



Republic of Serbia
APPELLATE COURT IN KRAGUJEVAC

**ANNUAL REPORT ON THE WORK OF THE
APPELLATE COURT IN KRAGUJEVAC
AND
HIGHER AND BASIC COURTS FROM THE
JURISDICTION OF THE APPELLATE COURT IN
KRAGUJEVAC FOR 2017**



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Nö: III SU-19-3/18

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HIGHER AND BASIC COURTS FROM THE
JURISDICTION OF THE APPELLATE COURT IN
KRAGUJEVAC FOR 2017**

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CONTENTS

I - Introduction.....	5
II - Disposed Cases in 2017	9
III - Incoming Cases in 2017.....	13
IV - Pending Cases at the End of 2017	19
V - The Ratio of Incoming, Disposed and Pending Cases	23
VI - Report on the Work of the Appellate Court in Kragujevac	27
VII - Backlog Cases.....	33
VIII - The Structure of Pending Backlog Cases in 2017	35
IX - The Structure of Pending Backlog Cases By Types of Court in Trial Cases	37
X - Special Types of Disputes.....	41
Protection of Right to Trial within Reasonable Time	42
XI - Application of the New Law on Enforcement and Security	45
XII - Quality.....	49
XIII - Conclusion	55

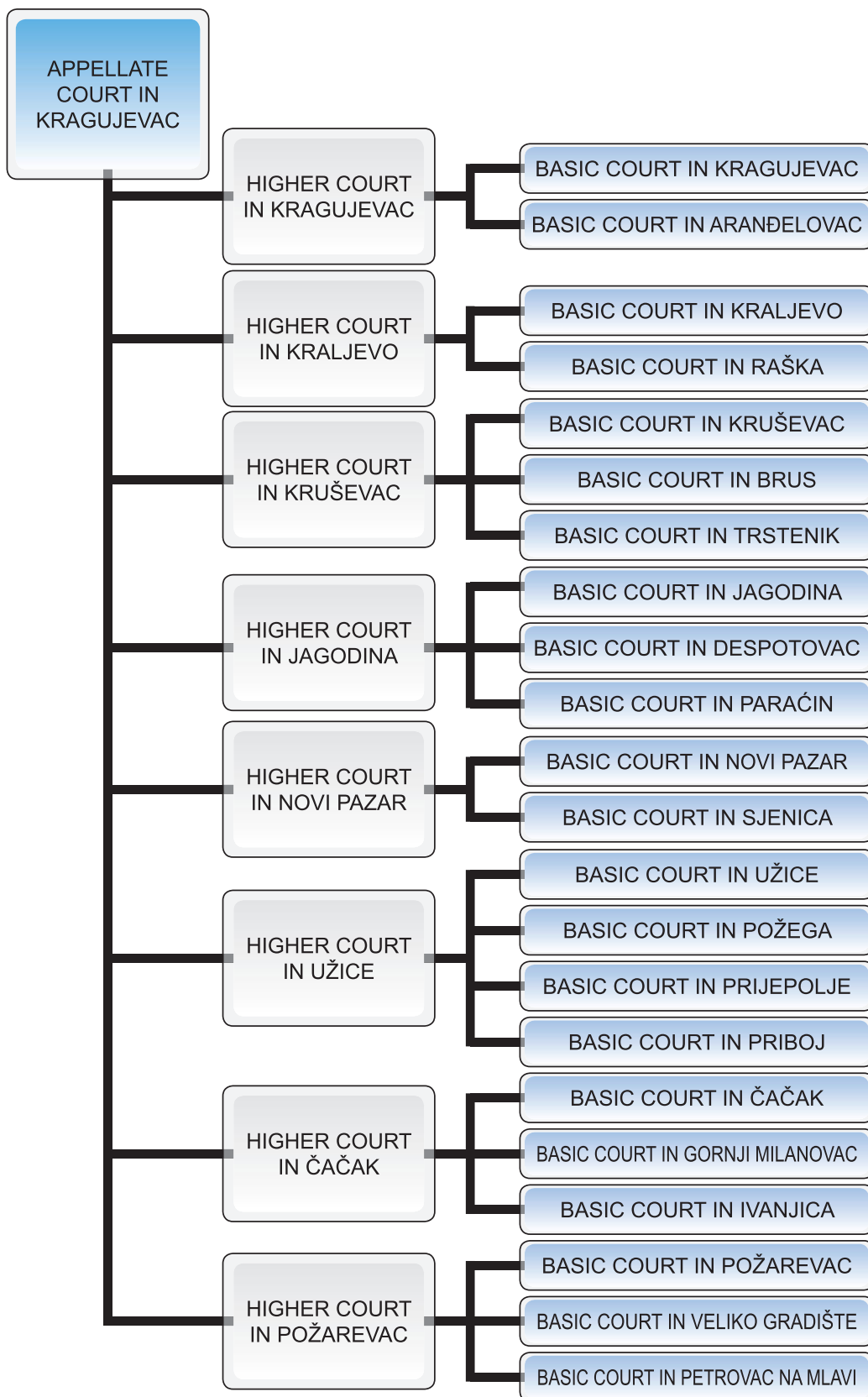




INTRODUCTION

The Appellate Court in Kragujevac was founded on 1 January 2010 with territorial jurisdiction over higher courts in Jagodina, Kragujevac, Kruševac, Kraljevo, Novi Pazar, Čačak and Užice (Law on the Seats and Territorial Jurisdictions of Courts and Public Prosecutors' Offices, Official Gazette of the Republic of Serbia, no. 116/08). As of 1 January 2014, the Appellate Court in Kragujevac also has territorial jurisdiction over the Higher Court in Požarevac (Law on Seats and Territorial Jurisdictions of Courts and Public Prosecutor's Offices, Official Gazette of the Republic of Serbia, no. 101/13).

Under Article 24 of the Law on Organization of Courts, the Appellate Court decides on the appeals against the decisions of higher courts, the decisions of basic courts in criminal proceedings provided that the higher court has no jurisdiction to decide on the appeal, and the decisions of basic courts in civil matter cases provided that the higher court has no jurisdiction to decide on the appeal, on conflicts of jurisdiction of lower courts in its jurisdiction provided that the higher court has no jurisdiction to decide, on the transfer of jurisdiction of basic and higher courts when they are prevented or unable to act in a legal matter and performs other tasks specified by law.



On 31 December 2017, in all courts in the territorial jurisdiction of the Appellate Court in Kragujevac, out of 502 judicial positions determined by the Decision of the High Court Council, 454 positions were filled, while 449 judges were effectively working.

NUMBER OF JUDGES IN THE TERRITORIAL JURISDICTION OF THE APPELLATE COURT IN KRAGUJEVAC ON 31 DECEMBER 2017			
Court	Number of judges according to the Decision of the High Court Council	Number of filled judicial positions	Number of unfilled judicial positions
Appellate Court in Kragujevac	53	51	2
Higher Courts	86	77	9
Basic Courts	363	326	37

Table 1

According to the Law on Budget for 2017, all courts were financed from the budget with RSD 20,985,969,000.00, which was 1.86% of the entire budget of the Republic of Serbia which totaled RSD 1,123,195,679,000.00 for 2017

In 2017, RSD 292,600,822.00 was designated for the Appellate Court in Kragujevac.

Higher courts in the territorial jurisdiction of the Appellate Court in Kragujevac received RSD 788,672,582.41, while basic courts received RSD 2,658,798,577.55.



DISPOSED CASES IN 2017

Over the course of 2017, all courts in the territorial jurisdiction of the Appellate Court in Kragujevac, including the Appellate Court itself, disposed 299,945 cases. In comparison to 2016, the total number of cases disposed decreased by 90,469, given the limited impact of the new Law on Enforcement and Security on 2016 which is missing in 2017. The number of disposed enforcement cases in 2017 dropped significantly because there are no more extraordinary systemic interventions to solve these cases.

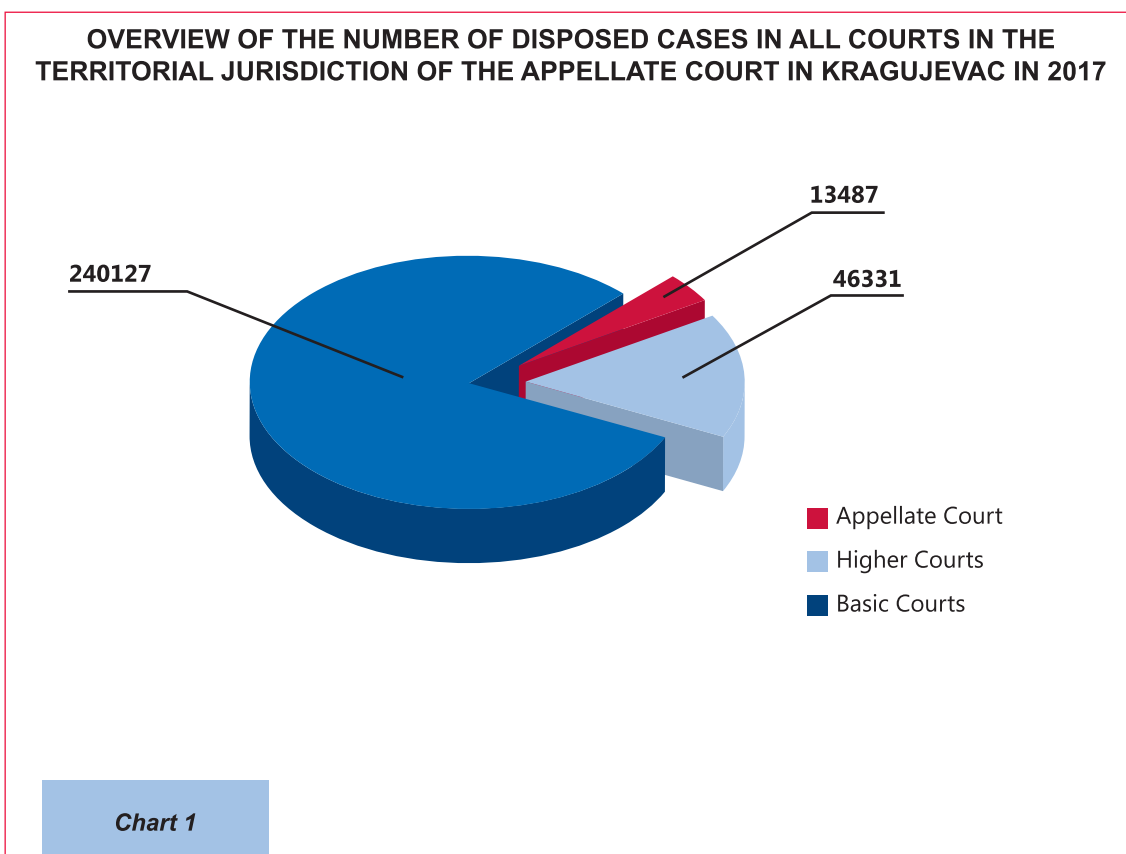
The figures above encompass all types of trial and enforcement cases. **Excluding enforcement cases, the number of disposed cases in 2017 increased by 36,714 in comparison to 2016.**

The Table below presents a comparative overview of the trend in the numbers of disposed cases in all the courts in the territorial jurisdiction of the Appellate Court in Kragujevac from 2014 until 2017, with and without enforcements cases.

	2014	2015	2016	2017
OVERVIEW OF THE NUMBER OF DISPOSED CASES IN ALL COURTS IN THE TERRITORIAL JURISDICTION OF THE APPELLATE COURT IN KRAGUJEVAC				
	Total number of disposed cases	Total number of disposed cases	Total number of disposed cases	Total number of disposed cases
All cases	268 398	297 799	390 414	299 945
Without enforcement	173 327	210 204	220 457	257 171
I and IV	95 071	87 595	169 957	42 774

Table 2

Moreover, basic courts in the territorial jurisdiction of the Appellate Court in Kragujevac disposed 116,776 cases in 2017 upon requests of the citizens for verification of signatures, manuscripts and transcripts, issuing certificates, rogatories, etc. that are not shown in these tables, while higher courts disposed an additional 1,330 cases of this type.



OVERVIEW OF DISPOSED CASES IN ALL COURTS IN THE TERRITORIAL JURISDICTION OF THE APPELLATE COURT IN KRAGUJEVAC

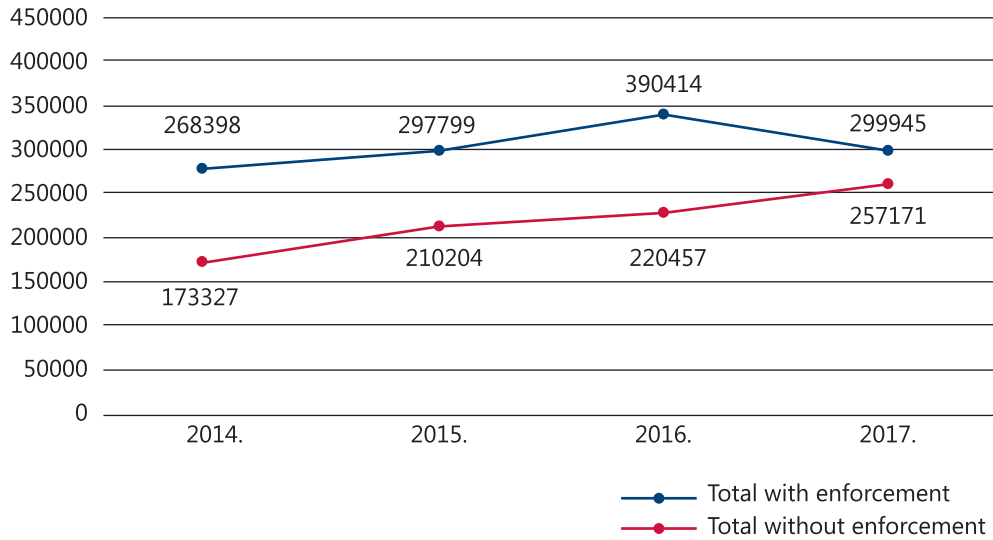


Chart 2

The chart shows a conspicuous trend of constant increase in the number of disposed cases in the courts in the territorial jurisdiction of the Appellate Court in Kragujevac, excluding enforcement cases.

OVERVIEW OF THE NUMBER OF DISPOSED CASES (BY MATTER FOR THE APPELLATE COURT IN KRAGUJEVAC – REGISTERS OF PREDOMINANTLY TRIAL CASES)				
Matter	2014	2015	2016	2017
Kž1	2164	1602	1733	1491
Kž2	1494	1348	906	767
Kžm1	51	53	54	38
Kžm2	34	25	40	17
Gž	2915	3506	3661	4902
Gž1	3875	4887	4665	4439
Gž2	679	553	662	604
Total	11212	11974	11721	12258

Table 3

OVERVIEW OF THE NUMBER OF DISPOSED CASES (BY MATTER FOR HIGHER AND BASIC COURTS) – REGISTERS OF PREDOMINANTLY TRIAL CASES								
Year	2014		2015		2016		2017	
	Higher Courts	Basic Courts	Higher Courts	Basic Courts	Higher Courts	Basic Courts	Higher Courts	Basic Courts
P	227	23509	422	38388	474	36535	10208	39657
P1	91	11122	126	13714	136	9442	3965	9039
P2	116	9407	142	9263	123	9226	114	10959
Gž	10039		9576		12990		14294	
Gž1	533		513		768		767	
Gž2	171		213		235		487	
K	444	14754	604	13117	480	11251	432	10460
Kž1	1562		1770		2079		2050	
KIM	548		852		634		552	
KM	308		554		452		390	
Total	14039	58792	14772	74482	18371	66454	33259	70115

Table 4



INCOMING CASES IN 2017

Comparative data on incoming cases in all the courts in the territorial jurisdiction of the Appellate Court in Kragujevac (the inflow of cases and cases being processed again, but previously classified as disposed) indicate a significant increase of inflow in 2015, 2016 and 2017 (excluding enforcement cases). In 2017, 275,645 cases in total were received, and excluding enforcement cases – 259,833, whereas at the end of 2014 there were 174,825 such cases received.

The largest incoming caseload when compared to the previous period was recorded in civil departments of higher courts where in 2016 in “P”, “P1”, “P2”, “P3” and “P4” matters a total of 4,010 cases were received, and in 2017 – 24,495 cases.

These were, for the most part, the cases filed on the same grounds (army reservists). The increase in incoming cases by 20,845 placed a severe strain on the existing capacities of higher courts which was impossible to offset even through a considerably increased number of disposed cases in this matter.

	2014	2015	2016	2017
OVERVIEW OF THE NUMBER OF INCOMING CASES IN ALL THE COURTS IN THE TERRITORIAL JURISDICTION OF THE APPELLATE COURT IN KRAGUJEVAC (TOTALS WITH AND WITHOUT ENFORCEMENT)				
	Total number of incoming cases	Total number of incoming cases	Total number of incoming cases	Total number of incoming cases
All cases	235 255	268 605	262 416	275 645
Without enforcement	174 825	215 622	233 077	259 833
I and Iv	60 430	52 983	29 339	15 812

Table 5

OVERVIEW OF THE NUMBER OF INCOMING CASES IN THE APPELLATE COURT IN KRAGUJEVAC (REGISTERS OF PREDOMINANTLY TRIAL CASES)				
Matter	2014	2015	2016	2017
Kž1	1859	1633	1709	1460
Kž2	1481	1345	902	768
Kžm1	51	57	50	39
Kžm2	34	25	40	17
Gž	3929	3321	3751	4804
Gž1	4963	4301	4313	4411
Gž2	675	566	656	611
Total	12992	11248	11421	12110

Table 6

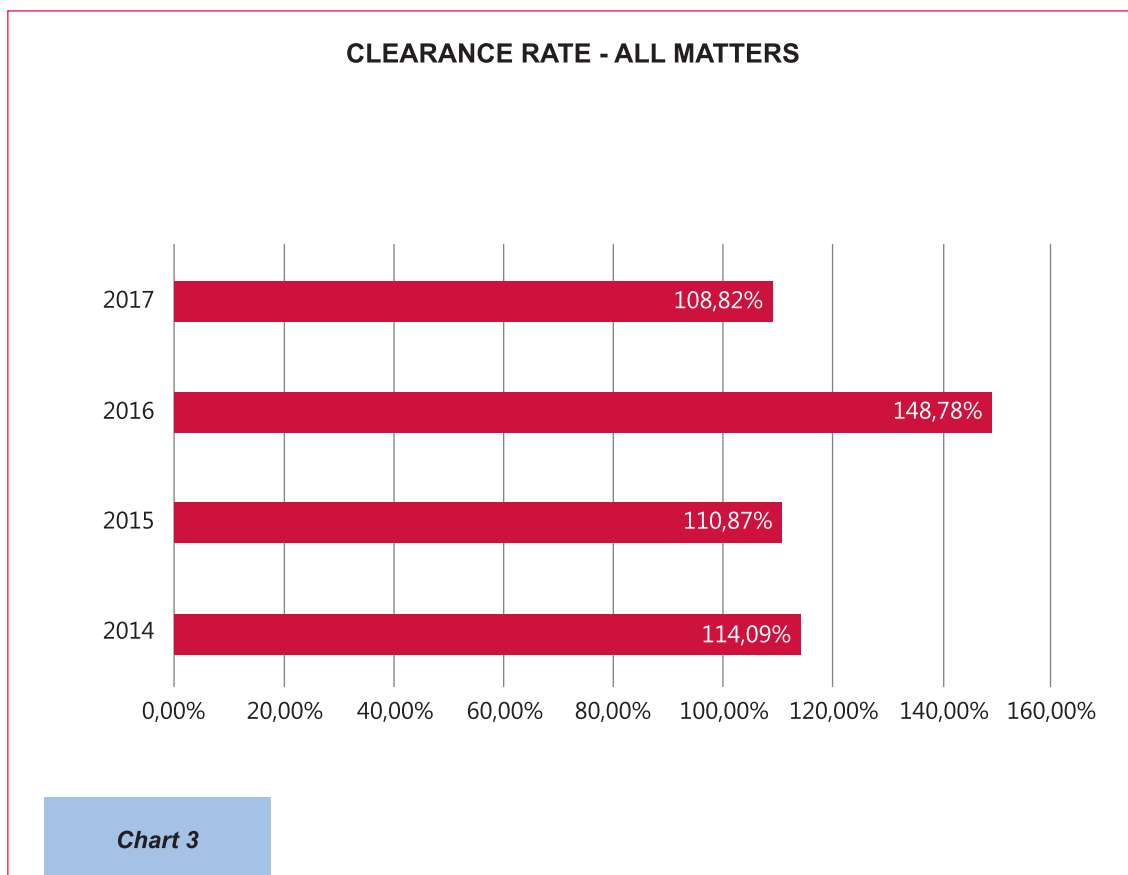
OVERVIEW OF THE NUMBER OF INCOMING CASES IN HIGHER AND BASIC COURTS (REGISTERS OF PREDOMINANTLY TRIAL CASES)								
Year	2014		2015		2016		2017	
Matter	Higher Courts	Basic Courts	Higher Courts	Basic Courts	Higher Courts	Basic Courts	Higher Courts	Basic Courts
P	303	24 215	460	44 776	3 477	51 561	15 539	29 664
P1	172	10 945	112	11 044	393	8 296	8 824	11 502
P2	126	9 084	139	8 505	133	9 273	126	10 335
Gž	9228		10920		14341		16931	
Gž1	526		590		810		851	
Gž2	170		218		237		501	
K	604	9 886	436	9 405	402	9 493	456	9 430
Kž1	1609		1821		2101		2012	
KIM	686		690		624		560	
KM	393		502		444		368	
Total	13817	54 130	15888	73 730	22962	78 623	46168	60 931

Table 7

Incoming and disposed cases ratio from 2014 until 2017, featuring total caseload of courts (cases transferred from the previous year and received in the following year), is shown as clearance rate in the chart below.

CLEARANCE RATE – ALL MATTERS	
2014	114,09
2015	110,87
2016	148,78
2017	108,82

Table 8



However, the inflow of cases without enforcement in the previous years has not been cleared in its entirety. Clearance rate, without enforcement, below 100% shows that the judicial system with its existing capacities is not capable of absorbing the increased inflow of cases, but requires systemic measures to overcome this shortcoming.

CLEARANCE RATE – WITHOUT ENFORCEMENT	
2014	99,14
2015	97,49
2016	94,59
2017	98,98

Table 9

CLEARANCE RATE – WITHOUT ENFORCEMENT

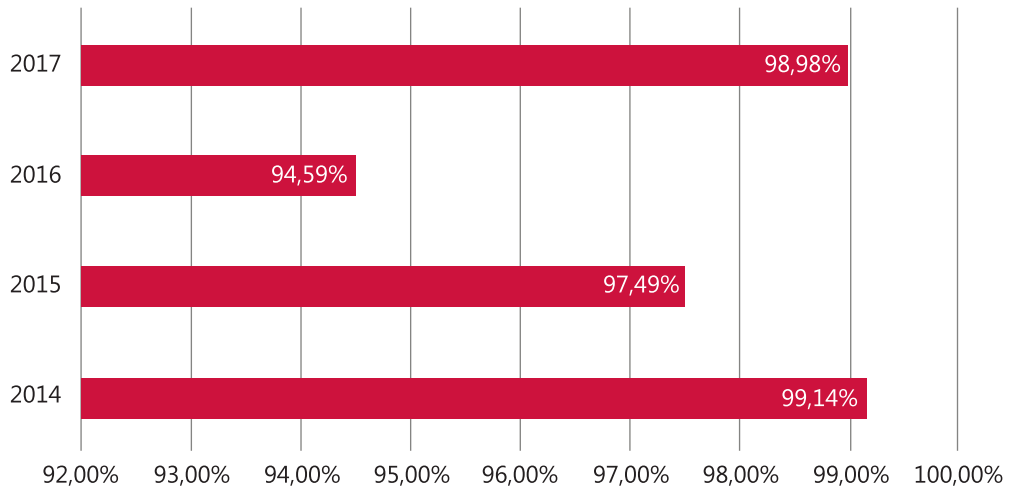


Chart 4

IV

PENDING CASES AT THE END OF 2017

Comparative indicators for the 2014-2017 period show a significant decrease in the number of pending cases in all the courts in the territorial jurisdiction of the Appellate Court in Kragujevac as at the end of 2017 the number of pending cases was reduced by 181,532 in comparison to 2014 where there were 370,183 pending cases.

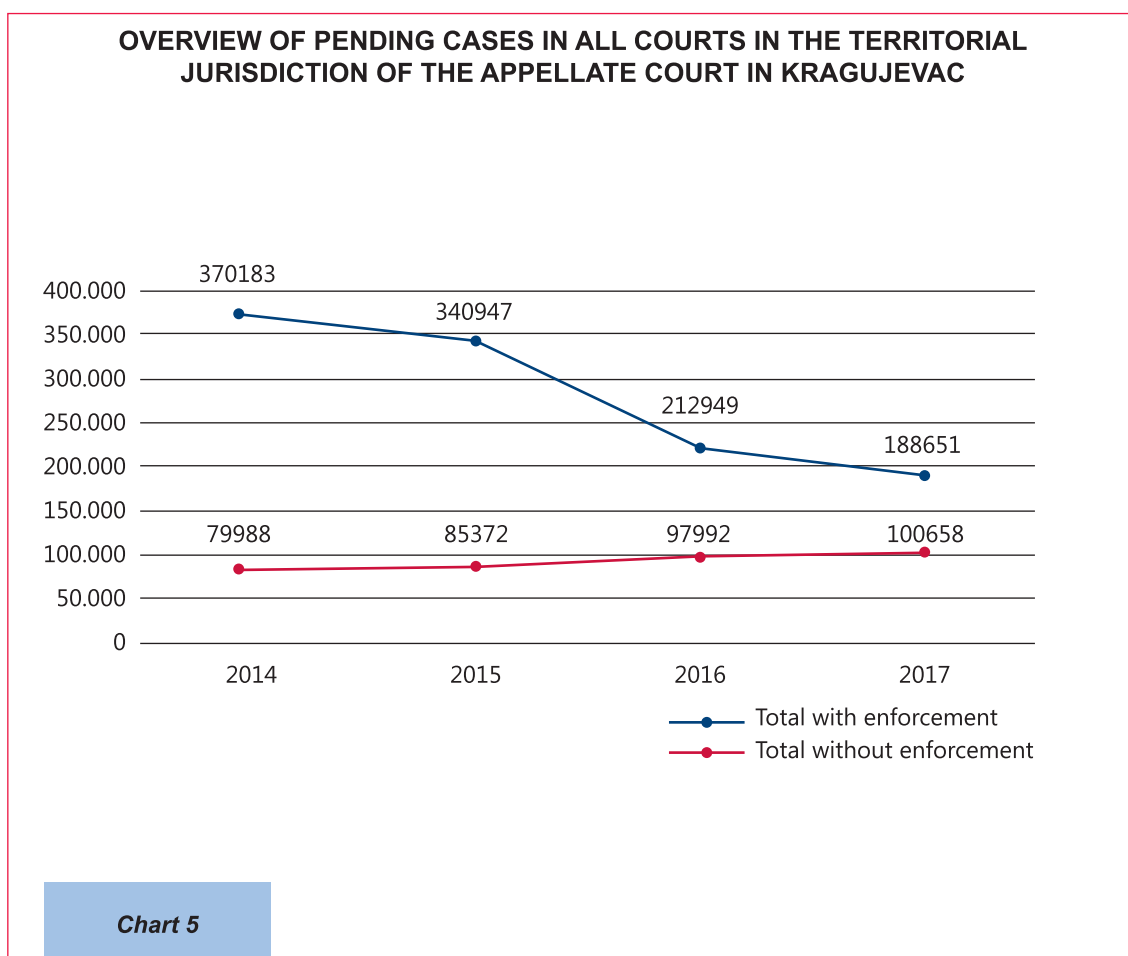
In 2014, there were 370,183 pending cases, and at the end of 2017 there were 188,651 pending cases, including enforcement cases.

	2014	2015	2016	2017
OVERVIEW OF THE NUMBER OF PENDING CASES IN ALL THE COURTS IN THE TERRITORIAL JURISDICTION OF THE APPELLATE COURT IN KRAGUJEVAC				
	Total number of pending cases	Total number of pending cases	Total number of pending cases	Total number of pending cases
All cases	370 183	340 947	212 949	188 651
Without enforcement	79 988	85 372	97 992	100 658
I and Iv	290 195	255 575	114 957	87 993

Table 10

Decrease in the number of pending cases is for the most part the result of the above-mentioned systemic interventions, i.e. the application of the Law on Enforcement and Security (Official Gazette of the Republic of Serbia, nos. 106/15, 106/16 and 113/17).

At the same time, increase in the number of pending cases without enforcement pertains to the increased number of incoming cases which the courts with their existing capacities could not clear.



OVERVIEW OF PENDING CASES IN COURTS IN THE TERRITORIAL JURISDICTIONS OF THE APPELLATE COURT IN KRAGUJEVAC IN 2017

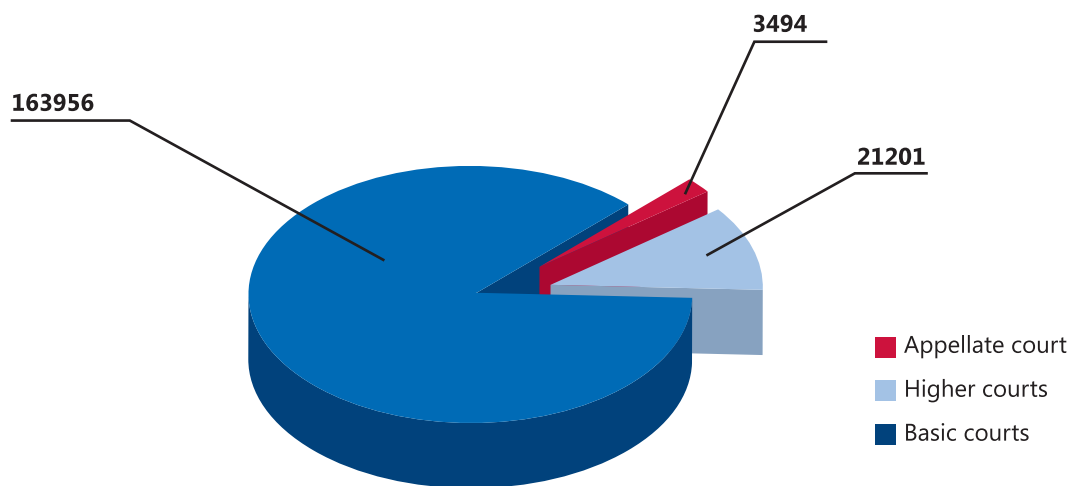


Chart 6

OVERVIEW OF THE NUMBER OF PENDING CASES IN ALL COURTS IN THE TERRITORIAL JURISDICTION OF THE APPELLATE COURT IN KRAGUJEVAC IN 2017

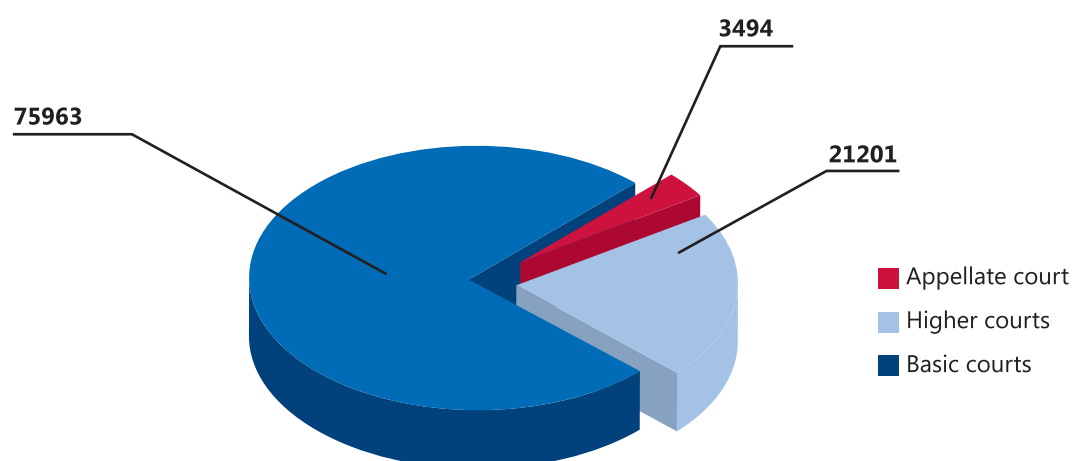


Chart 7

In predominantly trial cases, the number of pending cases is shown in tables below.

OVERVIEW OF THE NUMBER OF PENDING CASES IN THE APPELLATE COURT IN KRAGUJEVAC (REGISTERS OF PREDOMINANTLY TRIAL CASES)				
Matter	2014	2015	2016	2017
Kž1	88	119	95	64
Kž2	7	4		1
Kžm1		4		1
Kžm2				
Gž	1999	1814	1904	1806
Gž1	2484	1898	1546	1518
Gž2	15	28	22	29
Total	4593	3867	3567	3419

Table 11

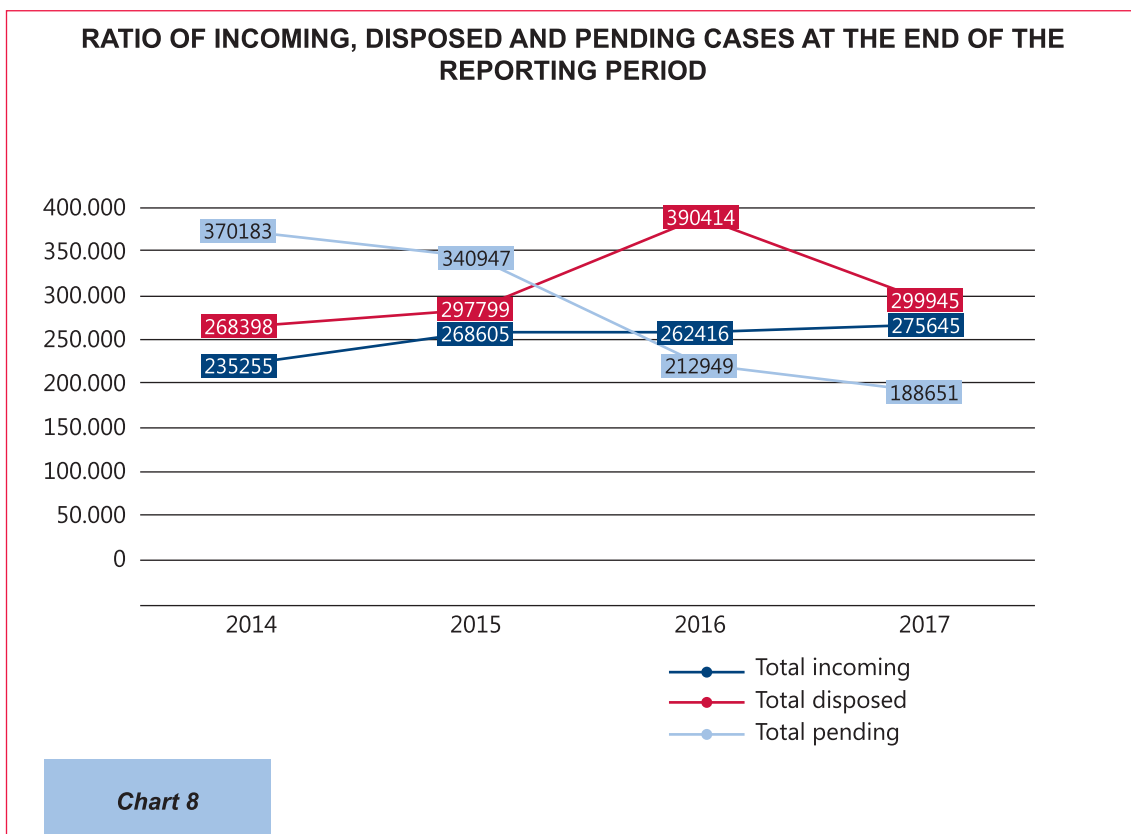
OVERVIEW OF THE NUMBER OF PENDING CASES (BY MATTER FOR HIGHER AND BASIC COURTS) – REGISTERS OF PREDOMINANTLY TRIAL CASES								
Year	2014		2015		2016		2017	
Matter	Higher Courts	Basic Courts	Higher Courts	Basic Courts	Higher Courts	Basic Courts	Higher Courts	Basic Courts
P	294	22043	332	28428	3335	43453	8666	33460
P1	102	10844	88	8164	345	7019	5204	9482
P2	42	4098	39	3340	49	3387	61	2763
Gž	281		1625		2976		5614	
Gž1	11		88		130		214	
Gž2			5		7		22	
K	554	12295	386	8592	308	6834	332	5804
Kž1	47		98		120		82	
KIM	273		111		101		109	
KM	123		71		63		41	
Total	1727	49280	2843	48524	7434	60693	20345	51509

Table 12

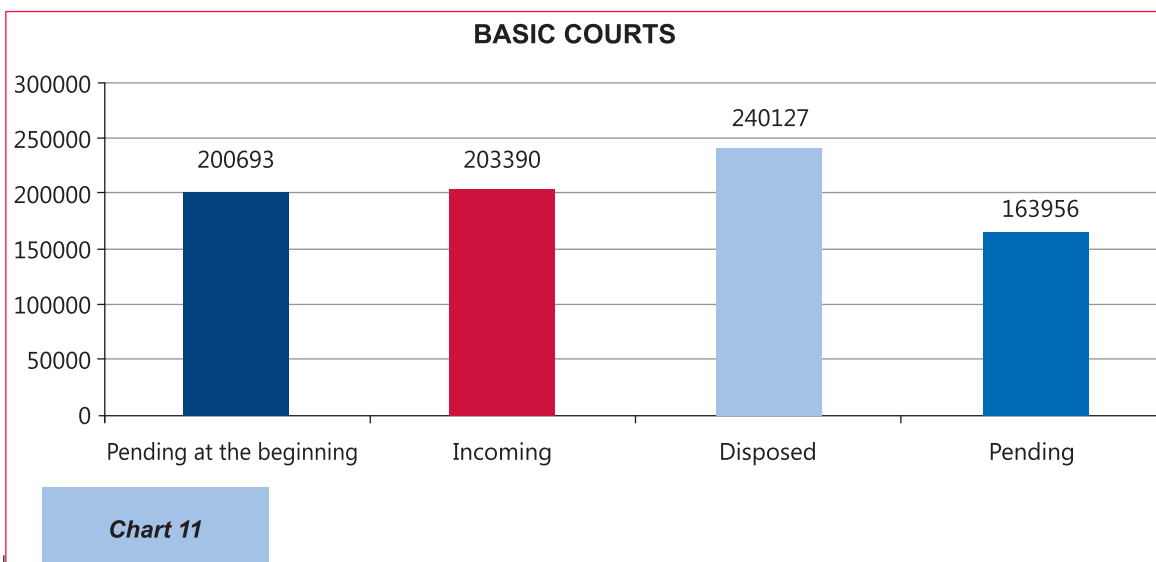
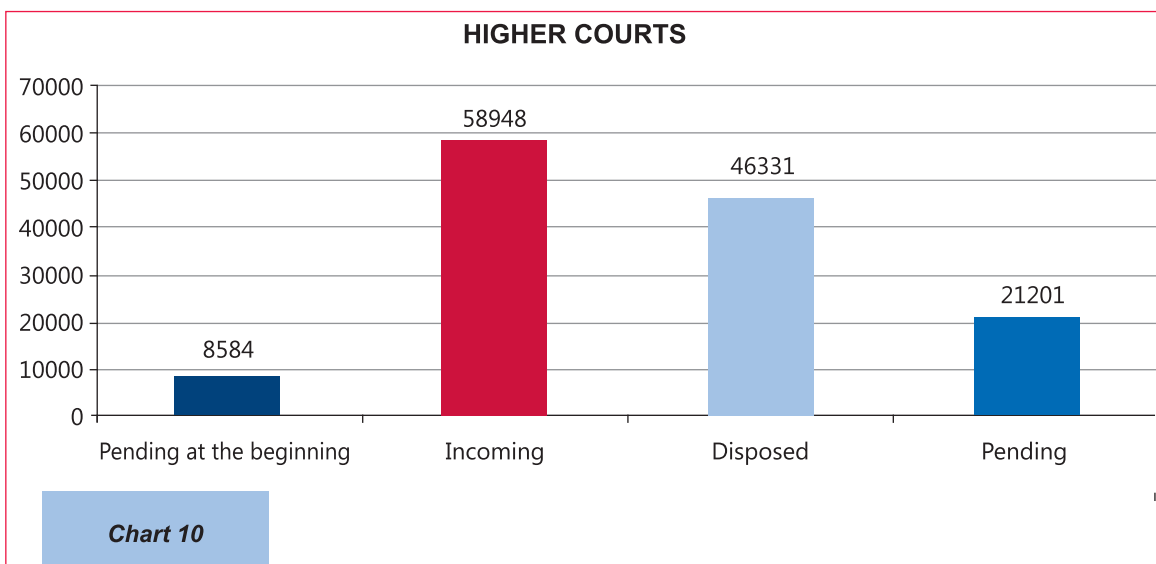
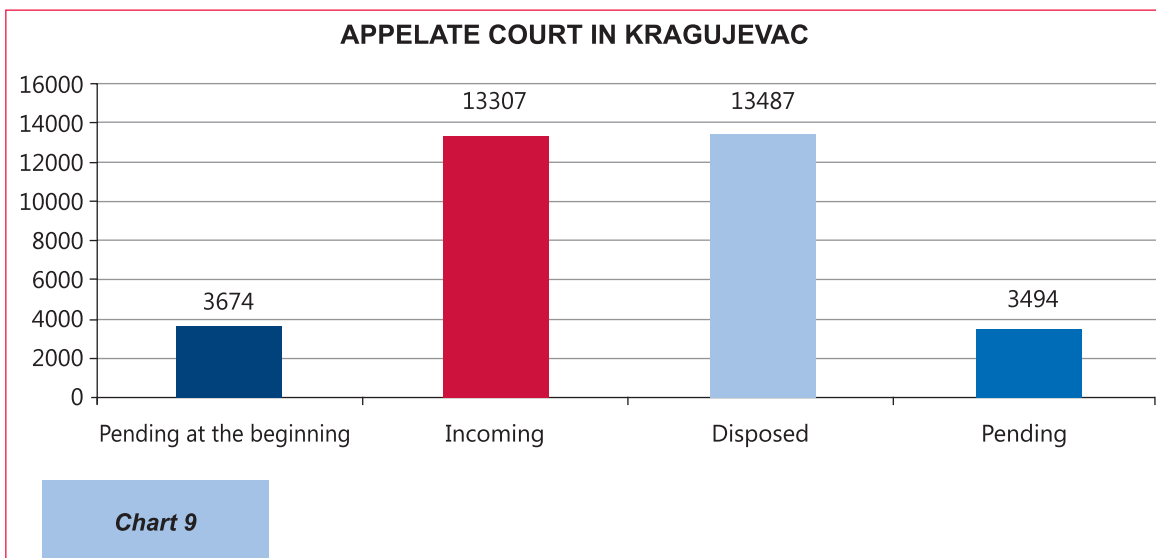
V

RATIO OF INCOMING, DISPOSED AND PENDING CASES

The ratio of incoming, disposed and pending cases in the 2014-2017 period shows a decrease in the pending caseload at the end of the reporting period, despite the enormous increase of inflow, which is the consequence of the increased total number of disposed cases, resulting from the increased engagement of judges and systemic measures undertaken to reduce the backlog.



OVERVIEW OF INCOMING, DISPOSED AND PENDING CASES FOR 2017



**OVERVIEW OF INCOMING, DISPOSED AND PENDING CASES
BY MATTER IN TRIAL CASES FOR 2017**

Year	Matter	APPELLATE COURT IN KRAGUJEVAC		
		Incoming	Disposed	Pending
2017	Kž1		1460	1491
	Kž2	768	767	1
	Kžm1	39	38	1
	Kžm2	17	17	
	Gž	4804	4902	1806
	Gž1	4411	4439	1518
	Gž2	611	604	29
Total		12110	12258	3419

Table 13

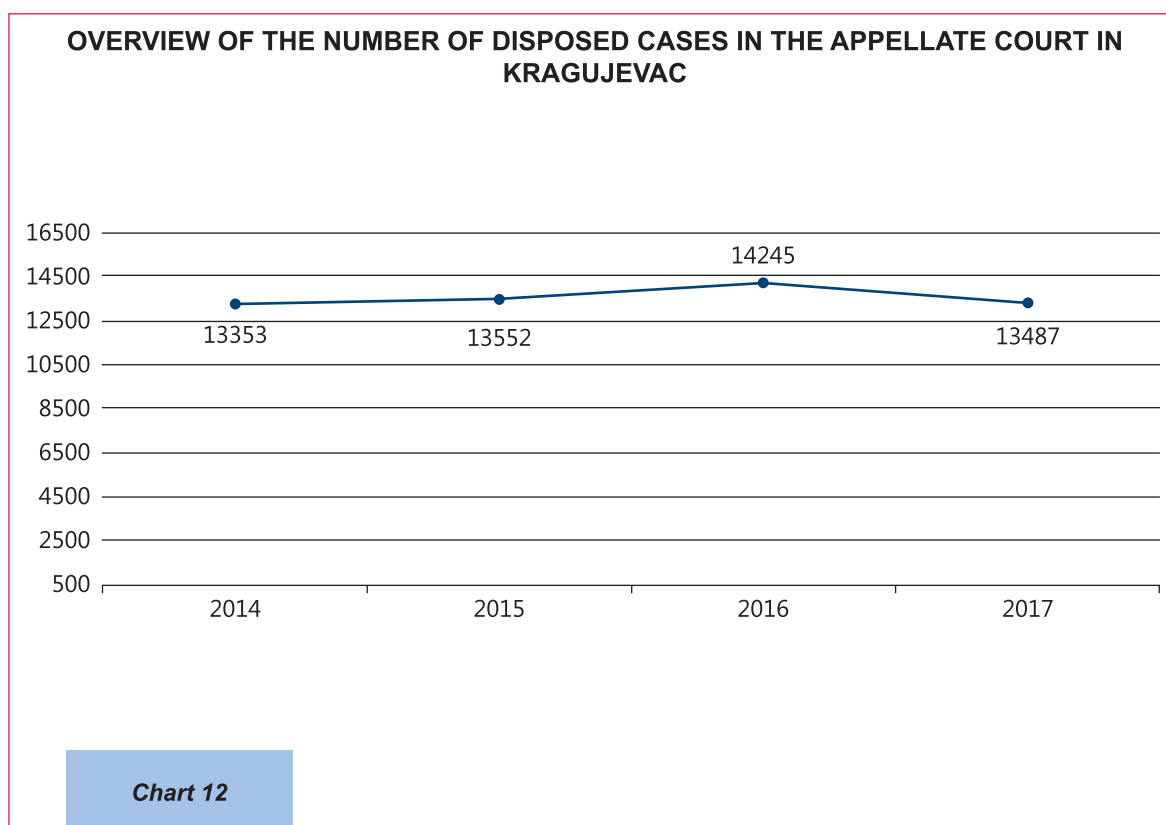
Year	Matter	HIGHER COURTS			BASIC COURTS		
		Incoming	Disposed	Pending	Incoming	Disposed	Pending
2017	P	15539	10208	8666	29664	39657	33460
	P1	8824	3965	5204	11502	9039	9482
	P2	126	114	61	10335	10959	2763
	Gž	16931	14294	5614			
	Gž1	851	767	214			
	Gž2	501	487	22			
	K	456	432	332	9430	10460	5804
	Kž1	2012	2050	82			
	KIM	560	552	109			
	KM	368	390	41			
Total		46168	33259	20345	60931	70115	51509

Table 14

VI

REPORT ON THE WORK OF THE APPELLATE COURT IN Kragujevac

The comparative performance overview shows that the Appellate Court in Kragujevac in the 2014-2017 period had constantly a large inflow of cases, which was approximately the same in the past three years, as well as that the number of pending cases is constantly decreasing.



OVERVIEW OF THE NUMBER OF PENDING CASES IN THE APPELLATE COURT IN KRAGUJEVAC

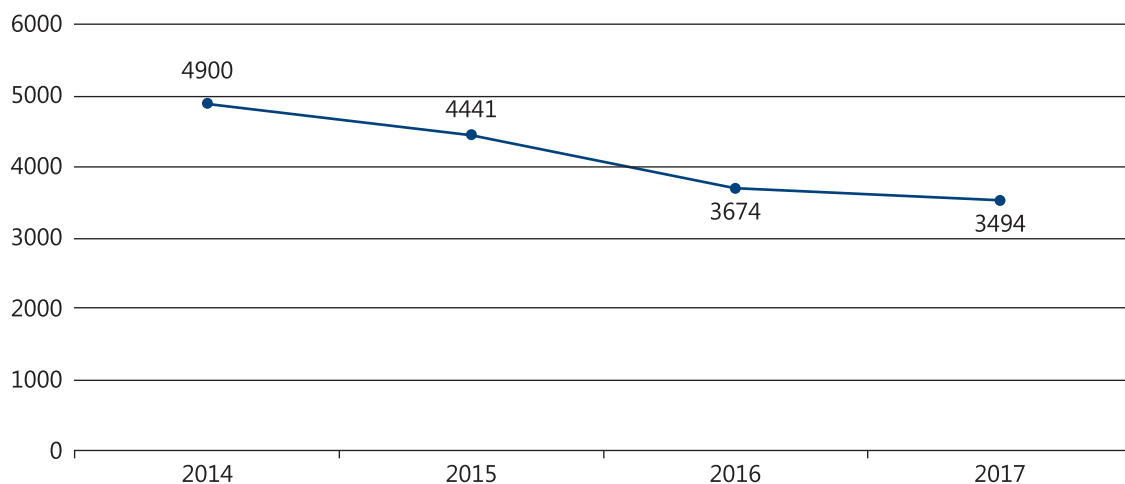


Chart 13

OVERVIEW OF THE NUMBER OF INCOMING CASES IN THE APPELLATE COURT IN KRAGUJEVAC

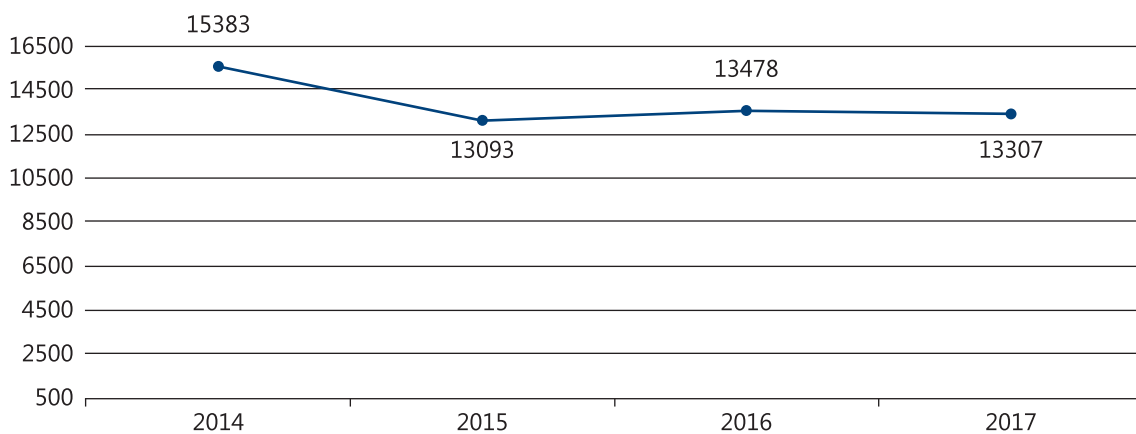


Chart 14

OVERVIEW OF THE WORK OF THE APPELLATE COURT IN KRAGUJEVAC 2014-2017

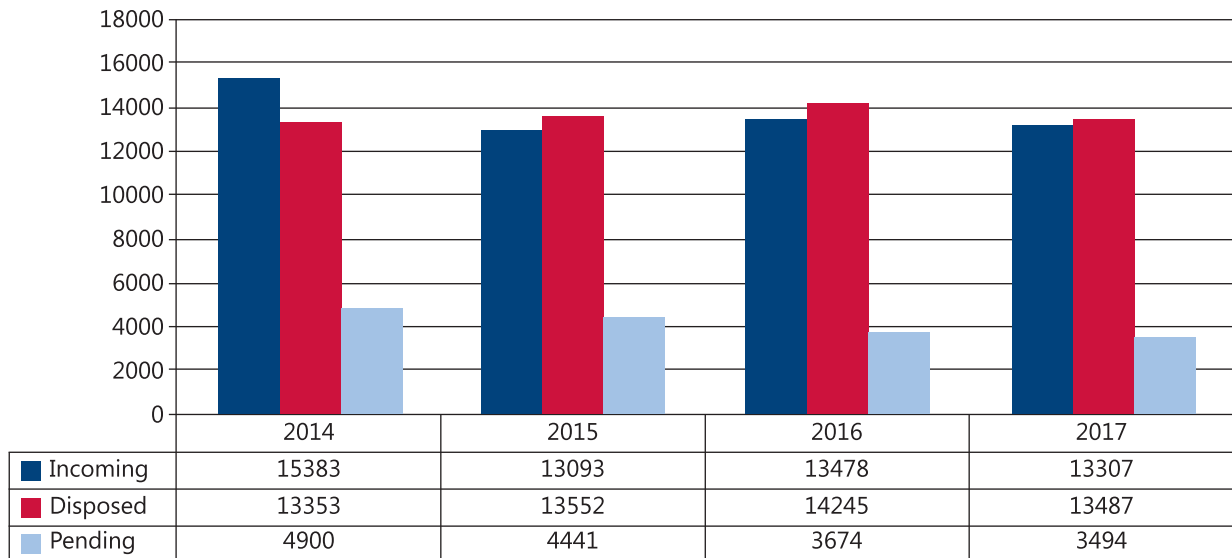


Chart 15

OVERVIEW OF THE WORK OF THE APPELLATE COURT IN KRAGUJEVAC IN 2017

In 2017, there were 45 working judges in the Appellate Court in Kragujevac, even though 53 judicial positions were determined by the Decision of the High Court Council.

The number of incoming cases was almost on a par with the last year's inflow of cases, albeit slightly lower; 13,307 cases were received and 13,487 cases were disposed. The clearance rate totaled 101,35%.

Decisions on merits resulted in 13,012 disposed cases, or 96.48%; the percentage of revoked decisions was 4.71%, and the overall quality of the work of the court totaled 99.25%.

The goals of the Backlog Reduction Scheme in 2017 for the Appellate Court in Kragujevac were accomplished for the most part.

The number of backlog cases by the date of receipt at the Appellate Court in Kragujevac decreased and amounted to 175 cases, or 5% of the total number of pending cases which constitutes a significant reduction in comparison to the previous year when the number of pending backlog cases by the date of receipt at the court was 340 cases, or 9.25% of the total number of pending cases.

There was also a decrease in the number of backlog cases in which the proceedings on appeal were still pending for over a year in comparison to the previous year (from 29 to 11).

Compared to 2016, the oldest cases in which the proceedings take more than five years from the date of filing of the initial act make up a smaller percentage of the number of total pending cases at the end of 2017 (2016 – 22.70%, 2017 – 20.63%).

In addition to proceedings on appeals, in the course of 2017, the Appellate Court was monitoring the implementation of the Backlog Reduction Scheme in lower instance courts in the territorial jurisdiction of the Appellate Court in Kragujevac, which had been adopted by the President of the Appellate Court in Kragujevac.

For the purpose of harmonization of court practice, many activities were undertaken preceding the meetings of all appellate courts, pursuant to the Agreement of All

Appellate Court Presidents on Organization, Place and Time for Holding Joint Meetings of Appellate Courts until 2018 and the meetings of all higher courts in the territorial jurisdiction of the Appellate Court in Kragujevac which were held in accordance with the Plan for Joint Meetings of Higher Courts in the Territorial Jurisdiction of the Appellate Court in Kragujevac, that had been adopted earlier.

Court	Number of judges	Pending at the beginning	Total incoming	Total disposed	Pending at the end
Appellate Court in Kragujevac	45 *	3 674	13 307	13 487	3 494

Табле 15

* Number of judges is shown in accordance with the statistical data from the 2017 report.

OVERVIEW OF THE WORK THE APPELLATE COURT IN KRAGUJEVAC IN 2017

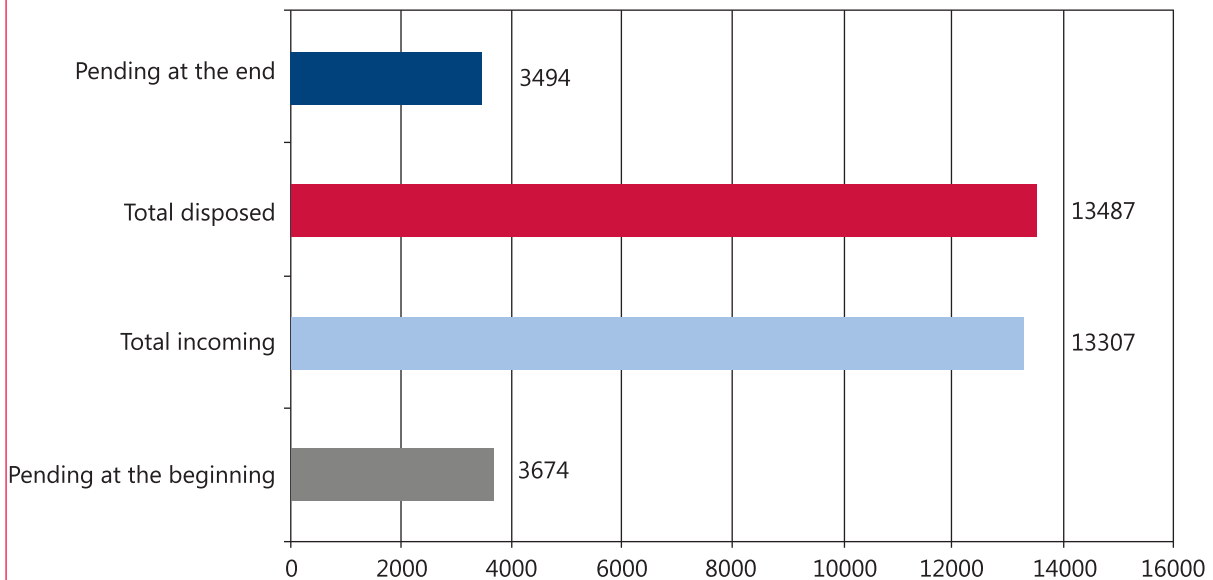
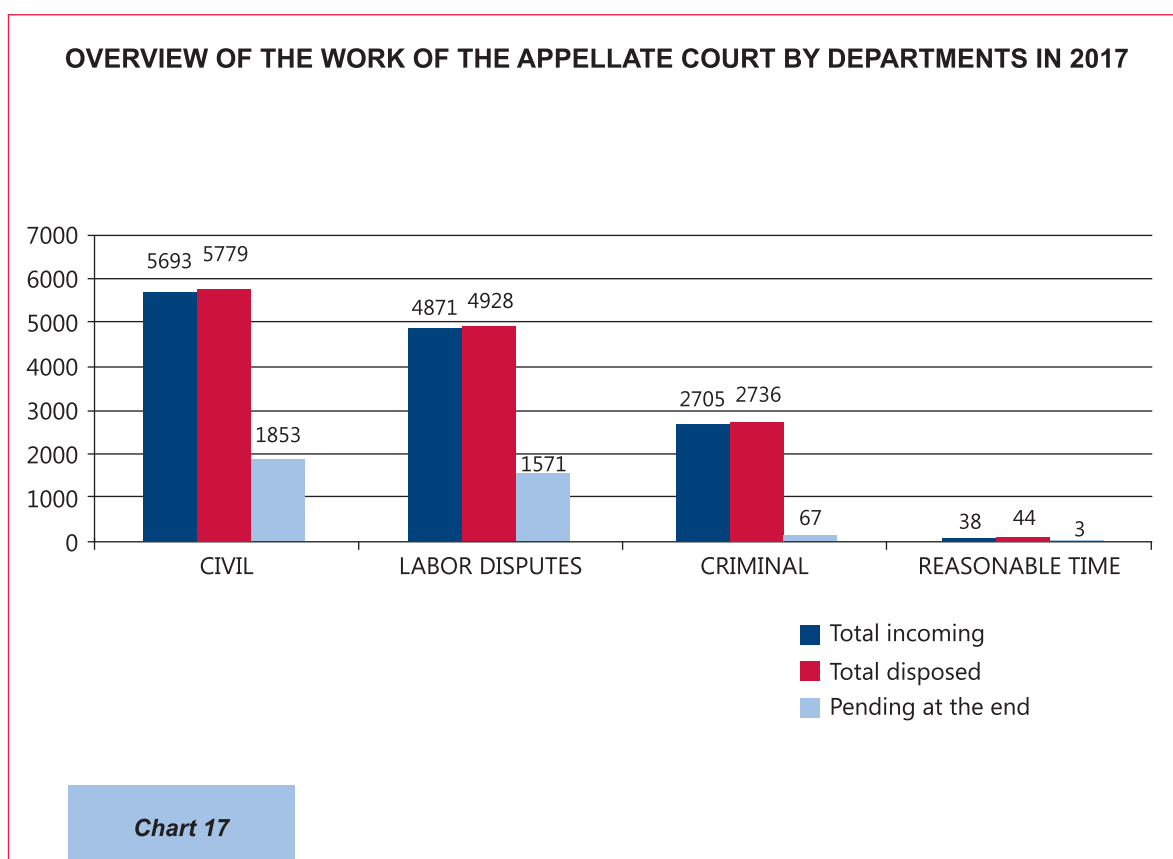


Chart 16

The busiest department of the Appellate Court in Kragujevac was the Civil Department.

This department saw an increase in the number of incoming cases by all types of disputes, particularly of cases pertaining to property rights, damages and violations of human rights.



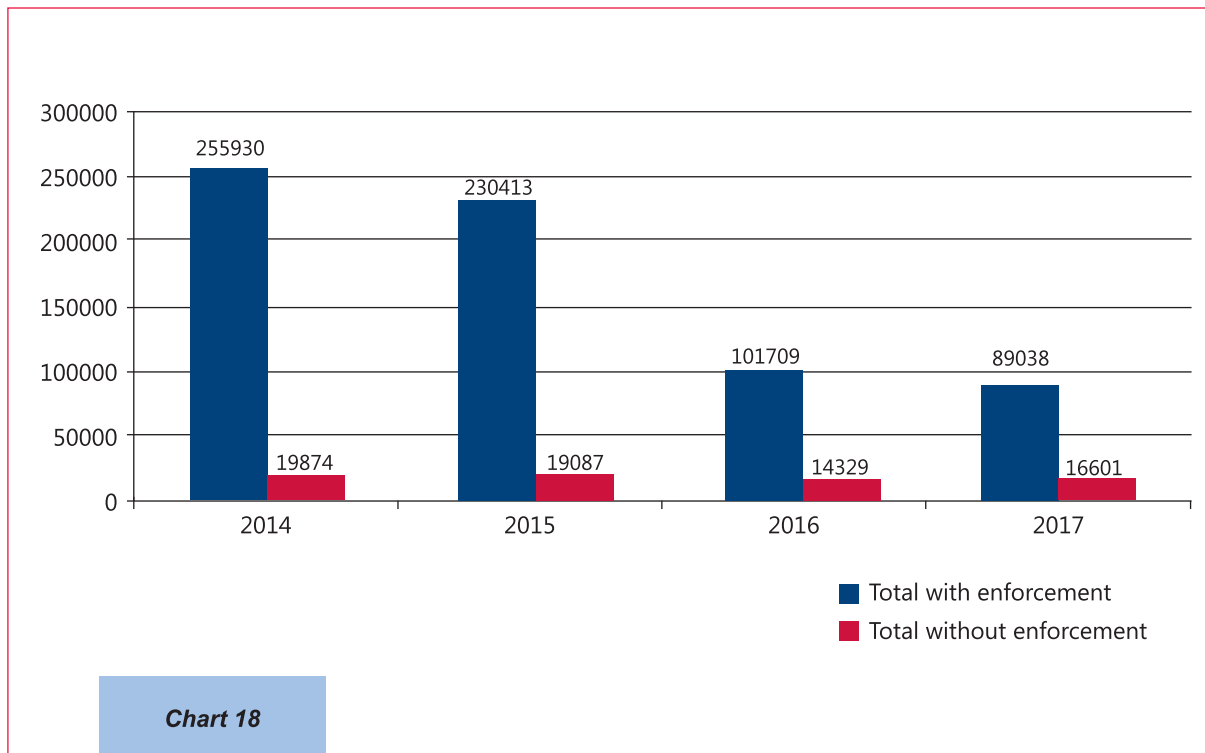
VII

BACKLOG CASES

Given the large backlog of cases in the courts in the territorial jurisdiction of the Appellate Court in Kragujevac and the provision of assistance to lower instance courts for the purpose of reducing the backlog, pursuant to the previously adopted Backlog Reduction Scheme in lower instance courts in the territorial jurisdiction of the Appellate Court in Kragujevac, teams for monitoring backlog reduction progress in courts with the largest backlogs were formed requiring mandatory participation of at least one judge from the Appellate Court in Kragujevac. These activities contributed to a reduction of the number of oldest backlog cases due to an increase in the number of disposed backlog cases in lower instance courts, nonetheless, the overall backlog increased.

PENDING BACKLOG CASES BY THE DATE OF THE INITIAL ACT				
	2014	2015	2016	2017
	Total backlog caseload on 31 December 2014	Total backlog caseload on 31 December 2015	Total backlog caseload on 31 December 2016	Total backlog caseload on 31 December 2017
All cases	255 930	230 413	101 709	89 038
Without enforcement	19 874	19 087	14 329	16 601
I and Iv	236 056	211 326	87 380	72 437

Table 16



VIII

STRUCTURE OF PENDING BACKLOG CASES IN 2017 (Basic and higher courts only, first-instance cases)

The number of pending backlog first-instance cases in higher courts increased from 1,373 in 2016 to 3,271 in 2017, or by 138.24%, resulting from the exceptionally large inflow of cases shown above.

In basic courts, the number of pending backlog first-instance cases increased by 973, or 12.3%.

**REPORT ON PENDING BACKLOG CASES ON 31 DECEMBER 2017 –
ACCORDING TO THE DATE OF THE INITIAL ACT**

No.	Court	Number of judges	Total caseload (total pending at the beginning + total incoming on 31 Dec 2017)	Total pending backlog cases on 31 December 2017	AGE OF PENDING BACKLOG CASES							Average number of backlog cases per judge	
					6 months to 1 year	9 months to 1 year	1 to 2 yrs	2 to 3 yrs	3 to 5 yrs	5 to 10 yrs	Over 10 yrs		
1.	Appellate Court in Kragujevac	45	16981	2176				700	755	608	113	12,81	48,36
2.	Higher courts	79	67492	3271				1411	1098	632	130	4,85	41,41
3.	Basic courts with enforcement	325	404083	83591			5	16987	21154	39907	5538	20,69	257,20
4.	Basic courts without enforcement	265	273316	11154				6085	3435	1393	236	4,08	42,09
Total with enforcement		449	488556	89038			5	19098	23007	41147	5781	18,22	198,30
Total without enforcement		389	357789	16601				8196	5288	2633	479	4,64	42,68

Table 17

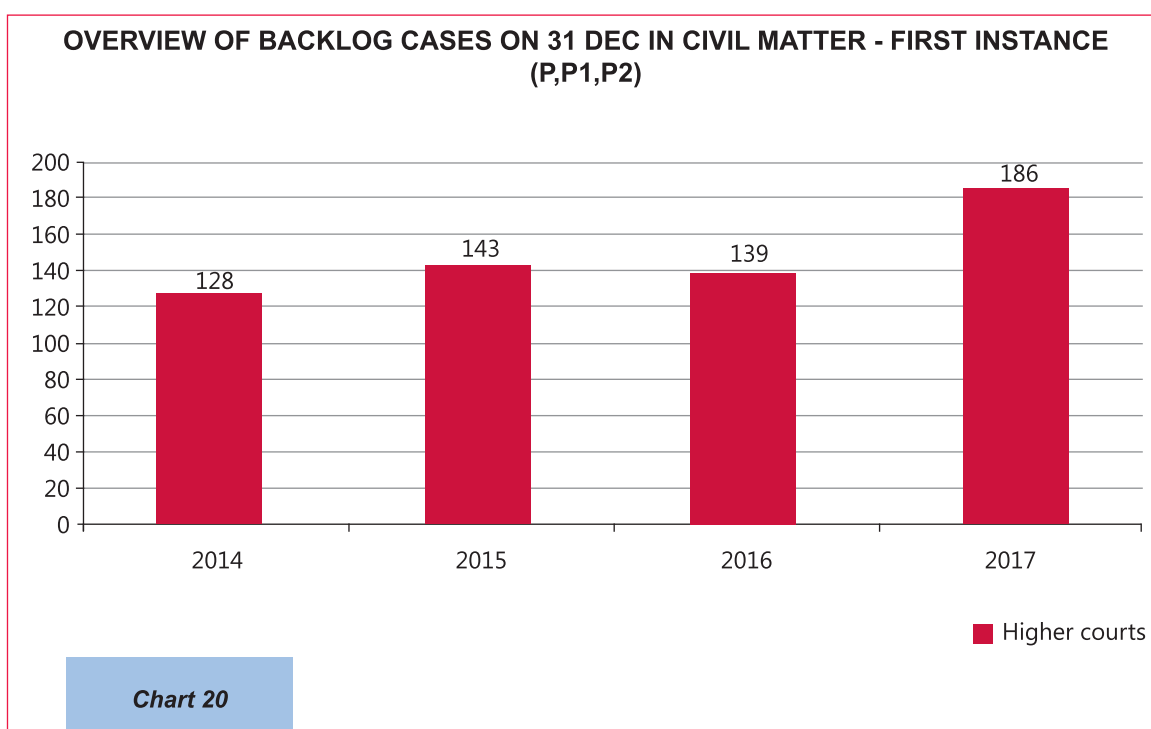
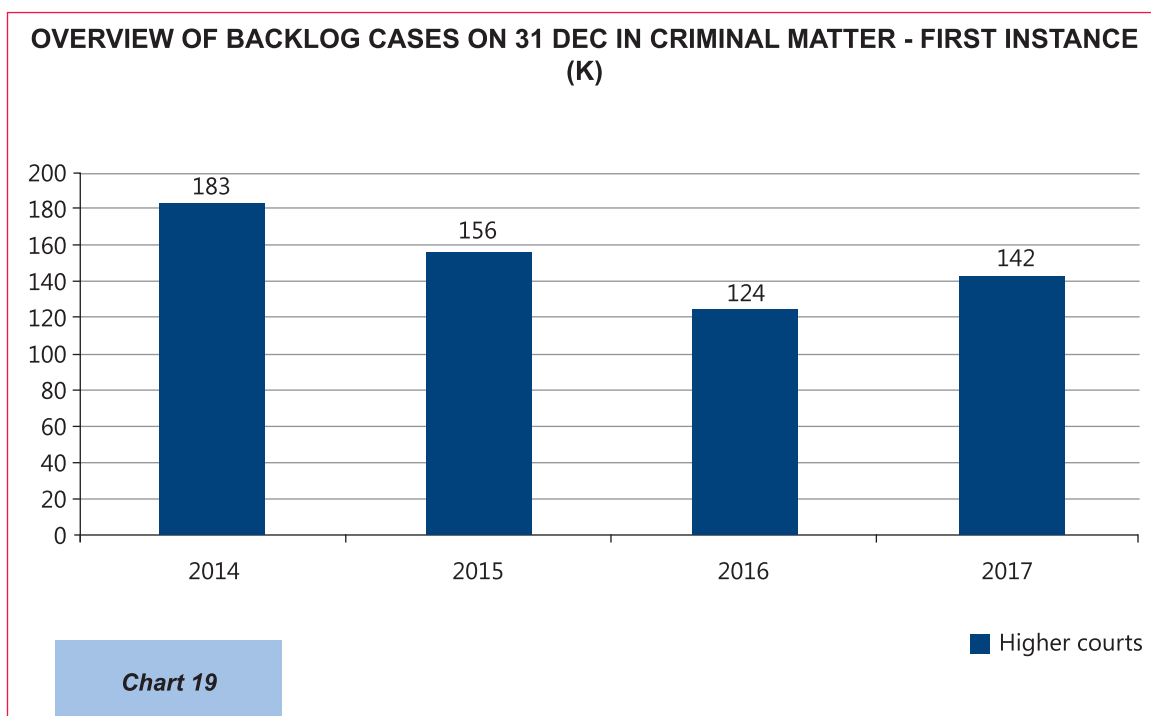
IX

STRUCTURE OF PENDING BACKLOG CASES BY TYPES OF COURT IN TRIAL CASES

HIGHER COURTS												
REPORT ON PENDING BACKLOG CASES ON 31 DECEMBER 2017 - ACCORDING TO THE DATE OF THE INITIAL ACT												
No.	Matter	Number of judges	Total caseload (total pending at the beginning + total incoming)	Total pending backlog cases	AGE OF BACKLOG CASES						% backlog cases	Average number of backlog cases per judge
					9 months to 1 year	1-2 yrs (in criminal matter)	2 to 3 yrs	3 to 5 yrs	5 to 10 yrs	Over 10 yrs		
1	P	45	18 874	169			76	58	32	3	0,90	3,76
2	P1	28	9 169	15			4	5	6		0,16	0,54
3	P2	15	175	2			2				1,14	0,13
4	GŽ	36	19 908	2 724			1 228	883	495	118	13,68	75,67
5	GŽ1	30	981	134			30	50	51	3	13,66	4,47
6	GŽ2	13	469	5			4	1			1,07	0,38
7	K	17	764	142			43	58	35	6	18,59	8,35
8	KŽ1	15	2 132	33			11	15	7		1,55	2,20
9	KIM	10	661									
10	KM	10	431									
Total for predominant trial cases		75	53 564	3224			1398	1070	626	130	6	15
Total for all matters		79	68824	3271			1411	1098	632	130	5	41

Table 18

In the first-instance criminal matter in the period from 2014 to 2017, higher courts reduced the number of pending backlog cases by the date of the initial act by 41 (2014 – 183 cases, 2017 – 142 cases), whereas the number of pending backlog cases in civil matter in the same period increased by 58 (2014 – 128 cases, 2017 – 186 cases).



BASIC COURTS

BASIC COURTS												
REPORT ON PENDING BACKLOG CASES ON 31 DECEMBER 2017 – ACCORDING TO THE DATE OF THE INITIAL ACT												
No.	Matter	Number of judges	Total caseload (total pending at the beginning + total incoming)	Total pending backlog cases	AGE OF BACKLOG CASES						% backlog cases compared to total caseload	Average number of backlog cases per judge
					9 months to 1 year	1-2 yrs (in criminal matter)	2 to 3 yrs	3 to 5 yrs	5 to 10 yrs	Over 10 yrs		
1	П	160	73 117	6 765			4 024	1765	866	110	9,25	42,28
2	П1	73	18 521	942			520	345	70	7	5,09	12,90
3	П2	87	13 722	78			49	24	5		0,57	0,90
4	К	73	16 264	1 095			444	449	193	9	6,73	15,00
TOTAL 1-4		262	121 624	8 880			5 037	2 583	1 134	126	7,30	33,89
5	ИВ	56	58 537	37 971			3 129	4 637	28 155	2 050	64,87	678,05
6	И	58	72 230	34 466			7 773	13 082	10 359	3 252	47,72	594,24
TOTAL 5-6		60	130 767	72 437			10 902	17 719	38 514	5 302	55,39	1 207,28
ALL		135	175 564	73 195			11 243	18 127	38 520	5 305	41,69	542,19
TOTAL FOR ALL MATTERS		325	521 161	83 591		5	16 987	21 154	39 907	5 538	16,04	257,20

Table 19

OVERVIEW OF BACKLOG CASES ON 31 DEC IN CRIMINAL MATTER - FIRST INSTANCE (K)

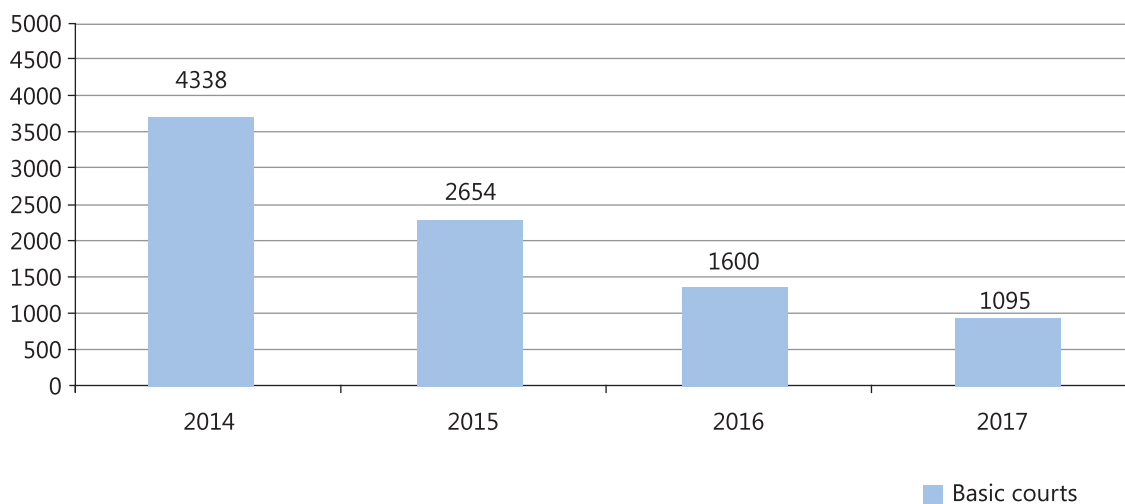


Chart 21

OVERVIEW OF BACKLOG CASES ON 31 DEC IN CIVIL MATTER - FIRST INSTANCE (P,P1,P2)

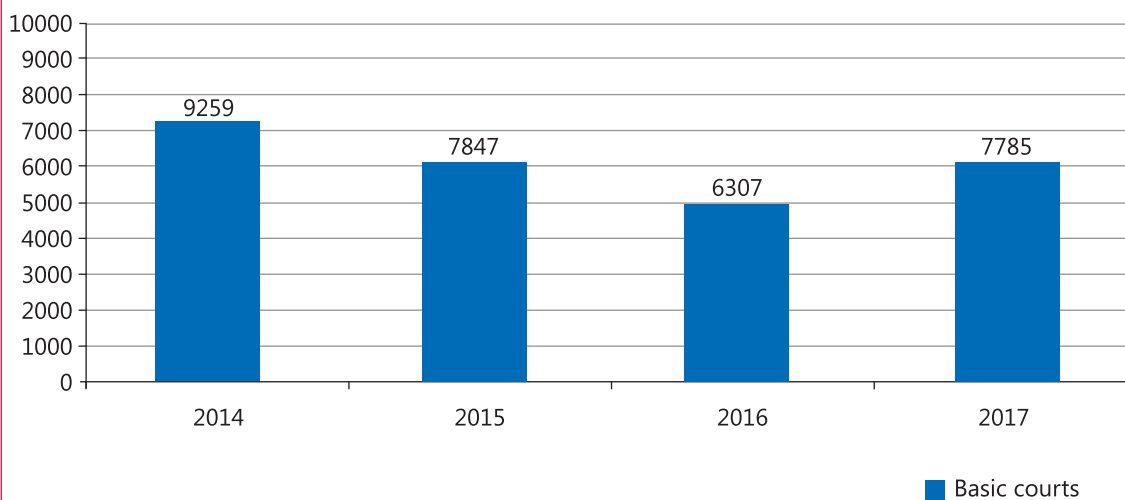


Chart 22

X

SPECIAL TYPES OF DISPUTES

Territory of the Appellate Court in Kragujevac was particularly burdened with disputes pertaining to violations of personality rights (army reservists), and there was also a significant number of cases where protection from domestic violence was sought.

Given the higher courts' heavy workload induced by special types of disputes such those pertaining to army reservists whose inflow the judges cannot clear within reasonable time, there is an urgent need to systemically resolve this issue, as well as other problems that might serve as grounds for repetitive cases.

DOMESTIC VIOLENCE CASES					
COURT	Pending at the beginning	Incoming	Total caseload	Disposed	Pending at the end
Appellate Court in Kragujevac		69	69	66	3
Higher courts		271	271	271	
Basic courts	68	2654	2722	2595	127
Total	68	2994	3062	2932	130

Table 20

Protection of the Right to a Trial within Reasonable Time

The number of cases in which protection of the right to a trial within reasonable time was sought increased significantly in comparison to 2016 when 4,108 cases were received, given that in 2017 there were 7,577 incoming cases.

There were 5,688 disposed cases in 2017, and those pending – 2,619, mostly in basic courts (a total of 2,449).

PROTECTION OF THE RIGHT TO A TRIAL WITHIN REASONABLE TIME																
Total for all courts		1 Jan – 31 Dec 2015					1 Jan – 31 Dec 2016					1 Jan – 31 Dec 2017				
No.	Court	Number of judges in matter	Pending at the beginning	Total incoming	Total disposed	Pending at the end of the reporting period	Number of judges in the matter	Pending at the beginning	Total incoming	Total disposed	Pending at the end of the reporting period	Number of judges in matter	Pending at the beginning	Total incoming	Total disposed	Pending at the end of the reporting period
1	Appellate court	41	153	823	572	404	28	404	257	652	9	6	9	41	46	4
2	Higher courts	34	549	4 079	2 215	2 413	21	2 413	1 325	3 342	396	21	396	1 614	1 894	116
3	Basic courts						41		2 526	2 201	325	93	325	5 922	3 748	2 499
	Total	75	702	4 902	2 787	2 817	90	2 817	4 108	6 195	730	120	730	7 577	5 688	2 619

Table 21

As the number of objections requesting acceleration of proceedings correlates with the trend of reducing the time needed to dispose cases, a conclusion may be inferred that the objections have served their purpose.

**PROTECTION OF THE RIGHT TO A TRIAL IN REASONABLE TIME INCOMING,
DISPOSED, PENDING**

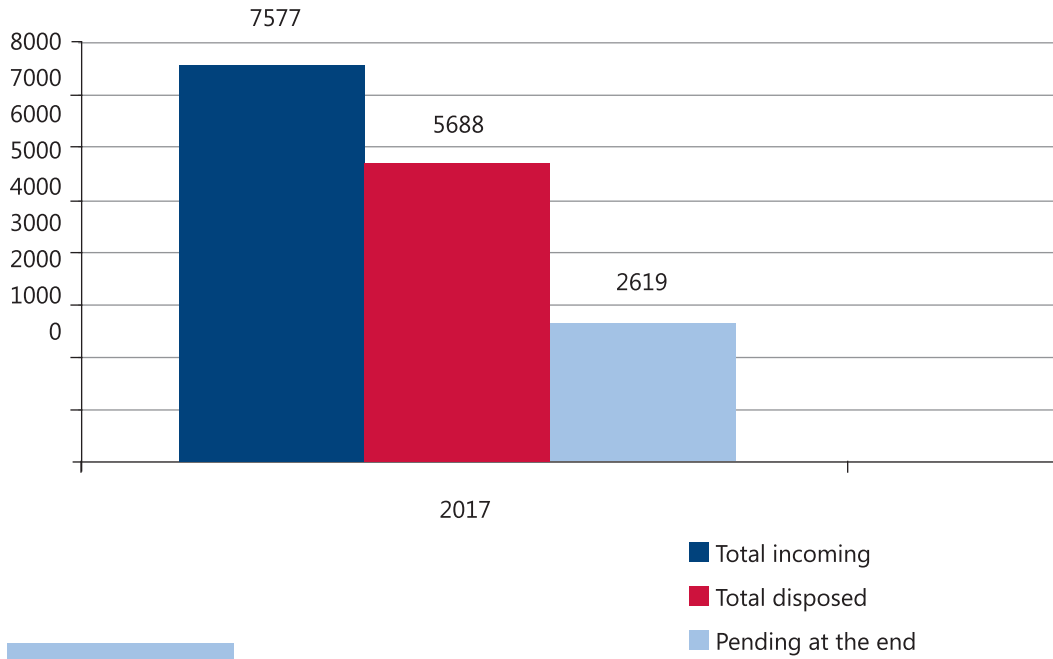


Chart 23

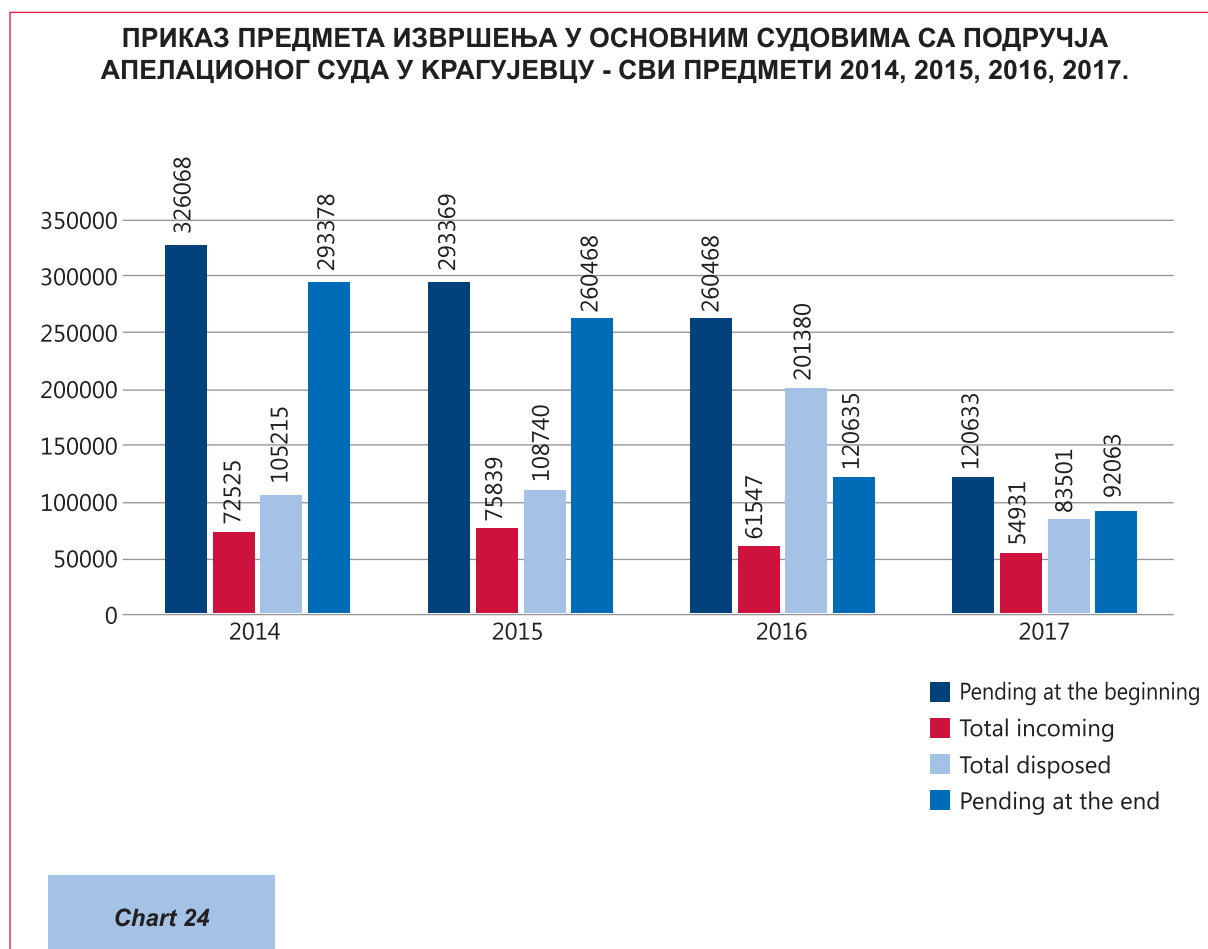
XI

APPLICATION OF THE NEW LAW ON ENFORCEMENT AND SECURITY

Systemic measures implemented through the Law on Enforcement and Security yielded good results in terms of a significant decrease in the number of pending enforcement cases. Particularly important is that the falling trend of pending enforcement cases also persisted in 2017.

All enforcements	Pending at the beginning	Total incoming	Total disposed	Pending at the end
2014.	326 068	72 525	105 215	293 378
2015.	293 369	75 839	108 740	260 468
2016.	260 468	61 547	201 380	120 635
2017.	120 633	54 931	83 501	92 063

Table 22



A reduction in the enforcement backlog cases according to the date of the initial act was noticeable as the enforcement backlog dropped from 236,056 at the end of 2014 to 72,437 at the end of 2017. The age structure of these cases points to a decrease of the oldest backlog cases whose number was halved in comparison to 2014, but also to a decrease of the backlog in all age categories, which in turn highlights the continuous efforts of the court which, by disposing the oldest cases, is not allowing other pending cases to fall into the oldest backlog category.

BASIC COURTS						
STRUCTURE OF PENDING BACKLOG ENFORCEMENT CASES ACCORDING TO THE DATE OF INITIAL ACT AS OF 31 DECEMBER						
Year	Matter	Total number of pending backlog cases	Age of pending backlog cases			
			2 to 3 yrs	3 to 5 yrs	5 to 10 yrs	Over 10 yrs
2014	I	45 869	10 000	11 525	17 373	6 971
	Iv	190 187	23 290	105 675	57 499	3 723
	Total:	236 056	33 290	117 200	74 872	10 694
2015	I	48 459	12 271	13 389	16 529	6 270
	Iv	162 867	4 430	61 064	92 383	4 990
	Total:	211 326	16 701	74 453	108 912	11 260
2016	I	38 545	9 508	14 582	10 676	3 779
	Iv	48 835	3 180	9 409	34 468	1 778
	Total:	87 380	12 688	23 991	45 144	5 557
2017	I	34 466	7 773	13 082	10 359	3 252
	Iv	37 971	3 129	4 637	28 155	2 050
	Total:	72 437	10 902	17 719	38 514	5 302

Table 23

XII

QUALITY

The ratio of the total number of disposed cases, the number of appealed cases in relation to the number of revoked decisions, expressed in total and through the decisions on merits, indicates the number of cases which were, based on the legal remedy, returned to a lower instance court for retrial.

It would be necessary to monitor the trends in the number of revoked decisions, since they impose a burden on the work of courts, which is why professional training and examination of contentious issues should be used to decrease the number of revoked decisions in cases, so that the case would not have to be decided on again, and the decreased number of revoked decisions will allow judges to devote more time to incoming cases. Reduction in the number of revoked decisions helps increase legal certainty and citizens' trust in the judiciary.

OVERVIEW OF THE QUALITY OF COURT DECISIONS IN 2017											
No.	Court	Number of judges	Total disposed	Adjudicated on merits	Number of reviewed appeals	Total number of revoked decisions	% of revoked decisions compared to the total	% of revoked decisions compared to the total number of decisions on merits	% of reviewed appeals compared to the total number of disposed	% of reviewed appeals compared to decisions on merits	% of revoked decisions compared to the number of reviewed appeals
1	Appellate Court in Kragujevac	45	13 487	13 012	1 188	56	0,41	0,43	8,80	9,13	4,71
2	Higher courts	79	46 331	26 399	1 897	356	0,77	1,35	4,09	7,18	18,77
3	Basic courts	325	240 127	154 838	22 433	4 712	1,96	3,04	9,34	14,49	21
Total :		449	299 945	194 249	25 518	5 124	1,71	2,64	8,51	13,14	20,08

Table 24

PERCENTAGE OF REVOKED DECISIONS IN 2017					
No.	Court	Number of judges	Number of reviewed appeals	Total number of revoked decisions	% of revoked decisions compared to the number of reviewed appeals
1	Appellate Court in Kragujevac	45	1 188	56	4,71
2	Higher courts	79	1 897	356	18,77
3	Basic courts	325	22 433	4 712	21
Total:		449	25 518	5 124	20,08

Table 25

DURATION OF COURT PROCEEDINGS IN THE INSTANCE FOR DISPOSED CASES IN 2017

AGE OF DISPOSED CASES FOR PREDOMINANTLY TRIAL CASES IN 2017							
No.	Court	Total number of disposed cases	DURATION OF PROCEEDINGS				
			Up to 1 year	1 to 2 yrs	2 to 5 yrs	5 to 10 yrs	Over 10 yrs
1	Appellate Court in Kragujevac	12 258	11 867	389	2	0	0
2	Higher courts	33 259	32 421	739	90	9	0
3	Basic courts	70 115	49 651	15 345	5 119	0	0
Total:		115 632	93 939	16 473	5 211	9	0

Table 26

HIGHER COURTS							
No.	Type of matter	Total number of disposed cases	DURATION OF PROCEEDINGS				
			Up to 1 year	1 to 2 yrs	2 to 5 yrs	5 to 10 yrs	Over 10 yrs
1	P	10 208	9 933	241	30	4	0
2	P1	3 965	3 943	14	8	0	0
3	P2	114	101	12	0	1	0
4	K	432	323	54	51	4	0
Total 1-4		14 719	14 300	321	89	9	0

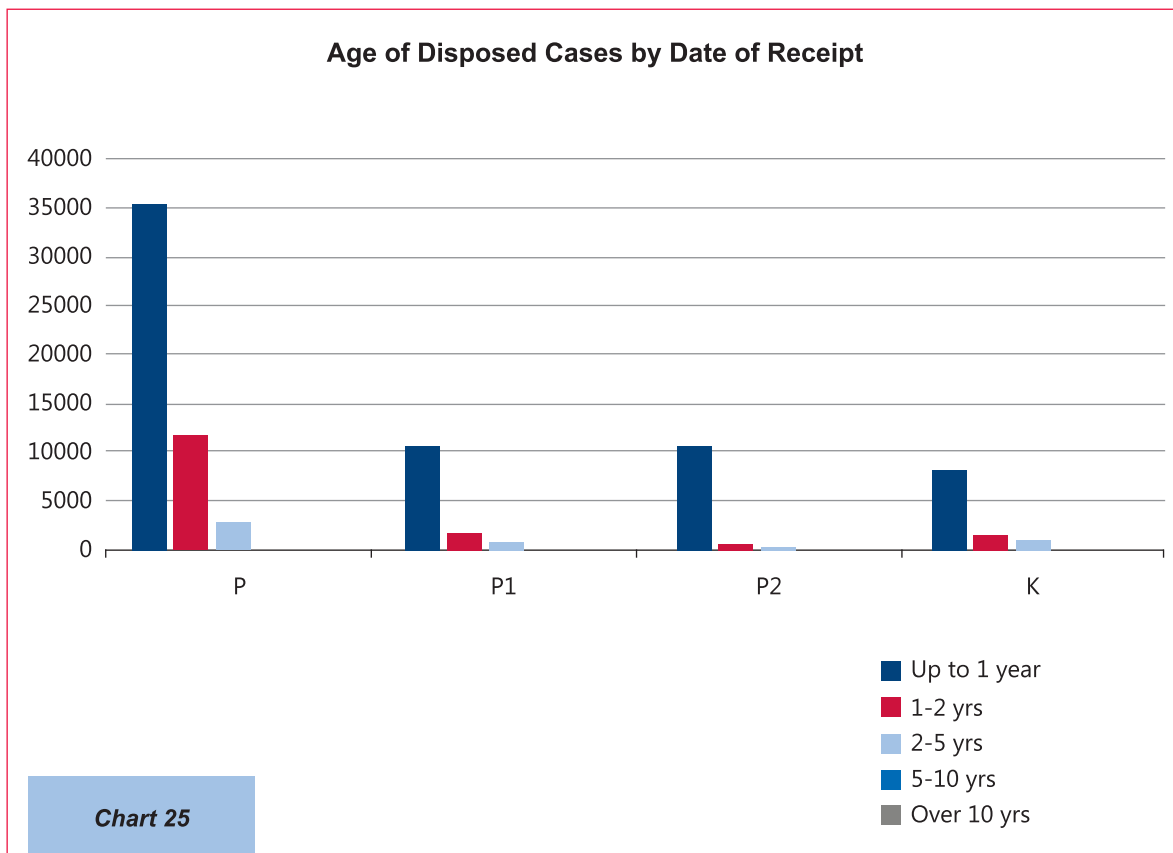
Table 27

BASIC COURTS							
No.	Type of matter	Total number of disposed cases	DURATION OF PROCEEDINGS				
			Up to 1 year	1 to 2 yrs	2 to 5 yrs	5 to 10 yrs	Over 10 yrs
1	P	39.657	25.226	11.532	2.899	0	0
2	P1	9.039	6.427	1.665	947	0	0
3	P2	10.959	10.206	617	136	0	0
4	K	10.460	7.792	1.531	1.137	0	0
Total 1-4		70.115	49.651	15.345	5.119	0	0

Table 28

HIGHER AND BASIC COURTS TOTAL							
No.	Type of matter	Total number of disposed cases	DURATION OF PROCEEDINGS				
			Up to 1 year	1 to 2 yrs	2 to 5 yrs	5 to 10 yrs	Over 10 yrs
1	P	49865	35159	11773	2929	4	0
2	P1	13004	10370	1679	955	0	0
3	P2	11073	10307	629	136	1	0
4	K	10892	8115	1585	1188	4	0
Total 1-4		84834	63951	15666	5208	9	0

Table 29



TIME REQUIRED TO DISPOSE CASE IN DAYS

Average duration of the proceedings is calculated at the annual level and determined by way of the following formula:

$$\text{Average duration} = \frac{\text{number of pending cases}}{\text{number of cases disposed in the year}} \times 365$$

Average duration of the first-instance proceedings in the territorial jurisdiction of the Appellate Court in Kragujevac for the 2014-2017 period is shown in the following tables.

APPELLATE COURT IN KRAGUJEVAC				
Year	2014	2015	2016	2017
Number of pending cases at the end	4593	3867	3567	3419
Number of disposed cases	11212	11974	11721	12258
Time required to dispose a case	150	118	111	102

Table 30

HIGHER COURTS				
Year	2014	2015	2016	2017
Number of pending cases at the end	992	845	4037	14263
Number of disposed cases	878	1294	1216	14719
Time required to dispose a case	412	238	1212	354

Table 31

BASIC COURTS				
Year	2014	2015	2016	2017
Number of pending cases at the end	49280	48524	60693	51509
Number of disposed cases	58792	74482	66454	70115
Time required to dispose a case	306	238	333	268

Table 32

Average duration of the proceedings is decreasing in all the courts, and further efforts should be made to ensure that the court proceedings be disposed within reasonable time.

XIII

CONCLUSION

In 2017, a total of 299,945 cases were disposed on the territory under jurisdiction of the Appellate Court in Kragujevac.

Basic courts disposed 116,776 cases in 2017 upon requests of the citizens for verification of signatures, manuscripts and transcripts, issuing certificates, rogatories, etc., while higher courts disposed an additional 1,330 cases of this type.

The number of pending cases in all the courts in the territorial jurisdiction of the Appellate Court in Kragujevac decreased in comparison to 2014 by 181,532 cases.

The results achieved in 2017 are indicative of the great efforts made by judges and all the court employees.

Commitment of courts to achieving better results and their contribution to improvements in efficiency and quality of the judicial system in 2017 were recognized through the presentation of awards and acknowledgements by the Supreme Court of Cassation to the courts in the territorial jurisdiction of the Appellate Court in Kragujevac, specifically:

- Higher Court in Kruševac was presented with the third award in the category "Year-on-Year Increase in the Number of Total Disposed Cases";
- Basic Court in Ivanjica was presented with the third award in the category "Year-on-Year Increase in the Number of Disposed Backlog Cases in the Court";
- Higher Court in Užice, Higher Court in Kraljevo, Higher Court in Kragujevac, Higher Court in Prijepolje and Basic Court in Sjenica were presented with the acknowledgments for their respective contributions to improvements in

efficiency and quality of the judicial system in 2017; and

- Basic Court in Užice and Basic Court in Požega were presented with acknowledgements for innovations contributing to improvements in the work of the court.

Facing the challenge of a large inflow of cases, as is the case in higher courts, drawn-out election of judges and persistent fluctuation of judicial and non-judicial personnel, the courts have obviously made particular efforts, judging by the results shown above, to improve their performance and successfully fulfill their function.

In the forthcoming period, ongoing activities should continue aimed at further implementing the backlog reduction scheme and preventing caseload ageing, as well as streamlining the court practice and improving the quality of court decisions by way of harmonized interpretation of the law, all this in order to ensure equitable treatment of legal parties before the law and respect for human rights and freedoms.

**Acting COURT PRESIDENT
Dubravka Damjanović**



Израда ове публикације омогућена је уз подршку америчког народа путем Америчке агенције за међународни развој (УСАИД). За садржај ове публикације одговоран је Апелациони суд у Крагујевцу и она не мора нужно одражавати ставове УСАИД-а или Владе Сједињених Америчких Држава.



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