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of the CEPEJ

The "SATURN Centre for Judicial Time Management": Past and On-going Work



1. Introduction.

The SATURN (Study and Analysis of judicial Time Use Research Network) Centre has been set up in 2007 by CEPEJ as a Centre for judicial time management. According to its terms of reference the SATURN Centre is instructed to collect information necessary for the knowledge of judicial timeframes in the member States and detailed enough to enable member states to implement policies aiming to prevent violations of the right for a fair trial within a reasonable time protected by Article 6 of the European Convention on Human Rights.

The Centre is aimed to become progressively a genuine European observatory of judicial timeframes, by analysing the situation of existing timeframes in the member States (timeframes per types of cases, waiting times in the proceedings, etc.), providing them knowledge and analytical tools of judicial timeframes of proceedings. It is also in charge of the promotion and assessment of the Guidelines for judicial time management.

The Centre is managed through a Steering group, established in accordance with article 7.2.b of Appendix 1 to Resolution Res(2002)12, under the authority of the CEPEJ. The Steering group works in particular for collecting, processing and analysing the relevant information on judicial timeframes in a representative sample of courts in the member states by relying on the network of pilot courts. Thus it must define and improve measuring systems and common indicators on judicial timeframes in all member states and develop appropriate modalities and tools for collecting information through statistical analysis.

2. Terms of reference.

Terms of reference:

In order to implement the "[Strategic plan for the SATURN Centre](#)" (CEPEJ-SATURN(2011)5), the Steering group shall in particular:

- periodically collect data on procedural times in member States at national and regional level, for all types of proceedings (civil, criminal and administrative) and for all courts (first instance, appeal and supreme courts);
- verify the completeness and quality of the data collected in order to make improvements;
- analyse the data collected and collate them with the principles relating to procedural times derived from the case law of the European Court of Human Rights;
- define guidelines and standards relating to procedural times:
 - for all state organs concerned with justice: legislators, bodies vested with the administration of justice, court managers, judges, prosecutors, police officers;
 - for all types of proceedings (civil, criminal and administrative);
 - for all courts (first instance, appeal and supreme courts);
- disseminate in member States the guidelines, the standards and the results of analysis of the data collected;
- promote the use of judicial time management tools, particularly those developed by the SATURN Centre, in all member States to enable them to make their own analysis of the situation regarding judicial timeframes in their courts and apply their own remedies to any excessive procedural delays;
- undertake within the member States most concerned by questions of procedural delays, and with their agreement, targeted actions to improve their situation (preventive or proactive measures) by implementing judicial time management tools in those countries;

- **rely on appropriate networks** allowing the integration in the work and considerations of the judicial community, in particular on the network of pilot courts within the member States, to draw on innovative projects aimed at reducing and adjusting the timeframes operated by courts in member States;
- **organise and implement the court coaching programme** (on a volunteer basis) for the effective use of the CEPEJ's tools and guidelines, on the basis of the relevant SATURN Handbook (CEPEJ-SATURN(2011)9).

3. Composition.

Current composition of the SATURN Steering Group:

STEERING GROUP OF THE SATURN CENTRE FOR JUDICIAL TIME MANAGEMENT / GROUPE DE PILOTAGE DU CENTRE SATURN POUR LA GESTION DU TEMPS JUDICIAIRE	
Members / Membres	
Ivana BORZOVA, Head of the Department of Civil Supervision, Ministry of Justice, Prague, CZECH REPUBLIC	
Noel RUBOTHAM, Head of Reform and Development, Court Service, Dublin, IRELAND	
Ivan CRNCEC, Assistant Minister, Ministry of Justice, Zagreb, CROATIA	
Francesco DEPASQUALE, Magistrate, Magistrates' Chambers, The Law Courts, Valetta, MALTA	
Vassilis ADROULAKIS, Judge at the Council of State, Athens, GREECE	
Giacomo OBERTO, Judge, First instance court of Torino (civil court), ITALY	
Scientific experts / Experts scientifiques	
Marco FABRI, Director, Research Institute on judicial systems, Research National Council, Bologna, Italy	
Jon JOHNSEN, Professor in Law, Faculty of law, University of Oslo, Norway	
Observers / Observateurs	
European Union institutions / Institutions de l'Union européenne	
European Union of Rechtspfleger / Union européenne des greffiers de justice et Rechtspfleger (EUR)	
Shanee BENKIN (Israel) – Scientific Expert	

4. Main Tools Adopted.

Main tools already adopted by SATURN are the following:

- [SATURN guidelines for judicial time management](#)



Strasbourg, 4 December 2018

CEPEJ(2018)20R

EUROPEAN COMMISSION FOR THE EFFICIENCY OF JUSTICE

(CEPEJ)

REVISED SATURN GUIDELINES

FOR JUDICIAL TIME MANAGEMENT

(3rd revision)

As adopted at the 31th plenary meeting of the CEPEJ

Strasbourg, 3 and 4 December 2018

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[V. Guidelines for judges](#)

[Part II. Guidelines for Prosecutors](#)

[Appendix I: European Uniform Guidelines for monitoring of judicial timeframes \(EUGMONT\)](#)

[Appendix II – Examples of synopsis](#)

[Appendix III: TIMELINE SHOWING THE DIFFERENT STAGES OF THE CRIMINAL PROCEDURE BEFORE AND DURING THE TRIAL](#)

- [Comments and implementation examples of the SATURN guidelines](#)

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- [Implementation guide “Towards European timeframes for judicial proceedings”](#)

Strasbourg, 7 December 2016



CEPEJ(2016)5

EUROPEAN COMMISSION FOR THE EFFICIENCY OF JUSTICE
(CEPEJ)

**Towards European Timeframes
for Judicial Proceedings
Implementation Guide**

As adopted at the 29th plenary meeting of the CEPEJ on 7 December 2016

Document prepared on the basis of a preparatory work by the Steering group of the SATURN Centre, relying on the work by Marco FABRI, Scientific Expert (Italy)

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Annex : Excel spreadsheet to be downloaded from CEPEJ Website

- [Guide for implementing the SATURN management tools in courts](#)

IMPLEMENTING THE SATURN TIME MANAGEMENT TOOLS IN COURTS

A GUIDE

Updated version

As adopted at the 26th plenary meeting of the CEPEJ

Strasbourg 10 & 11 December 2015

This Guide is aimed at courts and court practitioners willing to implement concretely the tools designed by CEPEJ for improving time management in courts and thus optimising timeframes of judicial proceedings.
It has been designed by the CEPEJ's SATURN Centre on judicial time management, from a preliminary implementation study carried out by Jon T. JOHNSEN (Norway), member of the Steering group of the SATURN Centre, together with the other members of the Steering group and seven pilot courts from six member states.

5. **Main Studies.**

Main studies that have already been done by impulse and under the control of the SATURN Steering group:

- [Length of court proceedings in the member states of the Council of Europe based on the case law of the European Court of Human Right](#), by Ms Françoise Calvez and Nicolas Regis, Judges (France) 3rd edition by Nicolas Regis - Cepej Studies No. 27

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- [Study on Council of Europe Member States on Appeal and Supreme Courts' Lengths of Proceedings \(Report prepared by Marco Velicogna\) IRSIG-CNR and CEPEJ expert - CEPEJ Studies No. 17](#)

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6. On-going Works.

On-going works and tools in preparation are the following:

- **Case weighting** in European judicial systems
 - Aim is to attain a methodology which allows a Court (or a Court system) to assess the complexity of cases.
 - The SATURN Steering group is currently working (with the help of two scientific experts) on a draft document, whose main features are:
 - Awareness of the fact that, in a nutshell, two different kinds of approaches are possible:
 - (a) the approach on the time implying a breakdown of the trial stages and
 - (b) the approach made of points based on criteria of complexity of the case
 - Experience acquired through a study visit to Israel (thanks to Israeli Supreme Court and to Israeli representative, Dr Gali Aviv), which studied and implemented a remarkable time-based method
 - Results acquired through a questionnaire spread among CEPEJ national correspondents
 - Work is going on with the help of two scientific experts: Prof. Marco Fabri (Italy) and Prof. Shanee Benkin (Israel)

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Time-based system		Point-based system	Mixed system
Measurement of working time (ex.: Israel)	Estimation of working time (ex.: Germany, Austria)	Total number of points for various case-related factors such as: <ul style="list-style-type: none"> • number of files • number of pending cases • time required to examine a case • number of parties • number of hearings • need of one or more expertises 	Time + other case-related indicators

— Getting CCEJ somehow involved in the project

— The CEPEJ-SATURN also considered and approved the **draft table of contents** and the **draft list of objectives** of the **future tool** as drawn up by the two experts.

<p>Table of Contents</p> <p>Introduction</p> <p>1. Case Weighting in comparative perspective</p> <p>1.1 What are Case Weights?</p> <p>1.2 Case Weights Objectives</p> <p>1.3 Case weights in European judicial systems</p> <p>1.4 Case weights in non-European judicial systems</p> <p>2. The Design and Methodology of Case Weighting Systems</p> <p>2.1 Time Study vs. Time Estimates</p> <p>2.2 Event-based Approach vs. "The Black Box" Approach</p> <p>3. Alternatives to Case Weighting Systems</p> <p>3.1 Case Statistics Analysis</p> <p>3.2 Benchmarking Techniques</p> <p>4. Recommended Steps for the Design and the Implementation of Case Weighting Systems</p> <p>5. Concluding Remarks: How to Drive Change to Implement a Case Weighting System</p> <p>Annexes</p> <p>I - Brief Glossary of terms and definitions used in this report</p> <p>References</p>	<p>Case weighting objectives</p> <p>Case weighting is a system which assesses the complexity of different case types by means of a point based or a time based approach.</p> <p>The objectives of a case weighting systems can be different and not all of them may be pursued in every country. Among these objectives, there are the following:</p> <ul style="list-style-type: none"> • Assessment of the number of judges needed to manage the caseload at the national and local level • Balanced/Equitable distribution of the cases among court divisions and then single judges • Evidence based allocation of judges in the various courts or within a court in the different divisions • Empirical based analysis of judges' efforts to manage cases • Meaningful comparative data analysis among courts or different divisions within the court • Planning resource needs (i.e. buildings, ICT infrastructures, budgets, etc.) and their distribution <p>The development of case weighting systems can also be the basis for further analysis and actions such as:</p> <ol style="list-style-type: none"> 1. Identify critical issues in the court procedures 2. Identify judges' good practices to manage cases 3. Planning specific programs for the reduction of the length of the proceedings
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- **Further on-going activities** in the **SATURN Steering group**:
 - **Updating** of the **Implementation Guide "Towards European timeframes for judicial proceedings"**, trying to collect (through a **questionnaire** sent to our **Network of Pilot Courts**) **data** on timeframes concerning some particular **case categories**, such as:
 - **Intellectual Property**,
 - **Medical Malpractice** and
 - **Car Accidents** **Lawsuits**;
 - **Elaborating guidelines** on how create **Dashboards** for court management;
 - **Elaborating tools, guidelines** (possibly a **handbook**) and **IT instruments** for the Management of judicial time regulations for **criminal cases**, according to **EcvHR articles 5 and 6**;
 - **Elaborating a Document** on the **Role of the parties and the practioners** in preventing **delays** in court proceedings (**CCBE** to be involved);
 - **Developing Co-operation activities** and **Court-coaching** programmes in **Albania, Kosovo, Malta and Slovakia**;
 - **Elaborating a contribution** in the Updating of **Recommendation Rec(86)12** concerning measures to **prevent and reduce the excessive workload** in the courts;
 - **Co-ordinate the works** of the **Network of the Pilot** courts of the CEPEJ.