

QUARTERLY STATISTICAL HIGHLIGHT | Nº 110 | FEBRUARY 2023

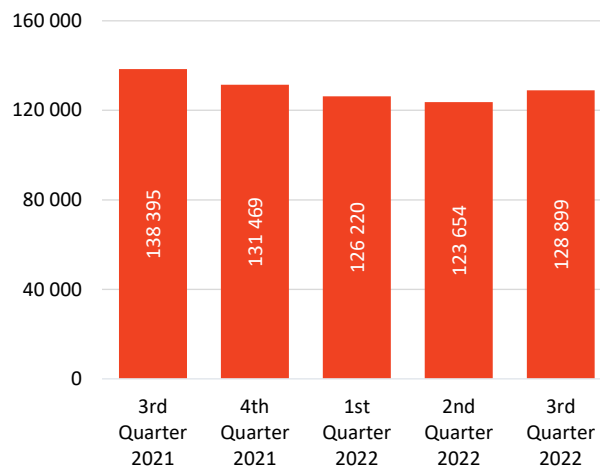
QUARTERLY STATISTICS ON CIVIL ACTIONS (2007 – 2022)



Pending² civil actions¹ and clearance rate^{3 4} – Quarterly evolution

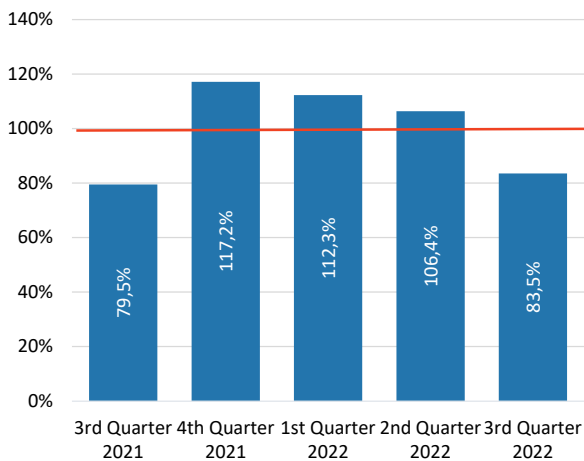
In the third quarter of 2022, the number of pending civil actions has decreased 6.9%, in view of the third quarter of 2021. When compared to the second quarter of 2022, the number of pending civil actions in the third quarter of 2022 has increased 4.2%. On 30 June 2022, the number of pending civil actions was 128.899 (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 83.5% in the third quarter of 2022. This resulted in an increase in the pendency at the end of this quarter. In the third quarters of 2021 and 2022, during which the judicial vacations took place, the clearance rate was lower than 100%.

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

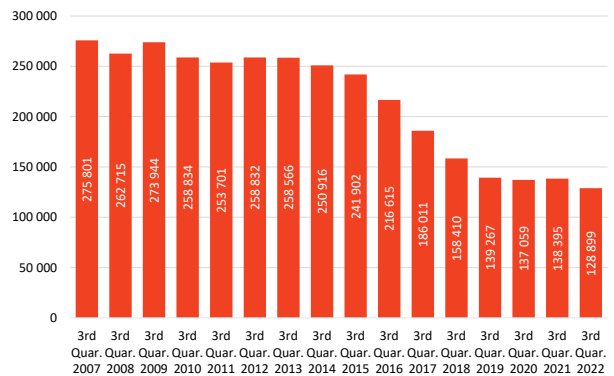


Pending civil actions, clearance rate and disposition time⁵– Similar periods

Between the third quarter of 2007 and the third quarter of 2022 there was an accumulated decrease of 53.3% in the number of pending civil actions. In the similar periods corresponding to the third quarters of 2013 to 2022, there was an accumulated decrease of 50.2%

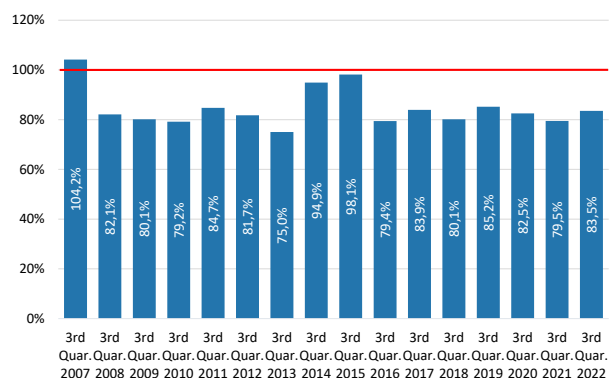
in the number of pending civil actions. Between the third quarter of 2021 and the third quarter of 2022, there was a decrease of 6.9% in the number of pending civil actions (**table 3**).

Table 3 - Pending civil actions, 3rd quarter



In the third quarter of 2022, the clearance rate was 83.5%, an increase of 8.5 percentage points when compared to the minimum value of 75.0% recorded in the third quarter of 2013 (**table 4**).

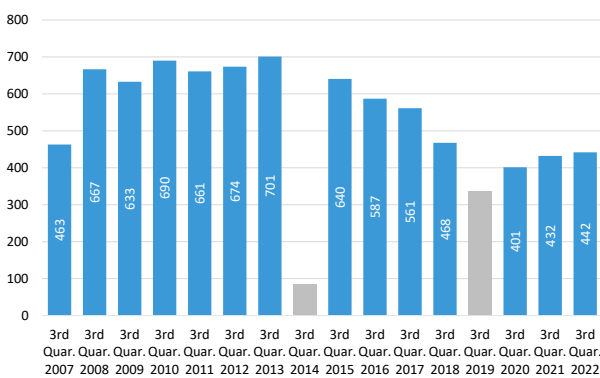
Table 4 - Clearance rate of the civil actions, 3rd quarter



The calculus of the disposition time in the third quarter of 2019, was influenced by the unusually high number of cases completed in that quarter, as

a result of the internal transfers arising from the application of Decree-Law 38/2019, of 18 March, which has reorganised the 1st instance judicial courts (table 5), just as it happened in the third quarter of 2014 when the Law 62/2013, of 26 August (Law on the Organisation of the Judicial System) has entered in force.

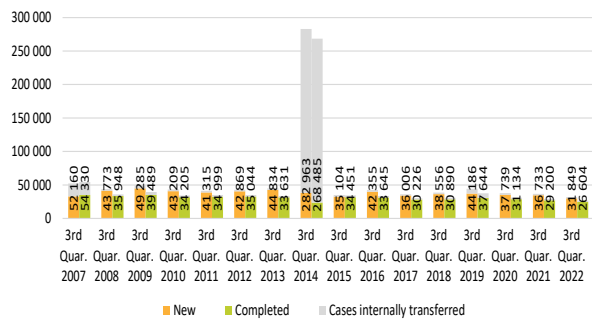
Table 5 - Disposition time (in days) of the civil actions, 3rd quarter



New and completed civil actions and procedural balance – similar periods⁶⁷

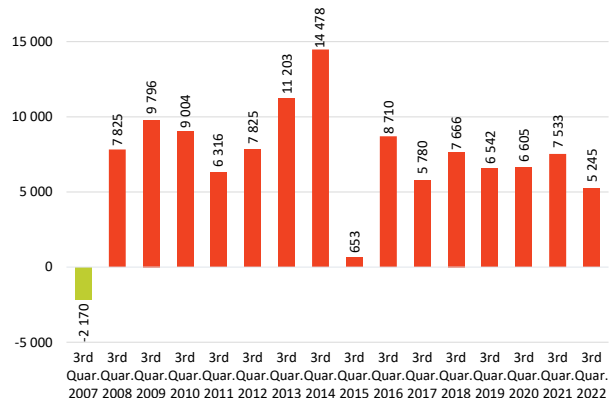
In the third quarter of 2019, the number of new and completed civil actions was unusually high, as a result of the application of the aforementioned Decree-Law, which has reorganised the 1st instance judicial courts. In the third quarter of 2022, the number of completed civil actions was lower than the number of new civil actions (table 6).

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



As a result, the procedural balance in the third quarter of 2022 was unfavourable, corresponding to 5.245 more cases (table 7).

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

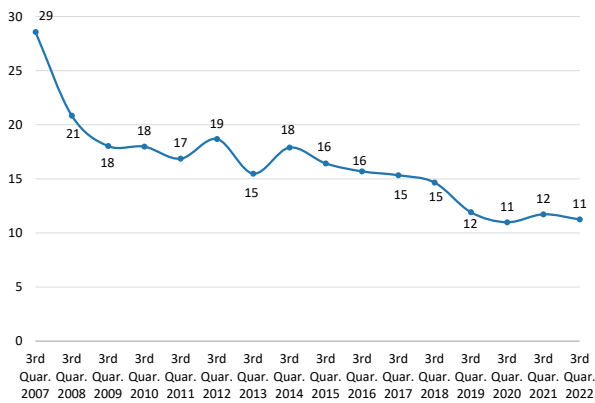


Average duration⁸ of completed civil actions – Similar periods

Regarding the average duration of completed civil actions in the third quarters between 2007 and 2022, it is possible to observe that the

value has ranged between 11 and 29 months. In the third quarter of 2022, when compared to the third quarter of 2007, there was a decrease of 18 months in the average duration of completed civil actions (going from 29 to 11 months). Considering the similar period of 2021, in the third quarter of 2022, the average duration of the completed civil actions has decreased 1 month – going from 12 to 11 months (table 8).

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

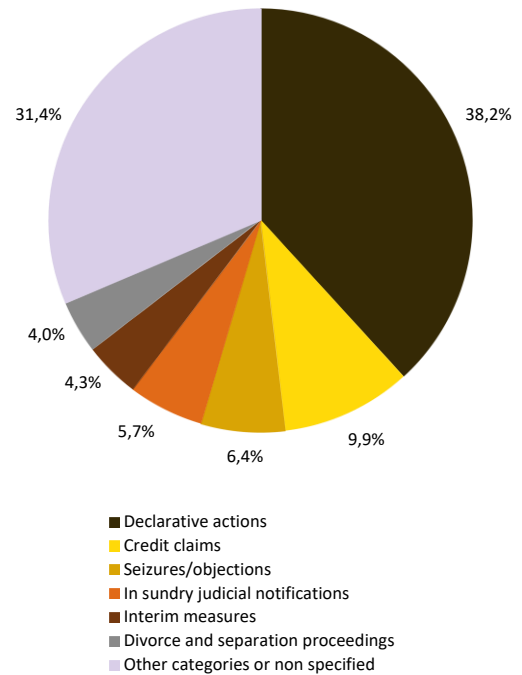


Distribution of the type of completed civil actions – 3rd quarter of 2022

Considering the distribution of the type of completed civil actions in the third quarter of 2022, it is possible to state that 38.2% corresponded to declarative actions, 9.9% to credit claims, 6.4% to seizures/objections, 5.7% to sundry

judicial notifications, 4.0% to divorce and separation proceedings, and 4.3% to interim measures (table 9).

Table 9 - Distribution of the type of completed civil actions - 3rd quarter 2022



Footnotes

¹ 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 106 on civil enforcement actions and statistical highlight 105 on bankruptcy, insolvency and company rescue cases, on special revitalization procedures and on special procedures for payment agreement).

² Pending cases correspond to those new 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.

³ 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.

⁴ As the indicators are calculated on the basis of the number of new and completed cases, the clearance rate and the disposition time of the periods in which internal transfers occur between organic units/courts may be impacted, and should therefore be interpreted accordingly.

⁵ 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.

⁶ In the second 16 quarters of 2007 a 2022 were registered, respectively, 52.160, 43.773, 49.285, 43.209, 41.315, 42.869, 44.834, 282.963, 35.104, 42.355, 36.006, 38.556, 44.186, 37.739, 36.733 and 31.849 new civil actions and also respectively, 54.330, 35.948, 39.489, 34.205, 34.999, 35.044, 33.631, 268.485, 34.451, 33.645, 30.226, 30.890, 37.644, 31.134, 29.200 and 26.604 714 completed civil actions. However, from these totals, only 32.978, 41.301, 44.819, 40.733, 38.760, 40.532, 42.653, 38.156, 32.429, 39.968, 34.102, 36.210, 37.156, 35.323, 34.610 and 29.955 new civil actions and 35.148, 33.476, 35.023, 31.729, 32.444, 32.707, 31.450, 23.678, 31.776, 31.258, 28.322, 28.544, 30.614, 28.718, 27.077 and 24.710 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, 244.807, 2.675, 2.387, 1.904, 2.346, 7.030, 2.416, 2.123 and 1.894 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.

⁷ O 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.

⁸ 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

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:

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.

Directorate-Generale for Justice Policy

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