

**“Methods of approach for
measuring and regulation of the
workload of the prosecutors in the
Republic of Bulgaria”**

*Elka Atanasova,
Member of the Supreme Judicial Council*

Standing Committees of the Supreme Judicial Council of the Republic of Bulgaria

COMMITTEE ON
PROPOSALS AND
APPRAISAL OF JUDGES,
PROSECUTORS AND
INVESTIGATORS

PROFESSIONAL ETHICS
AND PREVENTION OF
CORRUPTION" COMMITTEE

COMMITTEE ON
DISCIPLINARY
PROCEEDINGS

"BUDGET AND FINANCE"
COMMITTEE

"PUBLIC COMMUNICATION"
COMMITTEE

COMMITTEE ON ANALYSIS
AND REPORT OF THE
WORKLOAD OF THE
BODIES OF THE
JUDICIARY

"PROFESSIONAL
QUALIFICATION,
INFORMATION
TECHNOLOGY AND
STATISTICS" COMMITTEE

COMMITTEE ON LEGAL
AFFAIRS

"INTERNATIONAL
RELATIONS" COMMITTEE

"JUDICIAL
ADMINISTRATION"
COMMITTEE

COMMITTEE FOR THE
PREVENTION AND EXPOSURE OF
CONFLICT OF INTEREST, AND
COOPERATION WITH THE
INSPECTORATE TO THE SUPREME
JUDICIAL COUNCIL

Strategic goal of the SJC - elaboration and implementation of a model for analysis and objective assessment of the workload in the courts and the prosecutor's offices and workload standard of the judges, prosecutors and investigators

Setting up a Working group for elaboration of a mid-term strategy on human resources in the judiciary to the Committee on Analysis and Report of the Workload of the Bodies of the Judiciary, composed of:

- Members of the SJC
- Judges, prosecutors and investigators, including administrative heads of the bodies of the Judiciary,
- Representatives of the professional organizations of magistrates
- Inspectors of the Inspectorate to the Supreme Judicial Council
- Experts from the National Statistical Institute and the Bulgarian Academy of Science
- Experts in information technologies
- Representatives of the non-governmental organizations (NGO)
- Independent work of the judges and the prosecutors in the Working group on the workload standard.

The system for assessment of the workload of the prosecutors in operation until 31.12.2014

- 59 statistical indicators are being taken into consideration
- the weight of all indicators is equal
- the workload shall be calculated through counting the indicators and dividing them to the prosecutors who have actually worked during the statistical period
- the actual amount of work, carried out by the prosecutors, is not assessed
- the weight of each particular action/act of the prosecutor is not assessed
- the amount of the professional activities that may be performed during the working hours is not assessed
- the resolution of cases and files with an act on the substance of the case is not stimulated

Goals-measuring the workload of the prosecutors and determining a workload standard

Measuring of:

- the actual amount of work, carried out by the prosecutors
- the period of time in which it is performed
- the volume of professional activities which may be performed within the statutory working time.

Establishing a workload standard for a prosecutor – time standards for calculating the time necessary for performing different types of actions and acts, assessed by their weight/complexity.

An objective measurement of the workload of prosecutors – importance to the powers of the Supreme Judicial Council

- Implementation of effective management of the judiciary
- Determining the number, the judicial districts, according to the level of the workload, establishment and closure of bodies of the judiciary, a change of judicial districts and the seats of the bodies of the judiciary
- Determining the number of prosecutors and investigators in the prosecutor's offices and investigation departments, according to the level of workload
- Determining the number of judicial employees according to the level of workload in the different structures of the judiciary
- Regulating the individual workload of the prosecutors and investigators by adopting a "workload standard"
- Performing an assessment of the prosecutors and investigators
- Analyzing and assessing the level of workload in the different courts and prosecutor's offices

Workload Standard

The workload standard is a time standard for measuring the time, the prosecutor needs to perform the various professional activities, assessed also by their complexity.

Scope of the time value:

- assessing the documents
- decision making
- preparation of the act/performing the action

Coefficient of the basic act – one /1/ with a time value of 150 minutes.

The coefficient of the remaining categories of the acts/actions shall be calculated according that basic coefficient through the time needed for the preparation of the act/performing the action, depending on their complexity.

The workload standard is based on one working day and shall be two acts with weight of basic coefficient - one.

System for measuring the workload of the prosecutors

- 72 quantitative indicators – acts and actions of the prosecutor, each with an individual coefficient and time value, calculated according to the basic coefficient 1(one) with time value of 150 minutes.
- The coefficient includes the quantity and the quality of the performed work by the prosecutor
- Security of the data – the acts and the actions of the prosecutor shall be assessed through their entering into the Unified Information System (UIS)
- Auditability and reliability of the data (files for each act)
- Result- reduction of the duration of the proceedings

Aggravating criteria

Five aggravating criteria

- A significant amount of materials on the case
- Criminal activity of more than two persons
- More than 2 criminal acts
- More than 3 qualified indications of the offence
- Examining the results of the application of special investigative means

Assessment form

Control by the administrative head of the Prosecutor's office

Effects of their application:

- An incentive for faster conclusion of the case with an act of decision – complexity assessment shall be given only to final acts for resolution of the case
- An incentive for preparation of qualitative acts– in case of repeal of the act, the next act shall not be given a weight coefficient

Results of the application of the Rules for measuring the workload of the prosecutors

The workload data shall be derived from the Unified Information System

- auditability and reliability of the data on a real time basis
- the actually performed activity of each prosecutor is measured
- the average daily workload of the prosecutors on the different levels is measured

Regulation of the workload and effective management of the budgetary and human resources:

- of the administrative head of the Prosecutor's office
- of the SJC

*Thank you very much
for your attention!*