

## QUARTERLY STATISTICAL HIGHLIGHT

### Quarterly statistics on civil actions (2007-2019)

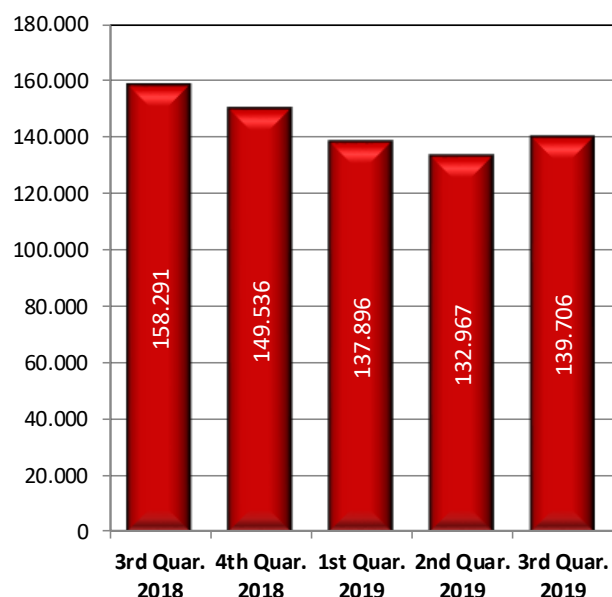
3rd quarter 2019

*The current report aims to portray the quarterly evolution of the civil actions<sup>1</sup>, from 2007 to 2019.*

#### Pending civil actions<sup>2</sup> and clearance rate<sup>3</sup> – Quarterly evolution

In the third quarter of 2019, the number of pending civil actions has decreased 11.7%, in view of the third quarter of 2018. When compared to the second quarter of 2019, the number of pending civil actions in the third quarter of 2019 an increase of 5.1%. On 30 September 2019, the number of pending civil actions was 139.706 (**table 1**).

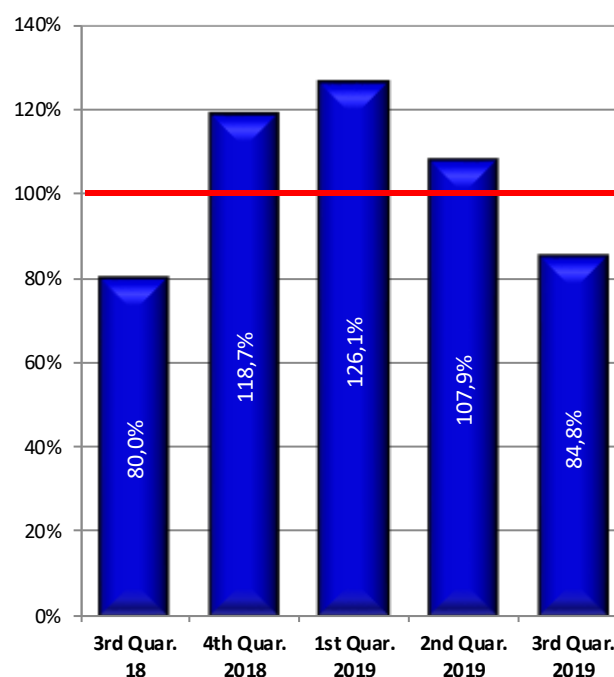
**Table 1 - Pending civil actions, consecutive quarters**



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 of 84.8%

in the third quarter of 2019. This resulted in an increase in the pendency at the end of this quarter. In the third quarters of 2018 and 2019, periods in which the judicial vacations occurred, a clearance rate of less than 100% was registered.

**Table 2 - Clearance rate of the civil actions, consecutive quarters**

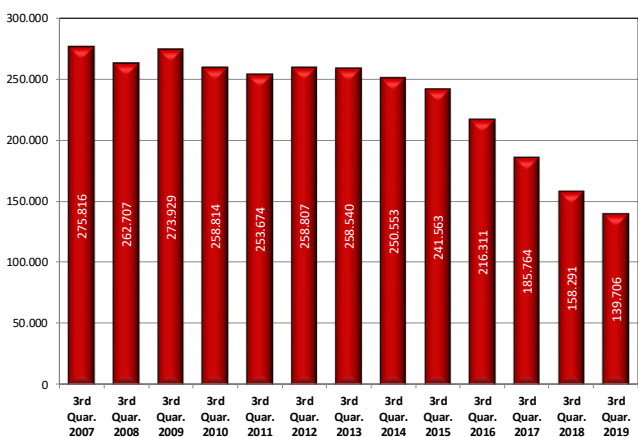


#### Pending civil actions, clearance rate and disposition time<sup>4</sup> – Similar periods

Between the third quarter of 2007 and the third quarter of 2019, there was a decrease of 49.3% in the number of pending civil actions. In the similar periods,

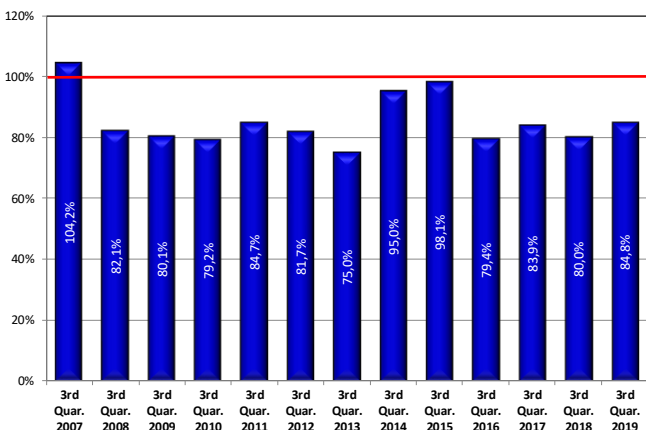
corresponding to the third quarters of 2013 to 2019 there was an accumulated decrease of 46.0% in the number of pending civil actions (**table 3**).

**Table 3 - Pending civil actions, 3rd quarter**



In the third quarter of 2019, the clearance rate was 14.8%, an increase of 9.7 percentage points when compared to the minimum value of 75.0% recorded in the third quarter of 2013 (**table 4**).

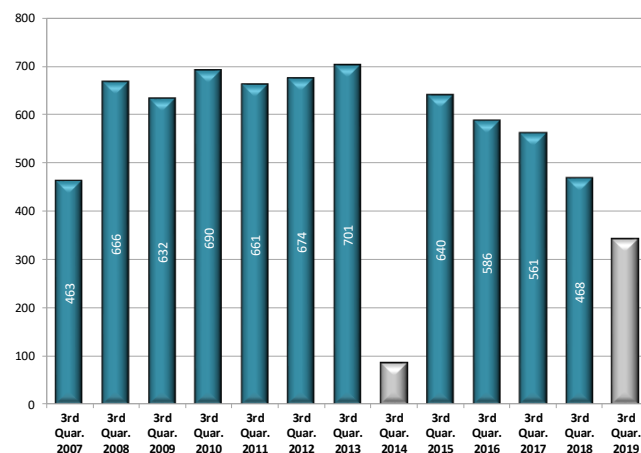
**Table 4 - Clearance rate of the civil actions, 3rd quarter**



The calculation of the disposition time in the third quarter of 2019 was affected by the unusually high number of cases completed this quarter, due to internal transfers resulting from the implementation of Decree-Law 38/2019, of 18 March, which proceeded to a reorganization of the courts of first instance (**table 5**), similarly to what happened in the third quarter of 2014

when Law 62/2013 of 26 August came into force (Law on the Organization of the Judicial System).

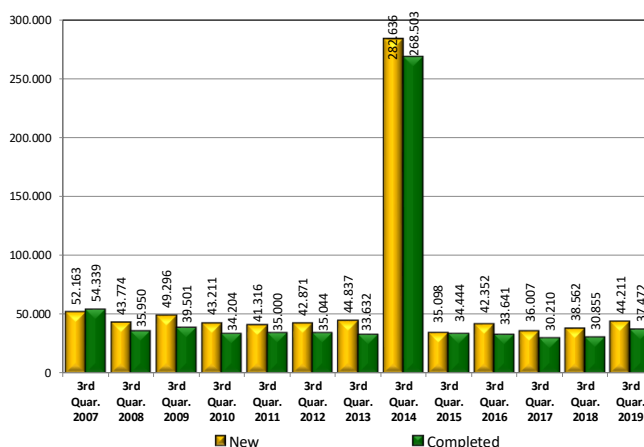
**Table 5 - Disposition time (in days) of the civil actions, 3rd quarter**



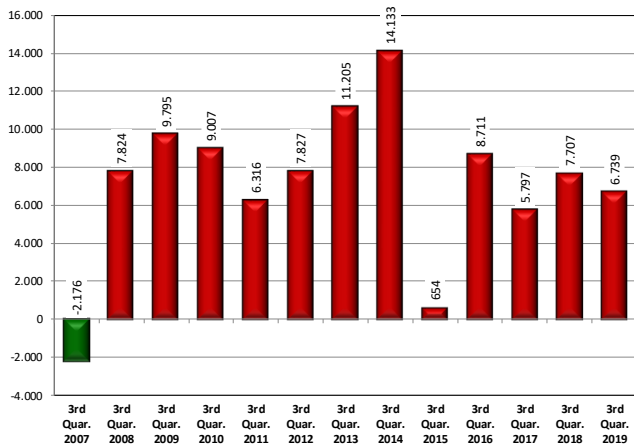
**New and completed civil actions and procedural balance – Similar periods**

In the third quarter of 2019, the number of new and completed civil actions was relatively high, consequence of the implementation of the said diploma that proceeded to a reorganization of the courts of first instance. In the third quarter of 2019, the number of new civil actions was higher than the number of completed civil actions<sup>5</sup> (**table 6**). As a result, the procedural balance<sup>6</sup>, in the third quarter of 2019 was unfavorable, corresponding to 6.739 less cases (**table 7**).

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



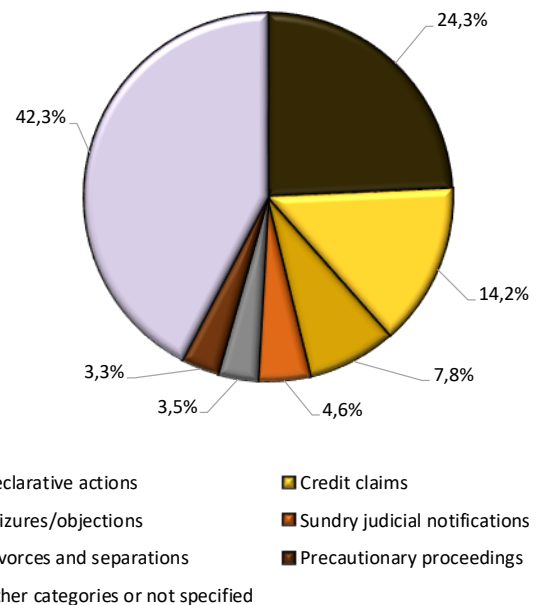
**Table 7 - Procedural balance of the civil actions, 3rd quarter**



**Distribution of the type of completed civil actions – 3<sup>rd</sup> quarter of 2019**

Considering the distribution of the type of completed civil actions in the third quarter of 2019, it is possible to state that 24.3% corresponded to declarative actions, 14.2% to credit claims, 7.8% to seizures/objections, 4.6% to sundry judicial notifications, 3.5% to divorce and separation proceedings and 3.3% to precautionary proceedings (table 9).

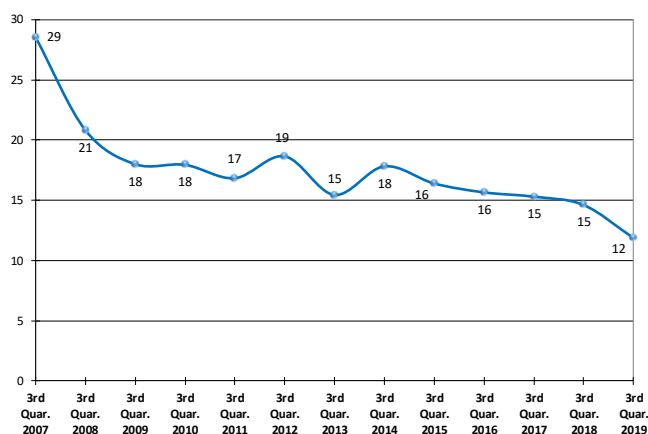
**Table 9 - Distribution of the type of completed civil actions - 3rd quarter of 2019**



**Average duration<sup>7</sup> of completed civil actions – Similar periods**

Regarding the average duration of the completed civil actions in the third quarters between 2007 and 2019, it is possible to observe that the value has ranged between 12 and 29 months. In the third quarter of 2019, when compared to the third quarter of 2007, there was a decrease of 17 months in the average duration of the completed civil actions. Considering the similar period in 2018, in the third quarter of 2019 there was a decrease of 3 month in the average duration of the completed civil actions, going from 15 to 12 months (table 8).

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



<sup>1</sup> In the current statistical highlight, the civil actions do not comprise the enforcement actions, the bankruptcy, insolvency and company rescue cases, the special revitalization procedures and the special procedures for payment agreement, given that the behaviour of these types of cases has been subject to analysis in autonomous quarterly statistical highlights (see quarterly statistical highlight 73 on civil enforcement actions and statistical highlight 72 on bankruptcy, insolvency and company rescue cases, on special revitalization procedures and on special procedures for payment agreement).

<sup>2</sup> Pending cases correspond to cases that have not yet had a final decision, judgment, sentence or order, in their respective instance, regardless of res judicata. These are cases that are waiting for acts or diligences to be carried out by the court, by the parties or by other entities. In certain types of cases, they may also be waiting for certain facts to occur or for a time period to run out. A suspended case is, for instance, a pending case, irrespective of the cause of suspension. A pending case is not necessarily a delayed case, as it may be a case that is running within the legal timeframes.

<sup>3</sup> The clearance rate corresponds to the ratio of the total volume of completed cases over the total volume of new cases. If equal to 100% the volume of new cases is equal to the completed ones, being the variation of the pendency zero. If greater than 100%, there is a recovery in the pendency. The higher this indicator is the higher the recovery in the pendency in that year. If less than 100%, the volume of new cases is higher than the completed ones, generating pendency for the following year.

<sup>4</sup> The disposition time is an indicator that measures, in days, the time that would be required to complete all the cases that are pending at the end of a specific period based on the rate of work done in that same time period, i.e., the number of completed cases in this period. Applied to a quarter, this indicator multiplies by 91.25 (average number of days in a quarter) 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.

<sup>5</sup> In the third quarters of 2007 to 2019, were registered, respectively, 52.163, 43.774, 49.296, 43.211, 41.316, 42.871, 44.837, 282.636, 35.098, 42.352, 36.007, 38.562 and 44.211 new civil actions and also respectively, 54.339, 35.950, 39.501, 34.204, 35.000, 35.044, 33.632, 268.503, 34.444, 33.641, 30.210, 30.855 and 37.472 completed civil actions. However, from these totals, only 32.981, 41.302, 44.830, 40.735, 38.761, 40.534, 42.656, 37.817, 32.425, 39.963, 34.107, 36.217 and 37.181 new civil actions and 35.157, 33.478, 35.035, 31.728, 32.445, 32.707, 31.451, 23.684, 31.771, 31.252, 28.310, 28.510 and 30.442 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, 244.819, 2.673, 2.389, 1.900, 2.345 and 7.030 cases do not correspond to new civil actions or to civil actions that have been completed. These numbers on new and completed cases refer to the total of civil actions that have run internally between organic units/courts. They are not thus cases that have re-entered the justice system but cases that were completed in the organic unit/court from where they left and that have entered the organic units/courts to which they were transferred.

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

<sup>7</sup> The average duration of a completed case in court corresponds to the period of time between the day in which the case began in the court first seized and the day it was completed, even if re-distributed, that is, between the day the case began in the court where it entered and the day it was completed in that same court or in any another court to which it has been redistributed. The concept of average duration used in this statistical highlight corresponds to the so-called duration of the initial case, to which the duration in the various courts where it has run is added.

*Framework note – Time scope and other considerations*

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From 2007, the statistical data related to the cases in the first instance courts are directly gathered from the courts' computer system. Thus the present procedural situation corresponds to the cases that are recorded in this system. In the new and completed cases are included those that were transferred between organic units as a result of extinction and creation of new courts or sections.

*Technical sheet:*

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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 (SEN), particularly with regard to the delegation of powers 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 with the production and dissemination of the Justice official statistics.

As a delegated entity, DGPJ is subject to compliance, in its relevant part, with the Law 22/2008, of 13 May, with the Decree-Law 166/2007, of 3 May, as well as with the 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 Statistical Institute.

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