



de Rechtspraak

Council for the
Judiciary

The effects of the reform of the judicial system in

The Netherlands

Robert van der Laan

General presentation of the judicial map reform evaluation system

Outline

1. The reform in The Netherlands
2. The evaluation of the reform
3. Indicators (25-11)
4. Expected follow-up (25-11)



Why did we reform the judicial map? (1)

- Increase of differentiation in cases
- Increase of knowledge intensity
- Increase of demands on quality
- The reform aims to improve the quality on 3 main components:
 1. The quality and accessibility of the primary process;
 2. The quality of governance;
 3. The quality of the organisational and operational management.

Why did we reform the judicial map? (2)

The reform of the judicial map makes it possible to:

- **maintain the high level of quality and accessibility**
 - Larger departments generate more cases
 - Specialization is only possible when there is enough supply of (complex) cases

Size of the departments

Before the reform

After the reform

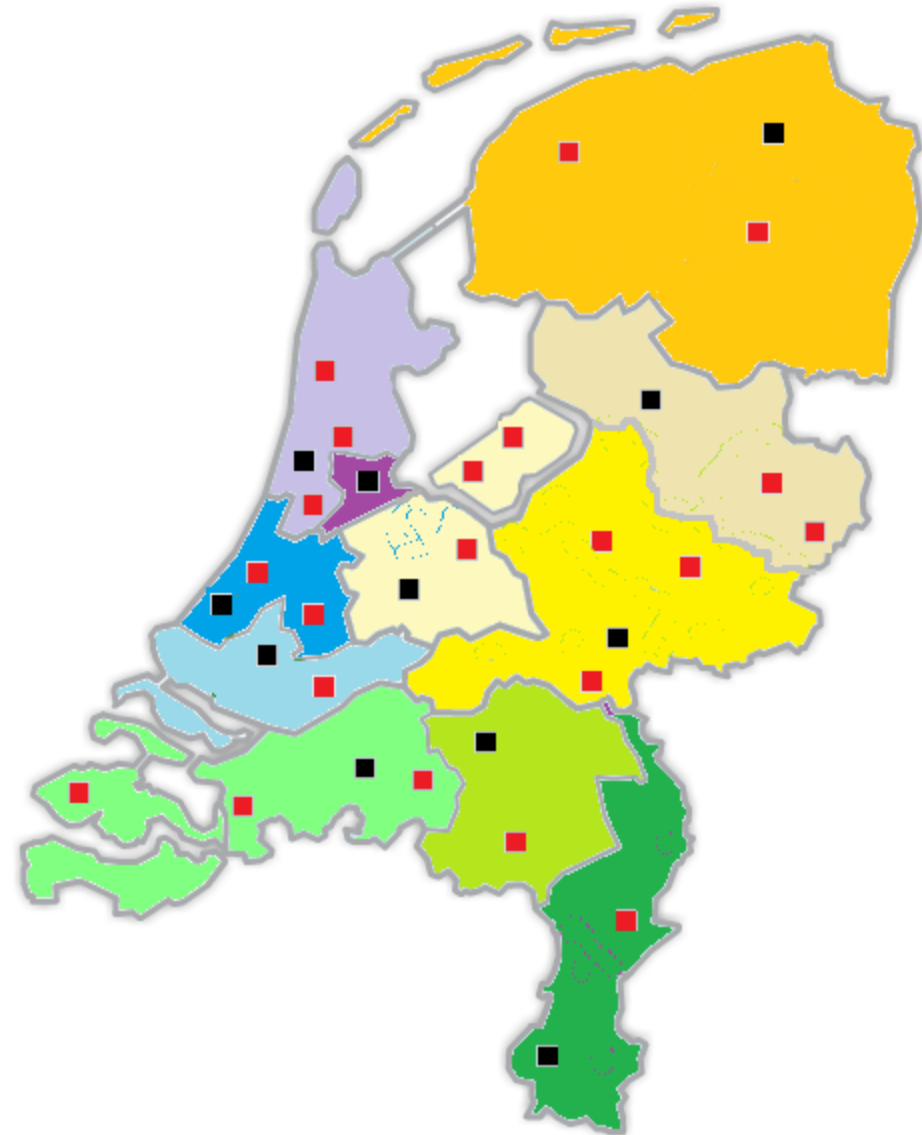
Was						IS					
Court	Total	Canton	Civil	Criminal	Administrative	Court	Total	Canton	Civil	Criminal	Administrative
Leeuwarden	43	5	14	16	8						
Groningen	51	8	18	16	9	Noord-Nederland	130	18	44	42	26
Assen	36	5	12	10	9						
Zwolle-Lelystad (Zwolle)	46	6	16	10	14						
Almelo	51	7	18	17	9	Overijssel	97	13	34	27	23
Zutphen	54	6	19	16	13						
Arnhem	109	18	39	27	25	Gelderland	163	24	58	43	38
Utrecht	106	15	40	24	17	Midden-Nederland	157	28	57	52	20
Zwolle-Lelystad (Lelystad)	34	10	12	12	0						
Amsterdam	208	32	58	77	39	Amsterdam	191	29	53	73	36
Alkmaar	56	7	21	14	14	Noord-Holland	168	24	50	56	38
Haarlem	112	17	29	42	24						
's-Gravenhage	191	26	60	72	33	Den Haag	191	26	60	72	33
Rotterdam	141	23	46	51	21	Rotterdam	182	29	59	64	30
Dordrecht	41	6	13	13	9						
Middelburg	32	4	11	11	6	Zeeland-West-Brabant	132	20	54	40	18
Breda	100	16	43	29	12						
's-Hertogenbosch	114	20	36	36	22	Oost-Brabant	114	20	36	36	22
Roermond	44	6	15	14	9	Limburg	118	18	36	43	21
Maastricht	74	12	21	29	12						
Totaal	1.643	249	541	548	305	Totaal	1.643	249	541	548	305
Average	86	13	28	29	16	Average	149	23	49	50	28
Median	56	8	21	17	13	Median	157	24	53	43	26

The judicial map reform

District Courts

In 2013:

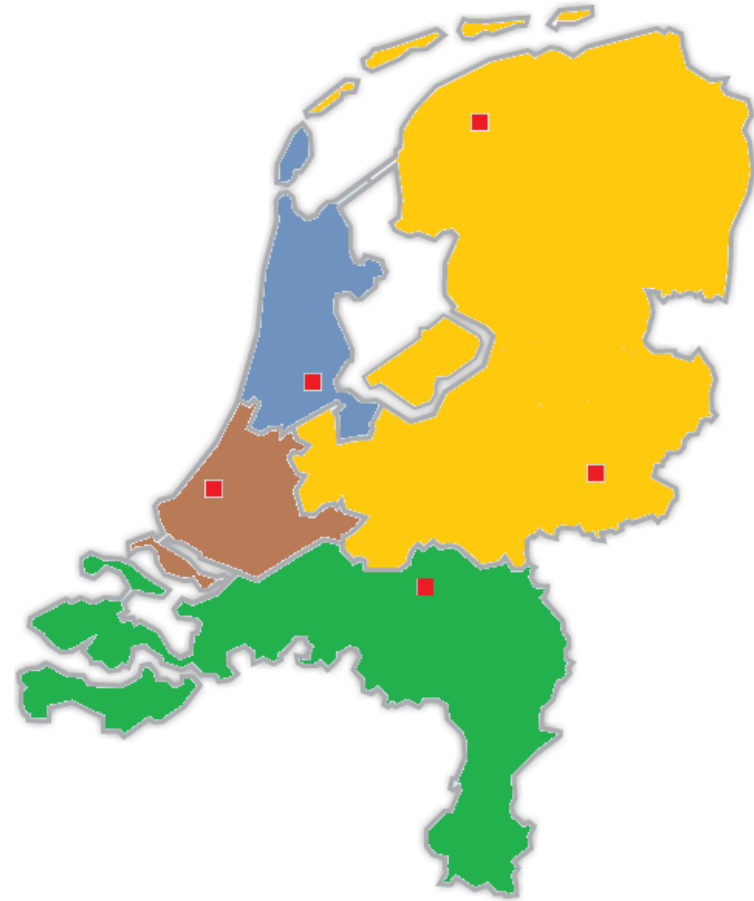
- **From 19 to 11 district courts**
 - 1-1-2013: 10 district courts
 - 1-4-2013: 11 district courts
- **From 55 to 32 district court locations**
 - 24 locations closed
 - 1 new location
- **From 19 to 11 boards**
 - (from 95 to 33 board members)



The current judicial map

Courts of Appeal

- From 5 to 4 districts
- From 5 to 4 boards
 - (from 25 to 11 board members)



Judicial map reform evaluation

Parliament amended the Judicial Map reform Act:

- Within five years after the implementation of the judicial map reform, the minister of Security and Justice has to send a report to the parliament on the effectiveness and impact of this law in practice.
- Three years after the implementation of the judicial map reform, the minister of Security and Justice has to send a report to the parliament on the effectiveness and impact of this law in practice in the region Eastern Netherlands.

Judicial map reform evaluation

Evaluation committee:

- **Installed on 29 January 2016 by:**
 - the minister of Security and Justice, and;
 - the minister for Housing and the Central Government Sector.
- **The committee has 5 members:**
 - 3 scientists (professors in law)
 - 1 Supreme Court Judge (who also is a professor in law)
 - The Supreme Court is not part of the reform
 - 1 Mayor (of a medium sized city with a court location)

Judicial map reform evaluation

Evaluation committee:

- The committee is an independent body
- The committee is supported by civil servants of the ministry of Security and Justice
- The evaluation is financed by the ministry of Security and Justice

Judicial map reform evaluation

Committee assignment:

- Investigate the effectiveness and impact in practice of the reform of the judicial map and the demerging of the court 'Eastern Netherlands' into the courts 'Gelderland' and 'Overijssel' and, consequently, draw up recommendations.
- The committee is asked to investigate at least the following aspects:
 - The quality and accessibility of the primary process
 - The quality of governance of the courts
 - The quality of operational management (secondary process)
 - The geographical congruence between parties in the chain (criminal law)

Judicial map reform evaluation

Approach

1. Plan evaluation
2. Process evaluation
3. Effect evaluation

Scope

- All 11 First instance courts and 4 Courts of appeal
- Public Prosecution Service
- Judicial domain is excluded (quality of judgments and judicial skills of judges)

Judicial map reform evaluation

Themes

The Committee intends to focus on the following four themes:

1. Knowledge, expertise and accessibility
2. Administrative structure
3. Operations
4. External Cooperation

Judicial map reform evaluation

Methods

The following methods are considered:

- Literature review / consideration of public sources, including the parliamentary history;
- Self-evaluation courts and prosecutors offices
- Surveys
- Interviews
- Focus groups / Expert meetings

Judicial map reform evaluation

Reporting

- The evaluation committee sends her written report to the minister of Security and Justice before 1-1-2017
- The minister of Security and Justice sends the written report to the Parliament before 1-1-2017

Judicial map reform evaluation

End of todays presentation

**Tomorrows presentation is about indicators
and expected follow-up**



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Indicators to be used and expected follow-up

Indicators used to monitor Eastern Netherlands (1)

- The Council of the Judiciary has reported (2014 and 2015) on Eastern Netherlands, about:
 - Number of cases (started and ended)
 - Personnel (full time equivalents)
 - Productivity in €

Courts	Gelderland		Overijssel		Average court	
	2013	2014	2013	2014	2013	2014
Cases started	167.000	177.300	106.900	103.600	154.600	154.000
Cases ended	157.400	176.400	101.900	103.100	149.500	153.400
FTE	677	667	432	421	645	653
Productivity in million €	56	55	38	39	55	54

Indicators used to monitor Eastern Netherlands (2)

- Percentage judges on total number of employees
- Percentage female judges on total number of judges
- Percentage female support staff on total support staff
- Percentage judges aged over 50 years
- Percentage support staff aged over 50 years
- Absence through illness (%)
- Workload experience

Indicators used to monitor Eastern Netherlands (3)

- The ratio between ended and incoming cases

Court	Gelderland		Overijssel		Average court	
	2013	2014	2013	2014	2013	2014
Civil law	94%	104%	97%	101%	98%	102%
Administrative law	96%	90%	106%	94%	96%	94%
Alien law	122%	96%	104%	132%	108%	101%
Tax law	90%	101%	107%	101%	97%	104%
Criminal law	94%	98%	99%	95%	96%	99%
Small claims	94%	99%	93%	99%	96%	99%

Indicators used to monitor Eastern Netherlands (4)

- Cost productivity indicator
 - financial result as % of revenue
 - Equity capital as % of revenue

courts	Gelderland		Overijssel		Average court	
	2013	2014	2013	2014	2013	2014
Financial result as % of revenue	0,8%	-0,7%	0,1%	-0,5%	0,0%	-1,5%
Equity capital as % of revenue	3,9%	2,3%	2,1%	1,4%	2,5%	1,9%

Indicators used to monitor Eastern Netherlands (5)

- Percentage multi panel cases compared to norm

Court	Gelderland		Overijssel		Average		Norm/ target
MP-% Commercial law	6%	5%	14%	13%	10%	8%	10%
MP-% Family law	1%	0,4%	1%	4%	1%	2%	3%
MP-% Administrative Law	10%	15%	13%	12%	9%	11%	10%
MK-% Alien Law	3%	4%	2%	3%	2%	3%	5%
MP-% Criminal Law	13%	12%	15%	17%	14%	15%	15%

Indicators used to monitor Eastern Netherlands (6)

- Percentage multi panel cases compared to norm
- Percentage 'permanent education' compared to norm
- Number of substantiated complaints
- Number of honoured challenges
- Length of cases (% compared to a norm)
- Customer rating
- Cooperation with Public Prosecution Service

Indicators requested by the Evaluation Committee

(1)

The Committee requested the Council of the Judiciary for the following information:

1. The number of FTEs judges and staff, broken down as detailed as possible in organisational units (sector team, department) annually for the period 2010 - 2015. Both 1st instance courts and courts of appeal.
2. The number of incoming cases per court and court venue, broken down by category, annually for the period 2010 - 2015.
3. Number and addresses of court venues per court
4. All postal codes belonging to the geographical jurisdiction of each district court

Indicators requested by the Evaluation Committee (2)

The Committee requested the Council of the Judiciary for the following information:

5. Production of cases by court, divided into main categories, annually for the period 2010 - 2015.
6. Backlog development in courts, broken down into main categories, annually for the period 2010 – 2015.
7. Absence through illness for judges and other staff by organisational unit, by court, annually for the period 2010-2015.
8. Cost productivity, average productivity per judge / employee, financial result, equity capital, by court, annually for the period 2010 - 2015

Indicators requested by the Evaluation Committee (3)

The Committee requested the Council of the Judiciary for the following information:

9. The extent of the operational management units (HR, IT, Finance, Communication, etc.) and distribution of job grades per unit, by court, annually for the period 2010-2015.
10. Percentage of judges on total number of employees, by court, annually for the period 2010-2015

Expected follow-up

It's hard to make predictions,

especially about the future

Judicial map reform evaluation

End of todays presentation