

Case weighing for reorganization and efficiency of the justice system

La pesatura dei fascicoli per la riorganizzazione e l'efficienza del sistema giudiziario

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Le Pubbliche Amministrazioni hanno come obiettivo primario la soddisfazione dei bisogni collettivi, tra cui il bisogno fondamentale di giustizia, che si realizza tramite prestazioni efficienti ed efficaci da parte degli uffici giudiziari. Tuttavia, uno dei maggiori problemi del sistema giudiziario italiano è la lunga durata dei procedimenti. Per rispondere a questa criticità, il sistema giudiziario italiano ha intrapreso un rinnovamento organizzativo e gestionale, con l'introduzione di interventi come il rafforzamento dell'Ufficio per il Processo (UPP) e la creazione della figura dell'Addetto all'Ufficio per il Processo (AUPP). Tali misure, introdotte con il D.L. 9 giugno 2021, n. 80, puntano a migliorare l'efficienza del sistema, ridurre l'arretrato e ottimizzare la distribuzione delle risorse. Un elemento cruciale per il miglioramento delle performance consiste nell'adozione di strumenti di misurazione accurati come la pesatura dei fascicoli, che consente di monitorare e gestire il carico di lavoro degli operatori giuridici e migliorare l'efficienza complessiva degli uffici giudiziari. Questo studio, attraverso una combinazione di osservazione sul campo, analisi documentale e interviste semi-strutturate con magistrati e AUPP, mira alla definizione di un modello di pesatura dei fascicoli quale strumento per riorganizzare e ottimizzare la gestione dei procedimenti giudiziari, in particolare nella Corte di Appello di Bari. I risultati suggeriscono che una corretta applicazione della pesatura dei fascicoli può portare ad un miglioramento dell'efficienza operativa, ridurre i tempi di smaltimento e ottimizzare l'allocazione delle risorse, con impatti positivi sulla produttività e sulla qualità dei servizi resi.

Public administrations have as their primary objective the satisfaction of collective needs, including the fundamental need for justice, which is achieved through efficient and effective services provided by judicial offices. However, one of the main problems of the Italian judicial system is the length of proceedings. To address this critical issue, the Italian judiciary has undertaken an organisational and managerial renewal, introducing measures such as the strengthening of the Ufficio per il Processo (UPP; Office for Proceedings) and the creation of the role of Addetto all'Ufficio per il Processo (AUPP) (Judicial assistants). These measures, introduced by Legislative Decree No. 80 of 9 June 2021, aim to improve the efficiency of the system, reduce the backlog and optimise the allocation of resources. A key element in improving performance is the adoption of accurate measurement tools, such as case weighting, which allow the monitoring and

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management of the workload of legal operators and improve the overall efficiency of judicial offices. This study, combining field observation, document analysis and semi-structured interviews with judges and AUPPs, aims to define a case weighting model as a tool for reorganising and optimising the management of judicial proceedings, particularly in the Court of Appeal of Bari. The results suggest that a correct application of case weighting can lead to improved operational efficiency, reduced processing times and optimised resource allocation, with a positive impact on productivity and the quality of services provided.

Les administrations publiques ont pour objectif principal la satisfaction des besoins collectifs, parmi lesquels le besoin fondamental de justice, qui se réalise par des prestations efficaces et efficaces de la part des bureaux judiciaires. Cependant, l'un des plus grands problèmes du système judiciaire italien est la durée prolongée des procédures. Afin de répondre à cette problématique, le système judiciaire italien a entrepris un renouvellement organisationnel et de gestion, avec l'introduction de mesures telles que le renforcement de l'Ufficio per il Processo (UPP) (Bureau de procédures) et la création du rôle de l'Addetto all'Ufficio per il Processo (AUPP) (Agent de process). Ces mesures, introduites par le décret-loi n. 80 du 9 juin 2021, visent à améliorer l'efficacité du système, réduire l'arriéré et optimiser la distribution des ressources. Un élément clé pour l'amélioration des performances réside dans l'adoption d'outils de mesure précis, tels que la pesée des dossiers, qui permet de suivre et de gérer la charge de travail des opérateurs juridiques et d'améliorer l'efficacité globale des bureaux judiciaires. Cette étude, par le biais d'une approche holistique et d'une combinaison d'observations sur le terrain, d'analyses documentaires et d'entretiens semi-structurés avec des magistrats et des AUPP, vise à définir un modèle de pesée des dossiers comme outil pour réorganiser et optimiser la gestion des procédures judiciaires, en particulier à la Cour d'Appel de Bari. Les résultats suggèrent qu'une application correcte de la pesée des dossiers pourrait améliorer l'efficacité opérationnelle, réduire les délais de traitement et optimiser l'allocation des ressources, avec des impacts positifs sur la productivité et la qualité des services fournis.

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1. Introduction

Judicial proceedings in Italy are among the slowest in Europe, with an average duration of over three years, whereas the European average is approximately one and a half years (Ministry of Justice, 2023). In order to address this critical situation at the beginning of the 21st century, the Italian justice system has embarked on a profound renewal of its organisational and management methods (Steelman, Fabri, 2008; Vecchi, 2013). The reorganisation of the judiciary is based on the need to ensure the certainty, efficiency and speed of the Italian judicial system and to overcome the critical problems of processing times and the accumulation of backlogs.

The monitoring and evaluation of the results of judicial activity has been identified as a means to obtain a more realistic view of the reference context, leading to the definition of interventions aimed at improving the quality of management and organisational processes within judicial offices

and the services provided. However, the implementation of performance management (PM) models is not without challenges, particularly in public sector organisations, which are often process-oriented rather than results-oriented (Behn 2003; Bozeman 2007; Pollitt, Bouckaert 2017). This has resulted in a gradual adoption of PM in the public sector, particularly within the justice system, leading to protracted processes, substantial multi-year delays, and an accumulation of backlogged cases (Moxham 2009).

Recent organizational measures aimed at ensuring greater consistency across various dimensions of organizational performance (efficiency, quantitative and qualitative effectiveness, impact) include the strengthening of the Ufficio per il Processo (UPP) and the creation of a new professional role, the Addetto all'Ufficio per il Processo (AUPP). These initiatives were introduced by Decree-Law No. 80 of 9 June 2021, *Misure urgenti per il rafforzamento della capacità amministrativa delle pubbliche amministrazioni funzionali all'attuazione del Piano Nazionale di Ripresa e Resilienza (PNRR) e per l'efficienza della giustizia*, which primarily aims to enhance the efficiency of the judicial system, accompanied by organizational innovation and the promotion of best practices. In terms of efficiency, the regulatory intervention has focused mainly on simplifying existing procedures, reducing the backlog, and increasing the productivity of judicial offices. The target to be achieved by June 2026 is a 40% reduction in disposition time compared to 2019. Disposition time is defined as the average time taken to resolve cases, calculated by comparing the backlog at the end of the year with the flow of cases resolved during the year. Achieving this goal requires the implementation of interventions within performance measurement systems to provide information on efficiency improvements, while also supporting decisions related to the effective allocation of resources and the identification of corrective actions. The identification of corrective actions requires the continuous monitoring of key performance indicators, such as time to decision, age of active caseload, and backlog (Ostrom et al., 2007).

Within the performance management techniques used in the justice system to assess and enhance the efficiency and effectiveness of work, case weighting emerges as a significant method. This tool is designed to evaluate and monitor the workload of legal professionals (e.g., judges, lawyers, court clerks) and to assess the quality of services rendered to the public. The aim is twofold: first, to improve the organization of work, and second, to identify potential inefficiencies (Kleiman et al., 2019).

The UPP and case weighting are integral to the reorganization and improvement of the efficiency of the Italian judicial system, particularly concerning the management of proceedings and workload within courts. When effectively implemented, these measures can facilitate the optimization of resource allocation, the reduction of waiting times, and the enhancement of court performance (Cugno et al., 2022; Tiede, 2018). However, it is essential that such systems be designed in a balanced manner,

taking into account the complexity of cases and the dynamics that influence the legal process (Borselli, Dani, 2023).

The aim of this study is to propose a case weighting model as a strategic tool for the reorganization of judicial offices, thereby facilitating the optimal allocation of resources. The focus is on the efficient distribution of personnel within the Ufficio per il Processo (AUPPs), which represents the largest resource pool within judicial offices. Their integration is seen as a fundamental lever for achieving the justice-related objectives outlined in the National Recovery Plan (NRP). Furthermore, this model provides a robust framework for accurately quantifying the workload of individual magistrates and the various sections of a judicial office, thereby enhancing overall efficiency and resource management (Maio, 2023). In the event of its widespread adoption and implementation across multiple judicial offices, it would enable longitudinal analysis.

The tool proposed here stands out for its novelty compared to other case weighting models previously discussed in the literature and/or adopted in practice. Its key distinguishing feature is its ability to recalibrate the weight of a case by accounting for the events throughout the proceedings until their conclusion. This enables the continuous, consistent, prompt, and up-to-date monitoring of case weight.

The empirical analysis focuses on the Court of Appeal of Bari. In addition to the observational phase conducted during the initial stage of the study and the documentary analysis, semi-structured interviews were conducted with judges and AUPPs, complemented by a focus group with some magistrates from the Court of Appeal.

The study aims to define a case weighting tool, adjusted according to the type and complexity of the proceedings, which is deemed essential for improving the performance of judicial administration.

The structure of the paper is as follows: Section 2 reviews the literature on performance management (PM) in the public sector, with particular attention to the Italian judicial system, highlighting the need for new output measurement practices through a planned, systematic, and intentional process of improvement; Section 3 outlines the research objectives and methodology; Section 4 and Section 5 present the results and discussions arising from the empirical analysis; finally, Section 6 concludes the study.

2. Theoretical Background

The efficiency of the judicial system and the workload

The ability to create public value – defined as an enhancement in the economic, social, educational, welfare, and environmental well-being of citizens and the productive sector – closely depends on the capacity of public administrations to achieve optimal levels of performance (Borgonovi, Mussari, 2011; Bracci et al., 2019; Bryson et al., 2014; Mussari, 2022). In recent decades, all public administration reforms have shared a

common focus on performance (Moynihan, 2005). The emphasis on performance management (PM) in public administration has become firmly established (Aguinis, 2019; Smither and London, 2009). Over this period, PM has become a focal point of interest for policymakers, scholars, and public sector practitioners alike (Ammons, 2022; Arnaboldi et al., 2015; Bititci, 2012; Bracci et al., 2014; Cepiku, 2015). The origins of performance measurement and management in public administrations trace back to the 1960s and 1970s and have since spread globally (Moynihan, Beazley, 2016).

PM fundamentally transforms the focus of planning and management in public administrations, shifting from compliance with rules and regulations and constraints on input use, to an emphasis on outputs and efficiency (Bryson et al., 2014; Hood and Dixon, 2015). This shift highlights the primacy of results, effectiveness, and the creation of public value, which encompasses increasing the economic, social, educational, welfare, and environmental well-being of citizens (Borgonovi, Mussari, 2011; Alford, O'Flynn, 2009; Morgan, Cook, 2014; Osborne, 2006, 2010).

The creation of public value in the administration of justice has become an increasingly salient issue in public management, especially in the context of judicial reform and the growing emphasis on the efficiency, accessibility, and transparency of public services. Public value is not merely a theoretical or abstract concept, but is directly related to the improvement of legal services for the community (Caponi, 2016; Zan, 2006).

The ongoing evolution of the justice system – through legislative reforms, technological advancements, and resource strengthening – is essential for generating public value (Bracci et al., 2019; Bryson et al., 2014; Mussari, 2022).

Despite being a central system for the functioning of democracy and the protection of citizens' rights, the administration of justice often faces significant challenges, particularly those related to the overcrowding of courts and the resulting backlog of cases – especially in civil and criminal proceedings. Additionally, inefficiencies and delays in trial administration frequently hinder the timely delivery of justice (Coviello et al., 2015).

Among the organizational measures implemented in recent years, workload weighting can be regarded as a key tool for enhancing the performance of the Italian judiciary (Caponi, 2016). To effectively manage the performance of judicial offices, chambers, and individual judges, it is essential to rely on a comprehensive set of both qualitative and quantitative indicators. In this context, it is crucial to recognize that workloads vary not only in quantitative terms (pending, incoming, and resolved cases) but also qualitatively, due to the varying complexity of cases. For instance, the time required to complete a case (clearance time) is closely linked to factors such as the subject matter and nature of the case, the number of parties involved, the investigative tools required, and the number and complexity of relevant judgments.

Workload weighting can be achieved through case weighting (Maio, 2023). First introduced in the United States in the late 1970s to assess judicial needs (Gramckow, 2014), it has since become a widely adopted practice in numerous countries (Depasquale, 2018). In the judicial system, case weighting primarily refers to the analysis and management of court workload with the objective of (Caponi, 2016; Coviello et al., 2015; Borselli, Dani, 2023): (i) allocating human resources by evaluating the number of judges and court staff necessary to process incoming and pending cases in a timely manner; (ii) ensuring the fair distribution of judicial workload and equitable allocation of cases among resources (judges, administrative staff, etc.) to prevent case accumulation and improve resolution times (Kleiman et al., 2019).

The main methods for analyzing, optimizing, and improving workload management and service quality include the Delphi method and the time study method (Fabri, 2020). The Delphi method involves assigning a “weight” to each procedure by a panel of experts – judges who, based on their experience, arrive at a common estimate of the time needed to complete various tasks. The time study method, on the other hand, involves measuring the actual time spent on procedures by external observers (e.g., consultants, experts) or the judges themselves. This method is based on data collected from a representative sample of the judicial population, which helps determine an average time for case completion. A subcategory of the time study method, the ‘case-related event study’, classifies the main events of a case (e.g., case preparation for hearings, conducting hearings, drafting orders and judgments) and measures the time and frequency of each event. The product of these measurements (task weight) is then calculated, with the total task weight representing the time taken to complete the case.

A key advantage of task weighting is its ability to reduce delays in proceedings. The accumulation of cases can lead to long waiting times for justice, negatively impacting the perceived efficiency of the justice system. Therefore, analyzing response times and case file processing times is essential to identifying the causes of inefficiencies (Buseti, Vecchi, 2018).

Several case flow management studies propose methods to enhance case distribution, such as the use of management software and algorithms to predict case resolution times and prioritize cases (Zan, 2006; Ahmed et al., 2020). Moreover, various organizations and institutions—such as the European Commission, the United Nations Office on Drugs and Crime (UNODC), and the World Bank—have conducted studies on workload weighting in the justice system and structural reforms to improve system efficiency. These reforms focus on case redistribution, the introduction of new technologies, and the optimization and reorganization of judicial processes to ensure a more effective use of resources (Alemanno and Laurent, 2017).

Workload and resource management in the justice system: prospects for reform

The effective management of resources is crucial to enhancing the overall efficiency of judicial administration. The reform process initiated by Decree-Law No. 80 of 9 June 2021, *Misure urgenti per il rafforzamento della capacità amministrativa delle pubbliche amministrazioni funzionali all'attuazione del Piano nazionale di ripresa e resilienza (PNRR) e per l'efficienza della giustizia*, is part of an overarching strategy aimed at optimising resource utilization. This reform's primary objective is to improve efficiency through interventions that address both the judicial process itself and the reorganization of workflows within judicial offices, with particular emphasis on overcoming resistance to the adoption of advanced management systems within the judiciary (Monfardini et al., 2024; Bifulco, Palumbo, 2020).

The establishment of a hybrid legal system, integrating traditional methods with innovative digital case management tools and automation, offers a promising approach to overcoming the challenges faced by contemporary judicial systems. This combination could streamline case management, accelerate decision-making, and enhance transparency within legal processes (Monfardini et al., 2024; Caldarelli, 2022).

While case weighting proves to be a valuable tool for judicial administrations to allocate resources more efficiently, it also benefits individual magistrates. By adopting this model, judges can better plan their workloads, determining which cases require more time and attention and which may need the support of an AUPP (Addetto all'Ufficio per il Processo). Effective resource management is critical to improving the overall effectiveness of the justice system, with the UPP playing a pivotal role in alleviating the administrative burden on judges (Borselli, Dani, 2023).

The aforementioned regulatory intervention (Law 113/2021) also reflects the formalization and regulation of the AUPP role, which was first introduced by Decree-Law No. 135 of 14 December 2018 (converted into law, with amendments, by Law No. 12 of 11 February 2019). The introduction and expansion of this professional role aim to expedite proceedings by supporting magistrates in operational and administrative tasks, thus reducing case backlogs and ensuring greater alignment between various dimensions of organizational performance (efficiency, quantitative and qualitative effectiveness, impact). The AUPP is a central figure in the case-weighting process, performing support activities that contribute to the accurate classification and distribution of workloads within judicial offices. This, in turn, optimizes the duration of proceedings, enhances efficiency, and ensures a more balanced allocation of resources within the judiciary, thereby meeting the goals of simplification and acceleration outlined in recent judicial reforms (Borselli, Dani, 2023).

In this context, the following research question (RQ) has been formulated to achieve the overarching objective of developing and testing a

model capable of accurately measuring efficiency and ensuring the balanced allocation of judicial personnel.

RQ1:

How can a case weighting model be designed to ensure the efficient allocation of resources within judicial offices, with a particular reference to AUPPs?

The aim of the paper is to explore how case weighting model can be used to optimise the allocation of human resources, improve the efficiency of the justice system and address the challenges of workload management in the context of judicial reorganisation.

3. Research Objectives and Methodology

Models, systems and competences for the implementation of the Ufficio per il Processo

The European Commission for the Efficiency of Justice (CEPEJ) has identified the improvement of performance and service quality as one of its strategic objectives for the development of justice systems. It is generally agreed that the proper functioning of a judicial system can be evaluated by achieving a balance among three key criteria:

1. The fairness of the procedure and the decision
2. The length of proceedings
3. The cost to the parties involved and to the public budget.

Monitoring these three dimensions aims to identify the main challenges that impede the reasonable duration of trials and the elimination of the civil backlog, with the goal of meeting the increasing demands for efficiency, transparency, and accountability in performance (Barbato, Turri, 2017; Dobija et al., 2019). The objective is to align the strategic goals of the National Recovery and Resilience Plan (NRRP) with those set for judicial offices, enhancing the transformation of outputs into desired outcomes and improving planning activities (Seasons, 2003; van Dijk et al., 2018), while avoiding potential negative impacts on operations, such as prolonged disposition times.

More specifically, as part of the ongoing reform of the Italian justice system, which began in mid-2022, the legislator has focused on reducing judicial time and promoting structural innovation. This reform has prioritized the enhancement of human resources, leading to the full implementation of the Ufficio per il Processo (UPP), the integration of judicial staff with new skills, and the strengthening of digital infrastructure. In terms of human resources, the UPP was introduced to support magistrates in achieving the European target set by the PNRR of reducing trial durations by 40% in civil matters and 25% in criminal matters, based on 2019 figures, by June 2026. Central to this reform is the development of the case

weighting system, which aims to improve the allocation of AUPPs based on the actual complexity of cases, thereby enabling clerks to organize their work more efficiently.

Research method

The work proposes solutions for reorganizing judicial processes and improving the use of AUPPs through the development of a new 'case weighting model,' which aims to significantly reduce disposition time while simultaneously eliminating the backlog'.

A comprehensive analysis of the operations within the Bari Court of Appeal - Civil Section was conducted in close collaboration with judges, administrative staff, and AUPPs. This examination focused on a civil court that has long been under substantial pressure from international organizations (e.g., European Commission, OECD, World Bank, International Monetary Fund) to address inefficiencies and enhance performance. Specifically, the civil sections of the Court of Appeal of Bari reported backlogs of 4,167 cases over two years in 2019, 4,245 in 2020, and 3,906 in 2021. Concerning the average duration of proceedings, the figures were 585 days in 2019, 678 days in 2020, and 519 days in 2021 (Organisational Project of the Court of Appeal of Bari - Presidency - 29.2.2021).

The decision to focus on this case stemmed from the involvement of two of the authors in a research group responsible for formulating a new case-weighting model, providing them with direct knowledge of the situation. This collaboration facilitated the development of the analysis from an observational standpoint, informed by direct participation (participant-observation perspective, DeWalt, DeWalt, 2011). In this approach, the researcher assumes an active role in the fieldwork, engaging with the actions under study (Yin, 2015).

An exploratory approach was adopted to analyze a case that qualifies as a 'critical case,' allowing for the assessment of whether the current practices are sufficient or if an alternative model should be proposed to better explain the phenomenon under investigation (Yin, 2015).

The observation phase, conducted during the initial part of the study, and the document analysis were supplemented by interviews with a panel of experts from the Court of Appeal, selected to represent a range of roles and experiences. These included judges—discussing their experiences in case management and the potential impact of case weighting on their schedules and decisions; administrative staff—responsible for case distribution and prioritization, to explore organizational challenges and inefficiencies; AUPPs—working with cases and supporting files, offering insights into potential issues within the process; and researchers specializing in human resource management and judicial processes, who contributed to identifying opportunities for improving workload management.

Between October and December 2022, thirty-two semi-structured interviews were conducted, targeting the same professional groups at differ-

ent time points to provide a thorough and comprehensive understanding of the judicial office's operational mechanisms (Table 1). The semi-structured interview format was chosen to gather essential information while allowing the interviewees the flexibility to elaborate on the context and explore the variables under investigation in greater depth (Qu, Dumay, 2011). Additionally, follow-up telephone calls were conducted throughout the data processing and analysis phases, facilitating the resolution of any ambiguities or contradictions that arose.

The interviews lasted between 30 minutes and two hours, with an average duration of one hour. They were conducted in person by a single researcher, and their content was subsequently analyzed both individually and collectively by the entire research team.

The semi-structured questions were organized into two main categories. The first category aimed to establish a general understanding of the organizational structure of the Court of Appeal and to explore the criteria currently employed in distributing the workload among the judicial offices. The second category focused on identifying the key challenges that hinder the reasonable duration of trials and the elimination of the civil backlog. The interviews addressed topics such as the daily activities of the respondents, their perceptions of procedural operations, and the identification of technical, organizational, and cultural obstacles.

To gain deeper insight into the perceptions and practices of legal professionals regarding case management and evaluation, and to identify potential areas for improvement, the interviews were complemented by an intensive focus group. This focus group served as a platform to create a supportive and open communicative environment, enabling participants to engage freely in discussions (Bloor, 2002; Furedi, 2003).

The focus group comprised 4 judges, 3 administrative staff members, 5 AUPPs, and 5 researchers, research fellows, and scholars. While the researchers took care to limit their influence on the responses, they played a key role in identifying entrenched opinions within the group (Krueger, Casey, 2000).

The objectives of the focus group were as follows: (1) to deepen the understanding of the document-weighting model currently used in the courts; (2) to identify existing resources and tools in the courts that could be optimized to improve overall efficiency; (3) to gather immediate feedback from the expert panel in the development of weighting bands and coefficients; (4) to obtain ongoing support for the development of the case-weighting model; and (5) to secure continuous involvement from focus group members in reviewing, testing, and implementing the new case-weighting model and the court system reorganization process, including the integration of the AUPP, with the aim of increasing efficiency and modernizing the legal system.

The focus group was coordinated by two moderators from the expert panel: one acting as the facilitator, guiding the discussion, and the other as the observer, recording the information shared during the session. The focus group proceedings were documented through audio-visual record-

ing, with the participants being informed and granting consent, while an observation grid was filled in.

The structure of the questions followed an inductive approach, progressing from general to specific (Albanesi, 2004). This was designed to stimulate critical reflection, encourage participant comparison, and gain a more comprehensive understanding of the challenges surrounding case weighting and resource allocation for improving system efficiency and functionality.

At the conclusion of the investigation, the data were manually coded by the researcher in collaboration with the focus group leader. A document outlining the reflections and proposals that emerged was subsequently prepared and shared with all participants. From an action research perspective, the focus group discussions proved to be a valuable conversational tool and an effective mechanism for mobilizing new resources to address the pressing needs in the evolving justice landscape.

The information derived from both the interviews and the focus group was triangulated with secondary sources to ensure construct validity. This additional data enabled the triangulation and integration of the transcribed interview data (Van Maanen, 1979; Eisenhardt, 1989), theoretical saturation (O'Reilly et al., 2012; Strauss, Corbin, 1990), and the construction of a richer narrative case (Langley, 1999). These secondary sources—such as normative documents, service orders, and projects—proved instrumental in deepening the understanding of the limitations and weaknesses within the Italian justice system, while also highlighting the essential role of justice in the broader context of social, cultural, and economic development.

Table 1 – Sources used in the case study

Primary sources	Secondary sources
<p>Semi-structured interviews from October 2022 to June 2023:</p> <p>n. 3 Chancellor n. 10 Judges n. 2 Statistical officer n. 7 Administrative staff n. 10 AUPPs</p> <p>Average interview length: 60 minutes</p> <p>Focus group (Richard e Casey, 2000): Judges Administrative Staff AUPPs Researchers and fellows Chancellor</p>	<ol style="list-style-type: none"> 1. Normative sources: <ul style="list-style-type: none"> - Legislative Decree No. 90/2014 - Legislative Decree No. 80/2021 - Law No. 206/2021 - Legislative Decree No. 151/2022 - Organizational Decree No. 569 of 4 December 2018 2. Reports of the flow of proceedings (defined, entered, summarized, pending), extracted from the Inspectors Package application. 3. Organizational project office for the process referred to in Article 12 of Decree-Law 80/2021 (December 29, 2021). 4. Service Order No. 4 No. 8 of 2022 on "Organization and implementation of the UPP of the Court of Appeal of Bari". 5. Circular Head of Department of Judicial Organization of Services Personnel (DOG) - NRR: Status of implementation line office for trial and planning of upcoming activities.

4. Results

In the judicial system under investigation, as highlighted by the interviews conducted and confirmed by documentary analysis, a pressing need has emerged to redefine the workload weighting model, with the primary objective of optimizing resource allocation—particularly the distribution of the *Addetto per l'Ufficio del processo* (AUPP)—and ensuring more efficient functioning of the judicial system. In the specific context analyzed, critical challenges such as staff shortages, lack of specialization, and insufficient resources for managing workloads are particularly evident. As one chancellor noted, “resistance to change, especially within public administrations, is often not only due to reluctance and indifference but also to the absence of professional figures capable of supporting judges in implementing an extraordinary plan to reorganize work, tailored to the varying levels of complexity of cases in different legal domains.” These challenges have a detrimental impact on the overall efficiency of the Italian judicial system, underscoring the urgent need for structural reforms to enhance the organization and management of workloads.

In this context, the reform introduced in Italy (Law 113/2021) plays a crucial role, providing resources for technical and professional assistance within a framework of reform objectives, including the enhanced use of technology, workflow reengineering, and the strengthening of organizational structures to support judicial activities. From this perspective, it is vital to ensure the proper scaling of the overall resources allocated to the Court Offices (AUPP), considering the actual needs of the offices and improving the effectiveness of workload weighting model. The personnel assigned to these offices (AUPP) comprises specialized figures who work under the supervision of judges but do not replace the judges in their decision-making responsibilities. As AUPP staff describe, they “provide support in case management, draft decision proposals, conduct research and studies, offer administrative support, and monitor case progress”. The introduction of AUPPs in the context studied was primarily aimed at “reducing decision-making delays, improving the management of judicial proceedings, and accelerating the preliminary and intermediate stages of the process”.

From discussions with various judges interviewed, it has become clear that there is a need to design a judicial office reorganization system based on the complexity of each individual case. This approach would rely on a workload weighting model that allows for more efficient organization and distribution of both work and AUPPs across the different offices. Consequently, the need to improve case weighting model has become even more pressing. The goal is to implement policies aimed at reducing the time required to resolve cases, thereby enhancing the efficiency of the judicial system and addressing the issue of the “excessive duration of proceedings,” which remains a major challenge in the Italian justice system. As one administrative director noted, “case weighting must be standard-

ized to be truly effective. If not properly implemented, it risks failing to reflect the complexity of proceedings, potentially leading to negative consequences in resource management. Currently, it is up to the president of each court to determine, with complete autonomy and discretion, the number and content of the workload classes.”

According to the interviewed judges, case weighting must account for several factors, including legal complexity, the number of parties involved, the presence of technical or scientific issues (such as in cases related to biological damage, injuries, etc.), and the anticipated duration of the proceedings. In this regard, the weighting model helps classify cases based on their difficulty, rather than merely on the volume of procedural acts or the length of time. The system of case weighting should be based on the understanding that judicial disputes are not alike and do not all require the same effort to be resolved.

The adoption of accurate case weighting model and the optimization of resources are essential to address these issues and ensure faster and more equitable justice. Specifically, for most of the respondents, the key benefits expected from the introduction of AUPP staff and the establishment of a more effective case weighting mechanism include:

- Efficiency: Reducing the number of pending cases and expediting case resolution;
- Cost reduction: Optimizing resources without necessarily increasing the number of judges;
- Improved service quality: Greater specialization and a focused allocation of resources on decision-making tasks, supported by other professional roles.

The reorganization of the judicial system, with the introduction of a proper case weighting model and the optimal deployment of AUPP staff, represents a crucial step toward a more efficient judicial framework. However, as noted by most of the judges interviewed, “the success of these reforms will depend on the ability to address organizational, training, and personnel management challenges.” If implemented effectively, the case weighting model and the corresponding allocation of AUPP staff could become a valuable tool in ensuring compliance with community principles, particularly in terms of reducing backlog and disposition time.

5. Discussion

The inability to achieve the highest possible output from a given input was defined by Liebenstein (1966) as “inefficiency,” which must be addressed by improving and modifying the internal functioning of organizations and their constituent units. However, the analysis conducted has shown that the high level of regulation and the presence of deeply entrenched values have consistently made the judicial system reluctant to change (Contini, Lanzara, 2009). Most notably, through comparisons with judges, judicial officers, court clerks, judicial assistants, and the AUPP it-

self, it became apparent that change should not be limited solely to the design of an innovative model for case weighting and AUPP allocation. Instead, it must extend to learning and, consequently, to the sharing of new working tools. This would ensure that the organization, along with its members, is oriented towards a new environment and a new organizational culture.

Based on the empirical findings from the observation phase and the need to define a model for workload distribution that accounts for both quantitative and qualitative differences, a study was conducted with the aim of defining clear, measurable, and comparable indicators of process complexity. It is believed that case weighting or weighted caseload will enable strategic management of judicial office activities and ensure: (i) a balanced allocation of judicial staff in relation to the complexity of the cases at hand; (ii) a balanced distribution of cases within the office; (iii) the measurement of the actual complexity of cases; (iv) the measurement of the actual productivity of different offices, sections, and ultimately, individual judges; (v) the identification of critical situations that may undermine the office's efficiency and effectiveness; (vi) the design of measures to reduce the duration of proceedings.

To provide judicial offices with an appropriate case weighting model, a new method for evaluating court cases has been developed to optimize the activities of the AUPPs. Case weighting is essential because the activities of each office vary not only quantitatively but also qualitatively, in terms of complexity (Benkin, Fabri, 2020). The primary objective of this study is to establish an objective criterion for determining case complexity, which will facilitate more efficient resource management, enhance the management of available human resources, and allow for the assessment of productivity in a weighted manner.

The weighted measure of the total number of pending and overdue cases will be compared with the productivity potential of each section or judge. Workloads that exceed the productivity potential of a section or magistrate will result in increased processing times and the accumulation of backlogs.

The methodological approach proposed for constructing the Court Case Weighting Model consists of three stages:

- a) Preliminary analysis
- b) Design of the weighting model
- c) Implementation of the tool

Preliminary analysis

The preliminary phase was characterized by the mapping of cases to be weighted and the scope of the intervention. More specifically, in response to the needs identified by the cases, it was decided to weigh both pending and newly registered cases. A case is defined as such from the

moment it is entered into the register. New civil cases include newly registered cases as well as those that have been interrupted, suspended, or discontinued, as well as those that have been resumed or continued.

The methods for extracting cases, such as case type or opening date, were then identified by defining specific queries to retrieve the desired cases, which were executed in the information system to extract the relevant cases.

Design of the weighting model

The chosen weighting model uses a point system that assigns a grade to case types to represent the complexity of the case. This method was preferred to others because it has fewer criticalities in its application, as evidenced by experience in other countries (CEPEJ, 2020).

In the design phase of the weighting model, the components of the case weighting model were identified on the basis of the evidence gathered with the expert panel. The first step was the definition of the weighting factors, i.e. the identification of a set of parameters that determine the level of complexity of each case file (the value of the case, the number of parties, the type of procedure, the amount of documentary evidence, etc.). Considering the different complexity factors, weighting bands were identified, for each of which a weighting coefficient was defined in order to quantify the work performed by the judicial office and the time and resources spent on the procedure itself.

In essence, an element of complexity has been provided for each individual proceeding, in addition to the weight initially assigned (perusal activities) to the file of the President of the Section and the Senior Adviser, as provided for in Organisational Decree No. 569 of 4 December 2018.

The *in itinere* variability of the weighting should allow for an even more balanced distribution of cases, able to consider any intervening complexity that could not be known in advance when the case was opened.

The weighted average of the coefficients associated with a given file, as defined by the Court of Cassation, has led to the establishment of complexity classes as follows

- 0 to 2 - minimum complexity
- 2.1 to 4 - medium complexity;
- 4.1 to 5 - high complexity.

Implementation of the tool

The implementation phase of the tool involved defining the functional specifications for the case file weighting system, alongside developing comprehensive guidelines for its optimal application, as well as for monitoring and evaluating the associated indicators.

As previously outlined, the weighting process required identifying a set of parameters and factors that contribute to determining the complexity of each case file (Table 2). For each parameter, a corresponding






weighting factor was assigned, with the identification process being the outcome of a collaborative effort involving both judicial and administrative staff of the Judicial Office.

Table 2 – Description of the weighing factors

<i>Weighing factor</i>	<i>Description</i>	<i>Sources</i>
a) Object Code	The object code is a numerical code identifying the subject matter of the case to be entered in the registers (SICID/SIECIC). The object codes are listed in a special ministerial table and grouped by subject matter. The object code data is an essential element for the purposes of registering the case in the Registry..	Chancellery Register
B) Rite type	It sets out the manner, form and conditions under which disputes will be handled and decided.	Chancellery Register
C) Value of the case	The value of the case indicates the economic claim asserted in the case and is a statement contained in the document introducing the case..	Chancellery Register
D) Number of parties	The term ‘parties to the proceedings’ means the number of persons involved in the proceedings..	Chancellery Register
E) Number of documents	This factor indicates the number of documents produced in court.	Chancellery Register
F) Typology of document	This factor weighs the type of document.	Chancellery Register
G) Numero di udienze celebrate	It indicates the number of hearings held, which characterises the procedure.	Chancellery Register
H) Constituent evidence	Indicates the presence of investigative activity during the procedure.	Chancellery Register
I) Special procedural events	Indicates all the hypotheses in which a particular event occurs in the process.	Chancellery Register

For each weighing factor, weighting bands were established by assigning a coefficient following a comparison between judges, administrators and researchers (Table 3). This procedure for setting weighting criteria is widely used in the experience of various judicial systems. Indeed, the involvement of judges and administrative staff, as well as the transparency of the whole weighting process, improves the acceptance of the system.

Table 3 – Weighting ranges and coefficients

 <p>A) Object Code</p>	<table border="1"> <thead> <tr> <th>Ranges of Complexity</th> <th>Complexity Coefficient</th> </tr> </thead> <tbody> <tr> <td>Persons/Family</td> <td>0.3</td> </tr> <tr> <td>Successions</td> <td>0.5</td> </tr> <tr> <td>Property Rights</td> <td>0.4</td> </tr> <tr> <td>Bond and contracts</td> <td>1</td> </tr> <tr> <td>Extra-contractual liability</td> <td>0.6</td> </tr> <tr> <td>Labor and business</td> <td>0.8</td> </tr> </tbody> </table>	Ranges of Complexity	Complexity Coefficient	Persons/Family	0.3	Successions	0.5	Property Rights	0.4	Bond and contracts	1	Extra-contractual liability	0.6	Labor and business	0.8		
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The identification of the criteria for weighing the Complexity Factors must take place following a process of discussion with judicial offices

The outcome, as developed by the researchers, was submitted for validation to the judges and administrative staff of the Court of Appeal of Bari, who had completed the questionnaire and participated in the focus group.

The proposed case weighting model enhances the management of judicial workloads by offering: (i) a timely and accurate assessment of each case's weight, based on the events and procedures unfolding throughout the trial (acknowledging that a case may start with low complexity but increase in difficulty over time); (ii) a precise evaluation of each judge's actual workload, both during the judicial year and at its conclusion; and (iii) an accurate and timely analysis of the entire judicial office's workload, thereby enabling a more informed determination of both current and future staffing requirements.

6. Conclusion and future research line

The case weighting process is fundamental to improving the efficiency of judicial offices, enabling a more effective allocation of both human and instrumental resources in relation to workload distribution. The significant investments driven by the PNRR, which have facilitated the implementation of the UPP, necessitate a precise allocation of human resources to achieve the intended goals, particularly in reducing the multi-year backlog and shortening disposition times.

As with any complex public organization, the judiciary must balance its operational procedures with other constitutional values. The increasing demand for speed and certainty in justice, voiced by various stakeholders, has sparked a growing debate, leading to the adoption of tools and indicators designed to measure the value generated by public services. While the importance of the time factor is not a novel concept, its significance has gained considerable weight in recent years, positioning it as one of the most influential factors in the judicial process (De Santis, Emery, 2017).

It is now broadly recognized that the restoration of efficiency and productivity within judicial offices depends on a comprehensive analysis of their operational mechanisms and, crucially, the implementation of new organizational models (Dobija et al., 2019; Kalgin et al., 2018). This need for transformation was first addressed in the PNRR, which outlined extensive reforms aimed at accelerating trial processes through the digitization of court proceedings and the more effective management of the civil and criminal case backlog. In this context, the supporting role of the AUPPs becomes essential, as established by the legislative framework set forth in Decree-Law No. 80 of 2021 (converted into Law No. 113 of 2021), Law No. 206 of 2021, and Legislative Decree No. 151/2022. These regulations designate AUPPs to assist judges in monitoring the pendency of petitions, organizing files and hearings, and identifying cases requiring priority treatment (Decree-Law No. 80 of 9 June 2021, Annex II, No. 1 - Professional profiles of the temporary administrative staff PNRR at the Ministry of Justice).

However, the real enhancement of the justice system's efficiency and effectiveness relies less on changing laws and procedures and more on reorganizing judicial offices and optimizing judicial staff time management. Thus, the value created depends more on how the reform is executed than on how it is designed (Gassner, Gofen, 2019).

In this light, the objective of this study is to define a case weighting model that optimizes the utilization of new resources, with the aim of achieving the ambitious European goal of reducing the backlog and improving the available time for judicial processes.

To answer the research question, this study began with an analysis of the empirical evidence gathered during the observation phase conducted between October and December 2022. During this period, thirty-two interviews were held with judges, the court manager, officials, and AUPP staff at the Court of Appeal of Bari. The research was supplemented by document analysis (including organizational projects, service reports, organizational charts, etc.) to triangulate the evidence and ensure construct validity (Eisenhardt, 1989).

The insights and perspectives from the various stakeholders provided a comprehensive understanding of the current organization of judicial offices, allowing for the identification of key challenges that impede the timely resolution of cases and the elimination of the civil backlog. This investigative work laid the foundation for the second phase of the project, which involved the design of a case weighting tool. This tool was intended to optimize the allocation of AUPPs and, more broadly, human and material resources, thereby improving the judicial administration process. This intervention forms part of a broader effort to strengthen the Italian judicial system, an initiative ongoing for several years by the Central State Administration, driven by an increasing recognition of the system's limitations and the critical role of the judiciary for the social, cultural, and economic development of the country (Esposito et al., 2014).

This paper exemplifies the intersection of academic research and practice, underscoring the value of collaboration among scholars, legal practitioners, and policymakers. It introduces a novel approach to case weighting, one that considers not just the initiation of the procedure but the entire life cycle of the case, a dimension underexplored in the existing literature. Furthermore, the model represents a significant methodological innovation by integrating complexity factors such as the economic value of the case, the number of parties involved, the type of proceedings, and other procedural variables.

More efficient and balanced management of judicial staff, particularly AUPPs, as well as other resources, through the establishment of a case weighting model, allows for the effective planning and management of workloads. This approach provides judges with the necessary tools to address their caseloads efficiently, a vital mechanism for achieving the goals

of reducing backlogs and decreasing processing times. Monitoring such data becomes even more crucial for judicial systems that experience excessive delays and an unbalanced distribution of resources.

The proposed case weighting model offers a starting point for both academic discourse and practical implementation, though the research has several limitations. First, the findings cannot be generalized to other judicial contexts, as the organizational, cultural, and managerial characteristics of the Court of Appeal of Bari may differ from those of other judicial offices, thereby limiting the broader applicability of the conclusions. Furthermore, while the use of semi-structured interviews and focus groups was carefully designed, the results could still be influenced by the subjective biases of the participants (judges, administrative staff, and AUPPs), potentially limiting objectivity. Another limitation is that the model has yet to be implemented, meaning the actual results of its application cannot yet be verified. Finally, model validation primarily relied on feedback from the study's expert participants, rather than through an extensive experiment that would assess its impact in practical terms, such as user perception (e.g., lawyers and citizens) regarding the quality of court proceedings, the financial and organizational costs of implementing the model, its influence on case disposition times, and its long-term effects on the backlog.

Future research could explore whether and to what extent the proposed weighting model is applicable in other Courts of Appeal, which could enhance its robustness and generalizability. Additionally, it would be beneficial to adapt the model for use in the criminal divisions of Courts of Appeal, the Supreme Court of Cassation, and lower courts. Collaborating with researchers from other fields, especially civil procedural law, could foster the exchange of ideas and the development of new interdisciplinary approaches. Other possible avenues for research include: i) assessing the impact of the model on trial durations, backlog reduction, resource optimization, and the efficiency and quality of judicial activity in organizations that implement the case-weighting model; ii) investigating how the model affects users' perceptions of fairness and transparency in the justice system; and iii) studying the role of digital technologies in supporting the implementation of the weighting model.

This study also seeks to influence judicial practice by providing a valuable tool for enhancing the organization and management of judicial resources. This is particularly important given the significant stabilization of UPP staffing as outlined in the 2025 Budget Law, which includes the recruitment of an additional 3,840 AUPPs. This transformation, shifting from an "emergency" measure to a structural one, highlights the need to optimize resource utilization. The data generated by the case weighting system will aid managers in identifying areas of concern and planning targeted interventions to improve organizational efficiency and effectiveness. These insights can benefit both policymakers, aiming to enhance the justice system, and practitioners—judges and administrative staff—

who would benefit from a more efficient and results-oriented organizational structure.

The social impact of this research lies in providing stakeholders within the justice system, and the broader community, with a tool that enhances transparency regarding the actual productivity of judicial offices. This tool can also serve as a basis for comparison, promoting the co-creation of public value and driving improvements in the judicial process.

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