



COUNCIL OF EUROPE CONSEIL DE L'EUROPE

EUROPEAN COMMISSION
FOR THE EFFICIENCY OF JUSTICE
(CEPEJ)

PILOT-SCHEME
FOR
EVALUATING JUDICIAL SYSTEMS

SCHEME FOR EVALUATING JUDICIAL SYSTEMS

Country: Georgia
.....

Contact Name: Irakli Kvashilava
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I. General information

1. Number of inhabitants

Number: 4371535
.....
Source: State Department for Statistics of Georgia
.....

Year of reference:
.....2002

2. Total annual State/regional public budget

Budget: 1158000000
.....
Source: State Department for Statistics of Georgia
.....

Year of reference:
.....2002

3. Average gross annual salary

Salary: 40 GEL per month
.....
Source :
.....

Year of reference:
.....2002

II. Access to Justice and to all courts

II. A. Legal aid/cost of justice

4. Annual public budget spent on legal aid

Annual budget: Year :2002
Source :

5. If possible, specify

- the annual public budget spent on legal aid in criminal cases

Annual budget: Year :2002
Source :

- annual public budget spent on legal aid in other court cases

Annual budget: Year :2002
Source :

6. Total number of legal aid cases (in a year)

Number of cases: Year :2002
Source :

7. If possible, specify:

- the total number of legal aid cases in criminal matters (in a year)

Number of cases: Year :2002
Source :

- the total number of legal aid cases in other court cases (in a year)

Number of cases: Year :2002
Source :

8. Does your country have an income and asset test for granting legal aid?

Yes / No:

9. If yes, what is the maximum income level for granting legal aid?

Income level: Year :

10. Is it possible to refuse legal aid for lack of the merit of the case?
(eg. for frivolous or vexatious actions, or cases without merit)

Yes / No:

If yes, is the decision taken by : - the court
- a body external to the court
(please indicate the right answer) - a mixed decision-making body (court and external)
- other:

What factors are taken into account ?

Factors:

11. In general do litigants have to pay a court tax or fee to start a proceeding at a general jurisdiction court?

Yes / No / Otherwise:

If yes, is this true for : - criminal cases? Yes / No
- other than criminal cases? Yes / No

12. Does your country have a private system of legal expenses insurance for individuals?

Yes / No / Otherwise:

13. Do judicial decisions have an impact on who bears legal costs which are paid by the parties during the procedure?

Yes / No / Otherwise:

If yes, is this true for : - criminal cases ? Yes / No
- other than criminal cases? Yes / No

14. In your country, have studies been carried out on the costs of cases brought to courts concerning: - users? Yes / No
 - the State? Yes / No

If yes, please indicate the references of these studies published in the year 2002 or 2003:
 (Author / instance) (Title) (Type of courts or costs reported on):

.....

II. B. Users of the courts and victims

15. Are there official internet sites/portals (eg. Ministry of justice, etc..) through which the general public may have free access to:

- legal texts (eg. codes, laws, regulations, etc..)? Yes / No
 internet address: www.parliament.ge

- to the case-law of the higher court/s? Yes / No
 internet address: www.supremecourt.ge

- to other documents (for examples legal forms)? Yes / No
 internet address: www.court.gov.ge

If yes, please give the internet address www.constcourt.ge www.coj.gov.ge www.echr.coe.int

16. Is there a public and free-of-charge specific information system to inform and to help victims of crimes? Yes / No

Comments:

17. Is there a public, free of charge and personalised specific information system, managed by the police or the justice system, on the follow up given to complaints by victims of crime? Yes / No

Comments:

18. Does your country have a public compensation fund to compensate financially victims of crimes? Yes / No

Comments:

19. Does your country have users' or legal professionals' (judges, lawyers, officials, etc.) surveys to measure public trust and satisfaction with the services delivered by the judiciary?
Yes/ No

If yes, are these surveys

- at national level Yes/ No

- at court level Yes/ No

20. Is there a national or local procedure for making complaints about the performance of the judiciary (eg. through an ombudsman)? Yes/ No

Please specify:

- at court level/internal procedure Yes/ No

- at court level/external procedure Yes/ No

- at national level/internal procedure Yes/ No

- at national level/external procedure Yes / No

Comments: e.g. of national procedure: an ombudsman

21. As a general rule, do the institutions which receive such complaints have an obligation to respond and/or to deal with the complaint within a certain time limit?

- time limit to respond: Yes/ No

- time limit for dealing with the complaint: Yes/ No

III. Functioning of courts and efficiency of justice

III. A. Functioning

22. Total number of courts

Number of courts: 81
.....

23. Number of general jurisdiction first instance courts

Number of courts: 74
.....

24. Number of specialised first instance courts

Please specify the different areas of specialisation

(area of specialisation)

(number of courts)

.....(no specialization).....

.....

.....

25. Number of professional judges sitting in courts
(present the information in full time equivalent and for permanent posts)

Number of judges: 306 fte Year : 2002
.....

Source : Supreme Court Statistics Department
.....

26. Number of non-professional judges sitting in courts
(present the information in full time equivalent and for permanent posts)

Number of judges: fte Year : (there are no non-professional judges in the courts)
.....

Source :
.....

Please give details:
.....

27. Number of non-judge administrative staff who are working in courts
(present the information in full time equivalent and for permanent posts)

Number of staff: 1558 fte Year : 2002
.....

Source : Supreme Court Statistics Department
.....

28. Annual budget allocated to all courts

Annual budget: 7963650 GEL Year :
.....2002

Source : Supreme Court Statistics Department
.....

29. Annual budget allocated to the Ministry of justice or the institution (for example Judicial Council) which is responsible for the functioning of the courts

Annual budget: 610000 GEL Year :
.....2002

Source :
.....

30. Has the budget for justice increased during the last 5 years? Yes / No

What are the figures?

Budget 4.1 million1999 Year
.....
Budget 8.3 million2002 Year
.....

31. Which institution is formally responsible for setting up the budget devoted to courts?

- the ministry of Justice (or equivalent) Yes / No
- the Government Yes / No
- the Parliament Yes / No
- the Judicial Council Yes / No
- the Courts Yes / No
- other:
.....

32. Who manages the budget of the courts?

- the President of the Court Yes / No
- the person administratively responsible for the court Yes / No
- other: Supreme Court Department of General jurisdiction courts
.....

33. Which institution is responsible for arranging and scheduling the court hearings/sessions?

- in criminal cases: the court / public prosecutor / lawyer / other:
- in other than criminal cases the court / public prosecutor / lawyer / other:

III. B. Efficiency

34. Total number of criminal cases received by the public prosecutor (in a year)

Number of cases: 2024 Year :2002
Source : Prosecutions
.....

35. Total number of criminal cases dropped by the public prosecutor (in a year)

Number of cases: 451 Year :2002
Source : Prosecutions
.....

Please indicate also, out of this total, those dropped as the offender has not been identified

Number of cases: Year :
Source :
.....

36. Total number of criminal cases which are concluded by a sanction/measure, imposed or negotiated by the public prosecutor (in a year)

Number of cases: 6011 Year :2002
Source : Supreme Court Statistics Department
.....

37. Total number of criminal cases charged by the public prosecutor before the courts (in a year)

Number of cases: 2949 Year :2002
Source : Supreme Court Statistics Department
.....

38. Total number of incoming criminal cases in the courts involving robbery cases (in a year)

Number of cases: 240 Year :2002
Source : Supreme Court Statistics Department
.....

39. Total number of judicial decisions, involving robbery (in a year)

Number of cases: 215 Year :2002
Source : Supreme Court Statistics Department
.....

Please indicate, if possible:

Number of convicted persons: 272 % of convicted persons:
Number of acquitted persons: 1 % of acquitted persons:

40. Percentage of decisions involving robbery subject to an appeal to a higher court (in a year)

Percentage of decisions: 23 cases Year :2002
Source : Supreme Court Statistics Department
.....

41. Total number of incoming criminal cases in the courts, involving intentional homicide (in a year)

Number of cases: 211 Year :
.....2002
Source : Supreme Court Statistics Department
.....

42. Total number of judicial decisions, involving intentional homicide (in a year)

Number of decisions: 149 Year :
.....2002
Source : Supreme Court Statistics Department
.....

Please indicate also if possible:

Number of convicted persons: 136 % of convicted persons:
.....
Number of acquitted persons: 2 % of acquitted persons:
.....

43. Percentage of decisions concerning intentional homicide subject to an appeal to a higher court (in a year)

Percentage of decisions: 67 cases Year :
.....2002
Source : Supreme Court Statistics Department
.....

44. Total number of incoming civil and administrative cases in the courts (in a year)

Number of cases: 43140 Year :
.....2002
Source : Supreme Court Statistics Department
.....

45. Total number of judicial decisions in civil and administrative matters (in a year)

Number of decisions: 37090 Year :
.....2002
Source : Supreme Court Statistics Department
.....

46. Percentage of decisions concerning civil and administrative matters subject to an appeal to a higher court (in a year)

Percentage of decisions: 2930 cases Year :
.....2002
Source : Supreme Court Statistics Department
.....

47. Total number of incoming divorce cases in the courts (in a year)

Number of cases: Year :

Source : 19932002
Supreme Court Statistics Department
.....

48. Total number of judicial decisions in divorce cases (in a year)

Number of decisions: 1658 Year :
.....2002
Source : Supreme Court Statistics Department
.....

49. Percentage of decisions concerning divorce cases subject to an appeal to a higher court (in a year)

Percentage of decisions: 21 Year :
.....2002
Source : Supreme Court Statistics Department
.....

50. Total number of incoming employment dismissal cases in the courts (in a year)

Number of cases: 867 Year :
.....2002
Source : Supreme Court Statistics Department
.....

51. Total number of judicial decisions of employment dismissal cases (in a year)

Number of decisions: 522 Year :
.....2002
Source : Supreme Court Statistics Department
.....

52. Percentage of decisions concerning employment dismissal cases subject to an appeal to a higher court (in a year)

Percentage of decisions: 170 Year :
.....2002
Source : Supreme Court Statistics Department
.....

IV. Use of Information Technology in the court

53. Annual IT budget allocated to the courts (if possible in Euros)

Annual budget: Year :
.....
Source :
.....

62. Average length, in days, of robbery cases from the formal beginning of the prosecution until the first instance judgment

Average length: 5-6 months Year :
.....
Source : Criminal Procedural Code
.....

63. Average length, in days, of robbery cases from the formal beginning of the prosecution until the appellate judgment

Average length: 7-8 months Year :
.....
Source : Criminal Procedural Code
.....

64. Average length, in days, of divorce cases from the deposit of the complaint until the first instance judgment

Average length: 4-5 months Year :
.....
Source : Civil Code, Civil Procedural Code
.....

65. Average length, in days, of divorce cases from the deposit of the complaint until the appellate judgment

Average length: 4-9 months Year :
.....
Source : Civil Code, Civil Procedural Code
.....

66. Average length, in days, of employment dismissal cases from the deposit of the complaint until the first instance judgment

Average length: 1 months Year :
.....
Source : Civil Procedural Code
.....

67. Average length, in days, of employment dismissal cases from the deposit of the complaint until the appellate judgment

Average length: 1 months Year :
.....
Source : Civil Procedural Code
.....

68. Do you, on a regular basis, measure the size of backlog cases in the courts?

Yes / No

69. Do you have a way of analysing queuing time during court procedures?

Yes / No

If yes, please specify: a computer based programme gives the information

.....

VI. Judges

70. Gross annual salary of a first instance professional judge at the beginning of his/her career

Annual salary : 12000 GEL Year :
.....2002
Source : Supreme Court Statistics Department
.....

71. Gross annual salary of a judge of the Supreme Court or of the highest appellate court

Annual salary : lowest 12740 GEL highest 15652 GEL Year :
.....2002
Source : Supreme Court Statistics Department
.....

72. Can judges combine their work with other professions (for example as a university professor, arbitrator, consultant)? Yes / No

If yes, please specify: judges may also work as university professor

.....

73. Are judges recruited and nominated by an independent institution? Yes / No
the judges are selected and nominated by the Council of Justice

(if yes), who are represented in this institution:

- the members of the judiciary Yes / No
- officials not part of the judiciary Yes / No
- a mixture of the two categories referred to above Yes / No

Is the process of selection and nomination of judges carried out according to pre-established procedures ? Yes / No

74. Is there a system of induction and continuation training for judges?

No / Yes, but not compulsory / Yes, compulsory

What is the average percentage of judges who have attended a continuation training session each year?

Percentage of judges: Year :
Source :
.....

75. Is there a system of supervision and control on the courts - other than through appeal? Yes / No

If yes, please specify:

76. Is there in your country a system of temporary judges? Yes / No

If yes, are these temporary judges paid on the basis of their activity? Yes / No

If yes, please specify:

77. Annual number of disciplinary proceedings against judges

Number of proceedings: 77 Year :2002
Source : Supreme Court Statistics Department
.....

78. Annual number of sanctions against judges

Number of sanctions: 74 Year :2002
Source : Supreme Court Statistics Department
.....

VII. Public prosecutors

79. Annual budget for the public prosecution

Annual budget: Year :
Source :
.....

80. Number of professional public prosecutors (in full time equivalent)

Number of prosecutors: Year :

Source : Prosecutors2002
.....

81. Gross annual salary of a public prosecutor at the beginning of his/her career

Annual salary : 1860 GEL (6060 GEL in 2003) Year :2002
Source : Prosecutors
.....

82. Gross annual salary of a public prosecutor of the Supreme Court or of the highest appellate court

Annual salary : Year :
Source :
.....

83. Can public prosecutors combine their work with other professions? Yes / No

If yes, please specify:
.....

84. Are public prosecutors recruited and nominated by an independent institution? Yes / No

- (If yes), who are represented in this institution:
- the public prosecutors ? Yes / No
- other stakeholders outside? Yes / No
- a mixture of the two categories referred to above? Yes / No

Is the process of selection and nomination of public prosecutors done according to pre-established procedures? Yes / No

85. Is there a system of induction and continuation training for public prosecutors?

No / Yes, but not compulsory / Yes, but compulsory

What is the average percentage of prosecutors who have participated in continuation training each year?

Percentage of prosecutors: Year :
Source :
.....

86. Is there a system of supervision and control on public prosecutors? Yes / No

If yes, please specify: Control Department of General Prosecutor's office of Georgia
.....

87. Annual number of disciplinary proceedings against public prosecutors

Number of proceedings: 74 Year :2002
Source : Prosecutors
.....

88. Annual number of sanctions against public prosecutors

Number of sanctions: Year :
Source :
.....

VIII. Lawyers

89. Number of lawyers practising in your country

Number of lawyers: Year :
Source :
.....

90. Is there a national bar association? Yes / No

91. Have quality standards been formulated for lawyers? Yes / No

If yes, who is responsible for formulating these quality standards?

- the bar association Yes / No
- the legislature Yes / No
- other Yes / No

92. Can disciplinary proceedings be instituted against lawyers? Yes / No

93. Annual number of disciplinary proceedings against lawyers

Number of proceedings: Year :
Source :
.....

94. Annual number of sanctions against lawyers

Number of sanctions: Year :

Source :
.....

95. Is it possible to complain about the performance of lawyers? Yes / No

If yes, please specify:
.....

96. What is the amount paid to a lawyer by the State in respect of legal aid for a first instance divorce case?

Amount: Year :
Source :
.....

IX. Mediators and mediation proceedings

97. Number of accredited or registered mediators

Number of mediators: Year :
Source :
.....

98. How much public budget is devoted to mediation?

Amount: Year :
Source :
.....

99. Number of incoming mediation cases (in a year)

Number of cases: Year :
Source :
.....

100. Number of cases solved through mediation (in a year)

Number of cases: Year :
Source :
.....

If possible, please specify:
- number of criminal cases solved through mediation:
.....

- number of cases other than criminal solved through mediation:
.....

101. In which areas of law is mediation most practised and successful in your country?

- in criminal cases? Yes / No

- in other than criminal cases? Yes / No

Year : Source :

X. Enforcement agents and execution of court decisions

102. Number and types of enforcement agents

- in criminal cases:

(Type)	(Number)	(Year)	(Source)
.....
.....
.....
.....

- in other than criminal cases:

.....
.....
.....

103. Is there an institution to supervise or control the activities of enforcement agents?

Yes / No

If yes, please specify:
.....

104. Annual number of disciplinary proceedings against enforcement agents

Number of proceedings: Year :
Source :

105. Annual number of sanctioned enforcements agents

Number of agents:

Year :

Source :

106. Is it possible to file a complaint against an enforcement agent? Yes / No

If yes, please specify:

107. Does the court play a role in the execution of court decisions? Yes / No

If yes, please specify:

108. Are the courts competent to decide against public authorities? Yes / No

Are the courts involved in executing decisions against public authorities? Yes / No