



**Republic of Serbia  
Supreme Court of Cassation**

**REPORT ON THE WORK OF COURTS  
IN THE REPUBLIC OF SERBIA  
FOR THE PERIOD JANUARY – JUNE 2018**

**Belgrade, July 2018**



## CONTENT

I INTRODUCTION .....	1
II DISPOSED CASES.....	4
III INCOMING CASES IN THE FIRST HALF OF 2018.....	6
IV PENDING CASES ON JUNE 30, 2018 .....	10
V RATIO BETWEEN PENDING CASES AT THE BEGINNING OF THE REPORTING PERIOD, INCOMING, DISPOSED AND PENDING CASES AT THE END OF THE REPORTING PERIOD BY TYPES OF COURT ON JUNE 30, 2018.....	12
VI BACKLOG CASES .....	13
VII DISPOSED BACKLOG CASES .....	15
VIII STRUCTURE OF PENDING BACKLOG CASES ON JUNE 30, 2018.....	16
IX STRUCTURE OF PENDING BACKLOG CASES BY TYPES OF COURTS AND TRIAL MATTERS .....	17
X PENDING CASES OLDER THAN 10 YEARS ON 06/30/2018 IN HIGHER AND BASIC COURTS .....	25
XI BACKLOG CASES COMPARED TO THE TOTAL NUMBER OF PENDING CASES IN BASIC COURTS ON 06/30/2018.....	28





**REPUBLIC OF SERBIA  
SUPREME COURT OF CASSATION**

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FOR THE PERIOD JANUARY – JUNE 2018**

*Courts are autonomous and independent state bodies that protect the freedom and rights of citizens, legally determined rights and interests of legal entities and ensure constitutionality and legality*

**I  
INTRODUCTION**

The judicial power is unique, courts are independent and autonomous in their work and they adjudicate in accordance with the Constitution, laws and other general acts, when it is stipulated by law, generally accepted rules of international law and ratified international treaties.

Courts in the Republic of Serbia are courts of general and special jurisdiction.

Courts of general jurisdiction are basic courts, higher and appellate courts and the Supreme Court of Cassation.

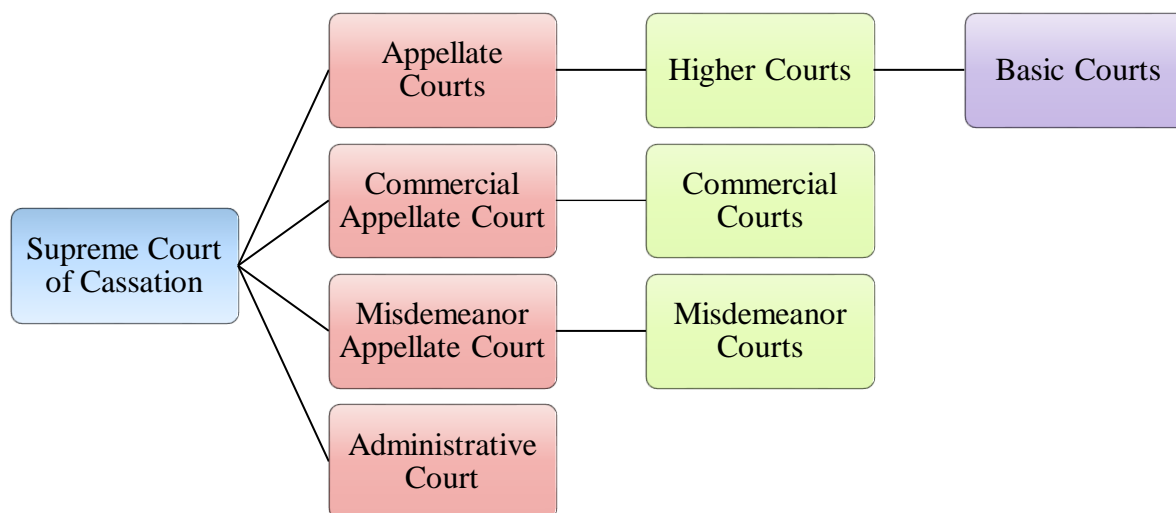
Courts of special jurisdiction are commercial courts, Commercial Appellate Court, misdemeanor courts, Misdemeanor Appellate Court and Administrative Court.

The Supreme Court of Cassation is the highest court in the Republic of Serbia and it is directly superior to the Commercial Appellate Court, the Misdemeanor Appellate Court, the Administrative Court and appellate courts.

In addition to the Supreme Court of Cassation, the Commercial Appellate Court, the Misdemeanor Appellate Court and the Administrative Court are republic level courts.

In the Republic of Serbia, as of January 1, 2014, there is total of 159 courts, of which 66 courts act as basic courts, 25 as higher, 16 commercial, 44 misdemeanor and the Administrative Court, which act as first instance courts. Higher courts act as second instance courts, as well as 4 appellate courts, Commercial Appellate Court and Misdemeanor Appellate Court.

For the territory of the AP of Kosovo and Metohija, until the adoption of special regulations, three courts were working on that territory: Misdemeanor Court in Kosovska Mitrovica, Higher Court in Kosovska Mitrovica and Basic Court in Kosovska Mitrovica.



According to the data of the High Court Council in the first half of the previous year, the total number of all judicial positions, determined by the Decision of the High Court Council, was 2,299 judges' positions, of which 2,749 positions were filled, and 2,615 judges were effectively working.

At the end of 2017, out of 2,990 judges' positions 2,626 positions were filled, and 2,586 judges were effectively working.

Pursuant to the Decision of the High Court Council in the first half of 2018, there was the total of 2,995 judges' positions, of which 2,583 positions were filled, and 2,482 judges were effectively working in all courts in the Republic of Serbia.

**COMPARATIVE OVERVIEW OF THE NUMBER OF JUDGES  
FOR PERIODS 01/01- 12/31/2017 AND 01/01 - 06/30/2018**

Court	Number of judges based on the decision of the High Court Council		Number of filled positions		Number of judges from the report on the work of the court	
	01/01-12/31/2017	01/01 - 06/30/2018	01/01 -12/31/2017	01/01 - 06/30/2018	01/01 -12/31/2017	01/01 - 06/30/2018
Supreme Court of Cassation	41	42	39	39	35	36
Administrative Court	51	51	40	38	39	37
Commercial Appellate Court	41	41	40	39	34	34
Misdemeanor Appellate Court	65	65	58	56	58	56
Appellate courts	237	240	228	225	203	207
Higher courts	368	399	328	322	317	317
Basic courts	1,473	1,438	1,267	1,249	1,260	1,192
Commercial courts	178	178	147	143	154	142
Misdemeanor courts	536	541	479	472	486	461
<b>TOTAL:</b>	<b>2,990</b>	<b>2,995</b>	<b>2,626</b>	<b>2,583</b>	<b>2,586</b>	<b>2,482</b>

Table 1

**According to the aforementioned indicators, there was the total of 412 vacant positions in the court system, and 100 less judges effectively worked compared to 2017, as a result of the freeze on election of new judges proclaimed by the Constitutional Court and the harmonization of the regulations on the election of judges.**

The average age of judges in the Republic of Serbia is 53.22. There is the total of 752 male and 1,831 female judges. There are 132 judges that are 40 years old or younger, 669 judges that are up to 50, 1,180 judges that are up to 60, and 602 judges that are older than 60.

**The unfavorable age structure of judges should be resolved through future systemic solutions, through regular and timely filling of vacant positions, in order to provide professional and experienced continuity in the performance of judicial function.**

According to the data of the High Court Council, the total number of staff working was 10,580, and their average age was 45.5. Of that, there were: 1,725 judicial assistants, 5,670 civil servants and 3,185 general service employees.

According to the Law on Budget for 2018, all courts are financed from the budget in the overall amount of **22,304,078,000.00** RSD (in 2017 the total amount was 20,985,969,000.00 RSD). The amount allocated for the Supreme Court of Cassation in 2017 budget was 439,791,000.00 RSD, and in 2018 budget the planned amount was **457,053,000.00** RSD. Compared to the total 2018 budget of the Republic of Serbia of **1,179,248,230,000.00** RSD, the court related expenditures amounted to **1.89** %, which is similar when compared to 2017, when total court related expenditures had the share of 1.86%.

## II DISPOSED CASES

During 2017, all courts in the Republic of Serbia disposed 2,335,760 cases.

In the first half of 2018, the total number of disposed cases in all courts was **1,145,770** cases, while in the same period of the previous year that number was 1,095,602 cases.

**Comparing the first half of 2017 with the first half of 2018, it is obvious that 50,168 cases more were disposed.**

In the period from January – June 2018, basic courts also disposed 219,000 cases related to the requests of citizens for verification of signatures, manuscripts and transcripts, issuing certificates etc. which are not presented in the tables embedded in this Report, while higher courts had the total of 5,525 of such cases. In misdemeanor courts the total of 398,814 cases were disposed that are not shown in the tables in this report for these special courts. These cases are handled by the court administration under the supervision of court presidents, i.e. judges, which is another **623,339** cases disposed in courts in the first half of 2018.

In the first half of 2018, public notaries handled 36,881 cases related to death certificates and additional 35,066 cases related to probate proceedings, total: 71,947 cases, while during 2017, the total number of cases handled by public notaries was 47,572 cases.

The highest number of cases in the first half of 2018 was disposed in basic courts **551,848** and misdemeanor courts **342,275** cases. Higher courts disposed a significantly higher number of cases, due to an enormous inflow of cases in the previous year. Thus, in the first semester of 2018, higher courts disposed **120,923** cases, while in the same period last year the number of disposed cases was 80,938.

**The SCC, in cooperation with the Ministry of Justice, prepared electronic forms for generating decisions, for higher and appellate courts, in AVP and SAPS, in which the Republic of Serbia – the Ministry of Defense withdrew appeals, i.e. recognized the claims for damages submitted by reservists, in order to free the judges from making classical individual decisions and being able to devote their time to more complex cases.**



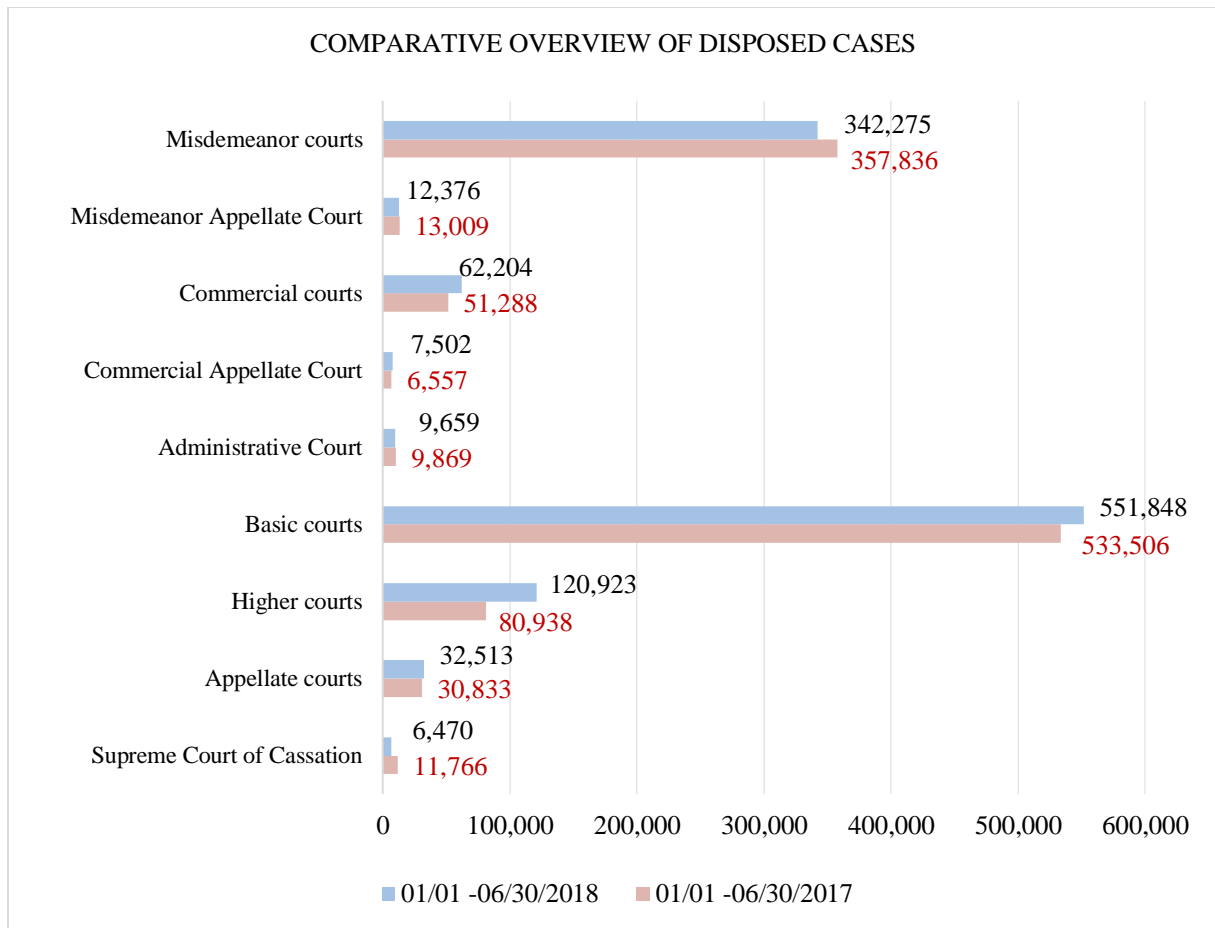


Chart 1

**OVERVIEW OF THE NUMBER OF DISPOSED CASES IN COURTS IN SERBIA**

	01/01 - 06/30/2017	01/01 - 06/30/2018
<b>TOTAL AT THE NATIONAL LEVEL - ALL CASES</b>	1,095,602	1,145,770
<b>TOTAL AT THE NATIONAL LEVEL - WITHOUT ENFORCEMENT</b>	980,925	1,018,023
Basic courts - I + Iv	87,691	102,416
Commercial courts - all enforcement cases	26,986	25,331

Table 2

**From all of the above, it is evident that all courts in the Republic of Serbia disposed more cases in all matters in the first half of 2018 compared to the same period last year, although there were fewer judges in the judicial system. This is undoubtedly the result of a better organization of work and increased efforts of judges, which in particular relates to faster resolution of repetitive cases and harmonization of case law on disputed legal issues, through legal forms of harmonization of judicial jurisprudence.**

### III INCOMING CASES IN THE FIRST HALF OF 2018

Comparative data on incoming cases in all courts in the Republic of Serbia indicate a significant increase of influx in 2015 – 2017, when 1,300,000 cases above the expected annual inflow entered the judiciary, and the same trend continued in the first half of 2018.

**This increase of inflow, with a significantly smaller number of elected judges (412 fewer than the number of judges determined by the Decision of the High Court Council) negatively affected the achievement of planned goals from the strategic documents of the Supreme Court of Cassation, which relate in particular to the backlog reduction.**

The number of incoming cases in the first half of 2018 (1,040,438) was higher than the inflow of incoming cases in the same period last year, but the inflow of incoming cases in trial matters increased by 100,000 cases, without the enforcement cases.

The inflow of new cases has increased in all courts, except in the Supreme Court of Cassation (since there were no extraordinary delegations of cases to higher courts, as in 2017). The higher inflow is especially noticeable in first instance courts (basic, higher, commercial and misdemeanor).

#### OVERVIEW OF THE NUMBER OF INCOMING CASES IN COURTS IN THE REPUBLIC OF SERBIA

	01/01 -06/30/2017	01/01 -06/30/2018
<b>TOTAL AT THE NATIONAL LEVEL - ALL CASES</b>	937,017	1,040,438
<b>TOTAL AT THE NATIONAL LEVEL - WITHOUT ENFORCEMENT</b>	887,468	989,989
Basic courts - I+IV	28,381	28,172
Commercial courts - all enforcement	21,168	22,277

Table 3

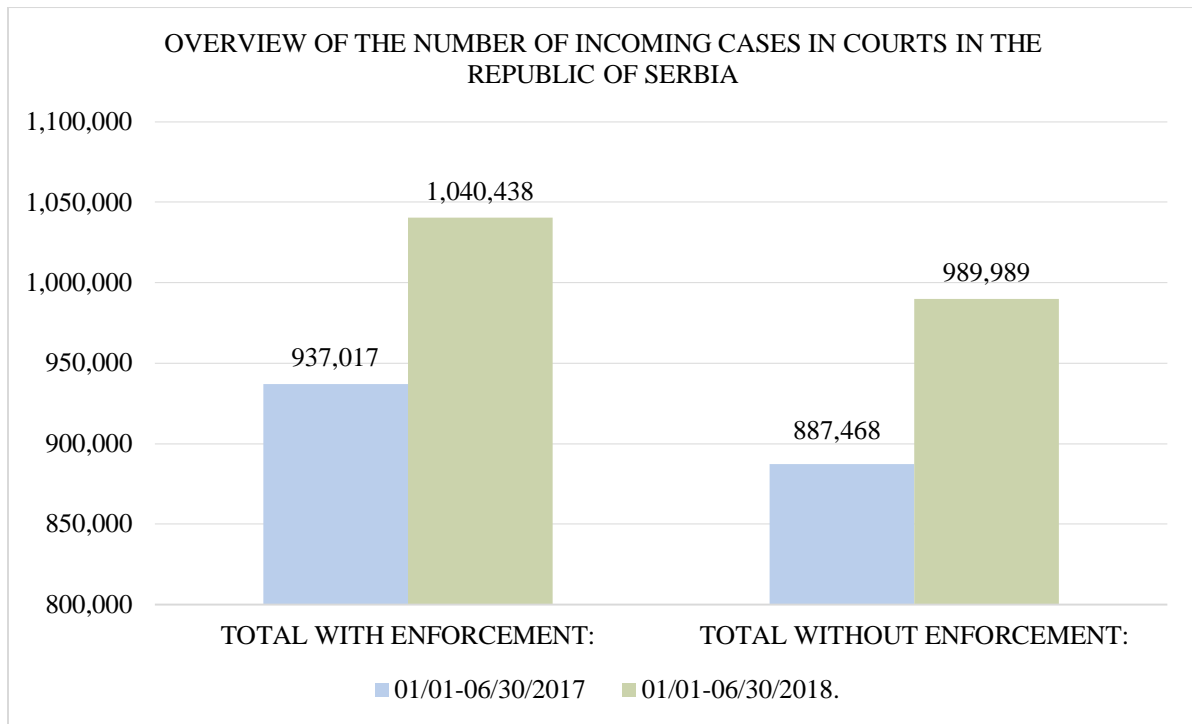


Chart 2

**TOTAL NUMBER OF INCOMING CASES FOR ALL MATTERS**

No.	Court name	Total incoming	
		01/01 -06/30/2017	01/01 -06/30/2018
1	Supreme Court of Cassation	11,657	7,798
2	Appellate courts	32,004	32,958
3	Higher courts	101,997	129,532
4	Basic courts	440,872	462,956
5	Administrative Court	11,134	12,418
6	Commercial Appellate Court	6,441	6,567
7	Commercial courts	50,800	65,546
8	Misdemeanor Appellate Court	14,018	14,050
9	Misdemeanor courts	268,094	308,613
<b>TOTAL:</b>		<b>937,017</b>	<b>1,040,438</b>

Table 4

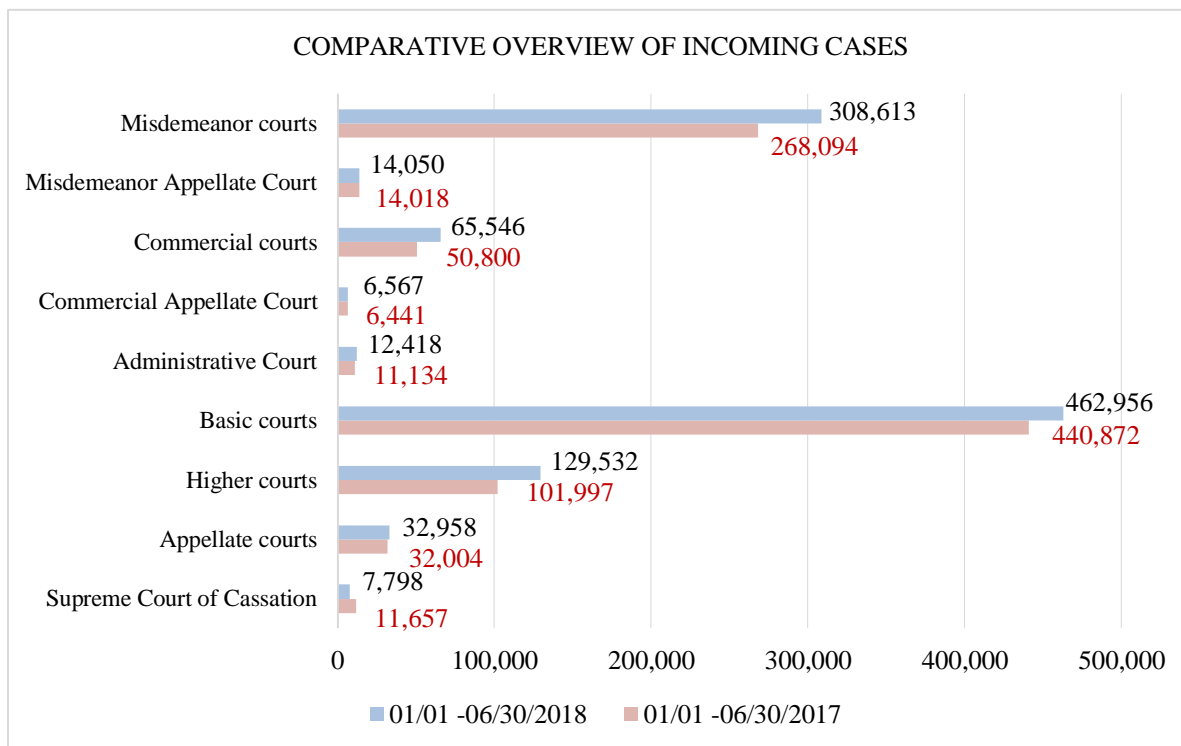


Chart 3

**Increased inflow cannot be cleared unless the vacant judges' positions are filled by electing new first-instance judges, but it is necessary to consider the possibility of engaging a large number of judicial assistants and other court staff, given the still ongoing freeze of employment in courts.**

The largest real increase in incoming cases is related to cases of protection of right to trial within reasonable time, since more cases were received in the first half of 2018 than in the entire 2017. **The largest number of these cases is related to the enforcement of final court decisions, where the enforcement of forced collection of claims from employment relations, were stopped by the imperative standards of the Law on privatization, and the courts could not affect that legal solution, while in such cases, due to the insolvency of a debtor in restructuring for privatization, the obligations are transferred to the state (*Kačapor vs. Serbia, Vlahović vs. Serbia...*). Amounts paid to parties on behalf of these insolvent debtors, that are socially owned or privatized by the state, are heavily burdening the budget, so public criticism that the budget is burdened only because of poor and unreasonable work of the courts cannot be accepted.**

PROTECTION OF THE RIGHT TO A TRIAL WITHIN REASONABLE TIME  
01/01 - 06/30/2018

No.	Court	Number of judges in matter	Pending at the beginning	Total incoming	Total caseload	Total disposed	Pending at the end of reporting period
1	Supreme Court of Cassation	21	79	197	276	203	73
2	Appellate courts	62	74	362	436	349	87
3	Higher courts	101	586	3,576	4,162	2,883	1,279
4	Basic courts	511	6,206	13,031	19,237	12,216	7,021
TOTAL 1-4		695	6,945	17,166	24,111	15,651	8,460
5	Administrative Court	1	23	182	205	176	29
6	Commercial Appellate Court	34	250	1,261	1,511	1,316	195
7	Commercial courts	52	1,478	14,084	15,562	12,559	3,003
8	Misdemeanor Appellate Court	4	11	63	74	68	6
9	Misdemeanor courts	27	23	138	161	107	54
TOTAL 5-9		118	1,785	15,728	17,513	14,226	3,287
TOTAL 1-9		813	8,730	32,894	41,624	29,877	11,747

Table 5

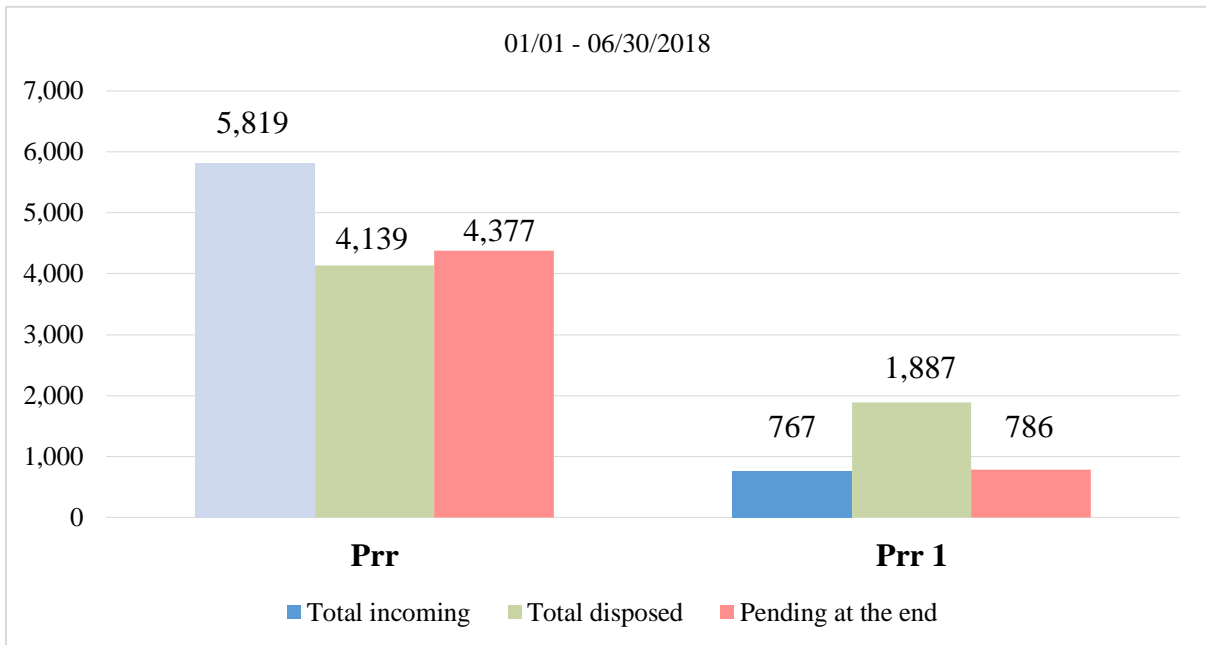


Chart 4

#### IV PENDING CASES ON JUNE 30, 2018

Comparative indicators for the period 2012 – 2017 indicate a significant decrease in the number of pending cases in all courts in the Republic of Serbia, so compared to 2012, at the end of 2017 there are 1,247,314 fewer pending cases (there were 3,158,400 pending cases, and at the end of 2017, there were 1,911,086 pending cases).

##### OVERVIEW OF THE NUMBER OF PENDING CASES IN ALL COURTS IN THE REPUBLIC OF SERBIA

	2012	2013	2014	2015	2016	2017	01/01-06/30/2018
<b>TOTAL AT THE NATIONAL LEVEL - ALL CASES</b>	3,158,400	2,874,782	2,849,360	2,886,619	2,043,925	1,911,086	1,798,427
<b>TOTAL AT THE NATIONAL LEVEL - WITHOUT ENFORCEMENT</b>	872,831	815,178	898,204	1,093,432	1,132,331	1,118,201	1,086,818

\* In basic courts matters in categories I, Iv were considered, as well as enforcement cases in commercial courts

Table 6

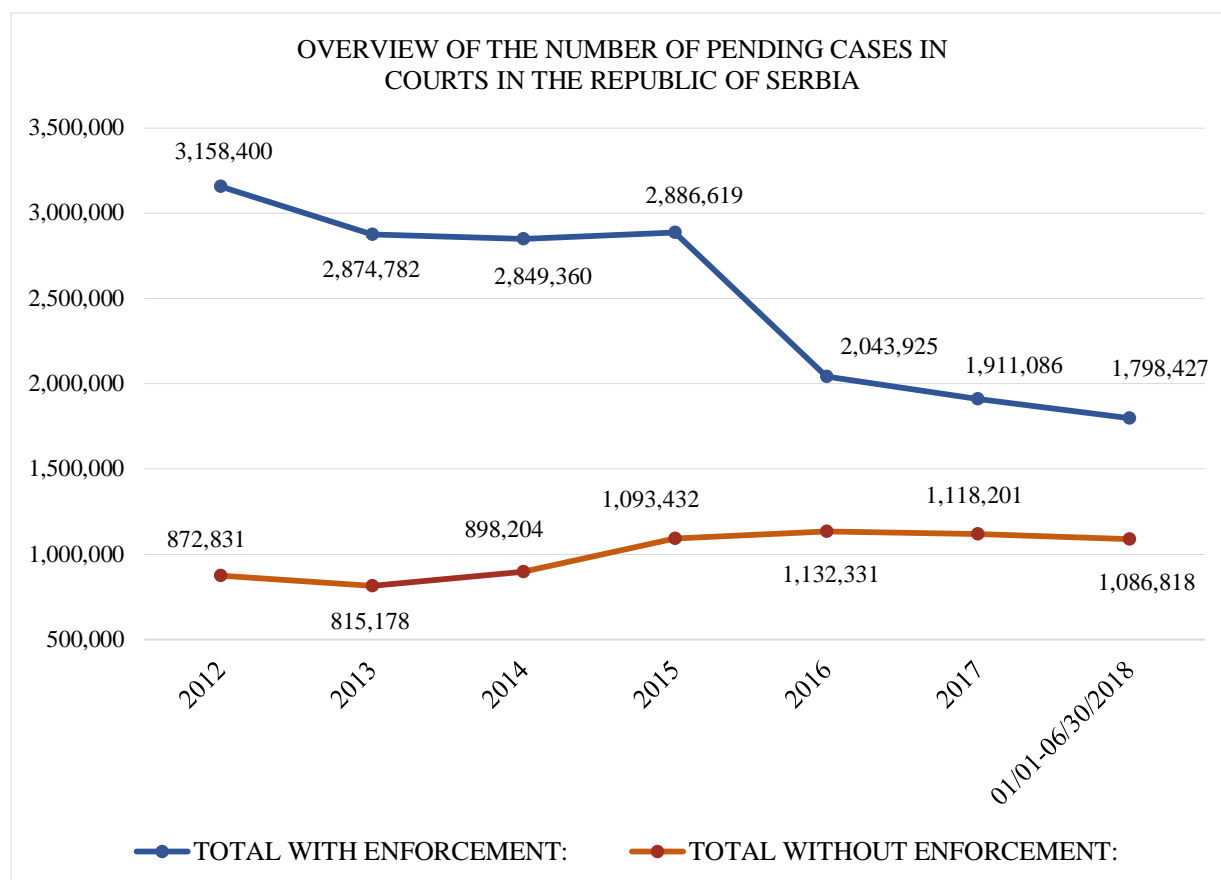


Chart 5

**OVERVIEW OF THE NUMBER OF PENDING CASES  
IN COURTS IN THE REPUBLIC OF SERBIA**

	01/01-06/30/2017	01/01-06/30/2018
<b>TOTAL AT THE NATIONAL LEVEL - ALL CASES</b>	1,885,359	1,798,427
<b>TOTAL AT THE NATIONAL LEVEL - WITHOUT ENFORCEMENT</b>	1,038,898	1,086,818
Basic courts - I+IV	815,024	687,785
Commercial courts - all enforcement	31,437	23,824

*Table 7*

**At the end of the first half of 2018, the total number of pending cases, in all matters, was lower compared to the same period last year, however, without the enforcement cases, the number of pending cases in trial matters is slightly higher, which is a consequence of the significant increase in inflow of incoming cases and reduced number of elected judges in the judicial system.**

**In basic and commercial courts, the number of enforcement cases reduced at the end of the first semester, but additional individual measures are urgently needed in order to reduce the number of backlog enforcement cases, and to achieve the targets stipulated in the strategic documents of the Supreme Court of Cassation.**

**V**  
**RATIO BETWEEN PENDING CASES AT THE BEGINNING OF THE REPORTING PERIOD, INCOMING, DISPOSED AND PENDING CASES AT THE END OF THE REPORTING PERIOD BY TYPES OF COURT ON JUNE 30, 2018**

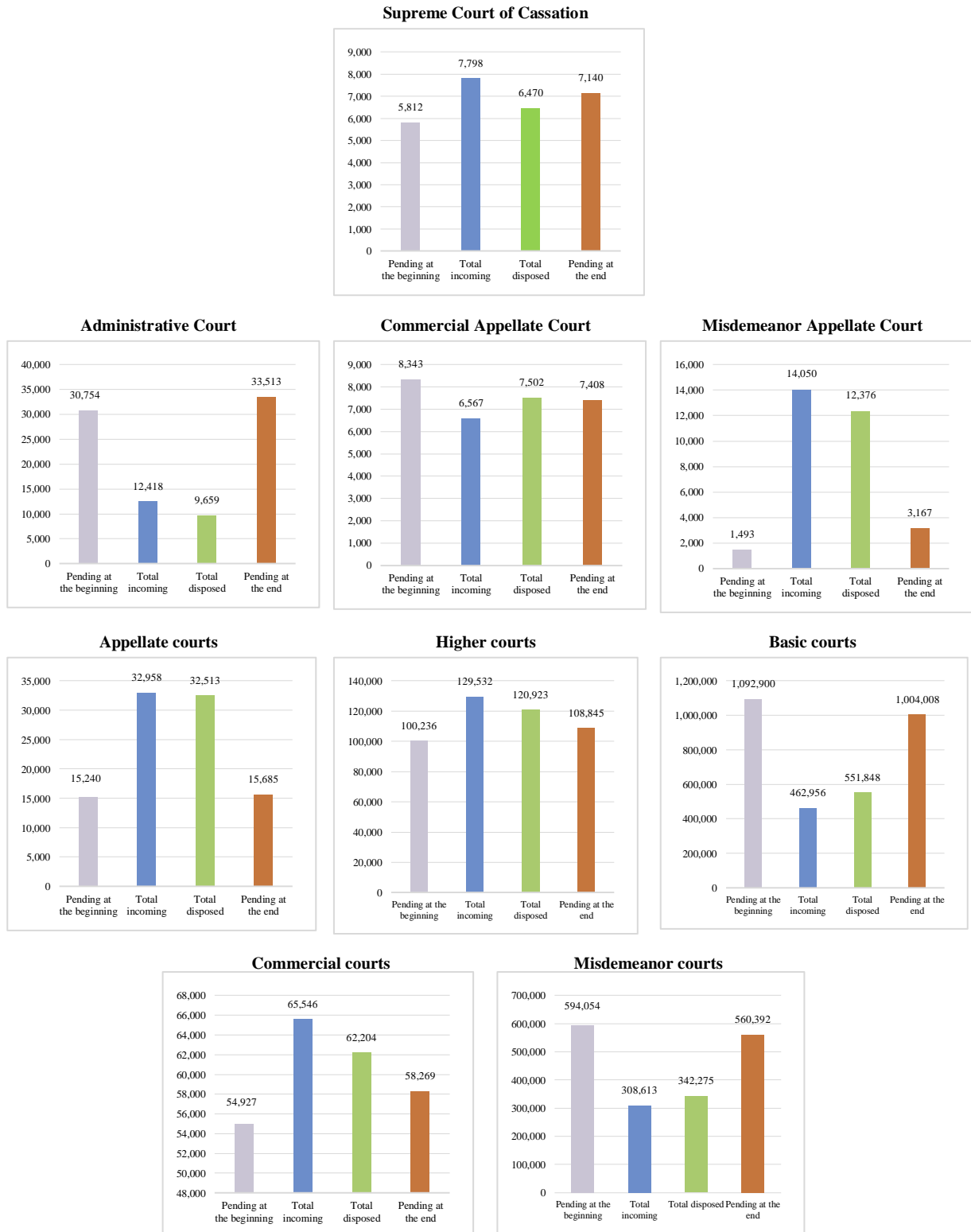


Chart 6



## VI BACKLOG CASES

The Amended Single Backlog Reduction Program of the Supreme Court of Cassation, dated August 10, 2016, with validity period extended until 2020, envisages systemic, general, special and individual measures for reduction of backlog cases, that are supposed to be undertaken by the Supreme Court of Cassation, High Court Council and the Ministry of Justice in order to dispose backlog cases in courts in the Republic of Serbia. Special targets have been identified to be achieved by 2020 in the reduction of backlog cases by matters, and in particular the resolution of all backlog cases that are considered to be particularly urgent, under the law, which are primarily family disputed.

Through the implementation of the measures stipulated by this strategic document, the Supreme Court of Cassation shows in the reports the number of pending backlog cases, in which the proceedings last more than two years from the date of the initial act, starting from 2012 until the end of the current reporting period. At the end of 2012, there were **1,729,768** pending backlog cases in all courts in the Republic of Serbia, and at the end of the first semester of 2018, the total number of pending backlog cases was **804,525** which is **925,243** cases less. The number of pending backlog cases in trial matters, without enforcement, is also decreasing.

### REPORT ON PENDING BACKLOG CASES AT THE END OF REPORTING PERIOD ACCORDING TO THE DATE OF THE INITIAL ACT

	2012	2013	2014	2015	2016	2017	01/01-06/30/2018
<b>TOTAL AT THE NATIONAL LEVEL- ALL CASES</b>	1,729,768	1,773,475	1,822,001	1,740,400	915,667	859,272	804,525
<b>*TOTAL AT THE NATIONAL LEVEL - WITHOUT ENFORCEMENT</b>	140,418	127,773	126,878	133,365	125,463	128,661	137,202
* Commercial courts (all enforcement)	22,771	29,872	31,804	32,180	24,303	22,392	21,265
* Basic courts (I, Iv)	1,566,579	1,615,830	1,663,319	1,574,855	765,901	708,219	646,058

\* In basic courts the cases in matters I, Iv were considered, as well as all enforcement cases in commercial courts

\* The cases for reasonable time in higher courts were excluded in 2014 and 2015

Table 8

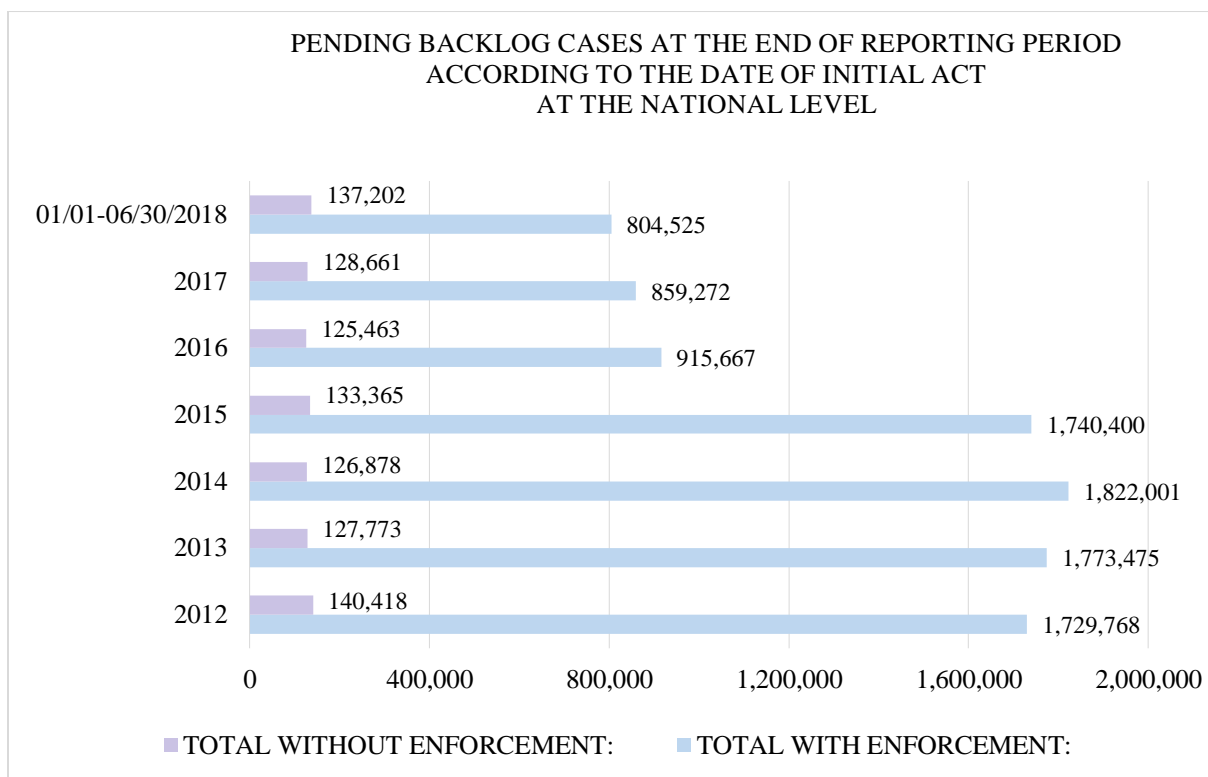


Chart 7

**Comparing the first semester of this year with the first semester last year, an increase in the number of pending backlog cases in trial matters is notable, but this is the result of an enormously increased inflow starting from 2015, which could not be cleared in the coming period, since the trend of growing inflow continued, therefore judges had to deal with the priority and urgent new cases, and not just dedicate their time to backlog reduction.**

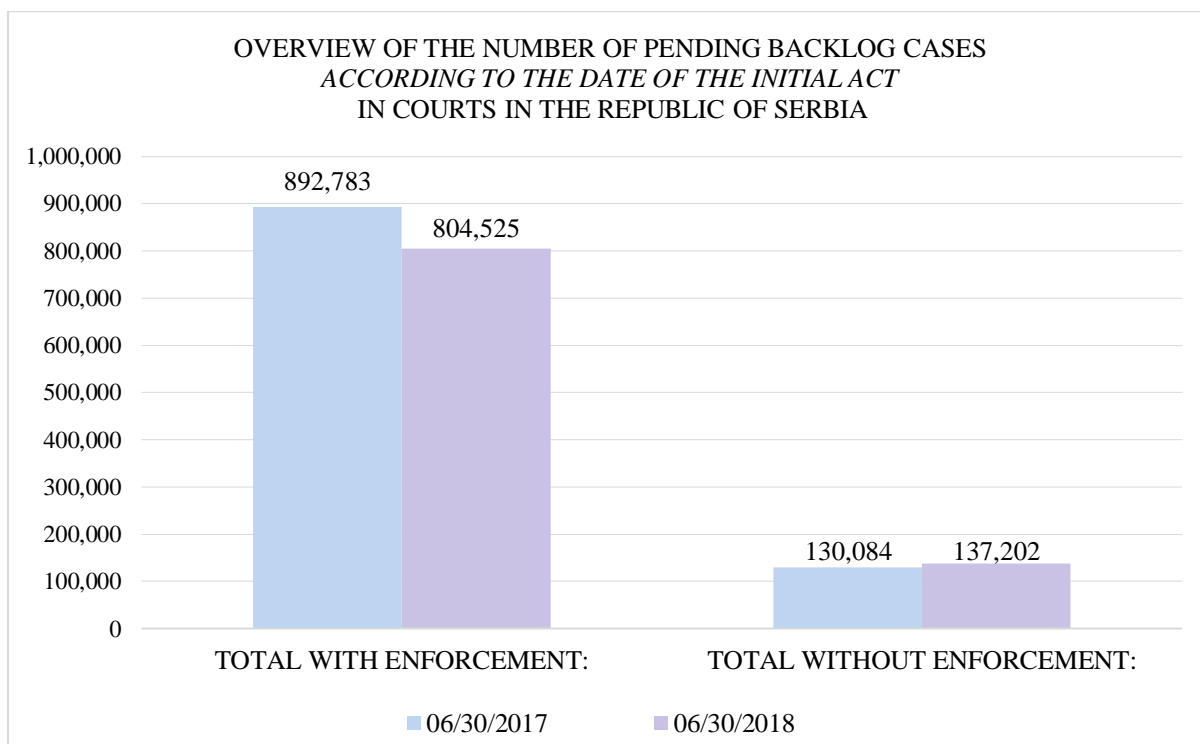


Chart 8

## VII DISPOSED BACKLOG CASES

The total number of disposed cases in the observed period, from January till June 2018, in all courts in the Republic of Serbia was 1,145,770 cases, out of which 176,202 were backlog cases, from the date of the initial act, which is more when compared to the same period last year.

OVERVIEW OF THE NUMBER OF DISPOSED BACKLOG CASES  
IN COURTS IN THE REPUBLIC OF SERBIA ACCORDING TO THE DATE OF THE INITIAL ACT

	01/01 -06/30/2017	01/01 -06/30/2018
<b>TOTAL AT THE NATIONAL LEVEL- ALL CASES</b>	163,613	176,202
<b>TOTAL AT THE NATIONAL LEVEL - WITHOUT ENFORCEMENT</b>	98,805	88,448
Basic courts- I+Iv	60,431	83,794
Commercial courts - all enforcement	4,377	3,960

Table 9

**According to the number of disposed backlog cases in the first semester of 2018, it can be expected that the number of disposed backlog cases at the end of 2018 will be at the level of last year, provided that vacant judicial positions are filled in first-instance courts. Otherwise, judges who perform their function cannot clear this enormous inflow, dispose backlog cases as planned and cover the lack of 412 judges in the judicial system of the Republic of Serbia.**

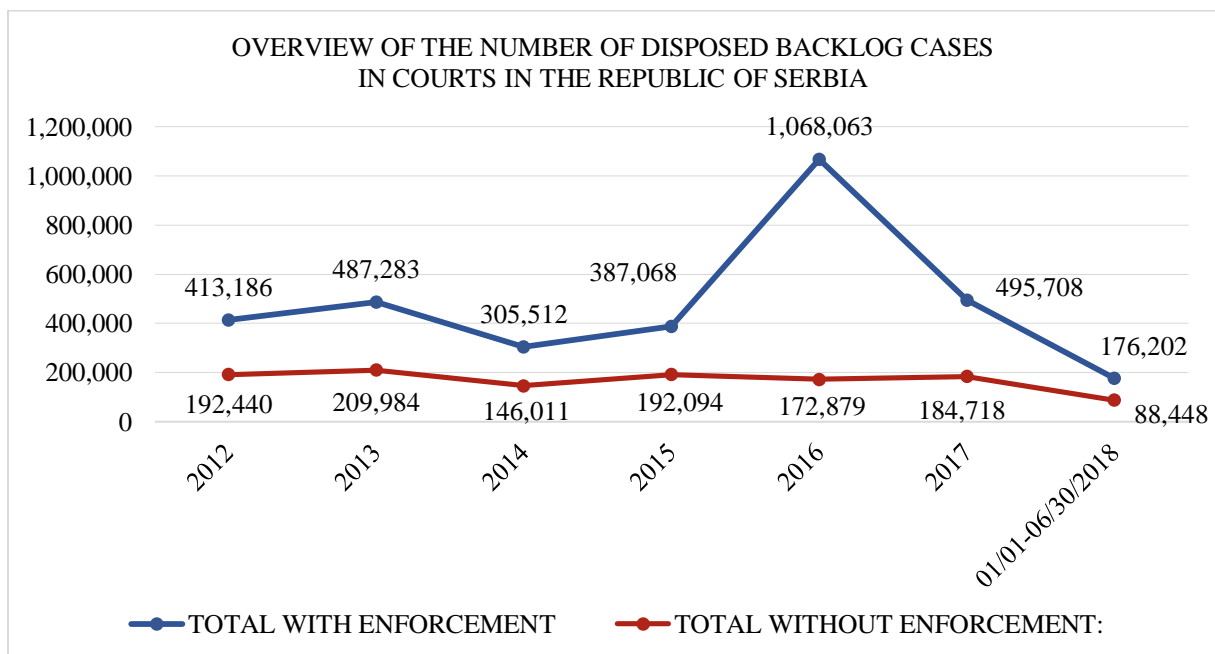


Chart 9

## VIII STRUCTURE OF PENDING BACKLOG CASES ON JUNE 30, 2018

### REPORT ON PENDING BACKLOG CASES ON 06/30/2018 – ACCORDING TO THE DATE OF THE INITIAL ACT

No.	Court name	Number of judges	TOTAL CASELOAD (total pending at the beginning + total incoming) 01/01-06/30/2018	TOTAL PENDING CASES WITH DURATION OF PROCEEDINGS LONGER THAN 24 MONTHS SINCE THE INITIAL ACT on 06/30/2018	AGE OF PENDING BACKLOG CASES				% OF BACKLOG CASES COMPARED TO TOTAL CASELOAD	AVERAGE NUMBER OF BACKLOG CASES PER JUDGE
					2 TO 3	3 TO 5	5 TO 10	MORE THAN 10		
1	Supreme Court of Cassation	36	13,610	5,058	1,458	1,403	1,558	639	37.16	140.50

No.	Court name	Number of judges	TOTAL CASELOAD (total pending at the beginning + total incoming) 01/01-06/30/2018	TOTAL PENDING BACKLOG CASES on 06/30/2018	AGE OF PENDING BACKLOG CASES				% OF BACKLOG CASES COMPARED TO TOTAL CASELOAD	AVERAGE NUMBER OF BACKLOG CASES PER JUDGE
					2 TO 3	3 TO 5	5 TO 10	MORE THAN 10		
1	Appellate courts	207	48,198	10,484	2,756	3,635	3,262	831	21.75	50.65
2	Higher courts	317	229,768	33,449	17,244	9,520	5,539	1,139	14.56	105.52
3	Basic courts	1,192	1,555,856	712,090	65,052	82,102	414,538	150,373	45.77	597.39
TOTAL:		1,716	1,833,822	756,023	85,052	95,257	423,339	152,343	41.23	440.57

No.	Court name	Number of judges	TOTAL CASELOAD (total pending at the beginning + total incoming) 01/01-06/30/2018	TOTAL PENDING BACKLOG CASES on 06/30/2018.	AGE OF PENDING BACKLOG CASES				% OF BACKLOG CASES COMPARED TO TOTAL CASELOAD	AVERAGE NUMBER OF BACKLOG CASES PER JUDGE
					2 TO 3	3 TO 5	5 TO 10	MORE THAN 10		
1	Administrative Court	37	43,172	4,041	3,419	618	4		9.36	109.22
2	Commercial Appellate Court	34	14,910	3,634	1,855	1,457	295	27	24.37	106.88
3	Commercial courts	142	120,473	25,049	5,168	9,388	10,296	197	20.79	176.40
TOTAL:		213	178,555	32,724	10,442	11,463	10,595	224	18.33	153.63

Table 10

**IX**  
**STRUCTURE OF PENDING BACKLOG CASES BY TYPES OF COURTS AND TRIAL MATTERS**

**HIGHER COURTS**  
**REPORT ON PENDING BACKLOG CASES**  
**ON DECEMBER 31, 2017 - ACCORDING TO THE DATE OF THE INITIAL ACT**

Number	Matter	Number of judges	TOTAL CASELOAD (total pending at the beginning + total incoming) 01/01-12/31/2017	TOTAL PENDING BACKLOG CASES on Dec 31, 2017	AGE OF BACKLOG CASES				% OF BACKLOG CASES COMPARED TO TOTAL CASELOAD	AVERAGE NUMBER OF BACKLOG CASES PER JUDGE
					2 TO 3	3 TO 5	5 TO 10	MORE THAN 10		
1	P	126	67,010	2,366	994	738	500	134	3.53	18.78
2	P1	88	12,241	348	163	120	63	2	2.84	3.95
3	P2	68	937	32	12	15	2	3	3.42	0.47
4	GŽ	134	104,809	18,507	8,148	6,052	3,531	776	17.66	138.11
5	GŽ 1	106	3,408	541	126	207	163	45	15.87	5.10
6	GŽ 2	67	1,441	37	23	11	3	0	2.57	0.55
7	K	80	4,667	1,043	298	348	348	49	22.35	13.04
8	KŽ 1	62	7,202	162	76	62	24	0	2.25	2.61
9	KIM	46	3,457	16	6	6	3	0	0.46	0.35
10	KM	42	2,108	2	1	1	0	0	0.09	0.05
TOTAL FOR TRIAL MATTERS		286	207,280	23,054	9,847	7,560	4,637	1,009	11.12	80.61
TOTAL FOR ALL MATTERS		317	273,645	24,525	10,326	8,119	4,961	1,109	8.96	77.37

Table 11

**HIGHER COURTS**  
**REPORT ON PENDING BACKLOG CASES**  
**ON JUNE 30, 2018 - ACCORDING TO THE DATE OF THE INITIAL ACT**

Number	Matter	Number of judges	TOTAL CASELOAD (total pending at the beginning + total incoming) 01/01-06/30/2018	TOTAL PENDING BACKLOG CASES on June 30, 2018	AGE OF BACKLOG CASES				% OF BACKLOG CASES COMPARED TO TOTAL CASELOAD	AVERAGE NUMBER OF BACKLOG CASES PER JUDGE
					2 TO 3	3 TO 5	5 TO 10	MORE THAN 10		
1	p	141	77,725	2,466	945	850	536	135	3.17	17.49
2	P1	91	15,632	284	101	119	60	4	1.82	3.12
3	P2	75	677	37	21	12	3	1	5.47	0.49
4	GŽ	128	75,411	27,240	15,049	7,330	4,041	820	36.12	212.81
5	GŽ 1	95	2,548	582	109	214	205	54	22.84	6.13
6	GŽ 2	77	660	44	28	11	5	0	6.67	0.57
7	K	76	3,641	994	282	322	342	48	27.30	13.08
8	KŽ1	57	3,750	225	125	70	30	0	6.00	3.95
9	KIM	44	2,343	8	6	2	0	0	0.34	0.18
10	KM	43	1,265	2	2	0	0	0	0.16	0.05
TOTAL FOR TRIAL MATTERS		281	183,935	31,882	16,668	8,930	5,222	1,062	17.33	113.46
TOTAL FOR ALL MATTERS		317	229,768	33,449	17,244	9,520	5,539	1,139	14.56	105.52

Table 12

**BASIC COURTS**  
**REPORT ON PENDING BACKLOG CASES**  
**ON 12/31/2017 – ACCORDING TO THE DATE OF THE INITIAL ACT**

No.	Matter	Number of judges	TOTAL CASELOAD (total pending at the beginning + total incoming) 01/01-12/31/2017	TOTAL PENDING BACKLOG CASES on 12/31/2017	AGE OF PENDING BACKLOG CASES				% OF BACKLOG CASES COMPARED TO TOTAL CASELOAD	AVERAGE NUMBER OF BACKLOG CASES PER JUDGE
					2 TO 3	3 TO 5	5 TO 10	MORE THAN 10		
1	П	612	301,569	34,174	16,585	10,624	5,912	1,053	11.33	55.84
2	П1	285	73,423	7,068	2,943	2,345	1,546	234	9.63	24.80
3	П2	285	54,123	661	430	192	37	2	1.22	2.32
4	К	291	65,977	5,211	1,869	1,947	1,302	93	7.90	17.91
TOTAL 1-4		1,004	495,092	47,114	21,827	15,108	8,797	1,382	9.52	46.93
5	ИВ	200	889,242	611,347	14,802	27,420	426,943	142,182	68.75	3,056.74
6	И	189	226,773	96,872	25,054	38,419	27,290	6,109	42.72	512.55
TOTAL 5-6		215	1,116,015	708,219	39,856	65,839	454,233	148,291	63.46	3,294.04
ALL ENFORCEMENT		467	1,393,557	721,640	45,897	72,572	454,835	148,336	51.78	1,545.27
TOTAL FOR ALL MATTERS		1,260	2,326,323	776,594	71,069	90,249	465,157	150,107	33.38	616.34

Table 13

**BASIC COURTS**  
**REPORT ON PENDING BACKLOG CASES**  
**ON 06/30/2018 – ACCORDING TO THE DATE OF THE INITIAL ACT**

No.	Matter	Number of judges	TOTAL CASELOAD (total pending at the beginning + total incoming) 01/01-06/30/2018	TOTAL PENDING BACKLOG CASES on 06/30/2018	AGE OF PENDING BACKLOG CASES				% OF BACKLOG CASES COMPARED TO TOTAL CASELOAD	AVERAGE NUMBER OF BACKLOG CASES PER JUDGE
					2 TO 3	3 TO 5	5 TO 10	MORE THAN 10		
1	Р	570	212,240	35,609	17,593	10,782	6,169	1,065	16.78	62.47
2	Р1	276	58,209	6,716	2,589	2,451	1,436	240	11.54	24.33
3	Р2	276	31,857	565	363	173	26	3	1.77	2.05
4	Р2n	186	4,879	0	0	0	0	0	0.00	0.00
5	К	270	41,064	4,430	1,865	1,337	1,136	92	10.79	16.41
6	Кn	157	3,193	5	4	0	1	0	0.16	0.03
TOTAL 1-6		955	351,442	47,325	22,414	14,743	8,768	1,400	13.47	49.55
7	Иv	198	624,967	555,135	13,105	24,487	374,790	142,753	88.83	2,803.71
8	И	187	165,234	90,923	20,932	35,303	28,883	5,805	55.03	486.22
TOTAL 7-8		213	790,201	646,058	34,037	59,790	403,673	148,558	81.76	3,033.14
ALL ENFORCEMENT		454	943,490	657,940	39,426	65,349	404,562	148,603	69.73	1,449.21
TOTAL FOR ALL MATTERS		1,192	1,555,856	712,090	65,052	82,102	414,538	150,373	45.77	597.39

Table 14

**OVERVIEW OF PENDING BACKLOG CASES ACCORDING TO THE DATE OF THE INITIAL ACT  
IN CRIMINAL MATTER FIRST INSTANCE**

CRIMINAL MATTER	MATTERS	12/31/2017		06/30/2018	
		Number of judges	Number of cases	Number of judges	Number of cases
Higher courts	K	80	1,043	76	994
Basic courts	K	291	5,211	270	4,430
<b>TOTAL:</b>		371	6,254	346	5,424

*Table 15*

**OVERVIEW OF PENDING BACKLOG CASES ACCORDING TO THE DATE OF THE INITIAL ACT IN  
CIVIL MATTER FIRST INSTANCE**

CIVIL MATTER	MATTERS	12/31/2017		06/30/2018	
		Number of judges	Number of cases	Number of judges	Number of cases
Higher courts	P	126	2,366	141	2,466
	P1	88	348	91	284
	P2	68	32	75	37
<b>TOTAL:</b>		282	2,746	307	2,787
Basic courts	P	612	34,174	570	35,609
	P1	285	7,068	276	6,716
	P2	285	661	276	565
<b>TOTAL:</b>		1,182	41,903	1,122	42,890
TOTAL BC+HC:	P	738	36,540	711	38,075
	P1	373	7,416	367	7,000
	P2	353	693	351	602
<b>TOTAL P+P1+P2 (BC+HC):</b>		1,464	44,649	1,429	45,677

*Table 16*

OVERVIEW OF PENDING BACKLOG CASES  
ACCORDING TO THE DATE OF THE INITIAL ACT  
IN CRIMINAL MATTER FIRST INSTANCE (K)

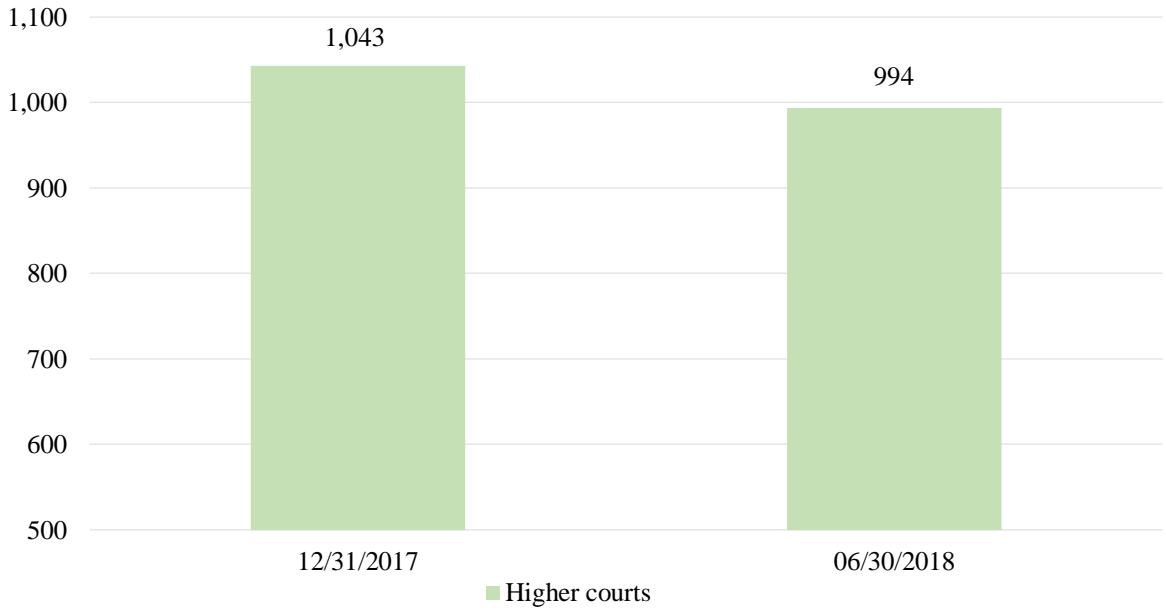


Chart 10

OVERVIEW OF PENDING BACKLOG CASES  
ACCORDING TO THE DATE OF THE INITIAL ACT  
IN CIVIL MATTER  
FIRST INSTANCE (P, P1. P2)

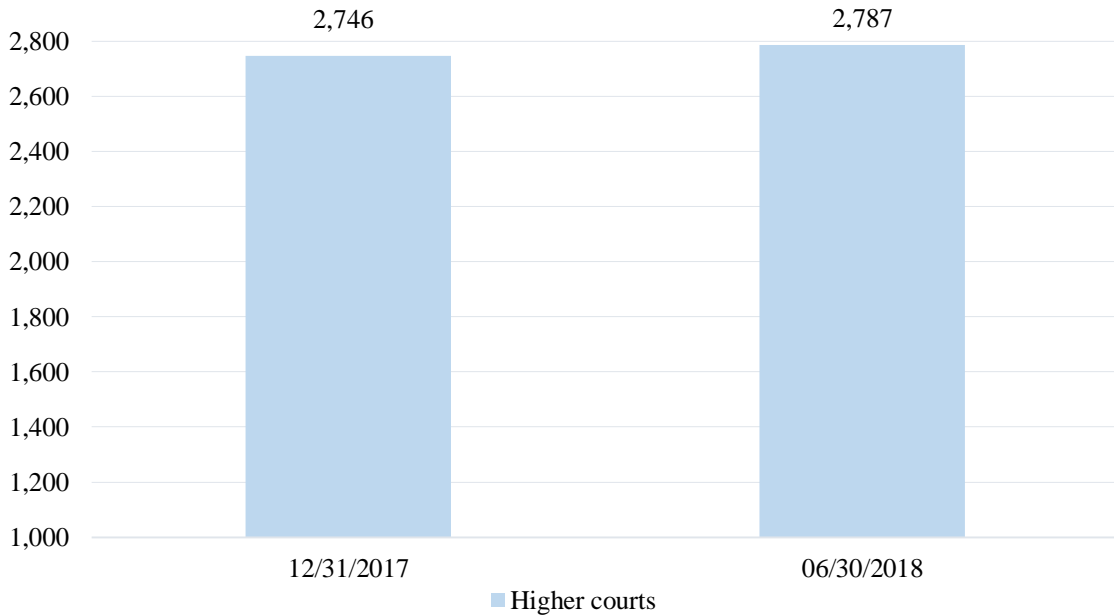


Chart 11



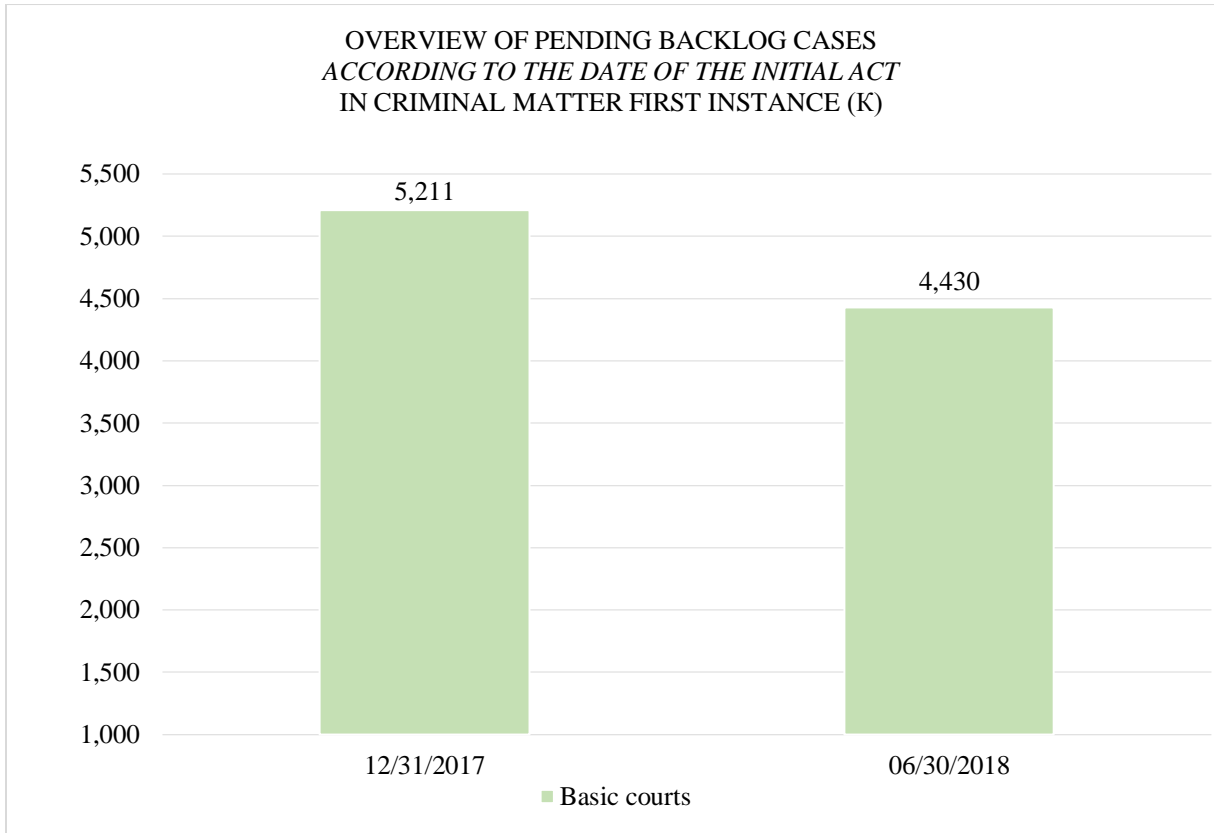


Chart 12

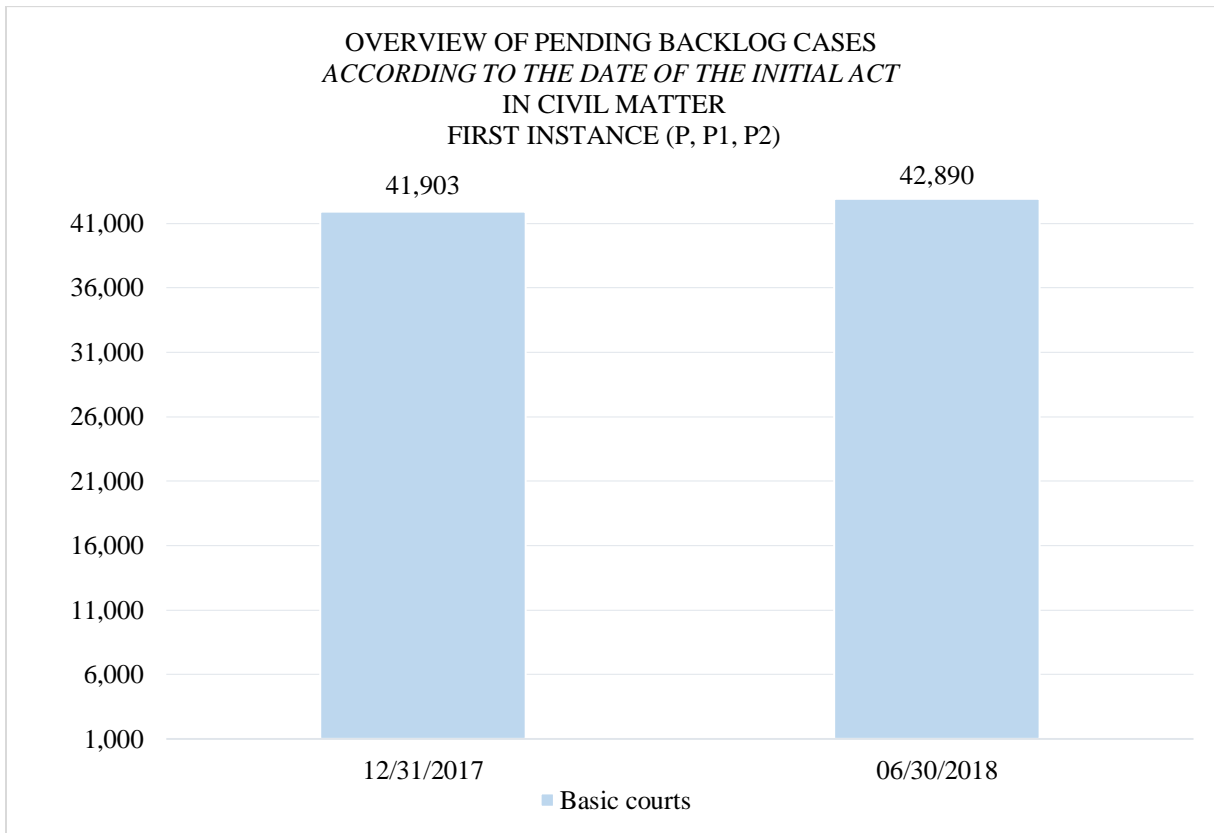


Chart 13

**COMMERCIAL COURTS**  
**REPORT ON PENDING BACKLOG CASES**  
**ON 06/30/2018 - ACCORDING TO THE DATE OF THE INITIAL ACT**

Number	Matter	Number of judges	TOTAL CASELOAD (total pending at the beginning + total incoming) 01/01-06/30/2018	TOTAL PENDING BACKLOG CASES on 06/30/2018	AGE OF BACKLOG CASES				% OF BACKLOG CASES COMPARED TO TOTAL CASELOAD	AVERAGE NUMBER OF BACKLOG CASES PER JUDGE
					2 TO 3	3 TO 5	5 TO 10	MORE THAN 10		
1.	Commercial offences	51	32,220	202	96	102	4	0	0.63	3.96
2.	Bankruptcy	57	2,534	1,466	241	347	789	89	57.85	25.72
a	I	30	6,541	4,048	1,081	1,840	1,116	11	61.89	134.93
b	Iv	28	20,839	17,091	2,932	6,312	7,841	6	82.01	610.39
c	Total (a+b)	32	27,380	21,139	4,013	8,152	8,957	17	77.21	660.59
d	Other enforcement	76	21,775	126	49	43	33	1	0.58	1.66
3.	All enforcement (v+g)	78	49,155	21,265	4,062	8,195	8,990	18	43.26	272.63
4.	Payment order	46	349	0	0	0	0	0	0.00	0.00
5.	Litigation	90	16,099	2,093	761	740	509	83	13.00	23.26
6.	Non-litigious	66	4,554	23	8	4	4	7	0.51	0.35
7.	Reasonable time	52	15,562	0	0	0	0	0	0.00	0.00
TOTAL 1-7		142	120,473	25,049	5,168	9,388	10,296	197	20.79	176.40

Table 17

**MISDEMEANOR COURTS**  
**REPORT ON PENDING BACKLOG CASES**  
**ON 06/30/2018- ACCORDING TO THE DATE OF INITIAL ACT**

Number	Matter	Pending cases on 06/30/2018		
	Classification	Registry	Total pending	Pending backlog cases according to the date of initial act
1	01-Public order and peace	PR	23,770	2
		PRn	38	
		PRM	1,344	
		PRMn		
2	02- Traffic	PR	153,399	7
		PRM	1,768	
3	03- Public safety	PR	12,923	1
		PRM	916	
4	04-Economy	PR	29,041	222
		PRM	20	
5	05-Finance and customs	PR	25,836	10,131
		PRM	11	2
6	07-Education, science, culture and information	PR	2,260	2
		PRM	8	
7	08-Health and social protection, health insurance and environmental protection	PR	3,737	19
		PRM	3	0
TOTAL		PR	250,966	10,384
		PRn	38	0
		PRM	4,070	2
		PRMn	0	0
		<b>Total</b>	<b>255,074</b>	<b>10,386</b>

Table 18

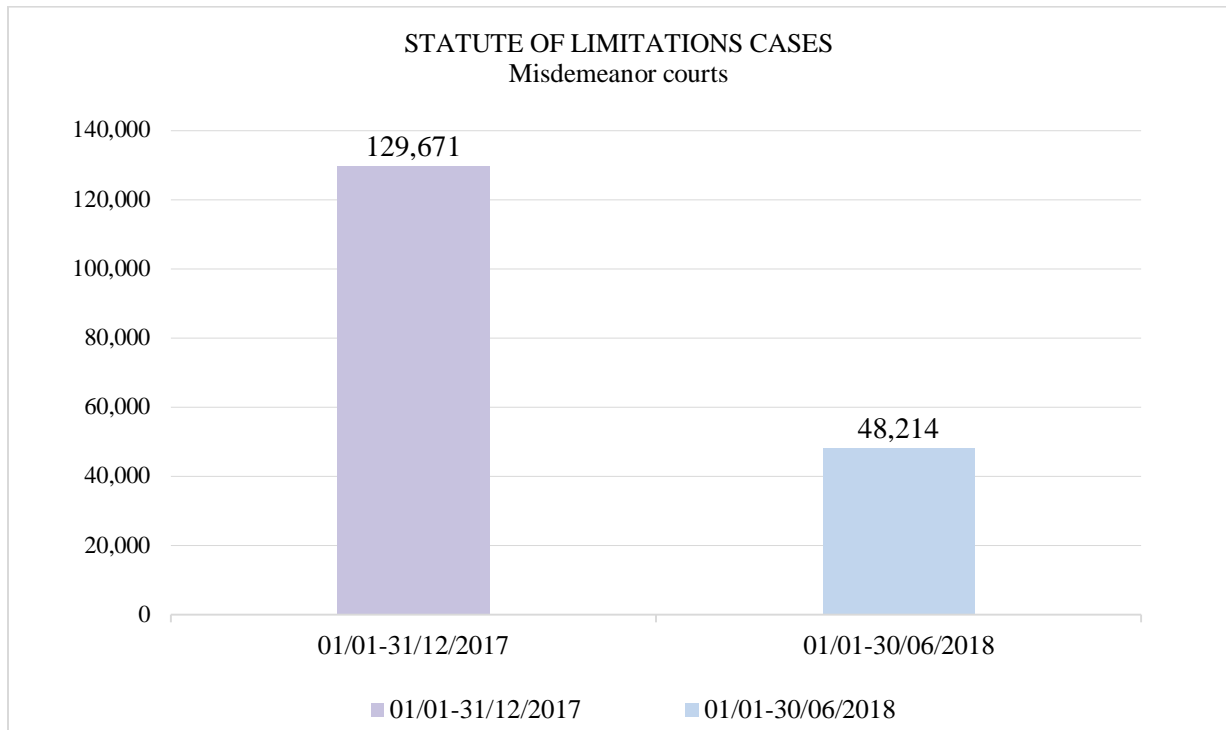


Chart 14

STATUTE OF LIMITATIONS		01/01-12/31/2017				01/01-06/30/2018			
Number	Court	Total number of disposed cases in 2017	Decision on suspension due to the statute of limitations	Rejected/reversed decision due to the statute of limitations	Total statute of limitations	Total number of disposed cases in 2017 01/01-06/30/2018	Decision on suspension due to the statute of limitations	Rejected/reversed decision due to the statute of limitations	Total statute of limitations
1	Appellate courts	52,607		7	7	29,419	0	3	3
2	Higher courts	115,087	19	4	23	84,785	2	4	6
3	Basic courts	280,555	52	97	149	149,739	27	23	50
4	Commercial Appellate Court	12,470				7,502			
5	Commercial courts	104,080	8		8	62,204	3	0	3
6	Misdemeanor Appellate Court	26,520	13	2,946	2,959	12,376	6	1,331	1,337
7	Misdemeanor courts	696,607	126,723	2,948	129,671	342,275	47,192	1,022	48,214
TOTAL		1,287,926	126,815	6,002	132,817	688,300	47,230	2,383	49,613

Table 19

**ADMINISTRATIVE COURT**  
**REPORT ON PENDING BACKLOG CASES**  
**ON 06/30/2018 - ACCORDING TO THE DATE OF INITIAL ACT**

Number	Matter	Number of judges	TOTAL CASELOAD (total pending at the beginning + total incoming) 01/01-06/30/2018	TOTAL PENDING BACKLOG CASES on 06/30/2018	AGE OF PENDING CASES				% OF BACKLOG CASES COMPARED TO TOTAL CASELOAD	AVERAGE NUMBER OF BACKLOG CASES PER JUDGE
					2 TO 3	3 TO 5	5 TO 10	MORE THAN 10		
1	U	37	41,207	3,965	3,352	610	3		9.62	107.16
2	UR	36	212	12	10	1	1		5.66	0.33
3	UI	36	488	32	30	2			6.56	0.89
4	UO	34	41							
5	UV	14	584	4	4				0.68	0.29
6	UP	34	225	28	23	5			12.44	0.82
TOTAL 1-6		37	42,757	4,041	3,419	618	4		9.45	109.22
7	UVP I									
8	UVP II									
9	UŽ	30	201							
10	UIP									
11	U-uz	8	9							
TOTAL 7-11		30	210							
12	R4 u	1	205							
TOTAL 1-12		37	43,172	4,041	3,419	618	4		9.36	109.22

Table 20

**X**  
**PENDING CASES OLDER THAN 10 YEARS ON 06/30/2018**  
**IN HIGHER AND BASIC COURTS**

No.	Court name	P	P1	P2	K	All matters
<b>APPELLATE COURT IN BELGRADE</b>						
1	Higher Court in Belgrade	114	4	1	36	779
2	Higher Court in Valjevo	1				4
3	Higher Court in Pančevo					2
4	Higher Court in Smederevo				2	13
5	First Basic Court in Belgrade	361	62		6	91,138
6	Second Basic Court in Belgrade	162	17	1	7	23,917
7	Third Basic Court in Belgrade	189	78		31	21,035
8	Basic Court in Valjevo	5				6
9	Basic Court in Velika Plana	18	7		1	123
10	Basic Court in Vršac				1	10
11	Basic Court in Lazarevac	1			12	72
12	Basic Court in Mionica	1				4
13	Basic Court in Mladenovac	1				1,452
14	Basic Court in Obrenovac	3	2			315
15	Basic Court in Pančevo	6				48
16	Basic Court in Smederevo	25	8		5	517
17	Basic Court in Ub	3				15
<b>HIGHER AND BASIC - TOTAL</b>		<b>890</b>	<b>178</b>	<b>2</b>	<b>101</b>	<b>139,450</b>
<b>APPELLATE COURT IN KRAGUJEVAC</b>						
1	Higher Court in Novi Pazar	3				10
2	Higher Court in Kragujevac	2				75
3	Higher Court in Jagodina	1				1
4	Higher Court in Kraljevo					2
5	Higher Court in Kruševac					10
6	Higher Court in Požarevac					3
7	Higher Court in Užice					4
8	Higher Court in Čačak	2				33
9	Basic Court in Arandelovac	1			5	128
10	Basic Court in Brus		1			63
11	Basic Court in Veliko Gradište	1				1
12	Basic Court in Gornji Milanovac	1				140

13	Basic Court in Despotovac	3	2			36
14	Basic Court in Ivanjica	3				48
15	Basic Court in Jagodina	5	1			20
16	Basic Court in Kragujevac	16			1	394
17	Basic Court in Kraljevo	6		1		152
18	Basic Court in Kruševac	17				1,367
19	Basic Court in Novi Pazar	6	2			531
20	Basic Court in Paraćin	7	1			29
21	Basic Court in Petrovac na Mlavi	4				5
22	Basic Court in Požarevac	1				6
23	Basic Court in Požega					
24	Basic Court in Priboj	1				2
25	Basic Court in Prijepolje		1			8
26	Basic Court in Raška	4				22
27	Basic Court in Sjenica					16
28	Basic Court in Trstenik					80
29	Basic Court in Užice	5	1			37
30	Basic Court in Čačak	18				2,423
<b>HIGHER AND BASIC - TOTAL</b>		<b>107</b>	<b>9</b>	<b>1</b>	<b>6</b>	<b>5,646</b>
<b>APPELLATE COURT IN NIŠ</b>						
1	Higher Court in Vranje					50
2	Higher Court in Zaječar					10
3	Higher Court in Leskovac					3
4	Higher Court in Negotin					
5	Higher Court in Niš	2			2	77
6	Higher Court in Pirot					
7	Higher Court in Prokuplje					
8	Basic Court in Aleksinac	2	1			16
9	Basic Court in Bor	1	1			2
10	Basic Court in Bujanovac					475
11	Basic Court in Vranje	9	2			2,148
12	Basic Court in Dimitrovgrad					
13	Basic Court in Zaječar	2				7
14	Basic Court in Knjaževac					1
15	Basic Court in Kuršumlija					41
16	Basic Court in Lebane					23
17	Basic Court in Leskovac	45	1	1		411

18	Basic Court in Majdanpek					
19	Basic Court in Negotin	6				17
20	Basic Court in Niš	35			9	1,549
21	Basic Court in Pirot	3				52
22	Basic Court in Prokuplje					133
23	Basic Court in Surdulica	4	2			848
<b>HIGHER AND BASIC - TOTAL</b>		<b>109</b>	<b>7</b>	<b>1</b>	<b>11</b>	<b>5,863</b>
<b>APPELLATE COURT IN NOVI SAD</b>						
1	Higher Court in Zrenjanin					5
2	Higher Court in Novi Sad	4			6	28
3	Higher Court in Sombor					5
4	Higher Court in Sremska Mitrovica	4			1	17
5	Higher Court in Subotica					2
6	Higher Court in Šabac	2			1	6
7	Basic Court in Bačka Palanka	3	2		1	18
8	Basic Court in Bečež	4	1			6
9	Basic Court in Vrbas		36			36
10	Basic Court in Zrenjanin	4				16
11	Basic Court in Kikinda					16
12	Basic Court in Loznica	10			3	80
13	Basic Court in Novi Sad	18			1	105
14	Basic Court in Ruma	9	1		2	23
15	Basic Court in Senta					
16	Basic Court in Sombor	4	10			43
17	Basic Court in Sremska Mitrovica	15			1	47
18	Basic Court in Stara Pazova	5			5	51
19	Basic Court in Subotica	2				2
20	Basic Court Šabac	10			1	45
21	Basic Court in Šid					2
<b>HIGHER AND BASIC - TOTAL</b>		<b>94</b>	<b>50</b>	<b>0</b>	<b>22</b>	<b>553</b>

Table 21

**XI**  
**BACKLOG CASES COMPARED TO THE TOTAL NUMBER OF PENDING CASES**  
**IN BASIC COURTS ON 06/30/2018**

The number of pending backlog cases in trial matters in basic courts compared to the total number of pending cases in these courts represents 23.49%, and compared to the total caseload in this period, the number of backlog cases was 13.65%.

**BASIC COURTS**

Number	Matter	Number of judges	Pending on 06/30/2018	Pending backlog cases on 06/30/2018	Total caseload	% of backlog cases compared to the number of pending cases on 06/30/2018	% of backlog cases compared to total caseload on 06/30/2018	Remained pending backlog cases per judge on 06/30/2018
1	P	570	125,597	35,609	212,240	28.35	16.78	62.47
2	P1	276	39,939	6,713	58,209	16.81	11.53	24.32
3	P2	276	13,551	565	31,857	4.17	1.77	2.05
4	K + Kn	270	22,357	4,435	44,257	19.84	10.02	16.43
<b>TOTAL 1-4</b>		<b>955</b>	<b>201,444</b>	<b>47,322</b>	<b>346,563</b>	<b>23.49</b>	<b>13.65</b>	<b>49.55</b>
5	I, Iv	213	687,785	646,058	790,201	93.93	81.76	3,033.14
<b>TOTAL FOR ALL MATTERS</b>		<b>1,192</b>	<b>1,004,008</b>	<b>712,090</b>	<b>1,555,856</b>	<b>70.92</b>	<b>45.77</b>	<b>597.39</b>

Table 22

In basic courts, 955 judges adjudicated in trial matters, and according to the above-mentioned indicators, each of them had an average of 49.55 pending backlog cases. However, judges are not evenly burdened, so the main workload remains in the courts in Belgrade, as well as in basic courts in the seat of appellate courts.

The percentage of pending backlog cases of 23.49% compared to the total number of pending cases in basic courts, except in matter „P“ is less than 20% (which was projected, as a desired target, in the Single Backlog Reduction Program with the validity period until 2018).

However, all these results are questionable if the so-called utility enforcement cases (“Iv”) are counted in as backlog cases, and there are more than 500,000 of such cases, of which there are 140,000 of such cases that are older than 10 years. It is therefore necessary to undertake urgent systemic, general and individual measures, especially for Belgrade basic courts, and increase the number of judges, through the annual work schedule, that will be working in enforcement departments, since the existing number of 198 judges that decide in enforcement cases is insufficient.

In addition, a detailed analysis of the structure of claims and enforcement creditors for pending backlog enforcement cases needs to be undertaken, as well as the analysis of costs of enforcement of forced collection of the so-called utility claims in the judicial enforcement system, where the enforcement creditors are public utility companies and legal entities



controlled by the state, since many of them are minor when it comes to the principle (0.2 RSD, 0.34 RSD, 100.00 RSD, 500.00 RSD). The court system should not be dealing with these minor claims, as this reduces efficiency and the civil and legal protection does not make any sense in such circumstances, and it all comes down to the collection of costs of proceedings.

PRESIDENT  
OF THE SUPREME COURT OF  
CASSATION

Dragomir Milojević

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