

Evaluation of the judicial systems 2024 (data 2022)



Italy

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Reference data 2022 (01/01/2022 - 31/12/2022)

Start/end date of the data collection campaign : 15/03/2023 - 01/10/2023

Objective :

The CEPEJ decided, at its 39th plenary meeting, to launch the ninth evaluation cycle 2024, focused on 2022 data. The CEPEJ wishes to use the methodology developed in the previous cycles to get, with the support of its national correspondents' network, a general evaluation of the judicial systems in the 46 member states of the Council of Europe as well as three observer states (Israel, Morocco and Kazakhstan).

The present questionnaire was developed by the Working group on evaluation of judicial systems (CEPEJ-GT-EVAL) in view of the previous evaluation cycles and considering the comments submitted by CEPEJ members, observers, experts and national correspondents. The aim of this exercise is to increase awareness of judicial systems in the participating states, to compare the functioning of judicial systems in their various aspects, as well as to have a better knowledge of the trends of the judicial organisation in order to help improve the efficiency of justice. The evaluation questionnaire and the analysis of the results becomes a genuine tool in favour of public policies on justice, in service of the European citizens.

For better understanding of the questions it is necessary to consult the Explanatory note that gives definitions and explanations on the CEPEJ evaluation questionnaire and the methodology needed for replying. You can download the Explanatory note as a whole document on the CEPEJ website. In addition to the Explanatory note, there is also the User manual that is a technical document to help you navigate through this application for data collection.

In case you have any questions related to these documents or on the use of the application, please do not hesitate to contact the Secretariat.

Instruction :

Explanatory note: <https://rm.coe.int/explanatory-note-2024-cycle-cepej-2023-2-en/1680aae30a>

Word version of the questionnaire - <https://rm.coe.int/evaluation-scheme-2024-cycle-cepej-2022-9rev1-en-30-march-2023/1680aae309>

CEPEJ COLLECT - User manual – you can download under Documentation tab

1.General and financial information

1.1.Demographic and economic data

1.1.1Inhabitants and economic general information



001. Number of inhabitants (if possible on 1 January of the reference year +1)

[58 850 717]

Comments

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003. Per capita GDP (in €) in current prices for the reference year

[32 391]

Comments

004. Average gross annual salary (in €) for the reference year

[33 213]

[] NA

Comments

005. Exchange rate of national currency (non-Euro zone) in € on 1 January of the reference year +1:

[]

Allow decimals : 5

[X] NAP

Comments

A1. Please indicate the sources for answering the questions in this part

Sources: ISTAT - Italian National Institute of Statistics

1.1.2 Budgetary data concerning judicial system



006. Annual (approved and implemented) public budget allocated to the functioning of all courts, in € (without the budget of the public prosecution services and without the budget of legal aid). If you cannot separate the budget allocated to the courts from the budget of public prosecution services and/or the one allocated to legal aid, please go to question 7. If you are able to answer this question, please answer NA to question 7.

	Approved budget (in €)	Implemented budget (in €)
TOTAL - Annual public budget allocated to the functioning of all courts (1 + 2 + 3 + 4 + 5 + 6 + 7)	4 767 601 097 [] NA [] NAP	3 953 409 363 [] NA [] NAP
1. Annual public budget allocated to (gross) salaries	3 357 372 510 [] NA [] NAP	3 005 404 417 [] NA [] NAP
2. Annual public budget allocated to computerisation (2.1 + 2.2)	256 601 822 [] NA [] NAP	191 813 366 [] NA [] NAP
2.1 Investments in computerisation	188 255 305 [] NA [] NAP	139 632 423 [] NA [] NAP

2.2 Maintenance of the IT equipment of courts	68 346 517 <input type="checkbox"/> NA <input type="checkbox"/> NAP	52 180 946 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Annual public budget allocated to justice expenses (expertise, interpretation, etc.)	312 541 110 <input type="checkbox"/> NA <input type="checkbox"/> NAP	312 405 110 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Annual public budget allocated to court buildings (maintenance, operating costs)	550 673 131 <input type="checkbox"/> NA <input type="checkbox"/> NAP	322 340 575 <input type="checkbox"/> NA <input type="checkbox"/> NAP
5. Annual public budget allocated to investments in new (court) buildings	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
6. Annual public budget allocated to training	985 963 <input type="checkbox"/> NA <input type="checkbox"/> NAP	745 130 <input type="checkbox"/> NA <input type="checkbox"/> NAP
7. Other (please specify)	289 426 561 <input type="checkbox"/> NA <input type="checkbox"/> NAP	120 700 765 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Please indicate any useful comment to explain the figures provided. If the annual public budget allocated to the functioning of all courts actually implemented is different from the approved annual public budget allocated to the functioning of all courts, please indicate the main reasons for the differences: Within the framework of the National Recovery and Resilience Plan (PNRR), the Ministry of Justice has carried out an extraordinary recruitment process to strengthen the so-called "Trial Office". This is an organisational tool consisting in the creation or the reinforcement of support teams for judges, with fixed-term employment and with the aim of reducing the backlog and the disposition time. This explains the increase of salaries. The PNRR also provides for specific funding to build judicial citadels and to secure existing buildings. However, the increase of the item "court building" in this context is related to budget which was not spent in 2020-2021 and it was subsequently implemented in 2022. As far as the difference between implemented and approved budget, it must be noted that in Italy it is possible to postpone part of the approved budget (if not fully implemented) to future periods. Differences in terms of approved / implemented budget fade out when considering a longer period. In addition to that, the Council of State, which is responsible for the budget of the administrative judiciary, made a mistake in the figures for training (point 6). Figures have now been updated. All in all, the budget for training has increased in 2022 compared to 2020 because in 2020, due to the pandemic, the training was mainly online (less expensive).

007. If you cannot answer question 6 because you cannot isolate the public budget allocated to courts from the budget allocated to public prosecution services and/or the one allocated to legal aid, please fill in only the appropriate line in the table according to your system:

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to all courts and the public prosecution services together	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Total annual public budget allocated to all courts and legal aid together	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Total annual public budget allocated to all courts, public prosecution services and legal aid together	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - Please indicate any useful comment to explain the figures provided. If the annual public budget actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences:

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008. Are litigants in general required to pay a court fee to initiate a proceeding at a court of general jurisdiction:

	Litigants required to pay a court fee to initiate a proceeding at a court of general jurisdiction ?
for criminal cases	<input type="checkbox"/> Yes, at the beginning of the procedure <input type="checkbox"/> Yes, at a later stage <input checked="" type="checkbox"/> No
for other than criminal cases	<input checked="" type="checkbox"/> Yes, at the beginning of the procedure <input type="checkbox"/> Yes, at a later stage <input type="checkbox"/> No

Comments - If there are exceptions to the obligation to pay these court fees, could you please provide comments on those exceptions?

008-1. Please briefly present the methodology of calculation of these court fees:

- Courts fees depend on the value of the dispute and they are provided by law.

008-2. The amount of court fees requested to commence an action for 3000€ debt recovery:

[98]

☐ NA

☐ NAP

Comments

009. Annual income of court fees received by the State (in €):

[465 928 306]

☐ NA

☐ NAP

Comments -

012. Annual approved public budget allocated to legal aid, in €.

	TOTAL	Criminal cases	Other than criminal cases
TOTAL - Annual approved public budget allocated to legal aid (12.1 + 12.2)	375 388 750 <input type="checkbox"/> NA <input type="checkbox"/> NAP	212 509 592 <input type="checkbox"/> NA <input type="checkbox"/> NAP	162 879 158 <input type="checkbox"/> NA <input type="checkbox"/> NAP
12.1 for cases brought to court (court fees and/or legal representation)	375 388 750 <input type="checkbox"/> NA <input type="checkbox"/> NAP	212 509 592 <input type="checkbox"/> NA <input type="checkbox"/> NAP	162 879 158 <input type="checkbox"/> NA <input type="checkbox"/> NAP
12.2 for cases not brought to court (legal advice, ADR and other legal services)	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

012-1. Annual implemented public budget allocated to legal aid, in €.

	TOTAL	Criminal cases	Other than criminal cases
TOTAL - Annual implemented public budget allocated to legal aid (12-1.1 + 12-1.2)	375 388 750 [] NA [] NAP	212 509 592 [] NA [] NAP	162 879 158 [] NA [] NAP
12-1.1 for cases brought to court (court fees and/or legal representation)	375 388 750 [] NA [] NAP	212 509 592 [] NA [] NAP	162 879 158 [] NA [] NAP
12-1.2 for cases not brought to court (legal advice, ADR and other legal services)	0 [] NA [] NAP	0 [] NA [] NAP	0 [] NA [] NAP

If the public budget actually implemented regarding legal aid is different from the annual approved public budget allocated to legal aid, please indicate the main reasons for the differences:



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012-3. Do legal aid budgets indicated in Q12 and Q12-1 include:

	Amount calculated/estimated included
Coverage of court fees	(X) Yes () No () NAP (Legal aid does not include coverage of court fees)
Exemption from court fees	() Yes (X) No () NAP (Legal aid does not include exemption from court fees)

Comments

013. Annual (approved and implemented) public budget allocated to the public prosecution services, in €.

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to the public prosecution services, in € (including 13.1)	1 837 859 138 [] NA [] NAP	1 592 960 028 [] NA [] NAP
13.1. Annual public budget allocated to training of public prosecution services	167 680 [] NA [] NAP	93 530 [] NA [] NAP

Please indicate any useful comment to explain the figures provided. Moreover, if the annual public budget allocated to the public prosecution services actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences: The increase in the budget for training is due to the fact that in 2020 the training was mainly delivered online (less expensive) due to the pandemic.

A2. Please indicate the sources for answering the questions in this part

1.1.3 Budgetary data concerning the whole justice system

015-1. Annual (approved and implemented) public budget allocated to the whole justice system, in € (this global budget includes the judicial system budget - see 15-2 and other elements of the justice system - see 15-3)

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to the whole justice system in €	11 367 544 871 [] NA [] NAP	9 667 262 854 [] NA [] NAP

Comments - Please indicate any useful comment to explain the figures provided above and specify if a large portion of the budget allocated to the whole justice system comes from an international organisation. Moreover, if the annual public budget allocated to the whole justice system actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences: As per previous cycles these totals include the budget of the Ministry of Justice and the budget of the Council of State (i.e. a legal-administrative consultative body that ensures the legality of public administration in Italy).

015-2. Elements of the judicial system budget (Q6, Q7, Q12, Q13)

	Included
Courts	(X) Yes () No [] NAP
Legal aid	(X) Yes () No [] NAP
Public prosecution services	(X) Yes () No [] NAP

Comments

015-3. Other budgetary elements

	Included
Prison system	(X) Yes () No [] NAP
Probation services	(X) Yes () No [] NAP

High Judicial Council	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="checkbox"/> NAP
High Prosecutorial Council	<input type="radio"/> Yes <input type="radio"/> No <input checked="" type="checkbox"/> NAP
Constitutional court	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="checkbox"/> NAP
Judicial management body	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="checkbox"/> NAP
Service for legal representation of the State	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="checkbox"/> NAP
Enforcement services	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="checkbox"/> NAP
Notariat	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="checkbox"/> NAP
Forensic services	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="checkbox"/> NAP
Judicial protection of juveniles	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="checkbox"/> NAP
Functioning of the Ministry of Justice	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="checkbox"/> NAP
Refugees and asylum seekers services	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="checkbox"/> NAP
Immigration Service	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="checkbox"/> NAP
Some police services (e.g. : transfer, investigation, prisoners' security)	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="checkbox"/> NAP
Other	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="checkbox"/> NAP

If "Other", please specify:

A3. Please indicate the sources for answering the questions in this part

Sources: Ministry of Justice – Budget and Accounts Department (Direzione Generale del Bilancio)
Council of State (Consiglio di Stato)

2. Access to justice and all courts

2.1. Legal Aid

2.1.1 Scope of legal aid

016. Does legal aid apply to:

	Criminal cases	Other than criminal cases
Representation in court	(X) Yes () No [] NA [] NAP	(X) Yes () No [] NA [] NAP
Legal advice, ADR and other legal services	(X) Yes () No [] NA [] NAP	(X) Yes () No [] NA [] NAP

016-1. Please briefly describe the organisation of the legal aid system in your country.

- See general comments

018. Can legal aid be granted for the fees that are related to the enforcement of judicial decisions (e.g. fees of an enforcement agent)?

(X) Yes

() No

[] NA

If yes, please specify:

019. Can legal aid be granted for other costs (different from those mentioned in questions 16 to 18, e.g. fees of technical advisors or experts, costs of other legal professionals (notaries), travel costs etc.)?

	Criminal cases	Other than criminal cases
Legal aid granted for other costs	(X) Yes () No [] NA [] NAP	(X) Yes () No [] NA [] NAP

Comments - If yes, please specify:

2.1.2 Information on legal aid

020. Please indicate the number of cases for which legal aid has been granted:

	Total	Cases brought to court	Cases not brought to court
TOTAL	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/>] NAP
In criminal cases	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/>] NAP
In other than criminal cases	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/>] NAP

Comments - Please specify when appropriate:

020-0. Please indicate the number of recipients of legal aid:

	Total	Cases brought to court	Cases not brought to court
TOTAL	337 412 <input type="checkbox"/>] NA <input type="checkbox"/>] NAP	337 412 <input type="checkbox"/>] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/>] NAP
In criminal cases	175 857 <input type="checkbox"/>] NA <input type="checkbox"/>] NAP	175 857 <input type="checkbox"/>] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/>] NAP
In other than criminal cases	161 555 <input type="checkbox"/>] NA <input type="checkbox"/>] NAP	161 555 <input type="checkbox"/>] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/>] NAP

Comments - Please specify when appropriate:

020-0-1. Are there statistical data disaggregated by gender in respect of recipients of legal aid?

☐) Yes

☒) No

Comments

020-0-2. If yes, please provide details on distribution by gender of recipients of legal aid:

	Total	Males	Females
Number of recipients of legal aid	<input type="checkbox"/>] NA <input type="checkbox"/>] NAP	<input type="checkbox"/>] NA <input type="checkbox"/>] NAP	<input type="checkbox"/>] NA <input type="checkbox"/>] NAP

Comments

020-0-3. Is it possible to divide the number of recipients of legal aid per different categories of cases?

☐) Yes

☒) No

Comment: If yes, please specify for which categories of cases:

020-0-4. Are there situations where legal aid is automatically granted depending on categories of

cases?

() Yes

(X) No

Comment: If yes, please specify:

020-0-5. How many of the recipients of legal aid are alleged victims of domestic violence?

	Total	Males	Females
Number of recipients of legal aid who are alleged victims of domestic violence	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments

020-1. Please indicate the timeframes of the procedure for granting legal aid, in relation to the duration from the initial legal aid request to the final decision on the legal aid request:

	Time in days
Maximum duration prescribed in law/regulation	10 [] NA [] NAP
Actual average duration	[X] NA [] NAP

Comments - Please specify if the envisaged timeframe is set in a statutory law, or in other regulation. Furthermore, if different timeframes are envisaged for criminal and other than criminal cases, please provide more information:

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021. In criminal cases, can individuals who do not have sufficient financial means be assisted by a free of charge (or financed by a public budget) lawyer?

	Assisted by a free of charge lawyer
Accused individuals	(X) Yes () No
Victims	(X) Yes () No

Comments - If yes, please specify:

022. In criminal cases are these individuals free to choose their lawyer within the framework of the legal aid system?

	free selection of lawyer
Accused individuals	(X) Yes () No [] NAP

Victims	<input checked="" type="checkbox"/> Yes
	<input type="checkbox"/> No
	<input type="checkbox"/> NAP

Comments

023-0. Does your country have an income and assets evaluation for granting full or partial legal aid?

☒ Yes

☐ No

Comments - Please indicate if any other criteria are taken into account for the granting of legal aid and any comment that could explain the data provided above:

023. If yes, please specify in the table:

	Annual income value (for one person), (in €)	Assets value (for one person), (in €)
Full legal aid to the applicant for criminal cases	11 735 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Full legal aid to the applicant for other than criminal cases	11 735 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Partial legal aid to the applicant for criminal cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Partial legal aid to the applicant for other than criminal cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

024. Is it possible to refuse legal aid for lack of merit of the case (for example for frivolous action or no chance of success)?

☒ Yes

☐ No

Comments - If yes, please specify the exact criteria for denying legal aid:

025. Is the decision to grant or refuse legal aid taken by:

☐ the judge(s) dealing with the main case

☐ another judge or official

☐ an authority external to the court

☒ several authorities (court and external bodies)

Comments In the area of civil justice, the decision to grant or refuse legal aid in Italy is typically taken by an authority external to the court, specifically the "Consiglio dell'Ordine degli Avvocati" (Bar Association Council). However, if an applicant disagrees with the decision made by the Bar Association Council, they have the option to bring the matter before the competent judge for review. The competent judge will then assess the decision and may either confirm it or overturn it based on their evaluation of the applicant's circumstances and the merits of their case. As far as legal aid in criminal cases, the application for admission is submitted to the judge's office handling the case. Within 10 days, the judge can either declare the application inadmissible, accept it, or reject it. If accepted, the applicant can choose a lawyer from a list. If the request for legal aid is rejected, the applicant can file an appeal with the president of the

tribunal or the court of appeal within 20 days from the moment they become aware of the rejection.

027. Can judicial decisions direct how legal costs, paid by the parties during the procedure, will be shared:

	Judicial decisions direct how legal costs will be shared
in criminal cases	(X) Yes () No
in other than criminal cases	(X) Yes () No

Comments - If no, please specify how legal costs are distributed:

B1. Please indicate the sources for answering the questions in this part

Sources: Ministry of Justice

2.2.Court users and victims

2.2.1Rights of the users and victims

028. Are there official internet sites/portals (e.g. Ministry of Justice, Judicial Council etc.) where general public may have free-of-charge access to the following:

	Yes, internet adresse(es)	No
Legal texts (e.g. codes, laws, regulations, etc.)	(X) www.normattiva.it/	()
Case-law of the higher court/s	(X) https://www.italgiure.giustizia.it https://www.portaledelmassimario.ipzs.it	()
Information about the judicial system (organisation of courts, court proceedings, etc)	(X) https://www.giustizia.it/giustiziario/it/mg_4.page	()

Other documents (e.g. forms, downloadable forms, online registration forms)	<input checked="" type="checkbox"/> (X) <a href="https://www.giustizia.it/giustizi
a/it/mg_3.page">https://www.giustizia.it/giustizi a/it/mg_3.page <a href="https://www.giustizia.it/giustizi
a/page/it/come_fare_per_proces
si_e_cause">https://www.giustizia.it/giustizi a/page/it/come_fare_per_proces si_e_cause <a href="https://www.giustizia.it/giustizi
a/it/mg_2_10_6.page">https://www.giustizia.it/giustizi a/it/mg_2_10_6.page <a href="https://e-justice.europa.eu/content_rights
_of_defendants_in_criminal_pr
oceedings_-169-it.do">https://e-justice.europa.eu/content_rights _of_defendants_in_criminal_pr oceedings_-169-it.do <a href="https://e-justice.europa.eu/content_victi
ms_of_crime-65-it.do">https://e-justice.europa.eu/content_victi ms_of_crime-65-it.do	<input type="checkbox"/> ()
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Comment - Please specify what documents and information are included in “Other documents” These pages contain useful information for dealing with judicial offices and the service provided. A list of online forms and (e.g. Victim compensation form for violent intentional crimes).

029. Is there an obligation to provide information to the parties concerning the foreseeable timeframes of their proceedings?

☒ (X) Yes, always

☐ () No

☐ () Yes, only in some specific situations

Comment - If “Yes, only in some specific situations”, please specify:

030. Is there a public and free-of-charge information system for providing information and facilitating access to justice:

	Information system
General for citizens	<input checked="" type="checkbox"/> [X] Online information <input checked="" type="checkbox"/> [X] Telephone <input type="checkbox"/> [] Interactive chat <input checked="" type="checkbox"/> [X] In-person (physical access on site) <input checked="" type="checkbox"/> [X] Other <input type="checkbox"/> [] No
Specific for victims of offences	<input checked="" type="checkbox"/> [X] Online information <input checked="" type="checkbox"/> [X] Telephone <input type="checkbox"/> [] Interactive chat <input checked="" type="checkbox"/> [X] In-person (physical access on site) <input checked="" type="checkbox"/> [X] Other <input type="checkbox"/> [] No
Specific for minors (child-friendly systems)	<input checked="" type="checkbox"/> [X] Online information <input checked="" type="checkbox"/> [X] Telephone <input type="checkbox"/> [] Interactive chat <input checked="" type="checkbox"/> [X] In-person (physical access on site) <input checked="" type="checkbox"/> [X] Other <input type="checkbox"/> [] No

Comments - Please provide more information on these systems and specify how this assistance is provided: The “Other” option refers to

email.

031. Are there special favourable arrangements to be applied, during judicial proceedings, to the following categories of vulnerable persons:

	Information mechanism	Special arrangements in hearings	Other specific arrangements
Victims of sexual violence/rape	(X) Yes () No	(X) Yes () No	(X) Yes () No
Victims of terrorism	(X) Yes () No	(X) Yes () No	(X) Yes () No
Minors (witnesses or victims)	(X) Yes () No	(X) Yes () No	(X) Yes () No
Victims of domestic violence	(X) Yes () No	(X) Yes () No	(X) Yes () No
Ethnic minorities	(X) Yes () No	(X) Yes () No	(X) Yes () No
Persons with disabilities	(X) Yes () No	(X) Yes () No	(X) Yes () No
Juvenile offenders	(X) Yes () No	(X) Yes () No	(X) Yes () No
Other (e.g. victims of human trafficking, forced marriage, sexual mutilation)	(X) Yes () No	(X) Yes () No	(X) Yes () No

Comments - If “Other vulnerable person” and/or “Other specific arrangements”, please specify:

031-0. If there are special arrangements for minors, what are the settings / tools / facilities / practises employed to protect them when they participate in judicial proceedings?

[X] Special and child-adequate preparation for participation in trials / lawsuits (explaining in a child-friendly manner the proceedings)

[X] Special room in court designated for child-friendly hearings

[X] Special person / team of trained professional(s) (such as psychologists) to accompany a minor throughout the proceedings

[] Special ways to communicate and explain meaning of court decisions

[X] Interagency/multidisciplinary structure such as “Children's Houses”

[] Other, please specify

[] NAP

Comment

031-1. What are the main criteria for a person under 18 years of age to act in court proceedings or to be a witness?

Civil proceedings	Criminal proceedings
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Capacity to initiate a proceeding and take other procedural actions in his/her own name	<input type="checkbox"/> Age threshold [Comment] <input type="checkbox"/> Capacity for discernment <input type="checkbox"/> Other <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> Age threshold [Comment] <input type="checkbox"/> Capacity for discernment <input type="checkbox"/> Other <input checked="" type="checkbox"/> NAP
To be a witness	<input type="checkbox"/> Age threshold [Comment] <input checked="" type="checkbox"/> Capacity for discernment <input type="checkbox"/> Other <input type="checkbox"/> NAP	<input type="checkbox"/> Age threshold [Comment] <input checked="" type="checkbox"/> Capacity for discernment <input type="checkbox"/> Other <input type="checkbox"/> NAP

Comments - Please specify if you selected "Other".

031-2. If a person under 18 years of age cannot act in court proceedings in his/her own name, who can represent him/her in judicial proceedings?

	Civil proceedings	Criminal proceedings
Parent/legal guardian	<input type="checkbox"/> Yes, always <input checked="" type="checkbox"/> Yes, except in some specific situations <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes, always <input type="checkbox"/> Yes, except in some specific situations <input type="checkbox"/> No
Another representative (instead of parent/legal guardian)	<input type="checkbox"/> Social care services or other public institution <input type="checkbox"/> Legal professional <input type="checkbox"/> Associations for protection of minors <input type="checkbox"/> Other	<input type="checkbox"/> Social care services or other public institution <input type="checkbox"/> Legal professional <input type="checkbox"/> Associations for protection of minors <input type="checkbox"/> Other

Comment

031-3. What are the different criteria for the criminal liability of minors? (multiple replies possible)

- ☒ Age threshold(s)
☒ Capacity for discernment
☐ Other criteria

Comment

031-3-1. What is the age threshold for the criminal liability of minors?

Criminal liability resulting in sentence without privation of liberty (for example, educational measures)

- ☐ 14]
☐ NA
☐ NAP

Criminal liability resulting in sentence of privation of liberty

- ☐ 14]
☐ NA

Comment - Please describe, briefly, the specifics of your system. Could you, please specify if the possibility of mitigation applies to the sanctions and how?

-

032. Does your country allocate compensation for victims of offences?

- () Yes, but only if the offender is unknown
- (X) Yes, but only if compensation could not be obtained from the offender
- () Yes, in both situations
- () No

Comment

032-0. If yes, for what types of offences the compensation is allocated?

- () For all types of offences
- (X) For some types of offences

Comment - Please specify: According to art. 11 of Law 7 July 2016 nr. 122 (as amended by Law 20 November 2017 nr 167) the right to compensation (paid by the State) shall be recognised to victims of intentional crimes committed by using violence against a person (except for minor injuries) and in any case of “illicit intermediation in labour and labour exploitation” (art. 603bis of the criminal code). Furthermore, there are special laws which provide rules on compensation to victims of specific types of offences, such as terrorism, organized crime, usury, racketeering and extortion. However, the special provisions only apply when they are more favourable for the victim than the general rules provided in Law 122/2016.

032-1. Is a court decision necessary in the framework of the compensation procedure?

- (X) Yes
- () No

Comments

032-0. If yes, for what types of offences the compensation is allocated?

- () For all types of offences
- (X) For some types of offences

Comment - Please specify: According to art. 11 of Law 7 July 2016 nr. 122 (as amended by Law 20 November 2017 nr 167) the right to compensation (paid by the State) shall be recognised to victims of intentional crimes committed by using violence against a person (except for minor injuries) and in any case of “illicit intermediation in labour and labour exploitation” (art. 603bis of the criminal code). Furthermore, there are special laws which provide rules on compensation to victims of specific types of offences, such as terrorism, organized crime, usury, racketeering and extortion. However, the special provisions only apply when they are more favourable for the victim than the general rules provided in Law 122/2016.

032-1. Is a court decision necessary in the framework of the compensation procedure?

- (X) Yes
- () No

Comments

032-0. If yes, for what types of offences the compensation is allocated?

☐ For all types of offences

☒ For some types of offences

☐ NAP

Comment - Please specify: According to art. 11 of Law 7 July 2016 nr. 122 (as amended by Law 20 November 2017 nr 167) the right to compensation (paid by the State) shall be recognised to victims of intentional crimes committed by using violence against a person (except for minor injuries) and in any case of "illicit intermediation in labour and labour exploitation" (art. 603bis of the criminal code). Furthermore, there are special laws which provide rules on compensation to victims of specific types of offences, such as terrorism, organized crime, usury, racketeering and extortion. However, the special provisions only apply when they are more favourable for the victim than the general rules provided in Law 122/2016.

032-1. Is a court decision necessary in the framework of the compensation procedure?

☒ Yes

☐ No

Comments

034. Is there a regular monitoring (official studies, reports etc.) allowing the evaluation of the recovery rate of the damages awarded by courts to victims?

☐ Yes

☒ No

Comments - If yes, please illustrate with available data concerning the recovery rate, the title of the studies, the frequency of the studies and the coordinating body:

035. Do public prosecutors have a specific role with respect to victims (protection and assistance)?

☒ Yes

☐ No

Comments - If yes, please specify:

035-1. Do public prosecutors have a specific role with respect to minor victims (protection and assistance)?

☒ Yes

☐ No

Comment - If yes, please specify:

-

036. Do victims of offences have the right to dispute a public prosecutor's decision to discontinue a case? Please verify the consistency of your answers in this question and question 105 regarding the possibility for a public prosecutor "to discontinue a case without needing a decision by a judge".

☐ Yes

☐ No

☒ NAP

Comment - If necessary, please specify:

037. Is there a system of compensation in the following circumstances:

	Number of requests for compensation	Number of compensations granted	Total amount of compensations granted (in €)
Total	25 523 [] NA [] NAP	24 563 [] NA [] NAP	[X] NA [] NAP
Excessive length of proceedings	16 897 [] NA [] NAP	17 523 [] NA [] NAP	[X] NA [] NAP
Non-execution of court decisions	7 380 [] NA [] NAP	6 471 [] NA [] NAP	[X] NA [] NAP
Wrongful arrest/detention	1 231 [] NA [] NAP	560 [] NA [] NAP	[X] NA [] NAP
Wrongful conviction	15 [] NA [] NAP	9 [] NA [] NAP	[X] NA [] NAP
Other	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments - Where appropriate, please give details on the compensation procedure and the calculation method for the amount of the compensation (e.g., the amount per day for unjustified detentions or convictions):

037-1. Please specify which authorities are responsible for dealing with the requests and whether a legal time limit exists to deal with these requests:

	Responsible authorities	Legal time limit
Court concerned	[X]	[X]
Other court	[X]	[X]
Ministry of Justice	[]	[]
High Judicial Council	[]	[]
Other external bodies (e.g. Ombudsman)	[]	[]

Comments

037-2. Are there statistical data disaggregated by gender concerning the number of:

	Existence of statistical data disaggregated by gender
Persons who initiate a case in other than criminal matters	() Yes - If yes, please specify for which categories of cases: [Comment] (X) No [] NA

Victims recognised as such by the court	<input type="checkbox"/> Yes - If yes, please specify for which types of offences: [Comment] <input checked="" type="checkbox"/> No <input type="checkbox"/> NA
Perpetrators of criminal offences	<input type="checkbox"/> Yes - If yes, please specify for which types of offences: [Comment] <input checked="" type="checkbox"/> No <input type="checkbox"/> NA

Comments

037-3. Are there statistical data on the relation between the perpetrator of the criminal offence and the victim recognised by the court?

☐ Yes

☒ No

If yes, please specify:

2.2.2 Confidence and satisfaction of citizens with their justice system

038. Does your country implement surveys to measure trust in justice and satisfaction with the services delivered by the judicial system?

	National level	Court level
Surveys for judges	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for court staff	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for public prosecutors	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for lawyers	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for other professionals	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for the parties	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for other court users (e.g. jurors, witnesses, experts, interpreters, representatives of governmental agencies, NGOs)	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for victims	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc

Surveys for minors	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for the general public	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Other not mentioned	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc

☐ NA

Comment - Please, indicate the references and links to the satisfaction surveys you mentioned above: No such surveys were carried out in 2022.

3. Organisation of the court system

3.1. Courts

3.1.1 Number of courts

042. Number of courts - legal entities.

	Number of courts
Total number of all courts - legal entities (1 + 2)	811 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1 Total number of courts of general jurisdiction - legal entities (1.1 + 1.2 + 1.3)	552 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1.1 First instance courts of general jurisdiction - legal entities	525 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1.2 Second instance courts of general jurisdiction - legal entities	26 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1.3 Highest instance courts of general jurisdiction - legal entities	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2 Total number of specialised courts - legal entities	259 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

043. Number of specialised courts – legal entities.

	First instance	Higher instances
Total number of specialised courts - legal entities	236 <input type="checkbox"/> NA <input type="checkbox"/> NAP	23 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Commercial courts (excluded insolvency courts)	22 [] NA [] NAP	[] NA [X] NAP
Insolvency courts	[] NA [X] NAP	[] NA [X] NAP
Labour courts	[] NA [X] NAP	[] NA [X] NAP
Family courts	[] NA [X] NAP	[] NA [X] NAP
Rent and tenancies courts	[] NA [X] NAP	[] NA [X] NAP
Enforcement of criminal sanctions courts	58 [] NA [] NAP	[] NA [X] NAP
Fight against terrorism, organised crime and corruption	[] NA [X] NAP	[] NA [X] NAP
Internet related disputes	[] NA [X] NAP	[] NA [X] NAP
Administrative courts	20 [] NA [] NAP	1 [] NA [] NAP
Insurance and / or social welfare courts	[] NA [X] NAP	[] NA [X] NAP
Military courts	4 [] NA [] NAP	1 [] NA [] NAP
Juvenile courts	29 [] NA [] NAP	[] NA [X] NAP
Other specialised courts	103 [] NA [] NAP	21 [] NA [] NAP

Comments - If “Other specialised courts”, please specify: The appeal of some specialized courts (e.g. commercial courts, juvenile courts) are dealt by the general jurisdiction appeal courts. Specific subject matters (e.g labour, insolvency, family, fight against terrorism and organised crime) are dealt by specific divisions within general jurisdiction courts. See general comment for details. The option “Other specialised courts” refers to tax courts.

044. Number of courts - geographic locations.

	Number of courts (geographic locations)
First instance courts geographic locations (this includes 1st instance courts of general jurisdiction and first instance specialised courts)	773 [] NA [] NAP

All the courts (geographic locations) (this includes 1st instance courts of general jurisdiction, first instance specialised courts, all second instance courts and courts of appeal and all Supreme Courts)	844 [] NA [] NAP
--	--------------------------

Comments

C. Please indicate the sources for answering the questions in this part

Sources: Ministry of Justice and Council of State

3.2. Court staff

3.2.1 Judges and non-judge staff

046. Number of professional judges sitting in courts (if possible on 31 December of the reference year). (Please give the information in full-time equivalent and for posts actually filled for all types of courts - general jurisdiction and specialised courts)

	Total	Males	Females
Total number of professional judges (1 + 2 + 3)	7 166 [] NA [] NAP	3 128 [] NA [] NAP	4 038 [] NA [] NAP
1. Number of first instance professional judges	5 483 [] NA [] NAP	2 274 [] NA [] NAP	3 209 [] NA [] NAP
2. Number of second instance (court of appeal) professional judges	1 179 [] NA [] NAP	515 [] NA [] NAP	664 [] NA [] NAP
3. Number of Supreme Court professional judges	504 [] NA [] NAP	339 [] NA [] NAP	165 [] NA [] NAP

Comment - Please provide any useful comment for interpreting the data above:

=

046-1-1. Does your system allow part-time work for professional judges with proportionally reduced remuneration?

() Yes

(X) No

Comments

046-1-2. If yes, please specify in which situation(s) part-time work can be granted (multiple replies possible).

[] Child-care

[] Elderly care or other dependant persons' care

- ☐ Training
- ☐ For the purposes of early retirement
- ☐ No specific reason required
- ☐ Other reason, please specify:

Comments

046-1-3. If yes, what is the number of professional judges working part-time with reduced remuneration?

	Total	Males	Females
Total (1 + 2 + 3)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
1. At first instance level	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2. At second instance (court of appeal) level	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
3. At Supreme Court level	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

046-1-4. Are there other possibilities (apart from part-time) for regular adjustment of working time or conditions with or without reduced remuneration?

	Adjustment of working time or conditions with or without reduced remuneration
Temporary reduction of the workload	(X) Yes () No
Temporary reduction of the working time / special leave	(X) Yes () No
Other measures	(X) Yes () No

Comment: If such possibilities for regular adjustment exist, please specify if they imply or not a reduction of the remuneration? See general comments

046-1-5. If yes, please specify in which situation(s) these possibilities can be used?

- ☒ Child-care
- ☒ Elderly care or other dependant persons' care
- ☐ Training
- ☐ For the purposes of early retirement
- ☐ As part of induction process for new judges
- ☐ No specific reason required

[X] Other reason, please specify:see 046-1-4 general comments

[] NAP

Comments

=

046-2. Number of judges (FTE) by case type:

	Total	Civil and/or commercial	Criminal	Administrative	Other
Total number of judges	7 166 [] NA [] NAP	3 499 [] NA [] NAP	3 127 [] NA [] NAP	445 [] NA [] NAP	95 [] NA [] NAP
First instance	5 483 [] NA [] NAP	2 673 [] NA [] NAP	2 421 [] NA [] NAP	313 [] NA [] NAP	76 [] NA [] NAP
Second instance	1 179 [] NA [] NAP	622 [] NA [] NAP	541 [] NA [] NAP	[] NA [X] NAP	16 [] NA [] NAP
Supreme Court	504 [] NA [] NAP	204 [] NA [] NAP	165 [] NA [] NAP	132 [] NA [] NAP	3 [] NA [] NAP

If “Other”, please explain which types of cases: Judges who do not specifically deal with any of these types of cases, and judges with coordination and management duties.

=

047. Number of court presidents .

	Total	Males	Females
Total number of court presidents (1 + 2 + 3)	212 [] NA [] NAP	148 [] NA [] NAP	64 [] NA [] NAP
1. Number of first instance court presidents	187 [] NA [] NAP	130 [] NA [] NAP	57 [] NA [] NAP
2. Number of second instance (court of appeal) court presidents	23 [] NA [] NAP	16 [] NA [] NAP	7 [] NA [] NAP
3. Number of Supreme Court presidents	2 [] NA [] NAP	2 [] NA [] NAP	0 [] NA [] NAP

Comments The percentage of discrepancies is high due to the small absolute value. Changes are due to vacant positions.

048. Number of professional judges sitting in courts on an occasional basis and who are paid as such (if possible, on 31 December of the reference year):

	Figure
Gross figure	[] NA [X] NAP

In full-time equivalent	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
-------------------------	--

Comments - If necessary, please provide comments to explain the answer provided:

048-1. Do these professional judges sitting in courts on an occasional basis deal with a significant part of cases?

() Yes If yes, please give specifications on the types of cases and an estimate in percentage.

() No

☒ NAP

Comments

049. Number of non-professional judges who are not remunerated but who may receive a simple defrayal of costs (if possible, on 31 December of the reference year) (e.g. lay judges or “juges consulaires”, but not arbitrators or persons sitting on a jury):

	Figure
Gross figure	3 150 <input type="checkbox"/> NA <input type="checkbox"/> NAP
In full time equivalent	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

049-1. If such non-professional judges exist at first instance in your country, please specify for which types of cases:

	Yes	No	Echevinage / mixed bench
Criminal cases (severe)	()	(X)	()
Criminal cases (misdemeanour and/or minor)	(X)	()	()
Family law cases	()	(X)	()
Labour law cases	()	(X)	()
Social law cases	()	(X)	()
Commercial law cases	()	(X)	()
Insolvency cases	()	(X)	()
Other civil cases	(X)	()	()

☐ NAP

Comments - If “Other civil cases”, please specify: Lay judges (either serving at Judges of Peace Offices or at the Tribunals) deal with civil

and commercial cases of small value cases and misdemeanour criminal cases.

050. Does your judicial system include trial by jury with the participation of citizens?

(X) Yes

() No

Comments

050-1. If yes, for which type(s) of case(s)?

[X] Criminal cases

[] Other than criminal cases

Comments

051. Number of citizens who were involved in such juries for the year of reference:

[]

[X] NA

[] NAP

Comments



=

052. Number of non-judge staff who are working in courts (if possible on 31 December of the reference year) (this data should not include the staff working for public prosecutors; see question 60) (please give the information in full-time equivalent and for posts actually filled)

	Total	Males	Females
Total non-judge staff working in courts (1 + 2 + 3 + 4 + 5)	25 947 [] NA [] NAP	8 676 [] NA [] NAP	17 271 [] NA [] NAP
1. Rechtspfleger (or similar bodies) (see Explanatory Note)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2. Non-judge (judicial) staff whose task is to assist the judges such as registrars (case preparation, assistance during the hearing, helping to draft the decisions)	17 271 [] NA [] NAP	4 956 [] NA [] NAP	12 323 [] NA [] NAP
3. Staff in charge of different administrative tasks and of the management of the courts (human resources management, material and equipment management, including computer systems, financial and budgetary management, training management)	4 757 [] NA [] NAP	1 444 [] NA [] NAP	3 313 [] NA [] NAP
4. Technical staff	1 959 [] NA [] NAP	1 038 [] NA [] NAP	921 [] NA [] NAP

5. Other non-judge staff	1 952 [] NA [] NAP	1 238 [] NA [] NAP	714 [] NA [] NAP
---------------------------------	----------------------------	----------------------------	--------------------------

Comments - If “Other non-judge staff”, please specify: Within the framework of the National Recovery and Resilience Plan (PNRR), the Ministry of Justice has carried out an extraordinary recruitment process to strengthen the so-called "Trial Office". This is an organisational tool consisting in the creation or the reinforcement of support teams for judges, with fixed-term employment and with the aim of reducing the backlog and the disposition time. This measure also improved the quality of justice by supporting judges in their normal activities of study, legal research, drafting documents, organising documents and thus allowing judges to concentrate on more complex tasks.

052-1. Number of non-judge staff by instance (if possible, on 31 December of the reference year) (this data should not include the staff working for public prosecutors; see question 60) (please give the information in full-time equivalent and for posts actually filled).

	Total	Males	Females
Total non-judge staff working in courts (1+2+3)	25 947 [] NA [] NAP	8 676 [] NA [] NAP	17 271 [] NA [] NAP
1. Total non-judge staff working in courts at first instance level	20 802 [] NA [] NAP	6 885 [] NA [] NAP	13 917 [] NA [] NAP
2. Total non-judge staff working in courts at second instance (court of appeal) level	4 103 [] NA [] NAP	1 430 [] NA [] NAP	2 673 [] NA [] NAP
3. Total non-judge staff working in courts at Supreme Court level	1 042 [] NA [] NAP	361 [] NA [] NAP	681 [] NA [] NAP

Comments See comment at Q.52

=

053. If there are Rechtspfleger (or similar bodies), please specify in which fields they have a role:

- [] Legal aid
- [] Family cases
- [] Payment orders
- [] Registry cases (land and/or business registry cases)
- [] Enforcement of civil cases
- [] Enforcement of criminal cases
- [] Non-litigious cases
- [] Other cases not mentioned (please describe in comment)
- [X] NAP

Comments - Please briefly describe their status and exact duties:

054. Have the courts outsourced certain services under their responsibilities to external providers?

- (X) Yes
- () No

054-1. If yes, please specify which services have been outsourced:☒ IT services☒ Training of staff☒ Security☐ Archives☒ Cleaning☒ Other types of services (please specify):

Comments - If "Other types of services", please specify:

☐ NA**C1. Please indicate the sources for answering the questions in this part**

Sources: Q.46 High Council of the Judiciary

Q.52 Ministry of Justice – HR Department

3.3. Public prosecution**3.3.1 Public prosecutors and staff****055. Number of public prosecutors (on 31 December of the reference year). (Please give the information in full-time equivalent and for posts actually filled.)**

	Total	Males	Females
Total number of prosecutors (1 + 2 + 3)	2 255 [] NA [] NAP	1 169 [] NA [] NAP	1 086 [] NA [] NAP
1. Number of prosecutors at first instance level	1 957 [] NA [] NAP	992 [] NA [] NAP	965 [] NA [] NAP
2. Number of prosecutors at second instance (court of appeal) level	225 [] NA [] NAP	132 [] NA [] NAP	93 [] NA [] NAP
3. Number of prosecutors at Supreme Court level	73 [] NA [] NAP	45 [] NA [] NAP	28 [] NA [] NAP

Comments - Please indicate any useful comment for interpreting the data above:

=

055-1-1. Does your system allow part-time work for prosecutors with proportionally reduced remuneration?☐ Yes

(X) No

Comments

055-1-2. If yes, please specify in which situation(s) part-time work can be granted? (multiple replies possible)

- ☐ Child-care
- ☐ Elderly care or other dependant persons' care
- ☐ Training
- ☐ For the purposes of early retirement
- ☐ No specific reason required
- ☐ Other reason, please specify:

Comments

055-1-3. If yes, what is the number of prosecutors working part-time with reduced remuneration?

	Total	Males	Females
Total (1 + 2 + 3)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
1. At first instance level	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2. At second instance (court of appeal) level	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
3. At Supreme Court level	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

055-1-4. Are there other possibilities (apart of part-time work) for regular adjustment of working time or conditions with or without reduced remuneration?

	Adjustment of working time or conditions with or without reduced remuneration
Temporary reduction of the workload	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Temporary reduction of the working time / special leave	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Other measures	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comment: If such possibilities for regular adjustment exist, please specify if they imply or not a reduction of the remuneration?

055-1-5 . If yes, please specify in which situation(s) these possibilities can be used?

- ☒ Child-care
- ☒ Elderly care or other dependant persons' care
- ☐ Training
- ☐ For the purposes of early retirement
- ☐ As part of induction process for new prosecutors
- ☐ No specific reason required
- ☒ Other reason, please specify:see comments at 55-1-4
- ☐ NAP

Comments

056. Number of heads of prosecution offices.

	Total	Males	Females
Total number of heads of prosecution offices (1 + 2 + 3)	162 <input type="checkbox"/> NA <input type="checkbox"/> NAP	126 <input type="checkbox"/> NA <input type="checkbox"/> NAP	36 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Number of heads of prosecution offices at first instance level	145 <input type="checkbox"/> NA <input type="checkbox"/> NAP	111 <input type="checkbox"/> NA <input type="checkbox"/> NAP	34 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Number of heads of prosecution offices at second instance (court of appeal) level	16 <input type="checkbox"/> NA <input type="checkbox"/> NAP	14 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Number of heads of prosecution offices at Supreme Court level	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Please provide any useful comment for interpreting the data above: The percentage of discrepancies is high due to the small absolute value.

057. In your judicial system, do other persons have similar duties to those of public prosecutors?

- ☒ Yes
- ☐ No

Comments - If yes, please specify their titles and functions:

057-1. If yes, please provide the number (in full-time equivalent):

- ☐ 1 652]
- ☐ NA

059. If yes, is their number included in the number of public prosecutors that you have indicated under question 55?

- ☐ Yes
- ☒ No
- ☐ NAP

Comments

059-1. Do prosecution offices have prosecutors who are specially trained in areas of domestic

violence and sexual violence?

	-
Domestic violence	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes, specifically for minor victims <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Sexual violence	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes, specifically for minor victims <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If yes, please specify

=

060. Number of staff (non-public prosecutors) attached to the public prosecution services, if possible, on 31 December of the reference year and without the number of non-judge staff, see question 52 (in full-time equivalent and for posts actually filled).

	Total	Males	Females
Number of staff (non-public prosecutors) attached to the public prosecution service	8 181 [] NA	2 940 [] NA	5 241 [] NA

Comment – please describe which categories of staff you have included in your reply:

C2. Please indicate the sources for answering the questions in this part

Sources: Ministry of Justice and High Council for the Judiciary

3.4. Gender equality

3.4.1 Specific provisions for facilitating gender equality

061-2. Are there specific provisions for facilitating gender equality within the framework of the procedures for recruiting :

	Yes, please specify	No
judges	()	(X)
prosecutors	()	(X)
non-judge staff	()	(X)

lawyers	()	(X)
notaries	()	(X)
enforcement agents	()	(X)

[] NA

Comments - if the situation changed since the reference year, please specify in the comments. If you have additional comments please specify:

061-3. Are there specific provisions for facilitating gender equality within the framework of the procedures for promoting :

	Yes, please specify	No
judges	()	(X)
prosecutors	()	(X)
non-judge staff	()	(X)
lawyers	()	(X)
notaries	()	(X)
enforcement agents	()	(X)

Comments - If the situation changed since the reference year or you have additional comments, please specify:

061-3-1. Are there specific provisions for facilitating gender equality within the framework of the procedures for the appointment of:

	Yes / No
Court president	() Yes If “yes”, please specify:[Comment] (X) No
Head of prosecution services	() Yes If “yes”, please specify:[Comment] (X) No

Comments

3.4.2 At national level

061-5. Does your country have an overarching document (e.g. policy/strategy/action plan/program) on gender equality that applies specifically to the judiciary?

(X) Yes

() No

Comments - If the situation changed since the reference year, please indicate in the comments. Could you specify the reference or internet link of this/these document(s) or send/upload it/them to us?

061-6. At national level, is there any specific person (e.g. an equal opportunities commissioner) / institution dealing with gender issues in the justice system concerning:

	Yes, please specify	No
The recruitment of judges	()	(X)
The promotion of judges	(X) CPOM	()
The recruitment of prosecutors	()	(X)
The promotion of prosecutors	(X) CPOM	()
The recruitment of non-judge staff	()	(X)
The promotion of non-judge staff	(X) CUG Giustizia	()

Comments - Please specify the status of this person/institution and if it has a consultative function or if its opinions/decisions have legal consequences:

3.4.3 At court/public prosecution services level

061-7. At the court or public prosecution services level, is there a person (e.g. an equal opportunities commissioner)/institution specifically dedicated to ensure the respect of gender equality in the organisation of judicial work?

	Yes	No
in courts (judges)	(X)	()
in public prosecution services (prosecutors)	(X)	()
for courts' non-judge staff	(X)	()

Comments - Please specify the details of this person/institution, in particular its titles and function: Although they are not particularly widespread throughout the country, similarly to the national committees, there are also special committees called CUGs ("Comitati unici di garanzia per le pari opportunità, la valorizzazione del benessere di chi lavora e contro le discriminazioni") which operate at local/district level.

061-9. In order to improve gender balance in access to different judicial professions and gender equality in promotion and in access to functions of responsibility, what are the measures, in your country, which:

have been already implemented (please specify) :

are planned (please specify) :

Comments - If the situation changed since reference year, please specify in the comments.

☒ NAP

061-10. Are there evaluation studies or official reports regarding the main causes of possible gender inequalities with regard to:

- ☐ Recruitment procedures, please specify:
- ☐ Appointment to the position of court president, please specify:
- ☐ Appointment to the position of head of prosecution services, please specify:
- ☐ Promotion procedures and access to the functions of responsibility, please specify:
- ☐ Other studies, please specify:

☒ NAP

Comments - Please specify also the reference documents. These procedures for the recruitment or promotion of members of the judiciary are based on open competitions which do not tolerate any form of gender inequality.

3.5. Use of information technologies in courts

3.5.1 Governance

ICT STRATEGY

062-01. Do you have an overall Information and Communication Technology (ICT) strategy in the judicial system?

- ☒ Yes
- ☐ No

Comments

062-02. If there is an overall ICT strategy in the judicial system, who was involved in the process of its definition?

- ☒ Judges (Judicial council)
- ☒ Prosecutors (Prosecutorial or judicial council)
- ☒ Ministry of justice
- ☒ Lawyers (bar association)
- ☒ Notaries (association of notaries)
- ☒ Enforcement agents (association of enforcement agents)
- ☐ Other (please specify)

☐ NA
☐ NAP

Comments

LEGISLATION

062-03. Does a national legislation/regulation of ICT in the judicial system exist?

☒ Yes

☐ No

Comments

062-04. If yes, how is this legislation/regulation of ICT in the judicial system structured?

☒ Relevant norms are included in the general e-government legislation/regulation

☒ Relevant norms are included in specific legislation/regulation only for the judicial system

☒ Relevant texts are included in dedicated technical documents/specifications

☐ Other, please specify

☐ NA

Comment - If more than one of the proposed models exist in your country, please select them all and explain the details

☐ NA

IMPACT OF IMPLEMENTATION OF ICT SYSTEMS

062-05. Have you already organised audits/evaluations/assessments of the impact of the implementation of the ICT system?

☒ Yes

☐ No

Comments

062-06. If these audits/evaluations/assessments were already organised, please specify their modalities:

	Format	Last conducted audit
ICT Governance	<input checked="" type="checkbox"/> Internal <input type="checkbox"/> External <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA	<input checked="" type="checkbox"/> In the last 2 years <input type="checkbox"/> Between 2 and 5 years ago <input type="checkbox"/> More than 5 years ago <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA

Security and risk management	<input checked="" type="checkbox"/> Internal <input type="checkbox"/> External <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA	<input checked="" type="checkbox"/> In the last 2 years <input type="checkbox"/> Between 2 and 5 years ago <input type="checkbox"/> More than 5 years ago <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA
Impact on efficiency and quality of the business processes and workflow	<input checked="" type="checkbox"/> Internal <input type="checkbox"/> External <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA	<input checked="" type="checkbox"/> In the last 2 years <input type="checkbox"/> Between 2 and 5 years ago <input type="checkbox"/> More than 5 years ago <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA
Impact on human resources (number, workload, wellbeing)	<input checked="" type="checkbox"/> Internal <input type="checkbox"/> External <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA	<input checked="" type="checkbox"/> In the last 2 years <input type="checkbox"/> Between 2 and 5 years ago <input type="checkbox"/> More than 5 years ago <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA
Other, please specify in comments	<input type="checkbox"/> Internal <input type="checkbox"/> External <input checked="" type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA	<input type="checkbox"/> In the last 2 years <input type="checkbox"/> Between 2 and 5 years ago <input type="checkbox"/> More than 5 years ago <input checked="" type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA

Comment - If you have selected other area, please provide details. Please also add details on the content of the last organised evaluation.

062-07. If these audits/evaluations/assessments were organised in the last 5 years, how did you apply their recommendations/results?

- ☒ Update applications
☒ Define new ICT projects/modules
☒ Adjust legislation
☐ Adjust working processes
☐ Withdraw/stop use of a module/application
☐ Reporting purpose only
☐ Other, please specify

☐ NA

☐ NAP

Comments

3.5.2 Electronic case processing

ELECTRONIC SUBMISSION OF CASES

062-08. If it is possible to submit a case to a court electronically, what are the deployment and

usage rates?

	Deployment rate	Usage rate
Civil	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic submission is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic submission is not possible <input type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic submission is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic submission is not possible <input type="checkbox"/> NA
Criminal	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input checked="" type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input checked="" type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic submission is not possible <input type="checkbox"/> NA

Comments

062-09. If it is possible to submit a case to a court electronically, please specify the modalities:

Electronic or paper	Possible to be submitted electronically by:	Data integration
---------------------	---	------------------

Civil	<input checked="" type="checkbox"/> Paper submission is still possible <input type="checkbox"/> Paper submission is not possible anymore (electronic submission is the only way) <input type="checkbox"/> Double submission (paper must accompany the electronic submission) <input type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Lawyer <input checked="" type="checkbox"/> Party not represented by a lawyer <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> The data are electronically transferred to the Case Management System (CMS) <input checked="" type="checkbox"/> The data are manually re-entered in the CMS <input type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA
Administrative	<input type="checkbox"/> Paper submission is still possible <input checked="" type="checkbox"/> Paper submission is not possible anymore (electronic submission is the only way) <input type="checkbox"/> Double submission (paper must accompany the electronic submission) <input type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Lawyer <input type="checkbox"/> Party not represented by a lawyer <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> The data are electronically transferred to the Case Management System (CMS) <input type="checkbox"/> The data are manually re-entered in the CMS <input type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> Paper submission is still possible <input type="checkbox"/> Paper submission is not possible anymore (electronic submission is the only way) <input type="checkbox"/> Double submission (paper must accompany the electronic submission) <input type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Lawyer <input checked="" type="checkbox"/> Party not represented by a lawyer <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> The data are electronically transferred to the Case Management System (CMS) <input checked="" type="checkbox"/> The data are manually re-entered in the CMS <input type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA

Comments In Italy there are two systems for filing a criminal case. One is the "Portale delle notizie di reato", which allows digital communication between the police and the prosecution. The other is the system that allows communication between the Public Prosecutor's Office (Procura) and the Court (Tribunale).

The transmission of acts between the Public Prosecutor's Office (Procura) and the Court (Tribunale) is either digital or paper-based. In case of paper, data are manually re-entered in the CMS.

SENDING ELECTRONIC DOCUMENTS TO COURT



062-10. If it is possible to send case-related documents to the courts electronically, what are the deployment and usage rates?

	Deployment rate	Usage rate
Civil	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic delivery is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic delivery is not possible <input type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic delivery is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic delivery is not possible <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic delivery is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input checked="" type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic delivery is not possible <input type="checkbox"/> NA

Comments As far as criminal cases are concerned the deployment rate is 100% while the usage rate is lower.

062-11. If it is possible to send electronically case related documents to the courts, please specify the modalities:

Electronic or paper	Possible to be submitted electronically by:	Data integration
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Civil	<input checked="" type="checkbox"/> Paper delivery is still possible <input type="checkbox"/> Paper delivery is not possible anymore (electronic delivery is the only way) <input type="checkbox"/> Double delivery (Paper delivery must accompany the electronic one) <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Documents sent by a lawyer <input checked="" type="checkbox"/> Documents sent by a party not represented by a lawyer <input type="checkbox"/> Documents sent by another person/institution <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> The data are electronically transferred to the CMS <input checked="" type="checkbox"/> The data are manually re-entered in the CMS <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA
Administrative	<input type="checkbox"/> Paper delivery is still possible <input checked="" type="checkbox"/> Paper delivery is not possible anymore (electronic delivery is the only way) <input type="checkbox"/> Double delivery (Paper delivery must accompany the electronic one) <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Documents sent by a lawyer <input type="checkbox"/> Documents sent by a party not represented by a lawyer <input type="checkbox"/> Documents sent by another person/institution <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> The data are electronically transferred to the CMS <input type="checkbox"/> The data are manually re-entered in the CMS <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> Paper delivery is still possible <input type="checkbox"/> Paper delivery is not possible anymore (electronic delivery is the only way) <input type="checkbox"/> Double delivery (Paper delivery must accompany the electronic one) <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Documents sent by a lawyer <input checked="" type="checkbox"/> Documents sent by a party not represented by a lawyer <input type="checkbox"/> Documents sent by another person/institution <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> The data are electronically transferred to the CMS <input checked="" type="checkbox"/> The data are manually re-entered in the CMS <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA

Comment - If you have selected the option “Documents sent by another person/institution”, please specify details. As far as civil cases are concerned, even if paper delivery is still possible, this should be considered as an exceptional event.

As far as criminal cases are concerned, the transmission of documents between the Public Prosecutor's Office (Procura) and the Court (Tribunale) is either digital or paper-based. According to national legislation, signed paper documents lose their legal validity when converted into a digital format. For this reason some paper still exists and it has to be physically transmitted from the prosecution office to the court.

ELECTRONIC NOTIFICATIONS



062-12. If it is possible for courts to send electronic notifications, what are the deployment and usage rates?

	Deployment rate	Usage rate
Civil	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input checked="" type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA

Comments

062-13. If it is possible for courts to send electronic notifications, please specify the modalities:

Electronic or paper	Type of notification	Data integration
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Civil	<input checked="" type="checkbox"/> Paper notification is still possible <input type="checkbox"/> Paper notification is not possible anymore (electronic notification is the only way) <input type="checkbox"/> Double notification (paper notification must accompany the electronic one) <input type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Notifications sent by the court to the lawyer <input checked="" type="checkbox"/> Notifications sent by the court to the party not represented by a lawyer <input checked="" type="checkbox"/> Notifications with attached official documents sent by the courts <input type="checkbox"/> Notifications sent to other persons/institutions <input type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> The electronic notification is generated from the CMS <input checked="" type="checkbox"/> The electronic notification is manually generated <input type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA
Administrative	<input type="checkbox"/> Paper notification is still possible <input checked="" type="checkbox"/> Paper notification is not possible anymore (electronic notification is the only way) <input type="checkbox"/> Double notification (paper notification must accompany the electronic one) <input type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Notifications sent by the court to the lawyer <input type="checkbox"/> Notifications sent by the court to the party not represented by a lawyer <input checked="" type="checkbox"/> Notifications with attached official documents sent by the courts <input type="checkbox"/> Notifications sent to other persons/institutions <input type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> The electronic notification is generated from the CMS <input type="checkbox"/> The electronic notification is manually generated <input type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA

Criminal	<input checked="" type="checkbox"/> Paper notification is still possible	<input checked="" type="checkbox"/> Notifications sent by the court to the lawyer	<input checked="" type="checkbox"/> The electronic notification is generated from the CMS
	<input type="checkbox"/> Paper notification is not possible anymore (electronic notification is the only way) <input type="checkbox"/> Double notification (paper notification must accompany the electronic one) <input type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA	<input type="checkbox"/> Notifications sent by the court to the party not represented by a lawyer <input type="checkbox"/> Notifications with attached official documents sent by the courts <input type="checkbox"/> Notifications sent to other persons/institutions <input type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> The electronic notification is manually generated <input type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA

Comment - If you have selected the option “Notifications sent to other persons/institutions”, please specify details.

CONSULTATION OF A CASE ONLINE

062-14. If it is possible for external users to consult a case online, what are the deployment and usage rates?

	Deployment rate	Usage rate
Civil	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - online consultation is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - online consultation is not possible <input type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - online consultation is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - online consultation is not possible <input type="checkbox"/> NA

Criminal	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - online consultation is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input checked="" type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - online consultation is not possible <input type="checkbox"/> NA
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Comments

062-15. If it is possible for external users to consult a case online, please specify the modalities:

	Content	Access	Consultation format
Civil	<input checked="" type="checkbox"/> Case status <input checked="" type="checkbox"/> Documents <input checked="" type="checkbox"/> Notifications <input checked="" type="checkbox"/> Events/calendar <input checked="" type="checkbox"/> Court decision <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Lawyer <input checked="" type="checkbox"/> Party not represented by a lawyer <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Electronic access at the court premises <input checked="" type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> Case status <input checked="" type="checkbox"/> Documents <input checked="" type="checkbox"/> Notifications <input checked="" type="checkbox"/> Events/calendar <input checked="" type="checkbox"/> Court decision <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Lawyer <input checked="" type="checkbox"/> Party not represented by a lawyer <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input type="checkbox"/> Electronic access at the court premises <input checked="" type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> Case status <input checked="" type="checkbox"/> Documents <input checked="" type="checkbox"/> Notifications <input checked="" type="checkbox"/> Events/calendar <input checked="" type="checkbox"/> Court decision <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Lawyer <input checked="" type="checkbox"/> Party not represented by a lawyer <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Electronic access at the court premises <input checked="" type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA

Comment - If you have selected the option “Other”, please specify details. Other: via internet

REMOTE HEARINGS



062-16. If it is possible to organise remote hearings what are the deployment and usage rates?

	Deployment rate	Usage rate
Civil	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - remote hearings are not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input checked="" type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - remote hearings are not possible <input type="checkbox"/> NA
Administrative	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - remote hearings are not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - remote hearings are not possible <input type="checkbox"/> NA
Criminal	<input type="checkbox"/> 95-100 % <input checked="" type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - remote hearings are not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input checked="" type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - remote hearings are not possible <input type="checkbox"/> NA

Comments

062-17. If it is possible to organise remote hearings, please specify the functionalities and modalities:

Functionalities	Modalities

Civil	<input type="checkbox"/> Dedicated tool specially designed for the use by courts <input checked="" type="checkbox"/> Publicly available tools used by courts <input type="checkbox"/> Organisation of private sessions within online hearings for consultation between parties and their lawyers <input type="checkbox"/> Tools for witness protection (voice distortion, picture distortion) <input type="checkbox"/> Tools for simultaneous interpretation <input type="checkbox"/> Tools for automatic subtitling (speech-to-text) <input type="checkbox"/> NAP – remote hearings are not possible <input type="checkbox"/> NA	<input type="checkbox"/> Agreement of the parties is needed <input checked="" type="checkbox"/> The judge can impose a remote hearing <input type="checkbox"/> NAP – remote hearings are not possible <input type="checkbox"/> NA
Administrative	<input type="checkbox"/> Dedicated tool specially designed for the use by courts <input type="checkbox"/> Publicly available tools used by courts <input type="checkbox"/> Organisation of private sessions within online hearings for consultation between parties and their lawyers <input type="checkbox"/> Tools for witness protection (voice distortion, picture distortion) <input type="checkbox"/> Tools for simultaneous interpretation <input type="checkbox"/> Tools for automatic subtitling (speech-to-text) <input checked="" type="checkbox"/> NAP – remote hearings are not possible <input type="checkbox"/> NA	<input type="checkbox"/> Agreement of the parties is needed <input type="checkbox"/> The judge can impose a remote hearing <input checked="" type="checkbox"/> NAP – remote hearings are not possible <input type="checkbox"/> NA

Criminal	<input checked="" type="checkbox"/> Dedicated tool specially designed for the use by courts <input checked="" type="checkbox"/> Publicly available tools used by courts <input type="checkbox"/> Organisation of private sessions within online hearings for consultation between parties and their lawyers <input type="checkbox"/> Tools for witness protection (voice distortion, picture distortion) <input type="checkbox"/> Tools for simultaneous interpretation <input type="checkbox"/> Tools for automatic subtitling (speech-to-text) <input type="checkbox"/> NAP – remote hearings are not possible <input type="checkbox"/> NA	<input type="checkbox"/> Agreement of the parties is needed <input checked="" type="checkbox"/> The judge can impose a remote hearing <input type="checkbox"/> NAP – remote hearings are not possible <input type="checkbox"/> NA
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Comments Remote hearings in criminal cases can be carried out either through Microsoft "TEAMS Giustizia" or through a dedicated tool/software available in prisons.

ELECTRONIC ARCHIVES

062-18. If electronic archives of cases exist, what are the deployment and usage rates?

	Deployment rate	Usage rate
Civil	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic archives do not exist <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic archives do not exist <input type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic archives do not exist <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic archives do not exist <input type="checkbox"/> NA

Criminal	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic archives do not exist <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic archives do not exist <input type="checkbox"/> NA
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Comments

062-19. If an electronic archive of cases exists, please specify the modalities:

	Electronic or paper
Civil	<input checked="" type="checkbox"/> Paper archiving is still possible <input type="checkbox"/> Paper archiving is not possible anymore (electronic archiving is the only way) <input type="checkbox"/> Double archiving (paper archiving must accompany the electronic one) <input type="checkbox"/> NAP – electronic archives do not exist <input type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> Paper archiving is still possible <input type="checkbox"/> Paper archiving is not possible anymore (electronic archiving is the only way) <input type="checkbox"/> Double archiving (paper archiving must accompany the electronic one) <input type="checkbox"/> NAP – electronic archives do not exist <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> Paper archiving is still possible <input type="checkbox"/> Paper archiving is not possible anymore (electronic archiving is the only way) <input type="checkbox"/> Double archiving (paper archiving must accompany the electronic one) <input type="checkbox"/> NAP – electronic archives do not exist <input type="checkbox"/> NA

Comments

3.5.3 Tools

CASE MANAGEMENT SYSTEMS (CMS)

062-20. If one or more case management system(s) (CMS) exist, what are the deployment and usage rates?

	Deployment rate	Usage rate
Civil	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA

Comments

062-21. If one or more case management system(s) (CMS) exist, please specify the functionalities of these system(s):

Functionalities

Civil	<input checked="" type="checkbox"/> Centralised and/or interoperable CMS databases <input checked="" type="checkbox"/> Active case management dashboard <input checked="" type="checkbox"/> Random allocation of cases <input type="checkbox"/> Case weighting <input checked="" type="checkbox"/> Identification of a case between instances (unique or linked id number) <input checked="" type="checkbox"/> Electronic transfer of a case to another instance/court <input checked="" type="checkbox"/> Anonymisation of decisions to be published <input checked="" type="checkbox"/> Interoperability with other systems (civil register, tax register, insolvency register) <input checked="" type="checkbox"/> Access to closed/resolved cases <input checked="" type="checkbox"/> Advanced search engine <input checked="" type="checkbox"/> Protected log files <input checked="" type="checkbox"/> Electronic signature <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – CMS does not exist <input type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> Centralised and/or interoperable CMS databases <input checked="" type="checkbox"/> Active case management dashboard <input type="checkbox"/> Random allocation of cases <input type="checkbox"/> Case weighting <input checked="" type="checkbox"/> Identification of a case between instances (unique or linked id number) <input checked="" type="checkbox"/> Electronic transfer of a case to another instance/court <input checked="" type="checkbox"/> Anonymisation of decisions to be published <input type="checkbox"/> Interoperability with other systems (civil register, tax register, insolvency register) <input checked="" type="checkbox"/> Access to closed/resolved cases <input checked="" type="checkbox"/> Advanced search engine <input checked="" type="checkbox"/> Protected log files <input checked="" type="checkbox"/> Electronic signature <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – CMS does not exist <input type="checkbox"/> NA

Comment - If you have selected the option “Other special functionality”, because of its importance please specify details.

062-22. If one or more case management system(s) (CMS) exist, please specify the functionalities of these system(s):

	Functionalities
Criminal	<input checked="" type="checkbox"/> Centralised and/or interoperable CMS databases <input checked="" type="checkbox"/> Active case management dashboard <input checked="" type="checkbox"/> Random allocation of cases <input type="checkbox"/> Case weighting <input checked="" type="checkbox"/> Identification of a case between instances (unique or linked id number) <input checked="" type="checkbox"/> Electronic transfer of a case to another instance/court <input type="checkbox"/> Anonymisation of decisions to be published <input checked="" type="checkbox"/> Interoperability with prosecution system <input type="checkbox"/> Interoperability with other systems (civil register, tax register, insolvency register) <input checked="" type="checkbox"/> Access to closed/resolved cases <input type="checkbox"/> Advanced search engine <input checked="" type="checkbox"/> Protected log files <input type="checkbox"/> Electronic signature <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – CMS does not exist <input type="checkbox"/> NA

Comment - If you have selected the option “Other special functionality”, please specify the details.

WRITING ASSISTANCE TOOLS

062-23. If writing assistance tools exist in courts, what are their deployment and usage rates?

	Deployment rate	Usage rate
Civil	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - writing assistance tools do not exist <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - writing assistance tools do not exist <input type="checkbox"/> NA

Administrative	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - writing assistance tools do not exist <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - writing assistance tools do not exist <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - writing assistance tools do not exist <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - writing assistance tools do not exist <input type="checkbox"/> NA

Comments

062-24. If writing assistance tools exist in courts, please describe their functionalities:

	Functionalities
Civil	<input checked="" type="checkbox"/> Templates <input checked="" type="checkbox"/> Automatically generated text <input type="checkbox"/> Automatically suggested decision <input checked="" type="checkbox"/> Speech-to-text <input checked="" type="checkbox"/> Electronic signature <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – writing assistance tools do not exist <input type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> Templates <input type="checkbox"/> Automatically generated text <input type="checkbox"/> Automatically suggested decision <input type="checkbox"/> Speech-to-text <input checked="" type="checkbox"/> Electronic signature <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – writing assistance tools do not exist <input type="checkbox"/> NA

Criminal	<input checked="" type="checkbox"/> Templates <input checked="" type="checkbox"/> Automatically generated text <input type="checkbox"/> Automatically suggested decision <input type="checkbox"/> Speech-to-text <input checked="" type="checkbox"/> Electronic signature <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – writing assistance tools do not exist <input type="checkbox"/> NA
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Comment - If you have selected the option “Other special functionality”, please specify the details.

RECORDING OF COURT HEARINGS

062-25. If a tool to record court hearings exists, what are the deployment and usage rates?

	Deployment rate	Usage rate
Civil	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there is no tool for recording hearings <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there is no tool for recording hearings <input type="checkbox"/> NA
Administrative	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - there is no tool for recording hearings <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - there is no tool for recording hearings <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there is no tool for recording hearings <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there is no tool for recording hearings <input type="checkbox"/> NA

Comments

062-26. If a tool to record court hearings exist, please specify its functionalities:

Functionalities

Civil	<input checked="" type="checkbox"/> Audio recording <input type="checkbox"/> Video recording <input type="checkbox"/> Systematic recording for all hearings <input type="checkbox"/> Automatically indexed recording <input type="checkbox"/> Automatic transcript from recording <input type="checkbox"/> Possibility to request a copy of the recording <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – there is no tool for recording hearings <input type="checkbox"/> NA
Administrative	<input type="checkbox"/> Audio recording <input type="checkbox"/> Video recording <input type="checkbox"/> Systematic recording for all hearings <input type="checkbox"/> Automatically indexed recording <input type="checkbox"/> Automatic transcript from recording <input type="checkbox"/> Possibility to request a copy of the recording <input type="checkbox"/> Other special functionality, please specify <input checked="" type="checkbox"/> NAP – there is no tool for recording hearings <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> Audio recording <input checked="" type="checkbox"/> Video recording <input type="checkbox"/> Systematic recording for all hearings <input type="checkbox"/> Automatically indexed recording <input checked="" type="checkbox"/> Automatic transcript from recording <input checked="" type="checkbox"/> Possibility to request a copy of the recording <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – there is no tool for recording hearings <input type="checkbox"/> NA

Comment - If you have selected the option “Other special functionality”, please specify the details.

DATABASE OF COURT DECISIONS

062-27. If there is a national database of court decisions, please provide the percentage of the decisions published at each instance.

Percentage of 1st instance decisions published	Percentage of 2nd instance decisions published	Percentage of Supreme court decisions published
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Civil	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input checked="" type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input checked="" type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA
Criminal	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA

Comments In Italy there is no 2nd instance for administrative justice.

The national archive of jurisprudence (<https://pst.giustizia.it/PST/>) is accessible to all citizens

after identity verification through the Public Digital Identity System (which provides access to a series of services of the Italian Public Administration). The national archive of jurisprudence collects the judgements /sentences of both first and second instance courts (i.e. tribunals and courts of appeal).

The judgements / sentences issued in the last 5 years by the Supreme Court of Cassation (either civil or criminal proceedings) are available free-of charge here <http://www.italgiure.giustizia.it/sncass/>

Moreover a selection of court judgements is published by commercial publishers through their websites.

<http://www.italgiure.giustizia.it/> is a paid service of research and consultation of all the judgments of the Supreme Court of Cassation.

062-28. If there is a national database of court decisions, please specify the modalities in publishing these decisions:

1st instance	2nd instance	Supreme court
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Civil	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Published online (public website) <input checked="" type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA	<input type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input checked="" type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA
Criminal	<input type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input checked="" type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA	<input type="checkbox"/> Published online (public website) <input type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input checked="" type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Published online (public website) <input checked="" type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA

- If you have selected the option “Other” because the court decisions are published online in some other way then the presented modalities, please describe. In Italy there is no 2nd instance for administrative justice.

062-29. If there is a database of court decisions at national level, what are the functionalities of this database?

Functionalities

Civil	<input checked="" type="checkbox"/> Automatic anonymisation <input checked="" type="checkbox"/> Manual anonymisation <input checked="" type="checkbox"/> Free public online access <input checked="" type="checkbox"/> Link to the case law of the European Court of Human Rights (ECHR) <input type="checkbox"/> Open data <input checked="" type="checkbox"/> Advanced search engine <input checked="" type="checkbox"/> Machine-readable content <input checked="" type="checkbox"/> Structured content <input checked="" type="checkbox"/> Metadata <input checked="" type="checkbox"/> European Case Law Identifier (ECLI) <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – There is no database for these decisions <input type="checkbox"/> NA
Administrative	<input type="checkbox"/> Automatic anonymisation <input checked="" type="checkbox"/> Manual anonymisation <input type="checkbox"/> Free public online access <input type="checkbox"/> Link to the case law of the European Court of Human Rights (ECHR) <input type="checkbox"/> Open data <input checked="" type="checkbox"/> Advanced search engine <input checked="" type="checkbox"/> Machine-readable content <input checked="" type="checkbox"/> Structured content <input checked="" type="checkbox"/> Metadata <input checked="" type="checkbox"/> European Case Law Identifier (ECLI) <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – There is no database for these decisions <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> Automatic anonymisation <input checked="" type="checkbox"/> Manual anonymisation <input checked="" type="checkbox"/> Free public online access <input checked="" type="checkbox"/> Link to the case law of the European Court of Human Rights (ECHR) <input type="checkbox"/> Open data <input checked="" type="checkbox"/> Advanced search engine <input checked="" type="checkbox"/> Machine-readable content <input checked="" type="checkbox"/> Structured content <input checked="" type="checkbox"/> Metadata <input checked="" type="checkbox"/> European Case Law Identifier (ECLI) <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – There is no database for these decisions <input type="checkbox"/> NA



STATISTICAL TOOLS

062-30. If there are statistical tools for analysing court case data, what is their deployment rate?

	Deployment rate
Civil	<div><div>(X) 95-100 %</div><div>() 75-95 %</div><div>() 50-75 %</div><div>() 25-50 %</div><div>() 1-25 %</div><div>() 0 %</div><div>() NAP - there are no statistical tools</div></div> <div><input type="checkbox"/> NA</div>
Administrative	<div><div>(X) 95-100 %</div><div>() 75-95 %</div><div>() 50-75 %</div><div>() 25-50 %</div><div>() 1-25 %</div><div>() 0 %</div><div>() NAP - there are no statistical tools</div></div> <div><input type="checkbox"/> NA</div>
Criminal	<div><div>() 95-100 %</div><div>() 75-95 %</div><div>() 50-75 %</div><div>(X) 25-50 %</div><div>() 1-25 %</div><div>() 0 %</div><div>() NAP - there are no statistical tools</div></div> <div><input type="checkbox"/> NA</div>

Comments

062-31. If there are statistical tools for analysing court case data, please describe their functionalities and the data available for statistical analysis:

Functionalities	Data available for statistical analysis
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Civil	<input checked="" type="checkbox"/> Integration/connection with the CMS <input checked="" type="checkbox"/> Business intelligence software <input checked="" type="checkbox"/> Generation of predefined statistical reports <input checked="" type="checkbox"/> Generation of customised statistical reports <input checked="" type="checkbox"/> Internal page and/or dashboard <input checked="" type="checkbox"/> External page with statistics (public website) <input checked="" type="checkbox"/> Real-time data availability <input checked="" type="checkbox"/> Automatic consolidation of data at the national level <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – there are no statistical tools <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Case flow data (number of incoming, resolved, pending) <input checked="" type="checkbox"/> Age of a pending case <input checked="" type="checkbox"/> Length of proceedings <input checked="" type="checkbox"/> Number of hearings <input checked="" type="checkbox"/> Cases per judge <input type="checkbox"/> Case weights <input checked="" type="checkbox"/> Number of parties in a case <input checked="" type="checkbox"/> Indicator of appeal <input type="checkbox"/> Result of the appeal <input type="checkbox"/> NAP– there are no statistical tools <input type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> Integration/connection with the CMS <input type="checkbox"/> Business intelligence software <input type="checkbox"/> Generation of predefined statistical reports <input type="checkbox"/> Generation of customised statistical reports <input type="checkbox"/> Internal page and/or dashboard <input type="checkbox"/> External page with statistics (public website) <input type="checkbox"/> Real-time data availability <input type="checkbox"/> Automatic consolidation of data at the national level <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – there are no statistical tools <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Case flow data (number of incoming, resolved, pending) <input checked="" type="checkbox"/> Age of a pending case <input checked="" type="checkbox"/> Length of proceedings <input checked="" type="checkbox"/> Number of hearings <input checked="" type="checkbox"/> Cases per judge <input checked="" type="checkbox"/> Case weights <input checked="" type="checkbox"/> Number of parties in a case <input checked="" type="checkbox"/> Indicator of appeal <input checked="" type="checkbox"/> Result of the appeal <input type="checkbox"/> NAP– there are no statistical tools <input type="checkbox"/> NA

Criminal	<input checked="" type="checkbox"/> Integration/connection with the CMS <input type="checkbox"/> Business intelligence software <input checked="" type="checkbox"/> Generation of predefined statistical reports <input checked="" type="checkbox"/> Generation of customised statistical reports <input checked="" type="checkbox"/> Internal page and/or dashboard <input checked="" type="checkbox"/> External page with statistics (public website) <input checked="" type="checkbox"/> Real-time data availability <input type="checkbox"/> Automatic consolidation of data at the national level <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – there are no statistical tools <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Case flow data (number of incoming, resolved, pending) <input checked="" type="checkbox"/> Age of a pending case <input checked="" type="checkbox"/> Length of proceedings <input checked="" type="checkbox"/> Number of hearings <input checked="" type="checkbox"/> Cases per judge <input type="checkbox"/> Case weights <input checked="" type="checkbox"/> Number of parties in a case <input type="checkbox"/> Indicator of appeal <input type="checkbox"/> Result of the appeal <input type="checkbox"/> NAP– there are no statistical tools <input type="checkbox"/> NA
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Comment - If you have selected the option “Other special functionality”, please specify the details As far as civil cases are concerned at court level, data is available in real-time but there are not business intelligence tools. These data is eventually consolidated into a data warehouse system at national level that also serves as a business intelligence tool. The data warehouse is not designed to accommodate real-time data, as its structure and processes prioritize the consolidation and organization of historical information rather than the immediate and continuous integration of real-time data streams.

As far as criminal cases it is important to note that some functionalities (e.g. real-time data availability) are available solely at court level while other functionalities (e.g. external page with statistics for specific courts) are only available within tools at national level.

OTHER TOOLS

062-32. Is there any application for online court-related dispute resolution?

☐ Yes

☒ No

Comments

062-33. If yes, is there a maximum value over which online court-related dispute resolution cannot be organised?

☐ Yes, please specify the maximum value

☐ No

Comments

062-34. If yes, can the online court-related dispute resolution be used in the following areas?

☐ Small claim litigation

☐ Undisputed claim

☐ Payment order

- ☐ Misdemeanour criminal cases
- ☐ Enforcement of civil cases
- ☐ Other, please specify

Comment: Please describe the existing online procedures:

062-35. Is there a computerised national record centralising all criminal convictions?

- ☒ Yes
- ☐ No

Comments

062-36. If yes, please specify the following information:

- ☒ The computerised record includes biometric data (ex. fingerprint data, picture)
- ☐ The computerised record is linked to other European records of the same nature (ex. ECRIS)
- ☒ The content is directly available through computerised means for judges and/or prosecutors (ex. interoperability with the CMS)
- ☐ The content is directly available for purposes other than criminal (ex. civil and administrative matters)
- ☐ The record contains conviction information on third-country nationals and stateless persons

Comments

062-37. Is there a Document Management System (DMS) in the registry of courts?

- ☒ Yes
- ☐ No

Comment: If yes, please provide details on the purposes and usage of this system.

062-38. In addition to the tools listed in the ICT section of this questionnaire does your judicial system use other innovative ICT tools?

- ☐ Yes
- ☒ No

Comment: If yes, please list and describe these ICT tools.

3.6. Performance and evaluation

3.6.1 National policies applied in courts and public prosecution services

066. Are quality standards determined for the judicial system at national level (are there quality systems for the judiciary and/or judicial quality policies)?

- ☐ Yes
- ☒ No

Comments - If yes, please specify:

067. Do you have specialised personnel entrusted with implementation of these national level quality standards?

	Yes / No
within the courts	() Yes (X) No
within the public prosecution services	() Yes (X) No

Comments

3.6.2 Measuring court/public prosecution services

070. Do you regularly monitor court activities (performance and quality) concerning:

- ☒ [X] number of incoming cases
- ☒ [X] length of proceedings (timeframes)
- ☒ [X] number of resolved cases
- ☒ [X] number of pending cases
- ☒ [X] backlogs
- ☒ [X] productivity of judges and court staff
- ☐ [] satisfaction of court staff
- ☐ [] satisfaction of users (regarding the services delivered by the courts)
- ☐ [] costs of the judicial procedures
- ☐ [] number of appeals
- ☐ [] appeal ratio
- ☒ [X] clearance rate
- ☒ [X] disposition time
- ☐ [] other (please specify):

Comments

070-1. Do you regularly monitor public prosecution activities (performance and quality) concerning:

- ☒ [X] number of incoming cases
- ☒ [X] length of proceedings (timeframes)
- ☒ [X] number of resolved cases
- ☒ [X] number of pending cases
- ☒ [X] backlogs
- ☒ [X] productivity of prosecutors and prosecution staff
- ☐ [] satisfaction of prosecution staff
- ☐ [] satisfaction of users (regarding the services delivered by the by the public prosecution)
- ☐ [] costs of the judicial procedures
- ☒ [X] clearance rate

- ☒ disposition time
- ☐ percentage of convictions and acquittals
- ☐ other (please specify):

Comments

071. Do you monitor the number of pending cases and cases that are not processed within a reasonable timeframe (backlogs) for:

- ☒ civil law cases
- ☒ criminal law cases
- ☒ administrative law cases

Comments

072. Do you monitor waiting time during judicial proceedings?

	Yes (If yes, please specify)	No
within the courts	()	(X)
within the public prosecution services	()	(X)

Comments

073. Do you have a system to evaluate regularly court performance based on the monitored indicators of question 70?

- (X) Yes
- () No

Comments

073-0. If yes, please specify the frequency:

- () Annual
- () Less frequent
- (X) More frequent

Comments - If “Less frequent” or “More frequent”, please specify: We have a monthly and a quarterly monitoring system in place. A monthly monitoring dashboard is available online here: <https://webstat.giustizia.it/SitePages/Monitoraggio%20mensile.aspx>

073-1. Is this evaluation of the court activity used for the later allocation of resources within this court?

- (X) Yes
- () No

Comments

073-2. If yes, which courses of action are taken (multiple replies possible)?

- ☐ Identifying the causes of improved or deteriorated performance

☒ [X] Reallocating resources (human/financial resources based on performance)

☒ [X] Reengineering of internal procedures to increase efficiency

☐ [] Other (please specify):

Comments

073-3. Do you have a system to evaluate regularly the performance of the public prosecution services based on the monitored indicators of question 70-1?

☒ (X) Yes

☐ () No

Comments

073-4. If yes, please specify the frequency:

☐ () Annual

☐ () Less frequent

☒ (X) More frequent

Comments - If "less frequent" or "more frequent", please specify: Quarterly

073-5. Is this evaluation of the activity of public prosecution services used for the later allocation of resources within this public prosecution service?

☒ (X) Yes

☐ () No

Comments

073-6. If yes, which courses of action are taken (multiple replies possible)?

☐ [] Identifying the causes of improved or deteriorated performance

☒ [X] Reallocating resources (human/financial resources based on performance)

☒ [X] Reengineering of internal procedures to increase efficiency

☐ [] Other (please specify):

Comments

=

079. Who is responsible for evaluating the performance of the courts (multiple replies possible)?

☒ [X] High Judicial Council

☐ [] Ministry of Justice

☒ [X] Inspection authority

☐ [] Supreme Court

☐ [] External audit body

☐ [] Other (please specify):

Comments

079-1. Who is responsible for evaluating the performance of the public prosecution services (multiple replies possible)?

☒ Public Prosecutorial Council

☒ Ministry of Justice

☒ Head of the organisational unit or hierarchically superior public prosecutor

☐ Prosecutor General /State public prosecutor

☐ External audit body

☐ Other (please specify):

Comments

3.6.3 Information regarding courts /public prosecution services activity

080. Is there a centralised institution that is responsible for collecting statistical data regarding the functioning of the courts?

☒ Yes (please indicate the name and the address of this institution):see general comments

☐ No

Comments

080-1. Are the statistics on the functioning of each court published?

☒ Yes, on the internet (please provide the link)see general comments

☐ No, only internally (on an intranet website)

☐ No

Comments

=

080-2. Is there a centralised institution that is responsible for collecting statistical data regarding the functioning of the public prosecution services?

☒ Yes (please indicate the name and the address of this institution):see general comments

☐ No

Comments

080-3. Are the statistics on the functioning of each public prosecution service published?

☒ Yes, on the internet (please provide the link)see general comments

☐ No, only internally (on an intranet website)

☐ No

Comments

=

081. Are individual courts required to prepare an activity report (that includes, for example, data on the number of resolved cases or pending cases, the number of judges and administrative staff,

targets and assessment of the activity)?

☒ Yes

☐ No

Comments - If yes, please describe the content of the report and its audience (i.e. to whom the report is primarily intended):

081-1. If yes, please specify in which form this report is released:

☒ Internet

☐ Intranet (internal) website

☒ Paper distribution

Comments

081-2. If yes, please, indicate the periodicity at which the report is released:

☒ Annual

☐ Less frequent

☐ More frequent

Comments

=

081-3. Are public prosecution services required to prepare an activity report (that includes, for example, data on the number of incoming cases, the number of decisions, the number of public prosecutors and administrative staff, targets and assessment of the activity)?

☒ Yes

☐ No

Comments - If yes, please describe the content of the report and its audience (i.e. for whom the report is primarily intended):

081-4. If yes, please specify in which form this report is released:

☒ Internet

☐ Intranet (internal) website

☒ Paper distribution

Comments

081-5. If yes, please, indicate the periodicity at which the report is released:

☒ Annual

☐ Less frequent

☐ More frequent

Comments

3.6.4 Performance and evaluation of judges and public prosecutors

083. Are there quantitative performance targets defined for each judge (e.g. the number of resolved cases in a month or year)?

(X) Yes

() No

Comments

083-1. Who is responsible for setting these targets for each judge?

☐ Executive power (for example the Ministry of Justice)

☐ Legislative power

☒ Judicial power (for example the High Judicial Council, Supreme Court)

☒ President of the court

☐ Other (please specify):

☐ NAP

Comments

083-1-1. What are the consequences for a judge if these targets are not met?

	Consequences:
Without disciplinary procedure	<input checked="" type="checkbox"/> Warning by court's president <input type="checkbox"/> Temporary salary reduction <input checked="" type="checkbox"/> Reflected in the individual assessment <input type="checkbox"/> Other, please specify: [Comment]
With disciplinary procedure	<input checked="" type="checkbox"/> Warning by court's president <input type="checkbox"/> Temporary salary reduction <input checked="" type="checkbox"/> Reflected in the individual assessment <input type="checkbox"/> Other, please specify: [Comment]
-	<input type="checkbox"/> No consequences
-	<input type="checkbox"/> NAP (no targets defined)

Comments Disciplinary sanction as provided by the Legislative Decree no 109 of 23rd February 2006, regarding disciplinary responsibility of professional magistrates.

114. Is there a system of individual evaluation of the judges' work?

	Existence of a system of individual evaluation of the judges' work
Quantitative	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Qualitative	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comment: Please specify the criteria on which the assessment is based, the authority competent for carrying out the assessment, the purposes for which the results of the assessment are used:

114-1. Please specify the frequency of this evaluation:

() Annual

- (X) Less frequent
- () More frequent
- () Different frequencies used, please specify:
- [] NAP

=

083-2. Are there quantitative performance targets defined for each public prosecutor (e.g. the number of decisions in a month or year)?

- (X) Yes
- () No

Comments

083-3. Who is responsible for setting these targets for each public prosecutor?

- [] Executive power (for example the Ministry of Justice)
- [X] Prosecutor General /State public prosecutor
- [] Public Prosecutorial Council
- [X] Head of the organisational unit or hierarchically superior public prosecutor
- [] Other (please specify):
- [] NAP

Comments

083-3-1. What are the consequences for a prosecutor if these targets are not met?

	Consequences:
Without disciplinary procedure	<p>[X] Warning by head of prosecution</p> <p>[] Temporary salary reduction</p> <p>[X] Reflected in the individual assessment</p> <p>[] Other, please specify: [Comment]</p> <p>[] NAP</p>
With disciplinary procedure	<p>[X] Warning by head of prosecution</p> <p>[] Temporary salary reduction</p> <p>[X] Reflected in the individual assessment</p> <p>[] Other, please specify: [Comment]</p> <p>[] NAP</p>
No consequences	<p>[] No consequences</p> <p>[] NAP</p>

Comments Disciplinary sanction as provided by the Legislative Decree no 109 of 23rd February 2006, regarding disciplinary responsibility of professional magistrates.

120. Is there a system of individual evaluation of the public prosecutors' work?

Existence of a system of individual evaluation of the public prosecutors' work

Quantitative	(X) Yes () No
Qualitative	(X) Yes () No

Comment: Please specify the criteria on which the assessment is based, the authority competent for carrying out the assessment, the purposes for which the results of the assessment are used:

120-1. Please specify the frequency of this evaluation:

- () Annual
 (X) Less frequent
 () More frequent
 () Different frequencies used, please specify:
 [] NAP

Comments Every four years

C4. Please indicate the sources for answering the questions in this part

Sources: Ministry of Justice and High Council of the Judiciary

4.Fair trial

4.1.Principles

4.1.1Principles of fair trial

084. Percentage of first instance criminal in absentia judgments (cases in which the suspect is not attending the hearing in person nor is represented by a lawyer)?

[]

[] NA

[X] NAP

Comments - Please add methodology for calculation used.

085. Is there a procedure to effectively challenge a judge (recusal), if a party considers that the judge is not impartial?

(X) Yes

() No

Comments - Please could you briefly specify:

085-1. If yes, what are:

-

The total number of the initiated procedures in the reference year	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
The total number of recusals pronounced in the reference year	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comment - Please, could you briefly specify:

086. Is there in your country a monitoring system for the violations related to Article 6 of the European Convention on Human Rights?

☐ For civil procedures (non-enforcement)

☐ For civil procedures (timeframe)

☐ For criminal procedures (timeframe)

☒ NAP

Comments - Please specify what are the terms and conditions of this monitoring system (information related to acknowledged violations by ECHR at the State/courts level; implementation of internal systems to prevent other violations (that are similar) and if possible to measure an evolution of the established violations): In Italy there is no monitoring system in this respect.

086-1. Is there in your country a possibility to review/reopen a case after a finding of a violation of the European Convention on Human Rights by the European Court of Human Rights?

☒ For civil cases

☒ For criminal cases

☐ For administrative cases

☐ NAP

Comments The possibility of revision of a case after a finding of a violation of the European Convention on Human Rights by the ECHR is possible for both criminal (article 630 of the Criminal Code) and civil (article 391-quater of the Civil Code) cases. The extension to administrative cases is currently on the table.

D1. Please indicate the sources for answering the questions in this part

Sources: Ministry of Justice

4.2. Timeframe of proceedings

4.2.1 General information

087. Are there specific procedures for urgent matters regarding:

☒ civil cases

☒ criminal cases

☒ administrative cases

☐ There is no specific procedure for urgent matters

Comments - If yes, please specify:

088. Are there simplified procedures for:

- ☒ civil cases (small disputes)
- ☒ criminal cases (misdemeanour cases)
- ☒ administrative cases
- ☐ There is no simplified procedure

Comments - If yes, please specify:

088-1. For these simplified procedures, may judges deliver an oral judgement with a written order and without the full reasoning of the judgement ?

- ☒ civil cases
- ☒ criminal cases
- ☒ administrative cases

Comments - If yes, please specify:

089. Do courts and lawyers have the possibility to conclude agreements on arrangements for processing cases (presentation of files, decisions on timeframes for lawyers to submit their conclusions etc.)?

	Yes	No
Agreement on general arrangements	(X)	()
Agreement in specific cases	(X)	()

Comments

4.2.2 Case flow management – first instance



091. First instance courts: number of other than criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court
Total of other than criminal law cases (1+2+3+4)	3 354 045 [] NA [] NAP	3 074 970 [] NA [] NAP	3 244 585 [] NA [] NAP	3 184 430 [] NA [] NAP	[X] NA [] NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	2 085 533 [] NA [] NAP	1 313 157 [] NA [] NAP	1 371 212 [] NA [] NAP	2 027 478 [] NA [] NAP	[X] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	1 142 879 [] NA [] NAP	1 710 237 [] NA [] NAP	1 804 456 [] NA [] NAP	1 048 660 [] NA [] NAP	[X] NA [] NAP

2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	1 142 879 [] NA [] NAP	1 710 237 [] NA [] NAP	1 804 456 [] NA [] NAP	1 048 660 [] NA [] NAP	[X] NA [] NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.1. Non litigious land registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.2 Non-litigious business registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.3. Other registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.3. Other non-litigious cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
3. Administrative law cases	125 633 [] NA [] NAP	51 576 [] NA [] NAP	68 917 [] NA [] NAP	108 292 [] NA [] NAP	52 394 [] NA [] NAP
4. Other cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments In the framework of the National Recovery and Resilience Plan (PNRR) Italy has undertaken a series of actions in order to reduce both disposition time and backlogs. More information about the reform can be found at <https://www.italiadomani.gov.it/content/sogei-ng/it/en/Interventi/riforme/riforme-orizzontali/riforma-della-giustizia.html>

092. If courts deal with “civil (and commercial) non-litigious cases”, please indicate the case categories included:

. See general comments

093. Please indicate the case categories included in the category "other cases":

. NAP

094. First instance courts: number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court
Total of criminal law cases (1+2+3)	1 168 166 [] NA [] NAP	1 100 891 [] NA [] NAP	1 150 967 [] NA [] NAP	1 118 090 [] NA [] NAP	[X] NA [] NAP
1. Severe criminal cases	1 071 964 [] NA [] NAP	995 234 [] NA [] NAP	1 032 480 [] NA [] NAP	1 034 718 [] NA [] NAP	350 775 [] NA [] NAP
2. Misdemeanour and / or minor criminal cases	96 202 [] NA [] NAP	105 657 [] NA [] NAP	118 487 [] NA [] NAP	83 372 [] NA [] NAP	[X] NA [] NAP
3. Other criminal cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please specify what cases are reported in those categories. If “Other criminal cases”, please specify In the framework of the National Recovery and Resilience Plan (PNRR) Italy has undertaken a series of actions in order to reduce both disposition time and backlogs. More information about the reform can be found at <https://www.italiadomani.gov.it/content/sogei-ng/it/en/Interventi/riforme/riforme-orizzontali/riforma-della-giustizia.html>

4.2.3 Case flow management – second instance

097. Second instance courts (appeal): Number of “other than criminal law” cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court
Total of other than criminal law cases (1+2+3+4)	272 703 [] NA [] NAP	101 420 [] NA [] NAP	126 094 [] NA [] NAP	248 029 [] NA [] NAP	100 711 [] NA [] NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	267 397 [] NA [] NAP	93 851 [] NA [] NAP	117 895 [] NA [] NAP	243 353 [] NA [] NAP	100 552 [] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	5 306 [] NA [] NAP	7 569 [] NA [] NAP	8 199 [] NA [] NAP	4 676 [] NA [] NAP	159 [] NA [] NAP

2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	5 306 [] NA [] NAP	7 569 [] NA [] NAP	8 199 [] NA [] NAP	4 676 [] NA [] NAP	159 [] NA [] NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.1. Non litigious land registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.2 Non-litigious business registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.3. Other registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.3. Other non-litigious cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
3. Administrative law cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
4. Other cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments - If “Other cases” please specify In the framework of the National Recovery and Resilience Plan (PNRR) Italy has undertaken a series of actions in order to reduce both disposition time and backlogs. More information about the reform can be found at <https://www.italiadomani.gov.it/content/sogei-ng/it/en/Interventi/riforme/riforme-orizzontali/riforma-della-giustizia.html>

The main goal is a general reduction of the disposition time by 40% in the civil sector and 25% in the criminal sector by June 2026 (all three instances together) .

More specifically a reduction of the civil backlog by 65% in first instance courts and 55% in appeal courts by the end of 2024; by 90% in first instance courts and appeal courts by June 2026. As far as the civil cases, such targets relate exclusively to litigious cases.

A monitoring system is in place and a detailed dashboard is available at <https://webstat.giustizia.it/SitePages/Monitoraggio%20PNRR.aspx>

098. Second instance courts (appeal): Number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court
Total of criminal law cases (1+2+3)	264 950 [] NA [] NAP	108 757 [] NA [] NAP	122 329 [] NA [] NAP	251 378 [] NA [] NAP	114 370 [] NA [] NAP

1. Severe criminal cases	261 704 [] NA [] NAP	105 471 [] NA [] NAP	119 083 [] NA [] NAP	248 092 [] NA [] NAP	113 901 [] NA [] NAP
2. Misdemeanour and / or minor criminal cases	3 246 [] NA [] NAP	3 286 [] NA [] NAP	3 246 [] NA [] NAP	3 286 [] NA [] NAP	469 [] NA [] NAP
3. Other criminal cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please specify what cases are reported in those categories. If “Other criminal cases”, please specify: In the framework of the National Recovery and Resilience Plan (PNRR) Italy has undertaken a series of actions in order to reduce both disposition time and backlogs. More information about the reform can be found at <https://www.italiadomani.gov.it/content/sogei-ng/it/en/Interventi/riforme/riforme-orizzontali/riforma-della-giustizia.html>

The main goal is a general reduction of the disposition time by 40% in the civil sector and 25% in the criminal sector by June 2026 (all three instances together) .

More specifically a reduction of the civil backlog by 65% in first instance courts and 55% in appeal courts by the end of 2024; by 90% in first instance courts and appeal courts by June 2026. As far as the civil cases, such targets relate exclusively to litigious cases.

A monitoring system is in place and a detailed dashboard is available at <https://webstat.giustizia.it/SitePages/Monitoraggio%20PNRR.aspx>

4.2.4 Case flow management – Supreme Court



099. Highest instance courts (Supreme Court): Number of “other than criminal law” cases:

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme Court
Total of other than criminal law cases (1+2+3+4)	134 714 [] NA [] NAP	41 042 [] NA [] NAP	52 460 [] NA [] NAP	123 296 [] NA [] NAP	61 231 [] NA [] NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	110 842 [] NA [] NAP	29 504 [] NA [] NAP	35 875 [] NA [] NAP	104 471 [] NA [] NAP	53 362 [] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

2.2. Registry cases (2.2.1+2.2.2+2.2.3)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.2.1. Non litigious land registry cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.2.2 Non-litigious business registry cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.2.3. Other registry cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.3. Other non-litigious cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
3. Administrative law cases	23 473 <input type="checkbox"/> NA <input type="checkbox"/> NAP	11 127 <input type="checkbox"/> NA <input type="checkbox"/> NAP	16 176 <input type="checkbox"/> NA <input type="checkbox"/> NAP	18 424 <input type="checkbox"/> NA <input type="checkbox"/> NAP	7 827 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other cases	399 <input type="checkbox"/> NA <input type="checkbox"/> NAP	411 <input type="checkbox"/> NA <input type="checkbox"/> NAP	409 <input type="checkbox"/> NA <input type="checkbox"/> NAP	401 <input type="checkbox"/> NA <input type="checkbox"/> NAP	42 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If “Other cases”, please specify Within the framework of the National Plan for Recovery and Resilience (PNRR), Italy has taken a number of measures to reduce both disposition times and backlogs. The main objective is an overall reduction of 40% in the civil sector and 25% in the criminal sector by June 2026 (all three instances together). More information on the reform is available at <https://www.italiadomani.gov.it/content/sogei-ng/it/en/Interventi/riforme/riforme-orizzontali/riforma-della-giustizia.html>.

A monitoring system is also in place and a detailed dashboard is available at <https://webstat.giustizia.it/SitePages/Monitoraggio%20PNRR.aspx>.

099-1. At the level of the Highest court (Supreme Court), is there a procedure of manifest inadmissibility?

(X) Yes, please indicate the number of cases closed by this procedure: NA

() No

Comments

100. Highest instance courts (Supreme Court): Number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme Court
Total of criminal law cases (1+2+3)	23 735 <input type="checkbox"/> NA <input type="checkbox"/> NAP	45 363 <input type="checkbox"/> NA <input type="checkbox"/> NAP	50 775 <input type="checkbox"/> NA <input type="checkbox"/> NAP	18 323 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Severe criminal cases	20 822 <input type="checkbox"/> NA <input type="checkbox"/> NAP	37 990 <input type="checkbox"/> NA <input type="checkbox"/> NAP	42 765 <input type="checkbox"/> NA <input type="checkbox"/> NAP	16 047 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Misdemeanour and / or minor criminal cases	479 <input type="checkbox"/> NA <input type="checkbox"/> NAP	697 <input type="checkbox"/> NA <input type="checkbox"/> NAP	811 <input type="checkbox"/> NA <input type="checkbox"/> NAP	365 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

3. Other criminal cases	2 434 [] NA [] NAP	6 676 [] NA [] NAP	7 199 [] NA [] NAP	1 911 [] NA [] NAP	0 [] NA [] NAP
--------------------------------	----------------------------	----------------------------	----------------------------	----------------------------	------------------------

Comment - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please specify what cases are reported in those categories. If “Other criminal cases”, please specify Within the framework of the National Plan for Recovery and Resilience (PNRR), Italy has taken a number of measures to reduce both disposition times and backlogs. The main objective is an overall reduction of 40% in the civil sector and 25% in the criminal sector by June 2026 (all three instances together). More information on the reform is available at <https://www.italiadomani.gov.it/content/sogei-ng/it/en/Interventi/riforme/riforme-orizzontali/riforma-della-giustizia.html>.

A monitoring system is also in place and a detailed dashboard is available at <https://webstat.giustizia.it/SitePages/Monitoraggio%20PNRR.aspx>.

4.2.5 Case flow management and timeframes – specific cases

101. Number of specific litigious cases received and processed by first instance courts.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year	Pending cases older than 2 years from the date the case came to the first instance court
Litigious divorce cases	41 098 [] NA [] NAP	27 388 [] NA [] NAP	31 505 [] NA [] NAP	36 981 [] NA [] NAP	11 071 [] NA [] NAP
Employment dismissal cases	11 640 [] NA [] NAP	11 916 [] NA [] NAP	12 563 [] NA [] NAP	10 993 [] NA [] NAP	1 970 [] NA [] NAP
Insolvency	6 558 [] NA [] NAP	17 017 [] NA [] NAP	18 737 [] NA [] NAP	4 838 [] NA [] NAP	512 [] NA [] NAP
Robbery case	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Intentional homicide	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments Such improvements are due to the implementation of the National Plan for Recovery and Resilience (PNRR). See comments at previous questions.

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101-0. Number of cases relating to asylum seekers and to the right of entry and stay for aliens.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year	Pending cases for more than 2 years
Court cases relating to asylum seekers (refugee status under the 1951 Geneva Convention)	76 444 [] NA [] NAP	29 234 [] NA [] NAP	40 581 [] NA [] NAP	65 097 [] NA [] NAP	27 598 [] NA [] NAP
Court cases relating to the right of entry and stay for aliens	[X] NA [] NAP	1 464 [] NA [] NAP	2 429 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments The number of incoming and resolved cases is significantly higher in 2022 compared to 2020 which was a very peculiar year

due to the pandemic. In 2020 the territorial committees worked much less, resulting in fewer appeals being filed. In 2020 the number of pending cases increased. After 2020, we have experienced a better resolution rate of the court system. The courts were organized into specialized sections which managed to reduce the exceptional burden of pending cases that accumulated especially in 2019 (when we registered the highest number of incoming cases). Moreover, cases registered before 2020 became backlogs (pending for more than two years) in 2022. As mentioned above, 2019 was characterised by an exceptional number of registrations, particularly in the area of international protection.

101-1. Could you briefly describe the system in your country dealing with legal remedies relating to asylum seekers (refugee status under the 1951 Geneva Convention) and the right of entry and stay for aliens:

. The Italian asylum system foresees a single regular procedure, the same for the determination of both refugee status and subsidiary protection status. The asylum claim can be lodged either at the border police office or within the territory at the provincial Police station (Questura).

The police authorities send the registration form and the documents concerning the asylum application to the Territorial Commissions or Sub-commissions for International Protection (Commissioni territoriali per il riconoscimento della protezione internazionale) (CTRPI) located throughout the national territory, the only authorities competent for the substantive asylum interview. Asylum seekers can appeal against a negative decision issued by the Territorial Commissions within 30 days before the competent Civil Tribunal.

101-2. Number of cases relating to child sexual abuse and child pornography received and processed by first instance courts.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year	Pending cases older than 2 years from the date the case came to the first instance court
Child sexual abuse	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Child pornography	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Please explain what are the legal definitions of these categories of offences in your system: In order to correctly identify child sexual abuse cases it is necessary to assess both articles and paragraphs, which the Italian Criminal Code is composed of. Unfortunately, in most cases the only information available for statistical purposes is the article. In general, when it comes to the quantification of specific crimes it necessary to implement a study of the phenomenon first. This exercise cannot be reduced to a mere data extraction from the database as we might end up in either overestimate or underestimate the phenomenon. Having said that, we are in the process of investigating this area and we might be in a position to provide the desired data for the next cycles.

102. Percentage of decisions subject to appeal, average length of proceedings and percentage of cases pending for more than 3 years for all instances for specific litigious cases. The average length of proceedings has to be calculated from the date the application for judicial review is lodged to the date the judgment is made, without taking into account the investigation phase in

criminal cases as well as enforcement procedure.

	% of decisions subject to appeal	Average length in 1st instance (in days)	Average length in 2nd instance (in days)	Average length in 3rd instance (in days)	Average length of the entire procedure (in days)	% of cases pending for more than 3 years for all instances
Civil and commercial litigious cases	_____ Allow decimals : 2 [X] NA [] NAP	[X] NA [] NAP	1 105 [] NA [] NAP	1 232 [] NA [] NAP	[X] NA [] NAP	_____ Allow decimals : 2 [X] NA [] NAP
Litigious divorce cases	_____ Allow decimals : 2 [X] NA [] NAP	672 [] NA [] NAP	406 [] NA [] NAP	857 [] NA [] NAP	[X] NA [] NAP	_____ Allow decimals : 2 [X] NA [] NAP
Employment dismissal cases	_____ Allow decimals : 2 [X] NA [] NAP	465 [] NA [] NAP	397 [] NA [] NAP	846 [] NA [] NAP	[X] NA [] NAP	_____ Allow decimals : 2 [X] NA [] NAP
Insolvency cases	_____ Allow decimals : 2 [X] NA [] NAP	124 [] NA [] NAP	[] NA [X] NAP	1 337 [] NA [] NAP	[X] NA [] NAP	_____ Allow decimals : 2 [X] NA [] NAP
Robbery cases	_____ Allow decimals : 2 [X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	181 [] NA [] NAP	[X] NA [] NAP	_____ Allow decimals : 2 [X] NA [] NAP
Intentional homicide cases	_____ Allow decimals : 2 [X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	207 [] NA [] NAP	[X] NA [] NAP	_____ Allow decimals : 2 [X] NA [] NAP

Comments -

104. How is the length of proceedings calculated for the six case categories of question 102?

Please give a description of the calculation method.

. The average length is the arithmetic mean of the actual lengths of the cases resolved during the year of reference.

4.2.6 Case flow management – public prosecution

105. Role and powers of the public prosecutor in the criminal procedure (multiple replies possible):

[X] to conduct or supervise investigation

[X] when necessary, to request investigation measures from the judge

- ☒ [X] to charge
- ☒ [X] to present the case in court
- ☐ [] to propose a sentence to the judge
- ☒ [X] to appeal
- ☒ [X] to supervise the enforcement procedure
- ☐ [] to discontinue a case without needing a decision by a judge (ensure consistency with question 36!)
- ☐ [] to end the case by imposing or negotiating a penalty or measure without requiring a judicial decision
- ☐ [] other significant powers (please specify):

Comments

106. Does the public prosecutor also have a role in:

- ☒ [X] civil cases
- ☐ [] administrative cases
- ☒ [X] insolvency cases

Comments - If yes, please specify:

=

107. Public prosecutors: Total number of 1st instance criminal cases.

	Number of cases
1.Pending cases on 1 Jan. ref. year	1 389 907 <input type="checkbox"/> [] NA <input type="checkbox"/> [] NAP
2.Incoming/received cases	2 689 769 <input type="checkbox"/> [] NA <input type="checkbox"/> [] NAP
3.Processed cases (3.1+3.2+3.3+3.4)	2 602 179 <input type="checkbox"/> [] NA <input type="checkbox"/> [] NAP
3.1.Discontinued during the reference year (3.1.1+3.1.2+3.1.3+3.1.4.)	1 790 211 <input type="checkbox"/> [] NA <input type="checkbox"/> [] NAP
3.1.1 Discontinued by the public prosecutor because the offender could not be identified	1 080 019 <input type="checkbox"/> [] NA <input type="checkbox"/> [] NAP
3.1.2 Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation	704 902 <input type="checkbox"/> [] NA <input type="checkbox"/> [] NAP
3.1.3 Discontinued by the public prosecutor for reasons of opportunity	5 290 <input type="checkbox"/> [] NA <input type="checkbox"/> [] NAP
3.1.4 Discontinued for other reasons	0 <input type="checkbox"/> [] NA <input type="checkbox"/> [] NAP
3.2.Concluded by a penalty or a measure imposed or negotiated by the public prosecutor	7 641 <input type="checkbox"/> [] NA <input type="checkbox"/> [] NAP

3.3.Cases brought to court	453 728 [] NA [] NAP
4.Pending cases on 31 Dec. ref. year	1 477 497 [] NA [] NAP

Comments We do not know the reasons for these discrepancies. However, the figures are correct.

107-1. If the guilty plea procedure exists, how many cases were concluded by this procedure?

	Total	Severe criminal cases	Misdemeanour and / or minor criminal cases
Total number of guilty plea procedures	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
Before the main trial	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
During the main trial	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments

109. Do the figures provided in Q107 include traffic offence cases?

(X) Yes

() No

Comments

D2. Please indicate the sources for answering the questions in this part

Sources: Ministry of Justice + Supreme Court of Cassation + Council of State

5.Career of judges and public prosecutors

5.1.Recruitment and promotion

5.1.1Recruitment and promotion of judges

110. How are judges recruited?

[X] through a competitive exam (open competition)

[] through a recruitment procedure for experienced legal professionals (for example experienced lawyers)

[] other (please specify):

Comments

110-1. Please briefly describe the recruitment procedure(s) for judges in your country:

. In Italy, the recruitment process for magistrates, which includes both judges and public prosecutors, begins with a competitive examination known as the "Concorso in Magistratura" (Judicial Examination). Aspiring magistrates, who must have a law degree, participate in such competitive nationwide examination which assesses candidates' legal knowledge, reasoning abilities, and other relevant skills. After passing the examination, which consists of three written tests in civil, criminal and administrative law and an oral test, these candidates have the opportunity to choose between civil or prosecutorial judicial functions. Regardless of their choice, successful candidates are assigned to a magistrate (foster) for a period of training and practical experience.

110-2. What are the recruitment requirements for judges (multiple replies possible)?

- ☐ Age
- ☒ Nationality
- ☒ Physical/Psychological capacity
- ☒ General studies in law
- ☐ Advanced studies in law (Master, PhD)
- ☐ Number of years of relevant experience
- ☐ Traineeship/judicial functions in courts
- ☐ Validation of a general state examination in law
- ☒ Validation of a specific examination for judges
- ☒ Clean criminal record
- ☒ Foreign languages
- ☒ Personal requirements (related to integrity)
- ☐ Other
- ☐ NAP

Comments - If "other", please specify:

110-3. In the frame of these recruitments, please indicate the number of applicants for the position of judge and the number of recruitments actually made during the reference year:

	Total	Males	Females
Number of applicants	3 797 <input type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA
Number of recruited persons	209 <input type="checkbox"/> NA	64 <input type="checkbox"/> NA	145 <input type="checkbox"/> NA

Comments As per answer Q110-1, in Italy there is a single competitive examination for the recruitment of magistrates (either judges or prosecutors). This means that the figures given in Q.110-3 refer to both magistrates and prosecutors.

110-4. If the number of applicants decreased in the last years did you take any remedial measures?

- ☐ Yes
- ☒ No

Comments

110-5. If yes, please specify what remedies you implemented:

- ☐ Increase of salary
- ☐ Other financial incentives
- ☐ Improving working conditions
- ☐ Workload reduction at the beginning of career
- ☐ Other adjustments in the frame of the induction of new judges
- ☐ Other

Comments: If “other”, please, specify:

=

111. Authority(ies) responsible for recruitment - are judges initially/at the beginning of their career recruited and nominated by:

- ☐ An authority made up of judges only
- ☐ An authority made up of non-judges only
- ☒ An authority/authorities made up of judges and non-judges
- ☐ Other

Comments - Please indicate the name of the authority(ies) responsible for the whole procedure of recruitment and nomination of judges. If there are several authorities, please describe their respective roles:

111-1. How many members compose this authority?

	Total	Males	Females
Members	29 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments – Please specify what is the status of this authority and who is proposing/appointing its members:

111-2. May non-selected candidates appeal against the decision on recruitment/appointment?

- ☒ Yes
- ☐ No

Comments – Please specify the procedure to be followed, the competent authority, the moment for exercising the right of appeal: Candidates who believe that they were unfairly treated or that there were irregularities in the selection process can file an administrative review (ricorso amministrativo).

112. Is the same authority (Q111) competent for the promotion of judges?

- ☐ Yes
- ☒ No

Comments - No, please specify which authority is competent for promoting judges

113. What is the procedure for the promotion of judges? (multiple replies possible)

- ☐ Competitive test / Exam

- ☐ Previous individual evaluations
- ☒ Other procedure(s) (interview or other)
- ☐ No special procedure

Comments - Please specify how the promotion procedure for judges is organised (especially if there is no competition or examination) and how the publicity of promotion processes is ensured:

113-0. In the frame of the promotion procedures, please indicate the number of applicants and the number of promotions actually made during the reference year:

	Total	Males	Females
Number of applicants	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA
Number of promoted persons	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA

Comments Consider all NA as NAP

113-1. Please indicate the criteria used for the promotion of a judge? (multiple replies possible)

- ☒ Years of experience
- ☒ Professional skills (and/or qualitative performance)
- ☒ Performance (quantitative)
- ☐ Subjective criteria (e.g. integrity, reputation)
- ☒ Other
- ☐ No criteria

Comments - Please specify any useful comment regarding the criteria (especially if you have checked the box “performance” or “other”): see general comments

5.1.2 Status, recruitment and promotion of prosecutors

115. What is the status of public prosecution services?

- ☐ Has an independent status as a separate entity among state institutions
- ☐ Is part of the executive power but enjoys functional independence (please briefly explain how and to what extent)
- ☐ Is part of the executive power (without functional independence)
- ☒ Is part of the judicial power but enjoys functional independence (please briefly explain how and to what extent)
- ☐ Is part of the judicial power (without functional independence)
- ☐ Is a mixed model (please explain)
- ☐ Has other status (please explain)

Comments - When appropriate, please specify the objective guarantees of this independence (such as funding) and where they are enshrined (Constitution, legislation etc.). Furthermore, if “mixed model” or “other”, please specify.

115-1. Are specific instructions addressed to a public prosecutor to prosecute or not prohibited by law or other regulation?

- (X) Yes

☐ No

Comments - If yes, please specify:

115-2. If they are prohibited by law or other regulation, are there exceptions?

☒ Yes

☐ No

☐ NAP

Comments - Please describe these exceptions:

115-3. Which authority can issue such specific instructions?

☐ General Prosecutor

☒ Higher prosecutor/Head of prosecution office

☐ Executive power

☐ Other

☐ NAP

Comments - If “Other”, please specify:

115-4. What form these instructions may take?

☐ Oral instruction

☐ Oral instruction with written confirmation

☒ Written instruction

☐ Other

☐ NAP

Comments - If “Other”, please specify:

115-5. In that case, are the instructions:

☐ Issued seeking prior advice from the competent public prosecutor

☐ Mandatory

☒ Reasoned

☐ Recorded in the case file

☐ Other

☐ NAP

Comments - If “Other”, please specify:

115-6. What is the frequency of this type of instructions:

☐ Exceptional

☒ Occasional

☐ Frequent

☐ Systematic

☐ NAP

Comments

115-7. Can the public prosecutor oppose/report an instruction to an independent body?

☒ Yes

☐ No

☐ NAP

Comments - If yes, please specify to which body/institution and please describe under which conditions.

=

116. How are public prosecutors recruited?

☒ through a competitive exam (open competition)

☐ through a recruitment procedure for experienced legal professionals (for example experienced lawyers)

☐ other (please specify):

Comments

116-1. Please briefly describe the recruitment procedure(s) for prosecutors in your country:

. In Italy, the recruitment process for magistrates, which includes both judges and public prosecutors, begins with a competitive examination known as the "Concorso in Magistratura" (Judicial Examination). Aspiring magistrates, who must have a law degree, participate in such competitive nationwide examination which assesses candidates' legal knowledge, reasoning abilities, and other relevant skills. After passing the examination, which consists of three written tests in civil, criminal and administrative law and an oral test, these candidates have the opportunity to choose between civil or prosecutorial judicial functions. Regardless of their choice, successful candidates are assigned to a magistrate (foster) for a period of training and practical experience.

116-2. What are the recruitment requirements for prosecutors (multiple replies possible)?

☐ Age

☒ Nationality

☒ Physical/Psychological capacity

☒ General studies in law

☐ Advanced studies in law (Master, PhD)

☐ Number of years of relevant experience

☐ Traineeship/judicial functions in courts

☐ Validation of a general state examination in law

☒ Validation of a specific examination for prosecutors

☒ Clean criminal record

☒ Foreign languages

☒ Personal requirements (related to integrity)

☐ Other

☐ NAP

Comments - If "other", please specify:

116-3. In the frame of these recruitments, please indicate the number of applicants for the position of prosecutor and the number of recruitments actually made during the reference year:

	Total	Males	Females
Number of applicants	3 797 [] NA	[X] NA	[X] NA
Number of recruited persons	209 [] NA	64 [] NA	145 [] NA

Comments According to answer Q116-1, in Italy there is a single competitive examination for the recruitment of magistrates (either judges or prosecutors). This means that the figures given in Q.116-3 refer to both magistrates and prosecutors.

116-4. If the number of applicants decreased in the last years did you take any remedial measures?

() Yes

(X) No

Comments

116-5. If yes, please specify what remedies you implemented:

[] Increase of salary

[] Other financial incentives

[] Improving working conditions

[] Workload reduction at the beginning of career

[] Other adjustments in the frame of the induction of new prosecutors

[] Other

Comments: If "other", please, specify:

117. Authority(ies) responsible for recruitment - Are public prosecutors initially/at the beginning of their career recruited by:

[] An authority composed of public prosecutors only

[] An authority composed of non-public prosecutors only

[X] An authority composed of public prosecutors and non-public prosecutors

[] Other

Comments - Please indicate the name of the authority(ies) responsible for the whole procedure of recruitment and nomination of public prosecutors. If there are several authorities, please describe their respective roles:

117-1. How many members compose this authority?

	Total	Male	Female
Members	29 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments – Please specify what is the status of this authority and who is proposing/appointing its members:

117-2. May non-selected candidates appeal against the decision on recruitment/appointment?

☒ Yes

☐ No

Comments – Please specify the procedure to be followed, the competent authority, the moment for exercising the right of appeal: Candidates who believe that they were unfairly treated or that there were irregularities in the selection process can file an administrative review (ricorso amministrativo).

118. Is the same authority (Q.117) competent for the promotion of public prosecutors?

☐ Yes

☒ No, please specify which authority is competent for promoting public prosecutors High Judicial Council (CSM)

Comments

119. What is the procedure for the promotion of prosecutors? (multiple replies possible)

☐ Competitive test / exam

☐ Previous individual evaluations

☒ Other procedure(s) (interview or other)

☐ No special procedure

Comments - Please specify how the promotion procedure for prosecutors is organised (especially if there is no competition or examination) and how the publicity of promotion processes is ensured:

119-1. In the frame of the promotion procedures, please indicate the number of applicants and the number of promotions actually made during the reference year:

	Total	Males	Females
Number of applicants	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA
Number of promoted persons	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA

Comments Consider all NA as NAP

119-2. Please indicate the criteria used for the promotion of a prosecutor:

☒ Years of experience

☒ Professional skills (and/or qualitative performance)

☒ Performance (quantitative)

☐ Subjective criteria (e.g. integrity, reputation)

☒ Other

☐ No criteria

Comments - Please, specify any useful comment regarding the criteria (especially if you have checked the box “performance” or “other”):

5.1.3Mandate and retirement of judges and prosecutors

121. Are judges appointed to office for an undetermined period (i.e. "for life" = until the official

age of retirement)?

(X) Yes, please indicate the compulsory retirement age:70

() No

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify:

121-1. Can a judge be transferred to another court without his/her consent:

[X] For disciplinary reasons

[] For organisational reasons

[] For other reasons (please specify modalities and safeguards):

[] No

Comments

122. Is there a probation period for judges (e.g. before being appointed "for life")? If yes, how long is this period?

() Yes, duration of the probation period (in years):

(X) No

Comments

123. Are public prosecutors appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

(X) Yes, please indicate the compulsory retirement age:70

() No

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify:

124. Is there a probation period for public prosecutors? If yes, how long is this period?

() Yes, duration of the probation period (in years):

(X) No

Comments

125. If the mandate of judges is not for an undetermined period (see question 121), what is the length of the mandate (in years)?

[]

[] NA

[X] NAP

Comments

125-1. Is it renewable?

() Yes

() No

[X] NAP

Comments

126. If the mandate of public prosecutors is not for an undetermined period (see question 123), what is the length of the mandate (in years)?

[]

[] NA

[X] NAP

Comments

126-1. Is it renewable?

() Yes

() No

[X] NAP

Comments

E1. Please indicate the sources for answering the questions in this part

Sources: Ministry of Justice + High Council of the Judiciary

5.2.Training

5.2.1 Training of judges

127. Types of different trainings offered to judges:

	Compulsory	Optional	No training proposed
Initial training (e.g. attend a judicial school, traineeship in a court)	(X) Yes () No	() Yes (X) No	() Yes (X) No
General in-service training	(X) Yes () No	() Yes (X) No	() Yes (X) No
In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)	(X) Yes () No	() Yes (X) No	() Yes (X) No
In-service training for management functions of the court (e.g. court president)	() Yes (X) No	(X) Yes () No	() Yes (X) No
In-service training for the use of computer facilities in courts	(X) Yes () No	() Yes (X) No	() Yes (X) No
In-service training on ethics	(X) Yes () No	() Yes (X) No	() Yes (X) No
In-service training on child-friendly justice	() Yes (X) No	(X) Yes () No	() Yes (X) No
In-service training on gender equality	() Yes (X) No	() Yes (X) No	(X) Yes () No

Other in- service training	() Yes (X) No	() Yes (X) No	(X) Yes () No
----------------------------	---------------------	---------------------	---------------------

Comments

128. Frequency of the in-service training of judges:

	Frequency of the judges training
General in-service training	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)	<input type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for management functions of the court (e.g. court president)	<input type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for the use of computer facilities in courts	<input type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training on ethics	<input type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training on child-friendly justice	<input type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training on gender equality	<input type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input checked="" type="checkbox"/> No training proposed
Other in- service training	<input type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input checked="" type="checkbox"/> No training proposed

Comments - Please indicate any information on the periodicity of the continuous training of judges:

128-1. Do you have a minimum number of compulsory trainings per judge:

Per judge

Initial compulsory training – minimum number of trainings	<input type="text"/> Min numeric value allowed : 0 <input checked="" type="checkbox"/> X] NA <input type="checkbox"/>] NAP
Initial compulsory training – minimum number of days	<input type="text"/> Min numeric value allowed : 0 <input checked="" type="checkbox"/> X] NA <input type="checkbox"/>] NAP
In-service compulsory trainings – minimum number of trainings per year	<input type="text"/> Min numeric value allowed : 0 <input checked="" type="checkbox"/> X] NA <input type="checkbox"/>] NAP
In-service compulsory trainings – minimum number of days per year	<input type="text"/> Min numeric value allowed : 0 <input checked="" type="checkbox"/> X] NA <input type="checkbox"/>] NAP

Comments The initial training programme for magistrates lasts eighteen months and is divided into two sessions. The initial six-month session takes place at the Higher School of the Judiciary (Scuola Superiore della Magistratura) and includes theoretical-practical courses with a focus on refining the operational skills, professionalism, and ethics of trainee judges. The subsequent twelve-month session takes place at judicial offices and is structured into three phases: four months within tribunals, two months in public prosecutor's offices, and six months in the assigned destination office.

In-service training is arranged by the Higher School of the Judiciary. It is mandatory for all serving magistrates (i.e. judges and public prosecutors), to participate in at least one of the available courses every four years. The selection of courses available is made by the executive board, considering the professional needs, legal preparation, and updating requirements of each magistrate, while also taking into account individual preferences. During the initial four years following their appointment, magistrates are required to engage in professional training sessions at least once every year.

5.2.2 Training of prosecutors

129. Types of different trainings offered to public prosecutors:

	Compulsory	Optional	No training proposed
Initial training	(X) Yes () No	() Yes (X) No	() Yes (X) No
General in-service training	(X) Yes () No	() Yes (X) No	() Yes (X) No
In-service training for specialised functions (e.g. public prosecutors specialised in organised crime)	(X) Yes () No	() Yes (X) No	() Yes (X) No
In-service training for management functions (e.g. Head of prosecution office, manager)	() Yes (X) No	(X) Yes () No	() Yes (X) No
In-service training for the use of computer facilities in office	(X) Yes () No	() Yes (X) No	() Yes (X) No
In-service training on ethics	(X) Yes () No	() Yes (X) No	() Yes (X) No

In-service training on child-friendly justice	() Yes (X) No	(X) Yes () No	() Yes (X) No
In-service training on gender equality	() Yes (X) No	() Yes (X) No	(X) Yes () No
Other in- service training	() Yes (X) No	() Yes (X) No	(X) Yes () No

Comments

130. Frequency of the in-service training of public prosecutors :

	Frequency of the in-service training
General in-service training	[X] Regularly (for example every year) [] Occasional (as needed) [] No training proposed
In-service training for specialised functions (e.g. public prosecutor specialised in organised crime)	[] Regularly (for example every year) [X] Occasional (as needed) [] No training proposed
In-service training for management functions (e.g. Head of prosecution office, manager)	[] Regularly (for example every year) [X] Occasional (as needed) [] No training proposed
In-service training for the use of computer facilities in office	[] Regularly (for example every year) [X] Occasional (as needed) [] No training proposed
In-service training on ethics	[] Regularly (for example every year) [X] Occasional (as needed) [] No training proposed
In-service training on child-friendly justice	[] Regularly (for example every year) [X] Occasional (as needed) [] No training proposed
In-service training on gender equality	[] Regularly (for example every year) [] Occasional (as needed) [X] No training proposed
Other in- service training	[] Regularly (for example every year) [] Occasional (as needed) [X] No training proposed

Comments - Please indicate any information on the periodicity of the in-service training of prosecutors:

130-1. Do you have a minimum number of compulsory trainings per prosecutor:

	Per prosecutor
Initial compulsory training – minimum number of trainings	<div>_____</div> <div>Min numeric value allowed : 0</div> <div>[X] NA</div> <div>[] NAP</div>
Initial compulsory training – minimum number of days	<div>_____</div> <div>Min numeric value allowed : 0</div> <div>[X] NA</div> <div>[] NAP</div>
In-service compulsory trainings – minimum number of trainings per year	<div>_____</div> <div>Min numeric value allowed : 0</div> <div>[X] NA</div> <div>[] NAP</div>
In-service compulsory trainings – minimum number of days per year	<div>_____</div> <div>Min numeric value allowed : 0</div> <div>[X] NA</div> <div>[] NAP</div>

Comments The initial training programme for magistrates lasts eighteen months and is divided into two sessions. The initial six-month session takes place at the Higher School of the Judiciary (Scuola Superiore della Magistratura) and includes theoretical-practical courses with a focus on refining the operational skills, professionalism, and ethics of trainee judges. The subsequent twelve-month session takes place at judicial offices and is structured into three phases: four months within tribunals, two months in public prosecutor's offices, and six months in the assigned destination office.

In-service training is arranged by the Higher School of the Judiciary. It is mandatory for all serving magistrates (i.e. judges and public prosecutors), to participate in at least one of the available courses every four years. The selection of courses available is made by the executive board, considering the professional needs, legal preparation, and updating requirements of each magistrate, while also taking into account individual preferences. During the initial four years following their appointment, magistrates are required to engage in professional training sessions at least once every year.

5.2.3 Training institutions

131. Do you have public training institutions for judges and / or prosecutors?

	Initial training only	Continuous training only	Initial and continuous training
Institution(s) for judges	[]	[]	[]
Institution(s) for prosecutors	[]	[]	[]
Institution(s) for both judges and prosecutors	[]	[]	[X]

Comments

131-0. If yes, what is the implemented budget of such institution(s)?

Implemented budget of the institution for the reference year, in €
--

Institution(s) for judges	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Institution(s) for prosecutors	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Institution(s) for both judges and prosecutors	13 335 928 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

131-1. If judges and/or prosecutors have no compulsory initial training in such institutions, please indicate briefly how judges and/or prosecutors are trained?

. In Italy both judges and prosecutors have compulsory initial training.

5.2.4 Number of trainings

131-2. Number of in-service trainings available and delivered (in days) by the public institution(s) responsible for training.

	Number of different live (in person, hybrid, videoconference) trainings available	Number of live (in person, hybrid, videoconference) trainings delivered	Number of days of delivered live (in person, hybrid, videoconference) trainings	Number of internet-based trainings available on the e-learning platform of the training institution (not live)
Total	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
For judges	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
For prosecutors	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
For non-judge staff	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
For non-prosecutor staff	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

131-3. Number of participants in the trainings during the reference year.

	Number of participants in live (in-person, hybrid, videoconference) trainings	Number of participants in internet-based trainings provided on the e-learning platform of the training institution (not live)
Total	5 900 <input type="checkbox"/> NA <input type="checkbox"/> NAP	27 000 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Judges	4 500 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Prosecutors	1 400 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Non-judge staff	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Non-prosecutor staff	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments

E2. Please indicate the sources for answering the questions in this part

Sources: Scuola Superiore della Magistratura (School for the Judiciary)

5.3.Practice of the profession

5.3.1Salaries and benefits of judges and prosecutors

132. Salaries of judges and public prosecutors on 31 December of the reference year:

	Gross annual salary, in €	Net annual salary, in €	Gross annual salary, in local currency	Net annual salary, in local currency
First instance professional judge at the beginning of his/her career	57 500 <input type="checkbox"/> NA <input type="checkbox"/> NAP	35 537 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Judge of the Supreme Court or the Highest Appellate Court (please indicate the highest salary of a judge at this level, excluding the salary of the Court President)	194 005 <input type="checkbox"/> NA <input type="checkbox"/> NAP	105 248 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Public prosecutor at the beginning of his/her career	57 500 <input type="checkbox"/> NA <input type="checkbox"/> NAP	35 537 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Public prosecutor of the Supreme Court or the Highest Appellate Instance (please indicate the highest salary of a public prosecutor at this level, excluding the salary of the Attorney General).	194 005 [] NA [] NAP	105 248 [] NA [] NAP	[] NA [X] NAP	[] NA [X] NAP
---	------------------------------	------------------------------	---------------------	---------------------

Comment – Please describe briefly how the salaries are determined during the career of a judge/prosecutor:

133. Do judges and public prosecutors have additional benefits?

	Judges	Public prosecutors
Reduced taxation	() Yes (X) No	() Yes (X) No
Special pension	() Yes (X) No	() Yes (X) No
Housing	() Yes (X) No	() Yes (X) No
Other financial benefit	() Yes (X) No	() Yes (X) No

Comments

134. If “other financial benefit”, please specify:

[X] NAP

=

135. Can judges combine their work with any of the following functions/activities?

	With remuneration	Without remuneration
Teaching	(X) Yes () No	(X) Yes () No
Research and publication	(X) Yes () No	(X) Yes () No
Arbitrator	() Yes (X) No	() Yes (X) No
Consultant	() Yes (X) No	() Yes (X) No
Cultural function	() Yes (X) No	(X) Yes () No

Political function	() Yes (X) No	() Yes (X) No
Mediator	() Yes (X) No	() Yes (X) No
Other function	() Yes (X) No	() Yes (X) No

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If “other function”, please specify.

137. Can public prosecutors combine their work with any of the following functions/activities?

	With remuneration	Without remuneration
Teaching	(X) Yes () No	(X) Yes () No
Research and publication	(X) Yes () No	(X) Yes () No
Arbitrator	() Yes (X) No	() Yes (X) No
Consultant	() Yes (X) No	() Yes (X) No
Cultural function	() Yes (X) No	(X) Yes () No
Political function	() Yes (X) No	() Yes (X) No
Mediator	() Yes (X) No	() Yes (X) No
Other function	() Yes (X) No	() Yes (X) No

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If “other function”, please specify:

139. Productivity bonuses: do judges receive bonuses based on the fulfilment of quantitative objectives in relation to the number of resolved cases (e.g. number of cases resolved over a given period of time)?

() Yes

(X) No

Comments - If yes, please specify the conditions and if possible the amounts:

5.3.2 Body/institution of ethics

138. Is there in your country an institution / body giving guidelines and/or opinions on ethical questions of the conduct of judges (e.g. involvement in political life, use of social media by judges, etc.)?

() Yes

(X) No

Comment - Please specify:

138-1. If yes, who are the members of this institution/body?

- () Only judges
() Judges and other legal professionals
() Other, please specify:

Comments

138-2. Are the guidelines and/or opinions of this institution / body publicly available?

- () Yes
() No

Comments - Please describe the work of this institution / body, the frequency of the guidelines and/or opinions, etc.:

138-2-1. How many guidelines and/or opinions were given during the reference year?

[]
[] NA

Comments – Please specify what were the topics addressed in these guidelines and/or opinions

138-3. Is there in your country an institution / body giving guidelines and/or opinions on ethical questions of the conduct of prosecutors (e.g. involvement in political life, use of social media by prosecutors, etc.)

- () Yes
(X) No

Comment: Please specify

138-4. If yes, who are the members of this institution/body?

- () Only prosecutors
() Prosecutors and other legal professionals
() Other, please specify:

Comments

138-5. Are the guidelines and/or opinions of this institution / body publicly available?

- () Yes
() No

Comments - Please describe the work of this institution / body, the frequency of opinions, etc.

138-5-1. How many guidelines and/or opinions were given during the reference year?

[]
[] NA

Comments – Please specify what were the topics addressed in these guidelines and/or opinions

5.4.Disciplinary procedures

5.4.1 Authorities responsible for disciplinary procedures and sanctions

140. Who is authorised to initiate disciplinary proceedings against judges (multiple replies possible)?

- ☐ Court users
- ☐ Relevant Court or hierarchical superior
- ☒ High Court / Supreme Court
- ☐ High Judicial Council
- ☐ Disciplinary court
- ☐ Disciplinary body
- ☐ Ombudsman
- ☐ Parliament
- ☒ Executive power (please specify): Minister of Justice
- ☐ Other (please specify):
- ☐ This is not possible

Comments

141. Who is authorised to initiate disciplinary proceedings against public prosecutors: (multiple replies possible):

- ☐ Citizens
- ☐ Head of the organisational unit or hierarchical superior public prosecutor
- ☒ Prosecutor General /State public prosecutor
- ☐ Public prosecutorial Council (High Judicial Council)
- ☐ Disciplinary court
- ☐ Disciplinary body
- ☐ Ombudsman
- ☐ Professional body
- ☒ Executive power (please specify): Minister of Justice
- ☐ Other (please specify):
- ☐ This is not possible

Comments

142. Which authority has disciplinary power over judges (multiple replies possible)?

- ☐ Court
- ☐ Higher Court / Supreme Court
- ☒ High Judicial Council
- ☐ Disciplinary court or body

- ☐ Ombudsman
- ☐ Parliament
- ☐ Executive power (please specify):
- ☐ Other (please specify):

Comments

143. Which authority has disciplinary power over public prosecutors (multiple replies possible)?

- ☐ Supreme Court
- ☐ Head of the organisational unit or hierarchical superior
- ☐ Prosecutor General /State public prosecutor
- ☒ Public prosecutorial Council (High Judicial Council)
- ☐ Disciplinary court or body
- ☐ Ombudsman
- ☐ Professional body
- ☐ Executive power (please specify):
- ☐ Other (please specify):

Comments

5.4.2 Number of disciplinary procedures and sanctions

144. Number of disciplinary proceedings initiated during the reference year against judges and public prosecutors. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)

	Judges	Prosecutors
Total number (1+2+3+4)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1. Breach of professional ethics	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Professional inadequacy	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Criminal offence	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify: The total number of disciplinary proceeding initiated in 2022 against both judges and public prosecutors is 78. The breakdown is not available.

145. Number of sanctions pronounced during the reference year against judges and public prosecutors:

	Judges	Prosecutors
Total number (total 1 to 10)	26 [] NA [] NAP	12 [] NA [] NAP
1. Reprimand	17 [] NA [] NAP	6 [] NA [] NAP
2. Suspension	1 [] NA [] NAP	1 [] NA [] NAP
3. Withdrawal from cases	0 [] NA [] NAP	0 [] NA [] NAP
4. Fine	0 [] NA [] NAP	0 [] NA [] NAP
5. Temporary reduction of salary	0 [] NA [] NAP	0 [] NA [] NAP
6. Position downgrade	7 [] NA [] NAP	4 [] NA [] NAP
7. Transfer to another geographical (court) location	0 [] NA [] NAP	0 [] NA [] NAP
8. Resignation	0 [] NA [] NAP	0 [] NA [] NAP
9. Other	0 [] NA [] NAP	0 [] NA [] NAP
10. Dismissal	1 [] NA [] NAP	1 [] NA [] NAP

Comments - If “other”, please specify. If a significant difference exists between the number of disciplinary proceedings and the number of sanctions, please indicate the reasons.

E3. Please indicate the sources for answering the questions in this part

Sources: Superior Council of the Judiciary (CSM)

6.Lawyers

6.1.Profession of lawyer

6.1.1Status of the profession of lawyers



146. Total number of lawyers practising in your country:

	Total	Males	Females
Number of lawyers	234 632 [] NA	123 574 [] NA	111 058 [] NA

Comments

147. Does this figure include “legal advisors” who cannot represent their clients in court (for example, some solicitors or in-house counsellors)?

Yes ()

No (X)

Comments

148. Number of legal advisors who cannot represent their clients in court:

[]

[] NA

[X] NAP

Comments

=

149. Is legal representation in courts exclusively exercised by lawyers in: (multiple replies possible)

	First instance	Second instance	Highest instance court (Supreme Court)
Civil cases	() Yes always (X) Yes in some cases () No [] NAP	(X) Yes always () Yes in some cases () No [] NAP	(X) Yes always () Yes in some cases () No [] NAP
Dismissal cases	(X) Yes always () Yes in some cases () No [] NAP	(X) Yes always () Yes in some cases () No [] NAP	(X) Yes always () Yes in some cases () No [] NAP
Criminal cases – Defendant	(X) Yes always () Yes in some cases () No [] NAP	(X) Yes always () Yes in some cases () No [] NAP	(X) Yes always () Yes in some cases () No [] NAP
Criminal cases – Victim	(X) Yes always () Yes in some cases () No [] NAP	(X) Yes always () Yes in some cases () No [] NAP	(X) Yes always () Yes in some cases () No [] NAP
Administrative cases	() Yes always (X) Yes in some cases () No [] NAP	() Yes always () Yes in some cases () No [X] NAP	(X) Yes always () Yes in some cases () No [] NAP

Comments - Please indicate any useful clarifications regarding the content of lawyers' exclusive rights:

149-0. If other than lawyers may represent a client in court, please specify who:

	First instance	Second instance	Highest instance court (Supreme Court)
Civil society organisation	() Yes (X) No	() Yes (X) No	() Yes (X) No
Family member	() Yes (X) No	() Yes (X) No	() Yes (X) No
Self-representation	(X) Yes () No	(X) Yes () No	() Yes (X) No
Trade union	() Yes (X) No	() Yes (X) No	() Yes (X) No
Other	(X) Yes () No	(X) Yes () No	() Yes (X) No

Comments - If "other", please specify. In addition, for the categories selected please specify the types of cases concerned by this/these representation(s):

149-1. In addition to the functions of legal representation and legal advice, can a lawyer exercise other activities?

- [] Notarial activity
- [X] Arbitration / mediation
- [X] Proxy / representation
- [] Property manager
- [] Real estate agent
- [] Other (please specify):

Comments

149-2. Professional lawyers may have the status of:

- [X] Self-employed lawyer
- [X] Staff lawyer
- [X] In-house lawyer

Comments In Italy, all these categories can exercise the legal profession in court.

150. Is the lawyer profession organised through:

- [X] a national bar association
- [] a regional bar association
- [X] a local bar association

Comments

151. Is there a specific initial training and/or exam to enter the profession of lawyer?

- (X) Yes
- () No

Comments - Please indicate if there are other specific requirements as regards diplomas or university degrees:

152. Is there a mandatory general in-service professional training system for lawyers?

☒ Yes

☐ No

Comments

153. Is the specialisation in some legal fields linked to specific training, levels of qualification, specific diploma or specific authorisations?

☒ Yes

☐ No

Comments - If yes, please specify:

F1. Please indicate the sources for answering the questions in this part

Sources: National Bar Association (Consiglio Nazionale Forense)

6.1.2 Practicing the profession of lawyer



154. Can court users establish easily what the lawyers' fees will be (i.e. a prior information on the foreseeable amount of fees)?

☒ Yes

☐ No

Comments

155. Are lawyers' fees freely negotiated?

☒ Yes

☐ No

Comments

156. Do laws or bar standards provide any rules on lawyers' fees (including those freely negotiated)?

☒ Yes, laws provide rules

☐ Yes, standards of the bar association provide rules

☐ No, neither laws nor bar association standards provide rules

Comments

6.1.3 Quality standards and disciplinary procedures for lawyers



157. Have quality standards been determined for lawyers?

☒ Yes

() No

Comments - If yes, what are the quality criteria used?

158. If yes, who is responsible for formulating these quality standards:

☒ the bar association

☐ the Parliament

☐ other (please specify):

Comments

159. Is it possible to file a complaint about:

☒ the performance of lawyers

☒ the amount of fees

Comments - Please specify:

160. Which authority is responsible for disciplinary procedures?

☐ a judge

☐ Ministry of Justice

☒ a professional authority

☐ other (please specify):

Comments

161. Disciplinary proceedings initiated against lawyers. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)

	Number of disciplinary proceedings
Total number of disciplinary proceedings initiated (1 + 2 + 3 + 4)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1. Breach of professional ethics	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Professional inadequacy	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Criminal offence	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify: Data for 2022 is not yet available and is currently being collected (September 2023-October 2023); the delay is due to the election of the new Italian National Bar, which started working in May 2023 and the new members of professional disciplinary authorities, who started their term of office in January 2023.

162. Sanctions pronounced against lawyers.

	Number of sanctions
Total number of sanctions (1 + 2 + 3 + 4 + 5)	<input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Reprimand	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Suspension	<input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Withdrawal from cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Fine	<input type="checkbox"/> NA <input type="checkbox"/> NAP
5. Other	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons. Data for 2022 is not yet available and is currently being collected (September 2023-October 2023); the delay is due to the election of the new Italian National Bar, which started working in May 2023 and the new members of professional disciplinary authorities, who started their term of office in January 2023.

The only available data is related to disciplinary decisions challenged before the Italian National Bar in 2022. New proceedings (appeals of local disciplinary decisions) were 396; the Italian National Bar delivered 280 decisions; the appeals success rate is 37,86% (55 decisions were overruled; 51 appeals were partially granted and the disciplinary sanction revised).

7. Court related mediation and other alternative Dispute Resolution

7.1. Court related mediation

7.1.1 Details on court related mediation

163. Does the judicial system provide for court-related mediation procedures?

☒ Yes

☐ No

Comments

163-1. In some fields, does the judicial system provide for mandatory mediation with a mediator?

☒ Before/instead of going to court

☒ Ordered by the court, the judge, the public prosecutor or a public authority in the course of a judicial proceeding

☐ No mandatory mediation

Comments - If there is mandatory mediation, please specify which fields are concerned: Real rights, condominium disputes, division of assets, wills and inheritance, leasing, family covenants and agreements, loans, business rents, medical malpractice damages, libel, insurance, bank and financial contracts. In 2020 the procedures subject to mediation were extended to the disputes related to COVID.

163-2. In some fields, does the legal system provide for mandatory informative sessions with a

mediator?

(X) Yes

() No

Comments - If there are mandatory informative sessions, please specify which fields are concerned: Family covenants and agreements, Wills and inheritance, Partition, Property, Business rents, Lease, Breach of contractual obligations due to COVID containment measures d.l.6 / 20 art. 3 co. 6bis and 6ter, Bank contracts, Condominium, Loans, Other proceedings (non mandatory mediations), Financial contracts, Medical malpractice damages, Libel, Insurance contracts

164. Please specify, by type of cases, who provides court-related mediation services:

	Private mediator	Public authority (other than the court)	Judge	Public prosecutor
Civil and commercial cases	(X) Yes () No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP	() Yes (X) No [] NAP
Family cases	(X) Yes () No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP	() Yes (X) No [] NAP
Administrative cases	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Labour cases including employment dismissals	(X) Yes () No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP	() Yes (X) No [] NAP
Criminal cases	() Yes (X) No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP	() Yes (X) No [] NAP
Consumer cases	(X) Yes () No [] NAP	(X) Yes () No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP

Comments

165. Is there a possibility to receive legal aid for court-related mediation or receive these services free of charge?

(X) Yes

() No

[] NAP

Comments - If yes, please specify:

=

166. Number of accredited or registered mediators for court-related mediation:

	Total	Males	Females
Number of mediators	23 561 [] NA [] NAP	11 280 [] NA [] NAP	12 281 [] NA [] NAP

166-1. Could you please describe what are the requirements and what is the procedure to become an accredited or registered mediator in your country (educational requirements, working experiences, accrediting procedure etc.)?

. To become a mediator in Italy, individuals must meet specific requirements:

- Hold at least a three-year university degree or be a member of a professional association.
- Complete a minimum 50-hour training course, including theoretical and practical components, with a final evaluation.
- Undergo biennial updates comprising at least 18 hours of advanced training.
- Participate in supervised internships, renewing them every two years.
- Declare their availability to serve as a mediator for a maximum of five mediation organizations.

These criteria ensure the qualifications and competence of mediators in civil and commercial matters.

167. Number of court-related mediations:

	Number of cases for which the parties agreed to start mediation	Number of finished court-related mediations	Number of cases in which there is a settlement agreement
Total (1 + 2 + 3 + 4 + 5 + 6 + 7)	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/>] NAP
1. Civil and commercial cases	80 353 <input type="checkbox"/>] NA <input type="checkbox"/>] NAP	70 569 <input type="checkbox"/>] NA <input type="checkbox"/>] NAP	20 394 <input type="checkbox"/>] NA <input type="checkbox"/>] NAP
2. Family cases	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/>] NAP
3. Administrative cases	<input type="checkbox"/>] NA <input type="checkbox"/> X <input type="checkbox"/> NAP	<input type="checkbox"/>] NA <input type="checkbox"/> X <input type="checkbox"/> NAP	<input type="checkbox"/>] NA <input type="checkbox"/> X <input type="checkbox"/> NAP
4. Labour cases including employment dismissal cases	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/>] NAP
5. Criminal cases	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/>] NAP
6. Consumer cases	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/>] NAP
7. Other cases	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X <input type="checkbox"/> NA <input type="checkbox"/>] NAP

Comments - Please indicate the source: As stated in the general comments, in Italy one party can initiate mediation and the other can decide whether or not to participate. In Italy, 226.607 mediation cases were initiated in 2022, with both parties attending the first mediation meeting in 80.353 cases out of this total. The rise in the number of cases where parties opted for mediation, as compared to 2020, can be primarily attributed to the pandemic which deeply affected 2020 figures.

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168. Do the following alternative dispute resolution (ADR) methods exist in your country?

- ☒ Mediation other than court-related mediation
- ☒ Arbitration
- ☒ Conciliation (if different from mediation)
- ☒ Other ADR (please specify):

Comments

G1. Please indicate the sources for answering the questions in this part

Source: Department of Statistics and Organizational Analysis (within the Ministry of Justice)

8.Enforcement of court decisions

8.1.Execution of decisions in civil matters

8.1.1 Number of enforcement agents, status and mandate

169. Number and type of enforcement agents in your country.

	Total	Male	Female
Total (1+2+3+4)	2 216 [] NA	999 [] NA	1 217 [] NA
1. Private professionals under the authority (control) of public authorities	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2. Enforcement agents working in a public institution (civil servants paid by state)	2 216 [] NA [] NAP	999 [] NA [] NAP	1 217 [] NA [] NAP
3. Judges	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
4. Other	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments - If other, please specify their status and competences:

170. What are the requirements to access the profession of enforcement agent (multiple replies possible)?

- ☐ diploma
- ☐ professional experience
- ☒ specific exam

☒ [X] appointment procedure by the State

☐ [] initial training

☐ [] other

Comments - If "other", please specify:

171. Are enforcement agents appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

☒ (X) Yes, please indicate the age of retirement: 70

☐ () No, please specify the duration of the appointment:

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify: Dismissal or resignation

8.1.2 Activities/scope of competence

171-1. Which debtor's information can the enforcement agent access at the beginning of the enforcement procedure?

	Access to information	Direct electronic access to information
Address	<input checked="" type="checkbox"/> (X) Yes <input type="checkbox"/> () No	<input type="checkbox"/> () Yes <input checked="" type="checkbox"/> (X) No
Date of birth	<input checked="" type="checkbox"/> (X) Yes <input type="checkbox"/> () No	<input type="checkbox"/> () Yes <input checked="" type="checkbox"/> (X) No
Civil status	<input type="checkbox"/> () Yes <input checked="" type="checkbox"/> (X) No	<input type="checkbox"/> () Yes <input checked="" type="checkbox"/> (X) No
Cohabitant	<input type="checkbox"/> () Yes <input checked="" type="checkbox"/> (X) No	<input type="checkbox"/> () Yes <input checked="" type="checkbox"/> (X) No
Employer	<input type="checkbox"/> () Yes <input checked="" type="checkbox"/> (X) No	<input type="checkbox"/> () Yes <input checked="" type="checkbox"/> (X) No
Motor vehicle	<input checked="" type="checkbox"/> (X) Yes <input type="checkbox"/> () No	<input type="checkbox"/> () Yes <input checked="" type="checkbox"/> (X) No
Movable property	<input type="checkbox"/> () Yes <input checked="" type="checkbox"/> (X) No	<input type="checkbox"/> () Yes <input checked="" type="checkbox"/> (X) No
Immovable property	<input checked="" type="checkbox"/> (X) Yes <input type="checkbox"/> () No	<input type="checkbox"/> () Yes <input checked="" type="checkbox"/> (X) No
Bank account	<input checked="" type="checkbox"/> (X) Yes <input type="checkbox"/> () No	<input type="checkbox"/> () Yes <input checked="" type="checkbox"/> (X) No
Other enforcement proceedings underway	<input type="checkbox"/> () Yes <input checked="" type="checkbox"/> (X) No	<input type="checkbox"/> () Yes <input checked="" type="checkbox"/> (X) No
Insolvency proceedings (bankruptcy, judicial reorganisation, collective debt settlement etc.)	<input type="checkbox"/> () Yes <input checked="" type="checkbox"/> (X) No	<input type="checkbox"/> () Yes <input checked="" type="checkbox"/> (X) No
Other	<input type="checkbox"/> () Yes <input checked="" type="checkbox"/> (X) No	<input type="checkbox"/> () Yes <input checked="" type="checkbox"/> (X) No

Comments - If "other", please specify:

171-2. Can the enforcement agent carry out the following civil enforcement proceedings:

	Option
Seizure of movable tangible properties	<input checked="" type="checkbox"/> (X) Yes, exclusively performed by enforcement agents <input type="checkbox"/> () Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> () No <input type="checkbox"/> [] NAP
Preventive seizure of movable tangible properties	<input checked="" type="checkbox"/> (X) Yes, exclusively performed by enforcement agents <input type="checkbox"/> () Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> () No <input type="checkbox"/> [] NAP
Seizure of immovable properties	<input checked="" type="checkbox"/> (X) Yes, exclusively performed by enforcement agents <input type="checkbox"/> () Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> () No <input type="checkbox"/> [] NAP
Preventive seizure of immovable properties	<input checked="" type="checkbox"/> (X) Yes, exclusively performed by enforcement agents <input type="checkbox"/> () Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> () No <input type="checkbox"/> [] NAP
Seizure from a third party of the debtor claims regarding a sum of money	<input checked="" type="checkbox"/> (X) Yes, exclusively performed by enforcement agents <input type="checkbox"/> () Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> () No <input type="checkbox"/> [] NAP
Seizure of remunerations	<input checked="" type="checkbox"/> (X) Yes, exclusively performed by enforcement agents <input type="checkbox"/> () Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> () No <input type="checkbox"/> [] NAP
Seizure of motorised vehicles	<input checked="" type="checkbox"/> (X) Yes, exclusively performed by enforcement agents <input type="checkbox"/> () Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> () No <input type="checkbox"/> [] NAP
Eviction measures	<input checked="" type="checkbox"/> (X) Yes, exclusively performed by enforcement agents <input type="checkbox"/> () Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> () No <input type="checkbox"/> [] NAP

Seizures of boats and ships	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of aircrafts	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of electronic assets (e.g cryptocurrency)	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Enforced sale by public tender of seized properties	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Sale of shares	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Other	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP

Comments

171-3. Apart from the enforcement of court decisions, what are the other activities that can be carried out by enforcement agents?

- ☒ Service of judicial and extrajudicial documents
- ☐ Debt recovery
- ☐ Voluntary or public auctions of moveable or immoveable property
- ☐ Custody of goods
- ☐ Recording and reporting of evidence
- ☒ Court hearings service
- ☐ Provision of legal advice

- ☐ Bankruptcy procedures
- ☐ Performing tasks assigned by judges
- ☐ Representing parties in courts
- ☐ Drawing up private deeds and documents
- ☐ Building manager
- ☐ Other

Comments

8.1.3 Training and ICT

172-1. Is there a system of mandatory general continuous training for enforcement agents?

- ☐ Yes
- ☒ No

Comments

172-2. Do you have an e-learning training system established for enforcement agents?

- ☐ Yes
- ☒ No

Comments - If yes, please specify:

172-3. Does the content of the continuous training system also include ICT (related to enforcement procedures)?

- ☐ Yes
- ☒ No

Comments - If yes, please specify:

172-4. Have an electronic service of documents or electronic notifications been introduced in your country?

- ☒ Yes
- ☐ No

Comments

172-5. Does the development of new technologies have an effect on the different stages of the enforcement procedure?

- ☐ Yes
- ☒ No

Comments - Please explain:

8.1.4 Fees

174. Are enforcement fees easily established and transparent for parties?

- ☒ Yes

☐ No

Comments

175-1. Are the fees charged in case of successful enforcement proceedings freely negotiated?

☐ Yes

☒ No

Comments

175-2. Who has to pay these fees if the enforcement proceedings are successful?

☐ The debtor

☒ The creditor

☐ Other – please specify

Comments

176. Do laws provide any rules on enforcement fees (including those freely negotiated)?

☒ Yes

☐ No

Comments

H0. Please indicate the sources for answering the questions in this part

Source: Ministry of Justice

8.1.5 Organisation of profession and efficiency of enforcement services



177. Is there a body entrusted with supervising and monitoring the enforcement agents' activity?

☒ Yes

☐ No

Comments

178. Which authority is responsible for supervising and monitoring enforcement agents?

☐ professional body

☐ judge

☒ Ministry of Justice

☐ public prosecutor

☐ other (please specify):

Comments

181. Is there a specific mechanism for executing court decisions rendered against public authorities, including supervising such execution?

() Yes

(X) No

Comments - If yes, please specify:

182. Is there a system for monitoring how the enforcement procedure is conducted by the enforcement agent?

() Yes

(X) No

Comments - If yes, please specify:

183. What are the main complaints made by users concerning the enforcement procedure? Please indicate a maximum of 3.

[X] no execution at all

[] non execution of court decisions against public authorities

[] lack of information

[X] excessive length

[] unlawful practices

[] insufficient supervision

[] excessive cost

[] unethical behaviour of enforcement agent

[] other (please specify):

Comments

185. Is there a system measuring the length of enforcement procedures:

	Existence of the system
for civil cases	() Yes (X) No
for administrative cases	() Yes (X) No

Comments

186. Regarding a decision on debt collection, please estimate the average timeframe to serve and/or notify the decision to the parties who live in the city where the court sits (one option only):

() between 1 and 5 days

() between 6 and 10 days

() between 11 and 30 days

() more (please specify):

[X] NA

Comments

187. Number of disciplinary proceedings initiated against enforcement agents. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)

	Number of disciplinary proceedings initiated
Total number of initiated disciplinary proceedings (1+2+3+4)	18 [] NA [] NAP
1. For breach of professional ethics	8 [] NA [] NAP
2. For professional inadequacy	6 [] NA [] NAP
3. For criminal offence	4 [] NA [] NAP
4. Other	0 [] NA [] NAP

Comments - If “other”, please specify:

188. Number of sanctions pronounced against enforcement agents:

	Number of sanctions pronounced
Total number of sanctions (1+2+3+4+5)	18 [] NA [] NAP
1. Reprimand	7 [] NA [] NAP
2. Suspension	0 [] NA [] NAP
3. Withdrawal from cases	9 [] NA [] NAP
4. Fine	1 [] NA [] NAP
5. Other	1 [] NA [] NAP

Comments - If “other”, please specify. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons:

H1. Please indicate the sources for answering the questions in this part

Source: Ministry of Justice

8.2.Execution of decisions in criminal matters

8.2.1Functioning of execution in criminal matters

189. Which authority is in charge of the enforcement of judgments in criminal matters? (multiple replies possible)

- ☒ Judge
- ☒ Public prosecutor
- ☒ Prison and Probation Services
- ☐ Enforcement agent
- ☐ Other authority (please specify):

Comments - Please specify his/her functions and duties (e.g. initiative or monitoring functions).

190. Are the effective recovery rates of fines decided by a criminal court evaluated by studies?

- ☐ Yes
- ☒ No

Comments

191. If yes, what is the recovery rate?

- ☐ 80-100%
- ☐ 50-79%
- ☐ less than 50%

Comments - Please indicate the source for answering this question:

9.Notaries

9.1.Profession of notary

9.1.1Number, status and mandate of notaries

192. Number and status of notaries in your country.

	Total	Males	Females
TOTAL (1+2+3+4)	5 120 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 163 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 957 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Private professionals (without control from public authorities)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2. Holders of public offices appointed by the State	5 120 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 163 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 957 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3.Civil servants (paid by the State)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

4. Other	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
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Comments - If "Other", please specify the status, or if "holder of a public office appointed by the State", please indicate which ministry is mainly engaged in the appointment procedure:

192-1. What are the access conditions to the profession of notary (multiple replies possible):

- ☐ diploma
☐ professional experience
☒ specific exam
☒ appointment procedure by the State
☒ initial training
☐ other (please specify):

Comments

192-2. Are notaries appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

- ☒ yes, please indicate the age of retirement: 75
☐ no, please specify the duration of the appointment:

Comments - are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify:

9.1.2 Activities/scope of competences

194. What kind of activities do notaries perform (multiple options possible)?

	Please select one option
Authentication	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
Certification of signatures	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
Mediation	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP

Taking of oaths	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
Non-contentious judicial procedures (e.g. acting as court commissioner in a successions file, performing divorce, division of estate, please specify)	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
Act as civil servant (for example performing marriage, please specify)	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
Other judicial functions (for example, payment orders)	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
Public auctions	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
Other (for example collect taxes, run registers etc.)	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP

Comments - If “other”, please specify. Please indicate any useful clarifications regarding the content of the notaries’ exclusive rights or, on the opposite, other bodies that also have competences for the listed activities.

194-2. In which areas of law do notaries perform their activities (multiple replies possible)?

- ☒ Real estate transaction
☒ Family law
☒ Succession law
☒ Company law
☒ Legality control of gambling activities
☒ Protection of vulnerable persons
☐ Other

Comments

9.1.3 ICT, organisation of the profession and training



194-3. Do notaries use specialised ICT systems in their activity?

☒ In their relations with the State (e.g. courts, registries, chambers of commerce, tax authorities)

☒ In their relations with their clients

☒ In their relations with other notaries (e.g. videoconferencing, system to exchange documents)

Comments

194-4. Which computerised registries can notaries consult?

☒ Land registry

☒ Business registry

☒ Civil status / Population registry

☒ Succession / Family law registry

☒ Any other registry (please specify) register of third sector organisations, register of living wills

☐ None

Comments

194-5. Are there registries/ registry infrastructures run by the notaries?

☐ Yes

☒ No

Comments - If yes, please specify:

194-6. In which computerised registries can notaries modify data (either directly or by submitting an online request)?

	Directly modifying	Indirectly modifying by submitting an online request
Land registry	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Business registry	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Civil status/ Population registry	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Succession / Family law registry	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Any other registry (please specify)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
None	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP



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194-7. What ICT tools are used by notaries in their relations with clients?

☒ Videoconferencing (e.g. digital advice)

☒ Digital act

☒ Digital identification

☒ Digital archiving

☒ Other, please specifysee comments

☐ None

Comments Other: the possibility to set up a limited liability company online has been introduced. This faculty is ruled through a telematic platform prepared and managed by the National Council of Notaries that allows for

- verification of identity
 - verification that the holder has affixed a digital signature or another type of qualified electronic signature
 - verification and attestation of the validity of the signature certificates used
 - the perception of what happens to the parties connected by videoconference when they express their will;
 - the continuous connection with the parties in videoconference;
 - the visualisation of the document to be signed;
 - electronic signature by all signatories;
 - preservation of the document by connecting to the structure referred to in Article 62-bis of Law No 89 of 16 February 1913;
 - monitoring of all activities;
 - the simultaneous issue of a recognised electronic signature to parties who do not have one, for the purpose of signing the document.
- With guarantees of efficiency and security of the same level as those recognised by the Notarial Law of 1913 for the paper or digital deed received by the notary with the parties physically present and not connected by videoconference, such as control of the legality of the deed; verification of personal identity in a secure manner; anti-money laundering controls; protection of personal data in the light of current legislation on privacy

194-8. Who is responsible to run the digital archives?

☒ Notariat / Professional body

☐ Other public authority

☐ Another entity (please specify)

Comments

195. Is there an authority entrusted with supervising and monitoring the notaries' work?

☒ Yes

☐ No

Comments

196. If yes, which authority is responsible for supervising and monitoring notaries (multiple options possible)?

☒ professional body

☐ court

☒ Ministry of Justice

☒ public prosecutor

☐ other (please specify):

Comments

196-1. Is there a system of general continuous training for all notaries?

☒ Yes

☐ No

Comments

196-2. Do notaries have training on:

	Yes	No
European law	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Law of another Member State (cross-border training programmes)	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Comments - If yes, please indicate the types (e.g. traditional courses, e-learning, webinar) and the major topics of the training activities: The high level of qualification of notaries is a distinctive feature of the notarial function, both in the preparatory phase for entering the profession and in the exercise of the profession. The system is based on a general continuous training to ensure professional preparation through the acquisition of specific skills in all legal issues affecting the profession. The period of permanent training lasts two years, in which notaries are required to obtain 100 training credits, with a minimum of 40 credits per year. Usually, the training takes place both in person (or via audio/video connection), as well as with e-learning arrangements, with a growing focus on the issues of a European/international matrix. It should be noted that in the last three years, multiple training and comparison activities have been carried out on topics characterized by transnational elements. The COVID-19 epidemiological emergency significantly affected the implementation of the training courses. For example, notaries had to rely on e-learning platforms to achieve the desired training objective

II. Please indicate the sources for answering the questions in this part

Sources: National Council of Notaries (Consiglio Nazionale del Notariato)

10.Judicial experts

10.1.Profession of judicial expert

10.1.1Status of judicial experts

202. In your system, what types of judicial experts can participate in judicial procedures (multiple replies possible):

☒ Experts designated by the parties in support of their arguments but bound by a duty of independence and impartiality to the court

☒ Experts appointed by the court or other authority independent of the parties

☐ Other system of judicial expertise, please specify

Comments - Please specify who is proposing and appointing experts in an individual case.

202-1. Are there lists or any other form of official registration for judicial experts?

☒ Yes

☐ No

Comments

202-1-1. If yes, at which level is the list established (multiple replies possible):

☐ national

☐ administrative district or federal entity

☒ judicial district

☐ other

Comments - Please, indicate any other comment regarding these lists or databases of experts, if they do exist (e.g. does the expert take an oath? How are his/her skills evaluated? By whom?):

202-1-2. Are these lists publicly available?

☐ Yes, available on the internet

☒ Yes

☐ No

Comments

202-2. Which authority is competent for the registration of judicial experts?

☐ Ministry of justice

☒ Courts

☐ Administrative body

☐ Independent body (association of judicial experts)

☐ Other

Comments - Please also specify the registration criteria:

202-3. Is the registration of judicial experts limited in time?

☐ Yes, for how long

☒ No

Comments

202-4. Can an expert who is not on the list or not registered be appointed in a case?

☒ Yes

☐ No

Comment - If yes, please specify in which cases:

203. Is the title of judicial experts protected?

☒ Yes

☐ No

Comments - If appropriate, please explain the meaning of this protection:

203-1. Does the judicial expert have an obligation of training?

	Obligation of training
Initial training	() Yes (X) No
Continuous training	() Yes (X) No

Comments

203-2. If yes, does this training concern:

- ☐ judicial proceedings
- ☐ the profession of expert
- ☐ other

Comments

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204. Is the function of judicial experts regulated by legal norms?

- (X) Yes
- () No

Comments

204-1. On the occasion of a task entrusted to him/her, does the judicial expert have to report any potential conflicts of interest?

- (X) Yes
- () No

Comments - If yes, please specify:

205. Number of accredited or registered judicial experts:

	Total	Males	Females
Number of experts	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments

206-1. Number of cases where an expert opinion was ordered by a judge or requested by the parties

Number of cases

Total (1+2+3+4)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1.Civil and commercial litigious cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2.Administrative cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3.Criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4.Other cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments

205-1. Who defines the amount of the expert remuneration?

	In civil/administrative cases	In criminal cases
Defined by law/by-law or a special regulation	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Defined by the court/judge	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Defined by the Ministry of Justice or another ministry (setting a tariff for example)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Salary of public official (in case of forensic or another specialist – who is public employee)	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP
Freely agreed between expert and the parties	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Other	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP

Comments - If other, please specify:

206. Are there binding provisions for judicial experts regarding:

	Yes	No
Deadlines to provide expertise	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Quality of expertise	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input checked="" type="checkbox"/>

☐ NAP

Comments - If yes, please specify, and provide details in case there are possible sanctions:

207-1. Does the judge or another body control the progress of the expertise?

☒ Yes

☐ No

If yes, please specify:

207-2. Are judicial experts' associations involved in:

☐ Selection processes

☐ Initial or continuous training

☐ Disciplinary procedures

☒ NAP

Comments

K1. Please indicate the sources for answering the questions in this part

Sources: Ministry of Justice

11.Reforms in judiciary

11.1.Foreseen reforms

11.1.1Reforms

208. Can you provide information on the current debate in your country regarding the functioning of justice? Are there undergoing or foreseen reforms? If possible, please observe the following categories:

208-1. (Comprehensive) reform plans

☐ Yes (planned)

☒ Yes (adopted)

☒ Yes (implemented during year of reference +1)

☐ No

☐ NA

Comments - If yes, please specify: With regard to civil justice, a comprehensive reform took effect on February 28th of this year through Legislative Decree 149/2022, which amended the Italian Code of Civil Procedure ("CCP"). The overall aim of this piece of legislation is to make proceedings faster and more efficient. The most significant changes are the shorter timeframe for defendants to defend themselves, the obligation for the parties to attend the first hearing, the broader usage of ADR procedures, the revision of the appellate system, etc. The decree essentially amended the entire structure of civil merits proceedings and introduced a new type of proceeding, known as "simplified proceedings." This is expected to become the most widely used form, according to the purposes set forth by the Ministry of Justice.

With regard to alternative dispute resolution (ADR), the reform aims to increase the use of pre- or out-of-court instruments and to improve

the efficiency of civil proceedings at all instances and levels.

The reform also addresses the new measures concerning trials, the principle of clarity and conciseness in lawyers' briefs and judges' orders and decisions was explicitly outlined (Article 121 civil procedure code and 46 Disp. Att.). Moreover, a general simplified procedure, akin to the already successful labor law process, has been introduced. This procedure involves concentrating the trial in a limited number of hearings, potentially even just one. As far as the appeal system, the presiding judge has the authority to designate a judge from the panel to oversee the trial and the evidentiary proceedings. Subsequently, this designated judge will report to the panel of three judges for the final decision. Furthermore, a more expedited decision process is outlined for manifestly unfounded appeals (348 bis civil procedure code). Similarly, an accelerated procedure is established before the Supreme Court of Cassation in the case of manifestly unfounded appeals (380 bis civil procedure code). Additionally, a new prejudicial ruling on a matter of law is now possible, upon request by the first or second instance judge.

A comprehensive reform of the criminal procedure and the sanctions system has been set up by Legislative Decree no. 150/2022, with the aim of simplifying, expediting and streamlining criminal proceedings, in compliance with the safeguards of the rights of defence. The underlying rationale of all principles and criteria is to strengthen the efficiency of criminal proceedings and significantly reduce their duration (at least by 25% in the next five years in line with the plan agreed upon with the EU Commission for the implementation of the EU Recovery and Resilience Plan). The reform aims to achieve such objectives also by introducing measures which are expected to significantly improve the organisation and management of judicial offices (courts and prosecution offices), shorten the duration of proceedings and reduce the number of criminal proceedings adjudicated by courts. Among the numerous criteria and principles underlying the reform the following ones are worth mentioning: 1) strengthening the digitalisation of criminal proceedings; 2) amending provisions on the service of procedural documents with a view to speeding up criminal proceedings; 4) identifying cases where participation in the proceedings or the hearing can take place remotely; 5) introducing new rules for dismissal of cases by providing that a criminal case should be dismissed when the evidence gathered during preliminary investigations does not allow for a reasonable prediction of conviction; 6) strengthening judicial supervision (carried out by the Judge for preliminary investigations) on preliminary investigations; 7) extending the list of criminal offences falling within the jurisdiction of the single-judge court thus eliminating the stage of the preliminary hearing for such criminal offences; 8) introducing incentives for defendants to opt for the “patteggiamento” procedure and not to lodge appeal against judgments rendered in summary trials (“giudizio abbreviato”); 9) expediting appeal proceedings both before Courts of Appeal and the Supreme Court of Cassation; 10) providing for criminal sanctions as an alternative to short custodial sentences (fine; community service; semi-detention; house detention); 11) introducing restorative justice programmes; 12) extending the scope of application of Article 131-bis of the Criminal Code that provides for the exclusion of criminal liability where an offence is to be considered as a minor offence (de minimis offence); 13) extending the scope of application of the measure of suspension of criminal proceedings with probation for the defendant provided for in Article 168-bis of the Criminal Code. With regard to the overarching goal of speeding up criminal proceedings, it is worth mentioning that the Minister of Justice has established a technical-scientific Committee to monitor the efficiency of criminal justice, the reasonable duration of proceedings and judicial statistics. The Committee acts as the advisory and support body for the periodic assessment of accomplished objectives in expediting and simplifying criminal proceedings.

208-2. Budget

☐ Yes (planned)

☒ Yes (adopted)

☒ Yes (implemented during year of reference +1)

☐ No

☐ NA

Comments - If yes, please specify: Within the framework of the National Recovery and Resilience Plan (PNRR), the Ministry of Justice has carried out an extraordinary recruitment process to strengthen the “Ufficio del Processo” (literally "Trial Office"). This is an organisational tool consisting in the creation or the reinforcement of support teams for judges, with fixed-term employment and with the aim of reducing the backlog and the disposition time. The PNRR also provides for specific funding to build judicial citadels and to secure existing buildings. Furthermore, a dedicated budget has been planned for wiretapping and the computerization of criminal proceedings.

208-3. Courts and public prosecution services (e.g. powers and organisation, structural changes - e.g. reduction of the number of courts (geographic locations), competences of the courts,

management and working methods, information technologies, backlogs and efficiency, court fees, renovations and construction of new buildings)

☐ Yes (planned)

☒ Yes (adopted)

☒ Yes (implemented during year of reference +1)

☐ No

☐ NA

Comments - If yes, please specify: The jurisdiction of justices of peace has been generally increased from € 5,000 to € 10,000, and from € 20,000 to € 25,000 with specific regard to damages arising from road/traffic accidents (Art. 7 civil procedure code). The so-called “telematic civil trial” (PCT) is completed: the case file is now entirely electronic (lawyers' briefs, court minutes, documentary evidence, judges' orders and decisions) and clear rules have been adopted for remote hearings. The reforms will primarily exert a direct influence on new cases. Nonetheless, certain reforms will also produce immediate effects on the backlog, particularly the tax incentives designed to facilitate settlement agreements, which are applicable to both ongoing and pending cases. Additionally, the overall enhancement of efficiency resulting from the implementation of the “trial office” contributes to this effect. Indirectly, the direct impact of the reforms on new cases will also contribute to the reduction of the backlog. This is because a judge who expeditiously decides new cases can allocate more working hours to concluding older cases.

As far as the criminal sector, the introduction of the “online criminal trial” (“processo penale telematico”) will enable judges and parties to access case files more efficiently, even remotely, in complete security. It will facilitate the retrieval of data from large files and, in the long term, speed up the processing of documents.

208-4. Access to justice and legal aid

☐ Yes (planned)

☐ Yes (adopted)

☒ Yes (implemented during year of reference +1)

☐ No

☐ NA

Comments - If yes, please specify: Tax incentives and legal aid have been expanded to include Alternative Dispute Resolution (ADR). Two significant implementing decrees were enacted on August 7, 2023, addressing these aspects: the Decree of August 1st, 2023, concerning tax incentives, and the Decree of August 1st, 2023, regarding legal aid. Both decrees apply to both mediation and assisted negotiations.

With reference to the criminal proceedings, the establishment of the “Giustizia Riparativa” (“Restorative Justice”) system provides free access to the programs for all parties involved.

208-5. High Judicial Council (competent for judges and/or prosecutors)

☐ Yes (planned)

☒ Yes (adopted)

☐ Yes (implemented during year of reference +1)

☐ No

☐ NA

Comments - If yes, please specify: In light of the delegation for the reform of the judicial system, draft decrees were preliminarily approved by the Council of Ministers in the session held on November 27, 2023. These decrees assign the Superior Council of the Judiciary additional information to enhance its knowledge for the fulfillment of duties related to the appointments of heads of judicial offices and the assessments of the professional competence of magistrates.

208-6. Legal professionals (judges, public prosecutors, lawyers, notaries, enforcement agents,

etc.): organisation, education and training, etc.

☐ Yes (planned)

☒ Yes (adopted)

☐ Yes (implemented during year of reference +1)

☐ No

☐ NA

Comments - If yes, please specify: In light of the delegation for the reform of the judicial system, draft decrees were preliminarily approved by the Council of Ministers in the session held on November 27, 2023. These decrees assign the Superior Council of the Judiciary additional information to enhance its knowledge for the fulfillment of duties related to the appointments of heads of judicial offices and the assessments of the professional competence of magistrates.

The reform of the honorary magistracy (Legislative Decree No. 116/2017) is now fully operational.

208-7. Gender equality

☐ Yes (planned)

☐ Yes (adopted)

☒ Yes (implemented during year of reference +1)

☐ No

☐ NA

Comments - If yes, please specify: Law 71/2022 reforming the judiciary provides for measures in favour of gender equality. In order to ensure greater representativeness within the Superior Council of the Judiciary, 'gender quotas' have been defined.

208-8. Reforms regarding civil, criminal and administrative laws, international conventions and cooperation activities

☐ Yes (planned)

☒ Yes (adopted)

☐ Yes (implemented during year of reference +1)

☐ No

☐ NA

Comments - If yes, please specify: Legislative Decree No. 105 of 10 August 2023, converted into law with amendments by L. 9 October 2023, No. 137, includes, among other provisions, interventions related to wiretapping. It introduces measures to safeguard the privacy of individuals unrelated to the investigation who are subject to interceptions and outlines increased requirements for the judge to provide detailed justifications.

This Legislative Decree also extends the special regime established for crimes related to organized crime to offenses committed for the purpose of terrorism or to facilitate organized crime associations. Additionally, it establishes a system of centralized digital infrastructures to ensure the security and cost-effectiveness of interceptions.

Legislative Decree No. 123 of 15 September 2023, as amended by Law No. 159 of 13 November 2023, contains measures to combat juvenile delinquency. It has introduced specific preventive and alternative measures for juveniles ("misure penali di comunità"), and it increases the penalties for offences related to weapons and narcotics, and the possibility of extinguishing the offence in the case of successful completion of socially useful work.

Law No. 168 of 24 November 2023, which contains provisions on violence against women, introducing accelerated procedures and enhancing measures to protect victims.

208-9. Enforcement of court decisions and in particular regarding decisions against public authorities

- ☐ Yes (planned)
- ☐ Yes (adopted)
- ☒ Yes (implemented during year of reference +1)
- ☐ No
- ☐ NA

Comments - If yes, please specify: Regarding the enforcement of court decisions, the reform has led to the elimination of certain redundant formalities (such as the enforcement formula), a reduction in specific deadlines (pertaining to the production of documents required for forced sales), an advancement in the appointment of the custodian of seized assets, and the introduction of a new provision for direct sales by the debtor, subject to specific conditions and in adherence to a value verified by a court expert. Finally, the implementing decree on the database of judicial auctions has been adopted on July 11, 2023

208-10. Mediation and other Alternative Dispute Resolution

- ☐ Yes (planned)
- ☐ Yes (adopted)
- ☒ Yes (implemented during year of reference +1)
- ☐ No
- ☐ NA

Comments - If yes, please specify: The D.Lgs. 149/2022, implementing the Delegated Law No. 206/2021 ("Cartabia Reform"), has introduced significant changes to ADR procedures, especially in mediation. Some changes came into effect on February 28, while others will apply from June 30, 2023. Notable changes effective from June 30 include:

- Mandatory mediation extended to various areas, including association in participation, consortium, franchising, contracts for work, network contracts, and subcontracting.
 - Introduction of a specific provision for contractually or statutorily mandated mediation. A new article (art. 5 sexies) stipulates that when a contract or statute includes a mediation clause, attempting mediation becomes a prerequisite for initiating a judicial claim.
 - Increased importance of Judge-delegated mediation. The reform enhances the Judge's powers, allowing them to order mediation even during the appeal process, making it a prerequisite for filing a judicial claim.
 - Facilitation of mediation against public administrations, limiting officials' liability to cases of fraud or serious negligence.
 - Availability of State-sponsored Legal Aid for non-affluent parties requiring legal assistance in mediation, subject to income and agreement conditions.
 - Introduction of Telematic Mediation, allowing proceedings via digital means, complying with the Digital Administration Code.
 - Changes to the first mediation meeting, emphasizing the mediator's role, requiring personal presence, and introducing consequences for non-participation.
 - Duration of mediation proceedings capped at three months, extendable by another three months with written agreement.
- Additionally, the reform maintains and enhances tax benefits and fiscal incentives. Two decrees (D.M. 1st August 2023) regarding fiscal incentives and state-sponsored legal aid have been published.

Furthermore, the Ministerial Decree 150/2023, effective from November 15, 2023, completes the implementation of the Cartabia Reform in mediation. It defines principles of honorability, transparency, efficiency, independence, seriousness, and professional qualification for registration in the ministerial register, applying to both entities and mediators. The decree establishes a Special ADR Section in the ministerial register for ADR entities handling national and cross-border mediations according to the Consumer Code.

208-11. Fight against crime

- ☐ Yes (planned)
- ☒ Yes (adopted)
- ☐ Yes (implemented during year of reference +1)
- ☐ No
- ☐ NA

Comments - If yes, please specify: Legislative Decree 123/2023 provided for increased penalties for weapons and drug offences.

208-12. Prison system

☐ Yes (planned)

☒ Yes (adopted)

☐ Yes (implemented during year of reference +1)

☐ No

☐ NA

Comments - If yes, please specify: The Legislative Decree No.123/2023 establishes that individuals (aged between 18-21) who committed crimes when they were minors and are not showing improvement through rehabilitation measures in juvenile facilities will now be included in the adult prison system.

208-13. Child friendly justice

☐ Yes (planned)

☒ Yes (adopted)

☐ Yes (implemented during year of reference +1)

☐ No

☐ NA

Comments - If yes, please specify: Regarding family disputes, the procedure has been streamlined (Article 473 bis 11 et seq. of the civil procedure code), particularly focusing on the protection of minors and combatting domestic violence (Article 473 bis.70 civil procedure code: injunctions against the perpetrator of violence, 473 bis.45 civil procedure code: duty of the judge to listen to the minor). A novel institution, the Family and Persons Court, has been established, although it is not yet operational. This court possesses jurisdiction over family matters, minors, divorces, and separations, with highly specialized judges assigned to handle these cases. This marks a departure from the traditional approach where issues concerning minors were typically addressed by a separate court known as the "Juvenile court," distinct from the ordinary court handling divorces and separations.

208-14. Domestic violence

☐ Yes (planned)

☒ Yes (adopted)

☐ Yes (implemented during year of reference +1)

☐ No

☐ NA

Comments - If yes, please specify: The Law No. 168/2023 establishes comprehensive measures to protect women who are victims of domestic and gender-based violence, including stricter criminal sanctions and an advancement of protective measures, including preventive measures.

208-15. New information and communication technologies

☐ Yes (planned)

☒ Yes (adopted)

☐ Yes (implemented during year of reference +1)

☐ No

☐ NA

Comments - If yes, please specify: The Ministerial Decree of 4 July 2023 establishes the framework for the online filing of legal

documents in specified criminal proceedings, aligning with the broader legal and procedural reforms outlined in the legislative decree of October 10, 2022. In particular, this decree issued by the Ministry of Justice, provides for the mandatory submission of crucial defense documents through the “online criminal trial” portal (“portale del processo penale telematico”). These include the appointment of defense counsel, the constitution of civil party, pleadings, etc. Additionally, it covers communications regarding the declared domicile, requests for expedited proceedings, plea bargaining, immediate judgment, substitution of the penalty with community service, opposition to the criminal decree, as well as witness lists, appeal documents, cassation appeals, applications for free legal assistance, and requests for the settlement of defense counsel fees.

The actual implementation of the online criminal trial is postponed to 2024.

208-16. Other

☐ Yes (planned)

☐ Yes (adopted)

☐ Yes (implemented during year of reference +1)

☒ No

☐ NA

Comments - If yes, please specify: