

Reforming the speed of justice: Evidence from an event study in Senegal

Florence Kondylis & Mattea Stein

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Motivation (1)

- The speed of legal resolution is among the key markers of the investment climate
 - “Doing Business” [*World Bank*]

Motivation ()

- Lack of evidence on the effectiveness of justice reforms prevents formulation of actionable policy recommendations (Boala et al 2014)
 - poor identification, lack of high-frequency data
 - few court-level studies (Coviello et al 2015; Chang and Schoar 2006)
 - none in developing countries

Question

- Can simple legal reforms affect the speed of civil and commercial justice in a developing country context?
- Can we isolate speed vs. quality tradeoffs?

This paper

- Collect high-frequency, case-level data on the Civil and Commercial court of Dakar
 - retrace the full historic of cases, with bi-monthly frequency

Preview of the results

- We find that imposing a deadline has a large effect (72 days; 0.5 SD) on pre-trial duration
- Higher speed is achieved through increased *de i ivene*
 - number of fast-tracked decisions increase (15 pp.)
 - number of pre-trial hearings reduced (0.4 SD)
 - judges 57% more likely to set firm deadlines

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 - number of pre-trial hearings reduced (0.4 SD)
 - judges 57% more likely to set firm deadlines
- Evidence supports the idea that delays are largely *idle*

Procedure

- Split across two main stages
 - *Pre-trial*
 - Parties build their case under *supervision* of a pre-trial judge
 - judge's input is purely administrative (schedule and attend hearings)
 - *Decision*
 - Judges deliberate in closed session, announce decision in public hearing
 - judges' inputs influence quality (review evidence, argument, decide)

Decision $n = 013-1071$

- Sets a 4 month deadline on pre-trial phase

Decision 013-1071

- Sets a 4 month deadline on pre-trial phase
- Allows judges to reject cases as “irre evable” at the first pre-trial hearing
- Staggered roll out across 7 civil and commercial chambers, over a 6-month period
 - first introduced in November 2013, reached full coverage by April 2014

Theoretical framework

- judges are career bureaucrats who expend effort to convince peers and superiors of their talent
 - *at pre-trial*, their speed is the only signal; speed influences the precision of the evidence
 - *at decision*, the quality of the decision is the main signal, and is a function of precision
 - allow multi-dimensional cases may send a stronger signal than uni-dimensional cases
 - we allow the number of hearings on a given case to be a function of judges' effort

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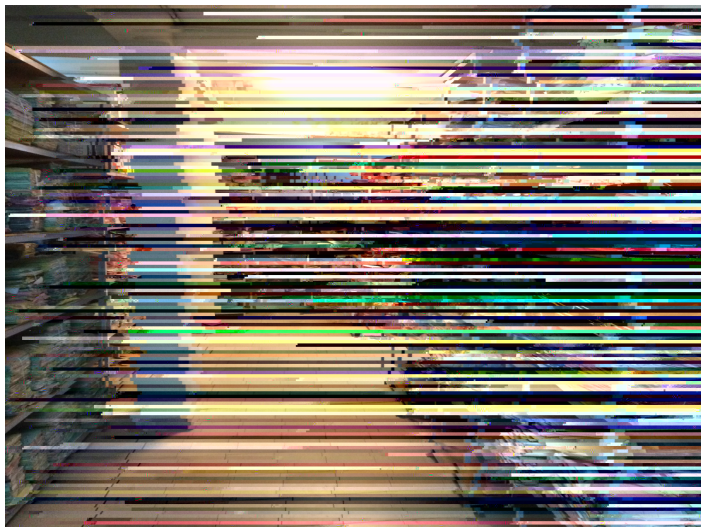
Prediction



Prediction

- Prediction 1: if judges *strategically* delay pre-trial hearings, decree should
 - increase duration for unidimensional (faster) cases & decrease intensity of hearings
 - reduce duration for multi-dimensional (slower) cases & increase the intensity of hearings
- Prediction 2: if judges *idly* delay pre-trial hearings, decree should
 - (weakly) decrease duration of *all* cases & reduce the number of hearings
 - increase *decisiveness* of pre-trial hearings
- The effect on quality is a priori *ambiguous*

Data



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Mod I: Ca -| v |

- run a flexible functional form with one treatment effect per case entry period

$$y_{ij} = \alpha + \beta \cdot 11(tApplicationSinceEntry_i ==) + D_m + D_j + \epsilon_{ij}$$

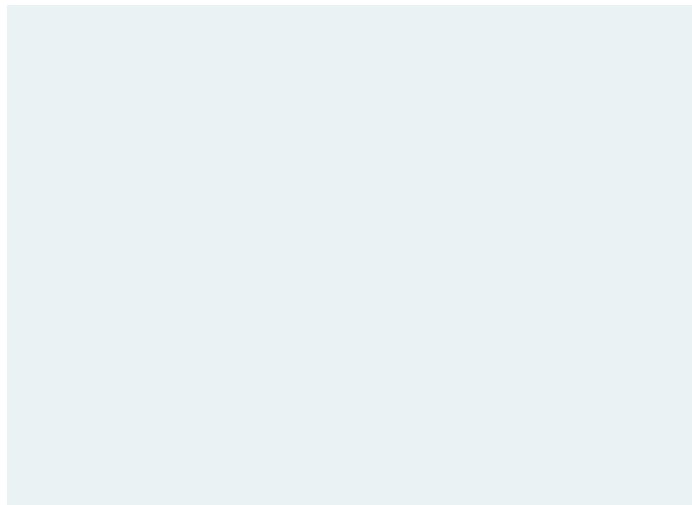
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- y_{ij} outcome of case i in chamber j
- $tApplicationSinceEntry_{ij}$ indicates the number of hearings (half-month periods) between entry of case i in court and the application of the decree in chamber j (centered at 0)
- D_j are chamber FE
- D_m are calendar month FE
- ϵ_{ij} is an error term

obu tn

- Verify existence of a structural break on main outcomes at cut-off (*event study*)
- Check for structural break in chamber-level incoming caseload across all cut-offs [here](#)
- Check for structural break in jurisdiction-wide incoming caseload [here](#)
- Other types of structural changes are unlikely to be chamber-specific

Pr -trial duration (day)



Pr -trial duration: Di tribution



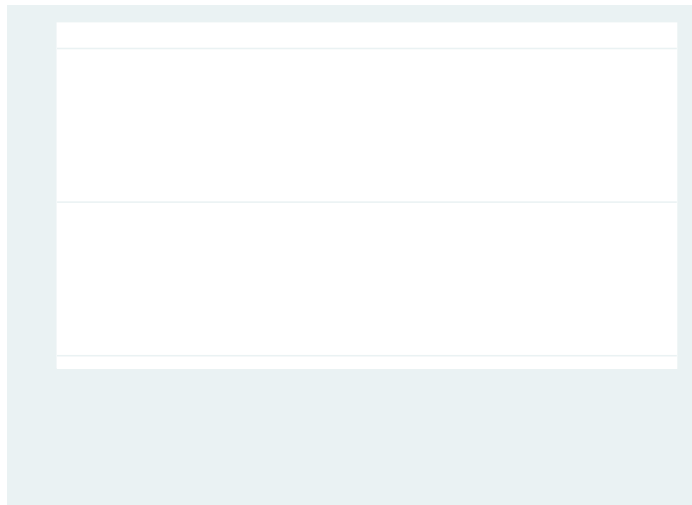
Duration of pre-trial proceedings

	(1) Duration of pre-trial hearings (in days)	(2) Likelihood of pre-trial completion in 4 months	(3) Duration of pre-trial hearings (in days)	(4) Likelihood of pre-trial completion in 4 months
Entered after interim	-124.774*** (8.518)	0.268*** (0.029)	-72.040*** (10.943)	0.194*** (0.039)
Entered during interim	-86.306*** (8.250)	0.178*** (0.029)	-49.559*** (8.676)	0.127*** (0.035)
Constant	156.000*** (18.231)	0.493*** (0.042)	175.177*** (16.014)	0.689*** (0.053)
Chamber FEs	Yes	Yes	Yes	Yes
Calendar month FEs	Yes	Yes	Yes	Yes
Trend	No	No	Yes	Yes
Pre-mean	164.018	0.461	164.018	0.461
Pre-sd	143.860	0.499	143.860	0.499
R-Squared	0.213	0.140	0.227	0.142
Observations	3384	3515	3384	3515

*** $p < 0.01$, ** $p < 0.05$, * $p < 0.1$. All models estimated by OLS. Standard errors in parentheses, clustered by chamber-entry-t. Window includes cases entering between 38 audiences before and 8 audiences after decree application

graph pr<4mths

Number of pre-trial hearings



Decision mechanism

	(1)	(2)	(3)	(4)
	Number of decision stage hearings	Decision stage likelihood of being heard	Pre-trial insufficient	Decision postponed
Entered after interim	-0.822*** (0.238)	-0.029 (0.036)	0.021 (0.032)	-0.081** (0.035)
Entered during interim	-0.645*** (0.217)	-0.015 (0.024)	0.048* (0.027)	-0.091*** (0.026)
Constant	2.235*** (0.343)	0.534*** (0.036)	0.143*** (0.034)	0.184*** (0.047)
Chamber FEs	Yes	Yes	Yes	Yes
Calendar month FEs	Yes	Yes	Yes	Yes
Trend	Yes	Yes	Yes	Yes
Pre-mean	2.310	0.774	0.124	0.176
Pre-sd	3.156	0.254	0.330	0.381

Conclusion

- Simple legal reform can have large impacts on the speed of justice
 - can help combat high-level of procedural complexity (*large number of hearings*)

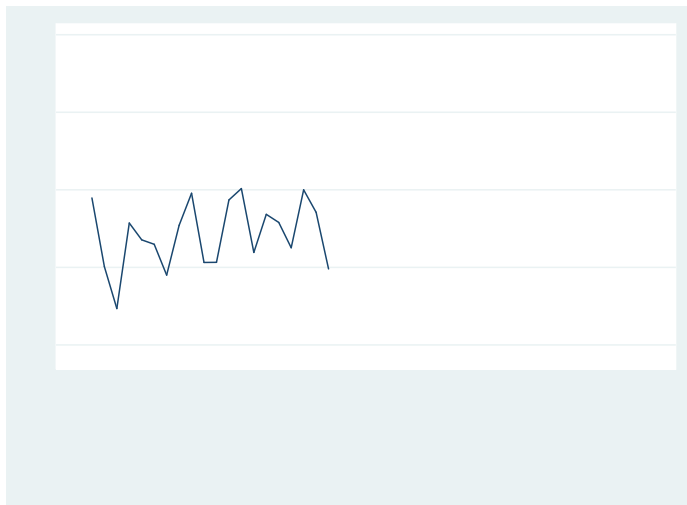
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 - can help combat high-level of procedural complexity (*large number of hearings*)
- Results support predictions from a model where delays are mostly *idly induced*
- Lack of meaningful effect on quality does not corroborate the idea of a speed vs. quality tradeoff in our setting

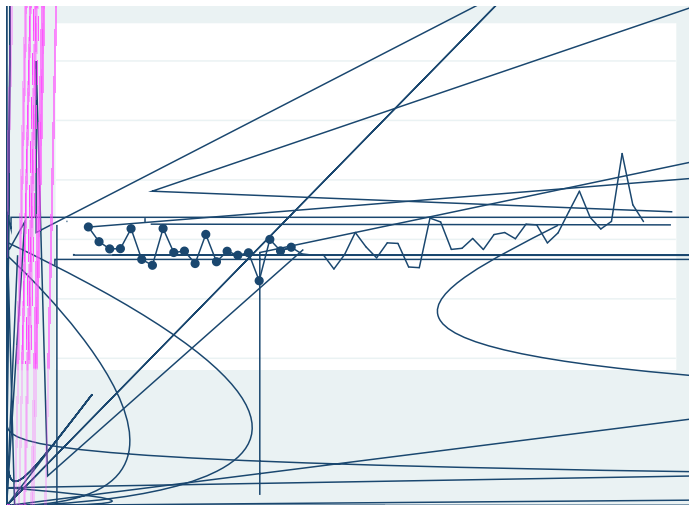
Likelihood of pre-trial phase < 4 months



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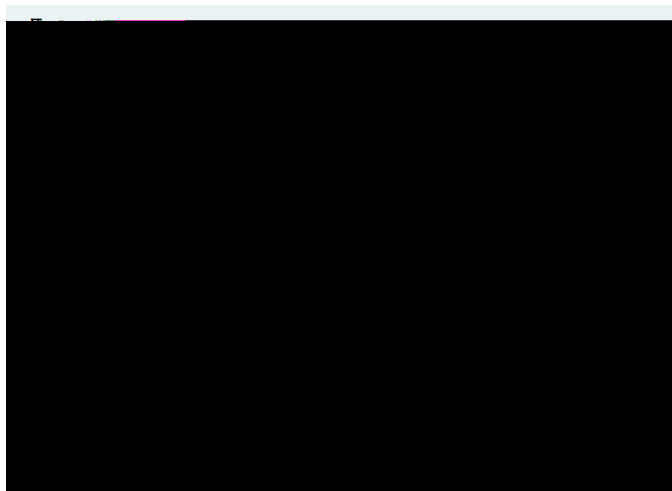
Structural br a in chamb r-l v l incoming ca load



← back



Structural break in jurisdiction-wide incoming call load



← back

