

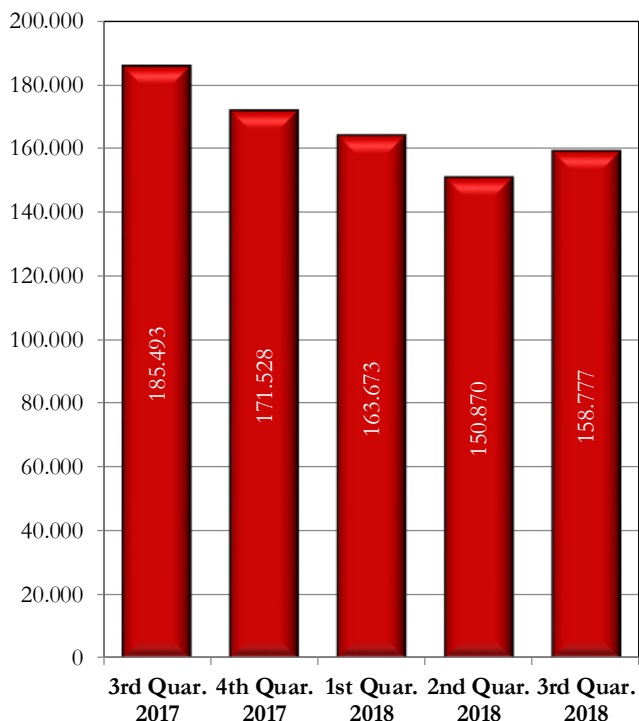
Quarterly Statistics on civil actions (2007-2018)

The current report aims to portray the quarterly evolution of the civil actions¹, from 2007 to 2018.

Pending civil actions² and clearance rate³ - Quarterly evolution

The number of pending civil actions in the third quarter of 2018 decreased by 14.4% in view of the third quarter of 2017. Compared to the second quarter of 2017, the number of pending civil actions in the third quarter of 2018 had an increase of 5.2%. On 30 September 2018, the number of pending civil actions was of 158.777 (table 1).

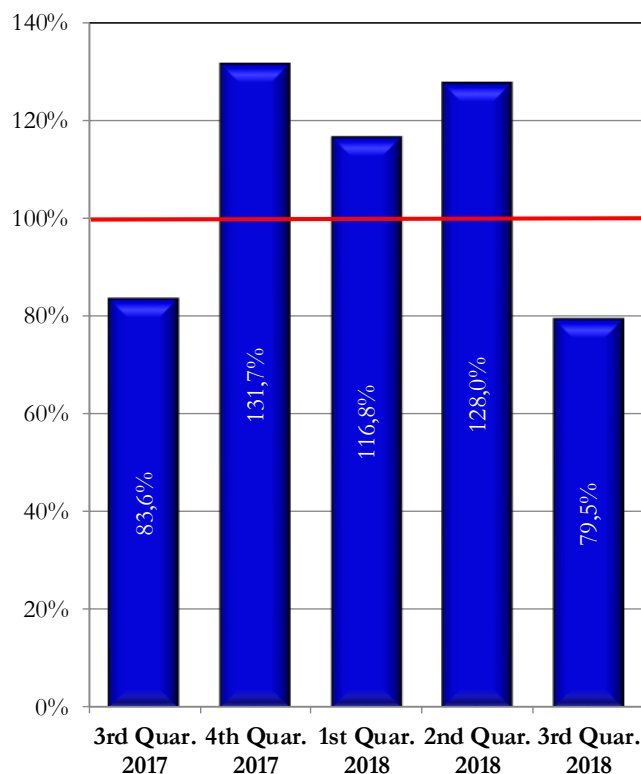
Table 1 - Pending civil actions, consecutive quarters



The clearance rate (table 2), that measures the capacity of the system on a given moment to face the demand verified

on that same moment was, in the third quarter of 2018, of 79.5%. This result has the effect of an increase in the pendency at the end of this quarter. In the third quarters of 2017 and 2018, period in which occurred the judicial vacations, the clearance rate was lower than 100%.

Table 2 - Clearance rate for civil actions, consecutive quarters

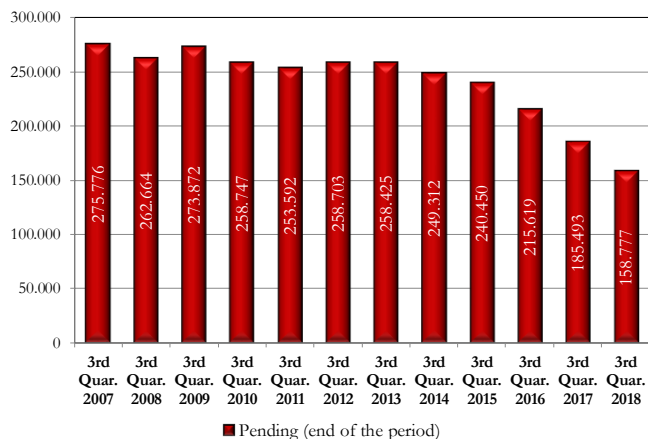


Pending civil actions, clearance rate and disposition time⁴ – Similar periods

Between the third quarter of 2007 and the third quarter of 2018 there was a decrease of 42.4% in the number of pending civil actions. In the similar periods

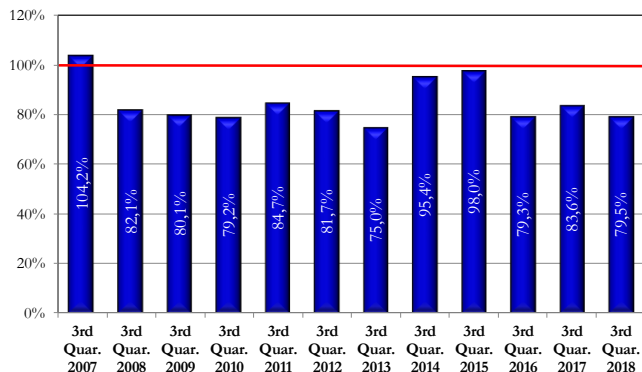
corresponding to the third quarters of the years of 2013 to 2018 there was an accumulated decrease of 45.9% in the number of pending civil actions (table 3).

Table 3 - Pending civil actions, 3rd quarter



The clearance rate was, in the third quarter of 2018, of 79.5%, an increase of 4.5 percentage points in view of the minimum value of 75.0% registered in the third quarter of 2013 (table 4).

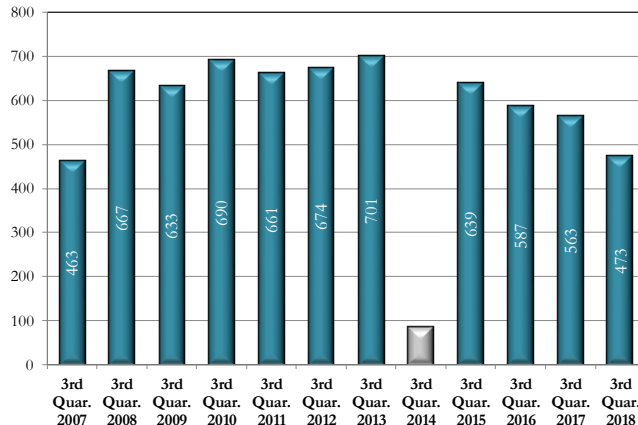
Table 4 - Clearance rate for civil actions, 3rd quarter



The disposition time was, in the third quarter of 2018, of 473 days, having been registered a decrease of 32.5% in view of the maximum value registered in the third quarter of 2013. Considering the similar previous periods, the value registered in the third quarter of 2018 is the third lowest value of disposition time (table 5). It should be noted that the very low value registered in the third quarter of 2014 is due to the unusually high number of completed cases in this quarter, due to the internal

transfers resulting from the application of Law no. 62/2013, of 26 August (Law for the Organization of the Judicial System).

Table 5 - Disposition time (in days) of the civil actions, 3rd quarter



New and completed civil actions and procedural balance – Similar periods

In the third quarter of 2018, the number of completed civil actions was lower than the number of new civil actions⁵ (table 6). As a result, the procedural balance⁶ in the third quarter of 2018 was unfavorable, corresponding to 7.907 more cases. However, this procedural balance was the sixth less unfavorable since the similar period corresponding to the third quarter of 2007 (table 7).

Table 6 - New and completed civil actions, 3rd quarter

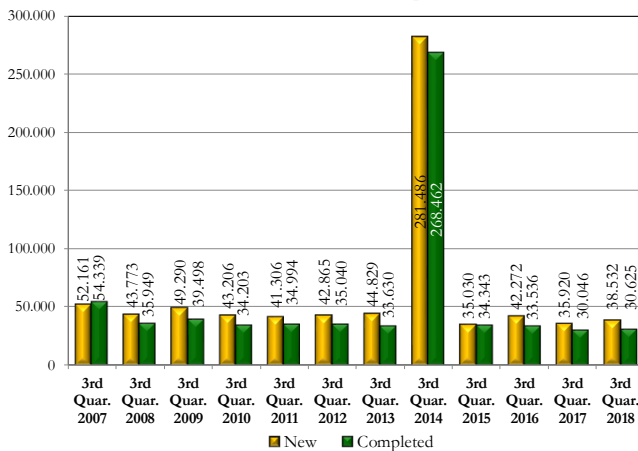
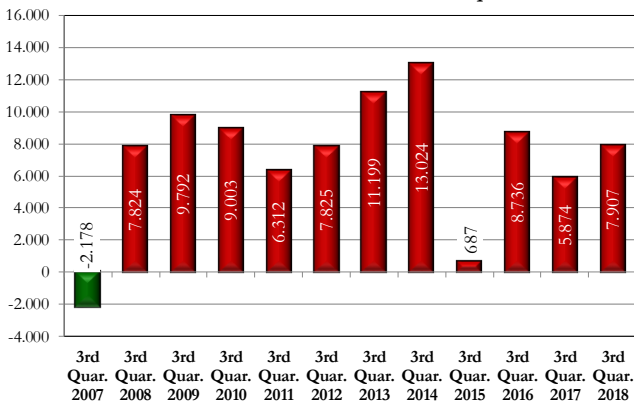


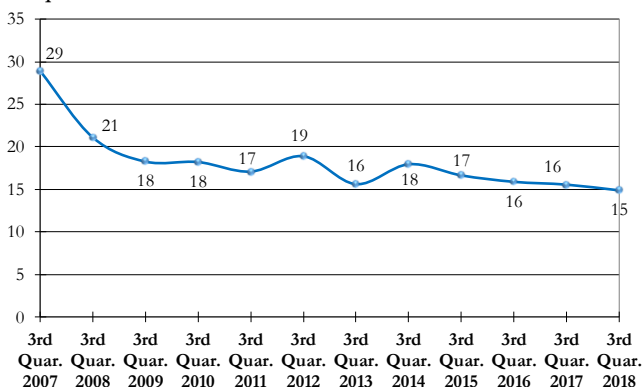
Table 7 - Procedural balance for civil actions, 3rd quarter



Average duration⁷ of the completed civil actions – Similar periods

Regarding the average duration of the completed civil actions in the third quarters, from 2007 to 2018, it is possible to verify that the value ranged between 15 and 29 months. In view of the third quarter of 2007, in the third quarter of 2018 there was a decrease of 14 months in the average duration of the completed civil actions (going from 30 to 15 months). Considering the similar period of 2015, in the third quarter of 2018 there was a decrease of two months in the average duration of the completed civil actions, from 17 to 15 months (**table 8**).

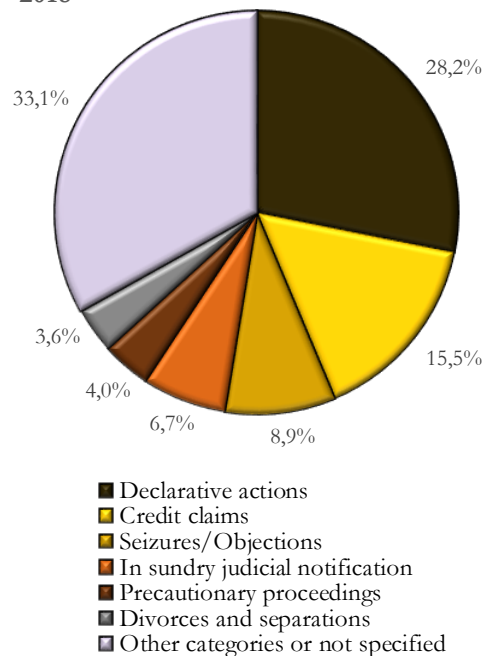
Table 8 - Average duration (in months) of the completed civil actions, 3rd quarter



Distribution of the type of completed civil actions – Similar periods

Considering the distribution of the types of completed civil actions in the third quarter of 2018, it is possible to state that 28.2% corresponded to declarative actions, 15.5% to credit claims, 8.9% to seizures/objections, 6.7% to loose court notices and 4.0% to precautionary proceedings and 3.6% to divorces and separations (**table 9**).

Table 9 - Distribution of the type of completed civil actions - 3rd quarter of 2018



Footnotes

¹ In the current statistical highlight, the civil actions do not include enforcement actions, cases of bankruptcy, insolvencies and company recovery and cases of the special process of revitalization, since the behavior of this type of cases was subject of analysis in separate quarterly statistical highlights (see quarterly statistical highlight 61 on civil enforcement actions and quarterly statistical highlight 60 on cases of bankruptcy, insolvency and company recovery and on cases of the special process of revitalization).

² Pending cases correspond to cases that have not yet received the final decision in the form of judgment, sentence or order, in their respective instance, regardless of *res judicata*. These cases are thus awaiting the practice of acts or diligences by the court, the parties or other entities and may also, in certain types of cases, await for certain facts to occur or the expiration of a time. A suspended case is, for example, a pending case, irrespective of the cause of suspension. A pending case is not necessarily a case in delay, such as the case of those being handled within the legal timelines.

³ The clearance rate is the total volume of the ratio of completed cases on the total volume of new cases. Being equal to 100% the volume of new cases was equal to the completed ones, then the variation of the pendency is zero. Being greater than 100%, there was a recovery in pendency. The higher this indicator the higher the recovery in the pendency in that year. If less than 100%, the volume of new cases was higher than the completed ones, generating pendency for the following year.

⁴ The disposition time is an indicator that measures, in days, the time that would be required to complete all the processes that are pending at the end of a particular period based on the rate of work done in the same time interval, i.e., the number of completed cases in this period. Applied to a quarter, this indicator is the multiplication by 91.25 (average number of days in a quarter) of the total of pending cases at the end of the quarter divided by the total number of completed cases during that same period of time.

⁵ In the 12 third quarters from 2007 to 2018 were registered, respectively, 52.161, 43.773, 49.290, 43.206, 41.306, 42.865, 44.829, 281.486, 35.030, 42.272, 35.920 and 38.532 new civil actions and, also respectively, 54.339, 35.949, 39.498, 34.203, 34.994, 35.040, 33.630, 268.462, 34.343, 33.536, 30.046 and 30.625 completed civil actions. However, from these totals, only 32.979, 41.301, 44.824, 40.730, 38.751, 40.528, 42.648, 36.683, 32.356, 39.881, 34.052 and 36.193 new civil actions and 35.157, 33.477, 35.032, 31.727, 32.439, 32.703, 31.449, 23.659, 31.669, 31.145, 28.178 and 28.286 completed civil actions correspond to actual movements of beginning and end of the cases. The remaining 19.182, 2.472, 4.466, 2.476, 2.555, 2.337, 2.181, 244.803, 2.674, 2.391, 1.868 and 2.339 cases do not correspond to new civil actions in the courts or to civil actions that have been completed. This numbers of new and completed cases refer to the total of civil actions that were handled internally between organic units/courts. It is not, therefore, processes that re-entered in the Portuguese courts. It processes who completed the organizational unit/court where left and entered the organizational units/courts to which they were transferred.

⁶ The procedural balance corresponds to the difference between new and completed cases. If the procedural balance is positive, there is an increase in pendency. If the procedural balance is negative, there is a decrease in pendency.

⁷ The average duration of a completed case in the court is the period of time between the date of its beginning and the date in which the case was completed, even if it was redistributed, i.e., between the date of commencement of the case in the court where it entered and the date of completion of the case in this or in another court to which it was redistributed. The concept of average duration used in this statistical highlight corresponds to the also called duration of the initial case, by adding the duration in the various courts by where it passed.

Framing note – Time scope and other considerations

From 2007 onwards, the statistical data on cases at the courts of first instance are received through the courts' computer system and represents the state of the cases recorded in this system. New and completed cases include those transferred between organizational units as a result of extinction and creation of new courts or court sections.

Technical sheet:

The Directorate-General for Justice Policy (DGPJ) of the Ministry of Justice, in accordance with Article 2 (1) of Decree-Law 163/2012 of 31 July has the mission to give technical support within the scope of legislative production and legal assessment, to monitor the policies and the strategic planning for the sector, to coordinate the external affairs and the cooperation in the justice area, being also responsible for the statistical data in the Ministry of Justice.

Law 22/2008 of 13 May defines the basic general guidelines and principles that govern the National Statistical System (NSS), particularly with regard to the delegation of attributions of the National Statistics Institute (INE), in other entities.

Under the provisions of Article 24 of Law 22/2008, of 13 May, a protocol was celebrated empowering the DGPJ of the production and dissemination of the official Justice statistics.

As delegated entity, the DGPJ is subject to the fulfilment, in its relevant part, of Law 22/2008, of 13 May, of Decree-Law 166/2007, of 3 May, as well as of rules established by Community legislation, adopting the Code of Conduct for European Statistics and the Regulation for the Application of the Principle of Statistical Confidentiality of the National Statistics Institute.

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