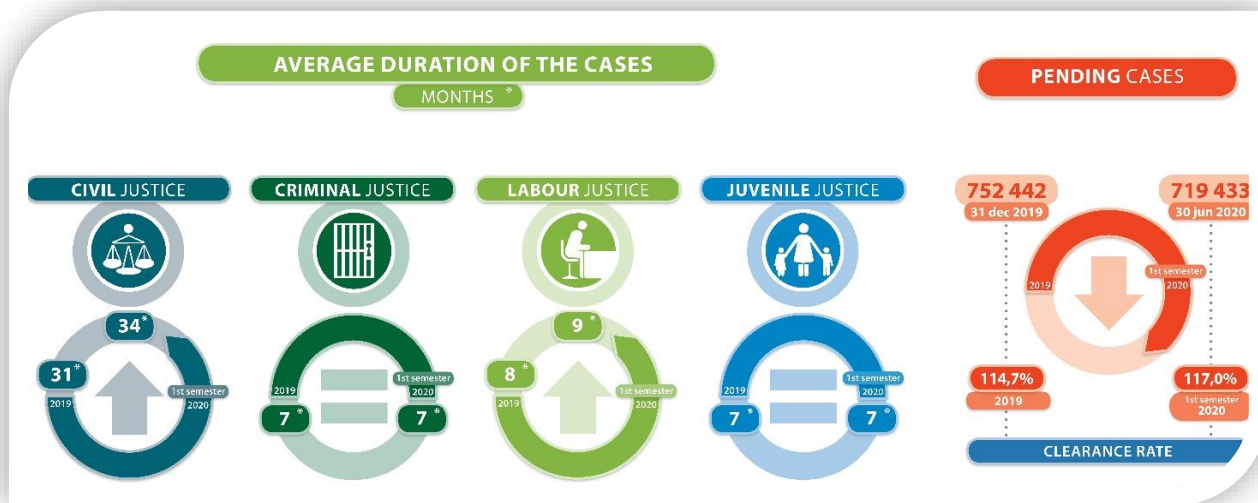


ANNUAL STATISTICAL HIGHLIGHT – 2019

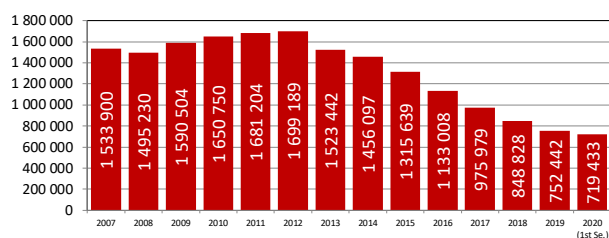
SOME STATISTICAL INDICATORS ON CASES AT THE 1ST INSTANCE COURTS, 2007-2019



1. Pending cases³ at the 1st instance courts

Data related to pending cases at the end of each year show sharp decreases, which amount to less 4.4% between the end of 2019 and the end of the first semester of 2020 and less 57.7% between the end of 2012 and the end of the first semester of 2020 (table 1).

Table 1 - Pending cases as of 31 December at the 1st instance courts, 2007-2020 (1st semester)

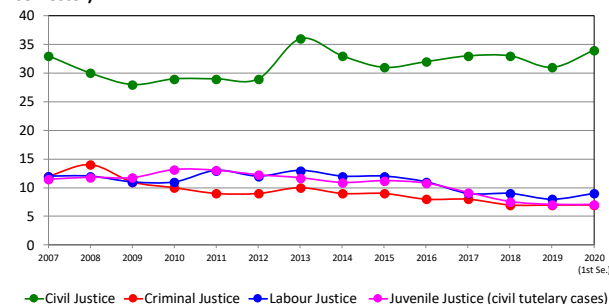


2. Average duration of completed cases⁴ at the 1st instance courts

The average duration of completed cases between 2007 and the first semester of 2020 (table 2) has increased in the Civil Justice, going from 33 months

to 34 months. The Criminal Justice⁵ has ended this period with an average duration of 5 months less than initially recorded, being of 7 months the average duration of completed cases in the first semester of 2020. The Labour Justice⁶ has presented, in the first semester of 2020, an average duration of completed cases of 9 months, 3 months less than what was registered in 2007. The Juvenile Justice⁷ has registered, in the first semester of 2020, an average duration of completed cases of 7 months, 4 months less than what was registered in 2007.

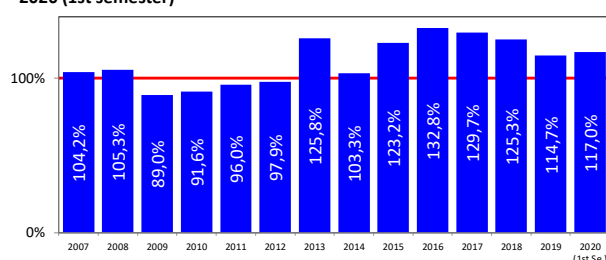
Table 2 - Average duration of completed cases at the 1st instance courts, per procedural area, 2007-2020 (1st semester)



3. Clearance rate⁸

In the first semester of 2020, the clearance rate was 117.0%, an increase of 28.0 percentage points when compared with the minimum value of 89.0% recorded in 2009. From 2013 onwards, the values related to the clearance rate have been consecutively higher than 100% (**table 3**).

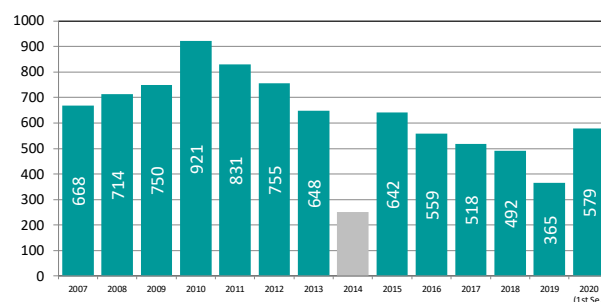
Table 3 - Clearance rate at the 1st instance courts, 2007-2020 (1st semester)



4. Disposition time⁹

In the first semester of 2020, the disposition time was of 579 days (or equal to 1 year, 7 months and 4 days), a decrease of 37.1% when compared with the maximum of 921 days (or equal to 2 years, 6 months and 11 days) recorded in 2010. The very low value recorded in 2014 is due to the unusually high number of cases completed in this quarter, a result of internal transfers deriving from the application of Law 62/2013 of 26 August (Law on the Organization of the Judicial System). From 2016 to 2020, the value of the disposition time has always been less than 600 days (**table 4**).

Table 4 - Disposition time at the 1st instance courts, 2007-2020 (1st semester)



5. Civil procedural area

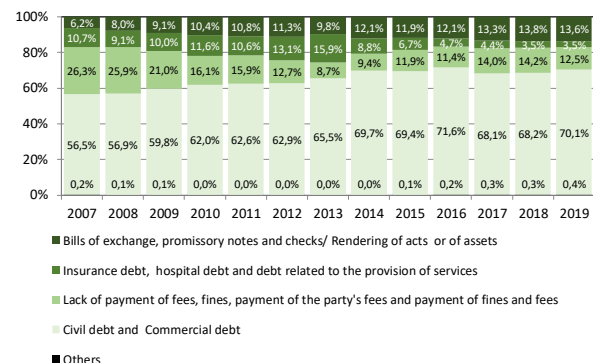
In 2019, and in view of 2018, a decrease in the weight of the civil enforcement actions in the civil procedural area has been observed (less 3.9 percentage points). This trend has been taking place since 2013. The weight of this type of actions has decreased around 16.9 percentage points, thenceforth (**table 5**).

Table 5 - Completed civil cases, per type, 2007-2019



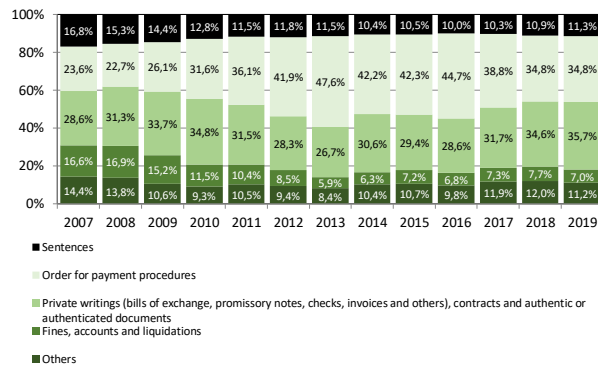
As regards the main subject-matters of the enforcement actions related to the compliance of contracts or other obligations, the civil and commercial debts are the type of cases that have the greatest weight, having gone from 56.5% in 2017 to 70.1% in 2019 (**table 6**).

Table 6 - Completed civil enforcement actions related to compliance with contracts/other obligations, 2007-2019



As concerns the enforcement order, it should be noted the increasing weight of the order for payment procedures, between 2007 and 2019, which has gone from 23.6% of the total of enforcement actions completed in 2007 to 34.8% in 2019 (table 7).

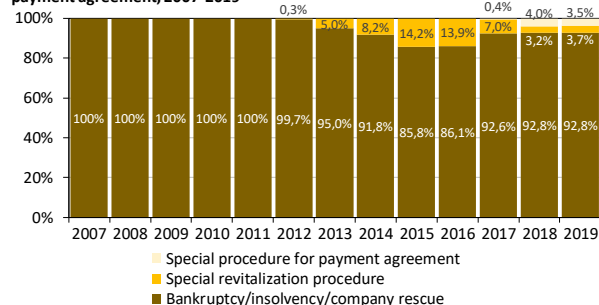
Table 7 - Completed civil enforcement actions, per enforcement order, 2007-2019



As regards the number of bankruptcy, insolvency and company rescue cases, of the special revitalization procedures and of the special procedures for payment agreement completed at the 1st instance courts (table 8)¹⁰, the distribution of their weight, in 2019, was the following: 92.8% for the bankruptcy, insolvency and company

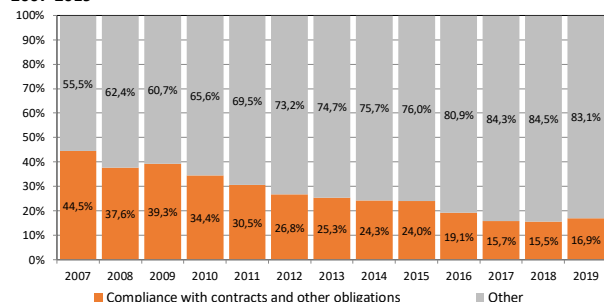
rescue cases, 3.5% for the special procedures for payment agreement and 3.7% for the special revitalization procedures.

Table 8 - Completed bankruptcy, insolvency and company rescue cases, special revitalization procedures and special procedures for payment agreement, 2007-2019



In the whole set of the other civil actions, the actions related to the compliance with contracts and other obligations are those that present a greater weight, although this weight shows a decreasing trend over the period 2007-2019. In 2007, the actions related to the compliance with contracts and other obligations represented 44.5% of the overall total of other completed civil actions. In 2019, such value has gone to 16.9% (table 9).

Table 9 - Other completed civil actions, by subject-matter, 2007-2019



6. Criminal procedural area

The total of criminal cases completed at trial stage (**table 10**) has decreased around 49.0% between 2007 and 2019. From among the criminal cases completed at trial stage, the road crimes occupy a relevant place in the types of crime tried in 2019, with around 27.2% of the total weight (**table 11**).

Table 10 - Total of criminal cases completed at trial stage, 2007-2019

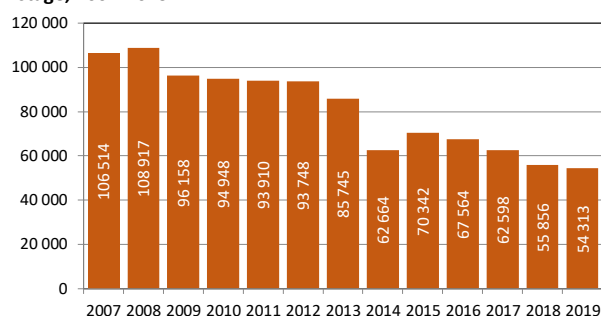
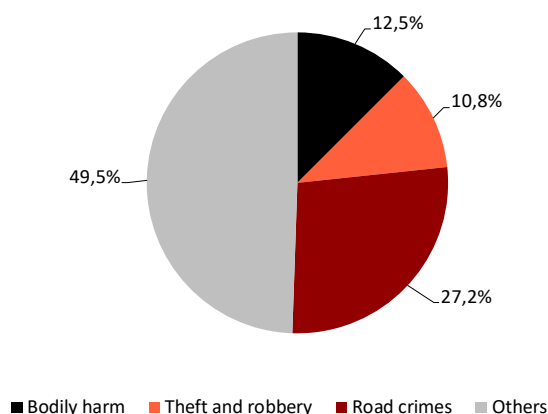


Table 11 - Criminal cases completed at trial stage, by type of crime, 2019

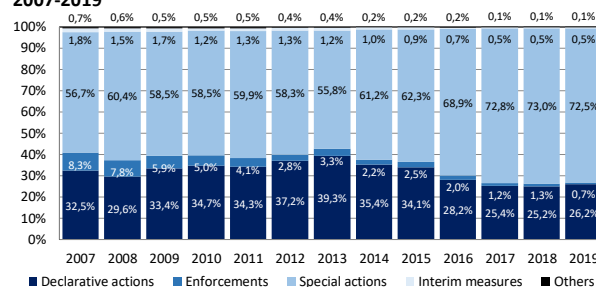


7. Labour procedural area

In the labour justice, as regards the actions completed in 2019, the most significant weight lies with the special labour actions, with around 72.5% of the total, followed by the labour declarative

actions with around 26.2%. In this procedural area, since 2007, there has been an increasing trend in the weight of the special labour actions in the overall total of completed cases, to the detriment, in particular, of the declarative and enforcement labour actions. In 2019, and when compared to 2018, this phenomenon appears to have ceased (**table 12**).

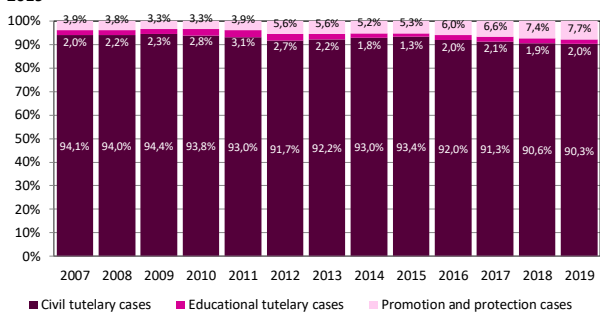
Table 12 - Completed labour cases, by type of action, 2007-2019



8. Juvenile procedural area

On its turn, in the juvenile justice and as regards the actions completed in 2019, the civil tutelary cases are clearly the type of cases with greater weight, with around 90.3% of the total, followed by the promotion and protection cases with around 7.7%. In this procedural area, since 2007, there has been an decreasing trend in the weight of civil tutelary cases in the overall total of completed cases, to the detriment, of the promotion and protection cases. In 2019, and when compared to 2018, this phenomenon remained also evident (**table 13**).

Table 13 - Completed juvenile cases, by type of action, 2007-2019



Footnotes:

¹ The results presented do not include the courts for the enforcement of sentences (see framework notes) and, with respect to the enforcement action, follow the legal model in force until 1 September 2013, when the new Civil Procedure Code, approved by Law 41/2013 of 26 June, came into force. Pursuant to Article 551 (5) of this Code, the enforcement procedure takes place in court when the law requires or indicates that the court registry or the judge should take action within their competence and until they do so. Accordingly, the enforcement procedure should not therefore be considered pending in court in any other circumstances. However, as it has not yet been possible to conclude and validate the technical developments required for the implementation of this legal provision in the processing support system of the first instance courts (CITIUS system), the results continue to be presented according to the previous model.

² Data available on 30 October 2020.

³ 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 due 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. In the case of pending civil enforcement actions, in particular, and according to the legal model in force until 1 September 2013, where the new Civil Procedure Code entered in force, the cases rather than awaiting the practice of acts by the courts, may be waiting for acts to be carried out by external entities, public or private, as well as the practice of acts by the enforcement agents. A pending case is not necessarily a delayed case, as it may be a case that is running within the legal timeframes.

⁴ Completed case - corresponds to cases that have had a final decision, a judgment, sentence or order, in their respective instance, regardless of *res judicata*. The cases that have run their course, that are attached, incorporated or sent to another entity are not counted.

⁵ The categories “criminal cases at trial stage”, “administrative offences/misdemeanours” and “others” are comprised in the data given.

⁶ The cases related to the criminal area are excluded.

⁷ Only the civil tutelary cases are counted.

⁸ 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

⁹ 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 year, this indicator multiplies by 365 (average number of days in a year) 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. If the period relates to a semester, the indicator shall be multiplied by 182.5 (number of days in a semester).

¹⁰ From 2012 onwards and in the characterization of completed cases, the category corresponding to bankruptcy, insolvency and company rescue cases comprises the special revitalization procedures and, from 2017, the special procedures for payment agreement.

Framework notes:

In 2007, the collecting method has been altered, and data are now received through the courts' computer system. They represent thus the state of the cases recorded through this system.

The 2019 data related to the case-flow have been updated and confirm the trends and conclusions reached in the previous report.

The 2019 data may be altered as a result of quality control and updates made to the courts' computer system.

Areas and types of procedures included in the case flow

Civil procedural area – types of cases included: declarative actions; enforcement actions; special actions; interim measures and other cases.

Criminal procedural area – types of cases included: criminal procedures (trial); misdemeanours; judicial decisions on administrative offences; other procedures/proceedings; the criminal cases that are strictly military are also comprised in this procedural area (the criminal investigative and inquiry cases are not included).

Juvenile procedural area – types of cases included: civil tutelary cases; promotion and protection cases; educational tutelary cases.

Labour procedural area – types of cases included: declarative actions; enforcement actions; special actions; interim measures; other cases; administrative offences and misdemeanours.

Non-inclusion of data from the courts for the enforcement of sentences in the published results on the case flow in the first instance courts

As part of the verification and correction procedures carried out by the Directorate General for Justice Policy on the information received from the courts' computer system, there were marked discrepancies from 2010 onwards in the data related to the courts for the enforcement of sentences. It has not been possible, up to the closing date of the results of the courts of first instance, to overcome this problem. Based on the case flow of 2009, it is estimated that the missing information represents about 3% of the total of new cases, 4% of the total of completed cases and 1% of the total of pending cases. In order to ensure the comparability between the results of 2019 and the results of the other years under consideration, it was decided not to include this type of cases in the analysis presented in this document.

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 (SEN), particularly with regard to the delegation of powers of the National Statistical 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.

**Directorate - General for Justice
Policy**

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