

Exemptions from Framework Criteria are predefined non-case-related engagements of judges, expressed as percentages, including roles such as serving as court or department president, mentoring, working on case-law harmonisation, and similar activities. For example, a judge will fulfil 100% of the set quota if 90% is achieved through case resolution, while the remaining 10% is granted for providing mentorship to a court advisor. In the below example, the judge has several combined exemptions, resulting in a total of 64,67 percentage points.

Finally, while the category "Fulfilment of Framework Criteria [%]" reflects only case-related work, the category "Fulfilment of Framework Criteria with exemptions [%]" represents the judge's overall performance, accounting for all contributing factors discussed earlier. The latter is considered the final result.

Judge	CRIMINAL CASES								RESOLVED CASES	RESOLVED CASES ADJUSTED BY WEIGHTING FACTORS	EXEMPTION FROM FRAMEWORK CRITERIA [%]	WORKING DAYS	FULFILMENT OF FRAMEWORK CRITERIA [%]	FULFILMENT OF FRAMEWORK CRITERIA WITH EXEMPTION [%]
	Cases completed by judgment (main registers)	Juvenile court cases (except those from main registers)	Cases of the non-trial panel - only the panel president	Cases of the indictment panel - only the panel president	Criminal orders	Cases completed by decision (no verdict)	Cases completed by decision of lack of jurisdiction	Mediation procedures (successful) - judge mediator						
	115	300	600	250	580	600	1500	90						
	0,87 %	0,333 %	0,167 %	0,400 %	0,172 %	0,167 %	0,067 %	1,111 %						
Name Surname	28,8		84	34	1	8,6			154	156, 4	64,6 7	20 7	56,4 6	121, 1

II – Iceland

The Judicial Administration in Iceland has developed a workforce model designed to support decisions regarding the allocation of workforce (judges and legally trained judicial assistants) and financial resources across the country's eight district courts. It is currently applied exclusively to first-instance courts.⁷ There are no plans to extend the system to the higher courts, which face different needs and handle a less voluminous caseload.

The Icelandic model⁸ does not measure the workload of individual judges. Instead, each court president is responsible for distributing cases among judges to ensure even balance. The model combines the weighted number of incoming court cases at each district court over the past three years, where each year carries a different weight, with the projected number of judges and judicial assistants for the upcoming year. It serves as a useful tool for identifying workload disparities between courts and for simulating how different measures to redistribute cases could affect overall workload balance.

In line with its mandate, the Judicial Administration is responsible for determining the number of judges and legally trained judicial assistants needed for each district court. The primary purpose of the workforce model is to provide a foundation for the Judicial Administration's decisions regarding the number of judges and other staff at each district court in the upcoming fiscal year, ensuring a balanced workload and creating a more solid basis for fair distribution of funding among them. The model is used as an indicator and means of support, and not as the sole basis for decisions regarding staffing at district courts or the allocation of funding between them.

The system itself is managed on a large Excel spreadsheet and updated each year. Each January, case data from the previous three years are entered manually. The system weights the years as follows: 25% from year N - 3, 25% from year N - 2, and 50% from the previous year.

For the model to approximate the workload and staffing needs of each district court, incoming cases are weighted based on the typical processing time for different types of cases. For example, civil cases are divided into two types: those involving oral pleadings, and those involving written pleadings. Criminal cases are divided into three types: cases prosecuted by the District Prosecutors; cases prosecuted by the commissioners of police, and fines issued by a district court judge (in cases where the accused has failed to appear as summoned to pay a fine). Examples of other case-types are enforcement requests (e.g. evictions, possession cases), bankruptcy requests, estate division, etc.

Each case-type is assigned a weighting factor reflecting its overall complexity. The model uses the average case in each category as its baseline and the weights represent rough estimates of the average workload per case-type. The assessment of case complexity is not exact but based on an overall assessment carried out by the Judicial Administration, in consultation with court presidents.

⁷ The courts in Iceland comprise 42 district court judges, 16 judges at the Court of Appeal, and 7 Supreme Court judges.

⁸ The overview of the Icelandic WMS was prepared based on information from the CEPEJ Questionnaire completed by Arna Sigurjonsdottir, lawyer/legal counsel, Judicial Administration, and supplemented by an interview and subsequent written correspondence (April-July 2025).

Cases that are considered the most demanding, for example, civil cases involving oral pleadings and criminal cases from the District Prosecutor, are assigned a weight of 1. Other categories of cases are assigned a proportional weight, reflecting the average amount of work typically required to process cases in each category.

The model assumes that resolving a case that involves written pleadings takes 1/70 of the time needed to process a civil case that is plead orally and criminal cases from commissioners of the police may be weighted as low as 1/5, fines as 1/100, enforcement requests as 1/20 and requests for bankruptcy, estate divisions etc. as 1/20.

When the number of incoming cases in each category at each court is multiplied by the relevant weight and totalled, the result indicates approximately how many oral civil case equivalents were handled during the year, and thus the approximate workload these cases represent. Projected number of judges and legally trained judges' assistants are also entered manually, adjusted for anticipated absences (such as sick leave or parental leave). For example, a judge who is expected to be on leave for three months, is counted as 0,75. A legally trained judicial assistant, who can autonomously handle certain types of cases as defined by law, is weighted at 65% of a judge's workload and is therefore counted as 0,65.

An adjustment is also made when counting the time dedicated to court management and case-related activities carried out by the presidents of courts, depending on the district court they are heading (the administrative burden on court presidents varies with court size). In the largest district court, the District Court of Reykjavík, the President of the court is weighted at 20% as a judge and is therefore counted as 0,2. In smaller courts, this figure may increase to 90% (0,9).

Once all data is entered into the model, it calculates the projected number of cases per available judge in each district court for the upcoming year.

The main aim of the model is to reach an equal distribution of workload across all the district courts, where each court has the same weighted number of cases per judge. In practice, significant disparities persist. Some of the smaller courts in rural areas may experience a caseload up to 58% lower than the national average.

While territorial jurisdiction remains the rule, exceptions are possible, e.g., in cases of excessive workload. From a short-term perspective, the Judicial Administration applies the model primarily for making decisions on reallocation of cases from courts that are clearly overburdened to courts where the workload is clearly below the average. Furthermore, the Judicial Administration has the power to assign cases to judges who do not have a permanent seat at a specific court. Currently, there are three such judges in Iceland.

From a long-term perspective, the model supports strategic planning by helping to assess the optimal number of judges and legally trained judicial assistants needed at each court. It is also used for testing the impact of potential changes in the number of judges and/or judicial assistants at individual courts on the distribution of the workload. Consequently, the model provides guidance when the Judicial Administration prepares annual budget proposals to the Ministry of Justice.

The Icelandic model is subject to ongoing revision as the composition of cases within categories may change over time, the complexity of case handling may increase or decrease, and new case-types may emerge, i.e., with changes to legislation. Since there is no automation of the model, it remains a pure statistical tool and does not yet account for pending cases or more subjective elements like mental burden, case-related stress, or cognitive complexity.

III – Italy

Italy began digitalising its civil justice system very early on, starting with local trial runs in the 1980s. This process has accelerated over time and has been mandatory in all courts for the past decade. In this context, the Ministry of Justice, through its innovation offices in each district, has implemented statistical and IT tools that manage court workloads more efficiently, reducing human intervention to supervision and control functions only.

This digitalisation process was initiated in close consultation with all stakeholders, including the High Council of the Judiciary (HCJ), the *Referente per l'Innovazione Distrettuale* - a judge and a prosecutor responsible for the implementation of the tools at the district level, and the *Magistrato Referente per l'Innovazione presso l'Ufficio Giudiziario* - a judge and a prosecutor responsible for coordination at the level of each court and public prosecutor's office.

The organisational tables (*tabelle di organizzazione*) structure the distribution of judicial work in each court.⁹ Prepared under a detailed HCJ circular, supported by automated data integration, and assisted by the HCJ statistical service, they define court organisation, magistrate assignments, case allocation criteria, and rules for replacement and rotation.

The head of the court prepares a draft *tabella* in consultation with the judges of their court, submits it for review to the Judicial Council¹⁰, which forwards it to the HCJ for approval. While the rules established by the HCJ circular are binding, they do allow for the adoption of different solutions depending on the characteristics of the court concerned: size, number of judges and chambers, type of litigation or criminal offences, etc. The distribution of work between judges is based on the principle of collective balance: two judges assigned to the same type of litigation must receive an equivalent volume of cases, even if the complexity of the cases may vary. In practice, the necessary adjustments are made by decision of the president of the court, on the proposal of the chamber president, following a discussion between colleagues at a chamber meeting. There is no formalised points-based weighting system, though the law of large numbers and the informal consideration of factors such as urgency or complexity make it possible to achieve an overall balance.

The *tabelle* are implemented through the case management system (CMS). When a lawyer submits an application online via a secure e-filing platform, it is recorded in the computerised register, and the system automatically assigns the case to a judge according to the rules set out in the *tabella*. The CMS tracks all activities performed by court clerks, parties, and magistrates, ensuring full traceability of proceedings. Hierarchical dashboards provide tiered access: judges can monitor their own cases, section presidents can oversee magistrates' activity, and court presidents can view the entire system. In addition, the software supports human resource

⁹ The overview of the Italian WMS was prepared based on the CEPEJ Questionnaire completed by Maria-Giulia Civinini, retired judge and President of the CEPEJ Working group on cyberjustice (CEPEJ-GT-CYBERJUST) and supplemented by an interview and subsequent written correspondence (July 2025).

¹⁰ The Judicial Council (*Consiglio Giudiziario*) is the decentralised body of the High Judicial Council (Consiglio Superiore della Magistratura, CSM), established at each Court of Appeal. It performs advisory and supervisory functions and supports the CSM in matters related to judges' and public prosecutors' professional careers and performance.

management: while magistrates are not subject to time tracking, absences are recorded, and their activity and productivity are monitored through system data. This enables chamber and court presidents to supervise case management and intervene when needed. Formal oversight is further provided during professional evaluations or appointments to management positions. Customisable alert systems complement the CMS by flagging delays and anomalies.

The statistics generated by the CMS play a central role in assessing and managing workload. While the same database serves both the Ministry of Justice and the courts, its use differs: the Ministry analyses aggregated national-level data, whereas court presidents' access more detailed information at the section and judge levels. Each court relies on two complementary instruments: the multi-year table plan, which defines the structural organisation, and the annual management plan, presented by the court president, which sets productivity targets tailored to each subject matter. These targets incorporate CEPEJ indicators, *Clearance Rate*¹¹ and *Disposition Time*¹², to manage procedural delays and prevent or reduce backlogs. At the end of the year, actual results are compared against the set targets.

This data is also used for managing human resources as well as other resources, including financial, material, and physical assets. The president of a court can use precise statistics to justify a request for additional staff (in particular via the *giudice distrettuale*, career magistrates who are mobile and attached to the Court of Appeal) or to fill vacant posts. The Ministry - and the HCJ in an advisory capacity - examine these requests by comparing data between courts in the same district. There are also mechanisms for flexibility between courts: judges may be temporarily assigned to another court on certain days of the week to meet urgent needs, for example, to cover a prolonged absence. These assignments, decided by the HCJ or by the president of the Court of Appeal, are also based on available statistical comparisons.

The Italian workload management system combines three complementary levels. The *tabelle di organizzazione* establish a detailed legal and organisational framework. The CMS ensures the automated assignment and monitoring of judges' activities. The statistics extracted from this system are used to monitor efficiency and manage human resources. This model is based on the search for a constant balance between automation and human control, combining central supervision by the HCJ with local flexibility.

IV – Poland

In Poland, the System *Losowego Przydziału Spraw* (SLPS) has been in place since 2018, providing an IT-based mechanism for the random allocation of cases among judges.¹³

The system is designed to assign an equal number of cases within the same category to judges and assistant judges¹⁴ acting as case handlers, taking into account their roles, participation in the

¹¹ The "Clearance Rate" (%) is calculated by dividing the number of resolved cases by the number of incoming cases in a given period, multiplied by 100. A rate of 100 % means the court resolves as many cases as received; above 100 % means more cases are resolved than received; below 100 % indicates a growing backlog.

¹² The "Disposition Time", which is computed by dividing the number of pending cases at the end of the year by the number of cases resolved within that year and multiplying by 365. It estimates, in days, the time required to resolve pending cases based on the court's current capacity. This is a theoretical forecast, not an actual measure of case duration.

¹³ The overview of the Polish WMS was developed using information from the CEPEJ Questionnaire completed by Tomasz Kałużny, CEPEJ member, Judge, District Court of Białystok, Ministry of Justice, Poland, supplemented by an interview and subsequent written correspondence (April and July 2025).

¹⁴ In this text, the term "judges" is used collectively for both judges and assistant judges as SLPS is designed to allocate cases to both. In Poland, assistant judges (*asesor sądowy*) are judicial officers who perform many of the same tasks

allocation of cases from different categories (specialisations), and other factors provided for in the Law on the Organisation of Common Courts.¹⁵

The categories of cases are specified in Annex 6 to the Regulation of the Ministry of Justice of 18 June 2019, which sets out rules on the operation of the ordinary courts.¹⁶ Decisions on assigning a case to a specific category is made at the time of its registration in the relevant department. As a rule, the SLPS does not assign cases based on their complexity;¹⁷ instead, each case is assigned a default weight of one.

Instead of weighting cases, the Polish system introduced the concept of case conversion to ensure case allocation in proportion to the allocation ratio¹⁸ of a specific judge and their available working days. Specifically, when a case is randomly assigned to a judge with a given allocation ratio and recorded days of absence, it is given a specific value (so-called cost of a case). A judge with a 75% allocation ratio and 38 days of absence is credited with 1.57 cases, based on a fixed total of 252 working days as displayed by the formula below.¹⁹

$$W = \frac{1}{0,75} * \frac{252}{252 - 38} = 1.33 * 1.18 = 1.57$$

If a judge is absent for at least four consecutive working days, the SLPS suspends the assignment of new cases, provided that the absence has been registered in advance in the IT system. Upon the judge's return, the SLPS ensures that, within one year from the start of the absence, the allocation of cases in each category remains proportional to both the number of working days and the allocation ratios.

Additionally, the SLPS assigns an extra case of the same category to a judge if the originally assigned case is closed due to transfer to another court or division, return of the initiating document (excluding public indictments), merger with another case, handling by a substitute judge, incorrect registration, or rejection of an appeal or complaint.

When a judge or assistant judge is newly assigned to a department, or returns from absence, their caseload is determined having regard to cases from their previous division. If they are not required to complete prior cases, the head of department assigns them a number of new cases corresponding to the average caseload in the division. If they are required to complete cases in their former division, they receive proportionally fewer new cases in the new division. To accelerate workload balancing, the department head may temporarily adjust a judge's share of case allocations, effectively modifying the random assignment pool.

as fully appointed judges, but their legal status and appointment process are different. They are essentially at a transitional stage before becoming a permanent judge.

¹⁵ Journal of Laws 2001 No. 98, item 1070, as amended (consolidated text: Journal of Laws 2024, item 334).

¹⁶ Consolidated text, Journal of Laws 2024, item 867, § 63.

¹⁷ Exceptionally, in bankruptcy and restructuring departments, social security cases, and cases before the Court of Competition and Consumer Protection, the head of the department determines how many cases are considered equivalent to a given group of cases, effectively assigning them a weight.

¹⁸ Allocation ratios refer to situations where judges divide their working time between different types of cases, for example, 50% on criminal cases and 50% on civil cases.

¹⁹ The District Court in Warsaw, SLPS Basic principles of operation and verification version 1.6, Algorithm, p.42.

The heads of departments are responsible for the effective management of the SLPS and play a key role in its effective operation. Their primary task is to enter accurate and up-to-date data into the system to ensure the correct parameterisation of judges.

Court staff responsible for entering information about incoming and completed cases play a crucial role in ensuring the accuracy and reliability of the SLPS data. Equally important are the individuals who assist the courts and divisions in operating the system, as they provide essential support in promoting the effective and consistent use of the SLPS across the judiciary.

Although the SLPS was intended to address judges' concerns regarding the rules for case allocation in Poland, its introduction has instead prolonged the ongoing debate about inequalities in workload distribution among judges. There also seems to be a lack of understanding of how the system operates, which is currently being addressed through ongoing training initiatives.

In light of concerns about the SLPS operation and unequal case distribution, the matter has been brought before the European Court of Justice (ECJ), which is currently examining whether the SLPS complies with EU law and standards of judicial independence.²⁰ The proceedings, however, remain at an early stage.

V – Slovenia

The Slovenian judiciary measures workloads using a digital system, developed and implemented in 2012 by the Centre for Informatics at the Supreme Court, with the Ministry of Justice involved as the authority responsible for publishing official court statistics. The system integrates multiple dashboards, including tables, reports, and visual analytics, providing detailed insights into case-flow and judicial workload and performance.²¹

These dashboards draw on data about incoming, resolved, and pending cases, as well as information on the number of judges and other court staff across all court levels. Key dashboards include the President's Dashboard, workload and HR simulation tools, and court workload statistics by legal areas (e.g., criminal, civil, misdemeanour).

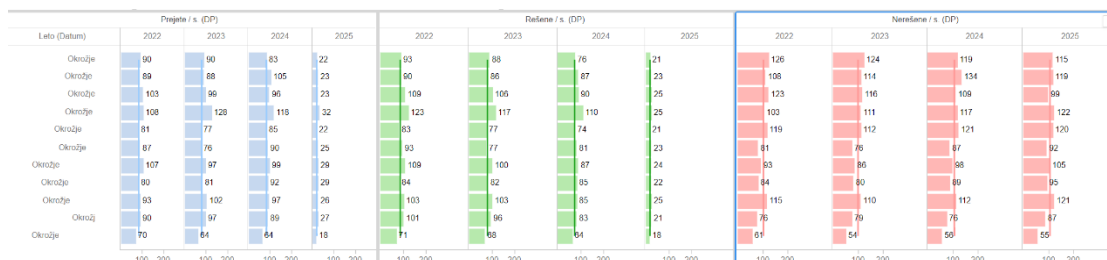
The system serves a wide range of purposes, including court statistics and reporting, determining the required number of judges and staff, supporting budget planning and funding requests, allocating personnel within and across courts, re-distributing cases among courts (if necessary), evaluating the performance of courts and individual judges, assisting in revising judicial maps, and estimating the resources needed to reduce case backlogs.

Data availability spans all court levels and includes judges, judicial advisors, judicial assistants and administrative staff. Workload is primarily calculated based on the number of cases and number of available judges – by actual presence (average cases per judge), but upon the decision of the court president, adjustments are made when judges are partially relieved of regular duties due to administrative or managerial responsibilities or when they are seconded to other institutions, such as the Ministry of Justice, the Supreme Court, or the Judicial Council. Data on number of cases per judicial administrative staff member is also available. Figure 1. presents one of the reports available from the President's Dashboard on workloads and dispositions per judge.

²⁰ See case C-159/25 (Rowicz).

²¹ The general presentation of the Slovenian workload measurement management system was developed based on information provided during an interview with Tine Stegovec, Senior Judicial Adviser, Court Management Development Service, Supreme Court of Slovenia, and supplemented by written exchanges between May and September 2025.

Figure 1. Received, resolved and unresolved cases per judge by year and court



Source: Supreme Court of Slovenia Dashboards

The dashboards are populated with data from the Supreme Court's data storage. While the Centre for Informatics at the Supreme Court oversees system development and management, the technical components, including the establishment and maintenance of the data storage, are outsourced. The procurement, licensing, and upkeep of the business intelligence tools used by the system are also handled through external providers.

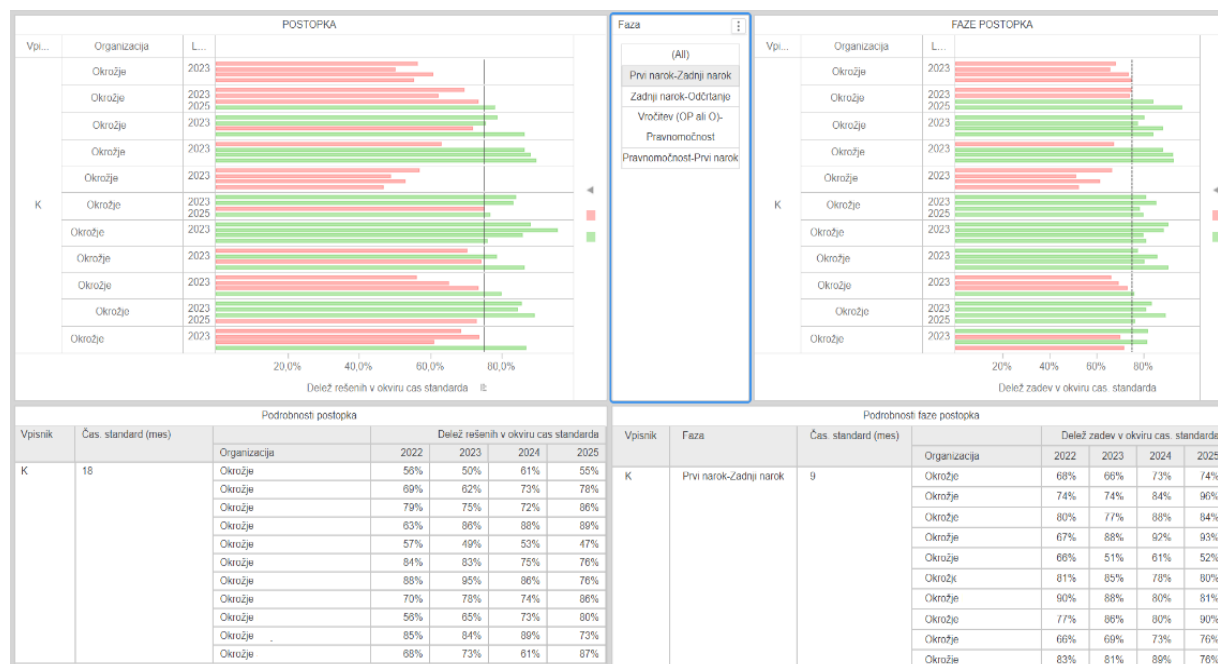
The system is also used to monitor judicial timeframes²² that define the expected duration for carrying out typical procedural actions²³ and resolving cases at different types and levels of courts as displayed in Figure 2. The President of the Supreme Court, based on Article 60c of the Courts Act²⁴ and with the consent of the Minister responsible for justice, determines these standards separately for each year. Timeframes are monitored at the court level, as their purpose is to ensure compliance with time standards on an institutional rather than an individual basis.

²² For more see https://sodisce.si/sodna_uprava/casovni_standardi/. The CEPEJ defines judicial timeframe as an established period of time within which cases are expected to be resolved. Timeframes should not be confused with procedural deadlines or time limits, which apply to individual cases.

²³ The document defines the key procedural milestones monitored in the judicial process: receipt of the initiating document, the first hearing or session (with or without parties present), confirmation of indictment or scheduling of a pretrial hearing in criminal cases, the final hearing or session when the case is concluded, dispatch of the final decision, start of investigation when the pre-trial judge issues an order, finalisation of the enforcement order, and completion of enforcement (e.g., through sale, creditor payment, or withdrawal of the motion).

²⁴ Courts Act, Official Gazette of the Republic of Slovenia, Nos. 94/07 (consolidated text), 45/08, 96/09, 86/10, 33/11, 75/12, 63/13, 17/15, 23/17, 22/18, 16/19, 104/20, 203/20, 18/23, 42/24 (Constitutional Court decision).

Figure 2. Achieving Timeframe Targets: Overall Criminal Procedure and Specific Phases (First to Final Hearing) per district court and year²⁵

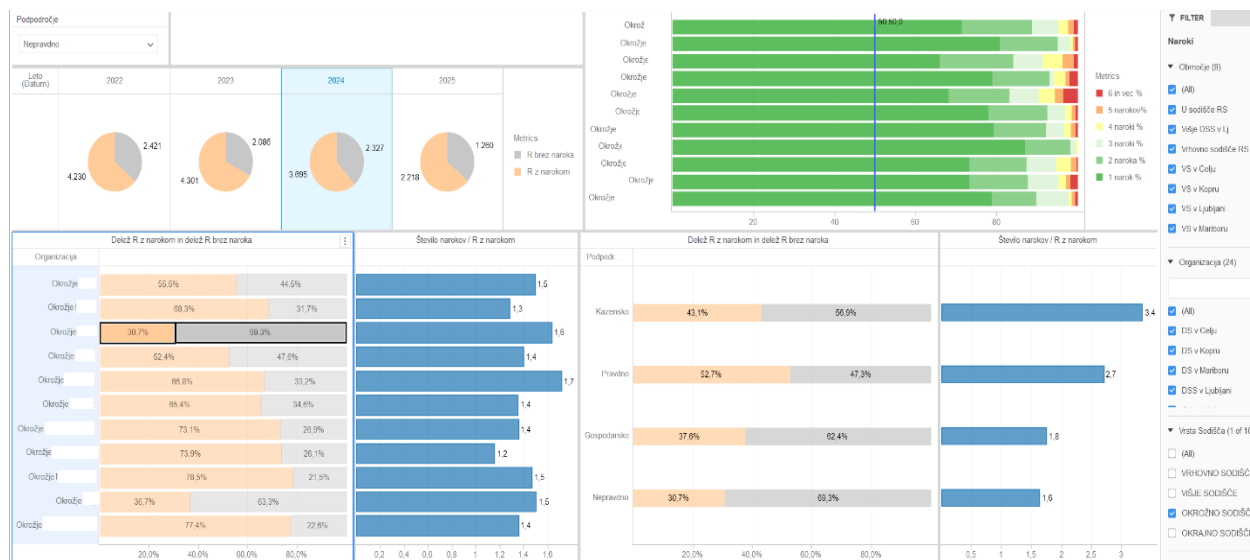


Source: Supreme Court of Slovenia Dashboards

The system enables visualisations to update automatically and interact with each other. This means that if click on or select something a data point in one chart, then the other charts immediately change to show only the data related to what you selected. In other words, your selection acts as a local filter that updates the other visualisations in real time.

²⁵ Red bars indicate that the target has not been reached, while green bars indicate that it has.

Figure 3. Hearings: Percentage of resolved case with/without main hearing; Number of hearings per case with main hearing by year, by districts (within chosen year) and by legal fields (within chosen district)



Source: Supreme Court of Slovenia Dashboards

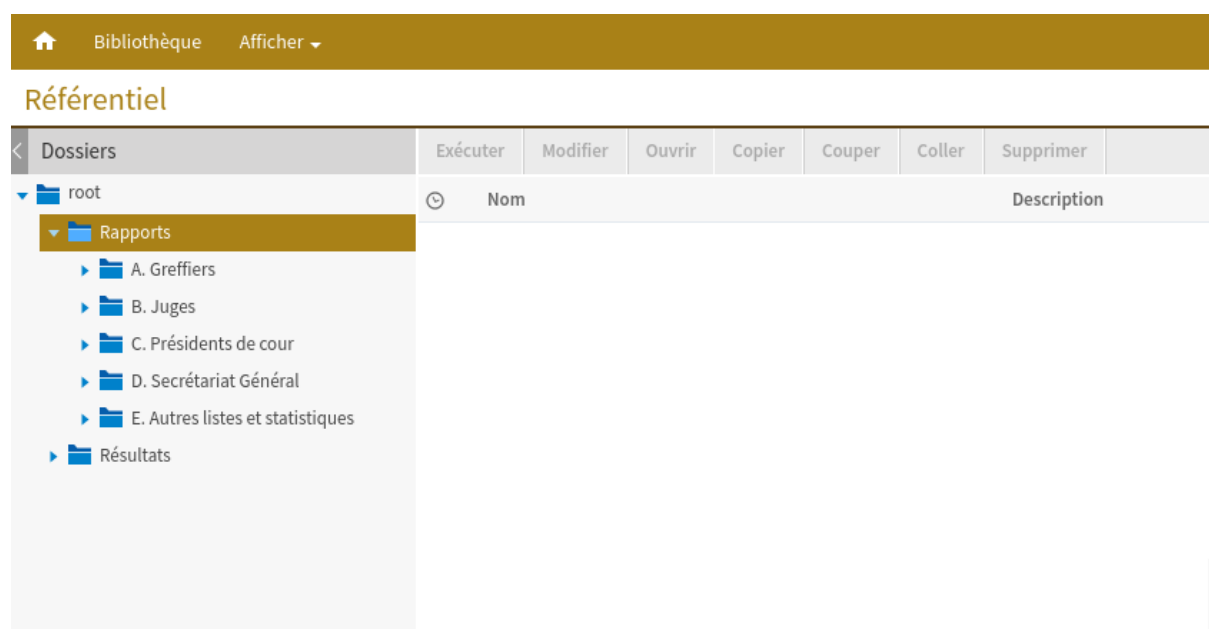
Lastly, the system's accuracy and reliability depend heavily on the quality of input data regarding both cases, and judges and staff. Maintaining high data quality and ensuring continuous quality control are essential for effective performance measurement and informed decision-making. While the dashboards provide a valuable and comprehensive system for monitoring judicial performance, there is still room to fully realise their potential, as not all functionalities are consistently used across all court management levels (court presidents, heads of departments, and supervision by hierarchically higher courts) in all courts.

VI – Switzerland

In 1986, the Swiss Federal Supreme Court replaced paper registers and Excel spreadsheets with a computerised case management system.²⁶ Since 1995, a statistical module within the CMS has enabled automated measurement of judges' workloads, developed in-house by the Court's IT department of around thirty staff.

²⁶ The overview of the Swiss WMS was developed based on information from the CEPEJ Questionnaire completed by Jacques Bühler, deputy to the Swiss CEPEJ delegate and strategic advisor of the Swiss Federal Supreme Court, Lausanne, and supplemented by an interview and subsequent written correspondence (May-September 2025).

Figure 1. Portal screen of the statistics tool Webstat



Source: Swiss Federal Supreme Court

The chart presents the main interface of the statistical tool Webstat, offering access to reports concerning files processed by court managers, judges, court presidents, secretaries general, and other relevant statistical information.

The system is now based on Webstat, an interactive software package tailored to the Court's own operations and internal procedures. Webstat enables data to be analysed in detail according to user-defined parameters. In particular, the software allows users to set parameters according to the statistics they want to use. Its basic structure comprises four parts: statistics relating to court clerks,²⁷ statistics relating to judges, statistical data for court presidents, and statistical data for the General Secretariat. This last level provides an overview of the Court's overall workload and its development over time and is used in particular for data published in the annual report.

The system measures the following distinct workloads:

- For court clerks and judge-rapporteurs: the workload relating to cases for which they are respectively responsible prior to consideration by the bench.
- For judges: the workload relating to cases submitted to them when they participate in the judging panel without acting as rapporteur.

The statistics module allows precise measurement, over a user-defined period, of judges' and court clerks' activity in relation to their cases. It tracks cases pending at the start, newly assigned, disposed of, and still pending, giving court presidents detailed insight into each magistrate's workload and enabling assessment of remaining tasks.

²⁷ At the Swiss Federal Supreme Court, the court clerks are legal experts who assist the judges directly in the disposal of cases and who are responsible for giving reasons for judgments and preparing proposed rulings. Cooperation between registrars and judges is therefore central. The Court has an average of 3.5 registrars per judge.

Figure 2. Example of statistics concerning the workload of judges

8. Nombre d'affaires attribuées et liquidées (Juges) (3.7c.5)					
Cour 1 Période: 01 janvier 2024 - 31 décembre 2024 Y compris attribution sans date: Non Y compris affaires des autres cours: Non					
Juges	Report de la période préc.	Attribuées	Liquidées	Report à la période suiv.	dont suspendus
A (nouveau juge dès le 1.1.25)	0	31	0	31	0
B (juge suppléant)	5	1	5	1	0
C	34	24	58	0	0
D (juge suppléant)	0	1	0	1	0
E (Président de cour)	38	394	432	0	0
F (Vice-Président cour)	20	237	237	20	0
G	33	59	58	34	1
H (juge suppléant)	1	7	7	1	0
I	13	86	83	16	0
TOTAL	144	840	880	104	1
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Source: Swiss Federal Supreme Court

The chart presents the number of cases allocated and resolved by judges (substitute judge, court president, court vice-president, new judges). The columns refer to deferral of the following period, allocated, resolved and deferral to the next period and suspended cases.

Court presidents also have access to dashboards allowing them to monitor the progress of cases and detect any delays in processing. Automatic alerts are triggered when no activity has been recorded in a case for two months or when a case exceeds a two-year processing period. In the latter case, a written justification must be provided each year by the president of the court concerned: the alert therefore makes it possible to anticipate excessive procedural delays.

Weighting cases by subject matter was considered. However, in the absence of consensus among judges across the courts on which areas were complex or simple, this option was abandoned, and the system does not apply any weighting on this basis.

On the other hand, a form of procedural weighting is applied a posteriori. Cases that are manifestly ill-founded or for which advances of costs are not paid are given a reduced weighting (0,2). Cases heard by a panel of three judges are weighted at 1, while those heard by a panel of five judges, requiring in-depth reasoning and public deliberation, are weighted at 3. This approach allows the complexity of the case to be taken into account indirectly, without entering into subjective considerations relating to the subject matter or details of the case.

Over a given period, each judge takes part in the same number of decisions in cases for which he or she is not rapporteur. The system can also be set up to ensure an equal split between participation in panels of three judges and panels of five judges, in particular to avoid certain judges being under-represented in cases of principle.²⁸

The measurement system does not account for judges' extra-jurisdictional activities, such as conferences, working groups, or continuing education, when calculating workload, as all judges serve full-time and have a similar number of training days. It is therefore assumed that these activities affect all judges equally. Only planned absences, such as holidays, training, or leave, are included to adjust judge assignments to panels, particularly for urgent cases. There is, however, an exception for the President of the Federal Supreme Court, whose institutional duties - in particular, representation - give rise to a 30% discharge on his/her participation in cases, both as rapporteur and as a member of the panel.

Webstat plays a central role in the management of human resources by ensuring that workload is fairly distributed among the judges. It also provides an objective basis for requesting an increase in the number of staff if the Court is overloaded. Furthermore, it provides useful data for determining the language requirements for the election of judges (the Federal Supreme Court has French-speaking, German-speaking and Italian-speaking judges). For example, when a vacancy arises, the statistics make it possible to assess whether it is necessary to appoint a judge with a command of the same language as his or her predecessor, or whether another language would be more appropriate in view of the development of the case load. For example, a significant increase in the number of French-speaking cases, particularly in criminal matters, has recently been observed, reflecting different criminal policies in different cantons: based on this observation, a need to elect French-speaking judges has been identified.

²⁸ This feature is currently only activated in two courts out of eight, as the other courts have not deemed it necessary due to their own operations (some courts, for example, only have 5 judges, making this setting unnecessary).

Figure 3. Table produced monthly and used for the allocation of resources among the courts, including the CEPEJ indicators - Clearance Rate and Disposition Time

15. Nbre d'affaires entrées, liquidées et reportées par langue et cour (3.5b.1)											
Période: 01 janvier - 31 décembre											
Cour		2024								CR	DT
		Report de la période préc.		Introduites		Liquidées		Report à la période suiv.		%	jours
Cour A	D	302	58.9 %	451	59.0 %	452	57.9 %	301	60.6 %	100.2 %	243
	F	184	35.9 %	263	34.4 %	273	35.0 %	174	35.0 %	103.8 %	233
	I	27	5.3 %	51	6.7 %	56	7.2 %	22	4.4 %	109.8 %	143
	Tot.	513		765		781		497		102.1 %	232
Cour B	D	266	65.5 %	409	57.2 %	415	56.8 %	260	66.5 %	101.5 %	229
	F	106	26.1 %	250	35.0 %	255	34.9 %	101	25.8 %	102.0 %	145
	I	34	8.4 %	56	7.8 %	60	8.2 %	30	7.7 %	107.1 %	183
	Tot.	406		715		730		391		102.1 %	196
Cour C	D	122	39.2 %	529	57.1 %	497	55.8 %	154	44.4 %	94.0 %	113
	F	147	47.3 %	354	38.2 %	330	37.0 %	171	49.3 %	93.2 %	189
	I	42	13.5 %	44	4.7 %	64	7.2 %	22	6.3 %	145.5 %	125
	Tot.	311		927		891		347		96.1 %	142
Cour D	D	171	48.7 %	583	57.7 %	595	59.0 %	159	45.2 %	102.1 %	98
	F	168	47.9 %	386	38.2 %	373	37.0 %	181	51.4 %	96.6 %	177
	I	12	3.4 %	41	4.1 %	41	4.1 %	12	3.4 %	100.0 %	107
	Tot.	351		1010		1009		352		99.9 %	127
Cour E	D	278	51.5 %	562	57.2 %	394	49.9 %	446	60.9 %	70.1 %	413
	F	233	43.1 %	395	40.2 %	373	47.2 %	255	34.8 %	94.4 %	250
	I	29	5.4 %	25	2.5 %	23	2.9 %	31	4.2 %	92.0 %	432
	Tot.	540		982		790		732		80.4 %	338
Cour F	D	460	63.5 %	938	61.0 %	983	64.5 %	415	56.2 %	104.8 %	154
	F	259	35.8 %	568	37.0 %	513	33.7 %	314	42.5 %	90.3 %	223
	I	5	0.7 %	31	2.0 %	27	1.8 %	9	1.2 %	87.1 %	122
	Tot.	724		1537		1523		738		99.1 %	177
Cour G	D	251	69.0 %	561	72.4 %	564	69.2 %	248	76.5 %	100.5 %	160
	F	105	28.8 %	185	23.9 %	219	26.9 %	71	21.9 %	118.4 %	118
	I	8	2.2 %	29	3.7 %	32	3.9 %	5	1.5 %	110.3 %	57
	Tot.	364		775		815		324		105.2 %	145
Cour H	D	229	54.9 %	434	55.6 %	454	56.4 %	209	53.2 %	104.6 %	168
	F	160	38.4 %	299	38.3 %	292	36.3 %	167	42.5 %	97.7 %	209
	I	28	6.7 %	48	6.1 %	59	7.3 %	17	4.3 %	122.9 %	105
	Tot.	417		781		805		393		103.1 %	178
Cour I	D	2	66.7 %	3	75.0 %	5	71.4 %	0			
	F	1	33.3 %	1	25.0 %	2	28.6 %	0			
	I										
	Tot.	3		4		7		0			
TOTAL		3629		7496		7351		3774		98.1 %	187

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04 octobre 2025

Source: Swiss Federal Supreme Court

The chart presents the number of incoming, resolved and deferred cases by language and court in the period from January and December. The rows refer to different courts and columns refer to deferrals from previous period, incoming and resolved cases and deferral to the next period while monitoring Clearance Rate (in percentages) and disposition time (in days).

Thirty years after the introduction of Clearance Rate and Disposition Time,²⁹ they remain effective and accepted by the members of the Swiss Federal Supreme Court. However, the gradual accumulation of new indicators over the years, driven by various requests, has made the system more complex, sometimes at the expense of readability. A review is now underway to return to basics and rationalise the data produced, suggesting that simpler approaches are often the most effective.

VII – United Kingdom - England and Wales

In the United Kingdom (UK), specifically in England and Wales, a comprehensive WMS has been in use for many decades. Unlike in many other European countries, this system is focused specifically on court clerks and staff. Known as the Business Management System (BMS), it is developed and maintained in-house and is applied uniformly across all civil and family courts within the jurisdiction.³⁰

The BMS is used primarily by administrative court managers to monitor performance, manage resources, and ensure efficient court operations. It is considered a vital internal tool for planning, accountability, and maintaining operational balance. In daily practice, managers use BMS reports to review weekly activities, identify incomplete tasks, and determine whether staff or case redistribution is necessary to prevent bottlenecks and to balance workloads and improve performance across courts.

Key functions of the BMS:

- Determining required staffing levels
- Allocating staff based on court workload
- Assessing productivity by comparing completed tasks with available resources
- Estimating the resources needed to reduce workloads and backlogs

The system is based on a detailed, quantitative framework. It tracks over 100 individual administrative tasks that may be performed in a case, each assigned a specific time value (measured average). For example:

- Fixing a trial date: 25.87 minutes
- Responding to general email enquiries: 7.86 minutes

This allows for precise analysis of time allocation and workflow efficiency across the court system. Productivity calculations are adjusted for staff absences (e.g., leave or training), ensuring realistic assessment of capacity. Data is sourced from various internal IT systems, including the Case-Management System (CMS) and staff digital calendars.

²⁹ See the footnotes on page 15 of this document.

³⁰ The overview of the WMS in UK – England and Wales - was prepared based on information from the CEPEJ Questionnaire completed by James Narramore, Reading County Court, and supplemented by an interview and subsequent written correspondence (June 2025).

Figure 1: Operational Use of the BMSBMS Report: A Practical Interpretation

State of business group	Items done	Core Hours expended	Hours inc Admin	O/S Items	O/S hours	O/S Hours already out of target	Age of oldest (items measured)	KPI (%)	Items done within main target	Items done within secondary target	Items done out of target	O/S items within main target	O/S items within secondary target	O/S items out of target	O/S Hours within main target	O/S Hours within Secondary target	O/S Hours out of target
1. Issue Claim	6	0.6	0.8	21	1.8	1.0	1 1	16.7 %	1	0	5	10	8	3	0.9	0.7	0.3
2. Other originating process	61	16.5	22.0	-	0.0	0.0	-	73.8 %	45	10	6	-	-	-	-	-	-
3. Enforcement notices	104	4.6	6.1	-	0.0	0.0	-	100%	104	0	0	-	-	-	-	-	-
4. District Registry	-	0.0	0.0	-	0.0	0.0	-	-	-	-	-	-	-	-	-	-	-
5. Enforcements	76	6.7	8.9	51.	5.3	3.0	1 2	82.9 %	63	7	6	22	10	19	2.3	1.0	2.0
6. Judgments, Applications and Orders (pre-Dec 2018)	-	-	-	-	-	0.0	-	-	-	-	-	-	-	-	-	-	-
7. Family (pre-May 2016)	-	-	-	-	-	0.0	-	-	-	-	-	-	-	-	-	-	-
8. Correspondence	506	46.0	61.1	431	40.2	18.4	1 1	71.5 %	362	9	135	233	172	26	21.7	16.0	2.4
9. Listing	23	5.3	7.0	19	5.6	0.0	5	60.9 %	14	0	9	19	-	-	5.6	-	-
10. Civil assessments	1	0.2	0.3	-	0.0	0.0	-	100%	1	0	0	-	-	-	-	-	-
11. Payments, Fee Exemptions/Remissions	33	2.3	3.1	-	0.0	0.0	-	27.3 %	9	17	7	-	-	-	-	-	-
12. Lodging Documents	417	33.6	44.6	302	24.4	10.1	1 2	76.0 %	317	10	90	177	108	17	14.3	8.7	1.4
13. Insolvency	30	7.3	9.7	-	0.0	0.0	-	100%	30	0	0	-	-	-	-	-	-
14. Family - Issue	46	24.9	33.1	0	0.0	0.0	-	100%	46	0	0	-	-	-	-	-	-
15. Family - orders	203	92.3	122.7	85	41.6	12.2	1 0	48.8 %	99	44	60	60	25	-	29.4	12.2	-

16. Family – correspondence	3795	435.1	578.1	20	2.2	0.0	5	69.2 %	2627	361	807	20	-	-	2.2	-	-
17. Family - Lodging doc	1431	94.7	125.9	19	1.6	0.0	5	64.3 %	920	154	357	19	-	-	1.6	-	-
18. Family -assessments	2	0.5	0.7	-	0.0	0.0	-	50.0 %	1	0	1	-	-	-	-	-	-
19. Adoptions	16	5.2	7.0	-	0.0	0.0	-	100%	16	0	0	-	-	-	-	-	-
20. Family – listing	134	29.9	39.7	7	1.5	00	4	69.4 %	93	18	23	7	-	-	1.5	-	-
21. Divorce	12	1.4	1.8	-	0.0	0.0	-	100%	12	0	0	-	-	-	-	-	-
22. Family enforcements	-	0.0	0.0	5	0.8	0.8	9	-	-	-	-	-	5	-	-	0.8	-
23. Court of protection	673	73.1	97.1	603	144.1	66.4	15	80.2 %	540	23	110	325	238	40	77.7	56.9	9.6
24. Judgement & civil applications	357	51.5	68.4	89	14.4	8.1	11	87.4 %	312	1	44	39	43	7	6.3	7.0	1.1
25. Civil orders	116	24.2	32.2	271	56.6	10.5	7	43.1 %	50	3	63	221	50	-	46.2	10.5	-
Overall	8042	956.0	1270.3	1923	340.2	130.5	15	70.4 %	5662	657	1723	1152	659	112	209.6	113.8	16.7

The table above illustrates an example BMS State of Business Report, which groups over 100 administrative tasks performed by the courts into 25 core categories. A report like the one above is generated for each court on a weekly basis to monitor performance and identify areas of concern. The responsible head of operations uses these reports to guide planning discussions with senior managers, aiming to balance workloads and address underperformance across sites.

In this example, line 5 (Enforcements) was identified as underperforming, with arrears at 12 working days against a KPI target of 5 days. Though the arrears equated to only 5.3 hours of work, the discrepancy raised concerns. The workload was reassigned to a neighbouring court for clearance. Furthermore, inconsistencies in reported data, such as 76 items processed but 51 still outstanding, prompted further investigation. This led to a site manager being tasked with reviewing whether staff were following proper processing order or selectively handling easier tasks. The issue also highlighted a potential training need due to the presence of several new staff members.

The BMS report is found to be especially valuable in workforce planning, enabling comparisons between available staffing and outstanding workloads across courts. While the system is mainly used by administrative staff, monthly meetings with the judiciary are held to provide insights into administrative performance and discuss operational implications. These meetings allow for coordination. For example, when a judge proposes additional court sessions to address a high volume of small claims, resource availability can be reviewed. Conversely, judges may raise concerns when administrative delays impact case hearings, such as when documents are not filed in time or settlement applications are not processed, resulting in inefficiencies and wasted court time.

The BMS is periodically updated, typically every five to ten years, to reflect changes in legislation or the nature of court activities such as increased digitalisation of tasks. New administrative tasks are added as needed, and outdated ones are revised or removed.

Despite occasional criticism for its complexity, the BMS remains a highly valuable system for effective court management. However, it requires a skilled head of operations to fully leverage its capabilities. What makes it useful is the detailed, up-to-the-minute information it offers. Managers can identify inefficiencies, adapt staffing levels, respond to demand surges, and plan proactively for seasonal variations. Its scalable design allows the system to grow with operational needs, accommodating more courts, teams, or task categories as required.

Part III – Comparative analysis of example workload measurement systems

This part compares WMSs in example member States, highlighting their similarities and differences. It examines their development, key stakeholders, scope and purposes, as well as their characteristics, including types, activity disaggregation, and workforce capacity measurement. The comparison aims to identify common trends and good practices that can inform future approaches to workload management in judicial systems.

I – Development pathways and key stakeholders

This section examines the development pathways of WMSs in the studied member States and identifies the key stakeholders involved. It reviews previous systems, the institutions leading their development and implementation, the role of other public bodies, and the contribution of private sector actors, highlighting how these elements have shaped current practices.

Leading institutions: With regard to the institution(s) responsible for developing and implementing the WMS, three main models can be distinguished, depending on the national administration of the judicial system. The leading institution may be the Ministry of Justice (**Croatia, Poland**), an independent National Court Administration (**Iceland**), or the courts themselves (**Slovenia** and **Switzerland**). However, other responses to the questionnaire also make it possible to identify a fourth model: the Council for the Judiciary may act as the lead institution, either alone or in association with another body.

Other institutions involved: Other institutions involved were described as merely "included in the process" with a large variety of involvement (technical support, consultative function, etc.). For example, in **Croatia**, the adoption of the Framework Criteria for Judges' Workload required a prior opinion of the General Session of the Supreme Court. In **Slovenia**, the Ministry of Justice was also involved in developing and implementing the tool.

Private sector involved: Private sector resources were used for the implementation of some systems – for example in **Italy, Poland and Slovenia**. The involvement of private companies mainly concerns technical aspects such as data collection, the establishment and maintenance of a data storage or the purchase of licences for the IT systems used (**Slovenia**).

II – Scope, purposes and functional orientation

This section outlines the scope and purposes of WMSs in the studied member States. It considers the target groups of the systems, the case-related and non-case-related activities they cover, and their role in supporting the fair distribution of workload among judges and equitable allocation of staff. The section also examines how WMSs aim to identify specific needs, assess productivity, and contribute to reducing backlogs and procedural delays.

A – Scope

Target Group(s): Once again, the characteristics of these systems diverge when it comes to their scope of application. Some systems are limited to measuring the workload of judges, judicial assistants/advisors and court presidents, excluding clerks and other court staff (**Croatia, Iceland, Poland**). By contrast, the **UK - England and Wales** follows a unique approach. Its WMS applies exclusively to clerks and other court staff, without covering judges or court presidents. This is most probably related to the specific structure of the judiciary in the **UK - England and Wales** and the division of tasks between judges and judicial teams. The **UK - England and Wales** has

the lowest number of judges among the CoE Member States.³¹ Pre-trial procedures are handled entirely by court staff, who prepare all necessary materials, while judges only receive the final case file before trial. Their role is primarily to conduct hearings and deliver judgments. Nevertheless, in most countries, the workload measurement provides a broader and more comprehensive view of court activity, including for example court staff, clerks, court managers and/or registrars.

A minority of countries appear to use the same type of WMSs for public prosecution services as for the courts. Among the seven systems studied, this configuration applies only to **Croatia**.

Case-Related Activities Covered by WMSs: A global look at the responses to the questionnaire suggests that workload measurement primarily focuses on activities directly tied to judicial decision-making and case outcomes (drafting documents, writing judgments, attendance at court hearings, analysing evidence, evaluating requests for modification or review of previous judicial decisions). However, not all aspects of the decision-making process are considered equally. In particular, the time spent on legal research prior to a judgment – legal research related to a case, review of relevant precedent – is less frequently measured. Collaborative and administrative tasks, such as stakeholder interaction, coordination with other justice professionals regarding a particular case or record updates also received limited attention in workload tracking. Finally, activities related to the publication of a judgment, such as writing summaries for database, is rarely measured.

Regarding the studied States, five of them are using WMS based on the number of cases handled without distinction between the different activities covered within a single case (**Croatia, Iceland, Italy, Poland and Slovenia**).

In **UK - England and Wales**, over 100 case-related tasks are measured by the system. Those include tasks related to attendance at hearings, writing judicial decisions or legal opinions, updating records and legal document or previous judgment etc. In **Switzerland**, the system allows for the workload at the main internal steps of the judicial procedure to be measured. Therefore, the case-related activities measured are essentially focused on the processing and the resolution of legal proceedings.

This data reveals that workload measurement in courts prioritises core judicial functions and procedural tasks, while administrative and public activities, such as preparing internal reports or statistics or responding to inquiries from lawyers, litigants, or the public, are less frequently monitored. Strengthening measurement frameworks for collaborative and documentation tasks might help improve overall judicial efficiency and transparency.

Non-case-related Activities Covered: A significant proportion of responding States indicated that their WMS does not measure activities that are not case-related. Among the systems studied, **Iceland, Poland, Slovenia, and Switzerland** use tools that do not capture non-case-related activities. In **Iceland**, however, while these activities are not directly measured, an adjustment is made in the calculation of the total number of judges to account for court management duties performed by court presidents, depending on the size of the court. These activities are therefore considered in the workforce calculation but are not directly measured. In **Croatia**, non-case-related activities are treated as exemptions from case resolution targets. At the Federal Supreme Court in **Switzerland**, the WMS does not factor in judges' non-judicial activities, such as conferences, working groups, or continuing education, on the assumption that, since all judges

³¹ 2,56 judges per 100 000 inhabitants in 2022.

serve full-time and have comparable training opportunities, these commitments affect them equally.

Two non-case-related activities are covered by the WMS in **Croatia, Italy** and **UK - England and Wales**: administrative tasks and management. Other activities can also be taken into account depending on the system: continuous training, participation in specific projects (**Italy**), public relations and communication (**Croatia**), coaching/training of interns or new employees (**Croatia** and **Italy**).

Globally, non-case related activities are still neglected in some systems when it comes to workload measurement. In the States covering such activities, professional development, management, and essential administrative tasks are prioritised. Areas like stakeholder communication, meetings, and project involvement are less monitored, possibly due to their indirect connection to the operation of the court or judicial outcomes.

B – Purposes

The WMSs used in the seven studied States provide a clear illustration of the diverse objectives that can be achieved through their implementation.

Fair distribution of workload/caseload (between judges): A key objective of WMSs is to ensure the fair distribution of workloads between judges. In **Croatia**, the Framework Criteria establish yearly quotas by case-type for each judge, requiring them to achieve 100 percent of the expected workload. In **Italy**, the *tabelle di organizzazione* guarantee that two judges working in the same field of law receive a comparable number of cases, with adjustments made by court presidents if imbalances arise. In **Poland**, the SLPS system allocates cases randomly among judges, while also taking into account their specialisation and registered absences. In **Switzerland**, an automatic designation system ensures that each judge participates in the same number of panels, balancing their workload whether they act as rapporteur or not.

Fair allocation of staff: Another important goal is the fair allocation of staff between courts, depending on their actual caseloads. In **Iceland**, the workforce model compares the weighted number of incoming cases across the eight district courts to determine the optimal number of judges and assistants per court. In **Slovenia**, dashboards provide simulations of staffing needs, enabling the redistribution of judges and support staff between courts. In **Italy**, statistical data extracted from CMSs allow court presidents to justify requests for reinforcements, for example by temporarily assigning *giudici distrettuali*³² to overburdened courts.

Identifying specific needs: WMS are also used to identify specific needs, such as linguistic requirements, specific expertise, or temporary absences. In **Switzerland**, statistical data have been used to identify linguistic needs, for example when an increase in French-speaking criminal cases revealed the need to recruit additional French-speaking judges. In **Poland**, the SLPS suspends case allocation to a judge after four consecutive days of absence and automatically adjusts allocations when the judge returns. In **Iceland**, the workforce model accounts for foreseen absences, such as parental or sick leave, and adjusts the judicial workloads, accordingly, also reducing the weight of court presidents depending on their administrative responsibilities. In **Croatia**, the Framework Criteria are not only a system for setting quotas but are also used to identify the need for judicial specialisation, ensuring that certain types of cases are handled by judges with appropriate expertise.

³² Eng. district court judges.

Assessing productivity: Assessing productivity of judges and courts is another frequent use of these systems, supporting both performance evaluation and managerial oversight. In **Croatia**, the Framework Criteria serve explicitly to assess the performance of individual judges, with failure to meet quotas potentially leading to disciplinary action and exceeding them bringing recognition or career benefits. In **Slovenia**, dashboards track detailed data on cases received, resolved, and pending, enabling court presidents to monitor the productivity of both judges and entire courts. In **Italy**, annual management plans set productivity targets by type of case, which are compared with results at the end of the year. In **UK - England and Wales**, the BMS measures the productivity of court staff through time-tracked administrative tasks. An example is the recording of fixing a trial date that takes an average of 25.87 minutes.

Reducing backlogs / delays: Finally, these systems aim to reduce backlogs and delays in judicial proceedings, thereby improving the efficiency of justice. In **Croatia**, however, the quota system has sometimes had the opposite effect, as judges may prioritise simple cases to meet their targets, leaving more complex cases unresolved and contributing to backlogs. In **Slovenia**, timeframe standards for case processing are defined annually by the Supreme Court and monitored at the institutional level to prevent excessive delays. In **Italy**, annual management plans explicitly take into account pending caseloads to reduce delays and prevent the accumulation of backlogs. In **UK - England and Wales**, the BMS produces alerts when tasks exceed deadlines, for example, enforcement cases pending beyond the five-day target, prompting redistribution of work to avoid further delay.

Notwithstanding, WMSs rarely serve as the sole basis for decision-making in the examined jurisdictions. States reported the possibility, or even the necessity, of human intervention. In **Italy**, for instance, adjustments are made by decision of the president of the court, upon a proposal of the chamber president and following a collegial discussion at a chamber meeting. In **Iceland**, **Slovenia**, and the **UK (England and Wales)**, the WMS provides valuable data that court management interprets and uses to guide decisions.

C – Functional orientation

It is difficult to propose a classification of WMSs, as the systems studied are all highly specific. However, several factors can be explored to identify typical models.

Institutionally oriented: In this model, workload measurement is designed to balance resources across courts. This reflects governance structures where independent judicial administrations play a central role, as in **Iceland**, where the workforce model ensures that judges and assistants are fairly distributed among the eight district courts.

Individually oriented: In these systems, workload tools focus on the fair distribution of judges' workloads as well as on the monitoring of individual performance. **Switzerland** illustrates this model with Webstat, developed by the Federal Supreme Court to provide detailed workload statistics for each judge and clerk. In **Croatia**, the system also appears "individually oriented," since the Framework Criteria set targets for each judge, based on estimates of how many "typical" cases of a specific type can be resolved within a calendar year. In **Poland**, the SLPS primarily focuses on the random allocation of cases among judges, thereby also operating at the individual level.

Hybrid model: In this model, the implemented tool combines both institutional and individual objectives. **Italy** exemplifies this approach: the HCJ, the Ministry of Justice, and local court presidents all contribute, resulting in a system that supports organisation, allocation, performance

monitoring, and institutional reporting. Similarly, the tool developed in **Slovenia** by the Centre for Informatics at the Supreme Court serves multiple purposes, both institutional and individual - determining the required number of judges and staff, supporting budget planning and funding requests, allocating personnel within and across courts, distributing cases among judges and courts, evaluating the performance of courts and individual judges, assisting in revising judicial maps, and estimating the resources needed to reduce case backlogs.

III – General characteristics

This section presents an overview of the types of WMSs used in the studied member States, examining how activities are disaggregated in the measurement process and how workforce capacity is assessed.

This study found very limited information on the process of data collection that preceded the development of the WMSs. Furthermore, given the differences between the described WMSs, it is difficult to pinpoint the exact data collection process, or the scope of data used, as this varies depending on the design and purpose of each WMS. However, all heavily rely on data as the foundation for assessing workloads, informing decisions, and guiding court management practices.

A – Levels of digitalisation and integration

Most of the respondents to the questionnaire described a system that includes multiple WMSs or multiple functionalities in their WMS. If a clear trend toward digitalisation (e.g., electronic CMSs, dashboards) can be identified, the types of WMS used varies significantly between member States. Levels of digitalisation differ widely, reflecting both the existence of pre-existing IT infrastructures and the objectives assigned to workload tools. In systems where no comprehensive case management system exists, tools remain simple. Iceland's Excel-based model reflects the small size of the judiciary and its focus on institutional balancing rather than detailed monitoring. Where advanced electronic case management systems are in place, workload measurement becomes more integrated. Slovenia's dashboards and Italy's combination of *tabelle di organizzazione* and electronic registers show how pre-existing IT systems enable the development of comprehensive platforms for monitoring, allocation, and planning. Based on the analysis of the seven studied States, WMSs can be grouped into three broad types, reflecting differences in design and functionality: quota/statistical systems, automation-focused tools, and comprehensive digital systems.

Quota and statistical systems: All seven examined WMSs rely mainly on human appraisal and historical data, sometimes combined with weighting factors. In **Croatia**, the Framework Criteria function as a point-based quota system, where judges are expected to meet yearly targets by case-type, with some allowance for non-case-related activities such as training or administration. In **Iceland**, the Judicial Administration uses a workforce model built in Excel. It draws on three years of case inflow data and applies weighting factors to estimate workload equivalents, which are then compared with projected staffing resources in the eight district courts. The model supports long-term strategic planning by determining the optimal number of judges and judicial assistants at each court and testing the impact of staffing changes on workload distribution. It also informs the Judicial Administration's annual budget proposals to the Ministry of Justice.

Automation-focused tools: These tools introduce elements of digitalisation, particularly in case allocation and workload monitoring. In **Poland**, the SLPS is an IT-based tool that ensures the random allocation of cases to judges, while also accounting for absences, specialisations, and case transfers. In **Switzerland**, the Federal Supreme Court uses *Webstat*, a statistical module

integrated into its CMS. It provides dashboards for monitoring workloads of judges and clerks, applies procedural weighting, and includes an alert function when cases show inactivity or exceed certain time thresholds. These systems focus on specific automated functions within the broader workload management framework.

Comprehensive digital systems: These systems integrate multiple features such as dashboards, electronic case management, project management functions, and alerting mechanisms. They are global tools reducing human intervention and providing support across multiple dimensions such as Human resources (HR) management, case management, and backlog management. In **Slovenia**, business intelligence dashboards connected to a central data warehouse provide detailed case-flow statistics, HR simulations, timeframe monitoring, and visual analytics across all levels of courts. In **Italy**, workload measurement is supported by the *tabella di organizzazione* (which set the organisational and assignment framework), a fully digital CMS (which automates allocation and ensures traceability), and annual management plans (which incorporate productivity targets and statistical comparisons). In **UK - England and Wales**, the BMS is a workflow and human resources platform for court staff. It tracks more than one hundred administrative tasks, assigns standard time values, and produces dashboards and weekly reports, complemented by alerting functions that support staff management and redistribution.

B – Disaggregation of activities in measurement

This section provides a high-level overview of how WMSs capture judicial activity. It summarises differences in measurement levels (individual, court, or multi-level), approaches to tracking activities, and units of measurement (case-based, time-based, or hybrid), highlighting key trends and variations across the seven member States.

Level of measurement: Some systems operate at the level of the individual judge, linking measurement directly to personal workload and performance. This is the case in **Croatia**, where quotas are tied to each judge, and in **Poland**, where the SLPS assigns cases individually while taking absences and specialisation into account. **Switzerland** also measures activities at the level of individual judges and clerks, though the data are also aggregated for court presidents. Similarly, in the **UK - England and Wales**, the BMS tracks administrative staff activity task by task, but results are consolidated in weekly reports at the level of each court.

Other systems focus more on the level of the court, assessing workload institutionally rather than individually. **Iceland**'s workforce model is a clear example: it calculates staff needs and balances workloads between district courts without measuring individual judges. This is also the only WMS among the seven examined that combines the weighted number of incoming cases at each district court over the past three years, assigning a different weight to each year, with projections of the number of judges and judicial assistants for the upcoming year.

Finally, some countries combine multiple levels of measurement, allowing both individual and institutional perspectives. **Slovenia**'s dashboards provide indicators per judge, per court, and nationally. **Italy** also combines individual-level data from the CMS with court-level organisational plans and national oversight information from the High Council of the Judiciary.

Mode of measurement: Approaches also differ in how activities are captured. In several systems, measurement is based on processed cases, with adjustments for type or complexity. This applies to **Croatia** (quotas by case-type and outcome), **Poland** (each case as a unit, with adjustments), and **Switzerland** (cases counted with procedural weighting). **Iceland** also follows this approach, translating incoming cases into weighted equivalents. However, **Iceland** is the only State

examined whose model combines past and predictive data, e.g., data from the past three years, with each year carrying a different weight, along with the projected number of judges and judicial assistants for the upcoming year. The model functions as an indicator and support tool, rather than as the sole criterion for staffing at district courts or the distribution of funding between them.

In other systems, measurement is broader and multi-dimensional, capturing not only case numbers but also timeframes and management indicators. **Slovenia** illustrates this approach, integrating case-flow statistics, pending stock, timeframe monitoring, and HR simulations into its dashboards. **Italy** follows a similar approach: the electronic CMS records each procedural step, while the *tabelle di organizzazione* and annual management plans provide a structural and managerial perspective.

A different model is found in **UK - England and Wales**, where measurement is carried out at the level of each administrative task. The BMS assigns average time values to over one hundred tasks (e.g. fixing a trial date, processing correspondence, issuing claims, lodging documents), producing a detailed view of staff workload.

Units of measurement: The case as a unit remains the most common reference. **Croatia** sets annual quotas in terms of number of decisions a judge is required to make in specific areas of law within a calendar year, **Iceland** and **Slovenia** both rely on weighted case equivalents calculated annually. **Switzerland** also uses cases as unit, but with procedural weightings applied to reflect complexity.

By contrast, some systems use time-based units. In the **UK - England and Wales**, the BMS is built on minutes as the unit of measurement for each administrative task, which are then aggregated into hours, days, or weeks for reporting.

Finally, some countries rely on a hybrid approach, combining case-based and time-based references. **Italy** uses case numbers as annual objectives but integrates real-time data from electronic registers and timeframe indicators, creating a continuous link between case volume and duration.

C – Disaggregation of case-types

The reviewed WMSs rely on dividing cases into case-types; however, the level of disaggregation differs.

A simpler approach can be observed in **Iceland**, where, for instance, civil cases are divided into two types and criminal cases into three. Other case-types, such as enforcement requests, are also represented.

At the other end of the spectrum are **Croatia** and **Poland**, which have much more elaborate case-type codebooks. In **Croatia**, there are 24 types of litigious and non-litigious cases in the first tier of courts of general jurisdiction.

The BMS in the **UK – England and Wales**, while covering court staff rather than judges, includes over 100 administrative tasks instead of case-types. By contrast, in **Switzerland**, the Federal Supreme Court is returning back to a simpler model.

It appears that jurisdictions with WMSs operating at the level of an individual tend to employ a more detailed distinction of case-types (administrative tasks) to meet their targets.

D – Workforce capacity measurement

The WMSs under detailed review also differ in how they take into account the available workforce and the working time of judges and court staff.

Staffing levels: Staffing levels are explicitly integrated in several systems. In **Iceland**, the workforce model adjusts the effective time of judges for expected absences, such as parental or sick leave and applies differentiated weightings to court presidents according to the size of the court. In this model, judicial assistants are also counted as 0.65 of a judge for calculation purposes. **Slovenia** uses dashboards that allow simulations of staffing needs, including adjustments when judges are seconded to other institutions or relieved from part of their duties for administrative tasks. In **Switzerland**, planned absences are factored into workload distribution, and the president of the Federal Supreme Court benefits from a 30 percent reduction to account for representational duties.

By contrast, in **Croatia** and **Poland**, the tools are primarily case-based and individualised: the *Framework Criteria* and the SLPS do not directly measure the number of available staff, though the Polish system does consider judges' absence in case allocation.

In the **UK - England and Wales**, the BMS applies to administrative staff and integrates staffing adjustments in a very detailed manner, redistributing tasks across available personnel on a weekly basis.

Working time: Most of the studied systems do not take into account working time (e.g., number of hours per day or per week or per year) because of their specific purposes and design. The absence of legally defined working hours for judges is also an important factor (e.g. **Croatia, Iceland, Italy, Poland, Slovenia, Switzerland**). However, most of the systems covered factor in the initial average number of working days in a year that may be further adjusted (e.g. in **Croatia** it is 220 days, and in **Poland** 252 days).

Several examined systems, however, express the availability of judges for case resolving in percentages. In Iceland, the president of a large court is counted as 20% of a judge. The president of the Federal Supreme Court in Switzerland receives a 30% discharge on his/her participation in caseload. Similarly, in Croatia, non-case-resolution activities are expressed as percentages; for example, mentoring a judicial assistant counts as 10% of a judge's workload.

IV – Case-weighting features

Most workload WMSs include a weighting logic, but their role varies, as follows.

Weighting as a key component: Cases are assigned numerical values that directly define judicial workload. In **Croatia**, the Framework Criteria set fixed annual quotas of resolved cases per judge. This quota varies depending on the type of case and its outcome. In **Poland**, each case is given a base weight of one. This base weight is then adjusted by two factors to determine the so-called "cost" of a case.

Weighting in a Secondary Role: In other systems, weighting plays a secondary role, introduced only to correct or refine workload distribution. **Switzerland** uses procedural weighting (for example, five-judge versus three-judge panels). In **Iceland**, incoming cases are converted into weighted equivalents for staffing projections. By contrast, in **Italy**, there is no formal point-based

weighting system, but the law of large numbers and the informal consideration of factors such as urgency or complexity help achieve an overall balance.

With the exception of the **UK- England and Wales**, which conducted a time study to measure average times for administrative tasks, weights in the other WMSs were determined based on available data and expert assessment.

Based on the research, the degree of weighting appears to be linked to the intended purpose: systems that aim to measure individual productivity seem to rely on case-weighting, while those focused on fairness or institutional balance use weighting primarily as an adjustment mechanism.

V – Flexibility

All WMSs are consistently adapted to the context in which they operate, though the extent and focus of adaptation vary.

Some of the WMSs are designed for the characteristics of the judicial system as a whole and therefore allow for very little or no flexibility and adjustment in usage. **Iceland**'s model is calibrated for a small number of courts and uses simple weighting to distribute staff resources. In **Croatia**, national quotas apply uniformly, leaving no room for local variation.

Other systems are more flexible and allow courts to adapt the tool locally within a national framework. **Italy** exemplifies this, with *tabelle di organizzazione* that set local rules while national registers ensure uniformity.

How adaptable a system is, reflects its size and governance culture: small systems usually adopt straightforward national models, while larger systems demand flexible frameworks capable of accommodating diversity across courts.

VI – Reviews and updates

The examined States reported various mechanisms for reviewing and updating their WMSs; however, none indicated a fixed schedule for doing so.

In **Croatia**, the Ministry of Justice initiates a review of the Framework Criteria when it deems it necessary. In the **UK - England and Wales**, the BMS is updated periodically, typically every five to ten years, to reflect changes in legislation or the nature of court activities, such as increased digitalisation of tasks. In **Switzerland**, a review is currently underway to simplify the system and rationalise the data produced.

Staying up to date is a *condition sine qua non* for any successful WMS, which must closely follow ongoing changes in judicial systems, as acknowledged by the examined States.

VII – Challenges in the application

Despite their clear advantages and benefits they bring, examined WMSs encounter certain practical challenges within their national contexts.

Weighting-based systems raise questions about precision, as averages do not always reflect the variability of real cases, as seen in **Iceland** and **Slovenia**. In **Croatia**, the Framework Criteria have been subject to discussion due to the practical difficulty of empirically verifying the estimated weights.

Highly digitalised systems may generate excessive complexity. In **Switzerland** and in **UK - England and Wales**, the large volume of indicators requires substantial managerial capacity to make full use of the available data. In **Switzerland**, a review of the current system is underway with the aim of simplifying and streamlining it.

Finally, questions of usability have emerged in some examined member States. In **Poland**, the case allocation system has prompted debate regarding potential disparities in caseloads, while in **Slovenia**, dashboards are not yet used fully and consistently across courts.

The examples above suggest that the success of WMSs depends not only on their methodological soundness, but also on their capacity to remain manageable, transparent, and trusted.

Part IV – Conclusions

This study confirms the initial assumption that valuable information on workload measurement is available across European judicial systems but is not yet fully explored. Although it focuses on seven example national jurisdictions, it by no means excludes the existence of established and effective workload measurement practices and systems in other member States. Some are purely statistical in nature, while others incorporate elements of case-weighting, though not to an extent that would classify them as full CWSs.

In any case, it appears that judicial systems have organically developed various tools tailored to their national contexts to measure workloads in courts, as this gradually became an emerging need as courts' operations became more complex year after year.

Although differing in nature, the workload measurement systems examined in this Study share certain features and highlight several good practices, as outlined below.

- a) Workload measurement systems benefit from **strong lead institutions**, which may include the Ministry of Justice (**Croatia, Poland**), a judicial council or an independent body for court administration (**Iceland**), or the Supreme Court (**Slovenia, Switzerland**). Such institutions provide a combination of specialised knowledge and effective leadership.
- b) **The use of information and communication technologies (ICT)** is a common denominator among the examined workload measurement systems. Each of the seven States relies on software solutions, whether custom-built or commercially available, to operate their workload measurement systems. In **Iceland**, a simple Excel spreadsheet is used; in **Croatia**, the Framework Criteria are integrated into the judicial CMS; while in **Poland**, the SLPS operates as a standalone software for case allocation.
- c) WMSs heavily **rely on data** because their primary purpose is to objectively assess and quantify the work performed in courts. Without accurate and comprehensive data, workload measurement systems cannot provide reliable information for decision-making.
- d) All workload measurement systems rely, to some extent, on **case-type disaggregation**. Identifying which case-types to include is crucial for ensuring equitable workload distribution and for realising the benefits of case-weighting. However, not all the judicial systems examined have opted for a complex disaggregation of case-types. For example, in **Iceland**, the classification is relatively simple, with civil cases divided into those involving oral pleadings and those involving written pleadings. In contrast, **Croatia**, with 24 categories of litigious and non-litigious cases in the first tier of courts of general jurisdiction, and **Poland**, where case-types are divided by major groups and subgroups, maintain a more detailed distinction.
- e) Incorporating an **element of case-weighting** has emerged as good practice in analysed WMSs. Systems in **Croatia, Italy, Iceland**, and the **UK – England and Wales** show that even simplified weighting can improve workload measurement. If developing a full CWS is not feasible due to cost or complexity, introducing a basic weighting mechanism is recommended to enhance accuracy and fairness.

- f) **Taking judges' working time** into account is a common feature of workload measurement systems, helping to promote more equitable workload distribution. In Croatia and Poland, the initial number of working days is set at 220 and 252 days, respectively, and is adjusted to account for absences. In Iceland, other duties performed by judges are expressed as percentages of a judge's availability, for example, the president of a large court is counted as 20% of a judge. The president of the Federal Supreme Court in Switzerland receives a 30% discharge on his/her participation in caseload. Similarly, in Croatia, duties not related to resolving cases are also represented through percentages.
- g) **Periodic reviews and updates** are essential for the sustainability of workload measurement systems. To remain relevant and effective, workload measurement systems keep pace with ongoing changes in judicial systems. It is also important to provide a clear mechanism for initiating adjustments. However, none of the examined workload measurement systems reported a fixed schedule for periodic reviews; instead, they respond to the need for updates as it arises.

Across Europe, workload measurement systems exhibit strong convergence in the use of weighting mechanisms and in their adaptation to national contexts, while showing considerable diversity in governance structures, levels of digitalisation, and institutional applications. Their limitations, rigidity, approximation, complexity, or transparency concerns, stem directly from the models adopted. Understanding these patterns is essential for assessing how such systems can promote both fairness and efficiency within judicial systems.

Abbreviation

CoE - Council of Europe

CEPEJ – European Commission for the Efficiency of Justice

CMS – Case-management system

HJC – High Judicial Council

HR – Human Resources

WMS – Workload measurement system

CWS – Case-weighting system

SLPS – *Losowego Przydziału Spraw* - workload measurement system in Poland

ICT – Information and Communication Technology