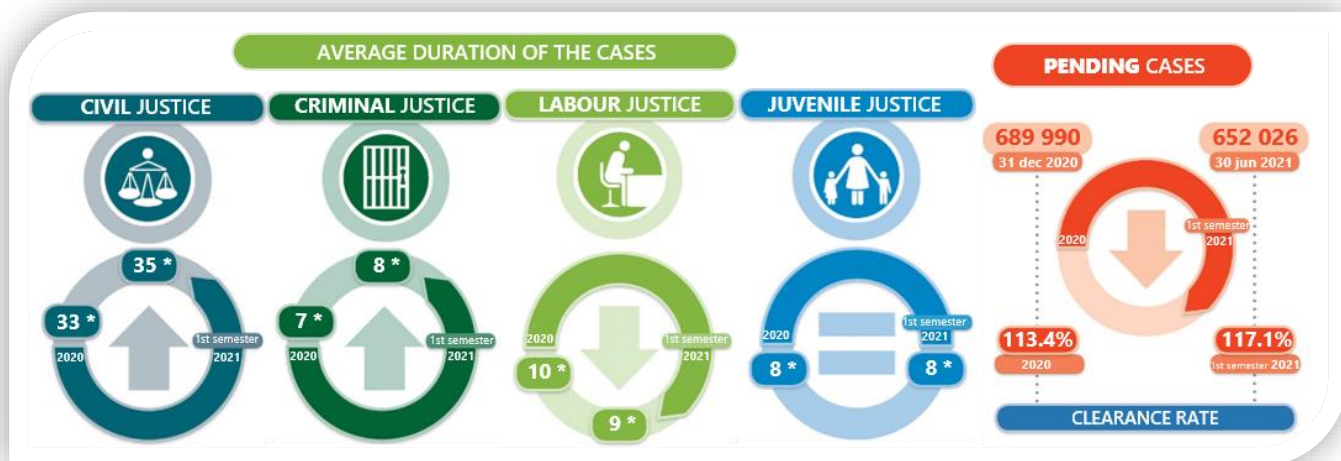


ANNUAL STATISTICAL HIGHLIGHT - 2020

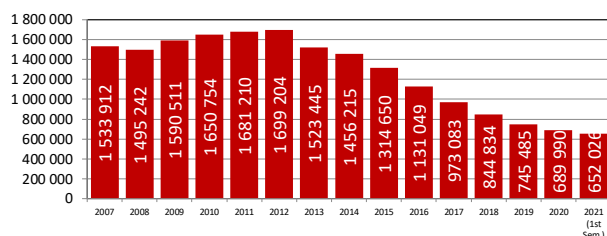
SOME STATISTICAL INDICATORS ON CASES AT THE 1ST INSTANCE COURTS, 2007-2020



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 5.5% between the end of 2020 and the end of the first semester of 2021 and less 61.6% 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, 2007-2021 (1st semester)

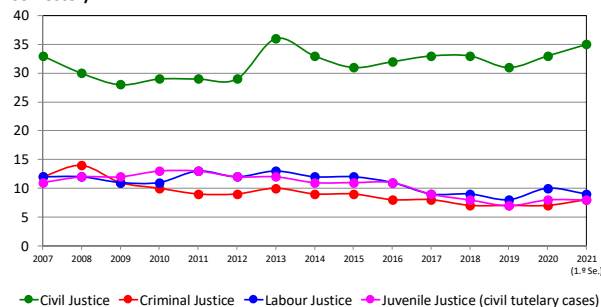


2. Average duration of completed cases⁴ at the 1st instance courts

The average duration of completed cases between 2007 and the first semester of 2021 (**table 2**) has increased in the Civil Justice, going from 33 months to 35 months. The Criminal Justice⁵ has ended this

period with an average duration of 5 months less than initially recorded, being of 8 months the average duration of completed cases in the first semester of 2021. The Labour Justice⁶ has presented, in the first semester of 2021, 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 2021, an average duration of completed cases of 8 months, 3 months less than what was registered in 2007.

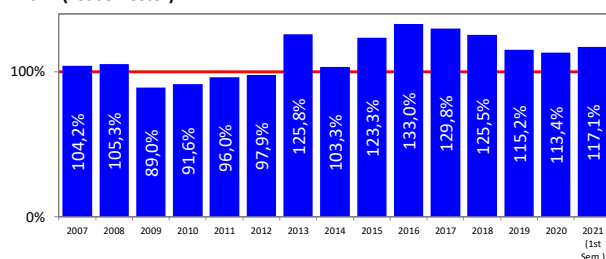
Table 2 - Average duration of completed cases at the 1st instance courts, by procedural area, 2007-2021 (1st semester)



3. Clearance rate⁸

In the first semester of 2020, the clearance rate was 117.1%, an increase of 28.1 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**).

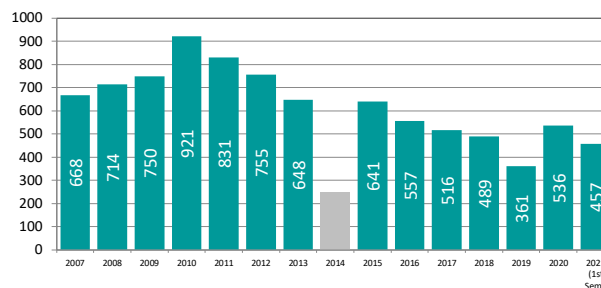
Table 3 - Clearance rate at the 1st instance courts, 2007-2021 (1st semester)



4. Disposition time⁹

In the first semester of 2020, the disposition time was of 457 days (or equal to 1 year, 3 months and 2 days), a decrease of 50.4% 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, 2007-2021 (1st semester)



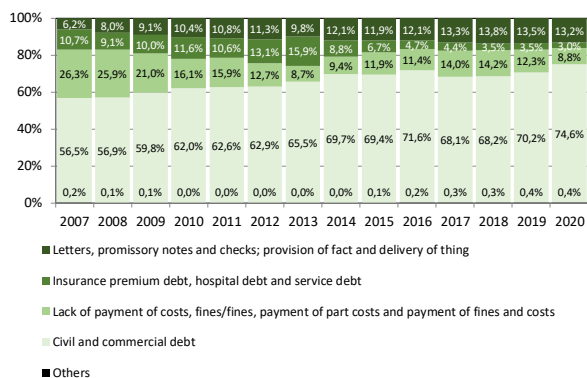
5. Civil procedural area

In 2020, and in view of 2019, a decrease in the weight of the civil enforcement actions in the civil procedural area has been observed (more 1.2 percentage points). This trend has been taking place since 2013. The weight of this type of actions has, since then, decreased by about 15.5 percentage points. (**table 5**).

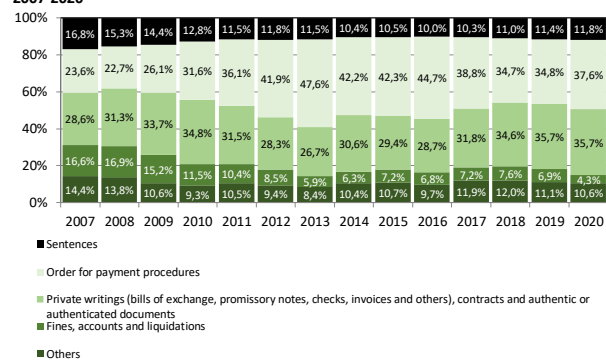
Table 5 - Completed civil cases, by type, 2007-2020



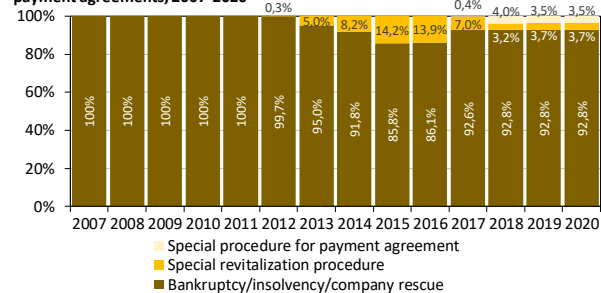
As regards the main subject-matters of the enforcement actions related to the compliance of contracts or other obligations, the civil and commercial debts are the type of cases that have the greatest weight, having gone from 56.5% in 2007 to 74.6% in 2020 (**table 6**).

Table 6 - Completed civil enforcement actions related to compliance with contracts/other obligations, 2007-2020

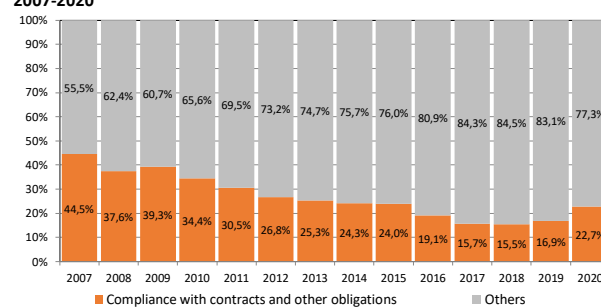
As concerns the enforcement order, it should be noted the increasing weight of the order for payment procedures, between 2007 and 2020, which has gone from 23.6% of the total of enforcement actions completed in 2007 to 37.6% in 2020 (table 7).

Table 7 - Completed civil enforcement actions, by enforcement order, 2007-2020

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 2020, 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 agreements, 2007-2020

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 2007-2018. 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 2020, such value has gone to 22.7% (table 9).

Table 9 - Other completed civil actions, by subject-matter, 2007-2020

6. Criminal procedural area

The total of criminal cases completed at trial stage (table 10) has decreased around 60.7% between 2007 and 2020. From among the criminal cases completed at trial stage, the road crimes occupy a

relevant place in the types of crime tried in 2020, with around 30.1% of the total weight (**table 11**).

Table 10 - Total of criminal cases completed at trial stage, 2007-2020

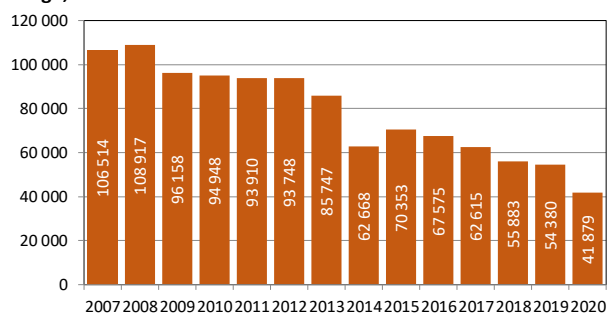
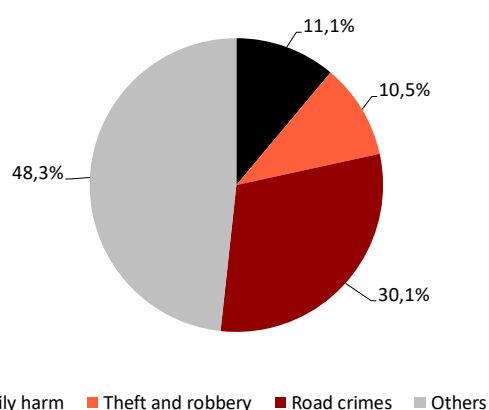


Table 11 - Criminal cases completed at trial stage, by type of crime, 2020

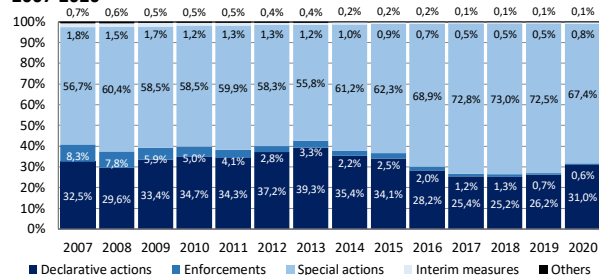


7. Labour procedural area

In the labour justice, as regards the actions completed in 2020, the most significant weight lies with the special labour actions, with around 67.4% of the total, followed by the labour declarative actions with around 31.0%. 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 2020 there is evidence that this trend may have been reversed (**table 12**).

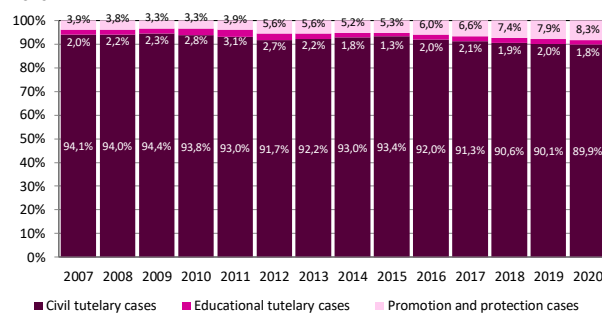
Table 12 - Completed labour cases, by type of action, 2007-2020



8. Juvenile procedural area

On its turn, in the juvenile justice and as regards the actions completed in 2020, the civil tutelary cases are clearly the type of cases with greater weight, with around 89.9% of the total, followed by the promotion and protection cases with around 8.3%. 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 2020, and when compared to 2019, the phenomenon continued to be observed (**table 13**).

Table 13 - Completed juvenile cases, by type of action, 2007-2020



Footnotes

¹ The results presented do not include the sentencing courts (see background notes) and, with regard to enforcement action, follow the legal model in force until 1 September 2013, when the new Code of Civil Procedure entered into force, approved by Law No. 41/2013, of 26 June. Pursuant to article 551, paragraph 5, of this code, the execution process takes place in court when the practice of an act within the competence of the secretariat or the judge is required or is required by law, and even the practice of the same. In these terms, the enforcement process should not, therefore, be considered pending in court in other circumstances. However, as it has not yet been possible to conclude and validate the technical developments necessary for the implementation of this legal provision in the support system for the procedural processing of the lower courts (CITIUS system), the results continue to be presented according to the previous model.

² Data available on 29 October 2021.

³ Pending cases correspond to cases that have not yet received a final decision, in the form of a judgment, sentence or order, in the respective instance, regardless of the final decision. These are processes that await the practice of acts or diligences by the court, the parties or other entities, and may also, in certain types of proceedings, await the occurrence of certain facts or the lapse of a period. A suspended case is, for example, a pending case, whatever the cause of the suspension. In particular, in the case of pending civil enforcement actions, under the legal model in force until September 1, 2013, the date on which the new Code of Civil Procedure entered into force, the processes may not be awaiting the practice of acts of the courts, but rather, awaiting the practice of acts by external entities, public or private, as well as the practice of acts by enforcement agents. A pending case is not necessarily an overdue case, an example being cases that are being processed within the legal deadlines.

⁴ Completed process - any process in which a final decision is rendered, in the form of a judgment, sentence or order, in the respective instance, regardless of the final decision. In completed processes, processes are not accounted for: carried over, joined, incorporated or integrated and sent to another entity.

⁵ Where the following categories are accounted for: "crime proceedings in the trial phase", "contractions / transgressions" and "others".

⁶ Where proceedings relating to the criminal area are excluded.

⁷ Where only civil tutelary proceedings are accounted for.

⁸ The procedural resolution rate corresponds to the ratio of the total volume of completed cases to the total volume of incoming cases. Being equal to 100%, the volume of cases entered was equal to that of those closed, therefore, the variation of the pending is nil. Being greater than 100%, there was a recovery of the pending. The higher this indicator, the greater will be the recovery of the backlog carried out in that year. If less than 100%, the volume of entries was greater than that of the previous ones, therefore, there was a pendency for the following year.

⁹ The disposition time is an indicator that measures, in days, the time it would take to complete all processes that are pending at the end of a given period, based on the pace of work performed in that same period of time, that is, the number of cases completed in that period. Applied to a year, this indicator consists of the multiplication by 365 (average number of days in a year) of the total pending cases at the end of the quarter divided by the total of cases completed during that same period of time. If the period consists of a semester, the multiplication should be made by 182.5 (number of days in a semester).

¹⁰ In the characterization of completed processes, as of 2012, the category corresponding to bankruptcy, insolvency and company recovery processes will include the special revitalization processes and as of 2017, it will include the special processes for payment agreements.

Framing Note:

Since 2007, the collection method has been carried out based on data sent from the courts' computer system, representing the status of cases registered in that system. The 2020 data, referring to the movement of processes, has now been updated, confirming the trends and conclusions reached in the previous report. Data relating to 2020 may undergo changes as a result of quality control and updates made to the courts' computer system.

Procedural areas and species included in the movement of processes

Civil procedural area - types of process included: declarative actions; executive actions; special actions; injunctions and other proceedings.

Criminal procedural area – types of process included: criminal proceedings (trial); transgressions; administrative offense resources; other processes/procedures; this procedural area also includes cases for essentially or strictly military crimes (inquiry and criminal instruction cases are not included).

Juvenil procedural area – types of process included: civil tutelary; promotion and protection; educational guardians.

Labor procedural area – types of process included: declarative actions; executive actions; special actions; precautionary procedures; other processes; offenses and transgressions.

Failure to include data from sentencing courts in the results published on the movement of cases in the judicial courts of 1st instance

As part of the verification and correction procedures carried out by the Directorate-General for Justice Policy on the information received from the computer system of the courts, sharp discrepancies were detected, as of 2010, in the enforcement courts, whose overcoming was not possible until at the closing date of the calculation of the results of the 1st instance courts. Based on the 2009 procedural movement, it is estimated that the missing information represents about 3% of the total of incoming cases, 4% of the total of completed cases and 1% of the total pending cases. In order to ensure comparability between the 2019 results and the results of the other years considered, it was decided not to include this type of process in the analysis presented in this document.

Datasheet:

The Directorate-General for Justice Policy (DGPJ) of the Ministry of Justice, in accordance with the provisions of paragraph 1 of article 2 of Decree-Law no. mission to provide technical support, follow up and monitor policies, ensure strategic planning and coordination of external relations and cooperation, being also responsible for statistical information on the justice sector. Law No. 22/2008, of 13 May, defines the general bases, guidelines and principles governing the National Statistical System (SEN), namely with regard to the delegation of powers of the National Institute of Statistics (INE), IP in other entities. Pursuant to the provisions of article 24 of Law no. 22/2008, of 13 May, a protocol was signed by which INE's competences for the production and dissemination of official Justice statistics are delegated to the DGPJ. As a delegated entity, the DGPJ is subject to compliance, in the relevant part, with Law No. 22/2008, of May 13, Decree-Law No. 166/2007, of May 3, as well as the established rules in community legislation, adopting the Code of Conduct for European Statistics and the Regulation for the Application of the Statistical Secrecy Principle of Statistics Portugal.

**Directorate-General for Justice
Policy**

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