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**STATE JUDICIAL
ADMINISTRATION OF
UKRAINE**

CASE WEIGHTING STUDY FOR THE UKRAINE COURT SYSTEM REPORT

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Table of Contents

Introduction	4
Experience of Judicial Workload Studies in Ukraine	6
Calculating Case Weights	10
Considerations in Designing the Current Study	11
Components of the Study	13
Outcomes of the Study	22
Preliminary Findings-Based Conclusion	31
The Final Outcomes	32
Appendices	33
Appendix A. Statistics Summarizing the Time Estimates Provided by the Judges	Ошибка! Закладка не определена.
Appendix B. Graphs Illustrating the Results of the First Survey ...	Ошибка! Закладка не определена.
Appendix C. Case Weights Based on Estimation Study .	Ошибка! Закладка не определена.
Appendix D. Objective Time Study Case Weights	Ошибка! Закладка не определена.
Appendix E: The Final Case Weights	33

Introduction

An issue common to all court systems is determining the number of judges needed overall, in each type of court, and in each court location to fairly and efficiently process the cases filed in the courts. Rigorous scientific methods exist for determining the number of judges needed to process a court's caseload. The federal court system and most state court systems in the United States use these methods, as do other court systems around the world. Particular study designs may vary somewhat, but they all rely on the concept of *case weights*.

Case weights are mathematical estimates of the average amount of time judges actually spend, from filing to termination, on cases of particular types. Case weights provide a more accurate and useful measure of the required judicial work than a mere count of filings because cases of different types may require, on average, different amounts of judicial time. The time a judge spends on any particular case can vary greatly – from almost no time at all to many hours – depending on the specific characteristics of that case. But, on average, some types of cases require more time of judges than other types of cases. For example, it is obvious that judges must spend more time on a murder case than on a theft case. Case weights allow to take into account specific features of the identified case types when determining the judge time by way of multiplying certain average indicators by identified coefficient for case complexity. For example, if we had to predict the judge time that will be required to fully process 100 cases of a particular type filed today, the best estimate is 100 times the average time it took to process a case of that type in the past.

It should be mentioned that for each type of cases an individual case weight is identified. Using case weights, a *weighted caseload* for a court can be calculated by multiplying the number of cases of each type that are filed in a year by the weight for each case type.

An integrated case weighting system would be useful in determining the necessary number and allocation of judges in the Ukrainian Court System, and in balancing workload among judges.

Pursuant to the 2010 Law on the Judiciary and Status of Judges (Law No. 2453-Vi), the Ukrainian Court System has 665 general jurisdiction trial courts to hear first instance civil cases, criminal cases, and select administrative cases, 27 regionally-located courts of appeals, each with separate civil and criminal chambers, to hear appeals from these first-instance courts, and a high specialized court in civil and criminal matters to hear appeals from the courts of appeals.

For administrative cases, 27 circuit courts hear first instance cases, 9 courts of appeals hear appeals from the first instance administrative courts¹, and a high administrative court hears appeals from the administrative courts of appeals.

Similarly, for economic cases, 27 local courts hear first instance cases, 11 courts of appeals hear appeals from the first instance economic courts, and a high economic court hears appeals from the administrative courts of appeals.

The Supreme Court of Ukraine, which has criminal, civil, administrative, and economic chambers, is responsible for unification in the application of law.

The trial courts and courts of appeals have a total of 8687 judicial positions, including 4830 positions in the general jurisdiction trial courts, 672 position in the administrative local trial courts, 760 the commercial local trial courts, 1718 positions in the civil/criminal

¹ The Administrative Courts of Appeals also hear appeals on administrative cases from the general jurisdiction trial courts.

courts of appeals, 402 in the administrative courts of appeals, and 305 in the commercial courts of appeals.²

The High Courts of Appeal have 120 judicial positions and the Supreme Court has 48.

More specifically, a case weighting system could help:

- Determine the number of judges needed overall to process the cases filed in each court type (civil/criminal, administrative, economic) and level (first instance, courts of appeals, high court, Supreme Court);
- Determine how those judges should be allocated across court locations (e.g., how many judges are needed in each of the 666 local courts);
- Balance the workload of judges within and across courts;
- Determine how many judges and how much time would be needed to process any backlog of cases in the courts; and
- Prepare and provide objective support for budgetary requests by the courts.

² SJA provided these statistics in Spring 2012 and noted that approximately 10 to 15% of the positions in the trial courts and the courts of appeal are empty. As of July 1, 2012, the general jurisdiction trial courts had 4830 judicial positions, with 4406 of the positions filled.

Experience of Judicial Workload Studies in Ukraine

During the last ten year as directed by Council of Judges of Ukraine the SJA, in cooperation with various entities, conducted judicial workload studies in 2004, 2008, and 2011. The current project attempts to look at the results of previous studies, to improve on the methods of the prior studies, and thus the usefulness of the results. The following description of the prior studies is based on discussions with SJA staff and review of what documentation was available and could be translated into English.

2004 Study. A 2004 study examined the judicial time needed to process the criminal/civil/administrative cases in the general jurisdiction trial courts and the courts of appeals, as well as the commercial cases filed in the local circuit economic courts and the courts of appeals. At the time of the study, criminal/civil courts handled administrative cases because the separate administrative courts did not exist.

Data collection for the study had two major components, one was primarily the responsibility of the Academy of Judges, and the other was primarily the responsibility of SJA.

Objective Time Study. In the study component conducted by the Academy of Judges, judges reported the time they spent from receipt to final disposition on a sample of 900 civil/criminal/administrative cases and commercial cases in the trial courts.³ SJA provided the data collection forms used, as well as a letter to the judges about the content and goal of the study. That letter provided minimal instructions to the judges. SJA could not provide detailed information about the study, such as how the sample of cases was selected, whether additional instructions were provided to the judges, whether the judges maintained time contemporaneously or whether they reconstructed it from the case file.⁴

Because only 900 cases were included in the sample (1) objective time data were collected for only about a fourth of the case types, and (2) for most other case types, the data were collected for only a few cases. See the table below.

Court Type and Level	Number of Case Types	Number of Case Types for which Time Was Provided	Number of Cases per Case Type for Which Time was Provided
Civil/Criminal Trial	101	24 23.8%	Mean: 9.3 Mean (excluding case type with 60 obs.): 7.1 Range: 2 – 60
Commercial Trial	71	17 23.9%	Mean: 5.1 Range: 2 – 9

For each type of case within each court level for which data were available, the time reported by the judges was summed across cases and divided by the number of cases of that type.

Estimation Survey Study. In the study component conducted by SJA, all of the approximately 4500 judges in the trial courts and courts of appeals for civil/criminal cases and

³ Our notes indicate SJA staff said such data also were collected in the courts of appeals, but the study report does not include such information.

⁴ SJA is attempting to locate a copy of a report describing the study methods, but reported that detailed information about this aspect of the study was likely unavailable.

for commercial cases were asked to complete a survey. The survey asked the judges to estimate the judicial time required, on average, to process cases of different types. Case types were defined by the underlying legal provision involved. The estimates were to reflect time from receipt to disposition and be based on a case with one defendant, one plaintiff, one crime, one case volume, and up to five witnesses.

Approximately 600 judges completed the surveys. It is unclear exactly how many judges from each court type and level returned a questionnaire.⁵ However, the table below shows the range and the average number of estimates obtained for each case type, by type and level of court.

Court Type and Level	Number of Case Types	Number of Judges Providing Estimate for each Case Type
Commercial Trial	76	Range: 1 - 98 Mean: 27.1
Commercial Court of Appeals	69	Range: 5 - 57 Mean: 27.0
Civil/Criminal Trial	101	Range: 12 - 212 Mean: 138.0
Civil/Criminal Court of Appeals	105	Range: 1 - 90 Mean: 71.5

For each case type within each level of court, the time estimates were summed across judges and then divided by the number of judges providing the estimates.

Final Case Weights. The SJA calculated the final case weights for each case type by averaging the estimate obtained in the second component of the study, with that obtained in the first component, if there was one for the particular type of case. The resulting estimate was then adjusted upward by 10% to reflect time judges spent preparing the workplace and taking breaks. The case weights reflected the hours and minutes required by each type of case.

Corrective Ratios for Case Complexity. SJA also calculated corrective ratios to account for case complexity with data obtained from a sample of 38 case files from the ten courts in Kiev. The cases were selected to include those involving multiple defendants, multiple offenses, more than five participants, and multiple case volumes, and to vary from a typical case along only one of these dimensions. For each case, time reported on the hearing minutes in the file were summed. To calculate the corrective ratio, this sum was divided by the highest time estimate obtained above for the same type of case.

In the end, the corrective ratios were not used to adjust the case weights, or in any other way in assessing the workload for the courts. SJA provided no reason for this, but it is likely because the ratios depended on case criteria that were difficult to ascertain without reviewing specific case files, and thus, could not easily be applied to case statistics.

Calculating the number of required judges. To obtain an estimate of the number of judges needed to process the cases in each court:

- The final time-estimate for each case type was multiplied by the number of cases of each type in the court.⁶

⁵ SJA is attempting to locate this information. SJA also reported that some returned questionnaires were not usable because judges appeared to be estimating case duration rather than judicial time required by the case. This is a common misinterpretation of the task, which needs to be clearly explained in study instructions.

⁶ SJA staff report they calculated weighted caseloads by multiplying the cases weights by terminations. Assuming the case weights are reliable and valid and the number of filings is rising, this could lead to under-projecting the number of necessary judges needed for the future. However, if the case weights overestimate the amount of time needed to process cases and cases are being processed at about the same rate as they are filed, this could lead to over-estimating the number of judges needed in the future.

- The products resulting from the multiplications were summed.
- The sum was divided by 2004, which was the standard numbers of hours set by the Ministry of Labor in 2005 as the number of hours a 40-hour a week employee would work in a year. (This number takes into account the number of official holidays that fall on a work day, but does not take into account vacation time.)

The study concluded that in addition to the 4578 judges in the court, an additional 3232 judges were needed, for a total of 7,810 judges. This number is comparable to the number of judges now actually working in the trial courts and courts of appeals; 7416 judges are actually employed in the 8687 positions.

2008 and 2011 Studies. The survey portion of the 2004 study was re-done in 2008 because the administrative courts were established, and again in 2011 to take into account changes in the law and the courts.

In the 2008 study, 359 judges returned questionnaires; 228 of those were from judges in the general jurisdiction trial and civil/criminal courts of appeals, 36 were from judges in the administrative trial courts and courts of appeals, and 95 were from the commercial trial courts and courts of appeals.

In the 2011 study, 249 judges returned questionnaires; 168 of those were from judges in the general jurisdiction trial and civil/criminal courts of appeals, 21 were from judges in the administrative trial courts and courts of appeals, and 60 were from the commercial trial courts and courts of appeals.

Observations about the Prior Studies. Below are some observations about the prior studies, which were considered in designing the present study.

- SJA staff members who worked on prior studies appear to have been careful in their work and possess the skills to help implement the proposed study.
- Even in 2004 when objective time data were collected, the final time estimates (i.e., case weights) were based largely on the survey estimates. This reflects the difficulty of obtaining sufficient objective time data from geographically dispersed courts that handle a great variety of case types. The sample of 900 cases in the objective time study was too small to obtain any observations for most types of cases. For other case types, the number of observations was usually small so it is unclear whether the observations are representative of all cases of the particular type.
- The survey study materials apparently asked judges to provide an estimate of the total judicial time cases of each type would require. A better approach would have been to have judges estimate the amount of time each major stage of the case required and then sum these amounts to obtain the total.
- The study materials asked judges to provide the estimate for a case with certain characteristics (e.g., one crime/claim, one plaintiff/defendant, one case volume, up to five witnesses), which may have masked some differences between case types. For some types of cases, the given case characteristics are typical; for other types of cases, the given case characteristics are simplistic. To account for this, the study attempted to account for case complexity by calculating corrective ratios, but such ratios proved

A critical choice in applying case weights is whether to multiply the case weights by cases pending from the previous year (backlog), newly filed cases in the year, all pending cases (filings and backlog), or resolved cases in the year. Each calculation answers a different question. For example, multiplying by new filings projects the number of judges needed to process the newly filed cases in the courts and multiplying by the number of cases pending from previous years projects how many judges (and judge hours) would be needed to clean up any backlog in the courts. Assuming the case weights are valid and reliable, multiplying by terminations estimates the number of judge hours the existing judges worked in the prior year. I have used this calculation to help determine if case weights based on judgmental studies are over- or under-estimates; if the resulting weighted caseloads suggest judges worked unreasonably long or short hours, this might indicate the case weights are over or underestimates.

difficult to use. A better approach would have been to calculate case weights for the typical case of each type, which in turn reflect the average complexity of each type.

- All judges were invited to participate in the survey portion, but it is unclear the extent to which the study includes representatives from the regions and districts; a better approach might have been to send the survey to the chief judge of each court, and ask him or her to respond, with input from the other judges as appropriate.
- Some additional work could have been done to examine whether the survey estimates and the final estimates were reasonable. Such work could have included, for example: (1) systematically comparing the objective time estimates and the survey estimates for case types with both types of estimates; (2) applying the estimates to the number of cases resolved in a year to see if the estimates suggest judges worked an unbelievable number of hours in the year; (3) conducting focus groups of experienced judges to review the appropriateness of the weights, in absolute terms and relative to one another.
- The number of work hours used in the denominator of the equation was probably too high because it did not account for vacation time and other types of work judges are required to perform as part of their jobs. The researchers tried to account for some such things by adjusting the weights upwards by 10%; logically this adjustment is to the wrong part of the equation, and assumes that such time is directly proportional to caseload, which is most likely untrue.

Calculating Case Weights

The two basic methods used to calculate case weights are objective time studies and judgmental studies. In objective *time studies*, judges directly record the time they spend on cases of various types (case-based time studies) or on the events required to process cases of various types (event-based time studies).⁷ The resulting case weights are objective and directly measure how much time judges spend on different types of cases.

In *judgmental studies*, various methods are used in combination (questionnaires, interviews, focus groups, statistical comparison) to reach consensus about the time required to process cases of various types. Such studies produce more reliable results when (1) judges are asked to estimate the amount of time required by each major stage of a case (rather than estimate the overall amount of time), and (2) an iterative approach is used to refine the weights (e.g., questionnaires or interviews, followed by focus groups and various statistical checks).

	Case-Based	Event Based
Time Studies		
Judgmental Studies		

Studies can also measure the time judges spend on judicial business that is not directly associated with specific cases, such court administration, reviewing developments in the laws, and public outreach. Such time can be substantial and should not be overlooked in assessing judicial workload.

Regardless of how they are calculated, case weights can be measured in absolute or relative units. In case of absolute units, case weights can reflect the actual amount of judicial time in hours and minutes. For the purpose of convenience and comparability of indicators expressed in different absolute unites, it is common in statistics to use relative units. Thus case weights can be scaled so that a weight of 1 is given to the type of case that takes the *average amount of time*. Values greater or lower than 1 are assigned to case types that require more or less than *the average time*.

In actuality, any particular study often relies on elements of more than one method. The choice of the study design depends on many things—key goals of the study, the type and variety of cases within the jurisdiction of the courts, the amount and type of data available, the time period available to conduct the study, their variability, the scope\volume of the available data, time for the study, the relative advantages and disadvantages of the different methods, and the amount of time and effort judges and court administrators are willing to spend on the study.

⁷Two primary ways to conduct times studies are diary studies and longitudinal case tracking studies. In diary Studies, judges record time about all their work-related activities for a specified period of time, including the time spent working on cases and the time spent doing other types of work (e.g., administration, education). In longitudinal case-tracking studies, judges report how much time they spend on a sample of cases from the time the case is filed until the time it is resolved. The do not report work that is not directly related to a specific cases, such as time spent on administrative or education. Each type of study has its relative advantages and disadvantages.

Considerations in Designing the Current Study

Case weighting systems are most useful when (1) the types of cases making up the jurisdiction of a court require different amounts of judicial time; (2) the mix of cases in various court locations differ substantially; and (3) the case types handled by courts of different types (e.g., first instance versus appellate courts, civil/criminal versus administrative and economic) require different amounts of judicial time. Clearly, the method would be useful system-wide in the Ukrainian courts. We proposed to develop the case-weighting system in phases, starting first with the general jurisdiction trial courts that handle civil, criminal, and certain administrative cases because these courts handle a great diversity and number of cases.

It is best to conduct case weighting studies when a court system is stable in terms of its structure, jurisdiction, and procedures. This condition does not exist in Ukraine at the moment. For example, the recent Law on the Judiciary and Status of Judges (No. 2453) made a major change to the jurisdiction of the general jurisdiction trial courts. The general jurisdiction trial courts, instead of the Courts of Appeals, now handle the serious criminal cases that must be heard with the participation of people's assessors. In addition, a law passed and implemented while the current study was on-going made significant changes to criminal procedural law.⁸ It reportedly imposes time limits to resolve criminal cases, 2 months, 6 months, or 1 year, depending on the type of case; eliminates the judges' ability to send a case back for additional investigation; and allows defendants and prosecutors to enter into pleas agreements which are then approved by the court. These changes could affect the workload of judges in various ways. If it was certain that no additional changes that affect the general jurisdiction trial courts would be made, it might be advisable to wait until the system stabilized to conduct the study. However, considering the need for a case weighting system, the time required for the system to adjust to the recent and proposed changes, and the possibility of additional change, we determined it best to proceed with the study.

Some of the judges with whom we spoke indicated some procedural requirements and working conditions greatly affect their work. Examples of the former are the requirement that judges read the full text of *criminal* decisions in open court and the requirement that judges not work on other cases while writing a *criminal* decision post-trial in the deliberation room. With respect to problems and working conditions, judges noted, for example, a lack of courtrooms resulting in many civil trials being held in judges' offices, the failure of prosecutors, other attorneys, and witnesses to appear at trial, and general problems with transporting criminal defendants that limit the effective time court can be in session. It thus seemed important that the current study collect information about the activities on which judges are working, as well as where they perform that work, and the problems they encounter.

Objective time studies must capture time on an ample number of cases for the resulting estimates to be reliable. The amount of data required depends largely on the number and specificity of case types that are used, and the number of cases of each type that are filed in the courts. The required amount of data affects the number of judges that must participate in the study and the length of time they must report their time.

As a preliminary matter, we examined the statistical reports to begin determining the case types that ought to be included in the estimation component of the study and ultimately, in the objective time component of the study and in the final case weighting system. The table below illustrates some of the important considerations based on this preliminary work.

It is important that the case types used in the final case weighting system represent cases that are of sufficient number, substantively similar, procedurally similar, and approximate

⁸ The proposed Criminal Procedure Code was enacted in March of 2012 and became effective six months later.

each other in terms of complexity, rather than merely represent some or all entries from the statistical tables. The case types must not be overlapping (i.e., a single case should belong to just one case type), and the case types must be exhaustive (i.e., every case filed in the court must belong to one of the case types). The final case weights should be confirmed with objective time data.

Note: This table does not include all of the primary types of cases listed in the statistical reports; it is for illustration only.			
Primary Category of Case in the Statistical Report	Number of Major Categories	Number of Subcategories	Notes
Criminal Cases (81 types of cases listed in the table)	21, including an “other” category; very few cases are filed under some major categories of cases.	The number of subcategories for each major category ranges from 0 to 6. Some of the subcategories have sub-sub categories.	The subcategories are generally non-exhaustive (that is, not all cases of a major type fall into one of its subcategories). For some major types of cases, the subcategories comprise most of the filings of that major type. For other major categories of cases, the sub-categories cover few of the filings of that major type (3% - 30%). The size of the subcategories within each major category varies greatly.
Administrative Offenses (253 types of cases listed in the statistical table)	253, including an “other” category		26 of the 253 categories (10%) account for approximately 91% of the cases; 40 of the 253 categories (16%) account for approximately 93% of the cases.
Administrative Cases (116 types of cases listed in the statistical table)	13 major categories, including an “other” category	The number of subcategories for each major category ranges from 0 to 9. Some of the subcategories have sub-sub categories.	The subcategories are non-exhaustive (that is, not all cases of a major type fall into one of its subcategories), but generally, the subcategories comprise most of the filings for the major type (from approximately 74% to 99% depending on major type). The size of the subcategories within each major category varies greatly. For example, just one of the four subcategories for one major type contains 93% of the cases while the other three subcategories contain very few cases.
Civil Cases (Claims Based) (116 types of cases listed in the statistical table)	13 major categories, including an “other” category	The number of subcategories for each major category ranges from 0 to 8. Some of the subcategories have sub-sub categories.	The subcategories are non-exhaustive (that is, not all cases of a major type fall into one of its subcategories), but generally, the subcategories comprise most of the filings of that major type (from approximately 74% to 98%). The size of the subcategories within each major category varies greatly. For example, just one of the four subcategories for one major type contains 97% of the cases while the other three subcategories contain very few cases. This larger subcategory is further broken down into subsidiary categories.

Components of the Study

The study is divided into three major components: (1) an estimation study based on questionnaires; (2) an objective time study; and (3) a focus group to review and develop the final weights.

Estimation Study

Method. On May 15, 2012, researchers sent a questionnaire to the chief judge of each 666 general jurisdiction trial courts, requesting that the chief judge complete the questionnaire in consultation with the other judges in the court, as appropriate. The due date for the questionnaire was June 1.

The questionnaire included separate sections for Criminal Cases, Other Criminal Proceedings, Civil Claims-Based Cases, Civil Order-Based Cases, Civil Separate Proceedings, Other Civil Proceedings, Administrative Cases, Other Proceedings Related to Administrative Cases, Administrative Misdemeanors, and Other Proceedings Related to Administrative Misdemeanors. In general, each section listed a set of specific case types and asked the chief judge to estimate the amount of time required to process a typical case of that type from filing to termination. All estimates were to be provided in hours and minutes.

Project staff developed the lists of specific case types with reference to the statistical reports, and in consultation with SJA and the Council of Judges.

During the survey the information was collected by 10 identified groups of cases that in total are comprised of 150 case types. The number of specific case types in the questionnaire for the major types of cases is shown in parentheses: Criminal Cases (50), Other Criminal Proceedings (6), Civil Claims-Based Cases (39), Civil Order-Based Cases (3), Civil Separate Proceedings (18), Other Civil Proceedings (6), Administrative Cases (22), Other Proceedings Related to Administrative Cases (4), Administrative Misdemeanors (29), and Other Proceedings Related to Administrative Misdemeanors (1).

The sections of the questionnaire for Criminal Cases, Civil Claims-Based Cases, Civil Separate Proceedings, and Administrative Cases asked chief judges the same basic questions. In these sections, chief judges were asked to estimate for each specific case type the amount of *time required for the four major kinds of activities related to consideration of cases*. These activities were: (1) Initially Reviewing the File and Preparing for Preliminary Hearings and Trial; (2) Hearings and Trial; (3) Time Spent Deliberating and Writing Draft Decision; and (4) Time Spent Presenting the Decision in the Courtroom. Chief judges also were asked to estimate the *total amount of time* required for each specific case type, which was essentially the sum of the time estimates for the four major kinds of activities. If the judges in a court did not have enough experience with a specific case type, the chief judge could check a box and provide no estimates for that type.

To reduce the number of estimates judges were required to make, the questionnaire grouped together many types of administrative cases that were filed infrequently. Therefore, the questionnaire posed a supplemental question in this section: Are some types of cases that fall within this group substantially more or less time-consuming than the others? Similar supplemental questions were asked about the specific types of criminal cases: What percentage of cases of this specific type takes substantially less time than the typical case? What percentage of cases of this specific type takes substantially more time than the typical case? Answers to these questions will help determine the specificity of the case types that are needed for the final case weighting system.

The section of the questionnaire for administrative misdemeanors also asked judges to specify the amount of time needed for the four major kinds of case handling activities (listed above), as well as the total time. However, the primary task was to make time estimates for a

typical administrative misdemeanor case, considering all similar case types. Then, the judge was asked whether each specific type of the administrative misdemeanor case required about the same, more, or less time than the above time estimates. If the judge reported that a specific case type required significantly more or less time than stated above, then the judge was to provide the time estimates for that specific case. Thus, few judges provided the specific time estimates for the specific types of administrative misdemeanors cases compared to other types of cases.

For other criminal proceedings, civil order-based cases, other proceedings related to administrative cases, and other proceedings related to administrative misdemeanors, the questionnaire asked judges to estimate the *total amount of time* needed to process a typical case.

Data analysis.

With the view of identifying the relevant indicator which would characterize the average time spent for case proceeding in a more accurate manner, we calculated the standard descriptive statistical values under the variation series. The major characteristics of the variation series include: repetition frequency of individual variation of values, mean estimate, median, mode, minimum, maximum, variability or dispersion, etc.

Variation series are aggregated units arranged by certain characteristics. In the estimation survey the variation series are arranged by the time units spent on a case processing.

Here are certain definitions of the major characteristics under variation series within the study and their interpretation in terms of the data obtained for a case type “Ownership and other material rights disputes: state property” provided in Table 1.

Variation range – a range within which the estimates under the variation series vary. According to Table 1, the *minimum* time for handling the ownership/property disputes takes 55 min., whereas the *maximum* time for similar cases takes 2,630 min. In practice, it implies that the ownership cases can be handled over the time-scale of 55 to 2,630 min., the variation range value makes 2,575 minutes.

Mean estimate – an estimate under the variation series that is calculated as the correlation between the total amount of the time estimates provided by each judge and the total number of judges who completed the questionnaire. I.e. the hearing time for each of the 285 ownership disputes makes 407 min. on average.

Standard deviation demonstrates to which extent on average each time estimate under the variation series deviates from the mean estimate. I.e. on average the hearing time for one ownership case may vary from 90 to 724 min. [407 min. \pm 317 min.]. It should be noted that the higher standard deviation, the less homogeneous is the population of analyses, and the higher probability that the mean estimate is uncommon for the variation series. To the contrary, a low standard deviation indicates that the personal time expenditures approximate the mean estimate, therefore it accurately describes the variation series. In our example we may see that the obtained standard deviation (317 min.) is rather high, and the range of 90-724 min. indicates that the time of 407 min. is not an objective mean value.

The indicator of how homogeneous the population of analyses is the *variability or dispersion ratio*, which is calculated as co-relation between the standard deviation and the mean estimate and is reflected in percent. If the dispersion ratio is up to 33%, the variation series are considered quite homogeneous, if it is above 33% - the population of analyses is considered non-homogeneous. The dispersion ratio of the mean estimate in terms of the time expenditure for ownership cases makes 77.9%, thus an average estimate of 407 min. is uncommon for the variation series.

The peculiar feature of the mean estimate is a significant dependence of the indicator value on outliers – too big or too small characteristic values (time expenditures for case handling), which consequently may cause biasing of the indicator values. In order to negate the drawbacks, the other average measure is used – **adjusted mean**. To calculate the adjusted mean estimate one should trim the variation series on both sides: a certain number of most time-consuming and least time-consuming cases are not taken into account.

When calculating the adjusted mean, a principle of “two sigma” was applied to trim the variation series: with a probability of 0.95 we may state that all the characteristic values deviate from the mean estimate by a variable not bigger than two standard deviations. I.e. when calculating the adjusted mean, the individual time estimates going beyond [407 min. \mp 2*317 min.] are to be trimmed. As a result, the following estimates were obtained: adjusted mean – 357 min., **adjusted standard deviation** – 203 min. Thus by trimming the variation series we got a significantly reduced characteristic dispersion: the minimum time spent for handling cases of the given type remained unchanged – 55 min., and the maximum time reduced by 2.5 times (from 2,630 min. to 1,020 min.). Even after trimming, however, the variation series remained non-homogeneous – a significant variation range [1,020 min.–55 min.] indicates significant outliers available and non-homogeneous population of the analyses (dispersion ratio is 57%).

The median is a point with a similar number of the variation series elements on its both sides, therefore it divides the series into halves. Accordingly, the peculiar feature of the median is its independence of the extreme points (outliers). Therefore, the median time for ownership cases makes 320 min. It means that of the 285 ownership cases arranged by the processing time estimates in ascending order, 143 cases are handled for up to 320 min. and the remaining 143 cases are handled for over 320 min.

Unlike the median, the 25th percentile is a characteristic value (time) segregating $\frac{1}{4}$ of cases (25%) with the smallest proceeding time, and the 75th percentile segregates $\frac{3}{4}$ (75%) of cases with the smallest proceeding time. I.e. it implies that hearing of $\frac{1}{4}$ of all ownership disputes last up to 210 min., and of $\frac{3}{4}$ of all similar disputes – up to 500 min. The difference between the two is the so-called interquartile range that makes 290 min.

Thus the calculation of the specified characteristic values of the variation series was made by all 150 case types within the 10 identified generic case types. The analyses of the obtained data showed that the mean estimate is not typical for any case type. Even after the trimming process, the dispersion ratios for the adjusted mean made approximately 60%. Basically it means that application of the mean estimate as the principal value of variation series may lead to a significant estimate biasing and low reliability of the study results. Following the above mentioned, we decided to apply the median as the average case proceeding indicator.

Outcomes. Chief Judges of 439 out of the 666 local courts (66%) returned completed questionnaires.

Tables 1 – 10 in Appendix A present statistics summarizing the time estimates and other responses provided by the judges. For illustrative purposes, the first part of Table 1 for Civil Claim-Based Cases is set out below including the explanation. For each specific type of case, the first column of the table shows the number of courts that provided time estimates, whereas the last column shows the number of courts that reported not having enough experience to provide the estimates. The remaining columns of the table show summary statistics for the *total amount of time* required to process a specific type of case.⁹

⁹ These tables do not include summaries of the time estimates for the case handling activities in the boxes where those were requested to be provided. This information, however, will be used during the focus group to evaluate the sufficiency of the case weights.

Table 1: Civil Claim-Based Cases

Type of Case	Number of Estimates	Median	25th Percentile	75th Percentile	Interquartile Range	Mean	Standard Deviation	Minimum	Maximum	Adjusted Mean	Adjusted Standard Deviation	Adjusted Minimum	Adjusted Maximum	Number of Courts Reporting Lack of Experience to Provide the
1 Ownership and other material rights disputes: state property	285	320	210	500	290	407	317	55	2630	357	203	55	1020	155
2 Ownership and other material rights disputes: communal property	316	325	220	469	249	406	336	55	2630	357	197	55	1060	124
3 Ownership and other material rights disputes: private property	432	325	210	494	284	404	327	54	3310	360	202	54	1050	8
4 Intellectual property disputes	128	423	255	608	353	511	418	80	2620	453	263	80	1140	312
5 Disputes arising from purchase & sale contracts	422	328	220	480	260	411	339	60	3030	371	206	60	1080	18

Tables 1a through 10a and Tables 1b through 10b (Appendix B) show plots for each type of case included in the questionnaire. These plots were developed using three types of data. The median of the estimates for each case type is designated with a diamond shape and also has the numerical value alongside. As explained above, we used the median rather than the mean as an indicator of the average estimate because the median moderates the impact of extremely low or extremely high estimates. This is the main type of data used. The vertical box itself illustrates the range within which the middle 50% of the estimates for a given case type fell and thus helps demonstrate how diverse the estimates are. The value at the bottom of each box is the 25th percentile of the estimates and the value at the top is the 75th percentile of the estimates. The numbers along the horizontal axis of the plots designate the case type according to the key provided for each table. The numerical lists of cases were taken from the questionnaires.

Most major types of cases have two tables. The tables in “Set a” present the plots in numerical order of the case types. For example, Table 1a shows the plots for each of the 50 criminal case types starting with "1. Intentional homicide" and ending with "50. Crimes against the established order of military service (military crimes)." “Set b” includes similar plots, but they are reordered so that the case type with the lowest median appears first and the case type with the highest median appears last. The “Set b” plots help illustrate which case types require similar amounts of time. There is no specific table for civil order-based cases because all three types had the same median.

The estimated case weights based on the estimation survey should be relatively precise in reflecting how time-consuming different types of cases are in comparison to one another. To examine how time-consuming cases are in comparison to one another, the table in Appendix C scales them so that a weight of 1 indicates the type of case which takes the average amount of time among all types of cases. Values greater or lower than 1 are assigned to the case types

requiring more or less than the average time estimate. For example, civil claim-based disputes arising from lease agreements have a scale value of 1.02, which implies that among all other case types they take about the average amount of time. In contrast, criminal cases involving premeditated severe bodily injury are scaled 2.80 indicating they take much more time than the average case, and civil order-based cases are scaled as 0.16 indicating they take much less time than the average time estimate.

Based on our calculations, the average time spent on case examination of any type makes 313 minutes (within median). The number of cases requiring more time than on average: criminal cases, majority of civil claim-based cases (60%) and insignificant share of administrative cases (10%).

A major purpose of the objective time study and the focus groups is to assess whether the time estimates obtained in the course of the study are over- or under-estimates in a broad sense. However, another analysis would be useful in this regard.

Estimated case weights based on subjective reports may unduly reflect the rare cases taking a substantial amount of judge time and may discount the more common cases requiring relatively less judge time. For example, the estimated case weight for homicide cases may reflect only the aggravated cases of this type. Social psychological research refer to the source of this type of judgmental bias as the availability heuristic, which means that people basically have better memory for non-typical events. We managed to partially mitigate the issue of over-estimation of time, which emerged due to the availability of rare and uncommon cases in the case samples, by applying the median time rather than the average estimated time as an average unit. Nevertheless, we examined whether the estimated case weights were unbiased by using the information about the number of cases terminated in the general jurisdiction trial courts during the first six months 2012 and the number of hours a judge typically spends working on cases within a year.

Currently no objective estimate of time which judges in the general jurisdiction trial courts spend directly on cases per year is available, however the below objective time study produced such an estimate. For purposes of the current analyses, we assumed that 1) judges worked 1,840 hours per year, with 70% of the time (1,288 hours) spent directly on cases and 30% of the time spent on other activities such as court and office administration, review of legal materials, education, and public relations; or 2) judges worked 1,720 hours per year, with 70% of the time (1,204 hours) spent directly on cases and 30% of the time spent on other activities. We based these assumptions on the information provided by the Council of Judges and the reports on the objective time study conducted in other courts.¹⁰

Using case weights, a *weighted caseload* for a court can be calculated by multiplying the number of cases of each case type by the weight (complexity ratio) for respective case types. As noted in Footnote 7 above, there may be several approaches in applying the case weights: to multiply the case weights by cases pending from the previous year (backlog), by newly filed cases in the year, by all pending cases (filings and backlog), or by resolved cases in the year. Each calculation answers a different question. Multiplying the case weights by the number of resolved cases can help determine if the case weights based on the estimation survey are over- or under-estimates; if the resulting weighted caseloads suggest that judges worked unreasonably long or short hours, this indicates the case weights are over- or under-estimated.¹¹

¹⁰ A representative of the Council of Judges provided annual estimates of 1,840 and 1,720 hours. Objective time studies in other court systems have found that judges overall spend two-thirds of their time directly on cases.

¹¹ If the case weights have been calculated or validated by objective time data, this calculation can help determine whether the judges worked unreasonably long or short hours to handle their caseload.

This analysis is based on assumption that the time measures recorded by the judges are overestimated. Multiplying the case weights by the number of resolved cases within the first six months of 2012 suggests the following: if the estimated weights based on the estimation survey were accurate, each of the 4,406 judges would have worked 2,115 hours per year directly on cases. This number of hours seems unreasonably high. For the case weights to comply with the weighted caseload of 1,288 hours per year they would need to be adjusted downward by 0.61 times, and to comply with the weighted caseload of 1,204 hours per year - need to be adjusted downward by 0.57 times. The adjusted case weights are shown in Appendix C.

Apparently, and considering the experience from other studies, some of the estimated case weights based on the estimation survey are more accurate than others and therefore should be differentially adjusted. Ultimately, to finalize the set of case weights to be used in assessing the quantitative need for judges, a focus group of experienced judges should consider the estimated weights based on the estimation survey (Appendices B and C) in view of the time estimates for the case related activities, the appropriately adjusted estimated weights, and the outcomes of the objective time study.

Objective Time Study

Over a six-week period, from October 15, 2012 until November 20, 2012, judges from 84 general jurisdiction trial courts recorded all the time they spent working on cases and other judicial activities. The SJA selected the courts to participate in the study based on a representative list, previously compiled for another purpose. The list took into account the geographic location of the court and its size (small, medium, large), and ensured representation of all types of general jurisdiction trial courts throughout Ukraine. After receiving the initial list, FAIR developed a list of 19 courts it had actively cooperated with in the past and asked the SJA to determine if it was possible to add them to their list without breaking the logic of the sample. This was done to ensure a better response rate. As a result, nine courts on the original SJA list were substituted with the courts suggested by FAIR. The list of participating courts is shown in the below table; the number of judges that are currently working the courts is slightly lower than the number shown in the table.

Court Name	Town/City	Oblast/Region	Number of Judges
Yevpatoriya City Court	Yevpatoriya	Autonomous Republic of Crimea	14
Sudak City Court	Sudak	Autonomous Republic of Crimea	4
Chornomorske District Court	Chornomorske	Autonomous Republic of Crimea	4
Bar District Court	Bar	Vinnytsya oblast	5
Pohrebishche District Court	Pohrebishche	Vinnytsya oblast	4
Tyvriiv District Court	Tyvriiv	Vinnytsya oblast	4
Chernivtsi District Court	Chernivtsi	Vinnytsya oblast	3
Kovel City District Court	Kovel	Volyn oblast	13
Ratne District Court	Ratne	Volyn oblast	4
Marhanets City Court	Marhanets	Dnipropetrovsk oblast	5
Novomoskovsk City District Court	Novomoskovsk	Dnipropetrovsk oblast	12
Pershotravensk City Court	Pershotravensk	Dnipropetrovsk oblast	4
Pokrovske District Court	Pokrovske	Dnipropetrovsk oblast	3

Amur-Nyzhnyodniprovskiy District Court	Dnipropetrovsk	Dnipropetrovsk oblast	10
Zhovtneviy District Court	Kryviy Rih	Dnipropetrovsk oblast	11
Velyka Novosilka District Court	Velyka Novosilka	Donetsk oblast	4
Maryinka District Court	Maryinka	Donetsk oblast	7
Shahtarsk City District Court	Shahtarsk	Donetsk oblast	12
Yasynuvata City District Court	Yasynuvata	Donetsk oblast	9
Petrovskiy District Court	Donetsk	Donetsk oblast	8
Ordzhonikidze District Court	Mariupol	Donetsk oblast	11
Primorskiy District Court	Mariupol	Donetsk oblast	8
Yemilchyne District Court	Yemilchyne	Zhytomyr oblast	4
Novohrad-Volynskiy City District Court	Novohrad-Volynskiy	Zhytomyr oblast	11
Chervonoarmiysk District Court	Chervonoarmiysk	Zhytomyr oblast	3
Volovets District Court	Volovets	Zakarpattia oblast	3
Khust District Court	Khust	Zakarpattia oblast	8
Velyka Bilozerka District Court	Velyka Bilozerka	Zaporizhya oblast	3
Vesele District Court	Vesele	Zaporizhya oblast	4
Kuibysheve District Court	Kuibysheve	Zaporizhya oblast	4
Orikhiv District Court	Orikhiv	Zaporizhya oblast	6
Verkhovyna District Court	Verkhovyna	Ivano-Frankivsk oblast	3
Ivano-Frankivsk City Court	Ivano-Frankivsk	Ivano-Frankivsk oblast	19
Baryshivka District Court	Baryshivka	Kyiv oblast	4
Bila Tserkva City District Court	Bila Tserkva	Kyiv oblast	25
Volodarka District Court	Volodarka	Kyiv oblast	4
Myronivka District Court	Myronivka	Kyiv oblast	5
Kirovograd District Court	Kirovograd	Kirovograd oblast	6
Novoukrainka District Court	Novoukrainka	Kirovograd oblast	6
Oleksandriya City District Court	Oleksandriya	Kirovograd oblast	14
Markivka District Court	Markivka	Luhansk oblast	3
Rubizhne City Court	Rubizhne	Luhansk oblast	9
Starobilsk District Court	Starobilsk	Luhansk oblast	7
Leninskiy District Court	Luhansk	Luhansk oblast	13
Drohobych City District Court	Drohobych	Lviv oblast	12
Zhovkva District Court	Zhovkva	Lviv oblast	5
Chervonohrad City Court	Chervonohrad	Lviv oblast	7
Lychakivskiy District Court	Lviv	Lviv oblast	10
Arbuzinka District Court	Arbuzinka	Mykolayiv oblast	3

Berezanka District Court	Berezanka	Mykolayiv oblast	4
Vradiyivka District Court	Vradiyivka	Mykolayiv oblast	4
Velyka Mykhaylivka District Court	Velyka Mykhaylivka	Odesa oblast	3
Savran' District Court	Savran'	Odesa oblast	3
Frunzivka District Court	Frunzivka	Odesa oblast	3
Primorskiy District Court	Odesa	Odesa oblast	34
Komsomolsk City Court	Komsomolsk	Poltava oblast	5
Novi Sanzhari District Court	Novi Sanzhari	Poltava oblast	4
Poltava District Court	Poltava	Poltava oblast	8
Oktyabrskiy District Court	Poltava	Poltava oblast	15
Berezna District Court	Berezna	Rivne oblast	4
Rivne District Court	Rivne	Rivne oblast	7
Bilopillya District Court	Bilopillya	Sumy oblast	5
Lebedyn District Court	Lebedyn	Sumy oblast	5
Zarichniy District Court	Sumy	Sumy oblast	13
Berezhany District Court	Berezhany	Ternopil oblast	5
Zboriv District Court	Zboriv	Ternopil oblast	4
Valki District Court	Valki	Kharkiv oblast	4
Zolochiv District Court	Zolochiv	Kharkiv oblast	3
Lyubotyn City Court	Lyubotyn	Kharkiv oblast	3
Kharkiv District Court	Kharkiv	Kharkiv oblast	12
Chuhuyiv City Court	Chuhuyiv	Kharkiv oblast	9
Hola Prystan District Court	Hola Prystan	Kherson oblast	6
Hornostayivka District Court	Hornostayivka	Kherson oblast	3
Kamyanets-Podilsky City District Court	Kamyanets-Podilsky	Khmelnitsky oblast	16
Krasyliv District Court	Krasyliv	Khmelnitsky oblast	4
Korsun-Shevchenkivskiy District Court	Korsun-Shevchenkivskiy	Cherkassy oblast	4
Khrystynivka District Court	Khrystynivka	Cherkassy oblast	3
Chornobay District Court	Chornobay	Cherkassy oblast	5
Hlyboka District Court	Hlyboka	Chernivtsi oblast	4
Pershotravneviy District Court	Chernivtsi	Chernivtsi oblast	8
Kozelets District Court	Kozelets	Chernihiv oblast	6
Novohrad-Siverskiy District Court	Novohrad-Siverskiy	Chernihiv oblast	4
Semenivka District Court	Semenivka	Chernihiv oblast	3
Pecherskiy District Court	Kyiv	Kyiv city	34

The judges used standard reporting forms to record their work contemporaneously throughout each day of the six-week study period. For case related activity, the judges used codes to describe the types of cases they were processing, as well as the locations in which they worked (e.g., office, courtroom, deliberation room, home, other), the task they performed (e.g., conducting case hearing, writing decision), and indicated in hours and minutes the time devoted to the activity. They also indicated whether the case was a panel case, whether they chaired the panel of judges, whether the case involved a juvenile, and whether the case was affected by

case-processing delays.¹² The judges also used codes to report the time spent on the activities not related to specific cases (e.g., administration, education, court governance, official travel).

The judges were instructed to record their time within the printed logs in the “Questionnaire and Activity Log Booklet”, which were provided by the study administrators. At the end of each day, they were to incorporate the data from the printed log/logs for that day into a standard Excel file provided by the study administrators. At the end of each week of the reporting period, they were to forward the Excel file for the respective week to the study administrators.

In addition, at the beginning of the time-recording period, the judges were asked to complete a “Start Up Questionnaire.” The purpose of this questionnaire was to collect contextual information that would help interpret the other data collected during the study. Part A of this questionnaire requested the judges to provide basic information about themselves and the type of cases they handled. Part B of the questionnaire requested the judges to provide information about the working conditions in their court. The judges were also asked to complete a questionnaire upon the completion of the time-recording period. The purpose of this questionnaire was to obtain information reflecting if the activities the judges were carrying out during the study differed from the typical ones, including the judges’ feed-back on the study progress.

¹² Since many judges recorded the time spent on the various case types, there was no need for them to record the time spent from the beginning to the end of any given case.

Outcomes of the Study

Start Up Questionnaire. 253 of the 570 judges employed in the study courts (44%) completed and returned the Start Up Questionnaire. The respondents were split almost equally between men (51%) and women (49%). They ranged in age from 27 to 64, with an average age of 42.6 years. They had served as judges from one month to over 30 years, with the average length of service being 9.5 years. About 17% (43) were chief judges and 9% (23) were deputy chief judges at the time they completed the questionnaire. About 35% (88) currently have a five-year judicial appointment and 65% (165) have a life appointment. As provided within the next table, the judges handle the full range of cases within the jurisdiction of the general trial courts.

	Number of respondents who currently handle relevant case types	Percentage of respondents who currently handle relevant case types
Criminal cases	208	82.2
Other proceedings related to criminal cases	216	85.4
Administrative offenses cases	223	88.1
Administrative offenses – enforcement of court decisions	184	72.7
Civil claim-based cases	222	87.7
Civil order-based cases	208	82.2
Civil cases - separate proceedings	216	85.4
Other proceedings related to civil cases	213	84.2
Administrative cases	217	85.8
Other proceedings related to administrative cases	186	73.5
Other	4	1.6

The judges who had experience of handling criminal cases, cases on administrative offenses, civil claim-based cases, and administrative cases were asked to rate the extent to which certain factors generated delay in processing those cases. The next pages contain four tables summarizing these responses. As described below, the factors most often rated as sources of delay included the notification/summons process, non-appearance and inadequate preparation of attorneys, non-appearance of trial parties and witnesses, and difficulty in scheduling trials due to lack of courtrooms or number of cases.

- For criminal cases, almost all respondents (92%) stated that non-appearance of trial parties and witnesses was either a moderate or major source of delay, and almost half (47%) stated that the notification/summons delays were either moderate or major sources of delay in cases processing. Over a third of respondents stated that difficulties in scheduling trials due to lack of courtrooms (36%) and non-appearance of attorneys (39%) were moderate or major sources of delay.
- For administrative offenses cases, over half of respondents (59%) stated that the notification/summons process was either a moderate or major source of delay.
- For civil claim-based cases, almost all respondents (88%) stated that non-appearance of trial parties and witnesses was either a moderate or major source of delay and almost two-thirds (63%) stated that the notification/summons process was either a moderate or major source of delay. About a third stated that difficulty in scheduling trials due to lack of courtrooms (34%), inadequate preparation of cases by attorneys (35%) and non-appearance of attorneys at trials (34%) were moderate or major sources of delay.
- For administrative cases, many respondents (78%) stated that non-appearance of trial parties and witnesses was either a moderate or major source of delay, and over half (57%) stated that the notification/summons process was either a moderate or major

source of delay. About a third stated that difficulty in scheduling trials due to the number of assigned cases (35%) was a moderate or major source of delay.

CRIMINAL CASES: Potential Source of Delay	Minor source of delay		Moderate source of delay		Major source of delay	
	Number	Percent	Number	Percent	Number	Percent
Delay in the notification/summons process	50	23.3	64	29.8	38	17.7
Difficult to schedule trials because I have too many cases assigned to me	22	10.2	36	16.7	17	7.9
Difficult to schedule trials because there are too few courtrooms	32	14.9	54	25.1	23	10.7
Postponement of trials due to technical problems with audio-recording equipment	23	10.7	17	7.9	5	2.3
Inadequate preparation of cases by prosecutors	46	21.4	31	14.4	7	3.3
Inadequate preparation of cases by other attorneys	55	25.6	32	14.9	2	0.9
Non-appearance of prosecutor at trial	31	14.4	11	5.1	10	4.7
Non-appearance of other attorneys at trial	67	31.2	58	27.0	26	12.1
Non-appearance of parties and witnesses at court proceedings	10	4.7	57	26.5	141	65.6

Percentages based on responses of 215 judges who reported experience with criminal cases.

ADMINISTRATIVE OFFENSES CASES: Potential Source of Delay	Minor source of delay		Moderate source of delay		Major source of delay	
	Number	Percent	Number	Percent	Number	Percent
Delay in the notification/summons process	45	23.8	48	25.4	63	33.3
Difficult to schedule trials because I have too many cases assigned to me	16	8.5	29	15.3	10	5.3
Difficult to schedule trials because there are too few courtrooms	9	4.8	15	7.9	8	4.2

Percentages based on responses of 189 judges who reported experience with administrative offenses cases.

CIVIL CLAIM-BASED CASES: Potential Source of Delay	Minor source of delay		Moderate source of delay		Major source of delay	
	Number	Percent	Number	Percent	Number	Percent
Delay in the notification/summons process	45	20.6	47	21.6	90	41.3
Difficult to schedule trials because I have too many cases assigned to me	17	7.8	44	20.2	30	13.8
Difficult to schedule trials because there are too few courtrooms	31	14.2	35	16.1	18	8.3
Postponement of trials due to technical problems with audio-recording equipment	36	16.5	22	10.1	7	3.2
Inadequate preparation of cases by other attorneys	52	23.9	57	26.1	19	8.7
Non-appearance of other attorneys at trial	68	31.2	49	22.5	26	11.9
Non-appearance of parties and witnesses at court proceedings	18	8.3	62	28.4	130	59.6

Percentages based on responses of 218 judges who reported experience with civil claim - based cases.

ADMINISTRATIVE CASES: Potential Source of Delay	Minor source of delay		Moderate source of delay		Major source of delay	
	Number	Percent	Number	Percent	Number	Percent
Delay in the notification/summons process	32	16.1	43	21.6	71	35.7
Difficult to schedule trials because I have too many cases assigned to me	11	5.5	45	22.6	24	12.1
Difficult to schedule trials because there are too few courtrooms	17	8.5	24	12.1	18	9.0
Postponement of trials due to technical problems with audio-recording equipment	26	13.1	13	6.5	10	5.0
Inadequate preparation of cases by other attorneys	52	26.1	27	13.6	14	7.0
Non-appearance of other attorneys at trial	58	29.1	31	15.6	10	5.0
Non-appearance of parties and witnesses at court proceedings	31	15.6	59	29.6	97	48.7

Percentages based on responses of 199 judges who reported experience with administrative cases.

The judges were also asked to identify any procedural requirements that led to delays in the various types of cases. Many of the responses to these questions repeated the factors

that were set out in the tables. In addition, however, the following procedural aspects were noted:

Criminal cases:

1. The delivery of criminal defendants to court only every ten days causes major scheduling issues;
2. Short procedural terms for consideration of cases, for preparation and delivery of documents to the parties are closely related to delays in the work of postal services;
3. The requirement to read the whole text of the court decision aloud, as well as the inability to prepare and read an abridged decision and prepare the complete text later;
4. Poor functioning of the electronic case management system installed at the court, especially its low operational speed;
5. Extended amounts of time required to complete forensic and other expert assessments;

Administrative offenses cases:

1. Need to either have the defendant physically present, or establish his/her ID code to hear the case *in absentia*;
2. Short terms (in particular a 24-hour period) for hearing certain types of cases;
3. Inappropriate preparation of the case file.

Civil claim-based cases:

1. The procedure for considering applications to secure claims, which requires the judge to go to the deliberation room, is too time-consuming;
2. Requirement to establish the place of residence of a person via an application to relevant authorities, even if the place of residence is indicated within official documents;
3. Requirement to apply to authorities for other types of information;
4. Abuse by parties of the rights provided to them under the Civil Procedure Code;
5. High caseload that cannot be managed within the required procedural terms;
6. Representation of the trial parties *pro se*, or by poorly qualified attorneys;
7. Extended amounts of time required to complete expert assessments.

Administrative cases. The judges indicated the following major problems:

1. Lack of single guidance needed to consistently apply law across judges and courts;
2. Very short terms for considering administrative cases related to actions or omissions by authorities, and generally rather short procedural terms;
3. Large number of applications with wrong jurisdiction;
4. Untimely delivery of documents to parties;

5. Poor functioning of the electronic case management system.

When asked to suggest possible solutions to the above issues and to provide insights on any other actions that might improve court operations, the judges mentioned the following:

1. The courts should be adequately funded and the court staff should receive decent salaries;
2. Remuneration for overtime work should be introduced;
3. The state should enforce the execution of court decisions in a more rigorous way;
4. Fines should be imposed for failure to comply with court rulings;
5. Vacant positions of judges and court staff should be filled and frequent transfers of judges from court to court should be stopped;
6. A procedure should be adopted to allow rotation of judges across courts and/or employment of part-time judges when needed;
7. The random case assignment process should be improved;
8. The chief judge and his deputy need to obtain the right to modify case assignment to meet urgent needs;
9. Some case types should be resolved by some authorities without involving the court;
10. Many cases, such as petty administrative offences and misdemeanors should not fall under the jurisdiction of courts;
11. Specialization of judges should be introduced in all courts;
12. Mediation and pacific settlement of disputes should be used as much as possible;
13. Clear guidelines should be developed with regard to interpretation of certain law provisions;
14. The courts should have adequate facilities with sufficient number of court rooms;
15. The court should be adequately equipped with computer facilities;
16. Conduct the case hearing voice recording only if requested by parties, since not all court rooms are adequately equipped;
17. Case management system should be improved;
18. The court should have direct access to place of residence data, as well as to State Tax ID Registry of Natural Persons;
19. Only licensed practicing lawyers should be allowed to appear in court, no *pro se* representation should be allowed;
20. Requirement to prepare text of court decision during five calendar days should be altered to five working days;
21. Judges should have the opportunity to issue brief decisions in criminal cases;

22. The process of transportation of criminal defendants has to be improved, or alternatives are to be provided;
23. Establish a special court courier service to ensure timely delivery of documents to parties;
24. Citizens should be made aware of their legal rights.

End-of-Study Questionnaire. 225 judges submitted completed end-of-study questionnaires. Approximately two-thirds of the respondents (66%, 149 respondents) stated that the number and type of cases they were processing during the time study period was fairly representative of their normal workload. About 12% (28 respondents) stated that they were handling more cases than usual, whereas 21% (48 respondents) stated that they were handling fewer cases than usual. Several judges noted that they participated in training during the study period and therefore worked fewer hours on cases.

59% of judges (132) stated that the number of days they were working during the time study was representative of a normal 6-week period for the time of the year. About 15% of the respondents (33 respondents) stated that they worked more days than usual and about 16% (36 respondents) stated that they worked fewer days than usual; about 10% did not answer this question.

Nearly all of the judges who submitted a completed questionnaire (195 respondents, 87%) stated that they worked on criminal cases, but only a few judges (6 respondents) noted they were handling criminal cases under the new criminal procedural code (CPC) during the study period. Nevertheless, as seen in the below table, most respondents provided an opinion on how the new CPC would affect the time needed to process cases. Many participants mentioned that it was very hard for them to evaluate the potential impact of the new CPC, because they have not had any practical experience of working with it. They seem to believe that while certain aspects of the CPC simplify the process, the other ones are rather complex, especially those pertaining to the preparation for trial and introduction of a new position of the “judge-investigator.” The participants also were unsure about how the plea agreement procedure would work and how it would affect their time. The participants also mentioned that inadequate court facilities, especially the absence of courtrooms and voice recording devices will create delays in working under the new CPC.

	Number of Respondents	Percentage of Respondents
<i>It will somewhat reduce the overall time</i>	76	33,7%
<i>It will somewhat increase the overall time</i>	28	12,5%
<i>It will considerably increase the overall time</i>	108	48,5%
<i>Answer not available</i>	12	5,3%

The study participants were also asked for any comments they had about the study progress and contents. Several participants questioned whether the study could adequately evaluate the judges workload due to differences among individual cases and introduction of the revised procedures under the new CPC. Other participants noted that the study was very important, should be completed as soon as possible, and should be used to find out whether the courts are able to handle their current workload and ensure the hearing of cases “within reasonable timescales” in compliance with Article 6 of the Human Rights Convention. Several chief judges noted that all the judges of their court worked on the study in good faith and look forward to seeing the results. There were no complaints about the study.

Time Measurements. Approximately 66% (375) of the 570 judges who had been working in the participating courts at the time of the study provided electronic time logs (time reports) for at least a portion of the study period. The participating judges forwarded back an average of 34 time reports each covering 25 working days on average. It should be mentioned that 26 of the 252 judges who submitted a completed “Start-Up Questionnaire” did not provide any electronic time records, neither did 8 of the 225 judges who returned the “End-of-Study Questionnaire” (See below). Nevertheless, the participation rate is quite satisfactory given the novelty of the study to the Ukrainian judicial system and the difficulty in keeping the time log and making time records.

We last received the Excel time-report files from the courts in mid-December 2012 and subsequently processed them into a single database. Since some of the judges used earlier versions of the Excel program to complete their files, we encountered some unanticipated problems in compiling the time reports into a single database. Therefore, we developed a computer program to identify errors in the files. For each line of data in each Excel time-report file, this program produced an error report (if any) due to 35 indicators. Many of the identified errors could be corrected without referring to the original Excel time-report files, yet others required consultations with the original files. It was a time-consuming process that had to be done systematically to avoid introducing new errors.

To avoid similar data processing issues when conducting future case weighting studies for the other courts, we recommend holding training sessions for judges (and their primary staff persons) who are to participate in further studies. The current study relied solely on comprehensive written instructions due to the geographical dispersion of the participating courts and various number of judges in those courts. Holding training sessions would be more relevant when conducting case weighting studies for the types of courts with fewer court locations and fewer judges. In addition, it is imperative for judges to obtain the version number of the Excel program compatible with the template file version provided to them when launching the study, that would allow for adequate processing of the submitted time reports. In addition, we suggest that Ukrainian project staff review the quality of the Excel files as they are submitted, checking the accuracy of basic information such as Judge Code, District Code, and Date and making appropriate adjustments.

Our objective case weight study was based on the time reports that judges submitted electronically. For future studies, we recommend that Ukrainian project staff contact judges who complete any start-up or end-of-study questionnaire and do not submit electronic time reports to make sure they complete the time log records. In addition, the project staff should make sure that all judges who submitted hard-copy time reports also provided the electronic time reports.

The assumptions we made in processing the time reports include the following:¹³

¹³ Other assumptions made in processing the time reports and compiling the database included the following: If a judge put an “X” or a similar mark in the boxes requiring a YES/NO answer, we assumed the judge implied YES; these boxes included questions whether the case was a panel case, whether the judge was head of the judicial panel, whether the case involved a juvenile, and whether the case was affected by processing delays. If a judge put YES (or other mark) in the panel question box yet left the presiding judge box blank, we assumed the presiding judge box answer was NO.

We did not correct the data imperfections and shortcomings: A judge provided a general case type code yet did not specify the individual case type code (See the related adjustment we made in the case weight calculation). A judge did not provide the location in which the reported activity took place or the location provided was inconsistent with the type of the activity reported. A judge provided a case type code and time report, but did not provide any activity code or provided an inconsistent case type code. When multiple activity codes were provided for one time estimate, we did not attempt to determine exactly how much time was attributed to each type of activity.

- For some time reports, a judge provided a specific case type code that was inconsistent with the generic case type code provided by the judge. With a few exceptions, if the specific case type code was reasonable, we assumed it was correct and altered the generic case type code to correspond with the specific one. If the specific case type code was not reasonable, we assumed the generic case type code was correct and treated the specific case type code as missing. For example, if a judge indicated the generic case type code as “5” (Separate Proceedings) but provided the specific case type code as “328” (a legitimate code within the “300” range), we would assume the specific case type code was correct and the generic case type code was “3.” However, if the judge indicated the generic case type code as “5” whilst the specific case type code was “398” (non-legitimate code within the “300” range), we would assume the generic case type code of “5” was correct and the specific case type code was missing.
- There are restrictions to the above assumption as follows:
 - For combinations of generic case type code “2” (Other Criminal Proceedings) and a legitimate specific case type code within the “100” range for criminal cases, we assumed the general code was correct.
 - For combinations of generic case type code “10” (Cases Related to the Enforcement of Rulings on Administrative Offenses) and a legitimate specific case type code within the “900” range for administrative offenses, we assumed the general code was correct.
- If the judge provided a legitimate generic case type code (i.e., “1” through “10”) but did not provide a specific case type code for the time report, we assumed the generic case type code was correct and the specific case type code was missing.
- If the judge provided a legitimate specific case type code but did not provide a generic case type code for the time report, we assumed the generic case type code was the one consistent with the specific case type code provided.
- If the judge indicated one time entry related to more than one case type, the time entry was divided equally among the types of cases to which the judge said it pertained. For example, if the judge reported 45 minutes of time and indicated it pertained to the specific case codes of “301” and “328”, 22.5 minutes of time was attributed to specific case type “301” and 22.5 minutes was attributed to specific case type “328”.

Once this process was completed, we used the obtained data for calculation of the estimates based on the estimation survey, as well as calculation of objective case weights.

The calculation of the objective case weights entailed dividing the amount of time reported for each specific case type by the number of cases of that type on the judges dockets. The same calculation was done for the generic case type “Cases Related to the Enforcement of Rulings on Administrative Offenses”, for which there are no specific case types. The calculations included the following assumptions and adjustments:

- Our objective case weight analyses was based on the electronic time reports we received from the judges. It is possible that some judges kept time records but did not return them electronically. For future studies, we recommend that the Ukrainian project staff contact judges who complete any Start-Up or End-of-Study Questionnaire yet do not return the electronic time reports, so that to make sure the judges have completed the time records. In addition, the Ukrainian project staff should ensure all judges who returned hard copy time logs also returned them as electronic versions.
- Caseload statistical reports pertaining specifically to the participating courts were not available. We therefore based our study on a six-month statistical report adjusting the caseload numbers for the number of judges who participated in the study and the extent to which they returned time reports for each day during the study period. Thus the assumption follows that the judges who participated in the study handled a caseload

representative of the remainder of the judiciary.¹⁴ The caseload numbers also were adjusted to reflect the length of the study period.¹⁵

- There is a difference of opinion on whether the case weight calculations should be based on the number of filed cases or the number of cases being processed, but the majority view is that they should be based on filed cases. Therefore, we followed this approach.
- We did not know the specific case type for some time estimates for which we knew the generic case type. This time was distributed across the specific case types within the generic case type in proportion to the amount of time reported for each specific type of case.
- Similarly, we did not know either the generic or specific case type for some time reports. This time was distributed across all the specific case types (and generic Case Type 10) in proportion to the amount of time corresponding with each case type.
- Judges were instructed to use code “R” (other official duties) if they were on call to hear election cases but were not actually considering a specific case. And it appeared that most judges did so. When verifying the data, we also entered the code R if the judge indicated the time was spent for that purpose.

The tables in Appendix D show the objective case weights for each specific case type and for the generic case type “Cases Related to the Enforcement of Rulings on Administrative Offenses”, for which there are no specific case types (See Column B). The tables also show the weight for each case type from the estimation survey study; both the median estimate (Column C) and the mean estimate (Column D) are provided, although the median estimate is the most stable and best estimate for comparison with the objective weights (See the description of the estimation survey earlier in the report). Columns E, F, G, and H provide some additional information about the objective case weight calculations that might be useful in evaluating those.

¹⁴ Specifically, this required multiplying the caseload statistics by 0.074. 375 of 4406 (8.5%) judges from general jurisdiction trial courts participated in the study, however not all of them returned the completed time logs. If all 4406 judges had fully participated in the study and returned the time reports for each working day during a six-week study period, they would have returned time reports for 132,180 working days. Yet we received the reports for 7% of 132,180.

Judges were instructed to return reports with a designation “Nothing to Report About” if they did not work on any day during the study period. We know, however, that not all judges did so, so we made a further adjustment to account for this. Based on this adjustment, we estimated that we had time reports pertaining to 7.4% of the caseload..

¹⁵ Specifically, this involved multiplying the caseload statistics by 0.231 (namely six weeks divided by 26 weeks).

Preliminary Findings-Based Conclusion

Chief Judges 66% of the 665 local courts returned a completed questionnaire during the estimation survey. This is a higher response rate than in previous studies of its kind in Ukraine, which is particularly note-worthy because completing the questionnaire was more time-consuming than the previous questionnaires. Please note that for most types of cases, the judges were to estimate the amount of time required for the major case-related activities, as well as the total time needed to process the case. This procedure tends to produce more reliable estimates.

The estimated case weights obtained in the course of the estimation survey are supposed to serve relatively good approximations of how time-consuming different types of cases are in relation to one another.

For example, the outcomes indicate that the most time-consuming type of criminal case requires almost three times more time than the least time-consuming types of criminal cases. Similarly, the most time-consuming type of civil case requires over three times more time than the least time-consuming type of civil case.

It is also possible to compare time requirements within major types of cases. For example, the most time-consuming criminal case requires about 14.4 more time than the typical administrative misdemeanor case, whereas the least time-consuming type of criminal case still requires over five times more time. The most time-consuming type of criminal case requires about 2.5 times more time than the most time-consuming type of civil case, and the least time-consuming type of criminal case requires almost three times more time than the least time-consuming type of civil case.

A major purpose of the objective time study was to assess whether the time estimates provided in the estimation study are over- or under-estimated. However, we conducted another analysis that is useful in this respect, using information about the number of terminated cases in the local trial courts during the first six months of 2012 and the estimated number of hours a judge typically spends working on cases within a year.

This analysis suggested that the time estimates provided by the judges are overestimated. The study authors worked in conjunction with the SJA and Council of Judges to outline the assumptions causing the above conclusion.

Approximately 44% (273) of the 570 judges currently working at the participating courts (44%) completed and returned the Start-Up Questionnaire for the objective time study. These judges evaluated certain factors generating delays in processing of criminal cases, administrative offenses cases, civil claim-based cases, and administrative cases. They also identified procedural requirements that led to delays in the various types of cases, and provided recommendations for improving the operation of the courts.

The Final Outcomes

With a view of finalizing the study and based on the results from both the first and the second phase of the study, the authors made adjustments to the estimates of the average time spent for case proceeding by specific case types. The need for the adjustment was determined by a range of objective and subjective factors, namely shortage of data on particular types of cases, potential availability of errors in the obtained statistical data, cases of incorrect completion of data diaries, etc.

The adjustment process included the following:

The estimates values from the two studies was analyzed: Judicial Questionnaire Study (questionnaires) and Objective Time Study (diaries).

The time assessment estimates were acknowledged acceptable as follows:

- for all 166 case types based on the judicial questionnaire study;
- for 119 case types based on the objective time study.

The estimates for 47 case types from the Objective Time Study were acknowledged unacceptable from the logical and statistical point of view and needed adjustment.

Further, the correlation of the time estimates for the case types with acceptable estimates (119 cases) from the two studies was identified. We identified that the correlation rate is quite high and significant, and a high correlation ratio (74%) allows application of the correlation-regression analyses methods with the view of calculating average time expenditures on the case types with unacceptable estimates.

An adequate univariable regression model was developed based on the judges survey. The average time estimates were calculated by using the above model.

The obtained model estimates were adjusted by ratio allowing to compare the average model estimates to the average variation series values based on the judges survey.

The “final value” indicators for the average time expenditures were set out as follows:

- to the case types which had acceptable assessment estimates based on the two studies, the objective study estimates were established (119 cases);
- the remaining cases (47) were assigned the estimates obtained as a result of the regression model.

Further, in order to verify the data obtained, on 5th June 2014 we conducted a focus-group discussion of the study results involving members of the Council of Judges of Ukraine, Judicial Council of Courts of General Jurisdiction of Ukraine, and the State Judicial Administration of Ukraine.

In the focus-group participants’ view, the study outcomes indeed demonstrate the real co-relation between the complexity of cases of different types and the time needed for their handling, and can be recommended for piloting.

The final case weights are listed in Appendix E (page 137).

Appendices

Appendix E: The Final Case Weights

Case type		Estimates according to logs: "1" - acceptable, "0" – need adjustment	Average time spent, min.:		Average time required to hear a case of a specific type (final), min.	Scaled case weight
			based on logs	based on estimation study		
101	Premeditated murder	0	2576	1080	1174	5.31
102	Deliberate grave bodily injury	1	792	875	792	3.58
103	Deliberate medium bodily injury	1	835	660	835	3.78
104	Crimes other than #1, #2, and #3 against the life and health of a person	1	759	540	759	3.43
105	Illegal deprivation of freedom or abduction of a person	0	3214	660	699	3.16
106	Human trafficking or other illegal agreement regarding a person	1	683	870	683	3.09
107	Crimes other than #5 and #6 against freedom, honor and personal dignity of a person	0	3624	618	651	2.95
108	Rape	0	1851	875	942	4.26
109	Crimes other than #8 against sexual freedom and sexual immunity of a person	0	.	830	891	4.03
110	Impeding the exercise of elections rights or rights to participate in referendums, work of election commissions, or work as official observers	0	.	480	496	2.24
111	Violation of immunity of residence	1	775	390	775	3.51
112	Violation of copyright and adjacent rights	1	371	595	371	1.68

113	Crimes other than #10, #11, and #12 against election, labor, and other personal human and citizen's rights and freedoms	1	148	468	308	1.39
114	Theft	1	342	420	342	1.55
115	Robbery	1	508	500	508	2.30
116	Armed robbery	1	897	600	897	4.06
117	Extortion	0	5596	580	609	2.76
118	Swindle	1	666	510	666	3.01
119	Appropriation, embezzlement, disposal of property through abuse of office	1	964	645	964	4.36
120	Production, storage, purchase, shipment, transfer, entry into Ukraine for purposes of sale and sale of forged money, state stock or state lottery bills	1	973	565	973	4.40
121	Contraband	1	762	720	762	3.45
122	Illegal production, storage, sale or shipment of excise taxable goods	1	86	515	300.5	1.36
123	Money laundering	1	144	748	446	2.02
124	Tax Evasion	0	1941	820	880	3.98
125	Illegal privatization of state and community property	0	14351	755	806	3.65
126	Crimes other than #20, #21, #22, #23, #24, and #25 in the field of economic activity	1	907	660	907	4.10
127	Crimes against the Environment	1	324	480	324	1.47
128	Crimes against Public Safety	1	198	480	198	0.90
129	Crimes against Safety of Production	1	638	640	638	2.89
130	Violation of safety rules on railroad, water or air transport	0	6640	648	685	3.10
131	Violation of the safety rules by drivers of transportation means	1	663	690	663	3.00

132	Illegal taking of possession of a transportation means	1	702	510	702	3.18
133	Crimes other than #30, #31, and #32 against safety of traffic and use of transport	0	2229	555	580	2.62
134	Hooliganism	1	585	540	585	2.65
135	Crimes other than #34 against public order and morality	1	394	510	394	1.78
136	Crimes in Drug Trafficking and Other Crimes against Public Health: Contraband	0	6034	615	648	2.93
137	Crimes in Drug Trafficking and Other Crimes against Public Health: Illegal Production, Purchase, Storage, Shipment, or Sale of Drugs	0	1484	600	631	2.86
138	Crimes in Drug Trafficking and Other Crimes against Public Health: Crimes in Drug Sales Other than # 36 and #37	0	6	510	529	2.39
139	Crimes other than #36, #37, and #38, in Drug Trafficking and against Public Health	0	8	520	541	2.45
140	Crimes related to the protection of state secret, border security, military draft and mobilization: Illegal Human Trafficking Across the Border	0	1992	600	631	2.86
141	Crimes other than #41 related to the protection of state secret, border security, military draft and mobilization	1	261	600	261	1.18
142	Crimes against the authority of state and local governments and citizen's unions: Threat or Violence against a Law Enforcement Office	0	2581	600	631	2.86

143	Crimes other than #43 against the authority of state and local governments and citizen's unions	1	170	570	370	1.67
144	Computer Crimes	0	2627	630	665	3.01
145	Abuse of office or power	0	1591	750	801	3.62
146	Excess of power or authority	0	1283	745	795	3.60
147	Bribery	0	1987	870	936	4.24
148	Crimes other than #45, #46, and #47 related to abuse of office	1	986	660	986	4.46
149	Crimes against Justice	1	276	510	276	1.25
150	Crimes against the Established Order of the Military	0	1059	525	546	2.47
201	Cases examination based on the motion of law-enforcement agencies	1	46	90	46	0.21
202	Examination of complaints against the actions and decisions of law-enforcement agencies	1	197	150	197	0.89
203	Case proceedings on exemption of individuals from criminal liability	1	28	60	28	0.13
204	Case flow based on victims' complaints referred to courts pursuant to article 27 of the Criminal Procedure Code of Ukraine	1	113	180	113	0.51
205	Case proceedings on application of compulsory measures of an educational nature towards juveniles	0	.	150	123	0.56
206	Case proceedings on enforcing court judgments	0	1	70	32	0.14
301	Disputes on ownership and other property rights: on state property	0	1826	320	315	1.43
302	Disputes on ownership and other property rights: on communal property	0	836	325	320	1.45

303	Disputes on ownership and other property rights: on private property	1	358	325	358	1.62
304	Disputes on intellectual property	0	951	423	431	1.95
305	Disputes arising from sale agreements	1	245	328	245	1.11
306	Disputes arising from deeds of gift	0	508	360	360	1.63
307	Disputes arising from contracts of life maintenance	1	624	370	624	2.82
308	Disputes arising from lease agreements	1	172	320	172	0.78
309	Disputes arising from service agreements	1	136	290	136	0.62
310	Disputes arising from insurance contracts	1	164	320	164	0.74
311	Disputes arising from loan, credit and bank deposit agreements	1	176	300	176	0.80
312	Disputes arising from work and labor contracts	0	932	300	292	1.32
313	Disputes on non-contractual obligations: compensation of damage resulting from crime	1	55	315	185	0.84
314	Disputes on non-contractual obligations: compensation of damage resulting from maim, other type of health damage or death of an individual, except for compensation of damage in industries	1	654	420	654	2.96
315	Disputes on non-contractual obligations: compensation of damage resulting from unlawful decisions, acts or omissions by the bodies of inquiry, pre-trial investigation bodies, prosecution offices or court	1	316	400	316	1.43
316	Disputes on non-contractual obligations: compensation of individuals or legal entities property damage	1	350	330	350	1.58
317	Disputes on non-contractual obligations: compensation of damage resulting from infringement of laws on natural environment protection	1	204	300	204	0.92

318	Disputes on non-contractual obligations: compensation of damage resulting from defects of goods or failing works (services)	1	578	330	578	2.62
319	Disputes on non-contractual obligations: compensation of damage resulting from other causes, other than mentioned under No 13, 14, 15, 16, 17, 18	1	292	320	292	1.32
320	Other disputes on non-contractual obligations not related to compensation of damage	0	1214	295	287	1.30
321	Disputes on inheritance law	1	204	320	204	0.92
322	Disputes on protection of non-property rights of individuals: protection of honor, dignity, and business reputation	1	767	410	767	3.47
323	Disputes on protection of non-property rights of individuals: other	1	224	330	224	1.01
324	Disputes arising from housing relations: on eviction	1	374	345	374	1.69
325	Disputes arising from housing relations: on charging fees for housing	1	294	210	294	1.33
326	Disputes arising from housing relations: acknowledgement of individuals as those who forfeited the right to use the housing premises	1	180	270	180	0.81
327	Other disputes arising from housing relations, except for No 24, 25, 26	1	330	280	330	1.49
328	Disputes arising from land relations	1	301	380	301	1.36
329	Disputes arising from family relations: on dissolution of marriage	1	102	135	102	0.46
330	Disputes arising from family relations: on alimony recovery	1	114	150	114	0.52
331	Disputes arising from family relations: on establishment of paternity or maternity	1	445	300	445	2.01
332	Disputes arising from family relations: on termination of parental rights	1	237	310	237	1.07

333	Disputes arising from family relations: other than mentioned under No 29, 30, 31, 32	1	299	280	299	1.35
334	Disputes arising from labor relations: on reinstatement of employment	1	614	435	614	2.78
335	Disputes arising from labor relations: on payroll liabilities	1	191	250	191	0.86
336	Disputes arising from labor relations: on compensation of pecuniary damage caused by employees to enterprises, institutions or agencies	0	713	335	332	1.50
337	Disputes arising from labor relations: other than mentioned under No 34, 35, 36	1	255	300	255	1.15
338	Disputes relating to the implementation of Law of Ukraine "On Consumer Rights Protection"	1	218	350	218	0.99
339	Release of distrained property (removal of property from the property inventory)	1	203	240	203	0.92
401	Writ upon the requirement based on the juristic action performed in writing	0	9	50	10	0.05
402	Writ upon the requirement on the recovery of accrued yet not paid wages	1	20	50	20	0.09
403	Writ upon any other requirement	0	13	50	10	0.05
501	Cases on civil incapacity of individuals, recognition of individuals incapable and renewal of civil capacity for individuals: on civil incapacity of individuals	0	620	225	207	0.94
502	Cases on civil incapacity of individuals, recognition of individuals incapable and renewal of civil capacity for individuals: on recognition of individuals incapable	1	126	220	126	0.57

503	Cases on civil incapacity of individuals, recognition of individuals incapable and renewal of civil capacity for individuals: on renewal of civil capacity	0	1126	225	207	0.94
504	Cases on granting active civil capacity to minors	1	216	195	216	0.98
505	Cases on recognition of an individual missing or deceased	1	114	210	114	0.52
506	Cases on reversal of the decisions on recognition of an individual missing or deceased	1	101	185	101	0.46
507	Adoption cases	1	106	270	106	0.48
508	Cases on establishing facts of legal significance	1	118	180	118	0.53
509	Cases on restoration of rights to lost bearer securities and bills of exchange	1	197	210	197	0.89
510	Cases on transfer of ownerless immovable to communal property	1	160	190	160	0.72
511	Cases on recognition of the heritage of the deceased	1	105	180	105	0.48
512	Cases on provision of compulsory mental health care to individuals	1	22	190	106	0.48
513	Cases on compulsory hospitalization to TB facilities	1	39	180	109.5	0.50
514	Cases on disclosure by a bank of information which constitutes bank secrecy regarding natural persons and legal entities	1	60	185	122.5	0.55
515	Cases arising from family legal relations: granting the right to marry	1	174	165	174	0.79
516	Cases arising from family legal relations: marriage dissolution upon request of the married couple with children	1	76	150	76	0.34
517	Cases arising from family legal relations: marriage restoration following its dissolution	0	0	150	123	0.56

518	Cases arising from family legal relations: establishing separation upon request of the married couple	0	854	200	179	0.81
601	Consideration of petitions on revision of <i>in absentia</i> decisions	1	69	80	69	0.31
602	Consideration of petitions on securing of evidence and claims prior to filing a complaint	1	44	60	44	0.20
603	Consideration of special proceedings claims	0	3	60	21	0.10
604	Consideration of petitions, claims, and applications following the procedure on execution of court judgments and decisions by other authorities (officials)	1	51	120	51	0.23
605	Consideration of complaints re. acts or omissions of state enforcement officers or other officials under State Enforcement Service	1	96	100	96	0.43
606	Consideration of petitions on recognition and execution of decisions by foreign courts in Ukraine	1	135	60	135	0.61
701	Cases on disputes regarding ensuring implementation of citizen rights to vote in elections and referendum	0	12503	158	132	0.60
702	Cases on disputes regarding ensuring implementation of constitutional rights of individuals, including implementation of status of a deputy to representative authority, and administration of activities of the above authorities, in particular cases on disputes regarding the following: ensuring the right of individuals to apply to authorities	1	212	238	212	0.96
703	Other cases under No 2 on disputes regarding ensuring implementation of constitutional rights of individuals, including implementation of status of a deputy to representative authority, and administration of activities of the above authorities	1	233	230	233	1.05

704	Cases on disputes regarding ensuring public order and security, in particular on disputes regarding the following: traffic, transport and transportation of passengers	1	107	170	107	0.48
705	Other cases under No 4 on disputes regarding ensuring public order and security	1	101	173	101	0.46
706	Cases on disputes regarding implementation of state policy in the field of science, education, culture, and sports	1	125	240	125	0.57
707	Cases on disputes regarding implementation of state policy in the field of economy, in particular on disputes regarding the following: implementation of managerial functions based on special authority in particular areas of economy	1	203	225	203	0.92
708	Other cases under No 7 on disputes regarding implementation of state policy in the field of economy	1	120	263	120	0.54
709	Cases on disputes regarding ensuring sustainable development of residence localities and land use, in particular on disputes in the following areas: urban development, planning and building development, architectural activities	1	558	305	558	2.52
710	Cases on disputes regarding ensuring sustainable development of residence localities and land use, in particular on disputes in the following areas: land management, state expert assessment of land use records, regulation of land relations	1	358	345	358	1.62
711	Cases on disputes regarding ensuring sustainable development of residence localities and land use, in particular on disputes in the following areas: state registration of rights in things with regard to real estate and their encumbrance (including rights to land plots)	1	548	330	548	2.48
712	Cases on disputes regarding natural environment protection	1	164	230	164	0.74

713	Cases on disputes regarding the implementation of public finance policy	1	172	250	172	0.78
714	Cases on disputes regarding the implementation of public policies in the area of population employment and social welfare, in particular regarding the following: collection and accounting of contributions for compulsory state social insurance	1	389	210	389	1.76
715	Cases on disputes regarding the implementation of public policies in the area of population employment and social welfare, in particular regarding the following: assignment, adjustment, and allocation of insurance benefits within the relevant types of compulsory state social insurance	1	32	210	121	0.55
716	Cases on disputes regarding the implementation of public policies in the area of population employment and social welfare, in particular regarding the following: social welfare, social protection and employment of people with disabilities, social services (social protection of children)	0	9	130	100	0.45
717	Cases on disputes regarding the implementation of public policies in the area of population employment and social welfare, in particular regarding the following: social welfare, social protection and employment of people with disabilities, social services (social protection of citizens)	0	15	165	140	0.63
718	Cases on disputes regarding the implementation of public policies in the area of population employment and social welfare, in particular regarding the following: social welfare, social protection and employment of people with	1	66	165	66	0.30

	disabilities, social services (social protection of families)					
719	Cases on disputes regarding the implementation of public policies in the area of population employment and social welfare, in particular regarding the following: social welfare, social protection and employment of people with disabilities, social services	1	142	180	142	0.64
720	Employment of population (except for employment of people with disabilities); providing housing to citizens	0	3168	255	241	1.09
721	Cases on disputes regarding ensuring justice	1	11	215	113	0.51
722	Cases on disputes regarding relations of the public service	1	603	300	603	2.73
801	Consideration of petitions on revision of court decisions due to newly discovered factual background	0	1	90	55	0.25
802	Consideration of petitions, claims, and applications due to the enforcement of judgments procedure	1	29	60	29	0.13
803	Consideration of claims on securing evidence	0	0	60	21	0.10
804	Execution of court orders	0	290	60	21	0.10
901	Breach of law provisions on labor and labor protection	1	23	110	66.5	0.30
902	Illegal production, purchase, storage, transportation, mailing of narcotic drugs or psychotropic substances in small amounts without sale purposes	1	14	96	55	0.25

903	Violation of traffic safety regulations causing damage to vehicles, cargos, automobile roads, streets, railway crossings, road constructions, or other property	1	31	120	75.5	0.34
904	Driving vehicles or vessels by individuals being under the influence of alcohol, narcotic drugs or any other toxic substances, or under the influence of medications inhibiting alertness and response time	1	24	113	68.5	0.31
905	Causing damage to automobile roads, streets, road constructions, railway crossings, and traffic engineering; impeding traffic and failure to take the necessary measures in order to remove the impediments	1	34	93	34	0.15
906	Violation of regulations on tax accounting and provision of audit reports	1	12	105	58.5	0.26
907	Untimely submitting or failure to submit the payment orders to pay applicable taxes and duties (mandatory fees)	1	31	100	65.5	0.30
908	Violation of regulations on personal income tax deduction & payment and on provision of report on paid income	1	22	100	61	0.28
909	Infringement of regulations on economic activity	1	24	105	64.5	0.29
910	Persistent disobedience to lawful order or command given by the militia officer, member of the community unit on public order protection and state borders protection, serviceman	1	12	100	56	0.25
911	Violation of administrative supervision regulations	1	19	75	47	0.21
912	Violation of regulation re. stay in Ukraine and transit through the territory of Ukraine by foreign citizens and stateless persons	1	17	75	46	0.21

913	Failure to take measures to facilitate timely registration of foreign citizens and stateless persons	1	14	50	32	0.14
914	Administrative offense against the Customs Code	0	.	135	106	0.48
915	Infringement of the Criminal Executive Code	0	.	110	77	0.35
916	Administrative offence on corruption	1	477	195	477	2.16
9000	Typical administrative misdemeanor case	1	26	75	26	0.12
10000	Other applicable proceedings	1	34	50	34	0.15
917	Other		12	N/A		