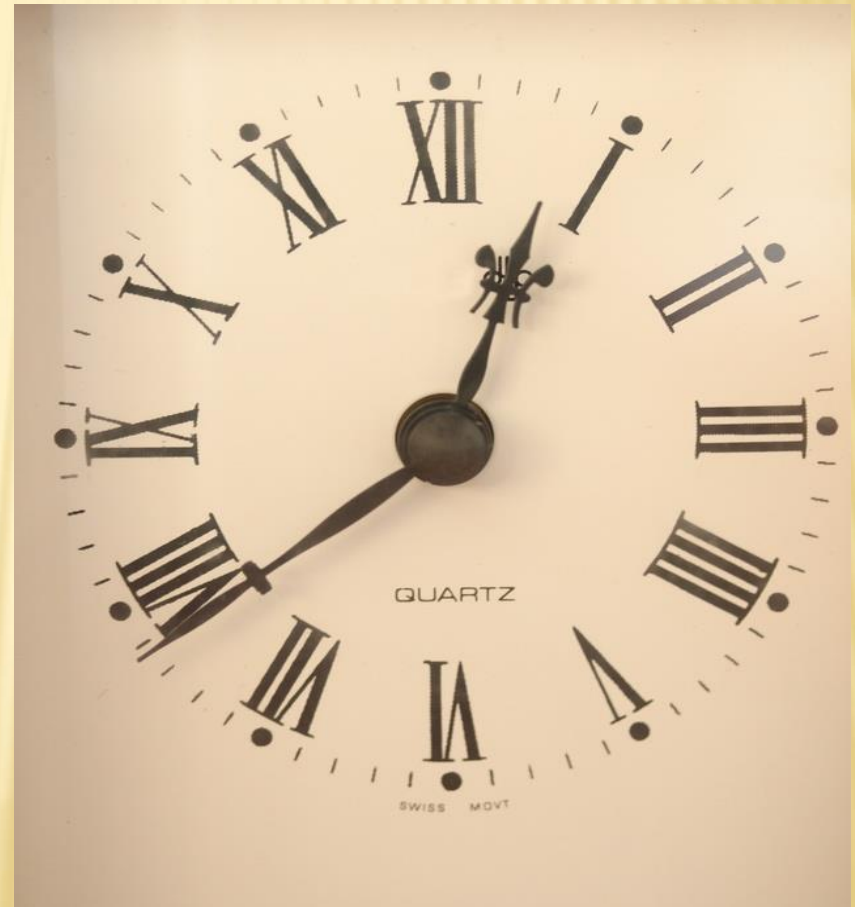


SATURN PROJECTS EXPERIENCES ENCJ TIMELINESS SEMINAR BUCHAREST NOVEMBER 2015



SATURN CENTRE FOR JUDICIAL TIME MANAGEMENT

Study and
Analysis of judicial
Time
Use
Research
Network



SATURN STRATEGY

Strategic goals:

1. Data collection
2. Continuous improvement of data collected
3. Analysis of data collected
4. Adoption of standards relating to judicial timeframes
5. Dissemination of the guidelines, the standards and the results of the analysis of the data collected in member states
6. Active promotion of the use of judicial time management tools
7. Support to the implementation of judicial time management tools

SATURN TOOLBOX

- ✘ The “Time Management Checklist“ - CEPEJ(2005)12Rev
- ✘ The Study: “Time management of justice systems: a Northern Europe study” - CEPEJ Studies No. 2, 2006
- ✘ The report “Length of court proceedings in the member states of the Council of Europe based on the case-law of the European Court of Human Rights” - CEPEJ Studies No. 3, 2006, updated in 2012
- ✘ The “SATURN Guidelines for judicial time management” - CEPEJ(2008)8Rev

SATURN GUIDELINES FOR TIME MANAGEMENT

63 recommendations:

- SATURN priorities - 16 guidelines
- Other 47 SATURN guidelines



SATURN GUIDELINES FOR TIME MANAGEMENT

Guideline 1 - Objective

Particular attention should be given to the cases where integral duration is such that it may give rise to the finding of the violation of the human right to a trial within reasonable time.

SATURN GUIDELINES FOR TIME MANAGEMENT

A. Guidelines on monitoring and collection of data (guidelines 2, 3, 4, 5 and 6):

Monitoring and collection of data

Guideline 2

The court managers should collect information on the most important steps in the judicial process. They should keep records regarding the duration between these steps. In respect to the steps monitored, due regard should be given to the Time management Checklist, Indicator 4.

Guideline 3

The monitoring should make sure that the periods of inactivity (waiting time) in the judicial proceeding are not excessively long, and wherever such extended periods exists, particular effort have to be made in order to speed up the proceeding and compensate for the delay.

Continuing Analysis

Guideline 4

All information collected should be continually analysed and used for the purposed of monitoring and improvement of performance.

Information

Guideline 5

The information collected should be available, to inform the work of court administrators, judges and the central authorities responsible for the administration of justice. In appropriate form, the information should also be made available to the parties and the general public.

Guideline 6

The reports on the results of analysis should be produced at regular intervals, at least once a year, with appropriate recommendations.

SATURN GUIDELINES FOR TIME MANAGEMENT

B. Guidelines on planning, setting targets and intervention (guidelines 7, 8, 9 and 10):

Planning at a general level

Guideline 7

The length of judicial proceedings should be planned at the general level (planning of average/mean duration of particular types of cases, or average/mean duration of process before certain types of courts).

Planning at the level of concrete proceedings

Guideline 8

The length of judicial proceedings should be planned at the level of concrete proceedings.

Setting targets

Guideline 9

In addition to the standards and targets set at the higher level (national, regional), there should be specific targets at the level of individual courts. The court managers should have sufficient authorities and autonomy to actively set or participate in setting of these targets.

Guideline 10

The targets should clearly define the objectives and be achievable. They should be published and subject to periodical re-evaluation.

Intervention

Guideline 11

The targets may be used in the evaluation of the court performance. If they are not achieved, the concrete steps and actions have to be taken to remedy the situation.

Guideline 12

If departures from standards and targets for judicial timeframes are being observed or foreseen, prompt actions should be taken in order to remedy the causes of such departures.

Guideline 13

In the situations where there is a significant departure from the targets set at the court level, there should be specific means to rapidly and adequately address the cause of the problem.

SATURN GUIDELINES FOR TIME MANAGEMENT

C. Guidelines on consultation on the scheduling of procedural steps (guidelines 14, 15 and 16):

Guideline 14

The users are entitled to be consulted in the time management of the judicial process and in setting the dates or estimating the timing of all future procedural steps.

Guideline 15

Where possible, the judge should attempt to reach agreement with all participants in the procedure regarding the procedural calendar. For this purpose, he should also be assisted by appropriate court personnel (clerks) and information technology.

Guideline 16

The deviations from the agreed calendar should be minimal and restricted to justified cases. In principle, the extension of the set time limits should be possible only with the agreement of all parties, or if the interests of justice so require.

IMPLEMENTATION GUIDE

CEPEJ-SATURN (2011)9

Step 1 - Collection of information before first meeting

- description of the organisation and an organigram of the court or the judicial system
- description of the competences of the court
- statistics per type of cases or per sections of the court:
 - number of pending cases at the beginning of the (judicial) year
 - number of incoming cases during the (judicial) year
 - number of resolved cases during the (judicial) year
 - number of pending cases at the end of the (judicial) year
 - structure of the pending cases at the end of the last year (number older than 6 months, 1 year, 2 years, 3 years, 5 years, 10 years)
 - number of judges
 - number of court law graduate employees
 - total number of court staff
 - CR, DT, CPJ, CPS
- other useful information

IMPLEMENTATION GUIDE

CEPEJ-SATURN (2011)9

Step 2 - Evaluation of the existing implementation of the SATURN Guidelines in the courts' practices

- SATURN priorities
- Implementation degrees:
 0. not implemented at all
 1. not implemented so far, but implementation is already planned
 2. partially implemented
 3. fully implemented
 4. not implemented as such, but there is another practise/procedure which enables to achieve the same result

IMPLEMENTATION GUIDE

CEPEJ-SATURN (2011)9

Number of the guideline	Guidelines	Implementation					Observations Comments
		0	1	2	3	4	
1	Objective						
	Particular attention should be given to the cases where integral duration is such that it may give rise to the finding of the violation of the human right to a trial within reasonable time.						
A	Monitoring of data, analysis and information						
2	The court managers should collect information on the most important steps in the judicial process. They should keep records regarding the duration between these steps. In respect to the steps monitored, due regard should be given to the Time management Checklist, Indicator 4.						
B	Planning, setting targets and intervention						
C	Consultation on the scheduling of the procedural steps						
TOTAL							

IMPLEMENTATION GUIDE

CEPEJ-SATURN (2011)9

Step 3 - Implementation of the SATURN priorities

- When one or more of the Guidelines are not fully implemented, the next step is to put up projects for implementing them
- Comments and implementation examples (CEPEJ-SATURN (2015)2)

Sources: „Reports on the CEPEJ guidelines for judicial time management”;
the “Compendium of ‘best practices’ for judicial time management”, the “Time
management of justice systems: A Northern Europe Study”;
the “Timeliness report 2010-2011“

IMPLEMENTATION GUIDE CEPEJ-SATURN (2011)9

Reports should contain the following elements:

- ✘ general description of the court,
- ✘ detailed description of the process of selecting CEPEJ tools for implementation,
- ✘ description of the implementation process,
- ✘ outcome,
- ✘ time used for implementation,
- ✘ external cooperation, and
- ✘ recommendations.

Examples of the reports could be found on the www.coe.int/cepej

Thank you for your attention!

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