

Workload-effects of speeding up case-settlement

Summary

In recent years a number of measures has been proposed to speed up the process in non-family civil cases handled by district courts. All of these measures have as a consequence that over some period of time, more cases than the usual number will have to be settled. In this study, the extra work-load has been quantified. The research was commissioned by the workgroup 'unification and acceleration of the civil procedure', part of a larger project aimed at modernization of the legal system. Their plans include the start, in 2000, of a 'flying brigade' of judges that will help the courts to deal with the extra workload. During the research, the workgroup used preliminary results were to fine-tune their plan of action.

It is the objective of the workgroup to speed up the settlement of defended cases to a mean throughput time of one year. Between 1994 and 1996, the mean was 701 days over all courts. Our results show that the number of extra cases that will have to be settled is 85% of the number of cases that is settled normally during a whole year. The figure varies among the courts. It implies there is a strong need for extra capacity. The flying brigade can only provide a small part of this capacity. Therefore, the process of acceleration will have to be phased. The brigade will focus on settling case ready for judgement. This will have a relatively strong effect (on a short term) on the general speed of settlement. From our results it is clear that in 1999 only one of the 19 courts could meet the term of six weeks for producing a verdict. Meeting this term is considered necessary to shorten other steps in the process.

The research includes predictions on future caseload, on the effects of several measures that have been planned to take and on workload-effect regarding courts of appeal. Also, descriptions of are provided of the length of many parts of the court procedure (based on a sample of cases settled in 1996) and of the number of cases in handling in each court (in 1999)

Werklast versnelling handelszaken

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