



COMMISSION FOR THE EFFICIENCY OF ENFORCEMENT PROCEDURES

INTERNATIONAL CONFERENCE PROMOTE EFFICIENCY OF ENFORCEMENT

*CRITERIA FOR ANALYZING THE EFFICIENCY OF
ENFORCEMENT PROCEDURES AND THE TRAINING OF
ENFORCEMENT AGENTS*

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SUMMARY

1. COMMISSION FOR THE EFFICIENCY OF ENFORCEMENT PROCEDURES (CEEP) AND ITS COMPETENCES
2. METHODOLOGY ADOPTED FOR ISSUING RECOMMENDATIONS
3. ANALYSIS CRITERIA FOR THE EFFICIENCY OF ENFORCEMENT PROCEDURES
 - CEPEJ CRITERIA
 - CEEP ADOPTED CRITERIA
 - COLLECTED DATA
4. ANALYSIS CRITERIA FOR THE TRAINING OF ENFORCEMENT AGENTS
 - INITIAL TRAINING
 - CONTINUING TRAINING
 - COLLECTED DATA

COMMISSION FOR THE EFFICIENCY OF ENFORCEMENT
PROCEDURES AND ITS COMPETENCES

<http://www.cpee.pt>

1. COMMISSION FOR THE EFFICIENCY OF ENFORCEMENT PROCEDURES (CPEE)

PLENARY



- THE EMISSION OF **RECOMMENDATIONS TOWARDS THE TRAINING OF ENFORCEMENT AGENTS**
- THE EMISSION OF **RECOMMENDATIONS TOWARDS THE EFFICIENCY OF ENFORCEMENT PROCEDURE**
- THE **DEFINITION OF THE NUMBER OF CANDIDATES** TO BE ADMITTED IN EACH TRAINING OF EXECUTION AGENTS
- **CHOOSES AND APPOINTS THE EXTERNAL ENTITY** RESPONSIBLE FOR DEVELOPING, DEFINING THE CRITERIA FOR EVALUATION AND ASSESSMENT OF THE EXAM FOR ADMISSION TO THE TRAINING OF EXECUTION AGENTS

EXECUTIVE BOARD



- **DEPOSES THE ENFORCEMENT AGENT**
- **THE INITIATION OF DISCIPLINARY PROCEEDINGS TO ENFORCEMENT AGENTS**
- **THE APPLICATION OF PROPER PENALTIES/ SANCTIONS TO THE ENFORCEMENT AGENTS**
- **PERFORMING REGULAR INSPECTIONS TO THE ENFORCEMENT AGENTS**

METHODOLOGY ADOPTED FOR ISSUING RECOMMENDATIONS

<http://www.cpee.pt>

2. METHODOLOGY ADOPTED FOR ISSUING RECOMMENDATIONS

CONTRIBUTIONS



DEFINITION OF CRITERIA



ANALYSIS OF DATA ON ENFORCEMENT PROCEDURES AND THE ACTIONS OF
ENFORCEMENT AGENTS



IDENTIFICATION OF PROBLEMS



EMISSION OF RECOMMENDATIONS

2. METHODOLOGY ADOPTED FOR ISSUING RECOMMENDATIONS

CONTRIBUTIONS: FROM WHOM? FROM EVERYONE

1. **CITIZENS AND BUSINESSES, USERS OF JUSTICE** – PRESENT SUGGESTIONS, COMPLAINTS AND REQUESTS FOR INFORMATION TO THE COMMISSION / APPLICATION AND CONTRIBUTION UNDER THIS CEEP INTERNATIONAL CONFERENCE
2. **JUDICIARY OPERATORS** – DATA COLLECTION IN THE VISITS OF THE EXECUTIVE BOARD TO COURTS / CONTRIBUTIONS SENT DIRECTLY BY JUDGES, LEGAL REPRESENTATIVES AND BAILIFFS
3. **ENFORCEMENT AGENTS** – THROUGH DISCIPLINE AND SUPERVISION OF THE EXECUTIVE BOARD, AND SUGGESTIONS AND QUESTIONS SENT TO THE COMMISSION

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2. METHODOLOGY ADOPTED FOR ISSUING RECOMMENDATIONS

CONTRIBUTIONS: FROM WHOM? FROM EVERYONE

4. **CEEP PLENARY**, WHOSE BROAD AND DIVERSE COMPOSITION, ALLOWS THE CONSIDERATION OF DIFFERENT POINTS OF VIEW
5. **CEEP EXECUTIVE BOARD**, WITH THE DATA COLLECTED UNDER THE PRELIMINARY ASSESSMENT PROCEDURES, DISCIPLINARY PROCEDURES AND INSPECTIONS PROCEDURES
6. **FROM EXPERTS – CEEP INTERNATIONAL CONFERENCE**

ANALYSIS CRITERIA FOR THE EFFICIENCY OF ENFORCEMENT PROCEDURES

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CEPEJ CRITERIA

EUROPEAN COMMISSION FOR THE EFFICIENCY OF JUSTICE (CEPEJ)

- FINANTIAL CRITERIA:** cost control with justice
- LEGAL AID CRITERIA:** ensuring equal access to justice by all citizens
- MATERIAL CRITERIA:** protect the rights of users of justice
- ORGANIZATIONAL CRITERIA:** judicial organization
- FUNCTIONAL CRITERIA:** operation of the resources of Justice
- TIME CRITERIA:** administration of justice within a reasonable time frame

CEPEJ CRITERIA

EUROPEAN COMMISSION FOR THE EFFICIENCY OF JUSTICE (CEPEJ)

☐ ENFORCEMENT AGENTS

Number of Enforcement Agents

Process of entry into the profession (Proper training assured)

Number of enforcement agents by county

Number of enforcement procedures per enforcement agent

Enforcement agents geographical distribution

CEPEJ CRITERIA

EUROPEAN COMMISSION FOR THE EFFICIENCY OF JUSTICE (CEPEJ)

❑ SATISFACTION OF USERS OF JUSTICE

Verification of complaints based on:

Non execution at all

Non execution of the court decision against public authorities

Lack of information

Excessive length

Unlawful practices

Insufficient supervision

Excessive costs

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CRITERIA TO BE CONSIDERED BY CPEE

HANDLING PROCEDURE:

1. Incoming and Resolved– **Clearance rate**
2. Geographical distribution
3. Case average time during processual stage
4. Case turnover time

JUDICIAL ORGANIZATION:

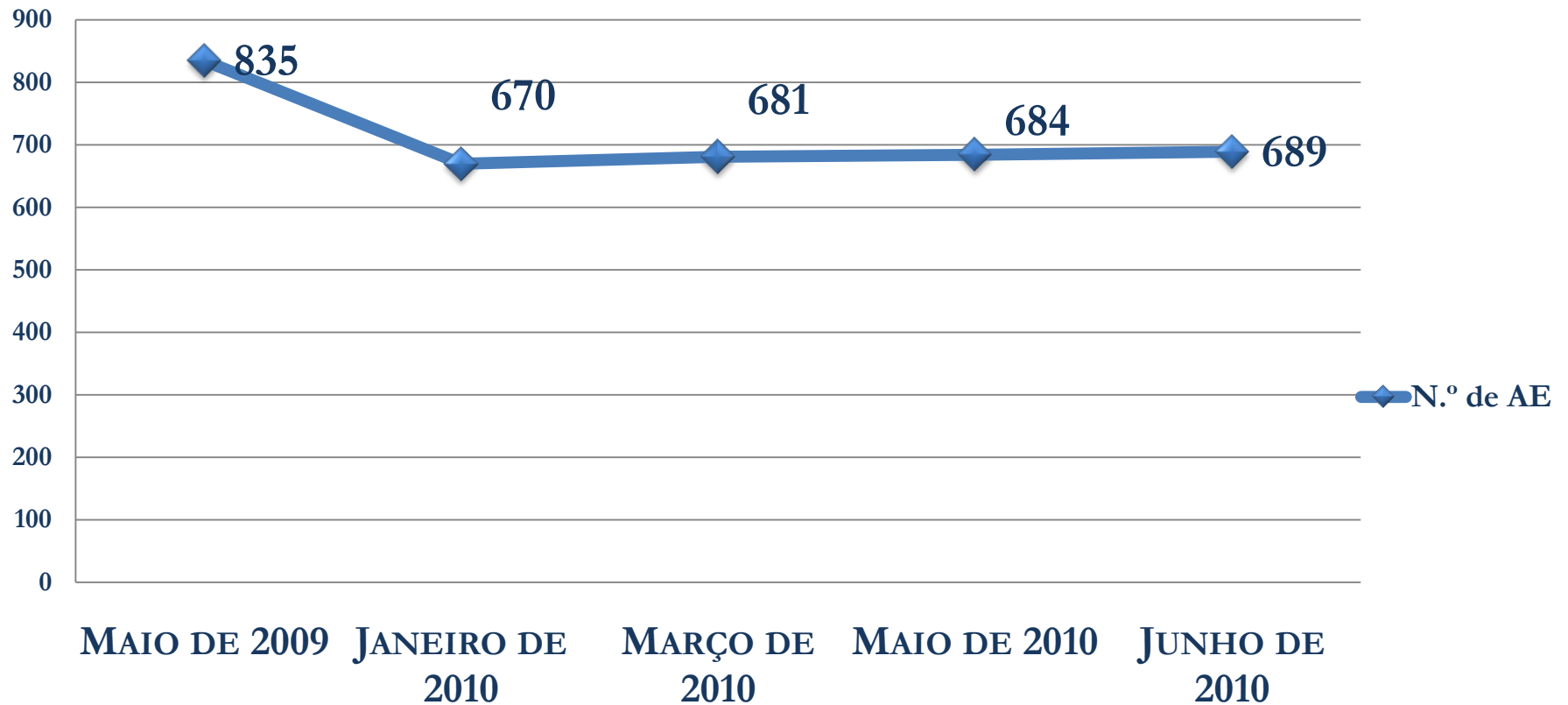
1. **Geographical Distribution**
2. Resources by processual density

ENFORCEMENT AGENTS:

1. **Nr. of Enforcement Agents**
2. Enforcement Agents geographical distribution
3. **Nr. of enforcement procedures per Enforcement Agent**

DATA ANALYSIS

NR OF ACTIVE ENFORCEMENT AGENTS



DATA ANALYSIS

NR OF ENFORCEMENT AGENTS

- MAY OF 2009– 835 ENFORCEMENT AGENTS IN ACTIVITY
- JUNE OF 2010 – 689 ENFORCEMENT AGENTS IN ACTIVITY

1ST CONCLUSION:

TODAY THERE ARE LESS 146 ENFORCEMENT AGENTS
THAN ON MAY OF 2009

DATA ANALYSIS

NR OF ENFORCEMENT AGENTS

- JUNE OF 2010 – 95 ENFORCEMENT AGENTS DO NOT RECEIVE NEW ENFORCEMENT PROCEDURES, BY THEIR OWN REQUEST

2ND CONCLUSION:

THE NUMBER OF ENFORCEMENT AGENTS THAT DO NOT RECEIVE NEW ENFORCEMENT PROCEDURES, BY THEIR OWN REQUEST (BASED ON EXCESSIVE WORK) MUST BE CONSIDERED – LACK OF ENFORCEMENT AGENTS

3RD CONCLUSION:

IT IS NEEDED A NEW TRAINING OF ENFORCEMENT AGENTS

MARCH OF 2010 – CPEE FIXED 300 MORE CANDIDATES TO ENFORCEMENT AGENTS

ANALYSIS CRITERIA FOR THE TRAINING OF ENFORCEMENT AGENTS

<http://www.cpee.pt>

INITIAL TRAINING

ENFORCEMENT AGENTS FIRST TRAINING ANALYSIS

1. NR. OF ENROLLED LAWYERS AND SOLICITORS
2. ADMINISTRED PROGRAM DURING STAGE ONE OF TRAINING
3. MIDDLE EXAM RESULTS
4. FINAL EVALUATION RESULTS PERFORMED BY THE EXTERNAL ENTITY

ENFORCEMENT AGENTS DISCIPLINARY BEHAVIOUR ANALYSIS

1. MOST COMMON PROCEDURAL ERRORS
2. MOST COMMON COMPLAINTS
3. MOST COMMON DISCIPLINARY BREACHES
4. FREQUENTLY ASKED QUESTIONS TO CEEP

CONTINUOUS TRAINING

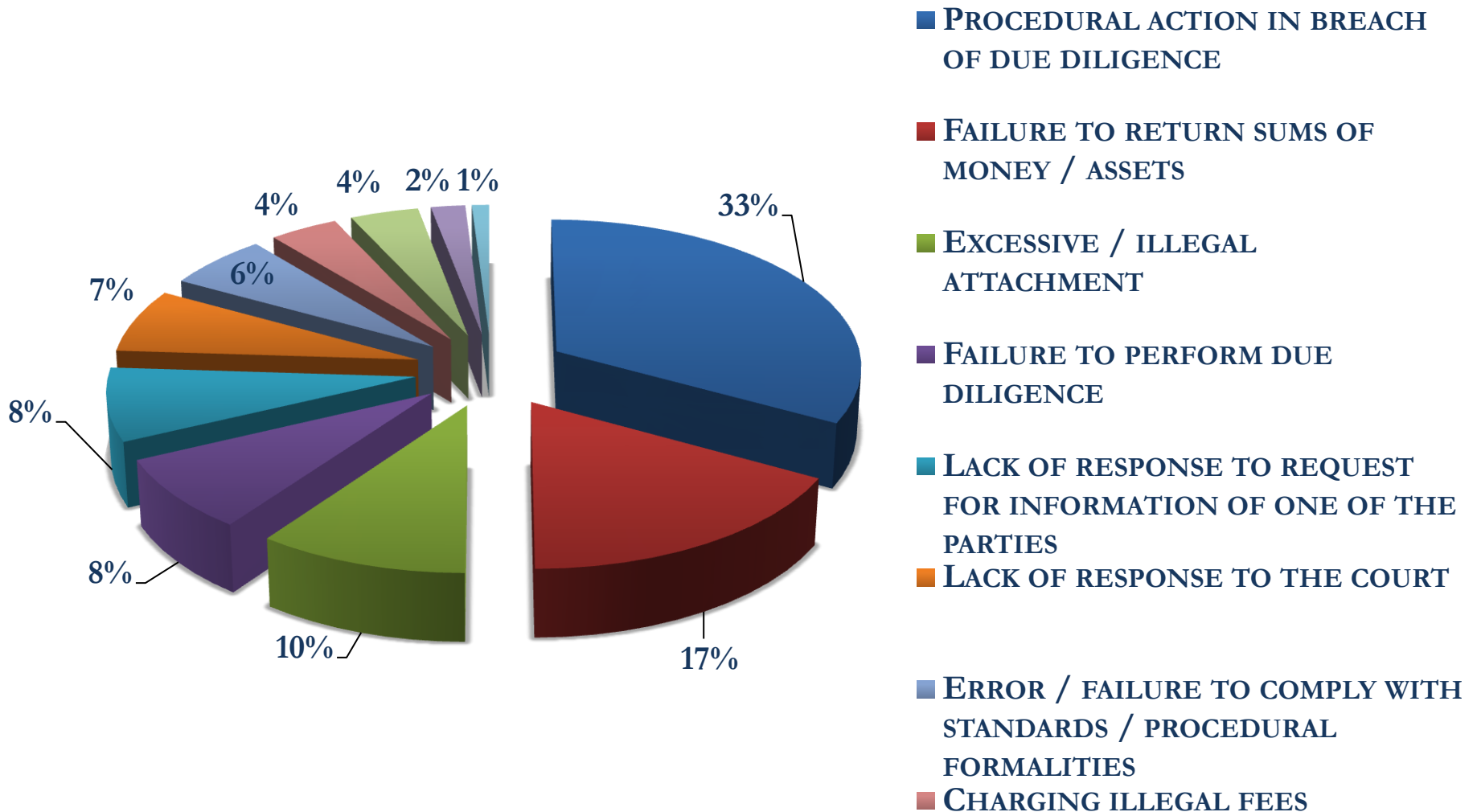
ENFORCEMENT AGENTS DISCIPLINARY BEHAVIOUR ANALYSIS

1. MOST COMMON PROCEDURAL ERRORS
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3. MOST COMMON DISCIPLINARY BREACHES
4. FREQUENTLY ASKED QUESTIONS TO CEEP

SUPERVISION OF ENFORCEMENT AGENTS

1. MANAGEMENT OF THE ACCOUNTS
2. VERIFICATION OF IT USAGE
3. ORGANIZATION AND ARCHIVE
4. PROBLEMS ENCOUNTERED

MOST COMMON COMPLAINTS IN 2009



MOST COMMON DISCIPLINARY BREACHES IN 2009

MOST COMMON BREACHES THAT MOTIVATED THE INICIATION OF A DISCIPLINARY PROCEDURE IN 2009

- BREACH OF DUTY OF DILIGENCE
- BRECH OF LEGAL PROCEDURES
- RETENTION OF AMOUNTS
- LACK OF ANSWER TO THE COURT
- LACK OF ANSWER TO THE PARTIES
- ILLEGAL OR DISPROPORTIONATE BEHAVIOUR

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