



**JUDICIAL REFORM  
IMPLEMENTATION PROJECT**

# **Cost per Case Analysis Study and Development of Systems and Reports Measuring Efficiency and Cost Effectiveness**

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## TABLE OF CONTENTS

I. Background and Objective of Consultancy.....	3
II. Advantages of the Study.....	5
III. StepsTaken.....	7
IV. Methodology .....	9
IV A. Civil and Criminal Operations Checklists .....	11
IV B. Case Cost Analysis .....	14
IV C. Judicial and Employee Comparative Workloads .....	18
V. Conclusion .....	19

Attachment A: Civil Court Operations Checklist

Attachment B: Criminal Court Operations Checklist

Attachment C: Table I --Court Personnel by Case-Type

Attachment D: Table I A Cost per Case Calculations

Attachment E: Table A Ratio of Employees to Filings and Dispostions

Attachment F: Table B Ratio of Employees to Judges and Cost per Judge

Attachment G: Table C Ratio of Judges to Filings, Dispositions and Population

The authors views expressed in this publication do not necessarily reflect the views of the United States Agency for International Development or the United States Government.

**Report on Cost per Case Analysis Study  
and  
Development of Systems and Reports Measuring Efficiency and Cost  
Effectiveness**

**I. Background and Objective of Consultancy**

The Judicial Reform Implementation Project (JRIP) commissioned a Judiciary Budget and Finance Study which was conducted by Dr. Deborah Botch with the assistance of JRIP staff during May and June of 2008. As a result of the study a report was produced, dated June 27, 2008 which recommended, among other suggestions, that a case-based analysis model be conducted to support budget preparation, management and analysis. The report pointed out that to make court budget estimates more accurate and effective they must be related to case management. Court operations make up the vast majority of judicial branch budget requests. Cost models allow budget estimates to be developed, not only through historical expenditures as is the case in Macedonia today, but through caseload volume cost projections and the fiscal implications of judicial assignments. The more sophisticated methods of judicial budgeting in today's court environment rely, in part, on case-based cost. Analysis that relate to case-based costs also provide a foundation for other operational and budget issues including classification and compensation plans, minimum staffing guidelines, number of required judgeships, distribution of judicial (judges) resources, etc.

Major changes in Macedonian law have made it difficult to ascertain reliable information about court-case and judge-based budgeting models. The Law on Courts and Law on Enforcement, as an example, removed large numbers of cases from the jurisdiction of the basic courts and an administrative court was established which also re-aligned the jurisdictional competencies of some types of cases.

Dr. Botch's report stated;

“Beginning with 2008 data, it is recommended that the AO staff calculate average costs per case by major case type (civil and criminal) for all basic courts with extended and limited jurisdiction. In addition, the cost per judgeship models, which assume adequate, staffing levels also, should be estimated using current salaries and actual average cost of goods and services to support each judgeship. In future years changes in costs per case and cost per judgeship should be monitored from year to year to identify opportunities for improving the efficiency of case processing”.

Cost per case and comparisons from region to region and case type to case type provides an efficient means of evaluating case processing, management practices and operations.

It is one of the tools in assessing court efficiency and whether judicial resources are being utilized wisely. It directly addresses training needs and the establishment of best practices. Such a comparison can also identify inefficient staffing levels or underutilized staff.

Accordingly, this consultancy was established and tasked with examining ways to augment in-depth modern judicial budget projections. It is anticipated that these recommendations will provide a basis for cost and judge-based information which is another tool for more accurately determining actual court needs on a nationwide and court-by-court basis. As pointed out by the National Center for State Courts, *Courtools* series “Once a court determines how it is currently performing in different case types areas, court managers can make more informed decisions regarding the level of resources to devote to each case type”.

The advent of a modern automation system in the judiciary of Macedonia has been a laborious process starting several years ago with the introduction of the Court Information System (CIS). Software was never fully accepted by the courts and lay mostly unused for any relevant purpose. The hardware and local area networks quickly became obsolete and of limited value to the courts and to court administration. Several years ago the Court Modernization Project, the predecessor to JRIP, introduced an automated budget and human resource system –Automated Budget and Management System (ABMS) which is used quite successfully by the budget office of the Administrative Office (AO) of the Court Budget Council (CBC). The AO is now an office of the Judicial Council of the Republic of Macedonia (JC) having been moved from the auspices of the Supreme Court by legislation which became effective on January 1, 2009. JRIP is currently in the process of constructing a case management system that will replace CIS which, by all accounts, has shortcomings and is more of an “information” system, not a case “management” system. This new case management system – The Automated Court Case Management and Information System (ACCMIS) will be operational toward the end of 2009. It will supply the courts, Ministry of Justice (MOJ), Supreme Court AO, JC, and other interested entities with an array of information greatly enhancing the budget and finance, managerial and operational functions of the judiciary in general and the courts in particular. Until this system is operational and populated with relevant data, the courts and court administration must rely on a series of reports and other data, mostly manually accumulated, stored and found in different locations. For instance, the data accumulated by the AO deals mostly with budget, payroll and appropriation issues. However, court productivity must be found in the Supreme Court and/or the MOJ. The information in Supreme Court is kept in general narrative. Court operations managers have said that the ultimate strategic plan for a given fiscal year is the budget plan. As the court management automated system comes on-line, an array of information will be made available enabling the budget development to be

based on actual work and productivity specifics, rather than solely on budget requests from individual courts supported in large measure by the previous year's financial history.

The information available for this study was therefore, limited and/or had to be gleaned from a verity of disparate sources. However, the study provides a vision for the future and demonstrates the methodology necessary for an in-depth analysis of court operations and a more focused analysis of cost per case and other measurements by specific sub-divisions of major case types. The methodology developed will provide the tools to compare courts against each other in terms of productivity and cost; it will also provide a basis for comparing a court against the national average and identify productivity, backlog and cost issues.

## **II. Advantages of the Study**

Performance measures provide valuable information demonstrating, in factual terms, how things are getting done and the cost effectiveness of the results. Performance measures allow court administrators and judges to step back from anecdotes and personal experiences and reassess perceptions which may or may not be universally accurate. Whether performance measures are directly related to cost or are performance-based they ultimately impact the cost efficiency of the court system. It is important for the public and the funding source to know that the judiciary is accountable fiscally and in terms of the quality and timeliness of its work product –dispute resolution. Acceptable levels of various performance measures support the judiciary's right and ability to govern its own affairs. The public has a right to expect no less than efficiency and effectiveness from its court system.

There are a number of performance measures one of which is cost per case. It is one element of a larger mosaic encompassing modern court management. Other general areas include the number of cases processed, court staff required for certain tasks, judges' output (case dispositions), clearance rates (the number of cases disposed of as compared to the filings over the same period) etc. Since the core mission of any court system is dispute resolution, output measurements are considered by many court administration experts to be a primary goal. However, cost-effectiveness also ranks high in the array of performance measures since it supports resource requests needed to realize primary measures and enhance public confidence. There are a number of advantages to be gleaned from a study of cost per case. An obvious advantage is being able to make budget predictions when tied to information on numbers of filings in an individual court. These are workload predictions and thus are "fact based". Tracking the trend of major case types (criminal and civil), and sub-divisions of case types within the civil and criminal area, assists budget developers in identifying and predicting the need for increased human and material resources When trends are linked to other indicators such

as the minimum non-judicial or judicial staff required for adequately processing case filings, an assessment can be prepared to add staff, reassign staff or create or move judgeships based on empirical information. Monitoring year-to-year costs for processing cases gives court operations managers a means to evaluate whether the case processing practices being utilized are adequate or need improvement. It is especially helpful to compare output court-by-court against the national average when linking expenditures to what is accomplished.

As new technologies are introduced to the judiciary of Macedonia, the data for these comparisons will be more readily available and provide valuable information by a macro stroke on a keyboard. Cost analysis can demonstrate whether new technology, staff training, streamlining operations and adopting “best practices” have been cost effective measures. Conversely, it will demonstrate inefficient practices and understaffed (or overstaffed) courts. Using resources in the most productive way is part of the accountability that the judiciary and the courts owe to the public they serve. Wisely used resources and productively depend on gauging efficiency and doing more with less.

It will be necessary to look carefully at the functions performed by each member of the court team as technology progresses. As mundane tasks are replaced by the challenges of change brought about by changing laws and automation, staff responsibilities, job descriptions and titles may change. The time it takes to perform an individual task may change; the task may be eliminated, or modified by new methods of managing cases. All court functions are related, directly or indirectly, to the cost of processing cases.

The court system will be enhanced by the establishment of staffing levels which are the minimum required personnel for the tasks at hand. Anything less than an established criterion based on experience and empirical data will detract from the core mission of any court system –the resolution of disputes. That mission is the judiciary’s mandate and anything less than sufficient resources to realize it will hinder the mission and starve the courts of resources necessary to perform it. Assessments must be made to avoid redundancy and enhance productivity.

Since an array of performance measurements are required for a comprehensive review of what the future financial needs of a court system are, examples of other measurements have been prepared as a part of this study. These indicators used along with cost per case will aid in budget requests and preparations. Templates, reports and formats to capture information necessary for planning and budget preparations are also provided as examples. It should be emphasized that when ACCMIS is in full use these reports could be generated almost instantly from one comprehensive data source. Reports recommended for immediate use are:

- Ratio of Employees to Filings and Dispositions

- Ratio of Employees to Judges & Costs per Judge
- Ratio of Judges to Filings and Dispositions

Clearly such data will also be useful in staffing (systematization) requests from the president judges and be useful also to the Court Services Council in their determinations.

**III. Steps Taken** In the development of the methodology established for the calculation of the cost per case by case type a number of steps were taken which included:

- Review of the Law on Court Services, Law on Courts, Law on Civil Procedure, Law on Administrative Disputes Law on Court Fees Law on Court Budget, Law on Misdemeanors, Budget Study of the Macedonian Judiciary, Publications from various US states on case costs, studies and tools developed by the National Center for State Courts, various sub-regulations of the Macedonian Judiciary and miscellaneous related publications. These were reviewed prior to the arrival in county.
- Meetings and consultations with members of the JRIP staff including Sam Juncker, Nena Ivanovska, Keti Businoska, Gordana Stojanova Ribarovski
- Meeting and Consultation with Judge Jordan Mitrinovski, President Judge of the Appellate Court, Skopje Region
- Two meetings and consultation with Judge Bekir Shaini , President Judge of Skopje II Basic Court (Civil Court) and court staff
- Meeting and consultation with Judge Sheshet Ademi, President |Judge, Basic Court Veles
- Judge of Veles Basic Court and Suzana Varnalieva Court Administrator to test and verify process
- Meeting and Consultation with Judge Dobriela Kacarska, President Judge of Skopje I Basic Court (Criminal Court)
- Meeting with Ministry of Justice representatives Nada Penov and Valentina Shaurek regarding Law on Court fees and possible amendments thereto
- Meeting and consultation with Elena Stamenkovska Senior Associate, Ministry of Finance, Budget and Funds Department

- Meetings and consultation with Silvija Janevska and Srecko Mitovski Acting head and deputy of the Administrative Office of the Court Budget Council
- Meeting and consultation with Judge Vladimir Babunski, Justice of the Supreme Court, Head of Civil Department
- Meeting and consultation with Judge Dragan Tuminovski, Justice of the Supreme Court, Criminal Chamber
- Meeting and consultation with Court Secretary of Basic Court Bitola (by Nena Ivanovska)
- Review of steps required for processing of criminal case and civil case from filing to final disposition
- Preparation of check list showing each operational step of case processing in format to be used by court staff to determine efficiency, staffing criteria, judicial and non-judicial staff deployment and staff assigned to each task and case sub-type.
- Review of non-judicial personnel and judges' chambers personnel nationally and by court assigned by examining data provided by the Ministry of Justice and by direct contact with selected courts
- Examination of judicial budget appropriated for court operations –sorting security & administrative personnel from overall assignments in information supplied by the Ministry of Finance and the Administrative Office and discussions with personnel of selected courts
- Determining number of personnel by case type, criminal and civil by discussions with staff of selected courts
- Meeting and consultation with Sonija Gruevska General Secretary of the Supreme Court
- Preparation of templates for calculating and testing method of calculation of cost per case
- Preparation of tables for calculating filings/disposition per non-judicial employee, dispositions/filings per judge, cost per judgeship per number of dispositions and per population

#### **IV. Methodology**

Initially, if the recommended process is adopted in Macedonia, the cost per case determinations will address major case types and should be used with other performance measurements suggested in this report. It is noted that the methods recommended will support a more detailed in-depth analysis of sub-types within the major areas of civil and criminal cases aided by an internal operational analysis by each court. The effort will be greatly enhanced when the new automated case management system –ACCMIS -- becomes operational and is populated with sufficient data. The ACCMIS, used along with ABMS, will be a complete system making readily available a large array of vital statistical information. The information is not presently centralized and only available through a process which is labor intensive for court staff when viewed against the results to be achieved. An in-depth analysis that breaks down case types into sub-types will be cost effective when case management automation is achieved. The results will be justified by its cost effectiveness balanced against the effort required. Accordingly, it is recommended that the concept of tracking the cost of judicial proceedings be introduced incrementally with an in-depth analysis being conducted in the year after full implementation of ACCMIS. The analysis therefore should begin with the figures for major case types (criminal and civil) and move incrementally toward the cost per case of sub-types within the major areas of criminal and civil cases. In the larger courts, eventually, the results could include, sub-type cases such as Civil (general), Commercial (general) Bankruptcy, Labor, Inheritance, Small Claims, Payment Orders etc.; and criminal case sub-types such as Life and Body, Human Rights and Freedoms, Labor Relations, Property, Health, etc.

As previously noted this exercise overlaps other areas involving the efficient use of court personnel and resources. The efficiency of case processing, the effectiveness of the process and the effectiveness of the staff conducting it has a direct result on cost. Implicit in its obligation of accountability is the requirement that the judiciary utilize public funds in a way that realizes maximum benefit with minimum funding. Inefficiency, duplication and redundancy often move stealthily into a system or process. Periodically they must be ferreted out and the process or system streamlined. Inefficiency has a direct result on overall costs as well as the cost per case or case type. More than 90% of the court budget is dedicated to personal services. Therefore, these recommendations include a methodology for determining staff efficiency and utilization enabling court managers to discover redundancies, duplications and inefficiency. Recommended practices will give them the practical tools to streamline and modernize their operations, making best use of available resources and providing the substantiation for requests for additional funding, when appropriate.

Cost per case analysis, according to the National Center for State Courts which is recognized in the field, should include:

- Total court expenditures
- Case dispositions by major case type, and
- A complete inventory of all judicial personnel and court staff

The method used to develop each study of cost per case analysis naturally depends on the uniqueness of the judiciary of each country or state studied. Some have more advanced techniques for providing information. A detailed study depends, to a large extent, on the development of an automated case management and information system. Certain minimum information is required which must include at least total court expenditures, case dispositions and a complete inventory of judicial officers and court staff.<sup>1</sup> In Macedonia, as in virtually all courts, a large percentage of the court expenditures are personnel related (approximately 90% in Macedonia) and staff should be allocated to accommodate workload.

The approach used in this study makes adjustments for unique local approaches and readily available detailed information in the format needed for an efficient analysis. The limitations for a complete analysis of case sub-types will be remedied in large part by ACCMIS when operational and populated with data to be functional. All courts are obligated to use the ACCMIS system and their compliance and the method of record keeping is prescribed by new sub-regulations promulgated in December 2008 – *Regulation on the Manner and Procedure for Caseflow Management with the use of Information Technology*.

The approach in this current study is to establish a base line –a point of reference –to show important trends and to identify understaffing and overstaffing as well as other inefficiencies. The baseline also establishes for budget personnel the ability to prepare for increased caseload trends and gives a means of factoring inflation using such data as the *Consumer Price Index*.

Since cost per case and staffing levels as well as minimum staffing guidelines are intimately intertwined, the consultancy took two approaches. The recommendations will lay an important foundation for a cost-per-case analysis and for an eventual Staffing Classification and Comparison study which is needed in Macedonia when funding for such a comprehensive study is available.

The Republic of Macedonia has recently taken the laudable step of moving judicial personnel from the status of “civil servant” in the executive branch to the judiciary branch under the judiciary’s control and supervision. The law accomplishing this, the

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<sup>1</sup> National Center for State Courts, *Courtools*, 2005

Law on Court Services, became effective for personnel purposes on January 1, 2009. The exigency of the change from executive to judicial service required that, with few exceptions, employees be “moved” in place, maintaining their incumbent status. At the same time, the Law on Enforcement became fully operational by which the basic courts no longer enjoyed jurisdiction of enforcement cases unresolved since the law became effective in May of 2006. A number of court employees (and judges) were assigned to the enforcement departments of the courts. Their responsibilities should be shifted to other tasks which require a different type of non-judicial staff support. Nationwide court automation is about to become a reality through the efforts of the Ministry of Justice, USAID and JRIP. The data base which will take over what is now mostly a manual operation will provide a better breakdown of court productivity by case type, numbers of hearings etc. within both the civil and criminal departments in the future, Therefore processes have been developed and recommended in this report, each building on the other as information technology advances in the courts of Macedonia. These processes are illustrated as:

- *Civil and Criminal Operations Checklists*
- *Case Cost Analysis*
  - Table 1: Court Personnel by case type
  - Table 2: Allocation by case type and total cost per case
- *Judicial Comparative Workloads*
  - Table A: Ratio of Employees to Filings and Dispositions
  - Table B: Ratio of Employees to Judges and Cost per Judge
  - Table C: Ratio of Judges to Filings, Dispositions and Population

**IV A. Civil and Criminal Operations Checklists** It is important to establish minimum acceptable staffing levels and appropriate grading of employees for each task performed. Increasingly more sophisticated methods of judicial budgeting are being developed in the US that rely on case-based cost allocations rather than on the traditional method, based on inputs using historic expenditure trends. In this new approach, methods are developed to justify staffing levels with empirical data and subsequently relating that information to the cost of operations. Cost per case is a snapshot in time. It will fluctuate by the variants of efficiency or inefficiency, re-engineering efforts, information technology, court managements, local commitment to change etc. Costs per case comparisons are helpful across case types and for individual courts. The ultimate test of a cost factor is experiential proof of efficient court operations absent redundancy such as double entry of data, overstaffing and inappropriate distribution of human and material resources. What is the most cost effective way to produce the optimum results in timely dispositions and public satisfaction? This should be a recurring question for court administrators.

Staffing levels address the numbers of personnel in each court necessary to accomplish the functions mandated by statute, rules and the Constitution governing the timely processing of cases. Case processing is the general court operations necessary to support the core mission of resolving disputes. The practical requirement of “customer service”, also an important performance measurement, is not to be overlooked. Typically, a person assigned to conduct

routine and ministerial work is regularly distracted by public inquires and requests for documents. This often occurs internally as well, when superiors request information or records from an employee thus distracting an employee from his or her usual tasks. It is necessary therefore to establish, a baseline for levels of service for each task. Such a study, or internal operational audit, is not a one-time endeavor. Such an audit should be conducted periodically as the demands upon courts evolve and volume, complexity, new and amended laws and other factors place new and sometimes very different demands on a court or court system. Comparisons between courts and between courts and the national average are essential to establishing baselines and staffing levels.

The consultancy conducted in 2008, by Dr. Deborah Botch, commissioned by JRIP, recommended that case-based and court-based cost estimation models for criminal and civil cases should be developed to support budget preparation and analysis. It was recommended that models should reflect regional variations in costs, as appropriate, and that major types of cases within criminal and civil types should be reviewed.

The Automation being introduced to the courts is a bellwether of many processing and operational changes coming to the courts. The functionality of the system now being developed, tested and implemented will provide information which will not only assist in the expeditious processing of court cases to resolution, but provide information to assist in the budgeting process. However, some employees will be required to learn new skills and adapt to new disciplines. Court Administrators will be required to re-examine tasks presently performed and some employees will need to be re-trained and to acclimate to new tasks. This will require a human resource staffing and comparison study. Such a study is a huge endeavor and should be factored in to the judiciary's future strategic planning. The internal review recommended in this report is not a substitute for a formal staff classification and comparison study including the establishment of minimum staffing guidelines, professionally done. However, the internal operational audit recommended will assist administrators in several ways including estimates of cost per case.

In determining case type and sub-type in a cost per case analysis, it is necessary to determine how many personnel are dedicated to each sub-type. This is not an easy task when moving beyond the major areas of criminal and civil cases into the sub-types of each one. Generally, the employees will be found to be spending a fraction of their day on various tasks across case-types but accounting for a full day when the fractional tasks are summed.

A collection of data must be made which examines the function of each person in a sampling of courts of various sizes. The task performed by each person should be documented. The time spent on each task should be noted, including those so often overlooked by supervisors such as addressing inquires of the public or supervisors,. An assessment should thereafter be prepared of each function and a determination made whether it is required and/or duplicated and whether the task has been modified by the introduction of automation. The functions no longer relevant to the goals to be achieved by a unit or department within the courts should be ascertained. Retraining and re-deployment is inevitable anytime automation is introduced on a grand scale and where manual and mundane tasks are eliminated or phased out. Recent changes in court

mandates such as the introduction of extended jurisdiction courts further drive the need for reassessment.

The study has the advantage of focusing on operational practices that may have become less efficient over years either by the lack of available training or career fatigue often suffered by those destined to perform mundane, uninteresting and unchallenging tasks over long periods of time. Automation provides a new challenge for many although initially accepted only reluctantly by some.

The study will provide the information necessary for evaluating workflow processes and provide the foundation for reengineering those processes to meet contemporary demands

At a recent meeting with the General Secretary of the Supreme Court on March 4, 2009, Ms Sonja Gruevska emphasized that according to the Law on Courts, the Court Budget Council is obligated to determine the standards for the staffing levels in the courts, which they have not done to date. She underscored the importance of the work of this consultancy to her, since she is a member of a Committee for Improvement of the Working Conditions of the Judicial Council. Standard for the staffing levels is one of the goals that this Committee is interested in accomplishing.

Looking at total cases and case types processed by each court and total non-judicial and judicial positions in each court, permits budget developers and human resource professionals to establish a median for the number and grade level of employees in each court. Typically there should be the mean number of staff (and judges) established for small, medium and large courts. Only those courts which are substantially below the mean should then be considered for new human resource requests which naturally affect the cost of processing each case.

Data should be collected on a court-by-court basis in a well managed internal study designed to isolate unnecessary, obsolete and duplicative tasks in the processing chain. At the same time the methodology must capture the mundane tasks so often overlooked such as opening and distributing the mail, answering inquires, filing, retrieving files and generally supporting requests of supervisors and judges. What appears at first to be a 10-minute task may be transformed into a 30-minute task when requests beyond the routine delineated task are added.

This exercise will have several objectives. One will enable a more precise determination of the percentage of time that each employee spends on major case types and eventually sub-types. This, in turn, will enable a tighter estimate of cost per case. It will also be a measure of the staff's efficiency and appropriate deployment to certain tasks assisting court administrators in better management. Lastly, it will be a solid foundation for a future full staffing guideline and comparative study.

Reviewing the task of each employee and estimated time required for various tasks is a labor intensive activity. However, overseen and supported by the Administrative Office it can be conducted internally within the courts by court staff under the direct guidance of the Court Administrator (or the equivalent in courts without court administrators). Furthermore, it is a task that is not regularly required. Once accomplished, it need be updated every year or two (depending on the court size). Templates for criminal and civil divisions for such an exercise

have been developed during this consultancy and are attached to this report as **Attachment A & B**. These documents will also be used as the first step when refining the cost per case analysis to the sub-types mentioned above.

**IV B. Case Cost Analysis** The recommendations contained herein will provide average costs for major types –criminal and civil. This is primarily due to the method of reporting judicial activity to the Supreme Court and the Ministry of Justice. The methodology for estimating the cost to the State of each case is naturally most valuable when it is refined to capture not only major case types but also sub-types. Comparing these results, from year to year, provides a means of evaluating processing practices leading to reforms to improve court operations and efficiency. Cost per case provides a means of forecasting need in light of known trends. When used in a comparative way, cost per case allows court administration to calculate how assets are being used by individual courts as well as globally across the system.

This can and should be done in Macedonia at first on a macro level. Eventually, as full automation is successfully introduced, it can be refined to the micro level. Automation will make it cost effective, for example, to count the number of hearings for each case and each type of case. Initially the calculation will address the two major areas of civil and criminal cases. The court-by-court comparison will be invaluable to the budget process in the Administrative Office as well as in the development of budgets and justifications from individual courts. As the automated tools increase with the advent of ACCMIS, developing more focused reports will be possible and be cost effective to produce. This will permit budget developers on the court and national level to fine-tune budget requests and develop creditable justifications by taking into account such trends as increased case filings and/or dispositions, thus anticipating additional costs in coming years. This fact-based information will support making appropriate and justifiable requests based on hard demonstrable data. The trend should be away from using strictly historical data toward more fact-based information.

Accepted standards provide a number of steps for such an assessment. The template presented with this report is the beginning of a process that will be refined as more data becomes readily available. As automation makes more information available, the process should be fine-tuned to capture more micro information and thus a more focused picture of cost. These steps are demonstrated in the tables annexed to this report as **Attachments C and D**, which provides a template for the cost per case estimates.

Succinctly stated these steps include the following:

- *Sorting court personnel by case type.* The more refined the breakdown by court type, the more accurate information can be gleaned from the cost per case calculation. In the methodology proposed in this report the breakdown will be by the major case types of criminal and civil cases. Initially this will be done by estimates made by court administrators and/or president judges. For instance, in Strumica it was estimated that 59% of the operations workforce (which excludes administrative and

technical staff) is dedicated to civil court operations and 41% is dedicated to processing of criminal cases.

This step is relatively uncomplicated when there is a clear demarcation of tasks within a court. Especially in smaller courts, personnel are typically cross-assigned to tasks within different case types. This however, can be overcome by estimating the percentage of personnel time expressed in fractions. The same estimation can be made for judicial personnel who, in smaller courts, may be cross assigned to different case types. In most systems employees are normally expressed by the term “full time equivalent” or (FTE). It is therefore possible to have the number of people working on a case type in fractions (a person working on several tasks may be divided into two or more fractions over several case types or sub-types eventually equaling a “full time equivalent” or FTE.

A further breakdown is recommended isolating administrative and technical employees who do not contribute in a direct way to court processing but who, of course, support the mission globally in other ways. This, to a large extent, applies to security personnel, administrative staff, technical staff as well as Information Technology employees. While large increases in filings will eventually affect some of these personnel, their numbers are not initially affected by spikes or dips in filings and/or dispositions.

Initially, determining type between civil and criminal matters can be estimated by court administrators fairly accurately. However, for future and more refined studies involving sub-types of each, more detail is needed. To ascertain precise information needed to breakdown the employee tasks per sub-type, the Civil and Criminal Operations Checklist recommended above (**Attachments A & B**) should be used. This will aid in isolating each employee’s time dedicated to their several tasks. As mentioned above, the Civil and Criminal Operations Checklists are multi-purpose forms and should be utilized according.

The number of personnel assigned to each case type is the acceptable way of determining cost since court budgets are typically heavily balance towards personnel. (Approximately 90% in Macedonia)

- *Total Court Expenditures.* A determination is to be made on what items of the judicial budget are to be included, eliminating those which will distort the purpose of the exercise such as the expenses dedicated to the Judicial Training Academy and capital expenditures. Conversely, all expenditures necessary to process cases and support courthouse functioning should be included such as supplies, equipment, salaries and equipment. In Macedonia, total expenditures are available from the Administrative Office and from the Ministry of Finance. Net figures are available

factoring out the Judicial Training Academy as well as the capital investments in facilities improvements. The items used in the calculations in this model include the following budget lines:

- 401 Basic salaries and benefits
  - 402 Benefits for social insurance
  - 403 Other benefits to the salary
  - 413 Current reserves
  - 420 Travel and daily expenses
  - 421 Utility Services, heating, communication and transport
  - 423 Inventory, tools and other materials for repairs
  - 424 Repairs and current maintenance
  - 425 Contractual services
  - 426 Other current expenses
  - 464 Various Transfers
- *Allocation of total cost to case type.* This step appears initially to be a simple calculation. In its simplest form and using major case types of criminal and civil cases, this step involves computing the total expenditures for each major case type by applying the percentage of court personnel by case type to the total court expenditures. In the future, this will become a more sophisticated calculation. There is an assumption that those expenditures which are not specifically applied to case type or sub-type are proportionally applied to all cases. In Macedonia, for example, this applies to some categories of expenditures such as the cost of lay jurors and the cost of forensic reports. Upcoming automation will capture more accurately the use of these items making it possible to attribute more specific expenditures for case sub-types. To the extent that these expenditures can, in the future, be applied to specific case sub-types, calculation of expenditures will naturally be more precise.
  - *Calculating Cost per Case.* The first calculation made will provide a baseline upon which future calculations will be compared. In the second year from implementation of an institutionalized cost per case calculation, an analysis will be factored in using certain indices such as the *Consumer Price Index*, or equivalent. This will provide the real cost, factoring in inflation and other variables. In the first year, the calculation will be made taking the cost per case type and dividing this figure by the total number of cases disposed of per year. It is strongly recommended that the disposition data be used which gives a more reliable account of actual productivity and appear reasonably reliable.

Below is an example of the calculations recommended for determining cost per civil and criminal cases. This demonstrates the methodology.

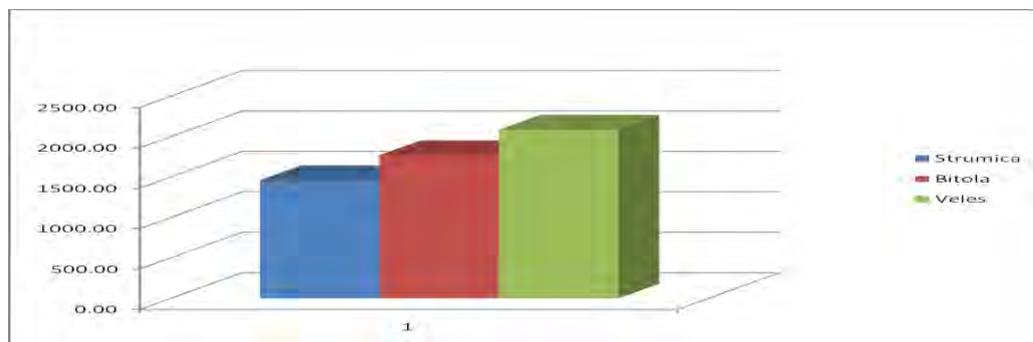
*Table I Employee Calculations*

<b>Cost Per Case Analysis</b>						
<b>TABLE 1</b>						
<b>Court</b>	<b>Case Type</b>	<b>1 Total Non-Judicial Staff (use fractions if applicable) Exclude Administrative and Technical</b>	<b>2 Judges (use fractions if applicable)</b>	<b>3 Total Judges &amp; Staff (add 1 &amp; 2)</b>	<b>4 Total staff (total #4 criminal &amp; civil)</b>	<b>5 Percentage Criminal/ Civil (divide 3 by 4)</b>
<b>Strumica</b>	<b>Civil</b>	<b>44</b>	<b>12</b>	<b>56</b>	<b>99</b>	<b>57%</b>
	<b>Criminal</b>	<b>30</b>	<b>13</b>	<b>43</b>		<b>43%</b>
<b>Bitola</b>	<b>Civil</b>	<b>64</b>	<b>18</b>	<b>82</b>	<b>139</b>	<b>59%</b>
	<b>Criminal</b>	<b>50</b>	<b>7</b>	<b>57</b>		<b>41%</b>
<b>Veles</b>	<b>Civil</b>	<b>31</b>	<b>10</b>	<b>41</b>	<b>77</b>	<b>53%</b>
	<b>Criminal</b>	<b>26</b>	<b>10</b>	<b>36</b>		<b>47%</b>
<b>Skopje 2</b>	<b>Civil</b>	<b>238</b>	<b>82</b>	<b>320</b>	<b>320</b>	<b>100%</b>

Table 1-A - Cost per Civil Case

<b>Allocation by Type (Criminal &amp; Civil) and Cost per Case</b>								
<b>TABLE 1-A</b>								
<b>Court</b>	<b>Case Type</b>	<b>6 Percentage of Court Staff for Civil/Criminal (from table 1 Column 5)</b>	<b>x</b>	<b>7 Total expenditures (excluding capital expenditures &amp; JTA)</b>	<b>=</b>	<b>8 Cost per Case Type</b>	<b>9 Total Dispositions</b>	<b>10 Total Cost Per Case Civil &amp; Criminal (divide 8 by 9) in MKD</b>
<b>Strumica</b>	<b>Civil</b>	<b>57%</b>		<b>49,139,909.50</b>		<b>27,796,312.44</b>	<b>18,999</b>	<b>1463.04</b>
	<b>Criminal</b>	<b>43%</b>				<b>21,343,597.06</b>	<b>26,883</b>	<b>793.94</b>
<b>Bitola</b>	<b>Civil</b>	<b>59%</b>		<b>62,504,400.00</b>		<b>36,873,099.28</b>	<b>20,808</b>	<b>1772.06</b>
	<b>Criminal</b>	<b>41%</b>				<b>25,631,300.72</b>	<b>11,055</b>	<b>2318.53</b>
<b>Veles</b>	<b>Civil</b>	<b>53%</b>		<b>39,650,216.00</b>		<b>21,112,452.68</b>	<b>10,112.00</b>	<b>2087.86</b>
	<b>Criminal</b>	<b>47%</b>				<b>18,537,763.32</b>	<b>16,895.00</b>	<b>1097.23</b>
<b>Skopje 2</b>	<b>Civil</b>	<b>100%</b>		<b>154,275,446.00</b>		<b>154,275,446.00</b>	<b>112,300</b>	<b>1373.78</b>

There might be certain inconsistencies in the figures, due to the limited information available to the Project.



**IV C. Judicial and Employee Comparative Workloads** There are many tools available to judges and court administrators for comparing workload and measuring productivity and the accomplishment of a judiciary's core mission. There is no question that judges must be free to adjudicate their cases as they see fit without outside interference of any kind. However, it is vital that a judiciary be accountable for its work in using resources wisely and providing expedited, fair and transparent justice compatible with international standards. There will not be judicial independence without judicial accountability. A court system is measured by its productivity –its ability to resolve disputes within a reasonable time and within acceptable standards. The stock-in-trade of any judicial system is its cases and its case inventory. Over the last several years the judges and court administrators of Macedonia have been immersed in modern case management and processing as well as backlog reduction concepts. Indeed, progress has been made in many courts reducing backlog and processing cases in a timelier manner.

Addressing the core mission is accomplished with public funds. Accordingly, there is concurrent responsibility to accomplish the mission in the most cost efficient manner as possible. Funds are finite in any court system and often courts are asked to do more with less. As automation is introduced, an array of reports will become available to provide basic as well as sophisticated tools to enhance productivity and monitor progress.

There is both a public and private cost to litigation. This study focuses on the public cost –the cost to the state for processing each case. Clearly, there are other factors that fall upon the public directly such as attorneys' fees tariffs etc. Accordingly, the consultant has prepared recommended tables which, if adopted as periodic reports, will provide court administration, president judges and court administrators with the means to measure overall progress or lack thereof on a regular basis. These reports should be generated for use by the president judges and court administrators, at minimum, on a monthly basis. They are management tools and provide facts needed for judicial and non-judicial personnel deployment. They will also provide a sound basis for requesting funding especially for staffing levels as case volume and complexity warrant.

These reports will also be a significant benefit to the Court Services Council for its mandate of systemization. It will provide a basis for adding or re-assigning staff and will provide data for such determinations. A comparison of court personnel per case filings, for instance, may show that some courts are doing much more with less. There, of course, may be other factors contributing to such disparity such as geographical or

demographic issues. However, such data evaluated in the context of other factors will give the president judges a basis for staffing requests and provide the Court Services Council with a firm basis for decisions. Accordingly, this study has produced recommended reports which, if regularly generated, will serve multi-purposes and multi-parties. They are:

- Table A: Ratio of Employees to Filings and Dispositions
- Table B: Ratio of Employees to Judges and Cost per Judge
- Table C: Ratio of Judges to Filings, Dispositions and Population

These tables appear collectively as **Attachments E, F and G.**

**V. Conclusion and Recommendations** It is recommended that the cost per case analysis be employed by the courts on a preliminary and simplified basis using the methodology set forth above using the attached forms and templates. This will involve an analysis of cost per case using figures from the courts in the civil and criminal case types. This methodology and the benefits thereof will be demonstrated to personnel of the court administration and court administrators at conferences to be held on March 23rd, 24<sup>th</sup>, 25<sup>th</sup> and 26<sup>th</sup>. The methodology has been tested internally by various comparisons by the JRIP staff using four selected courts set forth above.

The data required for these evaluations and reports must now come from several sources spread across the judicial landscape. It is recommended that all necessary data for these and other analytical studies be uniform and available through one location such as the Supreme Court or the Administrative Office. Personnel, financial and case processing data are interrelated. They are used for different purposes by different disciplines within the system and should be widely available to all with the ability to extract the information needed by each user.

It is recommended that as ACCMIS is populated with data, it be segregated in a manner which will provide the information necessary to establish a cost per case baseline with designated case sub-types and that the data be compatible, to the extent possible with the ABMS system. Subsequent to the implementation of the ACCMIS a more detailed analysis should be made involving the additional available data allowing for a breakdown of criminal and civil case sub-types.

Respectfully submitted  
Joseph J. Traficanti Jr., Consultant.

**ATTACHMENT A**  
**CIVIL COURT OPERATIONS CHECKLIST**

## ATTACHMENT A

### CIVIL COURT OPERATIONS CHECKLIST\*

Operational audit conducted by: \_\_\_\_\_

Division of Court Studied (if applicable)  
(staff and judges dedicated to specific case types)

Date: \_\_\_\_\_

(example: Labor, Commercial, Bankruptcy, Small Claims etc.)

Major Category / Function Sub-Functions	Action Taken / How Performed? (Judge, Staff Attorney, Intake/Registry Clerk, Other Staff?)	Court Staff	Chamber Judge or Chambers Staff	By Whom? (Title and grade)	Average Time Required  (in 10 <sup>th</sup> of hour) .5= 1/2 hour .10 = 1/6 .25= 1/4 hour etc.	Forensic Costs (If applicable)
<b>Receiving Claims and Filings:</b>						
<b>Register (civil intake office)</b>						
<b>Name Book</b>						

CIVIL COURT OPERATIONS  
CHECKLIST\*

Operational audit conducted by: \_\_\_\_\_

Division of Court Studied (if applicable)  
(staff and judges dedicated to specific case types)

Date: \_\_\_\_\_

(example: Labor, Commercial, Bankruptcy, Small Claims etc.)

Major Category / Function Sub-Functions	Action Taken / How Performed? (Judge, Staff Attorney, Intake/Registry Clerk, Other Staff?)	Court Staff	Chamber Judge or Chambers Staff	By Whom? (Title and grade)	Average Time Required <small>(in 10<sup>th</sup> of hour) .5= 1/2 hour .10 = 1/6 .25= 1/4 hour etc.</small>	Forensic Costs (If applicable)
<b>Judges Book/ Registry to Transfer</b>						
<b>Initial Judicial Intervention (Check for deficiencies, jurisdiction, timeliness etc.)</b>						
<b>Defendant Answer Stage:</b>						
<b>Claim Sent to Defendant</b>						

CIVIL COURT OPERATIONS  
CHECKLIST\*

Operational audit conducted by: \_\_\_\_\_

Division of Court Studied (if applicable)  
(staff and judges dedicated to specific case types)

Date: \_\_\_\_\_

(example: Labor, Commercial, Bankruptcy, Small Claims etc.)

Major Category / Function Sub-Functions	Action Taken / How Performed? (Judge, Staff Attorney, Intake/Registry Clerk, Other Staff?)	Court Staff	Chamber Judge or Chambers Staff	By Whom? (Title and grade)	Average Time Required <small>(in 10<sup>th</sup> of hour) .5= 1/2 hour .10 = 1/6 .25= 1/4 hour etc.</small>	Forensic Costs (If applicable)
<b>If No Answer (Decision: Article # 319)</b>						
<b>If Answer</b>						
<b>Fees Paid or Application as poor person</b>						
<b>If no fee paid</b>						

CIVIL COURT OPERATIONS  
CHECKLIST\*

Operational audit conducted by: \_\_\_\_\_

Division of Court Studied (if applicable)  
(staff and judges dedicated to specific case types)

Date: \_\_\_\_\_

(example: Labor, Commercial, Bankruptcy, Small Claims etc.)

Major Category / Function Sub-Functions	Action Taken / How Performed? (Judge, Staff Attorney, Intake/Registry Clerk, Other Staff?)	Court Staff	Chamber Judge or Chambers Staff	By Whom? (Title and grade)	Average Time Required <small>(in 10<sup>th</sup> of hour) .5= 1/2 hour .10 = 1/6 .25= 1/4 hour etc.</small>	Forensic Costs (If applicable)
<b>Pre-Trial Proceedings</b>						
<b>Preliminary Hearings</b>						
<b>Expert Report Requested</b> Request: Date: _____ Report Filed: Date: _____						
<b>Objections Filed</b> Date Filed _____						

CIVIL COURT OPERATIONS  
CHECKLIST\*

Operational audit conducted by: \_\_\_\_\_

Division of Court Studied (if applicable)  
(staff and judges dedicated to specific case types)

Date: \_\_\_\_\_

(example: Labor, Commercial, Bankruptcy, Small Claims etc.)

Major Category / Function Sub-Functions	Action Taken / How Performed? (Judge, Staff Attorney, Intake/Registry Clerk, Other Staff?)	Court Staff	Chamber Judge or Chambers Staff	By Whom? (Title and grade)	Average Time Required <small>(in 10<sup>th</sup> of hour) .5= 1/2 hour .10 = 1/6 .25= 1/4 hour etc.</small>	Forensic Costs (If applicable)
<b>Scheduling Main Hearing</b> <b>First Hearing Date:</b> _____ <b>Last Hearing Date:</b> _____ <b>Number of Hearings:</b> _____						
<b>Summoning by Court Staff</b>						

CIVIL COURT OPERATIONS  
CHECKLIST\*

Operational audit conducted by: \_\_\_\_\_

Division of Court Studied (if applicable)  
(staff and judges dedicated to specific case types)

Date: \_\_\_\_\_

(example: Labor, Commercial, Bankruptcy, Small Claims etc.)

Major Category / Function Sub-Functions	Action Taken / How Performed? (Judge, Staff Attorney, Intake/Registry Clerk, Other Staff?)	Court Staff	Chamber Judge or Chambers Staff	By Whom? (Title and grade)	Average Time Required <small>(in 10<sup>th</sup> of hour) .5= 1/2 hour .10 = 1/6 .25= 1/4 hour etc.</small>	Forensic Costs (If applicable)
<b>Summoning Stage</b>						
<b>Summons written &amp; delivered: PO/Courier</b>						
<b>Summons Returned to Court</b>						
<b>If Improper Service</b>						
<b>Case Sent to Judge</b>						

CIVIL COURT OPERATIONS  
CHECKLIST\*

Operational audit conducted by: \_\_\_\_\_

Division of Court Studied (if applicable)  
(staff and judges dedicated to specific case types)

Date: \_\_\_\_\_

(example: Labor, Commercial, Bankruptcy, Small Claims etc.)

Major Category / Function Sub-Functions	Action Taken / How Performed? (Judge, Staff Attorney, Intake/Registry Clerk, Other Staff?)	Court Staff	Chamber Judge or Chambers Staff	By Whom? (Title and grade)	Average Time Required <small>(in 10<sup>th</sup> of hour) .5= 1/2 hour .10 = 1/6 .25= 1/4 hour etc.</small>	Forensic Costs (If applicable)
<b>Main Hearing/Judges Office</b>						
<b>Judicial Review</b>						
<b>Main Hearing (Council or Single Judge)</b>						
<b>Pronouncement Decision &amp; Judgment</b>						
<b>Preparing Judgment</b>						

CIVIL COURT OPERATIONS  
CHECKLIST\*

Operational audit conducted by: \_\_\_\_\_

Division of Court Studied (if applicable)  
(staff and judges dedicated to specific case types)

Date: \_\_\_\_\_

(example: Labor, Commercial, Bankruptcy, Small Claims etc.)

Major Category / Function Sub-Functions	Action Taken / How Performed? (Judge, Staff Attorney, Intake/Registry Clerk, Other Staff?)	Court Staff	Chamber Judge or Chambers Staff	By Whom? (Title and grade)	Average Time Required <small>(in 10<sup>th</sup> of hour) .5= 1/2 hour .10 = 1/6 .25= 1/4 hour etc.</small>	Forensic Costs (If applicable)
<b>Case Marked in Registry, Notification and transfer</b>						
<b>Procedures if Appeal</b>						
<b>Final Enforceable Decision</b>						

CIVIL COURT OPERATIONS  
CHECKLIST\*

Operational audit conducted by: \_\_\_\_\_

Division of Court Studied (if applicable)  
(staff and judges dedicated to specific case types)

Date: \_\_\_\_\_

(example: Labor, Commercial, Bankruptcy, Small Claims etc.)

Major Category / Function Sub-Functions	Action Taken / How Performed? (Judge, Staff Attorney, Intake/Registry Clerk, Other Staff?)	Court Staff	Chamber Judge or Chambers Staff	By Whom? (Title and grade)	Average Time Required <small>(in 10<sup>th</sup> of hour) .5= 1/2 hour .10 = 1/6 .25= 1/4 hour etc.</small>	Forensic Costs (If applicable)
<b>Archiving Cases</b>						
<b>Totals of time and Forensic Costs for period of _____ to _____</b>						

**ATTACHMENT B**  
**CRIMINAL COURT OPERATIONS CHECKLIST**

## ATTACHMENT B

### CRIMINAL COURT OPERATIONS CHECKLIST\*

Operational audit conducted by: \_\_\_\_\_  
Date: \_\_\_\_\_

Division of Court Studied (if applicable) \_\_\_\_\_  
(example: Crimes, Misdemeanors, Organized Crime, etc).

	Action Taken How Performed? (Judge, Staff Attorney, Intake/Registry Clerk, Other Staff)	Court Staff	Chamber Judge or Chambers Staff	By Whom? (Title and Grade)	Average Time Required	Ex-Officio Attorney Fee (if applicable)	Forensic Costs (if applicable)
<b>Registry Office</b>							
<b>Indictment, Proposal or private charges received, (dated, number of motions, Fee (Private filing), Signature</b>							
<b>Registered in Register of Transfer (to criminal intake)</b>							
<b>Confirmation of transfer received from intake center</b>							
<b>Case Registered</b>							
<b>Initial Judicial Intervention (Check for deficiencies, jurisdiction, timeliness etc.)</b>							

<b>Indictment, Proposal or private charges received, (dated, number of motions, Fee (Private filing), Signature</b>							
<b>Intake Center</b>							
<b>Register:</b> <ul style="list-style-type: none"> <li>• <b>Date</b></li> <li>• <b>Councils decisions,</b></li> <li>• <b>names addresses,</b></li> <li>• <b>charge and article,</b></li> <li>• <b>detention information,</b></li> <li>• <b>decision of criminal council,</b></li> <li>• <b>date of appeal to criminal council,</b></li> <li>• <b>decision and disposition of higher court</b></li> <li>• <b>miscellaneous</b></li> </ul>							
<b>Register of Transfers:</b> <ul style="list-style-type: none"> <li>• <b>Court Case number</b></li> <li>• <b>Date of receiving</b></li> <li>• <b>Judges signature</b></li> </ul>							

<b>Name Register:</b> <ul style="list-style-type: none"> <li>• <b>Plaintiff (name and address)</b></li> <li>• <b>Defendant (name and address)</b></li> <li>• <b>Court Case Number</b></li> </ul>							
<b>Order for Fee Payment</b>							
<b>Assignment of Cases</b>							
<b>Register:</b> <ul style="list-style-type: none"> <li>• <b>Date</b></li> <li>• <b>Councils decisions,</b></li> <li>• <b>names addresses,</b></li> <li>• <b>charge and article,</b></li> <li>• <b>detention information,</b></li> <li>• <b>decision of criminal council,</b></li> <li>• <b>date of appeal to criminal council,</b></li> <li>• <b>decision and disposition of higher court</b></li> <li>• <b>miscellaneous</b></li> </ul>							

<b>Register of Transfers:</b> <ul style="list-style-type: none"> <li>• Court Case number</li> <li>• Date of receiving</li> <li>• Judges signature</li> </ul>							
<b>Name Register:</b> <ul style="list-style-type: none"> <li>• Plaintiff (name and address)</li> <li>• Defendant (name and address)</li> <li>• Court Case Number</li> </ul>							
<b>Order for Fee Payment</b>							
<b>Assignment of Cases</b>							
<b>Register:</b> <ul style="list-style-type: none"> <li>• Date</li> <li>• Councils decisions,</li> <li>• names addresses,</li> <li>• charge and article,</li> <li>• detention information,</li> <li>• decision of criminal council,</li> </ul>							

<ul style="list-style-type: none"> <li>• <b>date of appeal to criminal council,</b></li> <li>• <b>decision and disposition of higher court</b></li> <li>• <b>miscellaneous</b></li> </ul>							
<b>Register of Transfers:</b> <ul style="list-style-type: none"> <li>• <b>Court Case number</b></li> <li>• <b>Date of receiving</b></li> <li>• <b>Judges signature</b></li> </ul>							
<b>Motion/Filing:</b> <ul style="list-style-type: none"> <li>• <b>Attach to Case</b></li> <li>• <b>Register of Transfers (case number, date of receipt, judge's signature)</b></li> </ul>							
<b>Case to Assigned Judge</b>							
<b>Judge/President of Council</b>							
<b>Check for Deficiencies</b>							
<ul style="list-style-type: none"> <li>• <b>If Deficiencies</b> <ul style="list-style-type: none"> <li>○ <b>Return to Pros</b></li> <li>○ <b>Correct error</b></li> <li>○ <b>Case withdrawn</b></li> <li>○ <b>Intake</b></li> </ul> </li> </ul>							

<b>Register as ceased</b>							
<ul style="list-style-type: none"> <li><b>If No Deficiencies</b></li> </ul>							
<b>Check Timeliness</b> <ul style="list-style-type: none"> <li><b>Judge Dismisses</b></li> <li><b>Intake Register</b></li> </ul>							
<b>Check Jurisdiction</b> <ul style="list-style-type: none"> <li><b>Direct Case to Competent Court</b></li> </ul>							
<b>Intake Registers Result</b>							
<b>Delivery to Interested Parties</b>							
<b>Prosecution Act Delivered to Accused by:</b> <ul style="list-style-type: none"> <li><b>Court Courier</b></li> <li><b>Post Office</b></li> <li><b>Legal Entity</b></li> </ul>							
<b>Accused:</b> <ul style="list-style-type: none"> <li><b>Objections 8 days</b></li> </ul>							
<b>Registry Office Activity</b>							
<b>Criminal Intake Activity</b> <ul style="list-style-type: none"> <li><b>Assignment of Council</b> <ul style="list-style-type: none"> <li><input type="radio"/> <b>Authorized</b></li> </ul> </li> </ul>							

<ul style="list-style-type: none"> <li>○ Jurisdiction</li> <li>○ Timeliness</li> </ul> <b>Objection Rejected</b> <ul style="list-style-type: none"> <li>○ Delivery to Accused</li> <li>○ Appeal</li> </ul> <b>Registry Office &amp; Criminal Intake Activities</b>							
<b>Judge or Criminal Council Activity</b> <ul style="list-style-type: none"> <li>● Examination of Prosecution Act on Objection</li> <li>● Decision made</li> <li>● To Intake Office</li> <li>● Trial Preparation</li> </ul>							
<b>Procedures for detention or to secure presence of Defendant</b>							
<b>Trial Preparation Phase</b>							
<b>Assign Date, time location of trail</b> <ul style="list-style-type: none"> <li>● Prepare Order</li> </ul>							
<b>Criminal Intake</b> <ul style="list-style-type: none"> <li>● Delivery – Summons</li> <li>● Interpreters, witnesses, experts</li> </ul>							

<b>If Proper delivery</b>							
<b>If Irregular delivery</b>							
<b>To Judge and Trial</b>							
<b>Trial</b> <ul style="list-style-type: none"> <li>• <b>Decisions</b></li> <li>• <b>Appointment of Experts</b></li> <li>• <b>Postponements</b></li> <li>• <b>Ceased Procedure</b></li> <li>• <b>Proposals of Drawing Evidence</b></li> </ul>							
<b>Decisions</b>							
Verdict Art. 367 (initial act rejected)							
Verdict Art. 367 (Accused Released from Charges)							
Verdict Art 369 (Defendant found Guilty) <ul style="list-style-type: none"> <li>○ Penalty Phase</li> <li>○ Criminal Sanctions <ul style="list-style-type: none"> <li>○ Educational measures</li> <li>○ Security Measures</li> <li>○ Alternative Measures</li> </ul> </li> </ul>							

Council							
<b>Pronounce Verdict</b>							
<b>Written Elaboration of Verdict</b>							
<b>To Intake Office</b>							
<b>Delivery to:</b> <ul style="list-style-type: none"> <li>• <b>Prosecutor</b></li> <li>• <b>Accused and Counsel</b></li> <li>• <b>Private Prosecutor</b></li> <li>• <b>Damaged Party</b></li> </ul>							
<b>Proceedings if Appeal</b>							
<ul style="list-style-type: none"> <li>• <b>Registry Office</b></li> <li>• <b>Criminal Intake Office</b></li> </ul>							
<b>Judge/President of Council</b>							
<b>Check for Deficiencies</b>							
<ul style="list-style-type: none"> <li>• <b>If deficiencies</b> <ul style="list-style-type: none"> <li>○ <b>Delivered to the party for correction</b></li> <li>○ <b>Intake office</b></li> <li>○ <b>Judge</b></li> </ul> </li> </ul>							



<b>Forensic Reports (autopsies etc.)</b>							
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\*This document is recommended to Court Administrators for a performance assessment of court operations to assist in setting goals, managing organizational performance, staff performance and deployment and assessing staff needs.

**ATTACHMENT C**  
**COURT PERSONNEL BY CASE-TYPE**

## Attachment C

### Cost Per Case Analysis

TABLE 1

Court	Case Type	1 Total Non- Judicial Staff (use fractions if applicable) Exclude Administrative and Technical	2 Judges (use fractions if applicable)	3 Total Judges & Staff (add 1 & 2)	4 Total staff (total #4 criminal & civil)	5 Percentage Criminal/ Civil (divide 3 by 4)
Nation-Wide	Civil					
	Criminal					
Supreme Court	Civil					
	Criminal					
Appellate Skopje	Civil					
	Criminal					
Appellate Stip	Civil					
	Criminal					
Appellate Bitola	Civil					
	Criminal					
Appellate Gostivar	Civil					
	Criminal					
Administrative Court	Civil					
	Criminal					
Veles	Civil					
	Criminal					
Gevgelija	Civil					
	Criminal					
Gostivar	Civil					
	Criminal					
Debar	Civil					
	Criminal					
Kavadrci	Civil					
	Criminal					
Kratovo	Civil					
	Criminal					
Kriva Palanka	Civil					
	Criminal					
Kumanovo	Civil					
	Criminal					
Negotino	Civil					
	Criminal					
Skopje 1	Civil					
	Criminal					
Skopje 2	Civil					
	Criminal					
Tetovo	Civil					
	Criminal					
BC Bitola	Civil					
	Criminal					
Kicevo	Civil					
	Criminal					

<b>Krushevo</b>	<b>Civil</b>					
	<b>Criminal</b>					
<b>Ohrid</b>	<b>Civil</b>					
	<b>Criminal</b>					
<b>Prilep</b>	<b>Civil</b>					
	<b>Criminal</b>					
<b>Resen</b>	<b>Civil</b>					
	<b>Criminal</b>					
<b>Struga</b>	<b>Civil</b>					
	<b>Criminal</b>					
<b>Berovo</b>	<b>Civil</b>					
	<b>Criminal</b>					
<b>Vinica</b>	<b>Civil</b>					
	<b>Criminal</b>					
<b>Delchevo</b>	<b>Civil</b>					
	<b>Criminal</b>					
<b>Kochani</b>	<b>Civil</b>					
	<b>Criminal</b>					
<b>Radovish</b>	<b>Civil</b>					
	<b>Criminal</b>					
<b>Sveti Nikole</b>	<b>Civil</b>					
	<b>Criminal</b>					
<b>Strumica</b>	<b>Civil</b>					
	<b>Criminal</b>					
<b>Shtip</b>	<b>Civil</b>					
	<b>Criminal</b>					

**ATTACHMENT D**  
**COST PER CASE CALCULATIONS**

## Attachment D

### Allocation by Type (Criminal & Civil) and Cost per Case

**TABLE 1-A**

Court	Case Type	6 Percentage of Court Staff for Civil/Criminal (from table 1 Column 5)	x	7 Total expenditures (excluding capital expenditures & JTA)	=	8 Cost per Case Type	9 Total Dispositions	10 Total Cost Per Case Civil & Criminal (divide 8 by 9)
Nation-Wide	Civil							
	Criminal							
Supreme Court	Civil							
	Criminal							
Appellate Skopje	Civil							
	Criminal							
Appellate Stip	Civil							
	Criminal							
Appellate Bitola	Civil							
	Criminal							
Appellate Gostivar	Civil							
	Criminal							
Administrative Court	Civil							
	Criminal							
Veles	Civil							
	Criminal							
Gevgelija	Civil							
	Criminal							
Gostivar	Civil							
	Criminal							
Debar	Civil							
	Criminal							
Kavadrci	Civil							
	Criminal							
Kratovo	Civil							
	Criminal							
Kriva Palanka	Civil							
	Criminal							
Kumanovo	Civil							
	Criminal							
Negotino	Civil							
	Criminal							
Skopje 1	Civil							
	Criminal							
Skopje 2	Civil							
	Criminal							
Tetovo	Civil							
	Criminal							
BC Bitola	Civil							
	Criminal							
Kicevo	Civil							
	Criminal							
Krushevo	Civil							
	Criminal							
Ohrid	Civil							
	Criminal							

<b>Prilep</b>	<b>Civil</b>						
	<b>Criminal</b>						
<b>Resen</b>	<b>Civil</b>						
	<b>Criminal</b>						
<b>Struga</b>	<b>Civil</b>						
	<b>Criminal</b>						
<b>Berovo</b>	<b>Civil</b>						
	<b>Criminal</b>						
<b>Vinica</b>	<b>Civil</b>						
	<b>Criminal</b>						
<b>Delchevo</b>	<b>Civil</b>						
	<b>Criminal</b>						
<b>Kochani</b>	<b>Civil</b>						
	<b>Criminal</b>						
<b>Radovish</b>	<b>Civil</b>						
	<b>Criminal</b>						
<b>Sveti Nikole</b>	<b>Civil</b>						
	<b>Criminal</b>						
<b>Strumica</b>	<b>Civil</b>						
	<b>Criminal</b>						
<b>Shtip</b>	<b>Civil</b>						
	<b>Criminal</b>						

**ATTACHMENT E**  
**RATIO OF EMPLOYEES TO FILINGS AND DISPOSTIONS**

## Attachment E

### STAFF AND JUDICIAL COMPARITIVE WORKLOADS

**TABLE A**  
**Ratio of Employees to Filings and Dispositions**

For period of 1 January to 31 December 2007

COURT	1 Employees (Admin & technical)	2 Employees (Operations)	3 Total Employees (add 1 & 2)	4 Filings & backlog	5 Dispositions	6 Filings & backlog per Employee (divide 4 by 3)	7 Filings & backlog per Admin. & technical Employee (divide 4 by 1)	8 Filings & backlog per Operational Employee (divide 4 by 2)	9 Dispositions per Employee (divide 5 by 3)
Nation-wide	601	1543	2144	1,973,683	794,081	920.56	3284.00	1279.12	370.37
1 Supreme Court	4	62	66	8,883	3697	134.59	2220.75	143.27	56.02
2 Administrative Court	8	6	14	6,674	0	476.71	834.25	1112.33	0.00
3 Appellate CT Skopje	18	95	113	20,615	18,395	182.43	1145.28	217.00	162.79
4 Appellate CT Bitola	7	46	53	9,717	8,717	183.34	1388.14	211.24	164.47
5 Appellate CT Shtip	2	29	31	6,790	6,307	219.03	3395.00	234.14	203.45
6 Appellate CT Gostivar *	0	0	0	5	0	0.00	0.00	0.00	0.00
7 Veles	15	53	68	60,120	27,007	884.12	4008.00	1134.34	397.16
8 Gevgelija	15	44	59	45,375	23,101	769.07	3025.00	1031.25	391.54
9 Gostivar	24	55	79	88,075	43,027	1114.87	3669.79	1601.36	544.65
10 Debar	5	19	24	13,317	9,409	554.88	2663.40	700.89	392.04
11 Kavadraci	13	37	50	40,055	27,994	801.10	3081.15	1082.57	559.88
12 Kratovo	2	18	20	4,561	3,583	228.05	2280.50	253.39	179.15
13 Kriva Palanka	11	28	39	7,605	6,666	195.00	691.36	271.61	170.92
14 Kumanovo	26	80	106	97,083	36,538	915.88	3733.96	1213.54	344.70
15 Negotino	9	17	26	25,446	10,278	978.69	2827.33	1496.82	395.31
16 Skopje 1	98	159	257	277,598	103,096	1080.15	2832.63	1745.90	401.15
17 Skopje 2	70	142	212	607,337	112,300	2864.80	8676.24	4277.02	529.72
18 Tetovo	43	76	119	113,949	51,859	957.55	2649.98	1499.33	435.79
19 BC Bitola	37	83	120	92,463	34,379	770.53	2499.00	1114.01	286.49
20 Kicevo	15	36	51	22,490	18,543	440.98	1499.33	624.72	363.59
21 Krushevo	7	15	22	7,500	3,693	340.91	1071.43	500.00	167.86
22 Ohrid	21	60	81	63,498	27,568	783.93	3023.71	1058.30	340.35
23 Prilep	24	67	91	107,968	48,414	1186.46	4498.67	1611.46	532.02
24 Resen	8	19	27	6,945	4,699	257.22	868.13	365.53	174.04
25 Struga	20	36	56	32,551	20,651	581.27	1627.55	904.19	368.77
26 Berovo	6	23	29	10,708	8,370	369.24	1784.67	465.57	288.62
27 Vinica	6	22	28	4,996	3,476	178.43	832.67	227.09	124.14
28 Delchevo	10	27	37	8,291	6,870	224.08	829.10	307.07	185.68
29 Kochani	14	38	52	37,965	20,827	730.10	2711.79	999.08	400.52
30 Radovish	10	29	39	22,996	12,298	589.64	2299.60	792.97	315.33
31 Sveti Nikole	6	10	16	11,515	8,698	719.69	1919.17	1151.50	543.63
32 Strumica	24	57	81	60,379	45,882	745.42	2515.79	1059.28	566.44
33 Shtip	23	55	78	50,213	37,739	643.76	2183.17	912.96	483.83

\* There is no sufficient data for the AC Gostivar. The Court has become operational on 01.01.08

**ATTACHMENT F**  
**RATIO OF EMPLOYEES TO JUDGES AND COST PER JUDGE**

## Attachment F

**TABLE B**  
**Ratio of Employees to Judges and Cost per Judgeship**

For period of 1 January to 31 December 2007

COURT	1	2	3	4	5	6	7	8	9
	Judges	Employees (Operation)	Employees (Admin & technical)	Total Employees (add 2 & 3)	Employees (Operation) per Judge divide 2 by 1	Employees (Admin. & technical) per Judge divide 3 by 1	Total employees per Judge divide 4 by 1	Expenditures (appropriations, since expenditures not available at the moment)	Total cost to State per Judge divide 8 by 1
Nation-wide	648	1543	601	2144	2.38	0.93	3.31	128,688,552	198593.44
1 Supreme Court	19	62	4	66	3.3	0.2	3.5	7,074,305	372331.85
2 Administrative Court *	19	6	8	14	0.3	0.4	0.7	0	0.00
3 Appellate CT Skopje	43	95	18	113	2.2	0.4	2.6	11,232,703	261225.65
4 Appellate CT Bitola	21	46	7	53	2.2	0.3	2.5	2,459,762	117131.54
5 Appellate CT Shtip	14	29	2	31	2.1	0.1	2.2	2,038,090	145577.86
6 Appellate CT Gostivar**	14	0	0	0	0.0	0.0	0.0	0	0.00
7 Veles	21	53	15	68	2.5	0.7	3.2	4,525,279	215489.46
8 Gevgelija	17	44	15	59	2.6	0.9	3.5	5,000,278	294133.97
9 Gostivar	19	55	24	79	2.9	1.3	4.2	4,867,479	256183.13
10 Debar	6	19	5	24	3.2	0.8	4.0	1,749,153	291525.57
11 Kavadraci	18	37	13	50	2.1	0.7	2.8	3,219,025	178834.71
12 Kratovo	5	18	2	20	3.6	0.4	4.0	1,560,680	312136.01
13 Kriva Palanka	9	28	11	39		1.2	4.3	2,916,126	324014.01
14 Kumanovo	35	80	26	106	2.3	0.7	3.0	2,374,333	67838.10
15 Negotino	7	17	9	26	2.4	1.3	3.7	836,328	119475.38
16 Skopje 1	66	159	98	257	2.4	1.5	3.9	14,988,792	227102.91
17 Skopje 2	81	142	70	212	1.8	0.9	2.6	16,196,849	199961.09
18 Tetovo	28	76	43	119	2.7	1.5	4.3	4,384,972	156606.15
19 BC Bitola	25	83	37	120	3.3	1.5	4.8	6,862,355	274494.19
20 Kicevo	16	36	15	51	2.3	0.9	3.2	2,806,509	175406.84
21 Krushevo	5	15	7	22	3.0	1.4	4.4	1,029,370	205874.06
22 Ohrid	19	60	21	81	3.2	1.1	4.3	6,019,643	316823.34
23 Prilep	22	67	24	91	3.0	1.1	4.1	4,551,627	206892.13
24 Resen	4	19	8	27	4.8	2.0	6.8	1,502,616	375654.02
25 Struga	17	36	20	56	2.1	1.2	3.3	1,954,379	114963.49
26 Berovo	6	23	6	29	3.8	1.0	4.8	958,457	159742.83
27 Vinica	5	22	6	28	4.4	1.2	5.6	869,238	173847.53
28 Delchevo	6	27	10	37	4.5	1.7	6.2	2,007,872	334645.40
29 Kochani	15	38	14	52	2.5	0.9	3.5	2,213,385	147558.97
30 Radovish	11	29	10	39	2.6	0.9	3.5	2,171,116	197374.17
31 Sveti Nikole	5	10	6	16	2.0	1.2	3.2	2,865,983	573196.59
32 Strumica	26	57	24	81	2.2	0.9	3.1	4,203,894	161688.21
33 Shtip	24	55	23	78	2.3	1.0	3.3	3,247,954	135331.40

\* There is no sufficient data for the Administrative Court. The Court has become operational at the end of 2007.

\*\* There is no sufficient data for the AC Gostivar. The Court has become operational on 01.01.08

**ATTACHMENT G**  
**RATIO OF JUDGES TO FILINGS, DISPOSITIONS AND POPULATION**

## Attachment G

<b>TABLE C</b> <b>Ratio of Judges to Filings and Dispositions</b> <b>For period of 1 January to 31 December 2007</b>							
COURT	1 Judges	2 Filings & backlog	3 Dispositions	4 Filings & backlog per Judge divide 2 by 1	5 Dispositions per Judge 3 by 1	6 Population*	7 Judges per capita divide 6 by 1
Nation-wide	648	1,973,683	794,140	3045.81	1225.52	2022547	3121.21
1 Supreme Court	19	8,883	3697	468	194.6	2,022,547	106449.8
2 Administrative Court	19	6,674	0	351	0.0	2,022,547	106449.8
3 Appellate CT Skopje	43	20,615	18,395	479	427.8	931,122	21654.0
4 Appellate CT Bitola	21	9,717	8,717	463	415.1	365,201	17390.5
5 Appellate CT Shtip	14	6,790	6,307	485	450.5	327,618	23401.3
6 Appellate CT Gostivar	14	5	0	0	0.0	398,606	28471.9
3 Veles	21	60,120	27,066	2,863	1288.9	66,541	3168.6
8 Gevgelija	17	45,375	23,101	2,669	1358.9	47,011	2765.4
9 Gostivar	19	88,075	43,027	4,636	2264.6	115,059	6055.7
10 Debar	6	13,317	9,409	2,220	1568.2	26,061	4343.5
11 Kavadraci	18	40,055	27,994	2,225	1555.2	42,882	2382.3
12 Kratovo	5	4,561	3,583	912	716.6	10,441	2088.2
13 Kriva Palanka	9	7,605	6,666	845	740.7	24,964	2773.8
14 Kumanovo	35	97,083	36,538	2,774	1043.9	137,382	3925.2
15 Negotino	7	25,446	10,278	3,635	1468.3	23,757	3393.9
16 Skopje 1	66	277,598	103,096	4,206	1562.1	578,144	8759.8
17 Skopje 2	81	607,337	112,300	7,498	1386.4	578,144	7137.6
18 Tetovo	28	113,949	51,859	4,070	1852.1	189,066	6752.4
19 BC Bitola	25	92,463	34,379	3,699	1375.2	115,141	4605.6
20 Kicevo	16	22,490	18,543	1,406	1158.9	68,420	4276.3
21 Krushevo	5	7,500	3,693	1,500	738.6	9,684	1936.8
22 Ohrid	19	63,498	27,568	3,342	1450.9	61,256	3224.0
23 Prilep	22	107,968	48,414	4,908	2200.6	96,486	4385.7
24 Resen	4	6,945	4,699	1,736	1174.8	16,825	4206.3
25 Struga	17	32,551	20,651	1,915	1214.8	65,809	3871.1
26 Berovo	6	10,708	8,370	1,785	1395.0	19,458	3243.0
27 Vinica	5	4,996	3,476	999	695.2	19,938	3987.6
28 Delchevo	6	8,291	6,870	1,382	1145.0	25,615	4269.2
29 Kochani	15	37,965	20,827	2,531	1388.5	48,846	3256.4
30 Radovish	11	22,996	12,298	2,091	1118.0	31,780	2889.1
31 Sveti Nikole	5	11,515	8,698	2,303	1739.6	21,355	4271.0
32 Strumica	26	60,379	45,882	2,322	1764.7	92,625	3562.5
33 Shtip	24	50,213	37,739	2,092	1572.5	68,001	2833.4

\* The calculation of population is done based on the regional jurisdiction of the courts as set forth in the Law on Courts, not including the extended jurisdiction of the courts. It is based on the census of 2002.