

# Justice

in numbers 

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2010

## 1. Context

This **Executive Summary** summarizes the main information contained in the *Justice in Numbers 2010 Report* written about the Brazilian Judiciary<sup>1</sup>. The material is part of the Statistics System of the Judiciary Power (SIESPJ) and comprises the collection and processing of data that enable one to open, on a consistent basis, the discussion to understand the budgetary, administrative and litigation indicators of Brazilian courts<sup>2</sup>.

In this issue, the *Justice in Numbers 2010 Report* presents valuable information to society about the reality of the Judiciary in the country, including comparative analyses of data from years 2009 and 2010, besides providing the main aggregate results of the structure and litigation activities at the State, Federal and Labor Courts.

## 2. Key indicators of the Judiciary in 2010 (State, Federal and Labor Courts)

The indicators of the *Justice in Numbers Report* offer a profile of the Judiciary from a global perspective, based on metrics that enable the construction of analyses related to litigation, structure and budgetary aspects.

Thus, we present below a summary of the information collected and aggregated, based on the main indicators used in State, Federal and Labor Courts.

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1 Established by CNJ Resolution No 4 / 2005 and currently regulated by CNJ Resolution N° 76/2009.

2 It should be noted that the data reported in the Justice in Numbers Report are the sole responsibility of the participating the state, federal and labor courts, as provided in Art. 4 of Resolution 76 from 2009 .

## 2.1 INPUTS AND ENDOWMENTS

### 2.1.1 Expenditures in relation to GDP, gross and per capita spending

During 2010, the total expenditures of the Brazilian Judiciary(State, Federal and Labor branches) amounted to R\$ 41 billion, equivalent to 1.12% of the national GDP, 2% of the expenses of the Federal Union and the States and R\$ 212.37 per year per inhabitant. The total expenditures in 2010 grew by 3.7% over the previous year (R\$ 39.6 billion)<sup>3</sup>.

### 2.1.2 Total Judiciary expenditures *versus* personnel structure and procedural demands

The average spending in the three branches of Justice amounted to R\$ 1,693.94 per new case, ranging from R\$ 1.3 thousand in State Courts to R\$ 3.2 thousand in Labor Courts. On average, the Judiciary spent R\$ 127.5 thousand per civil servant and R\$ 2.4 million per magistrate. We should emphasize that the budget here considered included all costs of the courts, not only those incurring from human resources.

### 2.1.3 Expenditure on human resources

Expenditures on human resources reached a total of R\$ 36.8 billion, which represents an increase of 3% compared to 2009. The percentage of expenditures on human resources reached an average of 89.6% (ranging from 86.5% in the State Courts to 95.5% in Labor Courts).

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<sup>3</sup> Monetary values deflated by the IPCA index, as per the Dec/2010 base index.

### 2.1.4 Revenues

Out of the amounts collected by the three branches of Justice (Federal, State and Labor courts), the revenues from fees and other collections of fiscal and social security provisions are then calculated. The total revenue for 2010 was R\$ 17.6 billion. In the calculation of the indicator “revenues in relation to the total expenditures of Justice”, the percentage of Federal Courts reaches 95%, well above that of State Courts (34.6%) and Labor Courts (31.6%).

### 2.1.5 Human resources

The workforce of the Judiciary system (Federal, State and Labor Courts) consisted, at the end of 2010, of approximately 339,000 employees, of which 16,804 are magistrates and 321,963 are civil servants. The total number of positions comprises officially affiliated employees (exception made to employees directly allocated from other public institutions), employees requested from other institutions, outsourced workers, interns and employees commissioned without public service official affiliation. The number of judges increased by 3.2% compared to 2009, whereas the number of civil servants has increased only by 1.8%. The total number of civil servants working in the judiciary area was also analyzed.<sup>4</sup> Such staff amounted to about 78.5% of the Judiciary civil servants.

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<sup>4</sup> The judicial area is understood to mean the sectors that directly drive the course of judicial proceedings, such as: judicial protocol, distribution, offices, bookkeeping, writ, judicial departments, warrant issuing centrals, shorthand, stenography, notice processing systems, public auctions, forensic analysis (accounting, medicine, social work and psychology areas), reconciliation central, sectors of admissibility of resources, filing, etc. As to what regards the full staff of civil servants, only those effectively hired by the courts were considered, not those who have been requested or allocated from other public institutions or those on commission

### **2.1.6 Magistrates and work force per hundred thousand inhabitants**

The Judiciary (in the three investigated branches) has, on average, 9 judges per group of one hundred thousand inhabitants. The highest ratio is in State Courts (6 judges per 100,000 inhabitants), and the lowest one in Federal Courts (1 magistrate per 100,000 inhabitants).

As to what regards the workforce per 100,000 inhabitants, there were, on average, 167 civil servants in the Judiciary per every 100,000 inhabitants at the end of 2010 (ranging from 122 in State Courts to 20 in the Federal Courts).

## **2.2 LITIGATION**

### **2.2.1 General case flow data**

During 2010, 24.2 million lawsuits were filed in the three Judiciary branches (17.7 million in State Courts, 3.3 million in Federal Courts and 59.2 million in Labor Courts), and at the end of the year there were 59.2 million pending lawsuits. Thus, the case flow of the Brazilian Judiciary in 2010 amounted to 83.4 million lawsuits. This number represents the sum of incoming lawsuits and previously pending ones. It is worth mentioning that, out of the total case flow in 2010, more than 71% were filed before 2010 (i.e. were already pending in early 2010).

22.2 million decisions were issued, divided as outlined below: 15.8 million in State Courts (representing 71% of the total), 2.9 million in Federal Courts and 3.5 million in Labor Courts.

## **2.2.2 Incoming cases per hundred thousand inhabitants**

There were, at the end of 2010, 11.536 new cases for each group of one hundred thousand inhabitants in the three Judiciary branches. The most demanded branch was that of State Courts, with 8.641 new cases for every group of 100,000 inhabitants.

## **2.2.3 1<sup>st</sup> Instance Litigations and Small claims courts**

In 1<sup>st</sup> Instance Courts<sup>5</sup> approximately 20.5 million lawsuits were filed in 2010, 73% of which (in average) corresponded to pre-trial lawsuits, and the other 27% were related to enforcement-stage lawsuits. The number of new lawsuits in the first instance decreased about 5% when compared to 2009 numbers (at that year, the full amount was of 21.6 million cases). There were 55.7 million cases pending resolution at the end of 2010, representing an increase of 2% over the previous year.

## **2.2.4 Fiscal enforcement lawsuits**

Out of the 83.4 million ongoing lawsuits in Brazilian courts in 2010, 27 million were fiscal enforcement proceedings, constituting approximately 32% of the total.

It is important to mention that out of 46.3 million lawsuits pending resolution in the 1<sup>st</sup> Instance of State Courts, approximately 20.9 million (or 45%) were fiscal enforcement proceedings.

Upon analysis of the enforcement-stage lawsuits being processed in the three Judiciary branches, the amount of fiscal enforcement lawsuits becomes much more representative, amounting to 76% of the total. It should be noted that in Federal

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<sup>5</sup> Includes 1<sup>st</sup> Instance Courts and Small claims courts

Courts the percentage of fiscal enforcement lawsuits reached 79% of ongoing lawsuits in the 2010 fiscal year, also for lawsuits in execution stage.

### **2.2.5 Incoming cases per magistrate and civil servants working in the judiciary area per magistrate in 1<sup>st</sup> Instance Courts and in Small claims courts**

Brazilian 1<sup>st</sup> instance courts (in its three branches) received, on average, approximately 1,290 new cases for every magistrate in 2010<sup>6</sup>. The index of Civil Servants acting on the Judicial Area<sup>7</sup> per magistrate amounted to 11; that is, in 2010 there were, on average, for each judge of a 1<sup>st</sup> instance court, 11 civil servants in the judicial area, 8 being the average in Labor Courts, 10 in Federal Courts and 12 in State Courts.

### **2.2.6 Caseload and backlog rates in First Instance and Small Claims Courts**

Caseload is the indicator commonly utilized to measure the amount of lawsuits magistrates have to rule on, on average, every year. Each 1<sup>st</sup> Instance magistrate in the Brazilian Judiciary had, on average, 5,423 lawsuits that could be ruled on in 2010. In comparison with 2009, the caseload for 1<sup>st</sup> instance courts increased 3.6%.

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6 For this number, the lawsuits considered were those of pre-trial in 1<sup>st</sup> instance and new lawsuits of enforcement of extra-judicial orders in the 1<sup>st</sup> instance and in small claims courts.

7 The judicial area is understood to mean the sectors that directly drive the course of judicial proceedings, such as: judicial protocol, distribution, offices, bookkeeping, writ, judicial departments, warrant issuing centrals, shorthand, stenography, notice processing systems, public auctions, forensic analysis (accounting, medicine, social work and psychology), reconciliation central, sectors of admissibility of resources, filing, etc. As to what regards the full staff of civil servants, only those effectively hired by the courts were considered, not those who have been requested or allocated from other public institutions or those on commission.

The Backlog rate is the indicator used to measure, in a given year, the percentage of ongoing cases which have not been resolved<sup>8</sup> in that same year.

- Backlog rate for pre-trial lawsuits

The 1<sup>st</sup> instance courts of the Brazilian Judiciary had a backlog rate of 58% for pre-trial lawsuits in 2010; that is, out of 100 ongoing lawsuits in that year, approximately 58 were not resolved (or were not referred to the enforcement stage)<sup>9</sup>. The highest percentages were found in State and Federal Courts (60% and 58%, respectively).

- Backlog rate for enforcement stage lawsuits

As for enforcement stage lawsuits, the 1<sup>st</sup> instance courts had a backlog rate of 84% in 2010; that is, out of 100 ongoing lawsuits in that year, approximately 84 were not definitively resolved. The highest percentage values were again to be found in the State and Federal Courts (86% and 85%, respectively).

### **2.2.7 Sentences per magistrate and resolved cases per incoming case in 1<sup>st</sup> Instance and Small claims courts**

The number of lawsuit-terminating decisions per 1<sup>st</sup> instance courts magistrates is considered an indicator of productivity, that is, how many sentences were rendered in a given period.

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<sup>8</sup> To be considered resolved the lawsuit must be: a) sent to other competent judicial institutions, if those are related to other Courts; b) sent for superior or inferior instances; c) closed definitely. Lawsuits which are sent for the fulfillment of affidavits and sent for loading/analysis are not considered to be resolved.

<sup>9</sup> The concept of referral here refers to the shift of a lawsuit from the pre-trial to the enforcement stage.

In 1<sup>st</sup> Instance and Small claims courts, each Brazilian magistrate rendered sentences for, on average, 1,281 lawsuits, a decrease of 10% in relation to 2009.

The indicator of resolved lawsuits per incoming case in the 1<sup>st</sup> instance has the goal of demonstrating, in percentage terms, the amount of lawsuits that were resolved in relation to the number of lawsuits that were filed in a given year. In other words, indicators higher than 1 (or 100%) mean that more cases have been resolved to the next stage than the amount of incoming cases.

State, Federal and Labor Courts obtained a positive result (more than 100%) in their 1<sup>st</sup> instance courts as to what regards the indicator of lawsuits resolved per new lawsuit: 111%, 106% and 104%, respectively.

### **2.2.8 2<sup>nd</sup> Instance Litigation**

In 2010, approximately 2.9 million cases were filed in 2<sup>nd</sup> instance courts. In the same year, 2.6 million lawsuits were found to be pending resolution. Therefore, there were an overall 5.4 million lawsuits being processed in second instance courts at the end of 2010.

### **2.2.9 New lawsuits per magistrate and civil servants per judiciary area per magistrate in 2<sup>nd</sup> Instance Courts**

In 2010 approximately 2.9 million new lawsuits were filed in 2<sup>nd</sup> instance courts (State, Federal and Labor). Thus, there was an average of 1,267 new lawsuits filed per magistrate acting in the 2<sup>nd</sup> instance courts in the Judiciary Power. The ratio of civil servants acting in the judiciary area per magistrate in 2<sup>nd</sup> instance courts was of 13, Federal Courts being responsible for the highest number of all, with 26 civil servants per court judge.

### **2.2.10 Caseload and backlog rates in 2<sup>nd</sup> Instance Courts**

Caseload is the commonly utilized indicator to measure the amount of lawsuits magistrates have to rule on, on average, every year. The indicator revealed that each magistrate of second instance courts had, on average, 2,819 lawsuits to rule on in 2010. The indicator varies from 1,877 lawsuits in the Labor Courts up to 11,896 lawsuits in Federal Courts, which denotes the very high caseload of the latter in the second instance of the Judiciary Power.

The Backlog Rate is the indicator used to measure, in a given year, the percentage of ongoing cases which have not been resolved in that year (the index is calculated by dividing the number of lawsuits not resolved by the sum of incoming lawsuits and lawsuits pending resolution). On average, the backlog rate for lawsuits in the second instance courts was of 50% (indicating that approximately half the lawsuits that were filed accumulated to the next year). The backlog rates in 2<sup>nd</sup> instance courts, per branch of Justice, amounted to 48% in State Courts, 68% in Federal Courts and 28% in Labor Courts. In 2009, the same rates amounted to 49% in State Courts, 68% in Federal Courts and 30% in Labor Courts. The decreases in percentage points for 2010 were of -1.2 p.p for State Courts, -0.1 p.p for Federal Courts and -2.4 p.p. in Labor Courts.

### **2.2.11 Decisions per magistrate and resolved cases per new case in 2<sup>nd</sup> Instance Courts**

The number of lawsuit-terminating decisions per magistrate in 2<sup>nd</sup> instance courts is considered an indicator of productivity, since it calculates the number of rendered decisions in a given period. In 2<sup>nd</sup> instance courts, each Brazilian magistrate issued, on average, 1,312 decisions in 2010 (the average was 1,112 for State Courts, 3,532 for Federal Courts and 1,356 for Labor Courts).

The indicator “lawsuits resolved per incoming lawsuit in 2<sup>nd</sup> instance courts” is a way of demonstrating, in percentage terms, the amount of resolved lawsuits in relation to the number of filed lawsuits in 2<sup>nd</sup> instance courts in a given year. If the indicator is more than 1 (or 100%), the result can be considered positive, since it means that more lawsuits were resolved than were filed in that year. As a result, the number of pending lawsuits will decrease, with positive effects in the backlog rate. It has been verified that Federal and Labor Second Instance Courts have already achieved surpluses, presenting percentages above 100% (100% and 104%, respectively). In State Courts this indicator shows percentages around 92%.

### **3. Brazilian Judiciary Figures - Major aggregate results and comparative analysis for 2009-2010**

The seventh edition of the *Justice in Numbers Report 2010* shows the main data of the Judiciary Power and, unprecedentedly, brings to the public a comparative analysis of recent indicators introduced by Resolution No. 76/2009, such as the amount of “criminal”, “noncriminal”, “fiscal” and “non-fiscal” cases, between years 2009 and 2010.

In the year of 2010 the Brazilian Judiciary had around 83.4 million ongoing cases . This number represents the sum of incoming lawsuits and previously pending ones. It is worth mentioning that more than 71% of such amount were filed before 2010 (i.e. were already pending in early 2010).

24.2 million cases were filed at the state, federal and labor courts during 2010. Out of this amount, around 73% of the incoming lawsuits (17.7 million) were filed in State Courts. In Federal Courts and Labor Courts this percentage is less expressive, representing around 13% in each of the branches. With respect to the indicator “incoming cases per group of hundred thousand inhabitants”, on average, each group of hundred thousand inhabitants was responsible for 11.536 lawsuits.

State Courts are the most frequently sought source of redress by the population, with 8.641 lawsuits per group of hundred thousand inhabitants. Federal Courts and Labor Courts present lower values, albeit similar, of 1.554 and 1.350 lawsuits per group of 100,000 inhabitants, respectively.

Also regarding new cases, we have verified a reduction of the order of 3.9% of the amount between years 2009 and 2010. In Federal Courts this percentage of reduction was more significant (6.1%), while in State Courts and Labor Courts, 3.5% and 3.9% reduction rates were observed, respectively. It was noted that the largest percentage reductions of entry of incoming lawsuits in this period occurred in the 1<sup>st</sup> Level of Jurisdiction and in Small claims courts.

On the other hand, there has been a small increase in ongoing cases between 2009 and 2010, of about 0.6%. This small growth derived mainly from the increase in pending cases between these two years, of about 2.6%, since incoming cases declined in the period. In percentage terms, Labor Courts showed the highest increase in pending cases (3%), while the Federal and State Courts showed an increase of 2.5% and 2.9%, respectively.

The number of judges in 2010 was 16,804, an increase of 3% over the previous year. To get an idea of the size of such number in relation to the Brazilian population, the number of judges per one hundred thousand inhabitants in 2010 reached 8.70, surpassing the 2009 number which stood at 8.50.

In consolidating data from incoming lawsuits, we have verified that, in comparison with 2009, there was a decrease of 6.6% in the amount of “incoming cases per magistrate”, made possible due to the increase verified in the number of magistrates (3.2%), compared to the decrease in the number of lawsuits (-3.9%) year-over-year from 2009.

The backlog rate seeks to measure if the Judiciary can decide on the demands from society in an extemporaneous manner, that is, if the new claims and pending lawsuits from the previous period are finalized throughout the year<sup>10</sup>. In 2010, the overall backlog rate of the Brazilian Judiciary was of 70%, a percentage that has increased around 3 percentage points since 2009. State courts had a backlog rate of 72%, and are largely responsible for the very pronounced overall rate, since the other branches of justice were below the measured average. Labor Courts, which presented a backlog rate of 48%, are worth of highlight, apparently being the branch of the Judiciary which most promptly meets the claims of plaintiffs<sup>11</sup>.

Analyzing data by level of jurisdiction, one can verify that, in all the Judiciary branches, the main bottleneck dwells in the total number of lawsuits not finalized in first instance courts. Out of each 100 ongoing lawsuits, only 29 were finalized before the end of the year. Noteworthy here are State Courts, which presented backlog rates of almost 73% in 2010.

The backlog rate for pre-trial lawsuits in State Courts of 1<sup>st</sup> instance (1<sup>st</sup> instance and Small claims courts) amounted to an overall 60% in 2010<sup>12</sup>, a number that is close to that of 1<sup>st</sup> instance Federal Courts (58%). Regarding the backlog rate in enforcement stage lawsuits, we observe that congestion is far superior to that of pre-trial lawsuits, and on average, the indicator reached, in the 1<sup>st</sup> Instance of Federal and State Courts, the values of 85% and 86%, respectively.

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10 The index is calculated by dividing the number of lawsuits not resolved by the sum of new lawsuits and lawsuits pending resolution). To be considered resolved the lawsuit must be: a) sent to other competent judicial institutions, if those are related to other Courts; b) sent for superior or inferior instances; c) closed definitely. Lawsuits which are sent for the fulfillment of affidavits and sent for loading/analysis are not considered to be resolved.

11 Labor Courts had backlog rates of 46.3% in 2004, 48.1% in 2005, 49% in 2006, 46.7% in 2007 and 44.6% in 2008.

12 That is, 32.8% of the lawsuits processed during 2009 were referred,

Although the challenge of minimizing the percentage of backlog rates in the judiciary remains, data from 2010 showed that the Brazilian Judiciary is already able to resolve 4% more lawsuits than are filed in the same year at the Judiciary - this index reached 104% in 2010.

Within the scope of the indicators of *Justice in Numbers*, the “lawsuit-terminating decisions by magistrates” indicator reflects the ability of magistrates to rule and decide on lawsuits during a given year. On average, each magistrate ruled on 1,318 lawsuits on 2010, which represented a decrease of 7% in relation to 2009 data. The average productivity of judges declined by 11% in State Courts and 6% in Federal Courts. The data from Labor Courts, on the other hand, pointed to an 8% increase on the average number of decisions and sentences per magistrate.

This publication also provides important information about criminal lawsuits. In 2010, State and Federal Courts received 2.6 million new criminal claims in first instance courts, which represented 17% of the total number of incoming lawsuits (pre-trial, 1<sup>st</sup> Instance) in those branches of Justice. Also, 281 thousand new criminal enforcement lawsuits were initiated in State Courts and more than 6 thousand others in Federal Courts, adding to a total of 287 thousand new criminal enforcement lawsuits.

The *Justice in Numbers* report also brought data on the rates of electronic lawsuit filing, with a view to investigating the level of computer technology adherence of the Brazilian Judiciary and the adoption of new technologies into lawsuit processing methodologies. The indicator is obtained from the division of the number of new electronic lawsuits by the number of new lawsuits in the analyzed instances of Justice (2<sup>nd</sup> Instance, 1<sup>st</sup> Instance, Appellate Courts and Small claims courts). It was verified that Federal Courts have continued to invest in the implementation of virtual lawsuits in their courts, with lawsuit virtualization indices ranging from 43% (Federal Court of the 3<sup>rd</sup> Region) to 82% (Federal Court of the 5<sup>th</sup> Region). It should

be emphasized in particular that the Regional Federal Court of the 1<sup>st</sup> Region reached a 64% virtualization rate for new lawsuits in the 1<sup>st</sup> instance courts. On the other hand, also worth mentioning is the low response rate for this indicator in the Labor Courts, which may be a sign of difficulties being found in the adoption of electronic lawsuits in the Labor branch.

The *Justice in Numbers* also brings information about fiscal enforcement lawsuits in Brazil: out of the 83.4 million ongoing lawsuits in Brazilian courts in 2010, 27 million were fiscal enforcement lawsuits, constituting approximately 32% of the total. It is noteworthy that 88% of these fiscal enforcement lawsuits (i.e. 23.7 million) were being processed only at State Courts, which contributed to create a bottleneck in that branch of justice. It is important to mention that out of 48 million lawsuits pending resolution in State Courts, approximately 20.9 million (equivalent to 43.5%) were fiscal enforcement proceedings.

When looking only at lawsuits which are currently at the enforcement stage<sup>13</sup>, when considering the three branches of Justice together the number of fiscal enforcement lawsuits becomes even more prominent, since they represent 76% of the total number of lawsuits in this stage of the proceeding. It should be noted that in Federal Courts the percentage of fiscal enforcement lawsuits reached 79% of the ongoing lawsuits in the 2010 fiscal year.

From the data relating to fiscal enforcement lawsuits, it is observed that the struggle against delays in the Brazilian Judiciary must necessarily involve a specific debate on the subject of fiscal enforcement procedures, as the confrontation of such issue has the potential to solve one of the main bottlenecks found in Brazilian courts.

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13 Criminal enforcement lawsuits were not considered, nor were pre-trial lawsuits.

Regarding structural aspects, data from *Justice in Numbers* shows that total expenditures of the Judiciary<sup>14</sup> added up to R\$ 41,040,301,422.00 in 2010, considering only information regarding State, Federal and Labor Courts. State Courts answered for 58% of that amount, Federal Courts for 16% and Labor Courts for 26%. In relation to GDP, the total expenditures of the Judiciary represented 1.12%. This percentage was lower than that of the previous year, when the percentage was of 1.17%. It should be noted, however, that the main reason for the decrease in the share of expenditure of the GDP was the significant increase of the latter between the last two years, since the expenditures of the judiciary grew by 4% during this period.

Expenditures on human resources represented 89.6% of the total budget for the three branches of the Judiciary(State, Federal and Labor), a percentage lower than the previous year, which was 90.8%. This decrease is particularly timely, given that since 2006 spending under this heading has always been found at levels above 90%, a fact which undermines important investments for the modernization of the courts and the improvement of its working structure.

Despite this result, between 2009 and 2010 an increase of 8% has been observed in expenditures per incoming cases in the Judiciary. This indicator is important because it seeks to collate the value of expenditures as a function of lawsuit demand. The percentage increase was particularly intense in State Courts (11%), while the Federal and Labor Courts registered percentages of 3% and 6%, respectively.

Total revenues in 2010 amounted to R\$ 17.6 billion, representing a decrease of 32% over the previous year. It is important to mention that the Federal Superior Courts (TRFs) of the 1<sup>st</sup> and 2<sup>nd</sup> Regions, which had revenues of fiscal enforcements in the amount of R\$ 8.5 billion in 2009, did not report their data in 2010, causing for

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<sup>14</sup> According to the SIAFI and Justice in Numbers, the expenses of the Brazilian Judiciary agencies, excluding the Supreme Federal Court, added up to R\$ 49.18 billion in 2010.

a 60% reduction in the total amount reported for Federal Courts. Another point that deserves particular attention in this regard is the reduction in this item observed in the TRFs that did present data for the year 2010, in percentages ranging from 5.4% (TRF3) to 19.7% (TRF5). However, it is important to note the significant increase observed in this regard in the State Courts, whose percentage increase in revenues from fiscal enforcement proceedings between 2009 and 2010 was of the order of 58%.

Finally, it is worth mentioning that the data shown represents merely a first step towards a better understanding of the reality of the Judiciary. Thereafter, society in general and the legal community in particular can investigate the information in the *Justice in Numbers Report* and try to understand it in more detail, contrasting them with other surveys and studies so as to obtain an increasingly richer understanding of reality. Now that the complex and exhausting work of gathering and consolidating information on the Brazilian judiciary - marked by a large number of many different levels of courts and jurisdictions - has been undertaken, the challenge is then posed to effectively analyze and improve the data obtained so that it can contribute for the best possible judicial policy planning, carried out with a view to achieving continuous improvement of the rendering of judicial services in the country.

Table 1 - Variables utilized in the *Justice in Numbers 2010 Summarized Report*, per branch of Justice and in Total

Variable	Justice Branch			Total
	State	Federal	Labor	
Expenditures and Revenues				
Total Judiciary Expenditures	R\$ 23.879.860.039	R\$ 6.487.340.490	R\$ 10.673.100.893	R\$ 41.040.301.422
Expenditures with Human Resources	R\$ 20.647.717.888	R\$ 5.920.758.120	R\$ 10.190.829.936	R\$ 36.759.305.945
Total Revenue	R\$ 8.022.122.476	R\$ 6.189.599.085	R\$ 3.370.428.638	R\$ 17.582.150.199
Human resources				
Total Number of Magistrates	11.938	1.749	3.117	16.804
Total Number of Magistrates in 2nd Instance Courts	1.622	135	505	2.262
Total number of Magistrates in 1st instance and Small claims courts	10.264	1.534	2.612	14.410
Total Number of Civil Servants	236.578	37.990	47.395	321.963
Total Number of In-House Civil Servants	148.523	23.907	35.390	207.820
Total Number of Civil Servants Allocated from other Public Institutions	2.259	545	1.681	4.485
Total Number of Civil Servants Requested from other Public Institutions	8.712	1.505	3.883	14.100
Total Outsourced Workers	11.574	158	209	11.941

Variable	Justice Branch			Total
	State	Federal	Labor	
Total Number of Civil Servants in the Judiciary Area	146.359	18.727	28.910	193.996
Total Work Force	248.516	39.739	50.512	338.767
<b>Litigation</b>				
Total incoming lawsuits	17.743.996	3.166.766	3.316.965	24.227.727
Total Incoming Lawsuits in 2nd Instance Courts	1.860.106	445.141	560.180	2.865.427
Total Incoming Lawsuits in 1st Instance Courts	11.550.034	915.773	2.756.785	15.222.592
Total Incoming Lawsuits in Small claims courts	3.936.951	1.366.828	na	5.303.779
Total Pending Lawsuits	47.960.519	7.927.287	3.278.918	59.166.724
Total Pending Lawsuits in 2nd Instance Courts	1.440.772	959.528	244.598	2.644.898
Total Pending Lawsuits in 1st Instance Courts	41.919.265	4.607.748	3.034.320	49.561.333
Total Pending Lawsuits in Small claims courts	4.421.974	1.737.811	na	6.159.785
Total Resolved Lawsuits	18.476.308	3.386.186	3.454.456	25.316.950
Total Resolved Lawsuits in 2nd Instance Courts	1.707.872	445.264	582.054	2.735.190
Total Resolved Lawsuits in 1st Instance Courts	11.821.627	1.205.483	2.872.402	15.899.512
Total Rersolved Lawsuits in Small claims courts	4.620.308	1.322.663	na	5.942.971
Total number of Decisions	15.827.697	2.870.562	3.454.119	22.152.378

Source: Justice in Numbers 2010 Edition  
na: not applicable

Table 2 - Indicators utilized in the *Justice in Numbers 2010 Summarized Report*, per branch of Justice and in Total

Indicator	Justice Branch			Total
	State	Federal	Labor	
<b>Expenditures</b>				
Total Judiciary Expenditures in relation to GDP	0,65%	0,18%	0,29%	1,12%
Total Judiciary Expenditures per Inhabitant	R\$ 124	R\$ 34	R\$ 55	R\$ 212
Total Judiciary Expenditures per Incoming Lawsuit	R\$ 1.346	R\$ 2.049	R\$ 3.218	R\$ 1.694
Total Judiciary Expenditures per Work Force (except for magistrates)	R\$ 100.939	R\$ 170.764	R\$ 225.195	R\$ 127.469
Total Judiciary Expenditures per Magistrate	R\$ 2.000.323	R\$ 3.709.171	R\$ 3.424.158	R\$ 2.442.294
Total Human Resources Expenditures in Relation to Total Judiciary Expenditures	86,5%	91,3%	95,5%	89,6%
<b>Revenues</b>				
Revenues in relation to Total Judiciary Expenditures	34,6%	95,4%	31,6%	43,6%
<b>Human Resources</b>				
Index of Civil Servants of the Judicial Area	80,0%	74,8%	76,5%	78,5%
New lawsuits per hundred thousand inhabitants	6,2	0,9	1,6	8,7
Work force per hundred thousand inhabitants	122	20	25	167
<b>General Litigation Info</b>				
Incoming lawsuits per hundred thousand inhabitants	8.641	1.544	1.350	11.536
<b>Litigation in 2nd Instance Courts</b>				
Incoming Lawsuits per Magistrate in 2nd Instance Courts	1.147	3.297	1.109	1.267
Civil Servants of the Judiciary Area per Magistrate in 2nd Instance Courts	11	26	16	13
Caseload per Magistrates in 2nd Instance Courts	2.353	11.896	1.877	2.819
Backlog Rate in 2nd Instance Courts	48,2%	68,3%	27,7%	50,3%
Lawsuit-terminating Decisions per Magistrate in 2nd Instance Courts	1.112	3.532	1.356	1.312

Indicator	Justice Branch			Total
	State	Federal	Labor	
Index of Resolved Lawsuits per New LawsUIT in 2nd Instance Courts	91,8%	100,0%	103,9%	95,5%
<b>Litigation in 1st Instance Courts</b>				
New Lawsuits per Magistrate in 1st Instance Courts	1.169	597	784	1.036
Civil Servants of the Judiciary Area per Magistrate in 1st Instance Courts	13	10	8	11
Caseload of Magistrates in 1st Instance Courts	5.897	4.437	2.450	5.085
Backlog Rate for Pre-trial Lawsuits in 1st Instance Courts	64,9%	59,7%	35,8%	61,6%
Backlog Rate for Enforcement-stage Lawsuits in 1st Instance Courts	89,8%	85,0%	67,8%	87,6%
Sentences Rendered per Magistrate in 1st Instance Courts	1.051	697	1.060	1.018
Rate of Lawsuits resolved by New LawsUIT in 1st Instance Courts	102,4%	131,6%	104,2%	104,4%
<b>Litigation in Small claims courts</b>				
New Lawsuits per Magistrate in 1st Instance Courts	1.374	3.060	na	1.607
Civil Servants of the Judiciary Area per Magistrate in 1st Instance Courts	6	11	na	6
Caseload of Magistrates in 1st Instance Courts	3.524	7.199	na	4.224
Backlog Rate for Pre-trial Lawsuits in 1st Instance Courts	43,4%	57,4%	na	47,5%
Backlog Rate for Enforcement-stage Lawsuits in 1st Instance Courts	50,7%	56,4%	na	51,1%
Sentences Rendered per Magistrate in 1st Instance Courts	1.495	2.485	na	1.638
Rate of Lawsuits resolved per Incoming LawsUIT in 1st Instance Courts	108,9%	96,8%	na	105,3%

Source: Justice in Numbers 2010 Edition  
na: not applicable



**Departamento de Pesquisas Judiciárias**

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