

BENCHMARKS FOR QUALITY AND ACCOUNTABILITY IN THE ROMANIAN JUDICIAL SYSTEM WITHIN THE FRAMEWORK OF EUROPEAN REFORM

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Abstract

The reform of judicial systems across Europe has increasingly emphasized judicial independence, quality, and accountability as fundamental components of the rule of law, accompanied by a shift toward a citizen-oriented model of justice. In Romania, accession to the European Union generated substantial structural and institutional changes aimed at improving judicial performance through the implementation of quality management principles and performance-based evaluation tools. This transformation reflects a broader understanding of justice as a public service, with the citizen positioned as the primary beneficiary.

The article explores Romania's progress in developing a system of quality indicators intended to ensure transparency, efficiency, and informed assessment of judicial activity. Since 2014–2016, participation in European cooperation frameworks has enabled the adoption of common benchmarks and analytical instruments, facilitating both internal evaluation and international comparison. Central to this process is the correlation between judicial independence and accountability, viewed as interdependent pillars of an effective and credible justice system.

Special attention is given to Romania's involvement in initiatives of the European Network of Councils for the Judiciary, which promote standardized indicators for measuring autonomy, responsibility, and quality. Despite notable advancements, the absence of systematic mechanisms for collecting court users' perceptions remains a significant limitation. The study concludes that sustainable judicial reform depends on embedding quality management as a strategic resource for modernization, enhanced accountability, and increased public confidence.

Key words: *Judicial quality, Judicial independence, accountability, management, performance indicators, public trust in justice*

Jel Classification: *K10, K31, H11*

1. Introduction

Substantial institutional changes have been implemented within European judicial systems, primarily in response to the obligation to align national legal orders with the fundamental values enshrined in Article 2 of the Treaty on European Union, as well as to fulfill the reform requirements associated with European Union accession. One of the most debated and frequently misconstrued issues in this process has been the notion of judicial independence (Cheesman, Badó, 2023).

In connection with Romania's entry into the European Union and the substantial demands associated with this process, the national judicial system underwent profound and long-term reforms. At the time of accession in 2007, Romania, together with Bulgaria, was placed under a specific monitoring framework established by the European Commission, known as the Cooperation and Verification Mechanism (CVM), aimed at addressing systemic weaknesses, particularly in the areas of corruption and the autonomy of the judiciary (. Selejan-Gutan, 2018).

In parallel with the profound transformation mechanisms aimed at ensuring judicial independence and impartiality and at reducing corruption, a new and increasingly prominent

concept has emerged: *the quality of justice* (Piana, 2010). This notion extends beyond the mere existence of institutional guarantees and procedural safeguards and introduces a broader perspective focused on the actual functioning of the judicial system.

The need for quality has been felt across all European states, the most significant developments in this field being reflected in a different orientation towards the citizen, as the beneficiary of justice (Hulpus, 2016).

The quality of justice cannot be assessed in isolation from fundamental principles such as the rule of law, independence, and impartiality (Adeosun, 2023). These principles constitute the normative foundation of any judicial system and remain indispensable for its legitimacy. However, an exclusive emphasis on formal compliance with structural and legal standards is insufficient if justice is not also effective, accessible, and responsive to the individuals it is meant to serve.

Consequently, a growing emphasis has been placed on a justice system oriented toward court users and society at large (OECD, 2025). This user-centered approach implies that judicial institutions must not only operate independently but also deliver decisions within a reasonable timeframe, ensure clarity and transparency in judicial proceedings, and provide practical access to legal remedies. In this sense, the quality of justice represents a shift from a purely institutional view toward a functional and societal evaluation of judicial performance.

Over time, influenced by these changes and by models drawn from other European legal systems, the Romanian judiciary increasingly recognized that the fundamental purpose of justice lies in serving the public interest, understood primarily as the needs of citizens as beneficiaries of judicial services. This shift has required the adoption of quality management approaches, emphasizing structured planning through the consolidation of performance strategies and the development of evaluation mechanisms capable of generating relevant indicators on the functioning of individual courts and the judicial system as a whole. The interpretation of the resulting data has thus become a key element in identifying opportunities for further improvement.

In recent years, Romania has achieved notable progress in this area. Involvement in international working groups and forums dedicated to improving the quality of justice contributed to the creation of an indicator framework which, beginning with the 2014–2016 period, introduced a new approach to assessing quality and enabled both comparative evaluation among courts and cross-national comparisons between European judicial systems. This advancement was supported by efforts to define a common conceptual framework, harmonized domains of measurement, and standardized indicators, all of which facilitated the exchange of good practices among states. Access to comparative data is essential for forming a balanced and accurate understanding of judicial performance, in contrast to earlier national practices that relied on narrow criteria focused mainly on case outcomes or on the activity of individual judges.

The autonomy of the judiciary, both at the level of institutions and in relation to individual judges, represents a core element of the rule of law and a necessary condition for the effective operation of any system of justice. However, independence cannot be viewed in isolation, as it must be accompanied by mechanisms that ensure accountability and openness. In this context, the present paper examines a major initiative developed by the European Network of Councils for the Judiciary, in which Romania has participated from the outset. The project aimed to establish a uniform set of indicators for assessing judicial independence and accountability among EU Member States and to promote the ENCJ's analytical framework as a common standard of reference (ENCJ, 2014).

In addition, the project addressed issues relating to judicial independence and impartiality through a comparative examination of the participating jurisdictions. By defining shared criteria and benchmarks, the initiative facilitated the exchange of expertise, improved awareness of quality-related concerns, and supported the dissemination of best practices across national systems.

Membership in international structures and the comparative analysis of quality systems also serve as incentives, as the periodic collection of data encourages states with less developed quality

systems to make efforts in areas where data are still lacking. At the same time, the analysis of quality systems in countries with high-performing judiciaries and satisfied citizens should serve as models of good practice to be adopted and adapted to the specific context of each judicial system.

In addition to analyzing these directions, indicator frameworks, and the results observed over recent years, the study focuses on the efforts undertaken by the Romanian judicial system which, despite the progress made and active participation, continues to avoid the systematic recording of court users' perceptions.

In conclusion, quality management should be regarded as a key element in the revitalization of the judiciary, conceived as a resource designed to facilitate efficient court administration, in compliance with both general and field-specific quality standards, while at the same time preserving the freedom to operate independently and to identify essential remedial measures for optimizing performance (Hulpuș, 2016).

2. The Importance of a Global Perspective on Quality in the Judicial System

Beginning in the 1990s, Europe as a whole increasingly demonstrated the need to align judicial systems with specific quality standards, with each state showing growing interest in identifying benchmarks consistent with the particularities of its own legal system.

One of the earliest notable initiatives was launched by the United Kingdom government, which in 1991 published a set of quality standards for public service users, thereby taking an important step toward improving public services. The *Citizens' Charters* also included the justice system, with Scotland being the first jurisdiction to implement the section referring to justice at the end of that same year.

Similar principles, introduced in France under the name *Charte Marianne*, were adopted as benchmarks for improving public sector quality by facilitating access to public services. This framework emphasized the need for a user-friendly climate in the relationship between courts and citizens and the implementation of measures to expedite the handling of complaints regarding services provided to the public. Switzerland also provides an illustrative model in this respect, having published in 1996 the results of a report conducted under the coordination of a group of lawyers, which highlighted user satisfaction with judicial services. The findings were subsequently disseminated and the project was later expanded.

The Netherlands initiated what is arguably the most comprehensive and ambitious reform program, drawing on the experience of the US *Trial Court Performance Standards*, on the basis of which the first judicial quality measurement instruments were designed and tested, using structured descriptions of the areas targeted for improvement. The program, entitled *Rechtspraak*, is currently used by all Dutch courts as a total quality management system. Similarly, beginning in 1995, Finland focused on developing and testing tools for measuring quality within courts. The *Quality Benchmarks* initiative (*The Rovaniemi Court of Appeal Quality Project*) identified six domains influencing court users' perceptions of judicial quality, namely: the procedure, the decision, the treatment of parties and the public, procedural timeliness, competence and professionalism, and the organization and management of case resolution (Savela, 2006).

Starting in 2002, international bodies promoting interstate cooperation were established through the creation of working groups and the periodic collection of qualitative and quantitative data to enable comparison of judicial systems from multiple perspectives and to formulate opinions, guidelines, and reform proposals aimed at improving judicial efficiency. This collective cooperation is regarded as an essential resource for supporting justice-related public policy design, for the benefit of European Union residents.

2.1. The European Commission for the Efficiency of Justice (CEPEJ)

The European Commission for the Efficiency of Justice (CEPEJ) was created as a cooperative framework bringing together European states and specialists appointed by the member countries of the Council of Europe. Its mission is to assess the performance of judicial systems and to develop instruments and strategies aimed at improving the effectiveness and quality of judicial services. As set out in its founding mandate, CEPEJ undertakes comparative analyses of national judicial systems based on harmonized data and standardized evaluation techniques, with the objective of detecting systemic shortcomings and identifying opportunities for improvement. In addition, the Commission formulates practical recommendations to strengthen both the monitoring mechanisms and the overall functioning of judicial institutions, taking into account the particular conditions of each member state (CEPEJ, 2012).

In pursuing its mission, CEPEJ periodically evaluates the legal systems of member states by identifying and developing common indicators tailored to each jurisdiction, collecting and analyzing quantitative and qualitative data, and producing not only reports and statistics but also guidelines, action plans, and opinions.

2.2. The Establishment of the European Network of Councils for the Judiciary (ENCJ)

In November 2002, a small group of judicial councils from several European states initiated a conference at which the idea of establishing a network to bring together judicial councils across the European Union for international cooperation was first proposed. Accordingly, on 20 May 2004, the ENCJ was officially established, accompanied by the adoption of its Charter, a document aimed at maintaining and developing the European Union as an area of freedom, security, and justice.

The primary objective was “the creation of a European area of freedom, security, and justice based on cooperation among members, with respect to the analysis and dissemination of information regarding their structure and competencies, the exchange of experience concerning the organization and operation of judicial systems, and the provision of expertise, experience, and proposals to the institutions of the European Union and other national and international bodies” (ENCJ, *Statute of the European Network of Councils for the Judiciary*).

During the ENCJ General Assembly held in Bucharest on 28–29 May 2009, the adoption of a strategic plan was approved, redefining the role and vision of the organization. According to its renewed mission, “the association acts to strengthen independent yet accountable judicial authorities and promotes best practices in order to enable the judiciary to deliver effective and efficient justice for all.”

Romania’s involvement in these initiatives is of particular significance, not only in terms of monitoring national progress but also because the project enables a comparative analysis of participating countries through the identification of common standards and indicators. The outcome is the provision of knowledge and expertise for all partners, the enhancement of understanding regarding quality, and the promotion of good practices.

3. Guidelines for Evaluating the Quality of Romanian Courts: A Set of Performance Indicators Developed in 2014–2015

3.1. Performance and Quality Indicators in the Romanian Judicial System

At the initiative of the Superior Council of Magistracy (CSM), a Working Group on Court Efficiency (initially called the “Working Group on the Optimal Workload Program”) was established, with its formation validated by Commission 1-“Independence and Accountability of Justice, Efficiency of Judicial Activity, Enhancement of Judicial Performance, Integrity and Transparency of the Judicial System”-on 19 May 2014. Following meetings and collaborative

efforts, the Group developed a set of performance indicators to measure aspects of court productivity and outcomes.

The Group emphasized the importance of the initiative due to the need to measure judicial performance in terms of the reasonable duration of case resolution. Moreover, system-wide standards were necessary to allow structural analyses and a comprehensive overview of court activity, by jurisdictional level, both semi-annually and annually. According to the Group, efficiency is closely linked to case resolution times, so proposed indicators must provide information on the reasons for delays, offering insights for court managers and decision-makers (CSM, Ministry of Justice) to implement improvements and achieve established quality standards.

Through comparative analysis, standards were designed to examine and evaluate the activity of courts, their sections, and judicial panels. By Decision No. 1305 of the Judges’ Section of the CSM, five performance indicators for courts were established:

- Case resolution rate;
- Backlog of cases older than one year;
- Proportion of cases closed within one year;
- Average duration of resolution by subject matter;
- Draft decisions exceeding legal deadlines.

According to the Report, “each of the five indicators is divided into four efficiency levels, represented graphically as: very efficient (green), efficient (yellow), satisfactory (orange), and inefficient (red). A centralized report of all performance indicators will also indicate the overall status of the court.”

The contribution of this quality measurement system, in terms of effectiveness and efficiency, to improving court activity is indisputable. Its advantages are visible both at the level of court management, particularly regarding human resource policies, and at the system-wide level, providing a basis for allocation of personnel and financial resources and informing legislative adjustments.

3.2. Independence and Accountability

Court performance cannot be considered separately from the values of justice. Establishing concrete benchmarks, performance indicators, and a comprehensive measurement system should be regarded as a safeguard of the rule of law, aimed at structuring every action, attitude, and behavior of those responsible for administering justice.

The integrity and autonomy of the judiciary, both at institutional level and with regard to individual judges, represent a fundamental prerequisite for upholding the rule of law. In the absence of such independence, courts are unable to properly carry out their designated roles and responsibilities. However, independence should not be interpreted as a stand-alone principle, but rather as one that is intrinsically connected to accountability. As highlighted by ENCJ, “Independence must be earned; it is not automatically acquired.” A judicial system that does not demonstrate responsibility toward the public cannot foster public trust and, as a result, cannot attain genuine independence. The most effective safeguard of judicial autonomy lies in transparent functioning and responsible governance.

On the basis of these core assumptions, ENCJ launched an extensive and strategically relevant initiative in which Romania has also been actively involved. The project was structured around two central aims:

1. To formulate a methodological framework for the design and assessment of indicators capable of evaluating judicial independence and accountability across EU Member States;
2. To promote ENCJ’s conceptual approach by encouraging the adoption of a common understanding of judicial autonomy and responsibility at the European level.

ENCJ’s work goes beyond collective guidelines, also seeking to identify potential threats and measures to mitigate them. Independence and accountability are inseparable; accountability is a

prerequisite for independence. A judiciary that does not fulfill its obligations toward society and adapt to its needs risks losing public trust and jeopardizing its autonomy. Achieving accountability requires not only formal compliance but also that the population perceives justice as responsible. Even with formal procedures ensuring judicial commitment, citizens’ subjective perception is equally important. Courts and judges may be perceived as closed structures acting in self-interest rather than serving society.

Accountability, like independence, applies both to the judiciary as a whole and to individual judges. System-wide accountability refers to transparency regarding performance, while individual accountability concerns personal aspects that may influence decisions. To empirically evaluate these dimensions, ENCJ focused on identifying “a set of real indicators for assessing judicial independence and accountability.” These indicators encompass judges, legal and administrative staff, governing bodies, and judicial councils. The RECJ Report on Judicial Independence and Accountability for 2013–2014 defined these indicators, which have been adopted and analyzed in subsequent studies (ENCJ, 2014).

ENCJ (2014) distinguishes between objective independence (legal and objectively observable elements essential to independence) and subjective independence (societal perceptions of independence). Similarly, literature distinguishes “de jure” independence (formal guarantees and procedures) from “de facto” independence (actual independence in judicial decision-making). The project also differentiates between objective and subjective judicial accountability.

Indicators were tested experimentally in four European countries with diverse legal systems, confirming their feasibility and usefulness for assessing real judicial independence and accountability, and identifying areas needing attention. The project continues, with the most recent RECJ Report covering 2024–2025, presented at the General Assembly in Riga on 6 June 2025.

Initial pilot results, as presented in the ENCJ report, used five performance categories: very positive, positive, neutral, negative, and very negative, represented with colors. Missing data fields, often regarding subjective independence and accountability, are shown in white; absence of data often reflects lack of attention to those areas, as in evaluating practical judicial independence.

Table 1. Indicators about objective independence -ENCJ Pilot Report

	Ireland	Italy	Netherlands	Romania
Legal basis of independence				
Organizational autonomy				
Funding for the Judiciary				
Court Management				
HR decision about judges				
Irremovability of judges				
Procedures in case of threat to independence				
Internal independence				

Table 2. Indicators about subjective independence in general- ENCJ Report 2014

	Ireland	Italy	Netherlands	Romania
Perceived Independence				
Trust in Judiciary compared to State Powers				
Perceived Corruption				

Table 3. Indicators about objective accountability for four countries- ENCJ Pilot Report

	Ireland	Italy	Netherlands	Romania
Allocation of cases				
Complaints procedure				
Periodic reporting				
Relation with press				
External review				
Code of judicial ethics				
Withdrawal and recusal				
Accessory functions/disclosure				
Understandable proceedings				

Table 4. Indicators about subjective independence and accountability perceived by the participants in court cases- ENCJ Pilot Report

	Ireland	Italy	Netherlands	Romania
Perceived by users				
Perceived by judges				

A critical initial conclusion is that subjective indicators remain underdeveloped. Apart from the Netherlands, which integrates objective and subjective data, other participating states cannot provide citizen perception data on independence, impartiality, and accountability. This highlights the need for Romanian judicial authorities to engage in external evaluation of judicial quality and the independence-accountability nexus.

3.4. Current Results, according to the latest RECJ Reports within the Project Independence, Accountability and Quality of the Judicial System - Ljubljana 2023, respectively Riga 2025

The most recent ENCJ reports emphasize that independence and accountability are closely linked. Independence is not abstract; it includes the duty to demonstrate how obligations are fulfilled. Judicial accountability differs from civil liability, encompassing both formal obligations (e.g., case handling procedures, appeals, transparency, ethical adherence) and societal perceptions. Romania has not participated in measuring subjective accountability, reflecting reluctance to adopt both external and internal subjective indicators.

ENCJ considers the indicator set sufficiently mature to provide both informative insights and guidance for improvement. Continuous development of judicial plans is part of a cyclic quality optimization process, often conceptualized as the PDCA cycle (Plan, Do, Check, Act).

From the perspective of the ENCJ, the formulation of standards and policy recommendations alone is insufficient to ensure judicial independence and accountability. Their effectiveness ultimately depends on actual adoption and application by member and observer judiciaries. To evaluate the degree to which these principles are implemented, a comprehensive framework of indicators was established to monitor developments in judicial independence and accountability. This monitoring function has become increasingly critical in the current European climate, where the protection of the rule of law represents a central institutional challenge. The indicator system is periodically updated in order to reflect ongoing changes within national judicial systems.

The framework incorporates both institutional safeguards and accountability mechanisms, as well as societal perceptions regarding judicial autonomy. Public perception is measured through

yearly surveys conducted at European level, including the Eurobarometer commissioned by the European Commission, and additional instruments such as the Rule of Law Index. Since these population-based surveys do not include judicial staff, the ENCJ complements them with a dedicated survey targeting judges. In early 2025, this judicial survey was administered for the fifth time.

A total of 19,136 judges from 32 jurisdictions across 30 countries responded, with Moldova and Ukraine joining the exercise for the first time. Participation thresholds were largely met across the surveyed jurisdictions. Overall, judges assessed both institutional and personal independence favorably. Although independence had generally improved over the long term since the first survey in 2015, findings from the most recent round indicate a stagnation or slight decline in average scores in some systems. In most jurisdictions, high levels of perceived independence were maintained, though notable reductions were reported in Hungary, Montenegro, Greece, and Slovenia, while evaluations in Bosnia and Herzegovina remained persistently low.

Judicial councils received highly divergent ratings across countries, demonstrating that their mere existence does not by itself guarantee institutional autonomy, rather, effectiveness depends on governance arrangements, membership selection processes, and operational practice. Persistent concerns were also reported regarding judicial appointments, promotions, integrity, and corruption. Although direct interference in judicial decision-making by court leadership remains limited, performance pressure related to efficiency targets was frequently cited. Furthermore, respondents highlighted growing tensions between the judiciary and other state powers, particularly regarding non-implementation of court decisions, deteriorating working conditions, and political disregard for judicial independence.

Judges also reported increasing external pressure from traditional and social media sources. Notably, for the first time, the survey examined intimidation and threats directed at judges, finding that a substantial proportion had experienced such conduct, although physical attacks remained rare.

Landmarks regarding Accountability

Within the objective dimension of accountability, responsibility at the level of the judicial system has continued to focus primarily on the establishment of formal mechanisms designed to demonstrate the judiciary's commitment to society. One illustrative indicator concerns the existence of procedures for lodging complaints against judges and mechanisms ensuring institutional transparency. In this respect, attention is given to whether clear and formal reporting systems are in place with regard to issues such as case management practices, procedural efficiency, average case duration, appeal timeframes, and other elements relating to the overall quality of adjudication. Judicial responsibility further entails the obligation for judges to provide reasoned decisions in a manner that enables litigants, the media, and the broader public to comprehend and assess the legal reasoning underlying judicial outcomes (ENCJ, 2023).

The most recent assessment also highlights the significance of the subjective dimension of accountability. While institutional safeguards and formal procedures remain indispensable, public perceptions of judicial responsibility are equally influential. In this regard, the judiciary may at times be perceived as an inward-looking professional group primarily concerned with its own interests rather than with serving the public good. Against this background, the collection of data through statistical and survey-based methods becomes essential for capturing societal attitudes toward the judiciary's level of engagement and responsiveness. As part of the judicial reform cycle promoted by ENCJ, independence- and accountability-related indicators were re-evaluated, covering both institutional arrangements and safeguards, on the one hand, and perceptions of independence and responsibility within society, on the other.

External evaluation represents another key benchmark in assessing accountability within the judicial system. Beyond conventional instruments such as annual performance reports and financial audits, systematic assessment conducted by independent experts or representatives of civil society

is considered an important means of enhancing institutional openness and quality assurance. In practice, however, such external appraisal mechanisms remain underutilized, while alternative forms of oversight—such as internal review procedures or supervision exercised by other branches of government—although potentially beneficial, may also raise concerns regarding judicial independence. The role of judicial inspection services attached to judicial councils or ministries of justice, as well as that of independent public auditors, has also been discussed within the analytical framework of this indicator.

Compared with the pilot phase and previous reporting cycles, two notable additions can be identified in the evaluation of system-level accountability. The first relates to outreach initiatives directed at civil society, encompassing activities such as open court days, educational programs in schools, and participation in traditional and social media platforms in order to improve public understanding of judicial work (ENCJ, 2023).

The second addition concerns transparency in judicial governance and civil society participation in decision-making structures. This includes, in particular, public involvement in bodies responsible for judicial appointments, disciplinary proceedings, and the handling of complaints against courts or individual judges. Notably, the Romanian judiciary recorded a score of zero under this indicator.

Within the dimension of individual accountability, a further criterion concerns the evaluation of judges themselves. Sub-indicators assess whether performance reviews are conducted, whether their objectives are clearly defined, and whether safeguards exist to protect judicial independence within the evaluation process. In the current assessment cycle, perceptual indicators within the subjective dimension are restricted to the views of judges, in contrast to previous exercises that also considered the perspectives of legal professionals such as lawyers. The indicators primarily measure adherence to ethical standards and the perceived effectiveness of judicial authorities in addressing misconduct and corruption. More than 80 percent of respondent judges expressed satisfaction with compliance with ethical norms, while between 60 and 70 percent considered that irregularities and corruption are being adequately addressed.

Romania did not take part in the exercise measuring the subjective dimension of accountability, reflecting a degree of reluctance to engage with perception-based indicators, whether derived from external sources or even from surveys conducted among judges themselves.

3.5. Current Project Assets

User perceptions surveys

Finally, the ENCJ has consistently identified the absence of user-based perception data as a major limitation in evaluating judicial independence and accountability. Court user surveys serve both analytical and institutional engagement functions, offering direct insight into how courts are experienced by litigants. Existing evidence suggests that user perceptions frequently differ from general population attitudes and are often more favorable. In light of this, the ENCJ has intensified efforts to institutionalize court user surveys, with the objective of conducting such surveys in at least one court of first instance per jurisdiction during 2025–2026. A consolidated questionnaire is expected to be implemented by participating systems, with comparative findings to be reviewed in 2026 (ENCJ, 2025).

Judicial Quality

In the context of judicial quality, particular emphasis was placed on self-representation in civil cases and the provision of legal aid. These aspects were evaluated with respect to their influence on the length of proceedings, the functions of judicial actors, and the overall fairness of adjudication. Significant differences were identified across jurisdictions concerning regulatory provisions, accessibility, and the efficiency of judicial systems (ENCJ, 2025).

4. Conclusions

While acknowledging the relevance of this complex system of indicators, which effectively incorporates the fundamental principles of justice into the very notion of quality, attention must nevertheless be drawn to the inherent limitations of purely quantitative methodologies. As noted by Keilitz (2018), an exclusive focus on numerical data and measurement tools is insufficient; what is equally necessary is a coherent management-oriented approach capable of transforming information into meaningful institutional improvement.

Judicial governance should extend beyond the mere quantification of performance and instead incorporate an active approach to managing independence, accountability, and transparency. In this regard, it is essential that judicial institutions do not limit their efforts to developing indicators, but also ensure that these tools are embedded within a coherent management framework. The strategic use of performance-related information—by conveying relevant indicators to appropriate stakeholders in a timely and accessible manner—can generate significant benefits even in the initial phases of designing evaluation systems.

Effective leadership within judicial organizations recognizes performance indicators as instruments not only for assessment, but also for communication, coordination, and organizational change. Well-conceived indicators facilitate the translation of institutional objectives into operational practice and can influence professional conduct across different levels of the judiciary. However, indicators can fulfill this role only if they are directly linked to concrete actions and decision-making processes.

Particular importance should therefore be attached to the practical usability of performance metrics. The construction of indicators that are excessively theoretical, ambiguous, or detached from operational realities risks undermining the credibility and functionality of performance management systems from the outset. Where the meaning and practical implications of an indicator are unclear, judicial actors cannot be expected to improve outcomes on the basis of that metric. Consequently, the early integration of an outcomes-oriented perspective into the design of measurement instruments is a prerequisite not only for effective evaluation, but also for meaningful performance enhancement.

In recent years, the judicial system in Romania has achieved significant progress, shifting from quality-oriented procedures to a heterogeneous quality assessment system. Although performance domains and criteria have been expanded—thus offering a more comprehensive perspective on quality and incorporating certain fundamental principles of justice—it is nonetheless essential to acknowledge that the Romanian model continues to exhibit substantial shortcomings. Particular concern is given to the insufficient emphasis on the fundamental principle that courts should be oriented toward the users of judicial services, as well as to the avoidance of external evaluations and the exclusion of subjective indicators.

With regard to defining standards of justice—most notably judicial independence and accountability—it is our assessment that the objective, measurable parameters currently employed by the Romanian judicial system must be complemented by subjective data and perception-based indicators.

In summary, while acknowledging the notable progress made thus far, it is essential to highlight the urgent need for a customized and adaptable framework for evaluating judicial quality. This framework should be informed by established best-practice models, yet remain sufficiently flexible to accommodate the particular features of the Romanian judicial system and to address effectively the legitimate expectations of court users.

5. References

- [1]. Adeosun, A., *Measuring the Quality of the International Judiciary: The ECOWAS Community Court of Justice*. Doctor of Philosophy (PhD) thesis The Open University, 2023, <https://doi.org/10.21954/ou.ro.000153b7>;
- [2]. Cheesman, S. J., Badó, A. (2023). *Judicial reforms and challenges in Central and Eastern Europe*. International Journal for Court Administration, 14(2), Article 5. <https://doi.org/10.36745/ijca.532>;
- [3]. European Commission for the Efficiency of Justice (CEPEJ), *Efficiency and Quality of Justice*, 2012, retrieved from www.coe.int;
- [4]. European Network of Councils for the Judiciary (ENCJ), *Report on Independence, Accountability and Quality of the Judiciary 2022–2023* – General Assembly, Ljubljana, 8 June 2023, www.encj.eu accessed 15.07.2025;
- [5]. European Network of Councils for the Judiciary (ENCJ), *Report on Independence, Accountability and Quality of the Judiciary 2024–2025* – General Assembly, Riga, 6 June 2025. www.encj.eu accessed 10.09.2025;
- [6]. European Network of Councils for the Judiciary (ENCJ), *Sofia Declaration on Judicial Independence and Accountability*, 2013, www.encj.eu, accessed 10.09.2025;
- [7]. European Network of Councils for the Judiciary (ENCJ), ENCJ Guidelines, Recommendations and Principles: Report 2012–2013, www.encj.eu, accessed 15.07.2025;
- [8]. European Network of Councils for the Judiciary (ENCJ), *Judicial Reform in Europe: Report 2011–2012*, www.encj.eu, accessed 15.07.2025;
- [9]. European Network of Councils for the Judiciary (ENCJ). *Statute of the European Network of Councils for the Judiciary*. available on the SCM website: www.csm1909.ro
- [10]. Hulpuș, I. A., *Quality Management in Romanian Courts*. Sibiu: Lucian Blaga University of Sibiu Press, 2016;
- [11]. Hulpuș, I. A., Muscalu, E., & Faloba, V., *Management of litigants' satisfaction as customers of legal services provided by the courts*. MSD Journal, 7, 2015.
- [12]. Keilitz, I., *Viewing judicial independence and accountability through the “lens” of performance measurement and management*. International Journal for Court Administration, 9(3), 23–36, 2018, <https://doi.org/10.18352/ijca.280>;
- [13]. OECD, *Making Justice Systems More Effective and People Centred. Advancing a Responsive Rule of Law*, Report 2025, https://www.oecd.org/en/publications/making-justice-systems-more-effective-and-people-centred_e02fd90b-en/full-report/leading-the-transformation-of-the-justice-system_d7121065.html accessed 20 november 2025;
- [14]. Piana, D., *Judicial Accountabilities in New Europe: From Rule of Law to Quality of Justice*. Routledge, 2010, <https://doi.org/10.4324/9781315590745>;
- [15]. Ríos-Figueroa, J., & Staton, J. K., *An evaluation of cross-national measures of judicial independence*. Journal of Law, Economics, and Organization, 30(1), 104–137, 2014.
- [16]. Savela, A., *Evaluation of the Quality of Adjudication in Courts of Law: Principles and Proposed Quality Benchmarks*. Quality Project of the Courts in the Jurisdiction of the Court of Appeal of Rovaniemi. Oulu: Painotalo Suomenmaa, 2006.