



**REPORT**

**FROM THE SECOND ANNUAL SURVEY**

**ON MEASURING THE SATISFACTION**

**OF COURT USERS**



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## REPORT FROM THE SECOND ANNUAL SURVEY ON MEASURING THE SATISFACTION OF COURT USERS

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# CONTENTS

|   |    |
|---|----|
| EXECUTIVE SUMMARY   | 6  |
| RESEARCH METHODOLOGY  | 7  |
| SURVEY RESULTS  | 10 |
| I. JUDICIAL REFORMS   | 10 |
| II. TRUST IN JUDICIAL INSTITUTIONS  | 15 |
| III. EFFICIENCY   | 17 |
| IV. NON-DISCRIMINATION, IMPARTIALITY, ETHICS AND QUALITY OF THE JUDICIARY | 25 |
| 1. NON-DISCRIMINATION   | 25 |
| 2. FAIR TREATMENT OF WOMEN VICTIMS OF SEXUAL VIOLENCE                     | 26 |
| 3. PRESUMPTION OF INNOCENCE   | 27 |
| 4. IMPARTIAL JUDGE  | 29 |
| 5. INTERFERENCE IN DECISION-MAKING <sup>34</sup>                          | 30 |
| 6. CORRUPTION   | 33 |
| 7. ETHICS AND INTEGRITY   | 34 |
| V. QUALITY OF COURT PROCEEDINGS   | 37 |
| 1. QUALITY OF JUSTICE IN THE LAST THREE YEARS                             | 37 |
| 2. RESPECT FOR THE RIGHTS IN THE PROCEEDINGS                              | 38 |
| 3. RESOURCES OF COURTS AND PUBLIC PROSECUTION OFFICES                     | 39 |
| 4. AVAILABILITY OF INFORMATION  | 40 |
| 5. PRESENTATION OF EVIDENCE   | 41 |
| 6. HEARING OF WITNESSES   | 42 |
| 7. JUDGE'S KNOWLEDGE ABOUT THE CASE                                       | 43 |
| 8. CLARITY OF COURT DECISIONS <sup>50</sup>                               | 43 |
| 9. DECISION MAKING STANDARDS <sup>51</sup>                                | 44 |
| VI. EXPERTISE AND PROFESSIONALISM   | 49 |
| 1. HOW WELL THE JUDGES PERFORM  | 49 |
| 2. HOW WELL PUBLIC PROSECUTORS PERFORM                                    | 50 |
| 3. HOW WELL THE LAWYERS PERFORM   | 51 |

## EXECUTIVE SUMMARY

The analysis of court proceedings participants' satisfaction was prepared under the Project and aims to measure the satisfaction of the parties in the court proceedings, as well as the effects of the judicial reforms. The analysis was conducted through a multi-target survey in two consecutive years, in 2019 and 2020, in order to measure to what extent the satisfaction of the parties involved in court proceedings has increased or decreased with regard to the performance of courts and the functioning of the justice system.

The subject of research is the trust in judicial institutions, their efficiency, the attitude towards the participants in court proceedings, the expertise and professionalism of judges and public prosecutors and the quality of court proceedings in general. The respondents also assessed the effects of the implementation of the judicial reforms, foreseen in the Judicial Reform Strategy 2017-2022.

From the survey it can be concluded that the reform is yielding results and improvements have been noticed in all areas. The opinions of judges and public prosecutors are similar. They believe that the quality has improved, disputes are resolved faster, the operation of courts is more efficient and the expertise and professionalism of all parties involved in the proceedings has improved. They also stated that the working conditions and the resources available to courts and public prosecutors have improved as well, including budget management, strategic planning and policy making. The system for selecting, appointing and promoting judges and public prosecutors has also been enhanced. In contrast, lawyers have a slightly different opinion and generally think that no major changes have taken place in the analysed areas, that there are some improvements, but generally the situation has deteriorated.

Upon the findings from the survey, we can conclude that that implementation of reforms in all segments should continue.

## RESEARCH METHODOLOGY

In this research the satisfaction of court users was measured through a survey delivered to several target groups during 2019 and 2020. The survey was implemented in the field, in person, and was conducted by interviewers who were instructed to try to interview every third person entering or leaving the court. In order to conduct the survey in accordance with the instructions and to obtain relevant data, the work of the interviewers was supervised by four supervisors. The interviewers were careful to fill in the questionnaires based on the interaction with the respondents, as well as to give accurate and precise directions to the respondents.

In order to gain comprehensive perception of the general satisfaction with the courts' performance, the survey covered several target groups: citizens (defendants, injured parties, victims, etc.), judges, court clerks, public prosecutors, lawyers and expert witnesses. The survey covered the basic courts, selected according to the number of cases in 2018, the existence of a seat of appellate area and / or legal faculties and studies in the city:<sup>1</sup>

- » The Basic Criminal Court in Skopje;
- » The Basic Civil Court in Skopje;
- » The Basic Court in Bitola;
- » The Basic Court in Gostivar, and
- » The Basic Court in Shtip.

This report presents the results of the survey of citizens filing lawsuits in the mentioned courts and of legal professionals working in those same courts (judges, court clerks, lawyers and prosecutors), and it was conducted in 2020. This report also contains a comparative analysis of this data with the data obtained from another survey taken in 2019, and it presents the differences in the perception of respondents from all target groups regarding the improvement of the situation in the judiciary.

The starting point in the design of the sample was the number of cases in each of the courts in 2018, and it was determined that one respondent should be surveyed per every 600 cases administered in those courts. Judges surveyed represented 20% of the judges in the targeted courts, while the surveyed lawyers (attorneys) represented 5% of the attorneys in the jurisdiction of the mentioned courts.

A total of 365 disputed citizens, 36 judges, 71 court clerks, 30 public prosecutors and 92 lawyers were initially planned to be interviewed. In the two years during which the survey was conducted, small deviations were made in the number of respondents, whereby in 2019 a higher number of respondents was included in all target groups, except for public prosecutors, while in 2020 a smaller number of citizens, judges, and a higher number of lawyers and court clerks were interviewed.

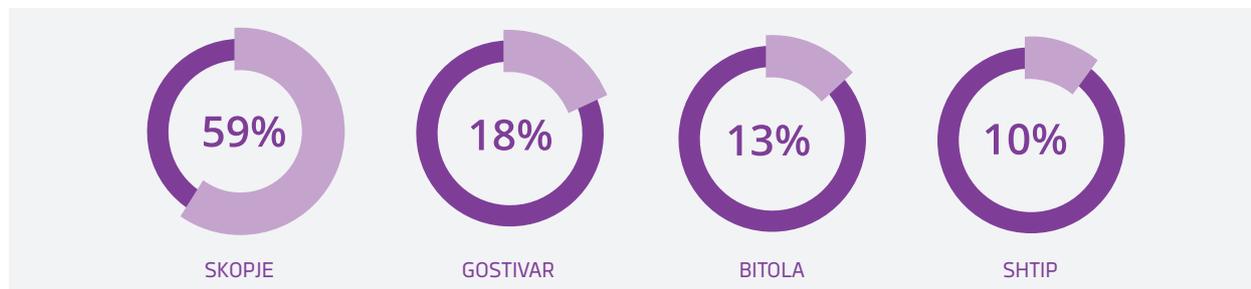
| NUMBER OF RESPONDENTS |                    | 2019 | 2020 |
|-----------------------|--------------------|------|------|
| 1                     | CITIZENS           | 415  | 333  |
| 2                     | JUDGES             | 41   | 33   |
| 3                     | PUBLIC PROSECUTORS | 29   | 29   |
| 4                     | LAWYERS            | 94   | 98   |
| 5                     | COURT CLERKS       | 73   | 83   |

1. The existence of legal faculties and studies in the city was taken into account due to the intention of the project to build in the judiciary a culture focusing on quality and customers.

In doing so, care was taken to ensure equal representation of respondents by gender, age, education and nationality. 56.7% of the respondents were men, and the rest were women.

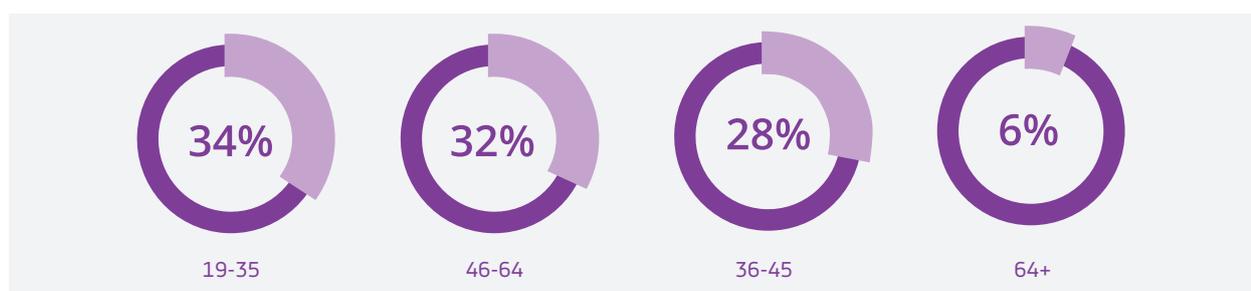
Almost two thirds of the respondents were from Skopje (59%), followed by Gostivar (18%), Bitola (13%) and Shtip (10%). This distribution corresponds to the number of cases in each of the basic courts participating in this survey.

GRAPH 1: RESPONDENTS BY LOCATION



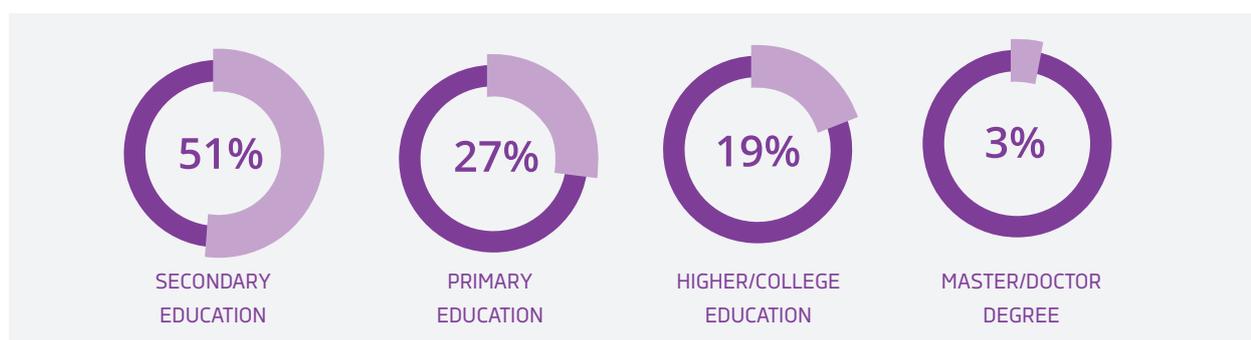
Most of the respondents (34%) were between 19-35 years old, followed by respondents that were between 46 and 64 years old (32%) and by those between 36 and 45 years old (28%). The lowest number of respondents (6%) were 65 years old and over.

GRAPH 2: RESPONDENTS BY AGE



According to the level of education, most of the respondents (51%) have completed secondary education, 19% have higher or college education, 27% have completed primary education and only 3% of the respondents had a master / doctor degree.

GRAPH 3: RESPONDENTS BY LEVEL OF EDUCATION



By nationality, 54% of respondents were Macedonian, 31% Albanian and 15% were of another nationality.

GRAPH 4: RESPONDENTS BY NATIONALITY



In terms of the grounds on which the citizens came to court, most of them (49) were citizens who were sued or accused, about one third (31%) of them were citizens who sue, 8% were injured parties or victims, and the rest belong to other categories.

GRAPH 5: ROLE OF THE RESPONDENT



Most of the citizens surveyed (52%) were parties in a civil proceedings, less than one third (27%) in a criminal proceedings, and 21% of the respondents were parties in a misdemeanour proceedings.

GRAPH 6: RESPONDENTS BY TYPE OF PROCEEDINGS



Compared to the previous year, the number of respondents who came to court for misdemeanour proceedings has increased, at the expense of civil and criminal proceedings, which may be a result of the increased misdemeanour charges during the Covid-19 pandemic.

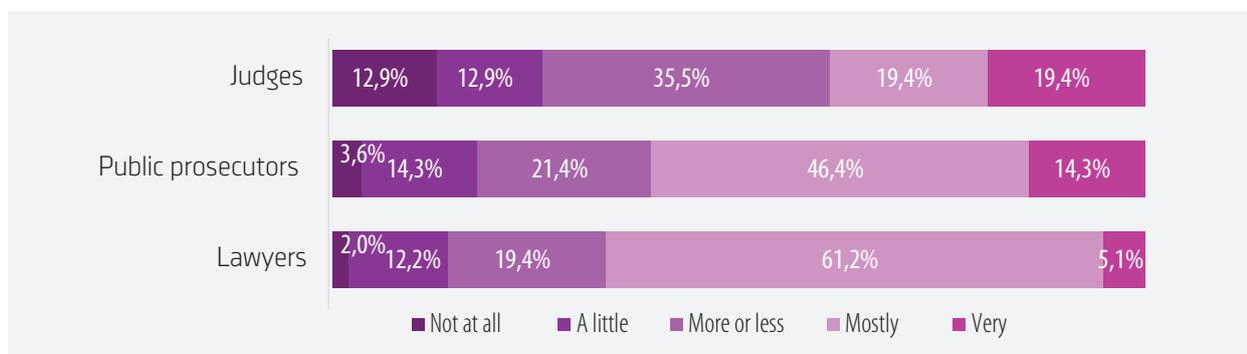
# I. SURVEY RESULTS

## 1. JUDICIAL REFORMS

Judicial reforms have been ongoing for several years, since the adoption of the Judiciary Reform Strategy 2017-2022 and judges, public prosecutors and lawyers were asked if they were familiar with the strategy and how they evaluate its results.

The survey shows that judges are the least aware about the judicial reform. Only 38.8% of them answered that they are mostly and very aware of the strategy, while 67% of the public prosecutors stated that they are mostly (46.4%) and very aware, and the most aware are the lawyers, of which 66.3% are mostly (61.2%) and very aware about the strategy.

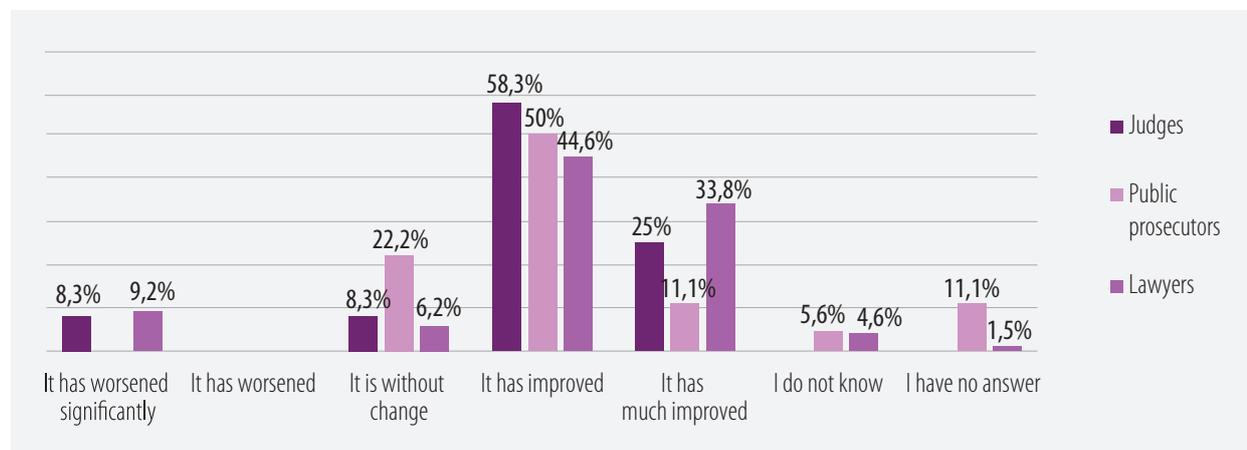
GRAPH 7: AWARENESS OF THE JUDICIAL REFORM STRATEGY



The judges, public prosecutors and lawyers who answered "I am very aware" and "I am mostly aware" assessed the changes that have occurred in the judiciary as a result of the implementation of the reforms. From their answers we could conclude that the performance of courts has improved the most, the performance of the public prosecution offices has slightly improved, while most of the respondents believe that the work of the Academy of Judges and Public Prosecutors has not changed.

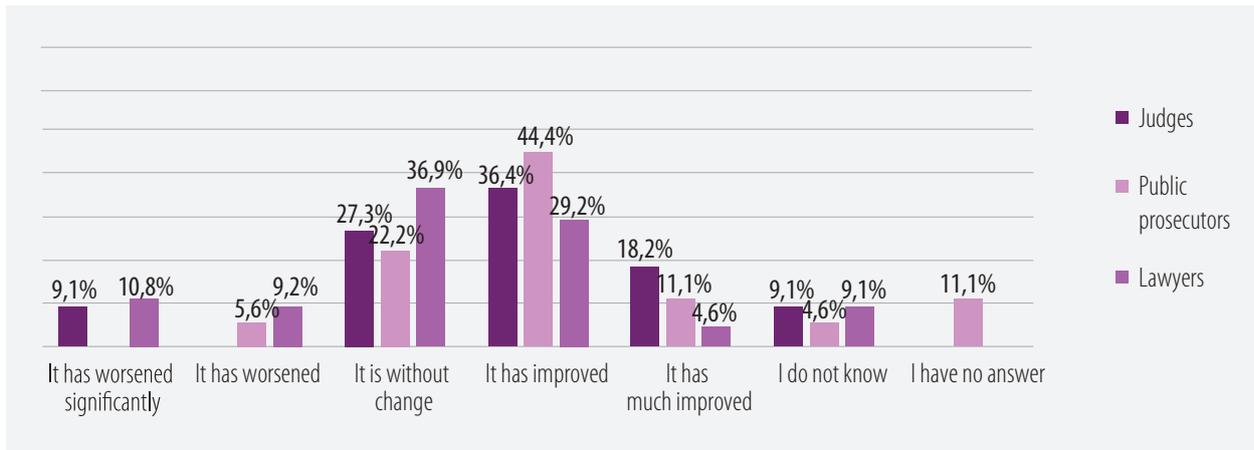
83.3% of judges, 61.1% of public prosecutors and 76.5% of lawyers have assessed the performance of the courts as "improved" and "much improved". A small number of them think that there are no changes, and only a small part of the judges and lawyers think that the performance of the courts has worsened significantly.

GRAPH 8: PERFORMANCE OF THE COURTS



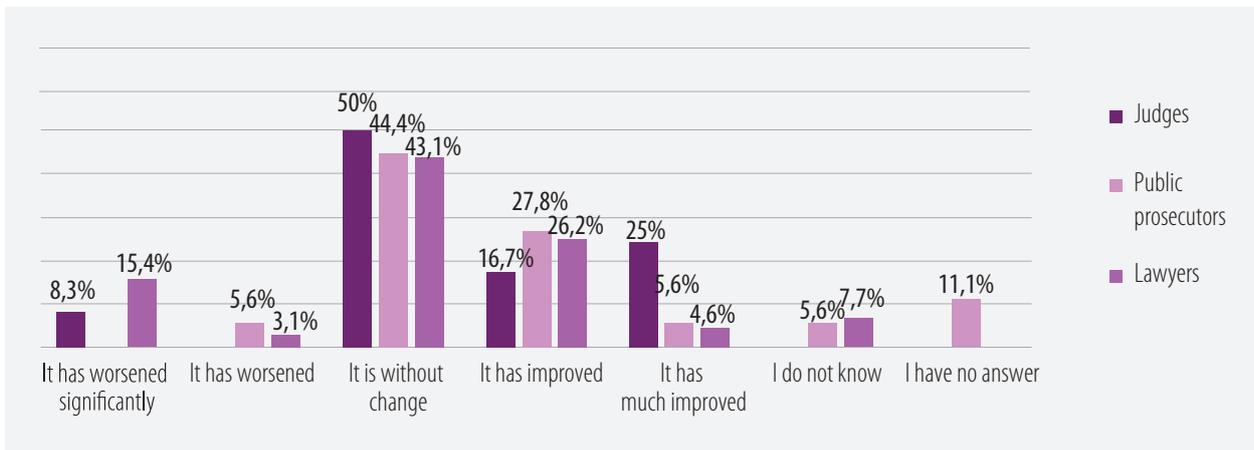
The performance of the Public Prosecution Office has been assessed as improved by 54.5% of judges, 55.6% of public prosecutors and 33% of lawyers.

GRAPH 9: PERFORMANCE OF THE PUBLIC PROSECUTION OFFICE



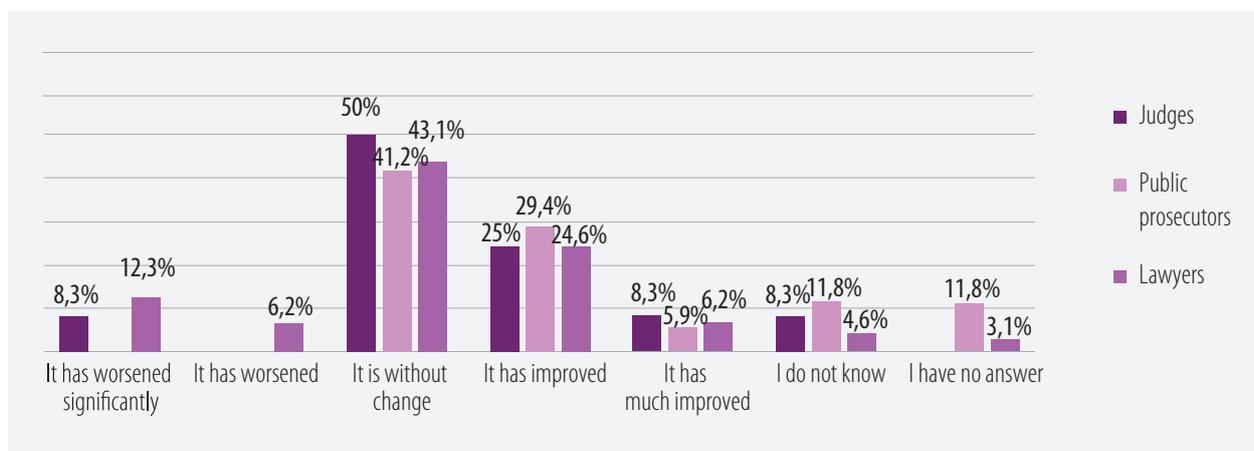
The work of the Academy for Judges and Public Prosecutors was assessed as unchanged by most of the respondents (50% of the judges, 44.4% of the public prosecutors and 43.1% of the lawyers gave this answer).

GRAPH 10: PERFORMANCE OF THE ACADEMY FOR JUDGES AND PUBLIC PROSECUTORS



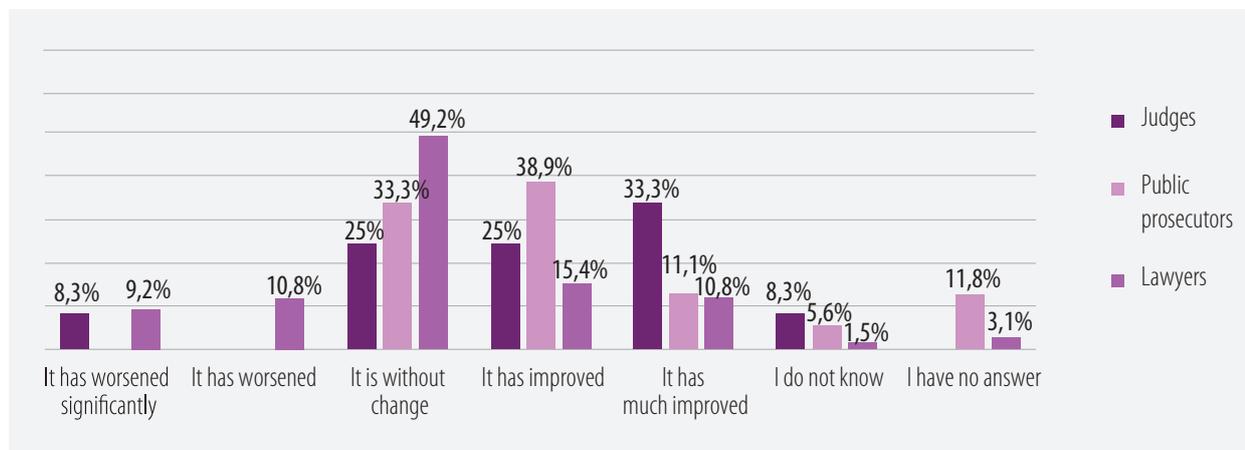
The criteria and procedure for evaluation of judges were unchanged, as answered by 50% of judges, 41.2% of lawyers and 42.4% of public prosecutors. 8.3% of the judges think that the criteria have deteriorated.

GRAPH 11: CRITERIA AND PROCEDURE FOR EVALUATION OF JUDGES



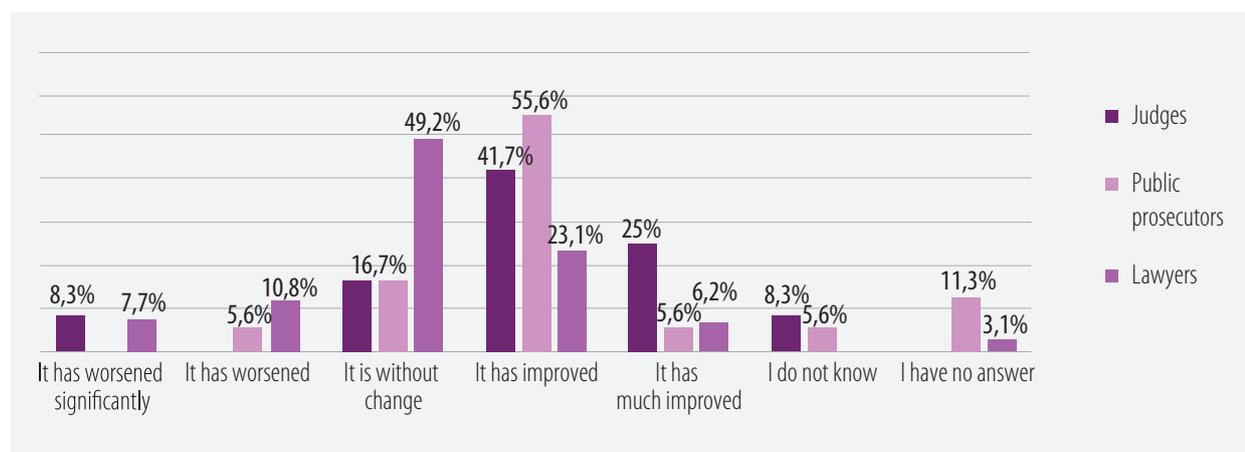
Most judges (35%) believe that the impartiality of judicial institutions has greatly improved and 25% of them have answered that it has improved. Contrary to this, 38.9% of public prosecutors said that impartiality had improved, and 33.3% that it had not changed. Most lawyers (49.2%) believe that the situation has remained the same.

GRAPH 12: IMPARTIALITY OF JUDICIAL INSTITUTIONS



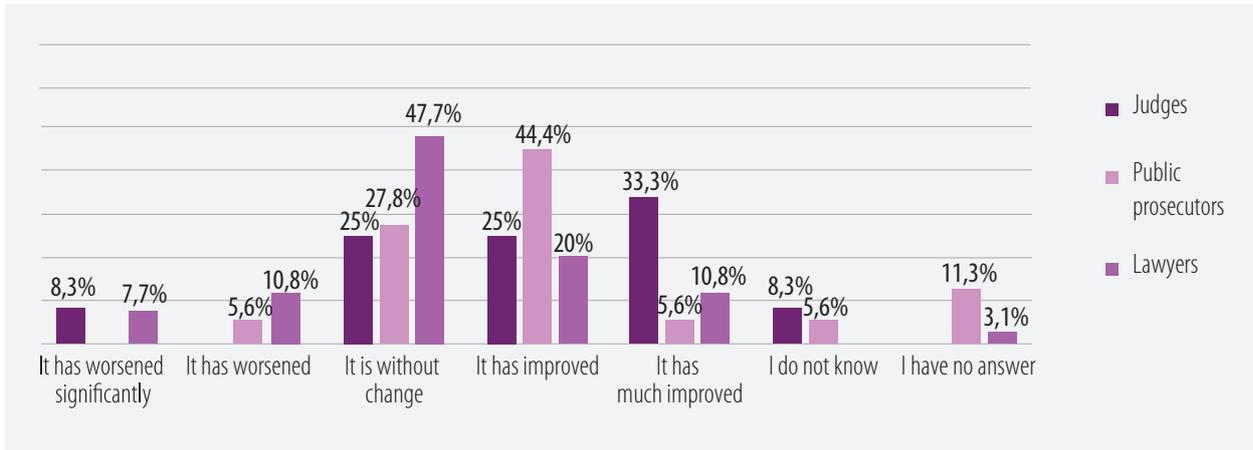
Most of the public prosecutors (55.6%) believe that the quality of justice has improved, 16.7% of them think that there are no changes, while 16.6% did not answer, i.e. do not know if there are changes. Most judges (41.7%) believe that the quality of justice has improved, and 25% said that it has much improved. Unlike judges and public prosecutors, the majority of other respondents (49.2%) stated that the quality of justice remained unchanged.

GRAPH 13: QUALITY OF JUSTICE



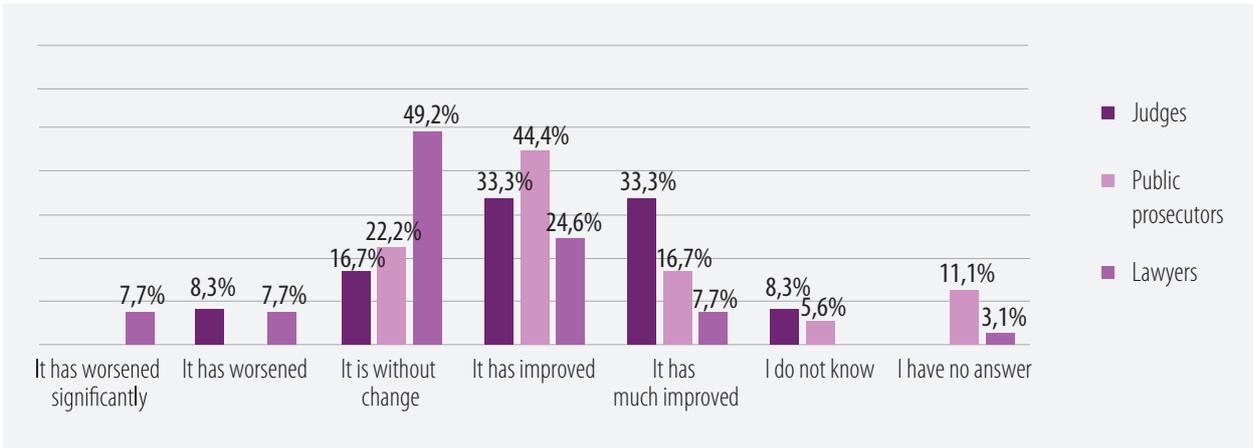
With regard to courts' efficiency the answers show a divided opinion. Part of them said that the efficiency has improved (44% of public prosecutors, 25% of judges and 20% of lawyers) and the other half that it has not changed (47.7% of lawyers, 27.8% of public prosecutors and 25% of judges).

GRAPH 14: EFFICIENCY



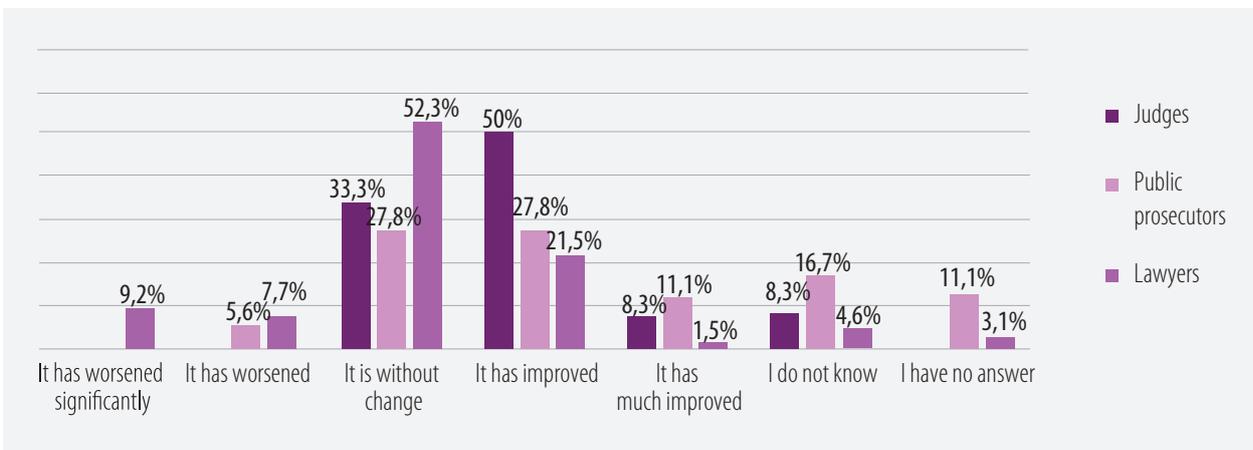
Most of the surveyed judges (33.3%) believe that transparency has improved and the same number of them that it has improved a lot. Public prosecutors (44.4%) stated that transparency has improved, 22.2% that there have been no changes, and 16.7% that it has improved a lot. Most lawyers (49.2%) think that there is no change in transparency, and 24.6% think that it has improved.

GRAPH 15: TRANSPARENCY



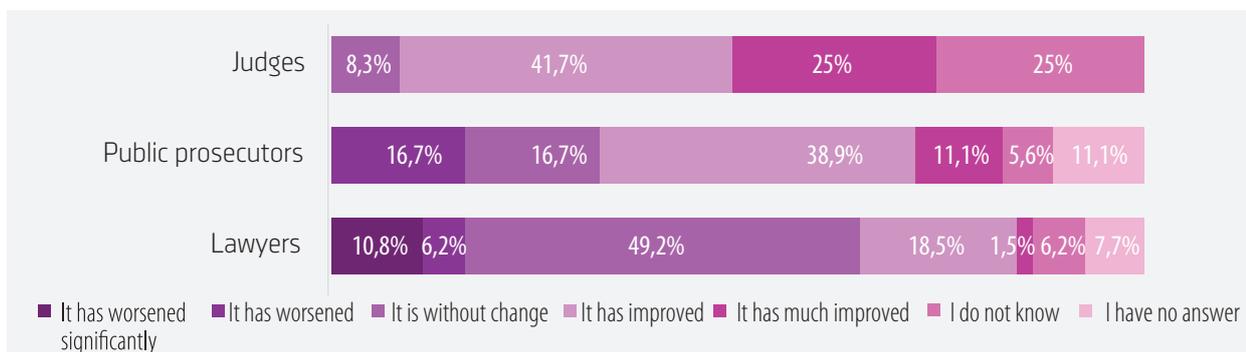
The ability for strategic planning and policy making in the sector has improved according to 59% of judges, 27.8% of prosecutors and 21.5% of lawyers. However, the number of respondents who believe that there are no changes in this regard is high.

GRAPH 16: STRATEGIC PLANNING AND POLICY MAKING IN THE SECTOR



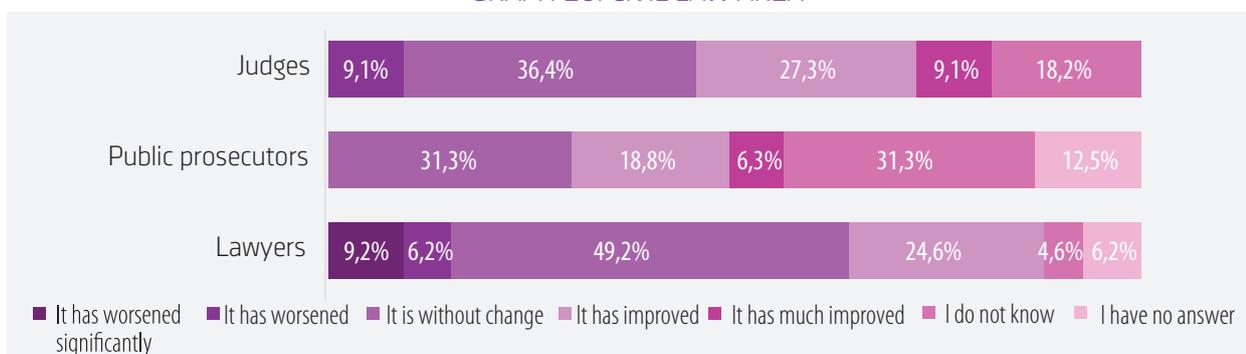
Regarding the situation per legal areas, the situation in the criminal law area has improved the most, as stated by most of the examined judges (41.7%) and prosecutors (38.9%), unlike the lawyers (49.2%) who believe that there are no changes.

GRAPH 17: CRIMINAL LAW AREA



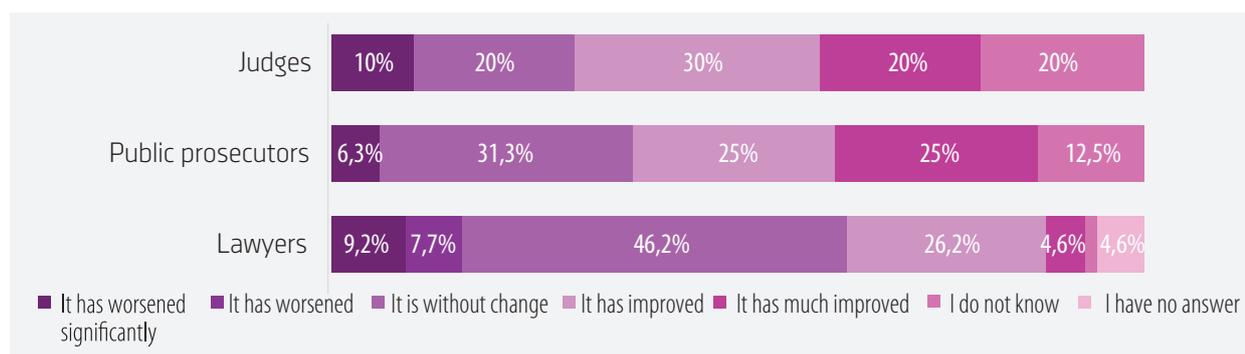
Most of the respondents answered that there are no changes in the civil law area (as stated by 49.2% of the lawyers, 36.4% of the judges and 31.3% of the public prosecutors). It is interesting that 31.3% of the public prosecutors did not answer this question, and 12.5% stated that they did not know.

GRAPH 18: CIVIL LAW AREA



Respondents believe that greatest improvements have happened in the misdemeanours area, as stated by 50% of judges and public prosecutors, while most lawyers believe that there are no changes in this area.

GRAPH 19: MISDEMEANOUR LAW AREA



## CONCLUSIONS

Regarding the reforms, the respondents believe that there are improvements in all segments, i.e. areas of research. The opinion of judges and public prosecutors is similar and the answers to all the questions mostly reflect their perceptions of greater improvements in all segments. The opinion of the lawyers is a little different from that of the judges and public prosecutors and they are more moderate in their answers, i.e. most of them answered that the situation has not changed or improved in the legal areas. Some lawyers believe that the situation has worsened.

## II. TRUST IN JUDICIAL INSTITUTIONS

The analysis of the citizens' trust in the judiciary and judicial institutions shows that they have the greatest trust in lawyers, then in the courts, less trust in expert witnesses, and the least trust in the Public Prosecution Office.

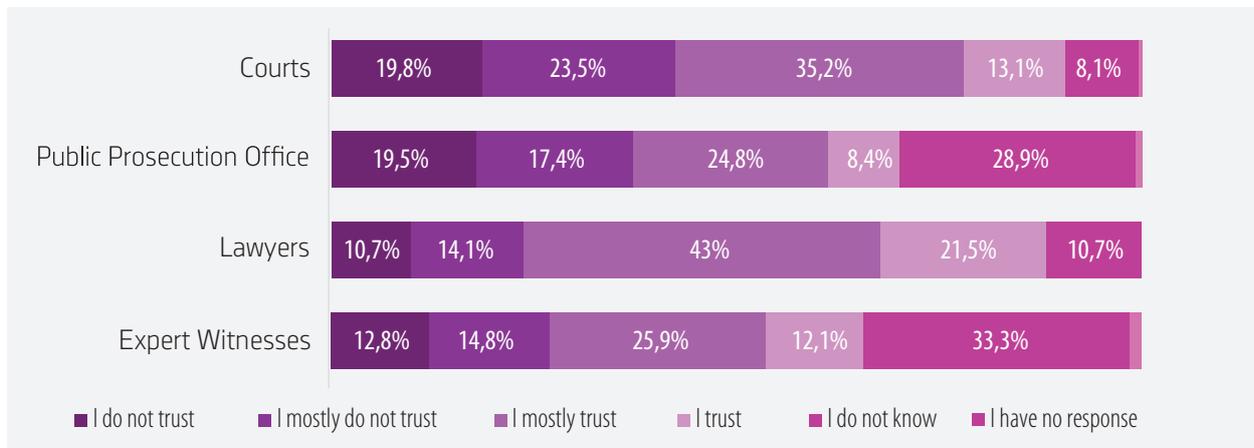
Regarding the courts, the survey shows that 48.3% of the respondents trust the courts (35.2% mostly trust, and 13.1% trust), 43.3% still distrust the courts (19.8% do not trust, and 23.5% mostly do not trust), and about 8% do not know, i.e. do not have an answer.

The level of citizens' trust in the Public Prosecution Office is similar to their trust in the courts. Of the respondents, 36.9% stated that they have reduced trust in the Public Prosecution Office (19.5% do not trust, and 17.4% mostly do not trust), 33.2% of them have relative trust (24.8% mostly trust, and 8.4% trust) and high 29% do not know or have no answer.

The survey shows that the citizens have the greatest trust in lawyers and 64.4% said that they trust and mostly trust lawyers, and 24% that they do not trust or mostly do not trust them.

Trust in expert witnesses is divided between I trust and I mostly trust (38%), I do not know (34.3%) and I do not trust or I mostly do not trust (27.6%).

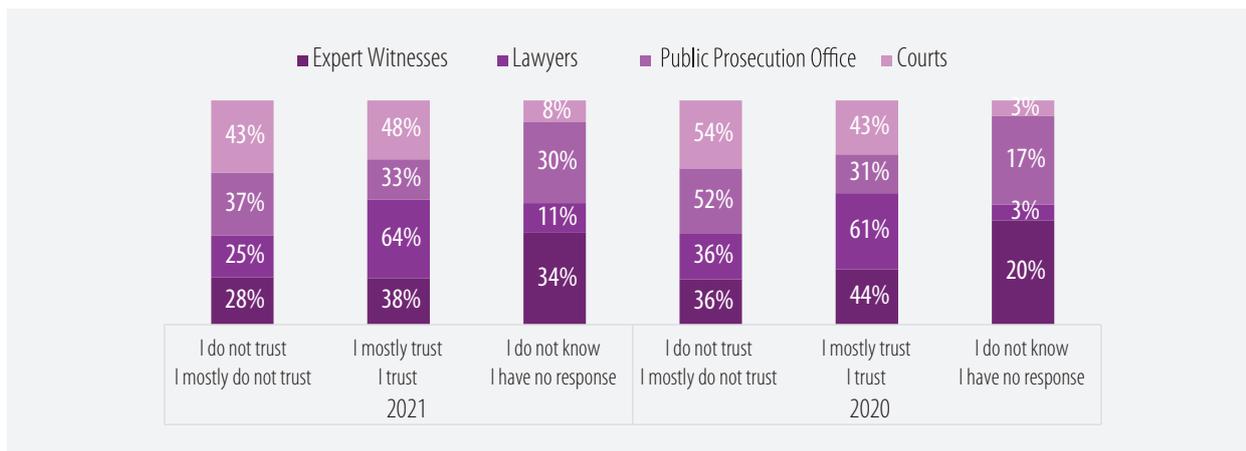
GRAPH 20: TRUST IN JUDICIAL INSTITUTIONS



The factors driving reduction of trust in each of the institutions are numerous, but the respondents mostly state that suspicion of corruption and political influence are the reasons for their reduced trust.

Citizens' trust in the judiciary in 2021 has increased compared to 2020. The trust of the citizens has mostly increased with regard to the courts (by 12.4%), then the Public Prosecution Office (by 7.2%), to a slightly lesser extent the trust in the lawyers has also increased (by 5.6%), while the trust in the expert witnesses has decreased by 13.5%.

GRAPH 21: CHANGE IN THE CITIZENS' PERCEPTION WITH REGARD TO THEIR TRUST IN THE JUDICIARY



If in 2020 54% of the respondents stated that they do not trust or mostly do not trust the courts, in 2021 that percentage is reduced to 48%. On the other hand, the percentage of citizens who said that they trust or mostly trust the courts has increased from 43% to 48%. At the same time, the percentage of citizens who are not sure about their trust in the courts has increased.

The situation is similar with regard to the respondents' trust in the Public Prosecution Office, whereby the number of citizens who do not trust the Prosecution Office has decreased significantly from 52% in 2020 to 37% in 2021, at the expense of the increase in the number of citizens who are not sure if they trust the Public Prosecution Office (from 17% in 2020 to 30% in 2021). The number of citizens who declared that they trust the PPO has increased from 31% to 33%.

As in the previous year and in 2021, the citizens had greatest trust in lawyers, but unlike before, the number of citizens who do not know whether or not they trust lawyers has increased.

The greatest increase of distrust is evident with regard to the expert witnesses, from 28% in 2020 to 36% in 2021, i.e. in 2020 44% of the respondents expressed trust in the Prosecution, and in 2021 that percentage is 38%. The percentage of respondents who are not sure whether or not they trust the PPO has also increased.

## CONCLUSIONS

From the answers it can be concluded that the number of citizens who do not or significantly do not trust the courts and public prosecution offices is still high, while the citizens' trust in lawyers is higher than their trust in judges and public prosecutors; the trust in expert witnesses is declining.

### III. EFFICIENCY

Judges, public prosecutors and lawyers rated the performance of judges, public prosecutors, court clerks, PPO clerks, lawyers and experts on a scale of 1 to 5, where 1 indicates very poor and 5 very good. The answers are shown in the graphs below.

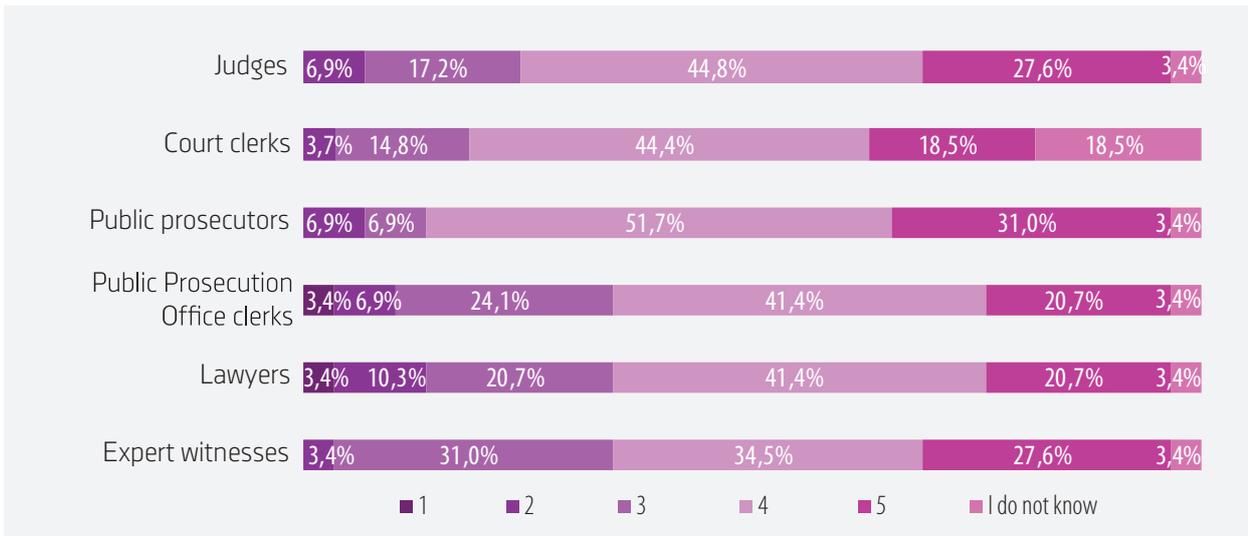
Most of the judges (81.3%) consider themselves to be very efficient and rated themselves with grades 4 and 5, while 9.1% consider themselves to be moderately efficient (grade 3) and the rest have chosen less efficient. 73.9% of the examined judges stated that prosecutors are very efficient, 13% of them consider them moderately efficient, and no judge evaluated the efficiency of prosecutors with grades 1 and 2. The opinion of the judges about court clerks is that they are very efficient (4 and 5) as stated by 56.7% of judges, and 26.7% rated the clerks with a grade of 3, or moderately efficient. Judges rated prosecution clerks as the least efficient compared to other target groups and only 40% of them rated them as very efficient (4 and 5), while as many as 36% of them consider prosecution clerks to be ineffective and rated them with a grade of 2. Judges' opinion on the efficiency of lawyers is high, so 61.3% of them rated them with grades 4 and 5, and 25.8% consider them to be moderately efficient (3). 61.3% of the judges said that the expert witnesses were highly efficient, and 22.6% of them considered them to be moderately efficient.

GRAPH 22: EFFICIENCY EVALUATED BY JUDGES



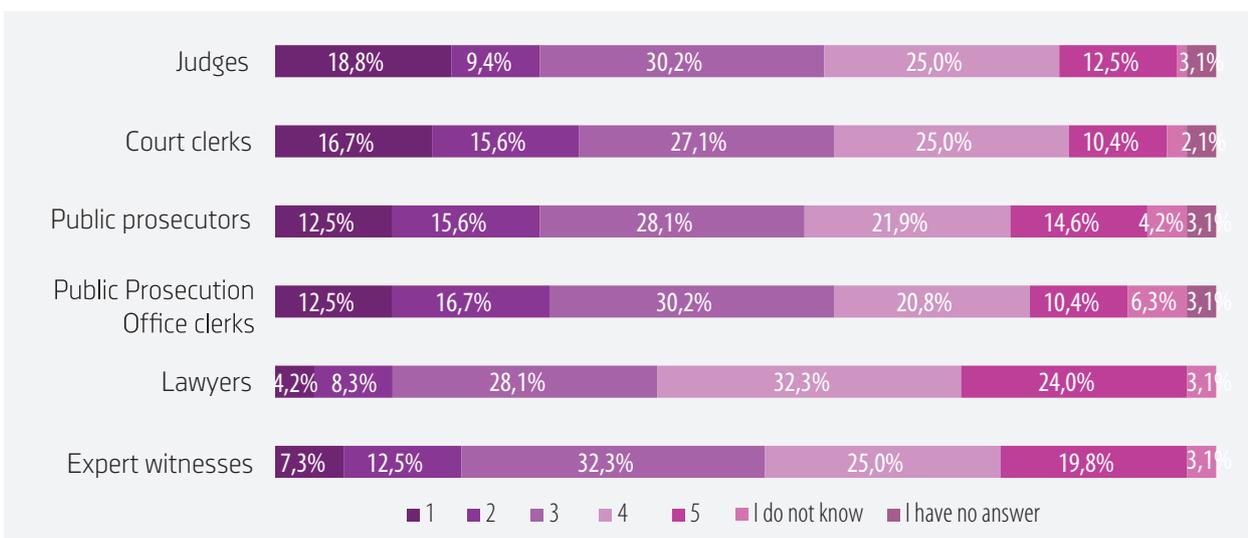
Public prosecutors consider all target groups to be highly efficient, but 82.8% of them gave themselves the highest scores for efficiency (4 and 5). 72.4% of them gave the same grades to judges, and about 62% of the prosecutors said that prosecution offices and courts were very efficient, and so did lawyers and expert witnesses.

GRAPH 23: EFFICIENCY EVALUATED BY PUBLIC PROSECUTORS



Lawyers, unlike judges and public prosecutors, believe that the efficiency of the judiciary is lower, although most of them did not answer, or answered "I do not know" (3% to 6%). Lawyers gave the lowest grades to judges, so 28.1% of them think that judges and public prosecutors are very inefficient (grades 1 and 2), with judges being less inefficient than public prosecutors. Many lawyers consider the clerks in the courts and public prosecution offices to be very inefficient (32.1% for the court clerks and 29.2% for the prosecution clerks) and evaluated them with the lowest grades (1 and 2). The lawyers think that the expert witnesses are more efficient, as answered by 44% of lawyers (grades 4 and 5) and of course they gave themselves the highest marks; 56.3% consider themselves to be very efficient, and 28.15% that they are moderately efficient.

GRAPH 24: EFFICIENCY EVALUATED BY JUDGES



The duration of court proceedings is significantly shortened and most of them end within a year, as stated by 51% of the surveyed citizens; 34% of them answered that the proceedings lasted between one and three years, while 12% of the respondents said that their proceedings lasted between three and seven years.

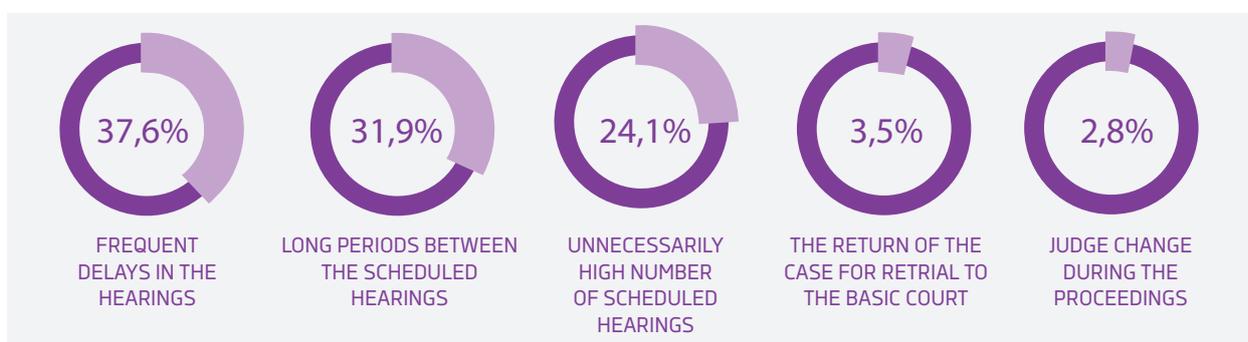
The responses of the citizens regarding the duration of the proceedings are similar in both years (2021 and 2020), which means that their opinion has not changed significantly. This is probably due to the relatively short period between the two surveys (carried out in two consecutive years).

GRAPH 25: DURATION OF THE PROCEEDINGS



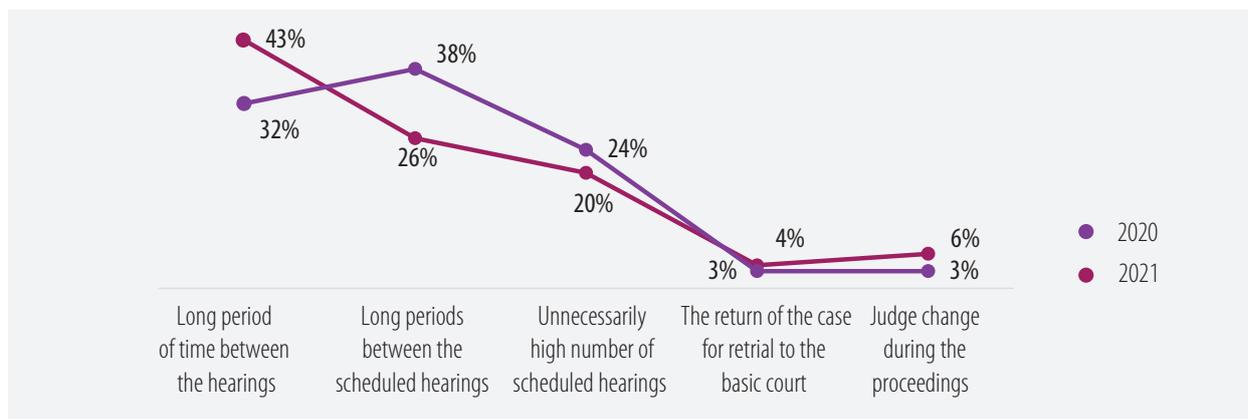
The main reasons for dissatisfaction of the citizens with the duration of the proceedings are the frequent delays in the hearings (37.6%), the long periods between the scheduled hearings (31.9%) and according to them the unnecessarily high number of scheduled hearings (24.1%). Other reasons for dissatisfaction stated by smaller number of respondents were the return of the case for retrial to the basic court (3.5%) and judge change during the proceedings (2.8%).

GRAPH 26: REASONS RELATED TO THE DURATION OF THE PROCEDURE



According to the citizens' answers, the dissatisfaction with the duration of the proceedings in 2021, compared to 2020, refers more to the long period of time between the hearings, than to the frequent postponement of the hearings during the procedure.

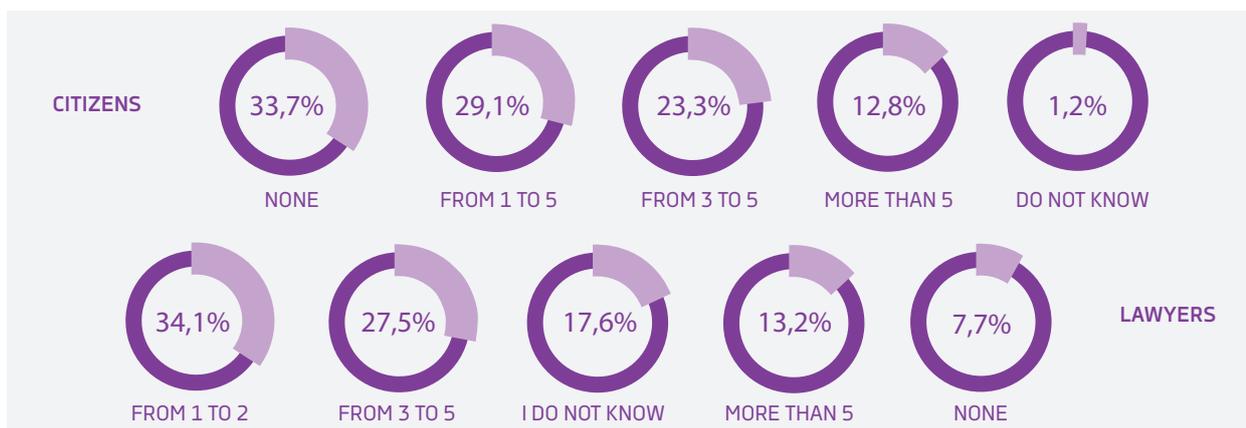
GRAPH 27: CHANGES IN THE REASONS RELATED TO THE DURATION OF THE PROCEEDINGS



The survey shows that the answers of citizens and lawyers and public prosecutors are similar in terms of the number of postponed hearings and according to them they all have had postponed one to two hearings. A large part of the citizens (33.7%) stated that they do not have postponed hearings, while most of the lawyers had up to two postponed hearings, but the number of lawyers who have had from three to five hearings postponed is also not small.

12.8% of the surveyed citizens, 23.3% and 13.2% of the lawyers had more than 5 postponed hearings. 3 to 5 hearings were postponed for 23.3% and 29.1% had from 1 to 2 hearings postponed during the procedure. Most of the respondents, 33.7%, stated that they did not have any postponed hearings.

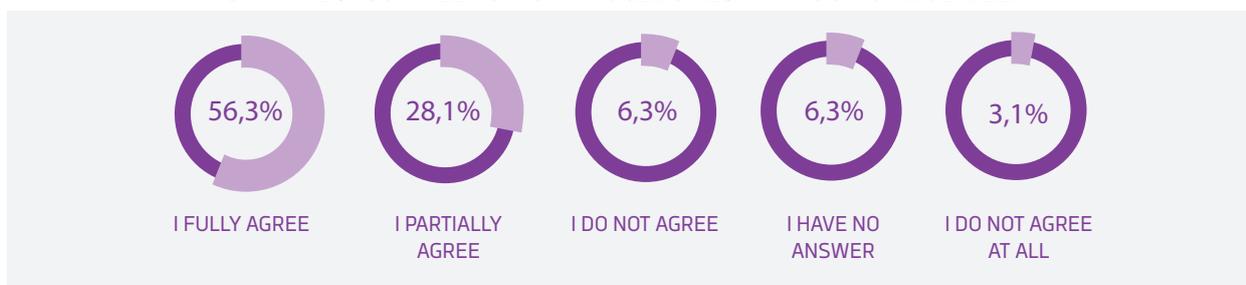
GRAPH 28: NUMBER OF HEARINGS POSTPONED



Out of 29 public prosecutors who were surveyed, only two answered this question, one of whom answered that he had no hearings postponed, the other answered "I do not know", and 27 of them did not provide an answer.

In contrast, the judges answered a differently formulated question: "To what extent do you agree that the courts complete the proceedings without undue delay?" and 84.4% of them answered that they fully (56.3%) and partially (28%) agree that the court proceedings end without undue delay.

GRAPH 29: COMPLETION OF PROCEDURES WITHOUT UNDUE DELAY



The situation with the postponement of hearings has improved in 2021 compared to 2020, i.e. the number of postponements of hearings in court proceedings has decreased. Thus, if in 2020 most of the respondents (66%) thought that during the procedure there was a postponement of 3-5 hearings, in 2021 only 23% of them said so.

GRAPH 30: CHANGES IN THE OPINION ABOUT POSTPONED HEARINGS

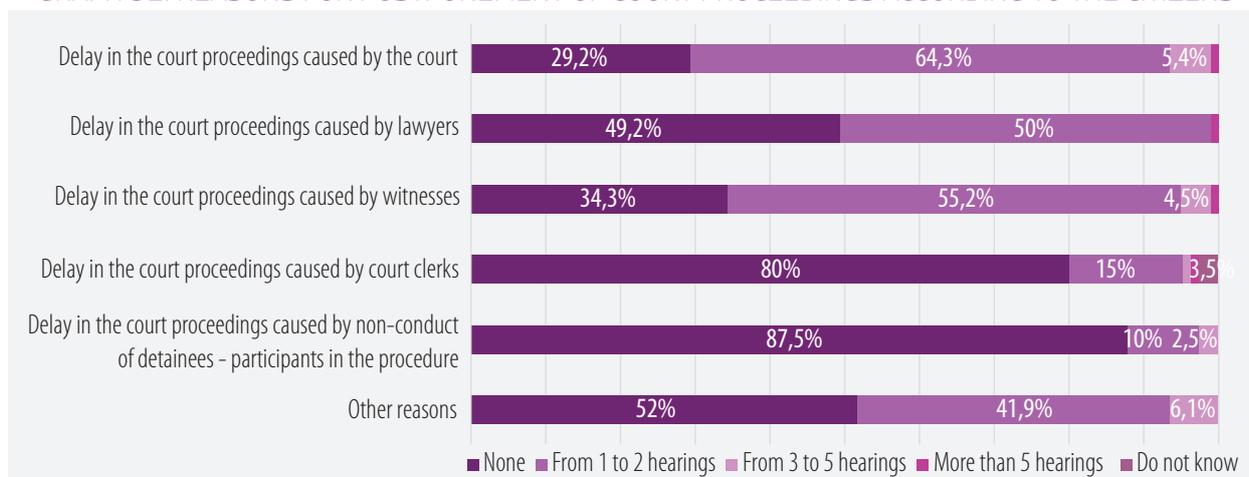


Citizens believe that the most common reasons<sup>2</sup> due to which one or two hearings are postponed during the proceedings are due to the court (64.3%), non-appearance of witnesses at the hearings (60.4%), due to lawyers (25%), due to expert witnesses (15%), non-conduct of witnesses (10%) and (41.9%) other reasons.

<sup>2</sup> Multiple answers allowed.

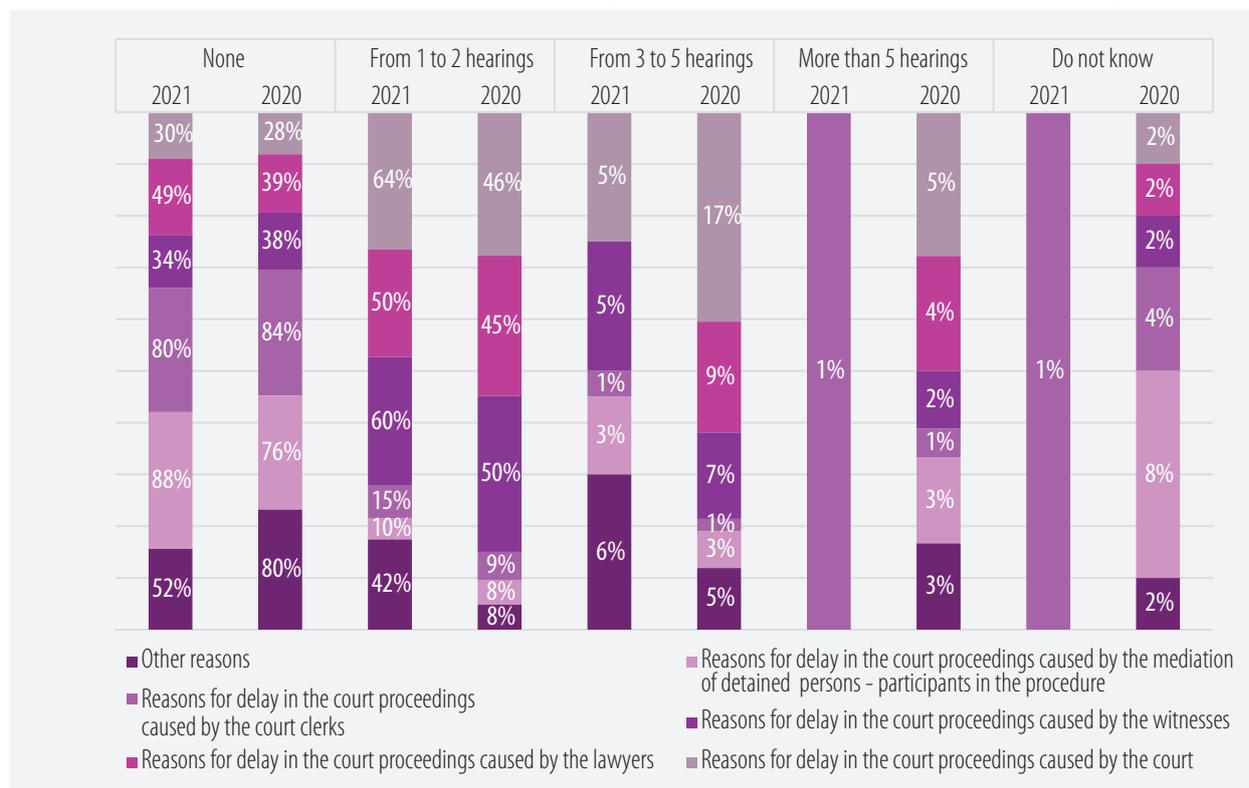
The postponement of three to five hearings during the proceedings is most often caused by the court (5.4%), by witnesses (4.5%) and other reasons (6.1%).

GRAPH 31: REASONS FOR POSTPONEMENT OF COURT PROCEEDINGS ACCORDING TO THE CITIZENS



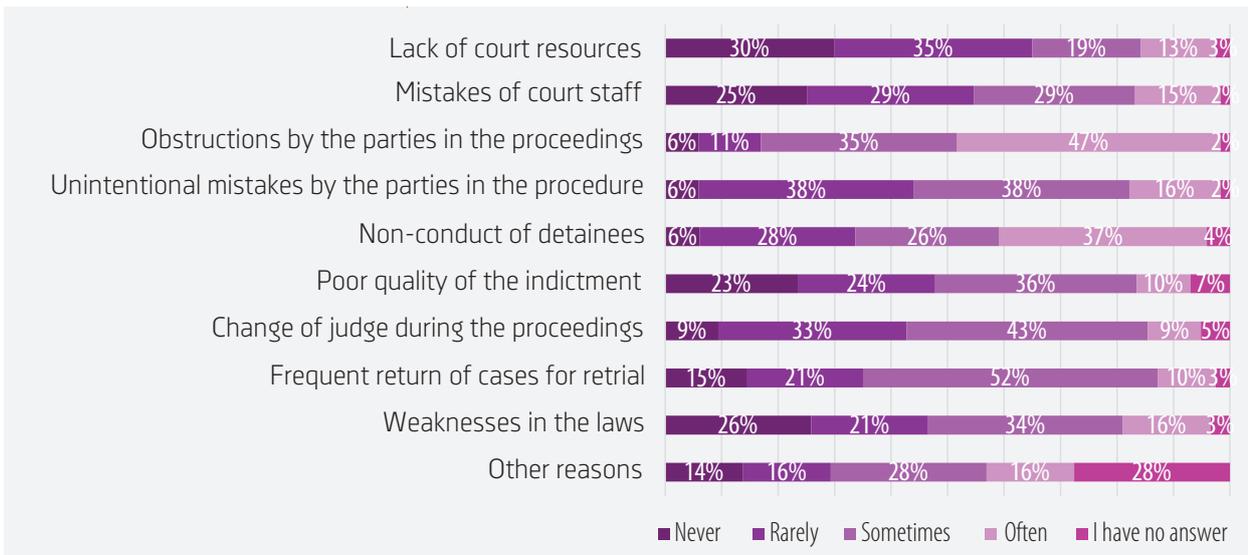
If we compare the answers of the citizens given in 2021 and 2020 for the reasons why the hearings are most often postponed, it can be seen that in their opinion, in 2021 the number of postponed hearings caused by the court has decreased, and the number of postponements caused by lawyers has increased. This indicates that the court in 2021 was more efficient and effective compared to 2020, unlike the lawyers who were more often the reason for postponement of the hearings.

GRAPH 32: CHANGES IN THE REASONS FOR DELAY IN THE COURT PROCEEDINGS



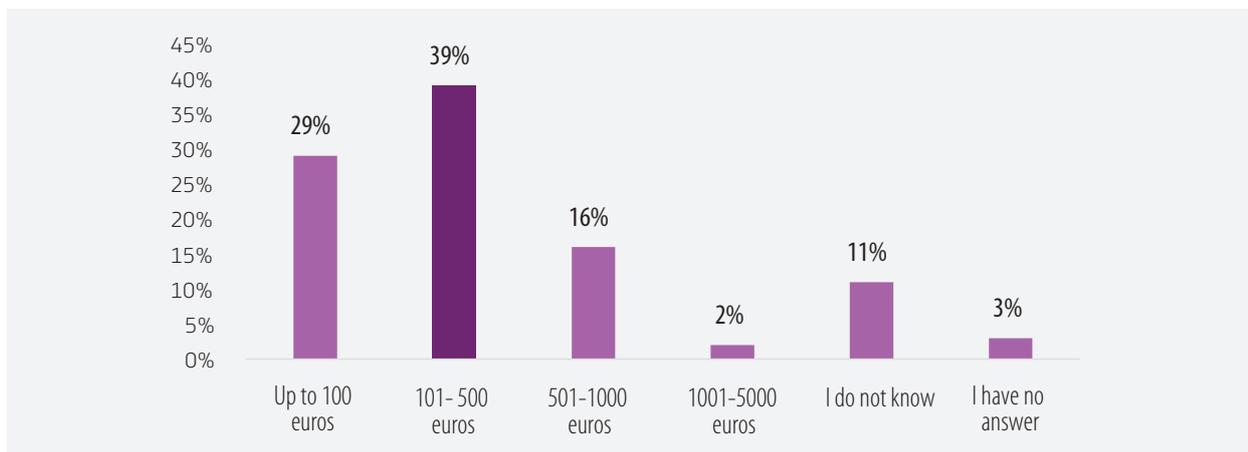
According to lawyers and public prosecutors, the most common reasons for postponing hearings are non-conduct of detainees (27%), and obstruction by the parties in the procedure (25%). The frequent return of cases for retrial (50%) and obstruction by the parties in the proceedings (48%), as well as change of judge during the proceedings (41%) are also reasons for delay. Rarely and never the delays are caused by lack of resources and errors of court clerk (60% each), unintentional errors (58%) and poor quality 45%.

GRAPH 33: REASONS FOR POSTPONEMENT OF HEARINGS



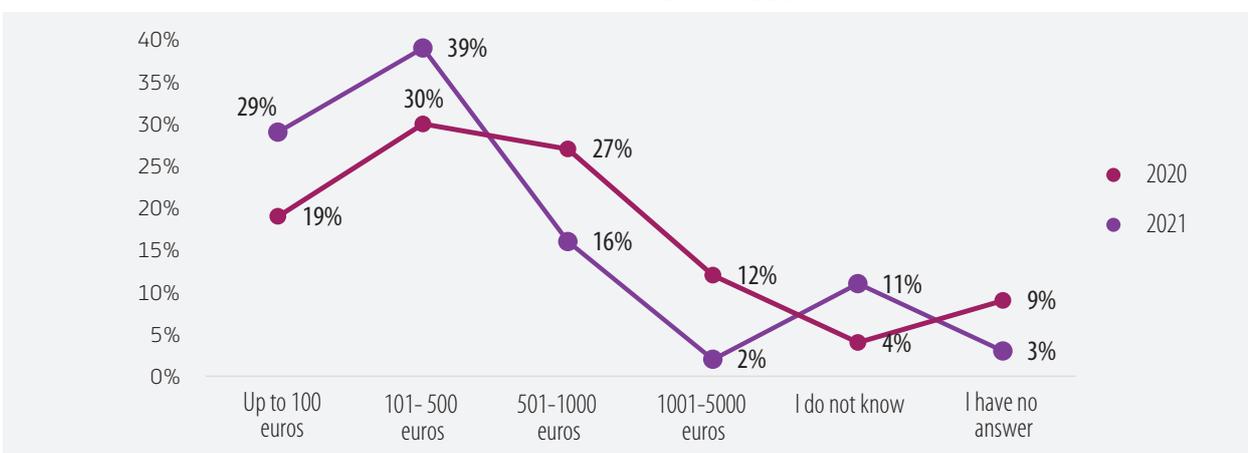
With regard to proceedings costs, 39% of the respondents spent between 101 and 500 euros, 29% of them spent 100 euros, 16% have paid between 501 and 1000 euros for the procedure, 11% do not know how much they have paid, and 3% of the respondents did not answer.

GRAPH 34: COURT PROCEEDINGS COSTS



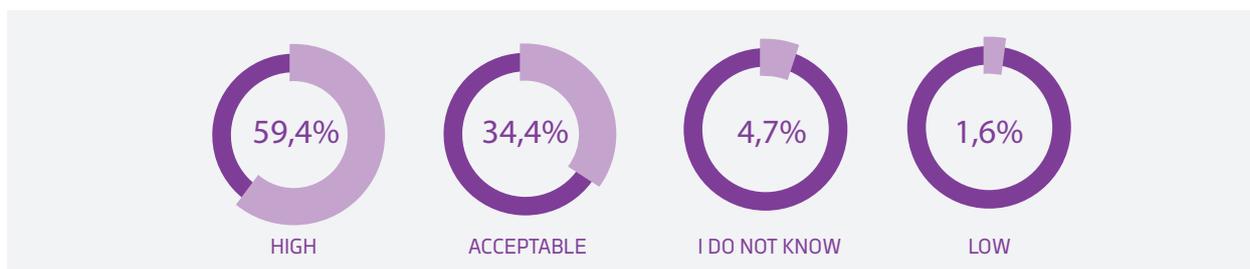
The opinion of the citizens on the court proceedings costs in the two analysed years is almost the same, with the respondents saying that in 2021 the number of lower cost proceedings has increased, compared to 2020.

GRAPH 35: VARIATION IN THE PROCEEDINGS COSTS



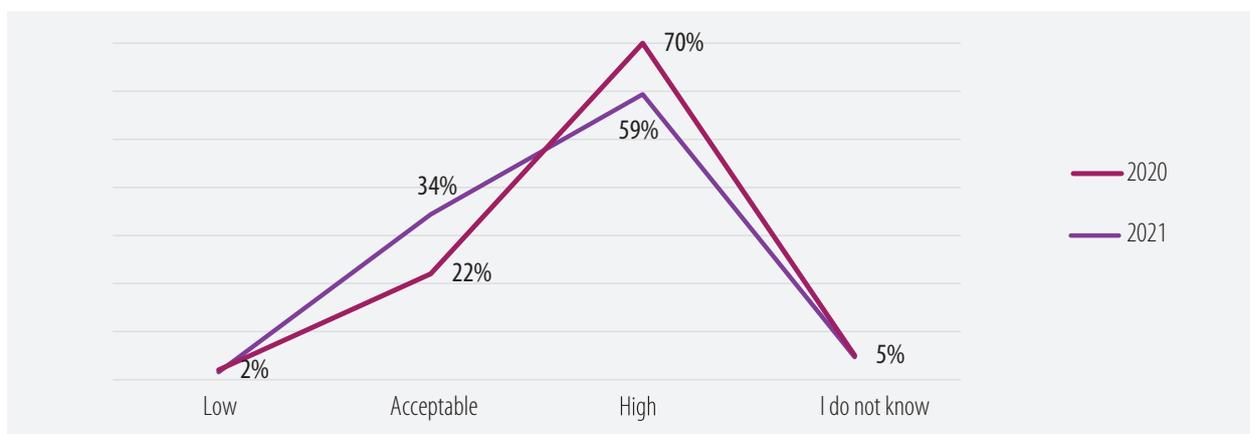
Most of the respondents (59.7%) think that the costs for the proceedings are high, 34.4% think that they are acceptable, and only 1.6% that they are low.

GRAPH 36: ACCEPTABILITY OF THE COSTS



The opinion on the acceptability of proceedings costs is the same as the opinion on the amount of costs. In 2020 70% of respondents said that proceedings costs are high, and in 2021 59% of them have that opinion. Also in 2021, the number of citizens who think that costs are acceptable has increased, compared to 2020.

GRAPH 37: ACCEPTABILITY OF PROCEEDINGS COSTS



The capacity for effective budgeting of the judiciary was assessed by judges, public prosecutors and lawyers. If the opinion of all target groups is summarized, most of them (30.6%) assessed the courts' budgeting efficiency with an average grade, i.e. good. Judges (51.6%) and court clerks (36.1%) contribute the most to such an opinion. 19.4% of the respondents rated it as "very good". This was the opinion 28, 6% of lawyers, 13.3% of court clerks, 12% of public prosecutors and 9.7% of judges.

67.7% of judges and 47.7% of court clerks rated the efficiency of court budgeting as good to excellent. The assessment of lawyers is the same as the assessment of judges, while 32% of public prosecutors share that opinion.

GRAPH 38: EFFICIENCY OF COURT BUDGETING - COLLECTIVE OPINION



With regard to court budgeting process "Poor" and "Very poor" was the options chosen by court clerks (33.7%) and judges (32.3%), while it is slightly better evaluated by the public prosecutors (20%) and lawyers (19.4%).

GRAPH 39: EFFICIENCY OF COURT BUDGETING - INDIVIDUAL OPINION



The capacity for efficient budgeting of the PPO was assessed by public prosecutors and lawyers. Half of the respondents (50.5%) answered with "I have no answer", and this was the most common answer provided by the lawyers (63.3%). The remaining answers (23.6%) refer to good and excellent budgeting of the Public Prosecution Office and 25.5% of the respondents think that the budget of the Public Prosecution Office is poorly and very poorly managed.

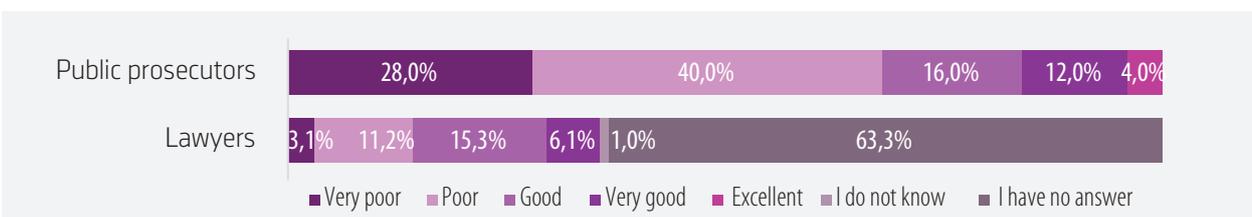
GRAPH 40: EFFICIENCY OF BUDGETING OF THE PUBLIC PROSECUTION OFFICES - COLLECTIVE OPINION



Almost two thirds of the public prosecutors (68%) assessed the capacity for efficient budgeting in the public prosecution offices as poor and very poor, 16% of them think that the capacity is good and just as many think that it is good and excellent.

In contrast, lawyers are not familiar with the capacity of public prosecution offices to efficiently manage their budget, which can be seen in the following graph.

GRAPH 41: EFFICIENCY OF BUDGETING OF THE PUBLIC PROSECUTION OFFICES - INDIVIDUAL OPINION



## CONCLUSIONS

The answers given to the efficiency questions lead to the conclusions that the respondents showed bias in the evaluation, primarily because they best evaluated themselves and their colleagues. Greater objectivity is observed among lawyers. But despite the bias, it is obvious that the efficiency of the judiciary is not high and it can be assessed as moderately efficient.

## IV. NON-DISCRIMINATION, IMPARTIALITY, ETHICS AND QUALITY OF THE JUDICIARY

### 1. NON-DISCRIMINATION

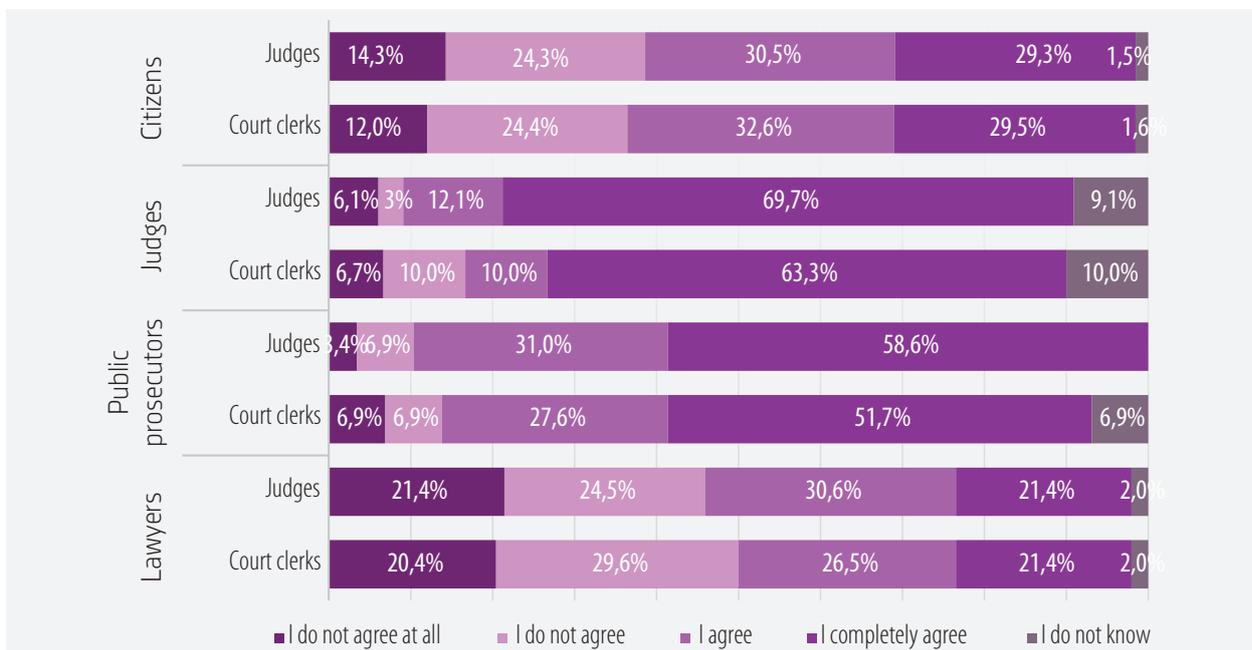
Quality and impartiality of the judiciary is indicated by the courts' attitude towards the parties in court proceedings. To the question "To what extent do you agree that judges and judicial staff treat people equally regardless of their income, national or social origin, gender or religion", citizens, lawyers, prosecutors and judges answered differently, according to the perception of each of the groups.

The following graph shows the opinion of each of the groups on the attitude of judges and court clerks towards the parties. The difference in the perception of each of the groups is obvious, shown on a scale of 1 to 4, where 1 is strongly disagree, 2 - disagree, 3 - agree, and 4 is completely agree with the statement.

The responses of citizens and lawyers differ from those of judges and public prosecutors. Most of the answers "I fully agree" that judges and court clerks treat people equally were given by judges and public prosecutors, while citizens and lawyers have different opinions.

52.0% of the lawyers, 59.8% of the surveyed citizens, 81.8% of the judges and 89.7% of the public prosecutors believe that judges treat the parties in court equally (grades 4 and 5), and similar are the grades given by 48% of the lawyers, 62% of the surveyed citizens, 73.3% of the judges and 79.3% of the public prosecutors who stated that the court clerks treat the parties equally regardless of their income, origin, gender and religion.

GRAPH 42: EQUAL TREATMENT OF PEOPLE REGARDLESS OF THEIR INCOME, ORIGIN, GENDER AND RELIGION



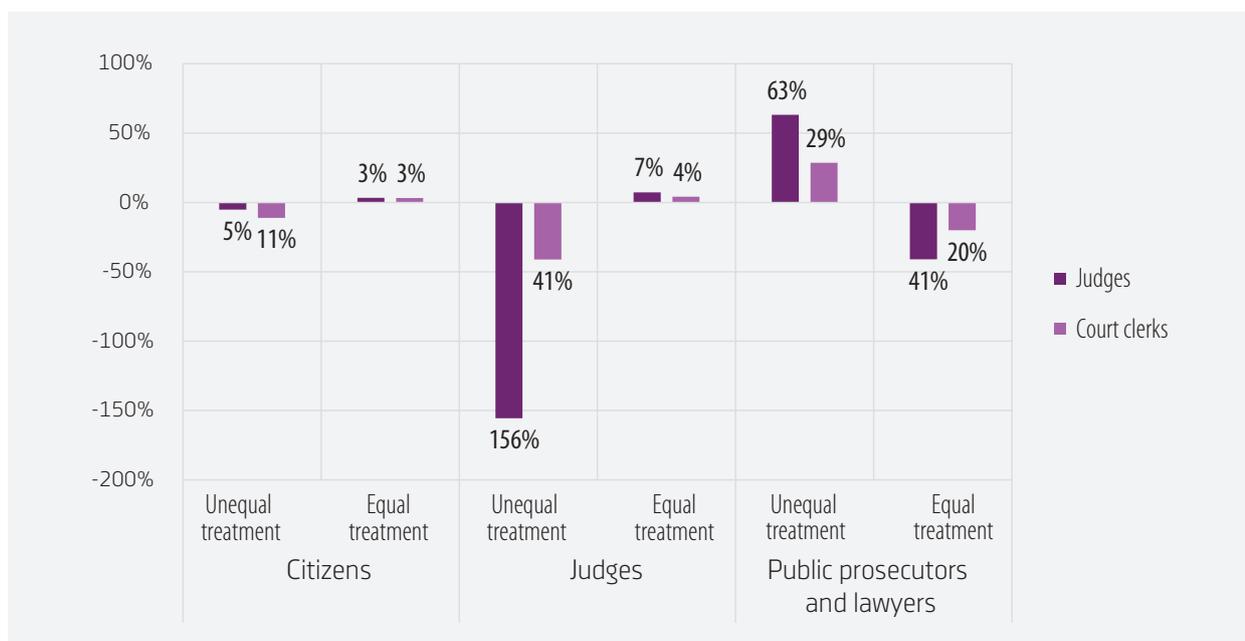
Citizens and lawyers have a similar opinion on whether judges and court clerks treat parties equally regardless of their income, origin, gender and religion and their grades are lower. The percentage of citizens (39%) and lawyers (31%) who think that judges do not treat the parties equally is still high.

In contrast, judges' perceptions are different and only 9% of judges think that judges and 16.7% think that court clerks treat parties unequally. The opinion of public prosecutors is similar, 28% of prosecutors think that judges do not treat the parties equally and 32% think that the court clerks do not treat the parties equally.

The following graph provides a comparative overview of the change in the opinion of the target groups with regard to the equal treatment of parties regardless of their income, origin, gender and religion, i.e. how biased or impartial they are in their attitude towards the parties.

The perception of the citizens is that the attitude of judges and court clerks towards the parties has improved in 2021 compared to 2020, by about 3%, and their biased behaviour has improved by 5% and 11%, respectively. Judges believe that their equal attitude towards the parties regardless of their income, origin, gender and religion has significantly improved (from 23% to 9%), and their impartiality has been reduced by 7%. The same opinion is given for court clerks.

**GRAPH 43: CHANGE IN THE OPINION WITH REGARD TO EQUAL TREATMENT OF PEOPLE REGARDLESS OF THEIR INCOME, ORIGIN, GENDER AND RELIGION**



In contrast, the perception of public prosecutors and lawyers is that judges in 2021 have become more biased by 63% compared to 2020, and at the same time their impartiality has decreased by 41% in terms of equal treatment of people regardless of their income, origin, gender and religion. They have a similar opinion about court clerks.

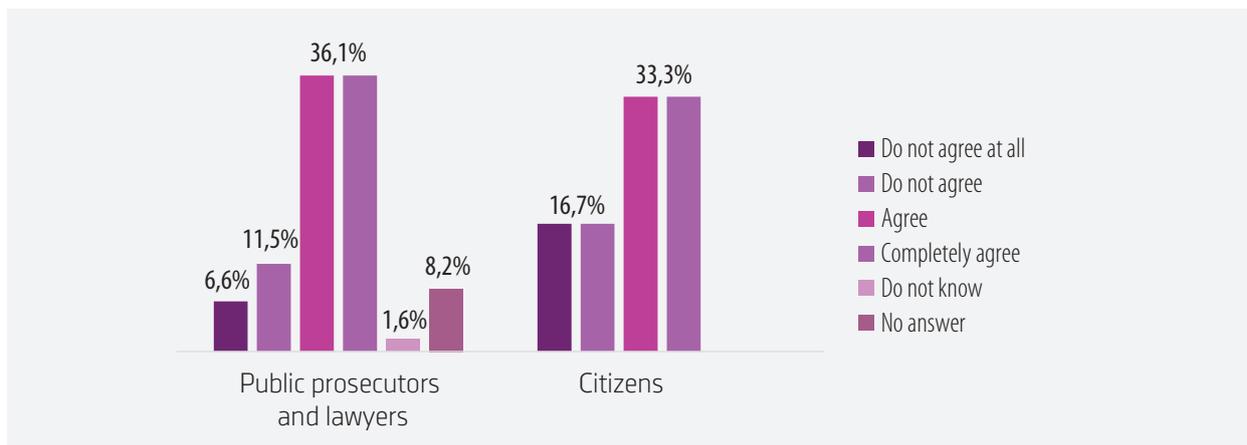
## 2. FAIR TREATMENT OF WOMEN VICTIMS OF SEXUAL VIOLENCE

Another indicator of non-discriminatory attitude in the judiciary is the attitude of judges, prosecutors and others involved in court proceedings towards women who are victims of sexual and other gender-based violence. In this regard, two thirds of the surveyed citizens stated that women in these procedures were treated fairly.

Respondents have a divided opinion on how women victims of sexual and other gender-based violence were treated. About a third of respondents said they disagreed and did not agree at all that female victims were treated fairly during court proceedings, about a third partially agreed with the statement, and one third fully agreed. This means that two thirds of the respondents think that women were treated fairly while one third think that they were not treated fairly.

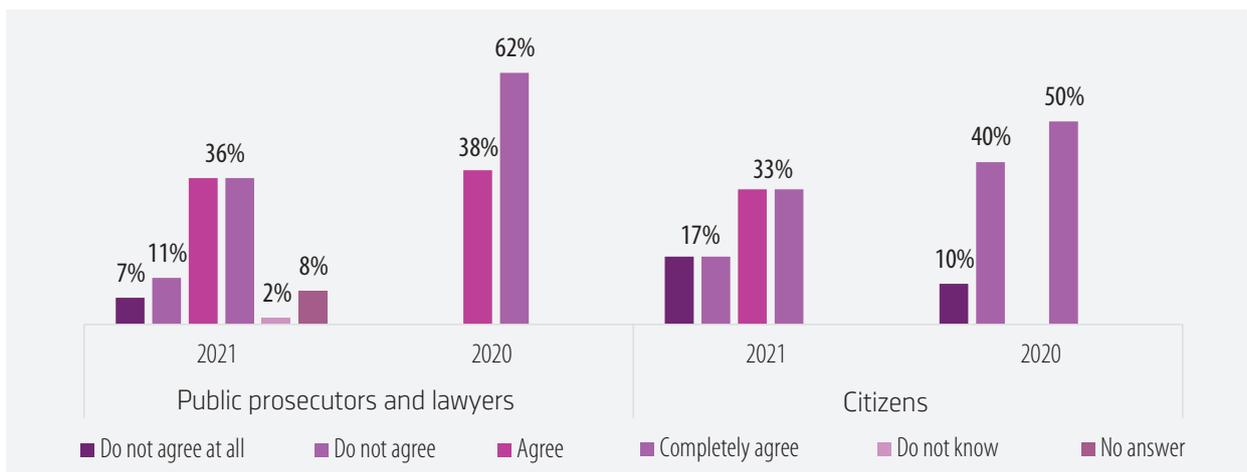
The surveyed lawyers and public prosecutors have a similar opinion, and 72% of them believe that women victims of violence are treated fairly during the proceedings. It is interesting to note that as many as 67% of the surveyed lawyers did not comment on this issue.

GRAPH 44: FAIR TREATMENT OF WOMEN VICTIMS OF SEXUAL AND OTHER GENDER-BASED VIOLENCE



The following graph shows the responses of the two target groups in 2020 and 2021, which shows that in 2021 the perception of both groups of respondents is that the treatment of women victims of violence has deteriorated. Namely, in 2020, 62% of the surveyed lawyers and public prosecutors answered that they fully agree with the statement “women victims of violence are treated fairly in the proceedings”, while in 2021, only 36% of them gave the same answer. The same is true for the citizens, where the percentage of those who answered “I fully agree with the statement” fell from 50% in 2020 to 33% in 2021.

GRAPH 45: CHANGE IN THE PERCEPTION OF FAIR TREATMENT OF WOMEN VICTIMS OF SEXUAL AND OTHER GENDER-BASED VIOLENCE



This indicates that the perception of citizens, lawyers and public prosecutors is that in 2021 the treatment of women victims of violence has deteriorated.

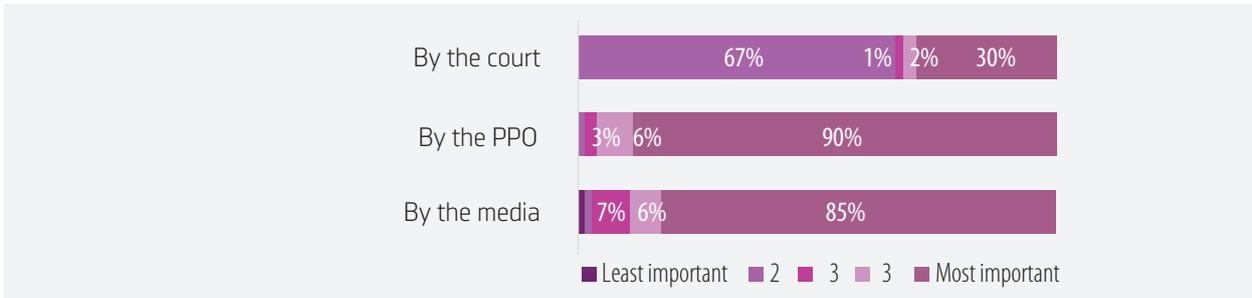
### 3. PRESUMPTION OF INNOCENCE T

Respect for presumption of innocence by the court is very important for the respondents, because the violation of this right violates basic human rights.

Citizens believe that respecting the presumption of innocence is extremely important, but they are not very satisfied with the court, the prosecution and the media in this regard.

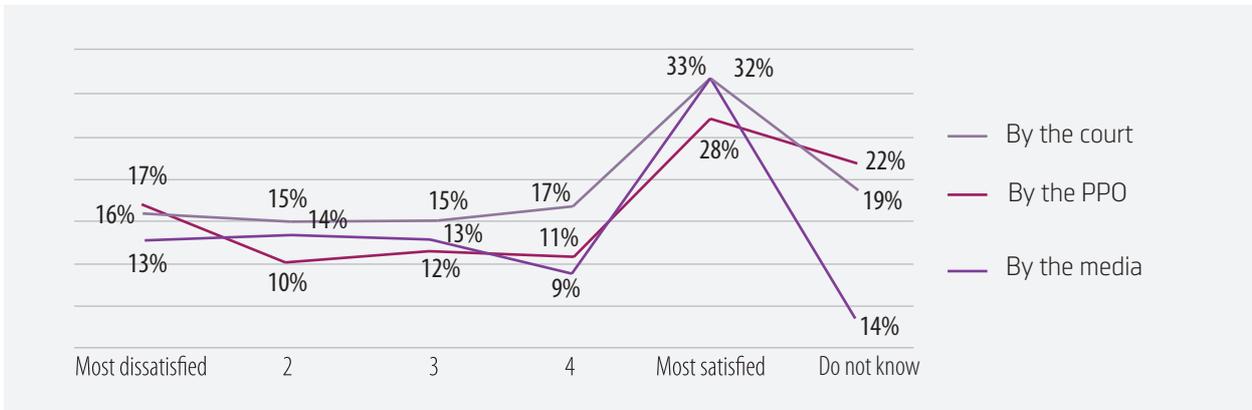
The following graph shows the importance of respecting the presumption of innocence. According to the citizens, 90% of them think that the most important thing is how the public prosecution respects the presumption of innocence, 85% of them think the same about the media. The most interesting thing is that 67% of the citizens think that it is important for the court to respect presumption of innocence as well.

GRAPH 46: IMPORTANCE OF RESPECTING THE PRESUMPTION OF INNOCENCE



The citizens in the survey stated that they are almost equally satisfied with the way the presumption of innocence is respected by the court, the public prosecution office and by the media. They rated the institutions on a scale of 1 to 5, with 1 being the most dissatisfied and 5 being the most satisfied. However, the citizens are most satisfied with the respect for the presumption of innocence by the court, as stated by 50% of them (rated with 4 and 5), slightly lower number of them (42%) believe that the media respect the presumption of innocence, while the smallest part of them (39%) are satisfied with how the Public Prosecution Office respects the presumption of innocence.

GRAPH 47: RESPECT FOR THE PRESUMPTION OF INNOCENCE



The following graph shows the change in the perception of the citizens regarding the respect of the presumption of innocence. Namely, the citizens believe that the respect for the presumption of innocence has improved in 2021 compared to 2020, mostly by the media, and then by the public prosecution office and the courts.

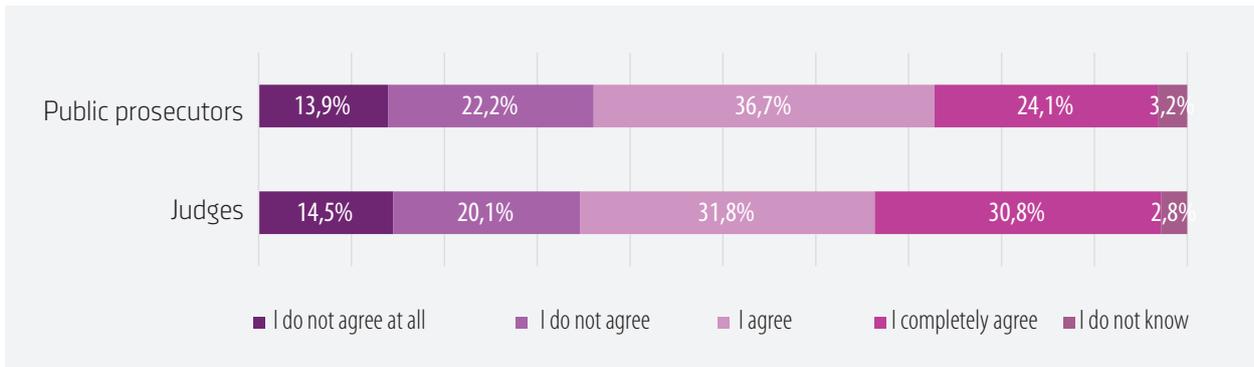
GRAPH 48: CHANGE IN THE PERCEPTION WITH REGARD TO RESPECT FOR THE PRESUMPTION OF INNOCENCE

|                     | By the court | By the PPO | By the media |
|---------------------|--------------|------------|--------------|
| Most satisfied      | 13%          | 14%        | 25%          |
| Satisfied           | -4%          | -5%        | -3%          |
| Partially satisfied | 1%           | 4%         | 3%           |
| Dissatisfied        | 5%           | 2%         | 0%           |
| Most dissatisfied   | -9%          | -14%       | -23%         |
| Do not know         | 4%           | 22%        | 19%          |

## 4. IMPARTIAL JUDGE

The impartiality of judges during the proceedings is an important indicator of the quality and independence of the judiciary. More than half (62.6%) of the surveyed judges, public prosecutors and lawyers who answered this question agree that the judge was impartial, while 34.6% disagree with this and believe that the judge was biased in handling the case. The collective opinion of the respondents about the public prosecutors is almost the same as that about the courts, i.e. 60.8% of them think that the public prosecutors are impartial in their indictments, while 36.1% think that they are not.

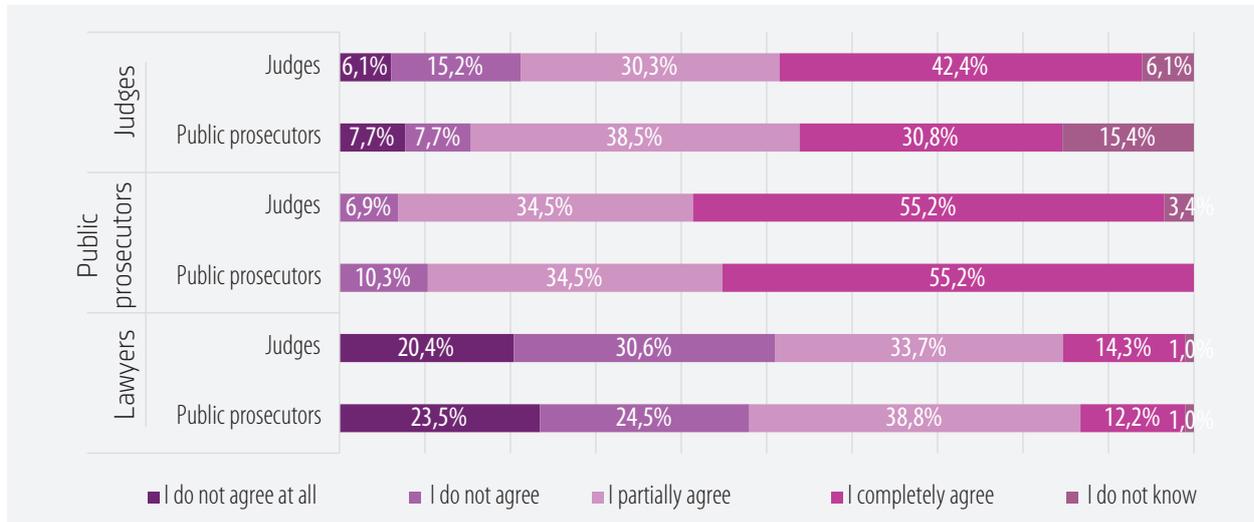
GRAPH 49: IMPARTIALITY IN THE WORK OF JUDGES AND PUBLIC PROSECUTORS - A COLLECTIVE OPINION



Public prosecutors have the best opinion on the impartiality of judges, and 89.7% of them said that judges are impartial, about 73% of judges consider themselves impartial, and the lawyers have the worst opinion about judges, of whom only 48% believe that judges are impartial.

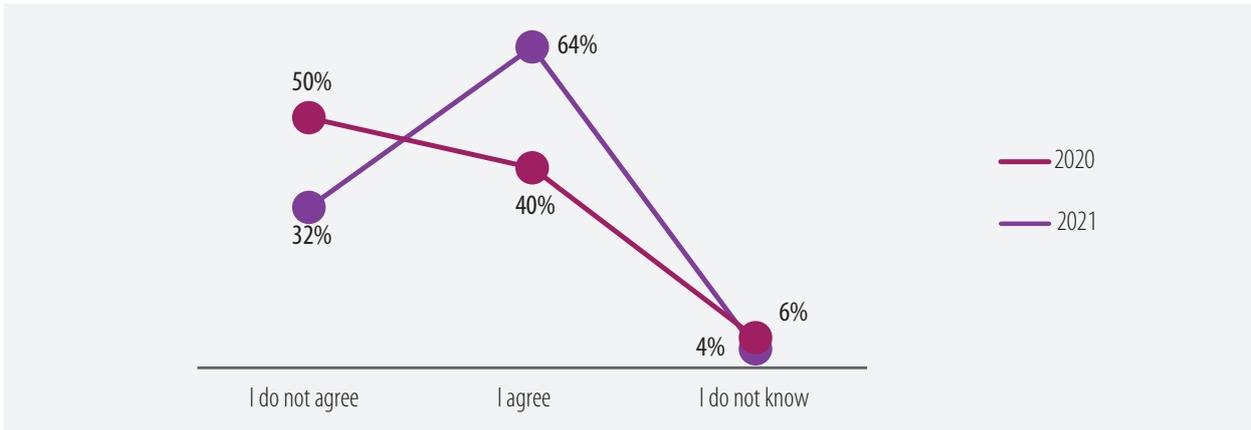
About 69% of judges consider prosecutors to be impartial during court proceedings, and about 90% of public prosecutors consider themselves impartial, while 52% of lawyers share such an opinion of public prosecutors.

GRAPH 50: IMPARTIALITY IN THE WORK OF JUDGES AND PUBLIC PROSECUTORS - INDIVIDUAL OPINION



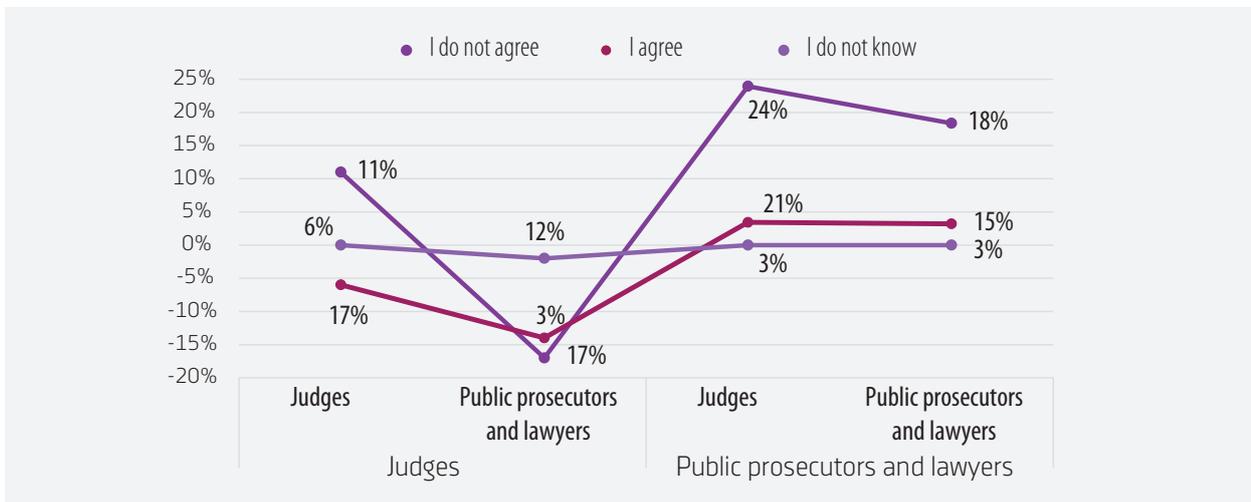
According to the citizens, the impartiality of judges in 2021 has increased compared to 2020. 20 additional respondents said that judges are impartial in their work.

GRAPH 51: CHANGES IN THE CITIZENS' OPINION ABOUT THE IMPARTIALITY OF JUDGES



In contrast, judges, public prosecutors and lawyers believe that both target groups in 2020 were more impartial in their work, and in 2021 the situation has significantly deteriorated.

GRAPH 52: CHANGES IN THE OPINION OF JUDGES, LAWYERS AND PUBLIC PROSECUTORS ON THEIR IMPARTIALITY

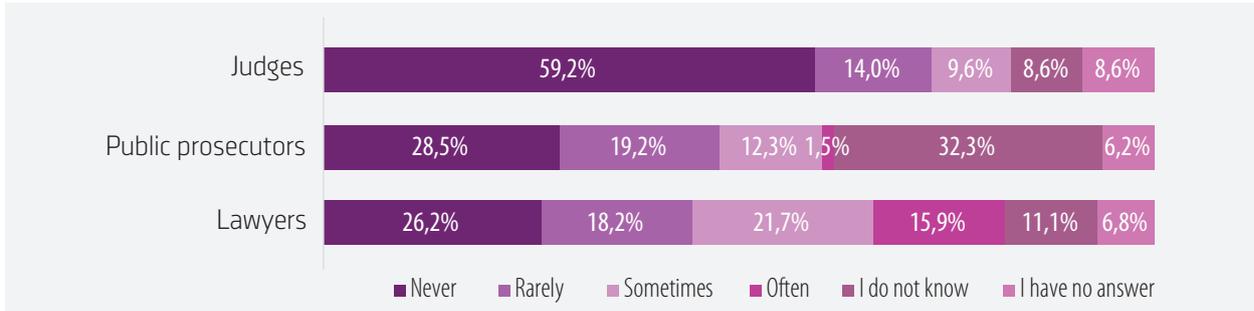


## 5. INTERFERENCE IN DECISION-MAKING

The independence of the judiciary, measured by the degree to which other persons interfere in court decisions, is quite high. The survey showed that respondents perceive no significant interference in court decisions by other entities.

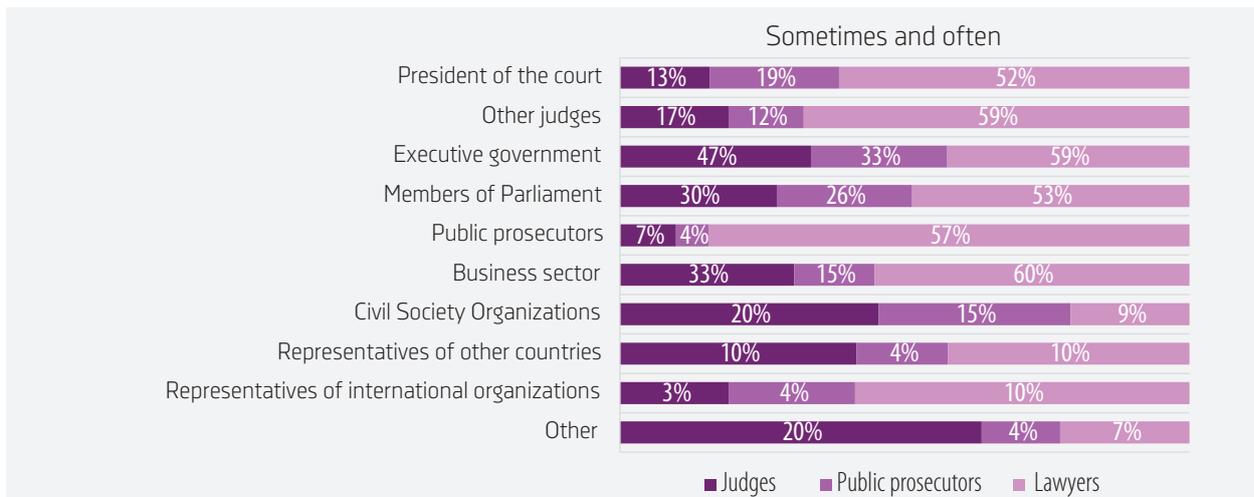
Namely, 73.2% of the surveyed judges believe that other people never or rarely interfere in their decision-making. The same opinion is shared by 47.7% of public prosecutors and 44.4% of lawyers. Judges (9.6%) believe that sometimes there is interference in decision-making, as stated by 12.3% of public prosecutors and 21.7% of lawyers. 17.2% of the judges, 38.5% of the public prosecutors and 18% of the lawyers answered "I do not know" and "I do not have an answer to this question". Interestingly, 1.5% of prosecutors and even 15.9% of lawyers believe that interference in judges' decisions is common.

GRAPH 53: INTERFERENCE IN COURT DECISION-MAKING - COLLECTIVE OPINION



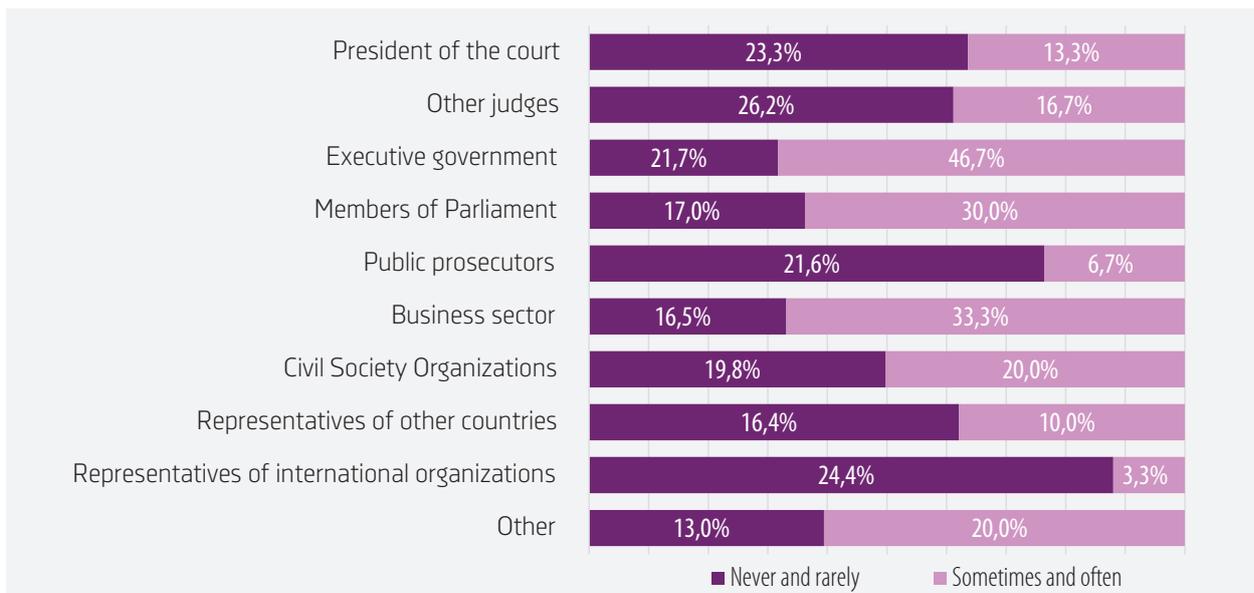
Interference in court decisions is mostly done by the business sector (60%), other judges (59%), the executive government (59%) and public prosecutors (57%), the legislature (53%) and court presidents (52%).

GRAPH 54: WHO INTERFERES IN COURT DECISIONS



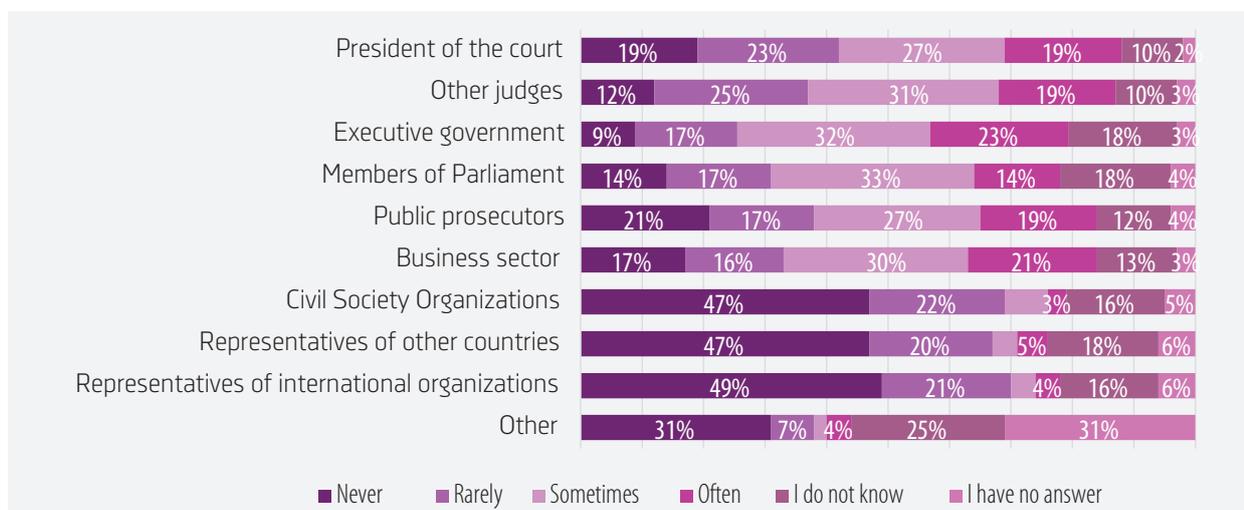
During decision-making judges most often are subjected to interference by the executive government (46.7%), members of parliament (30%), representatives of the business sector (33.3%) and civil society organizations (20%). At the same time, 15.6% of the judges answered that other judges and the business sector sometimes and 3.1% said often interfere in their decisions.

GRAPH 55: INTERFERENCE IN DECISION-MAKING - OPINION OF JUDGES



Public prosecutors and lawyers share the same opinion with judges and the answers do not differ much. Of these, 22% believe that the executive government most often interferes in court decisions, 21% of them believe that the business sector also often interferes, and 19% said that public prosecutors often interfere. However, most public prosecutors believe that there is not much interference in court decisions.

GRAPH 56: INTERFERENCE IN COURT DECISION-MAKING - OPINION OF LAWYERS AND PROSECUTORS



The perception of judges, public prosecutors and lawyers about who interferes in court decisions has not changed much in 2021 compared to 2020. In both years, the executive government and the legislature, judges and the business sector often have interfered in court decisions.

GRAPH 57: CHANGES IN THE OPINION ON INTERFERENCE IN DECISION MAKING

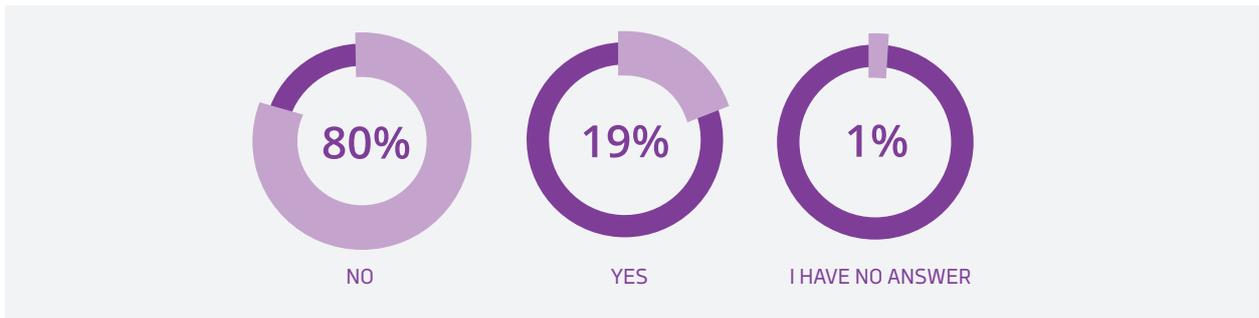
|  | Judges |      |        | Public prosecutors and lawyers |      |        |
|--|--------|------|--------|--------------------------------|------|--------|
|  | 2020   | 2021 | Change | 2020                           | 2021 | Change |
| President of the court                         | 7%     | 13%  | 6%     | 33%                            | 36%  | 3%     |
| Other judges                                   | 10%    | 17%  | 7%     | 37%                            | 35%  | -2%    |
| Executive government                           | 27%    | 47%  | 20%    | 67%                            | 46%  | -21%   |
| Members of Parliament                          | 18%    | 30%  | 12%    | 58%                            | 39%  | -19%   |
| Public prosecutors                             | 11%    | 7%   | -4%    | 40%                            | 30%  | -10%   |
| Business sector                                | 24%    | 33%  | 9%     | 32%                            | 38%  | 6%     |
| Civil Society Organizations                    | 17%    | 20%  | 3%     | 13%                            | 12%  | -1%    |
| Representatives of other countries             | 20%    | 10%  | -10%   | 8%                             | 7%   | -1%    |
| Representatives of international organizations | 20%    | 3%   | -17%   | 6%                             | 7%   | 1%     |
| Other  | 86%    | 20%  | -66%   | 4%                             | 6%   | 2%     |

## 6. CORRUPTION

Citizens were asked for their opinion on the extent of corruption present during the court proceedings. The question was as follows " During the proceedings, did anyone (lawyer, employee of the court or prosecutor's office) suggest that your case will be successfully resolved if an additional payment / reward, gift is offered or connections are found and who?".

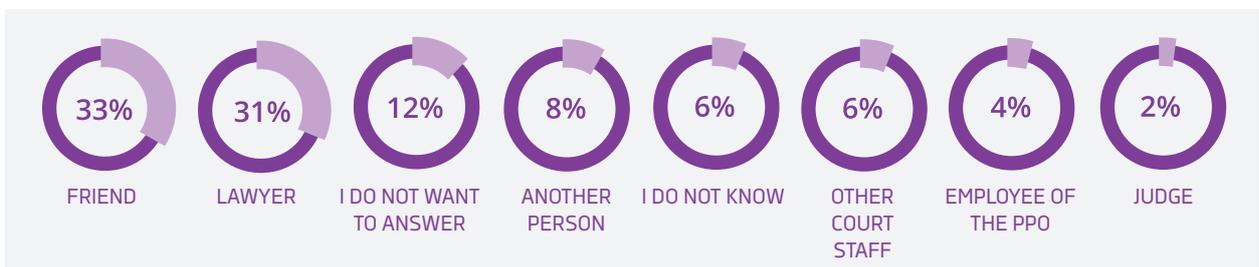
The majority of the surveyed citizens (80%) stated that there was no suggestion for additional payment for resolving their case, while 19% of the respondents said that they were given a suggestion for a gift / additional payment.

GRAPH 58: RECEIVED A SUGGESTION FOR A GIFT / ADDITIONAL PAYMENT FOR RESOLVING A COURT CASE



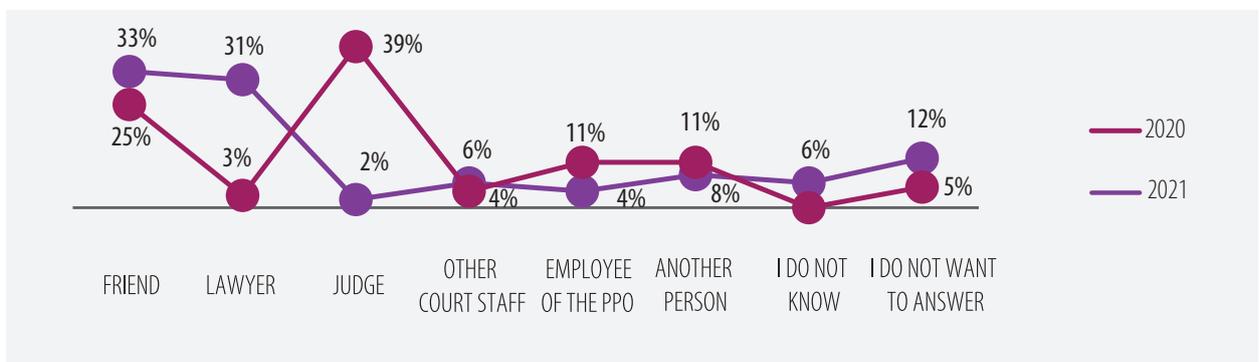
Among those respondents who were suggested additional payment, the suggestion was given by a friend (33%), a lawyer (31%), another person (8%), other court staff (6%), or an employee of the Public Prosecution Office (4%). We should mention that 18% of the respondents did not want to answer this question.

GRAPH 59: WHO SUGGESTED THAT?



If we compare the answers of the citizens given in the surveys in 2021 and 2020, the structure of the answers is identical, i.e. 80% of them in both years answered that no one suggested that they should give a gift / additional payment to so that their case would be resolved.

But that is why the structure of who suggested it to the citizens who received such a suggestion (19% of the respondents) has changed a lot.



The graph above clearly shows the changes. If in 2020 most of the citizens (39%) said that in most cases the judge suggested a gift, in 2021 these were friends (25%) and lawyers (31%). The comparative analysis shows that corruption among judges has been significantly reduced, from 39% in 2020 to 2% in 2021. At the same time, corruption has significantly increased among lawyers, as pointed out by 3% of the respondents in 2020 and by 31% in 2021.

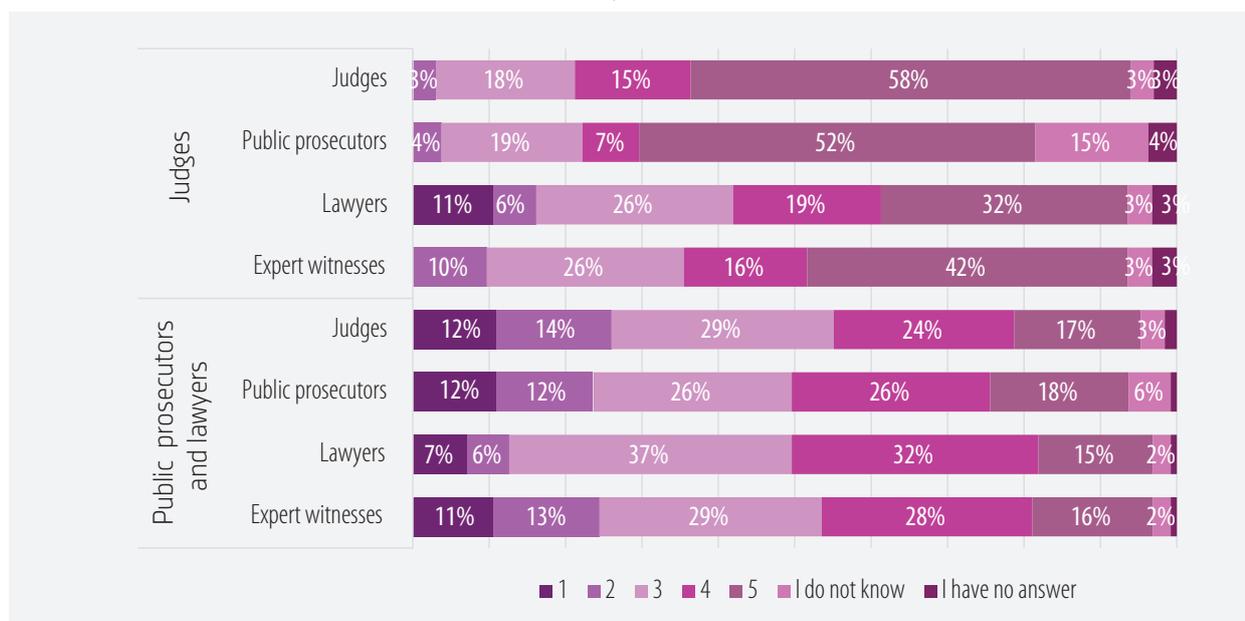
## 7. ETHICS AND INTEGRITY

Judges, prosecutors and lawyers surveyed assessed the ethical qualities of those same target groups. The following graphs show the opinion of each of the groups on the ethics of each group, evaluated with scores from 1 to 5, where 1 is "very poor" and 5 - "very good".

According to the respondents, judges (89%) and public prosecutors (52%) rated judges as the most ethical and with the greatest integrity, followed by expert witnesses (42%) and lawyers (32%).

In contrast, public prosecutors and lawyers rated lawyers as the most ethical (32%), followed by expert witnesses (28%), and public prosecutors (26%) and judges (24%) as less ethical. These grades show that each target group considers itself as the most ethical, and the others as less ethical. This of course indicates bias in the answers.

GRAPH 61: ASSESSMENT OF ETHICS, MORAL AND PROFESSIONAL INTEGRITY



Judges evaluated all target groups and 58% of them gave themselves the highest score 5, i.e. they consider themselves as the most ethical and with the highest integrity. 52% had a similar opinion about public prosecutors, and 32% rated the ethics and integrity of lawyers with 5.

Public prosecutors, like judges, consider themselves to be the most ethical and with highest integrity, as stated by 86% of them, and 72% of them rated judges with grades 5 and 4, while only 45% of them believe that lawyers possess these qualities.

GRAPH 62: ASSESSMENT OF ETHICS, MORAL AND PROFESSIONAL INTEGRITY, BY VARIOUS GROUPS



If we compare the opinion of the two target groups of respondents on the ethics and integrity of the others, the following is noted:

- » Judges consider that ethics, moral and professional integrity has increased in 2021 for each group, including themselves
- » Public prosecutors and lawyers also believe that ethics, moral and professional integrity have increased, but to a lesser extent.

GRAPH 63: CHANGES IN THE ASSESSMENT OF ETHICS, MORAL AND PROFESSIONAL INTEGRITY AS ASSESSED BY JUDGES

| Grade | Judges | Public prosecutors | Lawyers | Expert witnesses | Judges | Public prosecutors | Lawyers | Expert witnesses |
|-------|--------|--------------------|---------|------------------|--------|--------------------|---------|------------------|
| 1     | 0%     | 0%                 | -2%     | -12%             | 8%     | 9%                 | 7%      | 9%               |
| 2     | 1%     | -11%               | -4%     | -7%              | 8%     | 4%                 | -4%     | 7%               |
| 3     | -9%    | -5%                | -11%    | -6%              | -1%    | 1%                 | 10%     | 8%               |
| 4     | -28%   | -37%               | -18%    | -18%             | -16%   | -14%               | 2%      | -12%             |
| 5     | 29%    | 37%                | 27%     | 37%              | -2%    | -5%                | -13%    | -12%             |

## CONCLUSIONS

From the answers received from the survey on non-discrimination, impartiality, ethics and quality of judges, prosecutors and other actors involved in court proceedings, the following can be concluded:

- » The perception of the attitude of judges and court staff towards the parties is satisfactory and most of the respondents think that judges and court clerks treat the parties impartially regardless of their income, nationality or social origin.
- » The attitude towards women victims of sexual and other gender-based violence has improved and two thirds of the surveyed citizens are satisfied with the attitude.
- » The presumption of innocence is largely respected by all parties almost equally. It is more important for the citizens to have presumption of innocence respected by public prosecutors and by the media than by judges.
- » Opinions about the bias of judges and public prosecutors are divided and almost equal part of respondents consider them to be biased, or impartial.
- » Opinions of lawyers, prosecutors and judges differ on who interferes in court decisions. While judges find the executive government, the legislature and the business sector most interfering, public prosecutors think that most interfering are the executive government and the legislature. Lawyers believe that the executive government and the legislature, court presidents, judges, public prosecutors and the business sector most interfere in court decision-making.
- » Most judges, lawyers and prosecutors consider each other to be highly ethical and with high level of integrity.

## V. QUALITY OF COURT PROCEEDINGS

### 1. QUALITY OF JUSTICE IN THE LAST THREE YEARS

One of the indicators of the quality of the judiciary is the general perception of how the quality of judicial justice has evolved. In the survey, the perception of the quality of court practice in the last 3 years differs significantly between different groups that participated in the survey.

The impression of 55.6% of the surveyed citizens is that the quality of justice in the last three years is unchanged, 16.6% of the respondents believe that it has deteriorated and 18.1% of the respondents believe that it has improved.

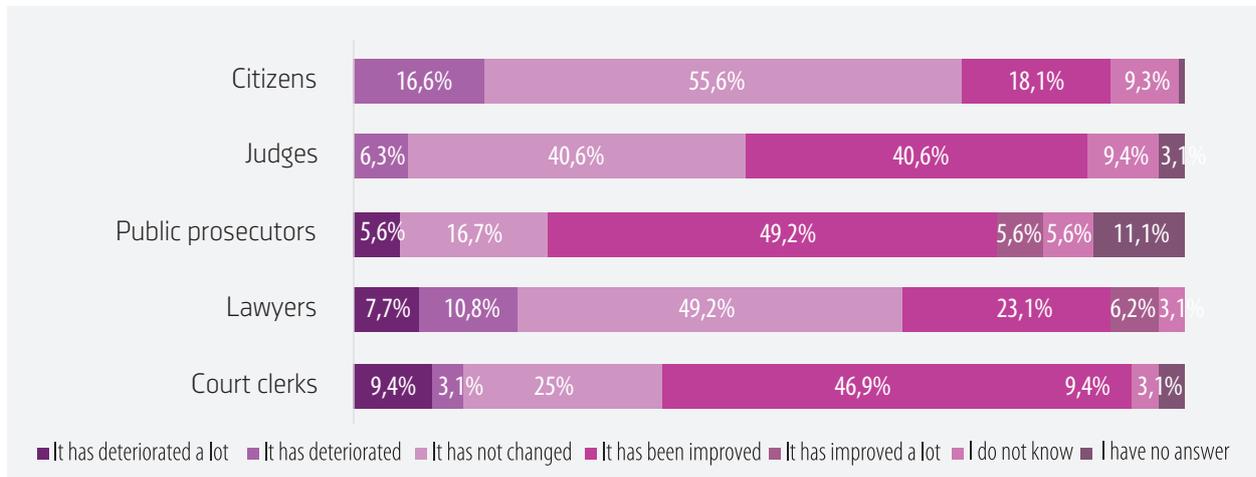
Unlike the citizens, the impression on the quality of justice among judges is different and 40.6% of them believe that its quality has improved in the last 3 years, and the same number believe that it has not changed, while 6.3% believe that the quality of justice is actually worse.

Most of the public prosecutors (55.6%) think that the quality has improved, 5.6% that it has improved a lot, 16.7% that it has not changed, and 5.6% think that it has deteriorated a lot.

Lawyers (42.8%) believe that the quality of justice has not changed in the last three years, 23.1% believe that it has improved, 6.2% that it has improved a lot, and 7.7% that it has deteriorated a lot.

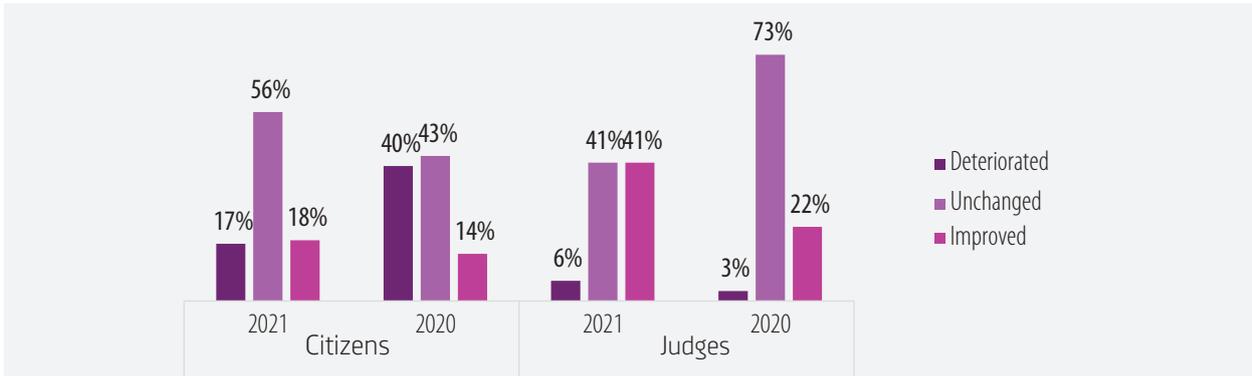
Court clerks gave similar assessments as judges and 46.9% of them think that the quality has improved, 9.4% that it has improved a lot, 25% that there are no changes, and 9.4% that it has worsened.

GRAPH 64: QUALITY OF JUDICIAL JUSTICE IN THE LAST THREE YEARS



If we compare the answers of the citizens and the judges (for which there are data for the two years), we can notice that most of the citizens and judges believe that the situation in 2021 has not changed compared to 2020.

GRAPH 65: CHANGE IN THE OPINION ON THE QUALITY OF JUDICIAL JUSTICE IN THE LAST THREE YEARS

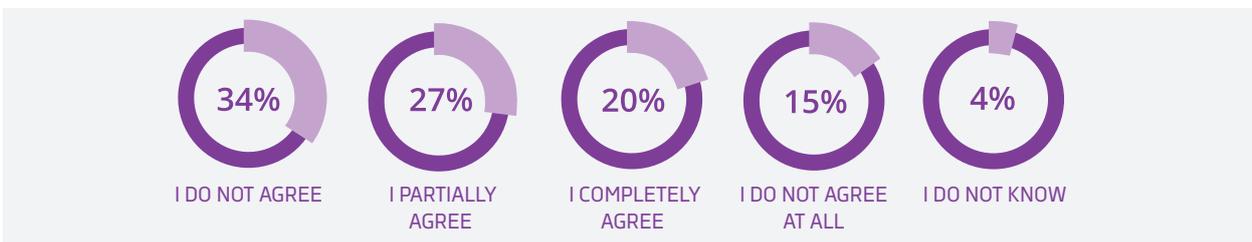


## 2. RESPECT FOR THE RIGHTS IN THE PROCEEDINGS

The question "To what extent do you agree that judges and prosecutors generally respect the rights of defendants or victims" is answered only by citizens who have come to court for criminal proceedings.

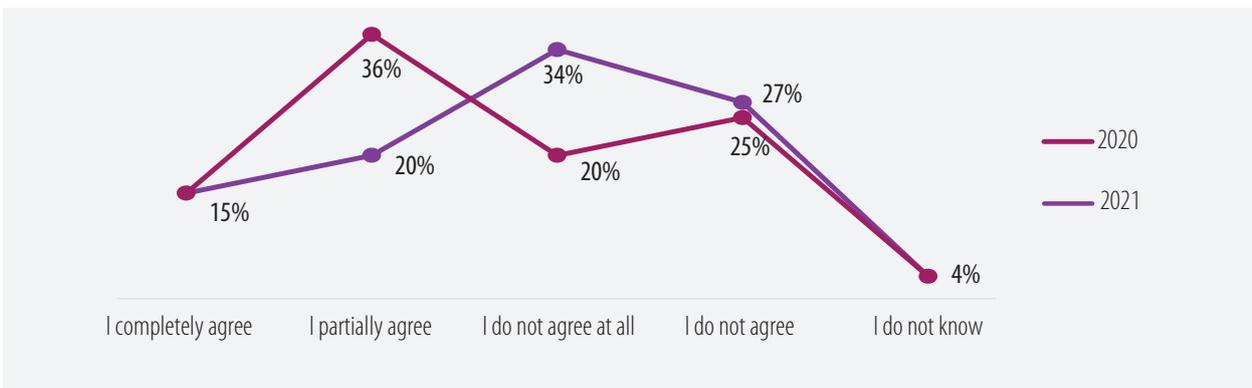
About half of the surveyed citizens (49%) disagree or do not agree at all that judges and prosecutors respected the rights of the defendants or the injured parties. More than half of the respondents (51%) fully or partially agree that the rights of the defendants were respected.

GRAPH 66: RESPECT FOR THE RIGHTS OF THE DEFENDANTS IN THE CASE



The citizens believe that there are basically no major changes in the respect of the rights in the procedure in 2021 compared to 2020. The same number of respondents answered the question "I completely disagree" in both years. The answer "I partially agree" was given by a smaller number of respondents (20%) in 2021 than in 2020 (36%). The situation with the answer "I do not agree" is completely different, i.e. in 2021 the number of citizens who gave that answer is higher (34%) than in 2020 (20%).

GRAPH 67: MOVEMENT OF OPINION FOR RESPECT FOR RIGHTS OF THE DEFENDANTS IN THE CASE



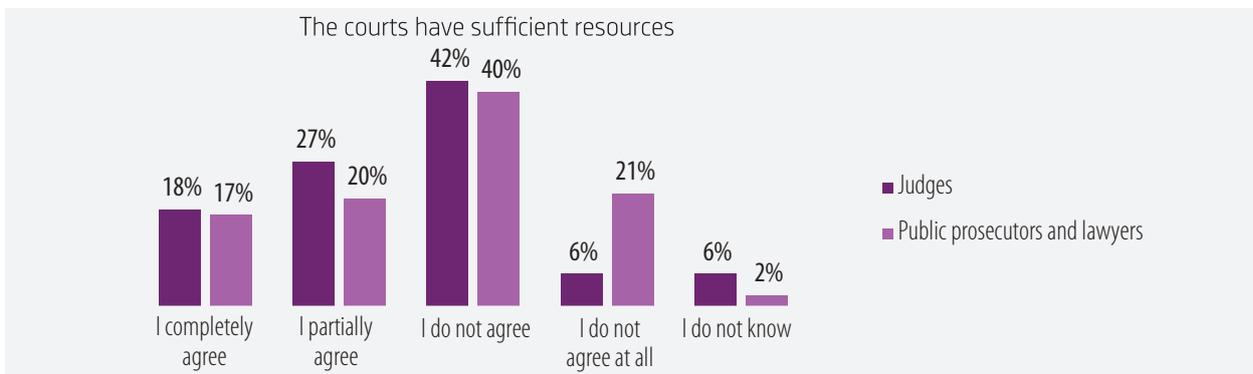
### 3. RESOURCES OF COURTS AND PUBLIC PROSECUTION OFFICES

In order for the courts and public prosecution offices to work in accordance with the rules and methods set out in the procedural laws, they need to be provided with optimal resources (human, technical and material). From the previous reports and analyses, in almost all courts, and especially in the public prosecution offices in the country, there is a lack of professional staff, offices, recording equipment, ICT equipment and other materials and equipment, and also lack of material resources. The court budget depends on the central budget, and the public prosecution does not have its own budget.

Regarding the resources available to courts, 48% of judges partially or completely consider that the courts have the necessary resources, and 45% partially or completely think that the courts do not have the necessary resources.

51% of public prosecutors and lawyers think that the courts have resources, while 37% think that they do not have the necessary resources.

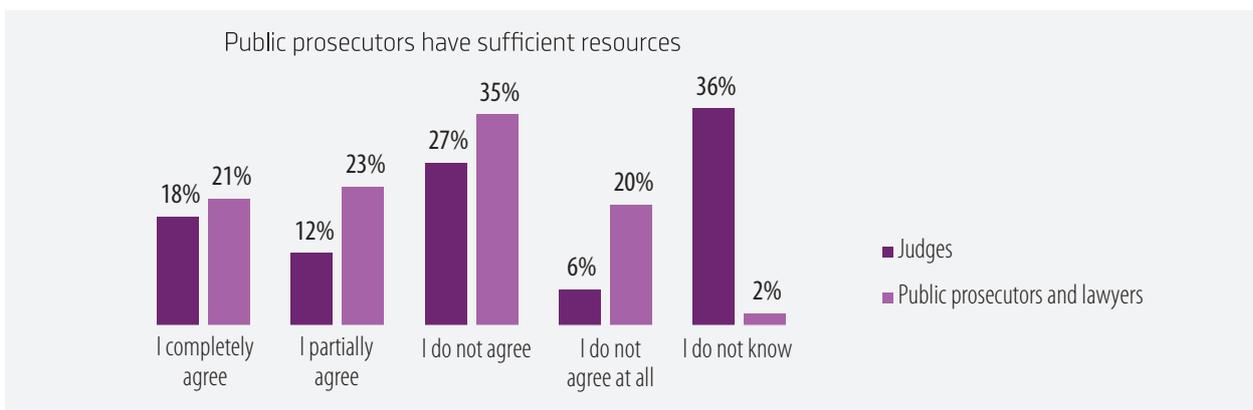
GRAPH 68: COURTS HAVE SUFFICIENT RESOURCES TO COMPLY WITH THE RULES AND METHODS ESTABLISHED BY THE PROCEDURAL LAWS



Regarding the resources of public prosecution offices, 54% of the public prosecutors and lawyers fully or partially agree that the prosecution offices do not have the necessary resources, and 51% of them partially agree with the statement that prosecution offices have resources.

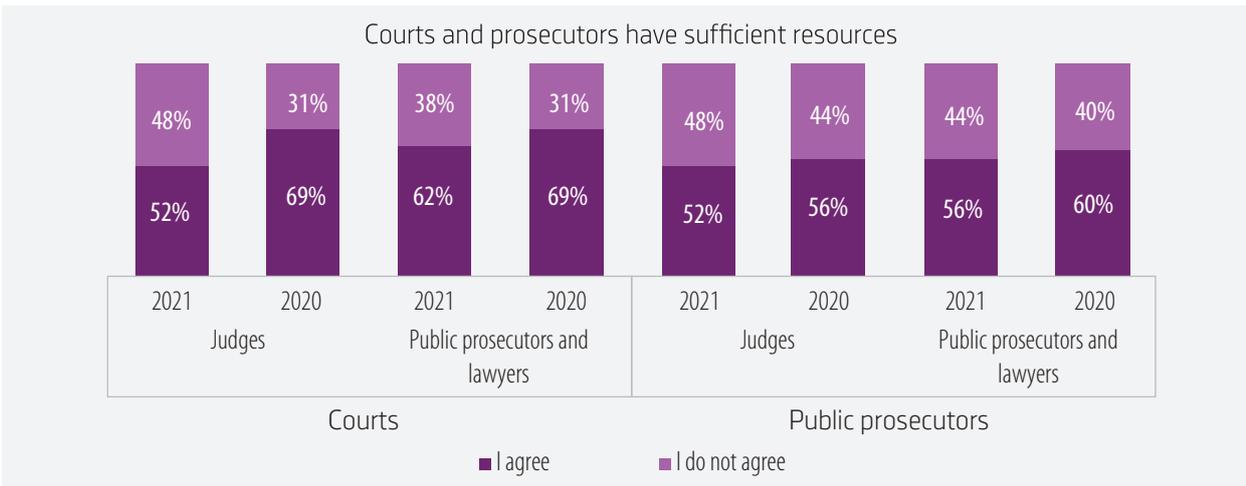
30% of judges think (fully and partially) that public prosecution offices do not have the necessary resources, and 33% think that they do.

GRAPH 69: PUBLIC PROSECUTION OFFICES HAVE SUFFICIENT RESOURCES TO COMPLY WITH THE RULES AND METHODS ESTABLISHED BY PROCEDURAL LAWS



If we compare the answers of judges and public prosecutors and lawyers on whether the courts and public prosecution offices have sufficient resources to comply with the rules and methods set by the procedural laws, it is noted that all respondents (judges, public prosecutors and lawyers) believe that in 2021 both courts and public prosecution offices have fewer resources available than in 2020.

GRAPH 70: CHANGE IN THE OPINION ON THE RESOURCES OF COURTS AND PUBLIC PROSECUTION OFFICES



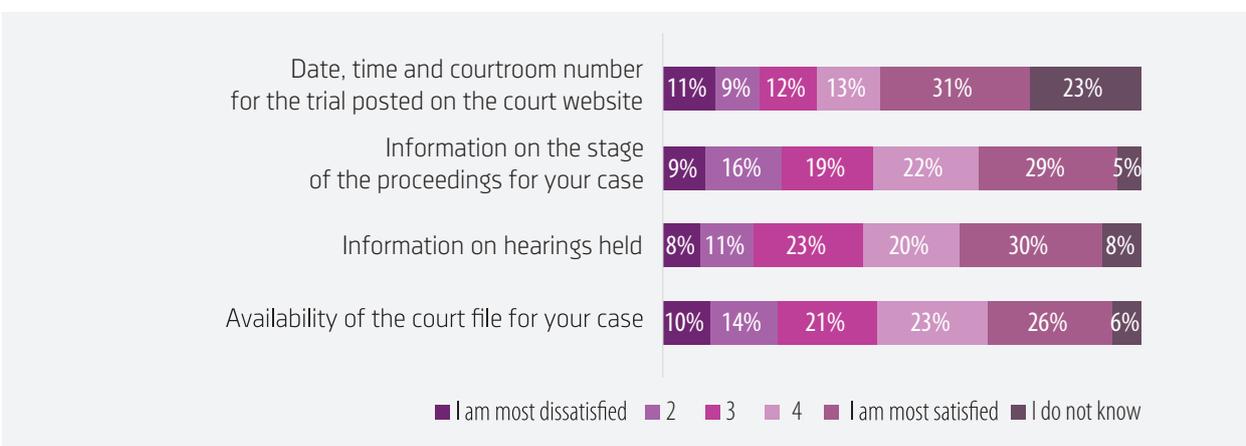
#### 4. AVAILABILITY OF INFORMATION

The availability of information is also an important indicator of the quality and performance of courts and shows how well the courts are organized. The surveyed citizens assessed the importance of several aspects of courts work, as well as their own satisfaction with the performance of courts with regard to those specific aspects.

Regarding the information that the courts should provide to the parties, the respondents consider that all four types of information are of great importance to them, namely: the announcement of the date, time and number of the courtroom where the hearing will take place, information on the postponement of the hearing, information about the stage of the proceedings, as well as the availability of court documentation for the case.

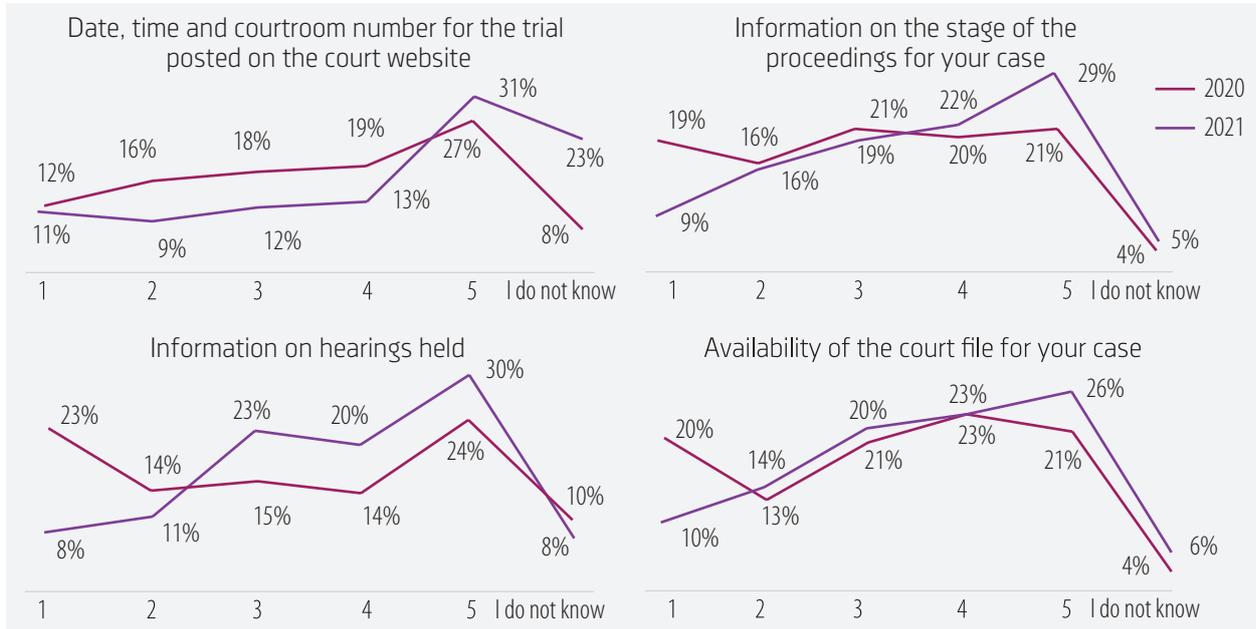
About 44% of the surveyed citizens are satisfied with the information provided by the court on the date, time and number of the courtroom where the hearing will take place, about 20% are dissatisfied and 12% are neutral. 51% are partially or completely satisfied with the information on the stage of the procedure in their case, about 25% are dissatisfied, and 10% are neither satisfied nor dissatisfied. Regarding the information for postponement of the hearing, 50% of the respondents are satisfied with the information received, 19% are dissatisfied with it and 23% are neither satisfied nor dissatisfied. 49% of the respondents are satisfied with the availability of the court documentation for their case, while 28% are dissatisfied with the availability, and 21% are neither satisfied nor dissatisfied.

GRAPH 71: SATISFACTION WITH THE CASE INFORMATION PROVIDED BY THE BASIC COURT



When analysing the satisfaction with the received information about their case, the citizens believe that in 2021 the situation is almost unchanged compared to 2020, but still there is little progress towards provision of more information to the citizens. The answers were provided on a scale from 1 to 5, where 1 is most dissatisfied and 5 is most satisfied. The court has made the most progress in informing the citizens by providing information on postponed hearings.

GRAPH 72: CHANGE IN THE SATISFACTION WITH THE CASE INFORMATION PROVIDED BY THE BASIC COURT



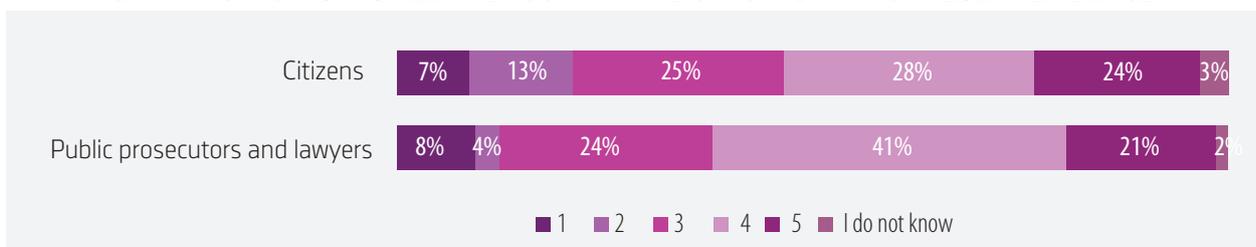
## 5. PRESENTATION OF EVIDENCE

The opportunity to present evidence is very important to all parties and can greatly influence the relevant court decision. Because of that, all respondents stated that the opportunity to present evidence is very important for all types of proceedings. But the survey shows they are less satisfied with the opportunity given by lawyers and prosecutors.

About 52% of the surveyed citizens are satisfied (grades 5 and 4) with the given opportunity to present their evidence before the court, 20% are dissatisfied, and 25% are neither satisfied nor dissatisfied.

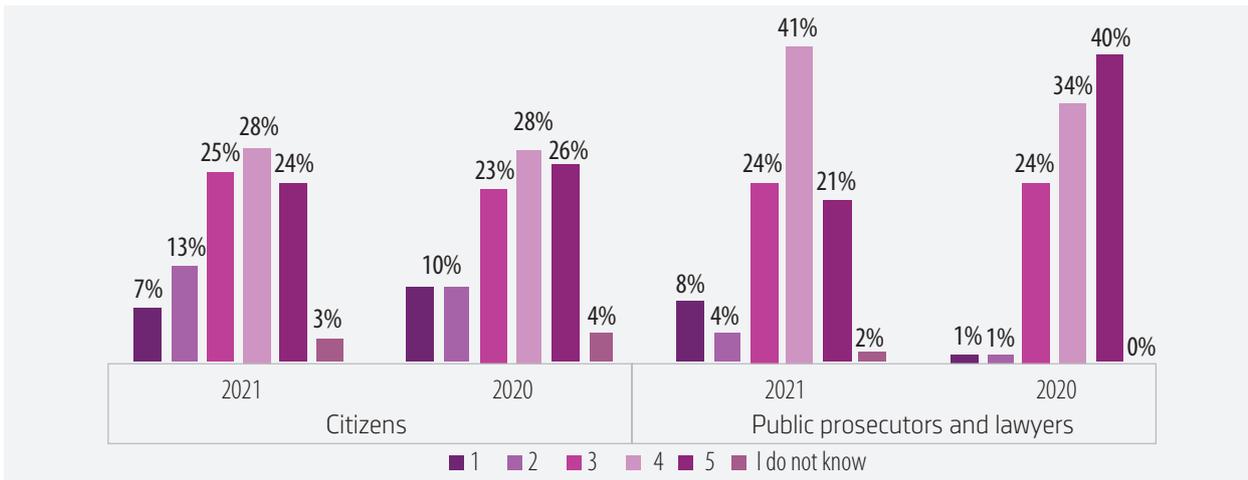
About 62% of public prosecutors and lawyers are satisfied and very satisfied with the opportunity to present evidence in the proceedings, 24% of them are moderately satisfied, and 12% are very dissatisfied and dissatisfied.

GRAPH 73: HOW SATISFIED ARE YOU WITH THE OPPORTUNITY TO PRESENT EVIDENCE



The citizens stated that there were no changes in the possibility for presenting evidence given by the court in the two years subject of analysis. A similar opinion was expressed by public prosecutors and lawyers, who in 2020 were slightly more satisfied than in 2021.

GRAPH 74: CHANGE IN THE LEVEL OF SATISFACTION WITH THE OPPORTUNITY TO PRESENT EVIDENCE



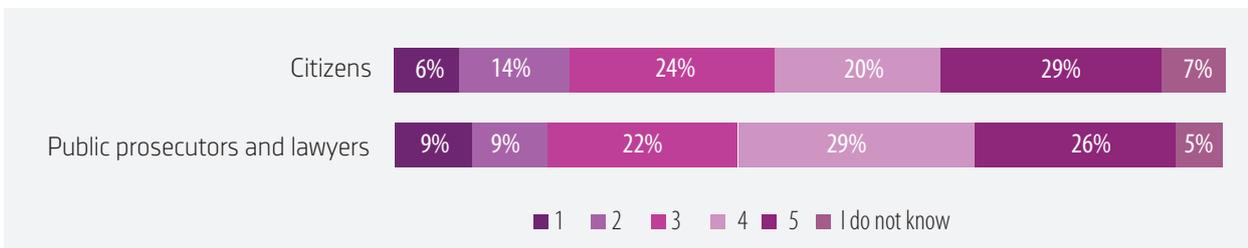
## 6. HEARING OF WITNESSES

The hearing of witnesses is another part of the court proceedings which is an indicator of quality and is assessed by the surveyed citizens and lawyers and prosecutors as very important.

Citizens (49%) and lawyers (61%) are very satisfied or just satisfied with how the judge examined witnesses in court, and 29% of the citizens and 12% of the lawyers are dissatisfied and very dissatisfied with that.

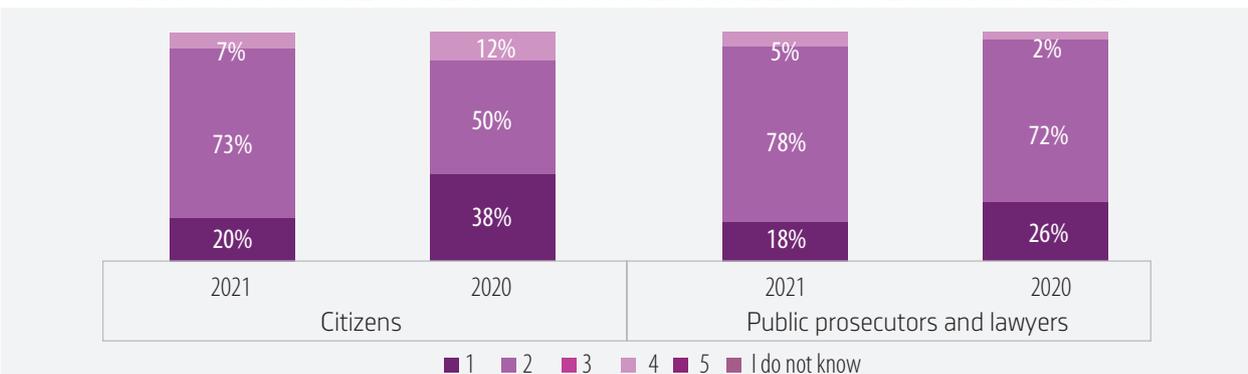
Contrary to this, 80% of public prosecutors are very satisfied and satisfied with the opportunity to present evidence, and only 3% are dissatisfied.

GRAPH 75: HEARING OF WITNESSES



Regarding the hearing of witnesses, the situation in 2021 has improved in the opinion of citizens, public prosecutors and lawyers. Citizens said they were 18 percentage points more satisfied with the possibility of hearing witnesses in court in 2021 compared to 2020, while 8 percentage points more public prosecutors and lawyers said the same.

GRAPH 76: CHANGE IN THE OPINION ON THE POSSIBILITY OF HEARING WITNESSES

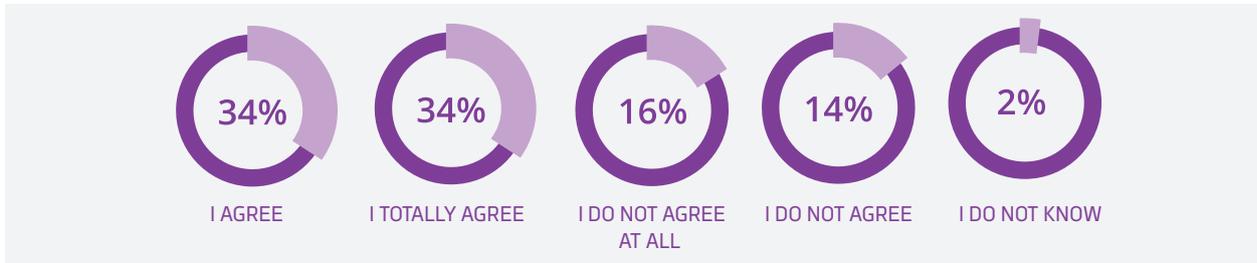


## 7. JUDGE'S KNOWLEDGE ABOUT THE CASE

The knowledge of the judge about the case is the basis for a good and fair trial. Only citizens were asked this question and they were asked to express their perception of the judge's knowledge of their case, from their own experience.

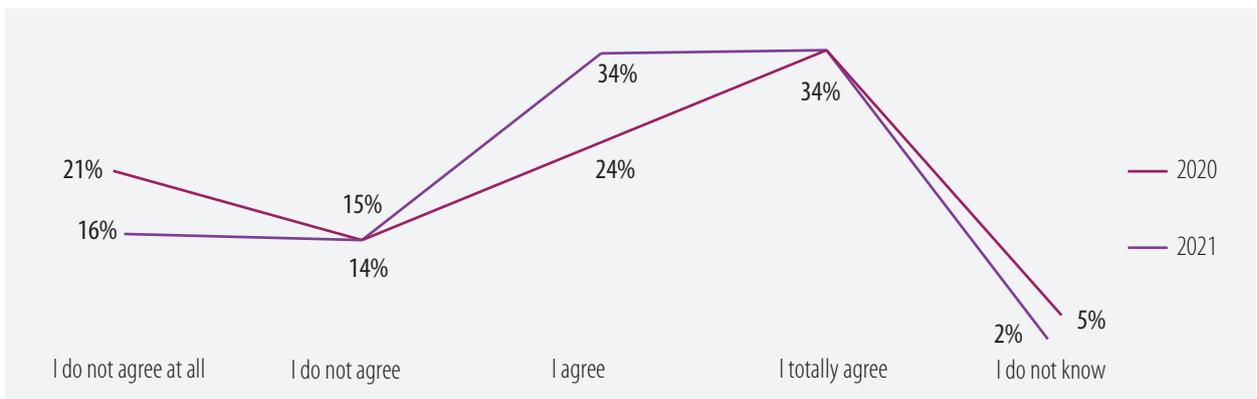
The majority of surveyed citizens (58%) partially or completely agree that the judge knew the details of the specific case, but there is a high percentage of citizens (37%) who do not agree with this.

GRAPH 77: JUDGE'S KNOWLEDGE ABOUT THE CASE



In 2021, in the opinion of the citizens, the judges are much more knowledgeable about specific case compared to 2020.

GRAPH 78: CHANGE IN THE OPINION ON THE JUDGE'S KNOWLEDGE ABOUT THE CASE



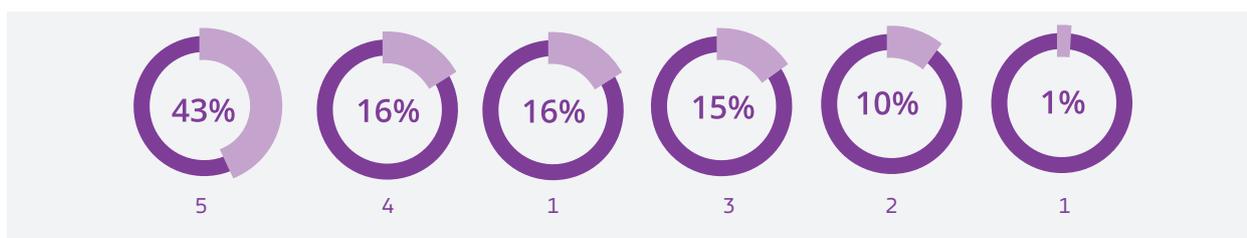
## 8. CLARITY OF COURT DECISIONS

Concise and clearly written court decisions indicate competence, expertise and eloquence of the judge. The court decision must meet the basic standards with regard to the content, but it also should be clear and understandable for professionals and citizens involved in the proceedings.

The citizens evaluated the clarity of the court decision with scores from 1 to 5, where 1 is very dissatisfied and 5 is very satisfied.

For 86.5% of the surveyed citizens the clarity of court decisions is very important, but only 59% of the respondents are satisfied and very satisfied with their clarity, a quarter of the respondents are dissatisfied, 26% are dissatisfied and very dissatisfied, and 15% of respondents are neither satisfied nor dissatisfied.

GRAPH 79: CLARITY OF COURT DECISIONS

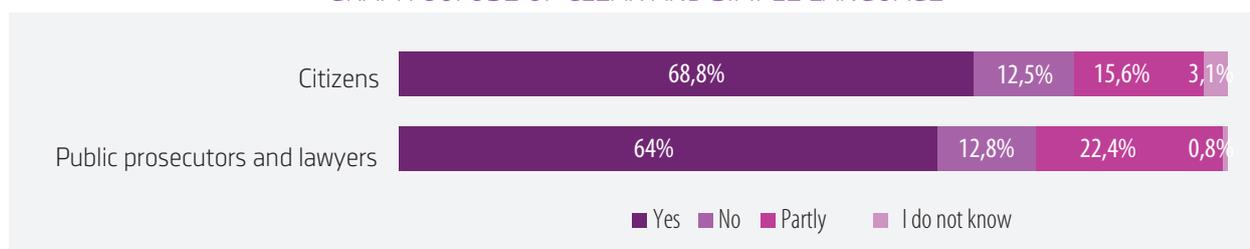


## 9. DECISION MAKING STANDARDS

Respect for and application of quality standards in court decisions is a very important indicator on the quality of the judiciary. The question on the application of quality standards in court decisions was posed to judges, public prosecutors and lawyers and the results are shown in the graphs below.

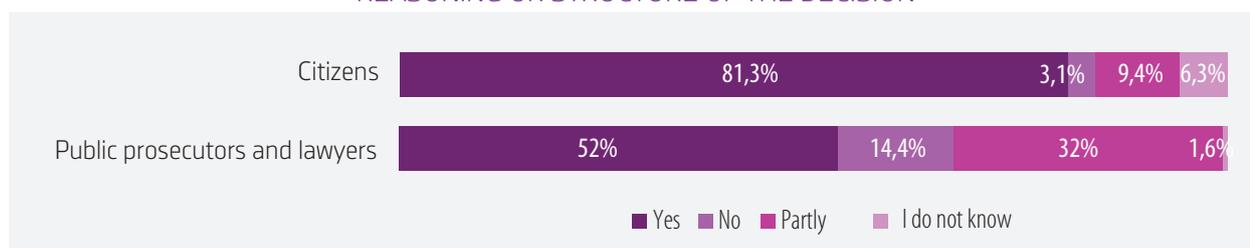
Most of the respondents from all groups think that the court decisions or judgments are written in clear and simple language, as stated by 69% of judges and 64% of public prosecutors and lawyers. 22% of public prosecutors and lawyers and 15% of judges are partially satisfied with the language in the court decisions.

GRAPH 80: USE OF CLEAR AND SIMPLE LANGUAGE



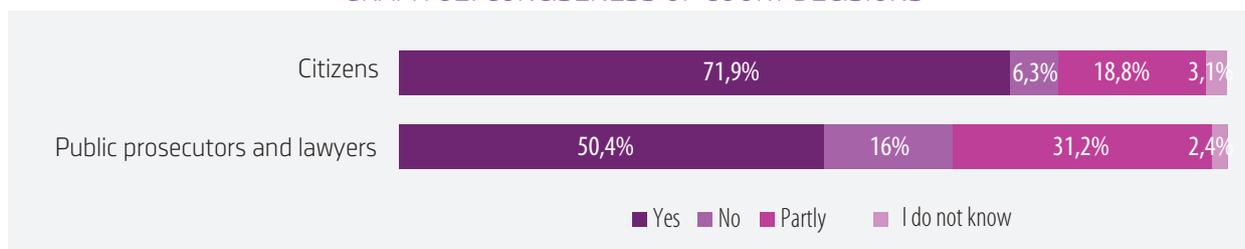
Regarding the standards on pre-determined elements contained in the decision, 81% of judges and 52% of public prosecutors and lawyers consider that these standards are applied, while 32% of public prosecutors and lawyers and 9% of judges consider that they are partially applied.

GRAPH 81: ADHERENCE TO PRE-DETERMINED ELEMENTS THAT SHOULD BE CONTAINED IN THE REASONING OR STRUCTURE OF THE DECISION



The conciseness of court decisions is the next analysed standard, and 72% of judges and 50% of public prosecutors and lawyers think that it is being applied, and 31% of public prosecutors and lawyers and 19% of judges consider that it is being partially applied.

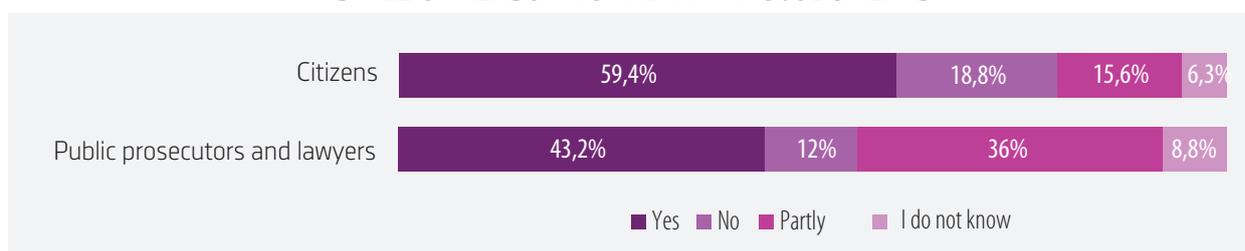
GRAPH 82: CONCISENESS OF COURT DECISIONS



In order to consistently apply quality standards, as well as to improve the skills for writing court decisions, to improve the structure of decisions and the style of writing, it is necessary to continuously improve judges knowledge through training.

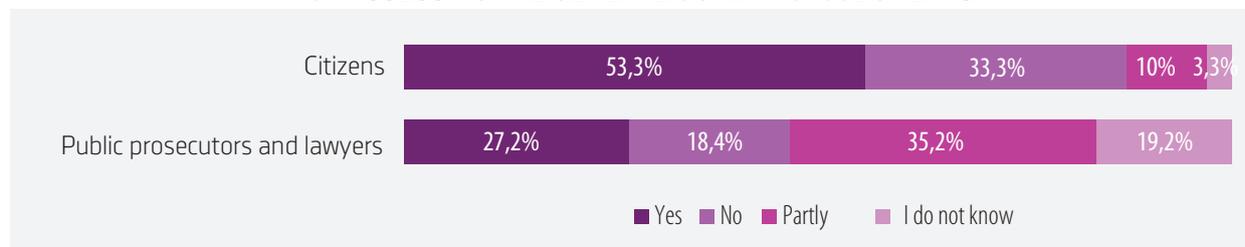
Most judges, 59%, agree that training is needed, as reported by 43% of public prosecutors and lawyers. 36% of public prosecutors and lawyers and 16% of judges said that this standard is partially applied.

GRAPH 83: TRAINING FOR JUDGES ON DECISION STRUCTURE, STYLE OF REASONING AND WRITING JUDGMENTS



53% of judges and 27% of public prosecutors and lawyers spoke in favour of the application of the standard for the existence of internal mechanisms for assessing the quality of judgments. However, 33% of judges and 18% of lawyers and public prosecutors think that this standard is not applied, while 35% of public prosecutors and lawyers think that it is partially applied, which was stated by 10% of judges.

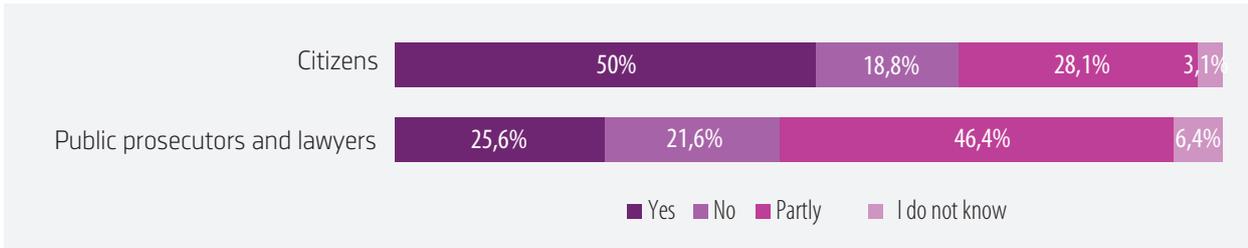
GRAPH 84: EXISTENCE OF INTERNAL MECHANISMS IN THE JUDICIARY FOR ASSESSING THE GENERAL QUALITY OF JUDGMENTS



Following the case law of the European Court of Human Rights is another standard that should be applied in the courts when they make decisions. The majority of judges (50%) answered that it is applied, and 26% of public prosecutors and lawyers have the same opinion.

22% of public prosecutors and lawyers, as well as 19% of judges, consider that this standard is not applied, while 46% of public prosecutors and lawyers and 28% of judges said that it is partially applied.

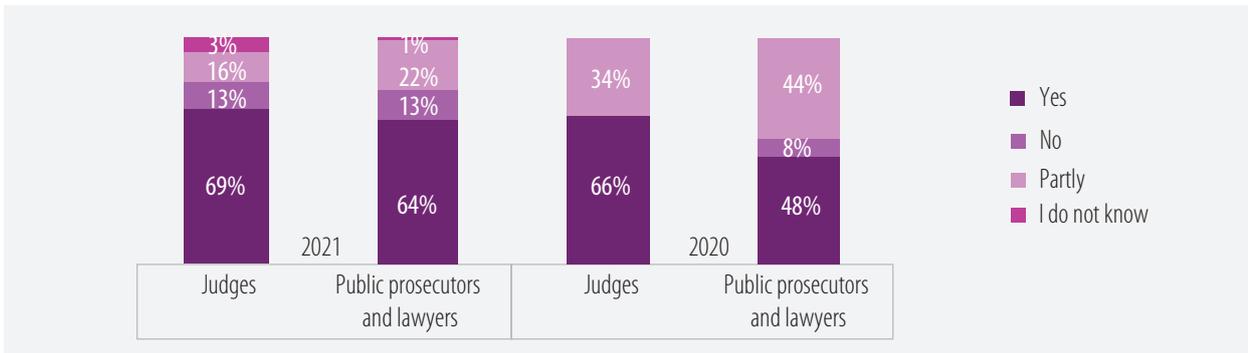
GRAPH 85: FOLLOWING THE CASE LAW OF ECTHR



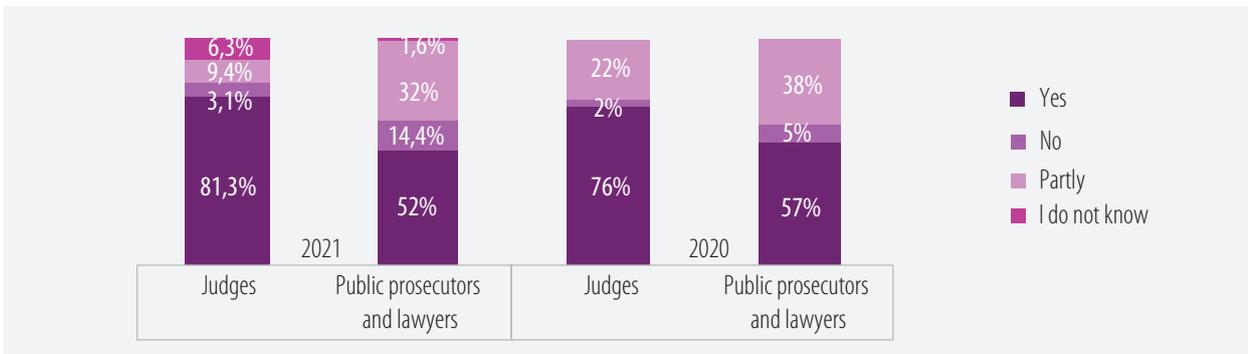
Comparing the perception of judges, public prosecutors and lawyers on the application of the standards in 2021 and 2020, it is noted that in 2021 the application of standards has improved compared to 2020. Consequently, for each individual standard, the following is observed:

- Use of clear and concise language in writing court decisions - 4% more judges think that clearer and more concise language is used in writing court decisions, while the percentage of public prosecutors and lawyers who think the same is much higher (21%).

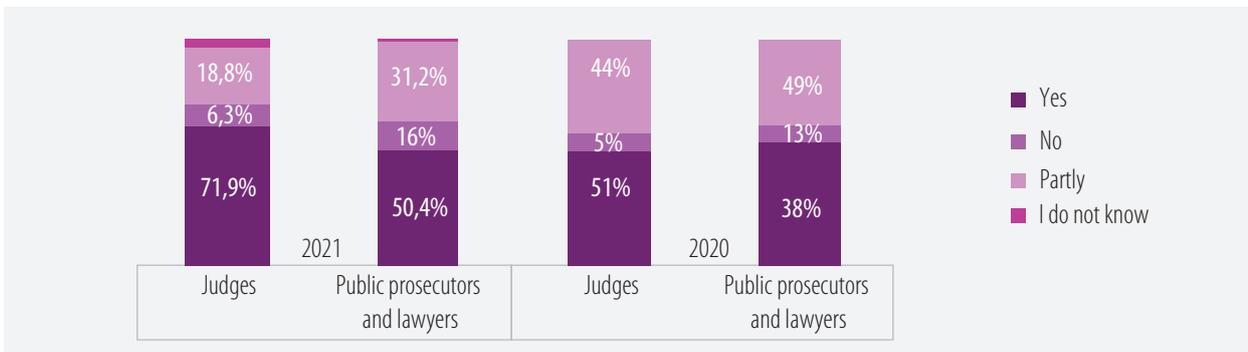
USE OF CLEAR AND SIMPLE LANGUAGE



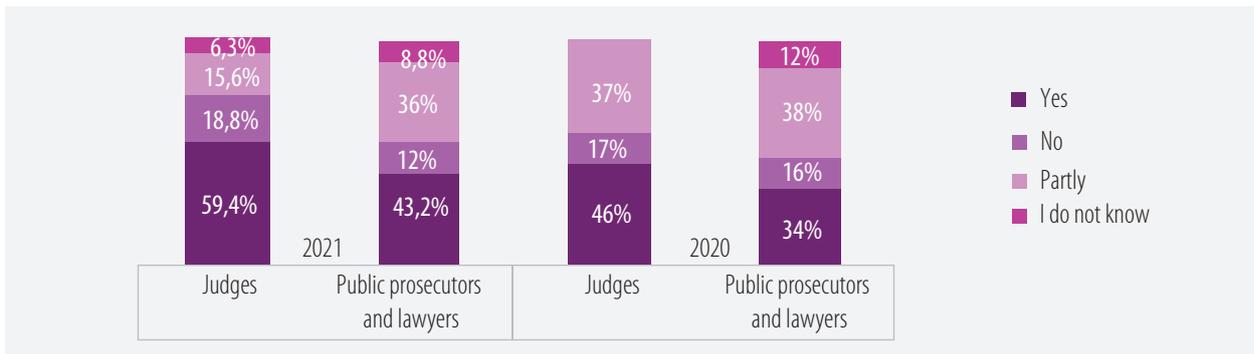
- Respect for pre-determined elements that should be contained in the reasoning or structure of the decision - judges believe that in 2021 the pre-determined elements of the reasoning have been much more respected than in 2020. Public prosecutors and lawyers believe that in 2021 these elements are less respected than in the previous year



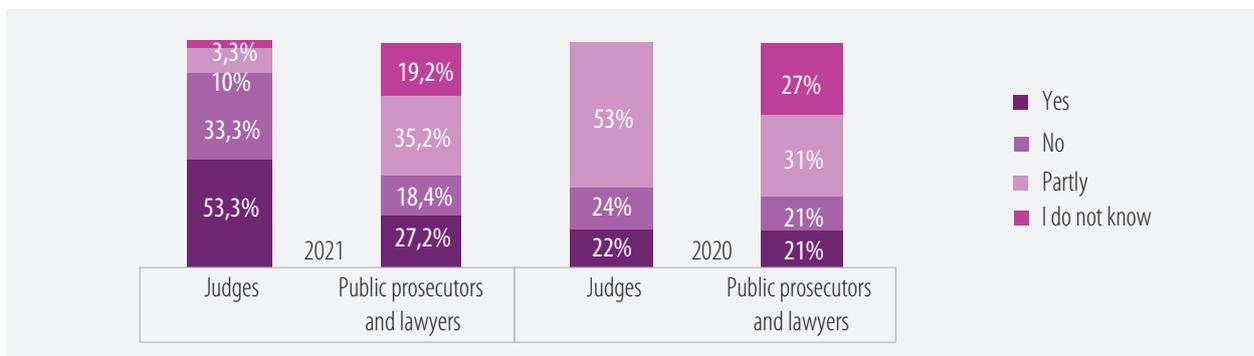
- Conciseness is an important element of court decisions and judges and public prosecutors and lawyers have stated that court decisions are much more concise in 2021 compared to the previous year.



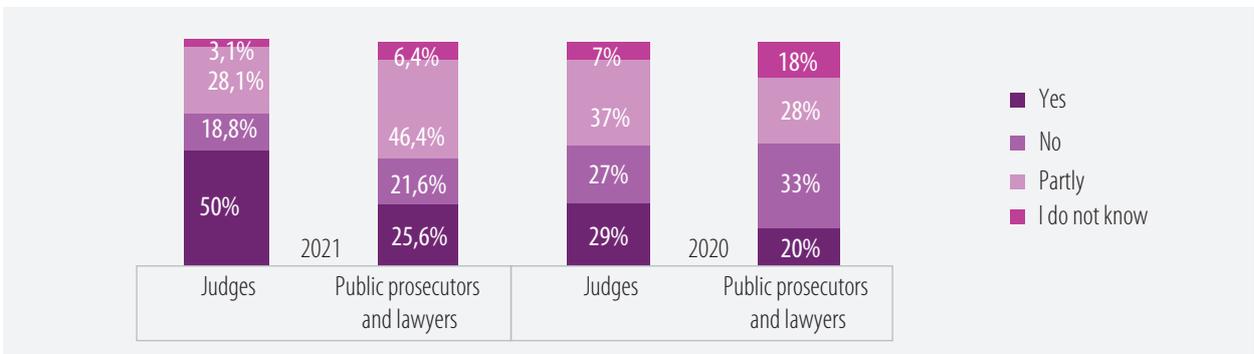
- Training for judges on the structure of decisions, the style of the reasoning and writing judgments - the need for training and the fact that it contributes to better written decisions is reflected in the opinion of the two target groups of respondents, who in 2021 consider in higher numbers that training leads to improvement of court decisions and that it is needed.



- Existence of internal mechanisms in the judiciary for assessing the general quality of judgments - Judges believe that in 2021 there are many more internal mechanisms in the judiciary, while public prosecutors and lawyers have spoken about it in smaller numbers.



- Following the case law of the European Court of Human Rights - the application of this standard in 2021 has also increased significantly, as stated by judges (in higher numbers) and public prosecutors and lawyers in smaller numbers.



## CONCLUSIONS

The following can be concluded from the answers:

- » The perception with regard to quality of judicial justice in the last 3 years is that the situation has changed, i.e. judicial justice has improved, but these opinions are mostly shared by judges and public prosecutors, while citizens and lawyers have a more moderate opinion, i.e. they believe that things have not changed much.
- » Citizens, lawyers and prosecutors believe that judges and prosecutors generally respect the rights of defendants or victims during proceedings.
- » All respondents largely agree that courts and public prosecutors have sufficient resources to comply with the rules and methods established by procedural law.
- » The availability of information on court proceedings is very important in every court proceedings. Citizens think that the availability of information is extremely important for them, but they are not very satisfied with the availability of specific information related to their case.
- » Regarding the possibility of presenting evidence during court proceedings, they also think that it is extremely important for them, but they are not very satisfied with the opportunity given to them during the court proceedings.
- » The citizens have the same perception for the hearing of witnesses during the court proceedings.
- » The quality standards of court decisions are largely respected, but many judges are dissatisfied with the manner the ECtHR's case law is followed, with the internal judicial procedures for assessing the overall quality of judgments, and with the training on the structure of decisions and writing of judgments.

## VI. EXPERTISE AND PROFESSIONALISM

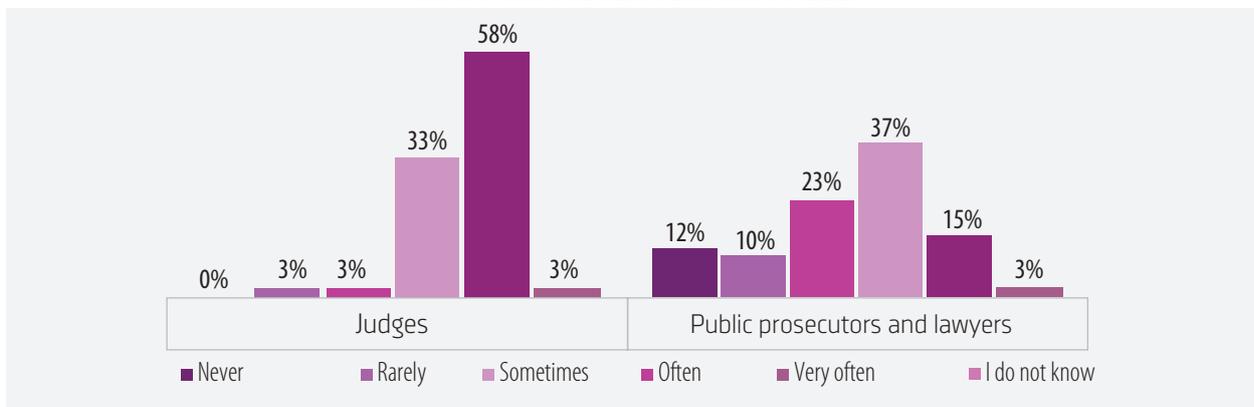
### 1. PERFORMANCE OF JUDGES

A special question in the survey was how well judges, public prosecutors, lawyers and experts perform their job. Each target group was evaluated by the others.

Judges were evaluated by public prosecutors and lawyers, but the majority (58%) of judges consider that they very often perform well, 33% of them considered that they often perform well, and only 3% think that they rarely and 3% sometimes perform well.

Most of public prosecutors, 68%, think that judges often perform well and 25% that they perform well very often. About 15% of public prosecutors think that judges never, and 13% that they rarely perform well.

GRAPH 85: JUDGES PERFORM WELL



Judges believe that in 2021 they are performing better than in 2020. Opinions of public prosecutors and lawyers on the work of judges are different and they believe that judges in 2021 perform worse than in 2020.

GRAPH 86: CHANGES IN THE OPINION ON PERFORMANCE OF JUDGES

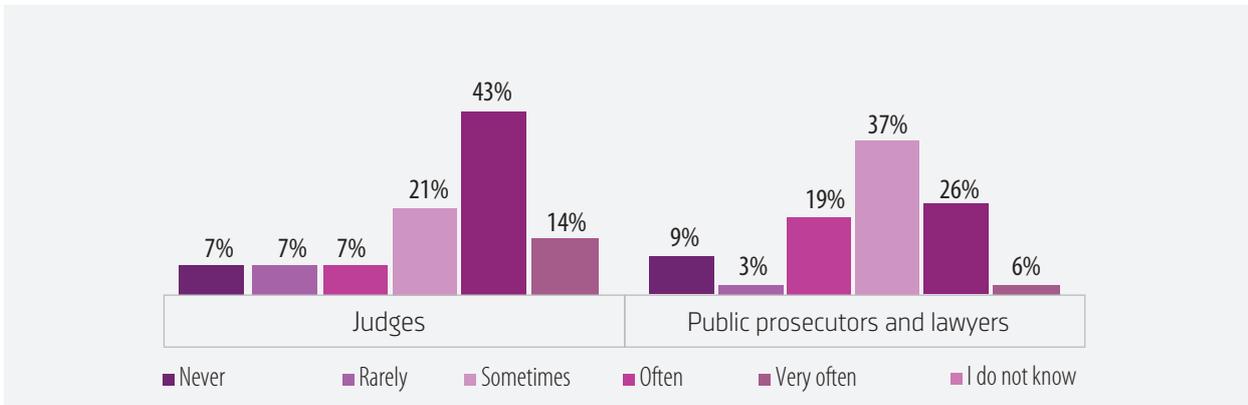


## 2. PERFORMANCE OF PUBLIC PROSECUTORS

The assessments of the performance of public prosecutors by other groups show that 26% of the public prosecutors and lawyers think that they very often perform well and 37% that they do that often. Public prosecutors and lawyers (12%) think that public prosecutors never or rarely perform well.

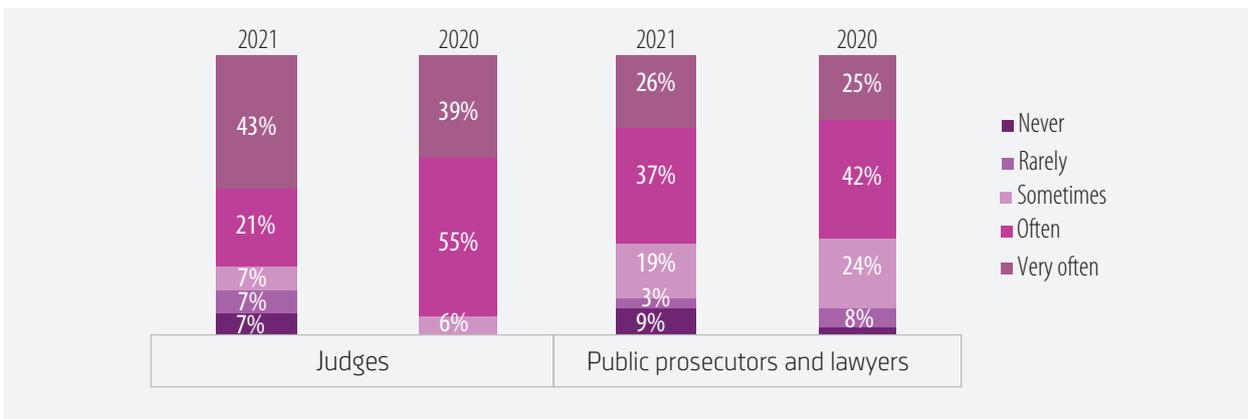
43% of the judges think that public prosecutors often perform well and 21% that they perform well. 7% of judges think that public prosecutors sometimes, rarely and never perform well.

GRAPH 87: PUBLIC PROSECUTORS PERFORM WELL



The perception of public prosecutors and lawyers about the performance of judges and public prosecutors has improved, i.e. in 2021 both target groups have improved their performance compared to 2020.

GRAPH 88: CHANGE IN THE OPINION ON THE PERFORMANCE OF PUBLIC PROSECUTORS

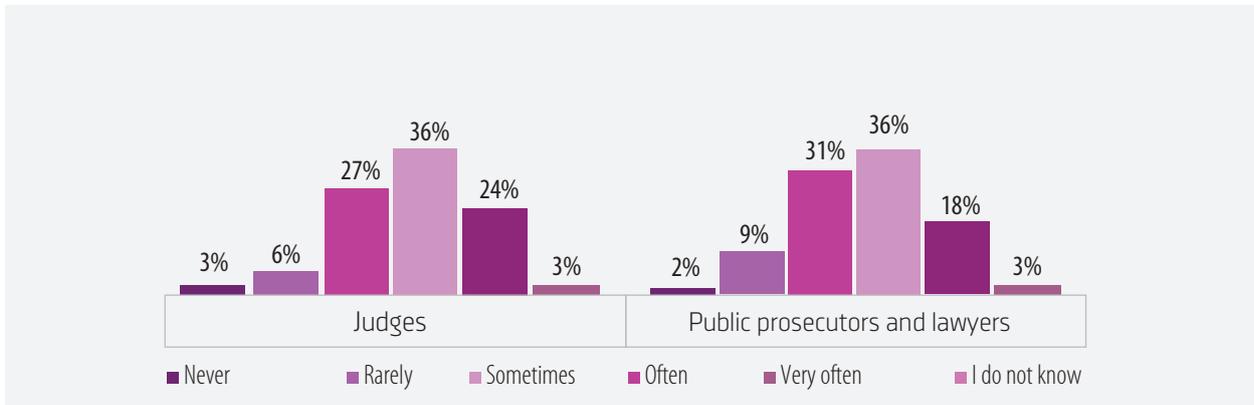


### 3. PERFORMANCE OF LAWYERS

The opinions of the different target groups on the performance of lawyers are quite uniform. Namely, 54% of lawyers and public prosecutors believe that lawyers often and very often perform well, and 11% of them believe that lawyers never and rarely perform well.

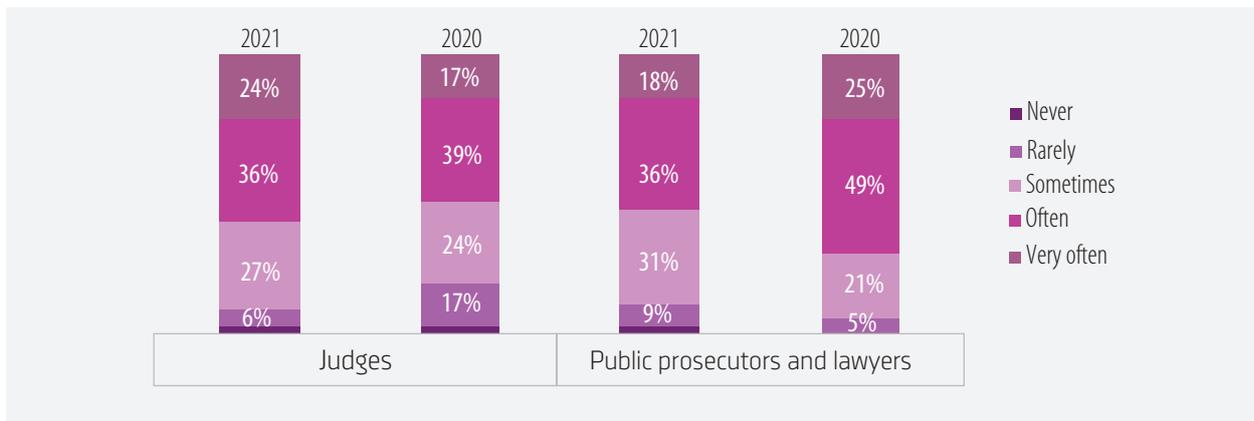
At the same time, 60% of judges think that lawyers often and very often perform well, and 9% of judges think that lawyers do not perform well.

GRAPH 90: LAWYERS PERFORM WELL



Judges perception of lawyers' performance is that in 2021 lawyers have improved their work, compared to the previous year, while public prosecutors and lawyers believe that in 2021 lawyers perform worse than in 2020.

GRAPH 91: CHANGE IN THE OPINION ABOUT THE PERFORMANCE OF LAWYERS



### CONCLUSIONS

From the responses with regard to the performance of judges, public prosecutors and lawyers, the following can be concluded:

- » All three target groups are graded well, i.e. judges and public prosecutors and lawyers perform well.
- » Most often, everyone thinks that judges and public prosecutors very often and often perform well, while for lawyers the opinion is less favourable, i.e. they sometimes, often and very often do a good job.
- » Very few respondents answered that some of the groups performed poorly.



