**Analysis of time duration of civil disputes in Italy. A case study with microdata from Sicilian Courts**

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**Abstract**

In recent decades, the excessive duration of legal disputes has been identified by scholars as a critical factor contributing to judicial inefficiencies and, consequently, to the economic growth of a country. Hence, this paper aims to analyse factors that influence the duration of such disputes. To address this objective, we utilize a cross-sectional dataset comprising 16,789 first-instance civil verdicts pronounced in 2022 by ten first instance Civil Courts in Sicily (Italy). Specifically, by examining twelve distinct categories of civil litigation codes, namely personality rights, family rights, property rights and inheritance law, contracts and obligations, liability for tort, legal entities, company law, lease and commodatum, bankruptcy, administrative law, banking law, and other institutions, we find that the duration of disputes is significantly influenced by the topic. Notably, cases involving personality rights exhibit the longest average duration, whereas those concerning family rights display the shortest. In addition, using a set of quantitative indicators of regulatory complexity at topic level we show that complexity matters in determining dispute time duration. From a policy perspective, these findings carry noteworthy implications regarding resource allocation across sectors of judicial administration and foster regulatory simplification.

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**Keywords:** legal civil disputes; duration of disputes; justice inefficiencies; first instance courts; regulatory complexity; cross-sectional microdata

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**1. Introduction and literature**

The effectiveness of a judicial system primarily relies on the courts' ability to resolve cases swiftly and efficiently. Judicial output is still mainly analyzed in quantitative terms than in qualitative ones (Voigt & El-Bialy, 2016). In this sense, the issue of time duration required to obtain a court decision holds significant importance (Christensen & Szmer, 2012), particularly due to the deep relationship between judicial efficiency and economic growth (Gravelle, 1990; Spurr, 1997; Fenn & Rickman, 1999; Vereeck & Mühl, 2000; Feld & Voigt, 2003; Jappelli et al., 2005; Aghion et al., 2010; Giacomelli & Menon, 2013; Finocchiaro Castro & Guccio, 2014; Finocchiaro Castro & Guccio, 2015; Coviello et al., 2019; Berlemann & Christmann, 2020; Gonzales-Torres e Rodano, 2020; Melcarne et al. 2021). Moreover, when the disputes have an excessive duration, the parties involved are left in a prolonged state of uncertainty that could be perceived as a denial of justice, eroding trust in the legal system and undermining social welfare (Christensen & Szmer, 2012; Vereeck & Mühl, 2000; Berlemann & Christmann, 2020). Time duration of civil disputes is also a reliable indicator of institutional quality (Di Vita, 2018).

The slowness with which civil disputes have been settled is a characteristic of both developed and developing countries. The type of legal family to which the various countries belong (i.e., civil law or common law) and organizational features (Voigt & El-Bialy, 2016), are not so relevant. The Italian legal system falls within the category of civil law countries, characterized by written codes and statutes, and adhering to strict procedures and formalities.

For a modern market economy to thrive and work effectively, the proper functioning of the legal system is essential. This system should ensure the robust protection of ownership rights, the enforcement of agreements between parties, and the swift and fair resolution of conflicts that may arise among private individuals or between them and the government, as well as among government branches (Feld & Voight, 2003; Giacomelli & Palumbo, 2011; Voigt & El-Bialy, 2016). In the Italian context, these questions are prominently featured in the ongoing political debate about reforms aimed at enhancing the judicial system. Indeed, the reports issued by international institutions, such as the World Bank and the Council of Europe Commission for the Efficiency of Justice (CEPEJ), have already highlighted the overall underperformance of the Italian judicial system (Finocchiaro Castro & Guccio, 2015).

Therefore, the aim of this paper is to analyze the potential influence of various topics on the duration of first-instance civil disputes. To deal with this aim, we use a unique dataset containing 16,789 civil sentences pronounced in 2022 in ten Civil Courts of Sicily: Agrigento, Caltanissetta, Catania, Enna, Gela, Marsala, Palermo, Sciacca, Termini Imerese, and Trapani. Starting from the prior analyses conducted by Di Vita (2012a, 2012b) in the field of administrative disputes, this work represents, to the best of our knowledge, the first attempt to investigate the interplay between judicial topics and the time duration of civil disputes. More specifically, these matters have been classified into twelve categories of civil litigation codes, such as personality rights, family rights, property rights and inheritance law, contracts and obligations, liability for tort, legal entities, company law, lease and commodatum, bankruptcy, administrative law, banking law, and other institutes. While, the time duration of disputes, measured in days from the deposit date to the court’s registry until the publication day of the first rank sentence, constitutes our dependent variable. For the sake of statistical comparability, we select first-instance special proceedings as reference group, primarily due to their shorter duration resulting from their distinctive technical characteristics.

Finally, by considering the previous empirical literature highlighting the role of regulatory complexity on increasing duration of disputes (Di Vita, 2010; Di Vita, 2012b; Di Vita, 2018; De Lucio & Mora-Sanguinetti, 2021) we present a set of civil regulation complexity indicators at topic level and analyse their interplay with civil dispute time duration.

Our findings confirm that the duration of civil disputes is significantly affected by topics which are in turn correlated with regulatory complexity.

Finally, from a policy perspective, extended time duration should prompt the allocation of additional resources to the Court Sections responsible for that area. This allocation could facilitate the development of enhanced organizational systems and, potentially results in modifications to caseload assignment criteria. Moreover, considering that regulatory complexity matters, this can entail some interesting policy-implications aimed at the simplification of the regulatory system.

The rest of the paper is organized as follows. Section 2 briefly discusses the institutional background. Section 3 describes the dataset and provides some descriptive statistics. Section 4 reports the empirical results. Finally, Section 5 concludes the paper by summarizing the key insights drawn from the analysis and discusses policy implications.

**2. Background**

In Italy, the First Instance Courts[[1]](#footnote-1) are the first step in the pyramidal organization of the judicial system and they are generally single-judge courts. Quality of judicial systems, in terms of both efficiency and effectiveness, has become one of the main topics for public sector reforms considering that justice sector entail services of crucial importance for the society (Finocchiaro Castro & Guccio, 2015). Italian justice system performances have been already investigated empirically mainly revealing significant differences among Northern, Central and Southern regions[[2]](#footnote-2). Generally, the Southern regions report higher inefficiencies, especially in terms of disputes duration (Carmignani & Giacomelli, 2009; Giacomelli & Palumbo, 2011; Di Vita, 2010; Di Vita, 2012a; Di Vita, 2012b; Finocchiaro Castro & Guccio, 2015; Finocchiaro Castro & Guccio, 2018; Nissi et al., 2019). Hence, our research focuses on courts in the Southern area of Italy, which, among others, are the ones with the highest caseload at the national level in terms of number of disputes. Specifically, we consider ten Court districts that encompass nearly the entire territory of the Sicilian region, which is the largest Italian region in terms of territorial extension (25,832.55 km²) and the fourth-largest in terms of population (4,802,016, corresponding to about 8%, according to January 2023 data from the Italian national statistical institute - ISTAT).

The justice service provided by the courts certainly belongs to the category of public goods, implying issues regarding the optimal allocation of available resources in order to permit effective access to judicial services for the public (Dakolias, 1999). In our national context, at some peaks, justice account for about 1.3% of Italian public expenditure (Nissi et al., 2019). Judges’ work is essentially supported by two types of human resources consisting in the administrative staff and the honorary judiciary. Recently, part of the great number of resources coming from EU funds and in particular from the PNRR (i.e., National Recovery and Resilience Plan)[[3]](#footnote-3) programme has been used to increase the number of administrative staff with the aim of improving justice performances and decrease the backlog. In fact, since 2021, PNRR funds has permitted to assign to the Office for Trial (Ufficio per il Processo – UPP)[[4]](#footnote-4) about 22,000 employees with the precise scope of reducing the backlog[[5]](#footnote-5).

However, it is not enough to inject more human and financial resources into the judicial system to solve efficiency issues (Voigt & El-Bialy, 2016). In fact, it may depend on institutional and organizational aspects (e.g., number of lawyers in Buonanno & Galizzi, 2014; court dimension in Castro & Guccio, 2018; legislative complexity in Di Vita, 2010, Di Vita, 2012a, Di Vita, 2012b, Di Vita, 2018; prior judicial decisions in Berlemann and Christmann, 2020) and personal characteristics of the judges (e.g., education and experience in Christensen & Szmer, 2012; Ramseyer, 2012). Moreover, judges’ performances with the same amount of work may be affected by the so-called task juggling, a phenomenon where a worker handles multiple projects at the same time and moves from one project to another lowering the output rate and lengthening the completion time of each project cause to work interruptions (Coviello et al., 2014; 2015).[[6]](#footnote-6) Also judges’ specialization can positively affect justice performances under both the quantity and the quality perspective (Coviello et al., 2019).

Moreover, a wide literature has investigated the effect of regulatory complexity on time duration of dispute finding that it contributes to excessive duration of disputes (Di Vita, 2010; Di Vita, 2012b; De Lucio & Mora-Sanguinetti, 2021) and represent a constraint to economic growth (Di Vita, 2018; DI Vita, 2023).

To the best of our knowledge, no other papers have investigated judicial efficiency of first instance civil sentences and its interplay with legislative complexity at topic level. In order to fill this gap, we study at first the duration of disputes in relation to twelve categories: personality rights, family rights, property rights and inheritance law, contracts and obligations, liability for tort, legal entities, company law, lease and commodatum, bankruptcy, administrative law, banking law, other institutes. Secondly, we investigate the interplay among disputes’ time durations and a set of indicators of regulatory complexity at topic level.

## 3. Data sources and descriptive statistics

The dataset used in this work relies on the defined cases in civil disputes extracted from the Inspector Package software powered by the Ministry of Justice (Pacchetto Ispettore – Ministero della Giustizia), and utilized by the Sicilian courts. We employ a cross-section dataset containing 16,789 first instance civil sentences pronounced by 10 Civil Sicilian Courts in 2022. Among them, Palermo and Catania have multiple sections, while the others have a single section. Table 1 shows the descriptive statistics of the considered sample, while Table 2 and Table 4 report the correlation matrix among the considered variables respectively by topic and indicators of legislative complexity.

**Table 1 – Descriptive statistics of the sample**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Variables** | **Variable description** | **Obs.** | **Mean** | **Std. Dev.** | **Min** | **Max** |
| **Time duration** | Duration of disputes in days from the date of deposit in the registry of the court to the day of publication of the first-rank sentence | 16789 | 426.022 | 606.81 | 0 | 13256 |
| **Personality rights** | Dummy for personality rights topic | 16789 | .043 | .203 | 0 | 1 |
| **Family rights** | Dummy for family rights topic | 16789 | .035 | .184 | 0 | 1 |
| **Property rights and inheritance** | Dummy for property and inheritance law topic | 16789 | .035 | .184 | 0 | 1 |
| **Contracts and obligations** | Dummy for contracts and obligations topic | 16789 | .104 | .305 | 0 | 1 |
| **Liability for tort** | Dummy for non-contractual liability topic | 16789 | .049 | .215 | 0 | 1 |
| **Legal entities** | Dummy for legal entities topic | 16789 | 0 | .015 | 0 | 1 |
| **Company law** | Dummy for company law topic | 16789 | .001 | .026 | 0 | 1 |
| **Lease and commodatum** | Dummy for lease and commodatum topic | 16789 | .028 | .165 | 0 | 1 |
| **Bankruptcy** | Dummy for bankruptcy topic | 16789 | .033 | .179 | 0 | 1 |
| **Administrative law** | Dummy for administrative law topic | 16789 | .017 | .131 | 0 | 1 |
| **Banking law** | Dummy for banking law topic | 16789 | .011 | .106 | 0 | 1 |
| **Other institutes** | Dummy for other institutes topic | 16789 | .061 | .24 | 0 | 1 |
| **Laws and regulations** | Normalized Index of laws and regulations | 5985 | .061 | .064 | .001 | .368 |
| **Laws** | Normalized Index of laws | 5985 | .06 | .088 | .001 | .317 |
| **Regulations** | Normalized Index of regulations | 5985 | .057 | .044 | 0 | .386 |
| **Supreme Court sentences** | Normalized Index of Supreme Court Sentences | 5985 | .096 | .09 | .015 | .301 |

Source: our elaboration.

**Table 2 – Correlation matrix**

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Variables** | **(1)** | **(2)** | **(3)** | **(4)** | **(5)** | **(6)** | **(7)** | **(8)** | **(9)** | **(10)** | **(11)** | **(12)** | **(13)** | **(14)** |
| **(1) Time duration** | 1.000 |
| **(2) Personality rights** | 0.330 | 1.000 |
| **(3) Family rights** | 0.014 | -0.040 | 1.000 |
| **(4) Property rights and inheritance law** | 0.214 | -0.040 | -0.036 | 1.000 |
| **(5) Contracts and obligations** | 0.260 | -0.072 | -0.065 | -0.065 | 1.000 |
| **(6) Liability for tort** | 0.290 | -0.048 | -0.043 | -0.043 | -0.077 | 1.000 |
| **(7) Legal entities** | 0.002 | -0.003 | -0.003 | -0.003 | -0.005 | -0.003 | 1.000 |
| **(8) Company law** | -0.009 | -0.005 | -0.005 | -0.005 | -0.009 | -0.006 | -0.000 | 1.000 |
| **(9) Lease and loan** | 0.094 | -0.036 | -0.032 | -0.032 | -0.058 | -0.038 | -0.003 | -0.004 | 1.000 |
| **(10) Bankruptcy** | 0.075 | -0.039 | -0.035 | -0.035 | -0.063 | -0.042 | -0.003 | -0.005 | -0.031 | 1.000 |
| **(11) Administrative law** | 0.083 | -0.028 | -0.025 | -0.025 | -0.045 | -0.030 | -0.002 | -0.003 | -0.023 | -0.025 | 1.000 |
| **(12) Banking law** | 0.088 | -0.023 | -0.020 | -0.021 | -0.036 | -0.024 | -0.002 | -0.003 | -0.018 | -0.020 | -0.014 | 1.000 |
| **(13) Other institutes** | 0.106 | -0.054 | -0.049 | -0.049 | -0.087 | -0.058 | -0.004 | -0.007 | -0.043 | -0.047 | -0.034 | -0.027 | 1.000 |
| **(14) Special proceedings** | -0.659 | -0.250 | -0.225 | -0.226 | -0.402 | -0.267 | -0.018 | -0.030 | -0.201 | -0.218 | -0.157 | -0.127 | -0.302 | 1.000 |

Source: our elaboration.

The sample is composed for 4.29% by personality rights (721 obs.), 3.50% by family rights (587 obs.), 3.53% by property and inheritance law (592 obs.), 10.38% by contracts and obligations (1,742 obs.), 4.88% by liability for tort (819 obs.), 0.02% by legal entities (4 obs.), 0.07% by company law (11 obs.), 2.81% by lease and commodatum (471 obs.), 3.30% by bankruptcy (554 obs.), 1.75% by administrative law (293 obs.), 1.14% by banking law (191 obs.), and 6.13% by other institutes (1,030 obs.). The remaining 58.22% (9,774 obs.) are the special proceedings.

The Figure 1 below displays the total number of defined disputes by topic. Figure 2 reports the average duration of disputes defined in 2022 by topic.

**Figure 1 – Number of defined disputes by topic**



Source: Own elaboration from Inspector Package software powered by the Ministry of Justice (Pacchetto Ispettore – Ministero della Giustizia)

Figure 2 highlights the following average durations for various legal categories in days: 1,372 days for personality rights, 470 days for family rights, 1,104 days for property and inheritance law, 890 days for contracts and obligations, 1,201 days for liability for tort, 488 days for legal entities, 222 days for company law, 763 days for lease and commodatum, 672 days for bankruptcy, 803 days for administrative law, 925 days for banking law, and 677 days for other institutes. Special proceedings usually concluded with a precautionary order take on average 87 days (see also Table 5 for comparison of the subsamples).

**Figure 2 – Average time duration of disputes by topic**



Source: Own elaboration from Inspector Package software powered by the Ministry of Justice (Pacchetto Ispettore – Ministero della Giustizia)

**3.1 Regulatory complexity indicators at topic level**

In Italy, as in many others civil law countries, laws remain in force until they are tacitly or explicitly repealed by a subsequent law and they are in some cases better interpreted through Court Sentences. In this sense, a simple way to calculate an indicator of legislative complexity at topic level is to follows the quantitative approach, which consider just the number of regulations in order to compute the complexity of a legal system (Di Vita, 2010; De Lucio & Mora-Sanguinetti, 2021)[[7]](#footnote-7). This method can be used not only in Italy, but also in any country that has a system of government with different levels, where there are many sources of law: international organizations (such as the European Union), the central state, the regions and the Constitutional Court (that issues rulings that have the force of law for lower courts), all of which can create regulation, without any alignment among them (Di Vita, 2018). Table 3 reports our set of regulatory complexity indicators at topic level. In detail, columns from 1 to 4 display in absolute value the number of laws and regulations, only laws, only regulation, sentences of the Supreme Court while columns from 5 to 8 the normalized ones.

Considering the topics described in Table 1 and following the quantitative approach, we account for both the number of laws and regulations at topic level issued in the last twenty years (up to 31th December 2022)[[8]](#footnote-8) and the number of sentences issued by the Supreme Court (Corte di Cassazione) in 2022 and then we normalize their values (Table 3). Following this approach, we obtain a simple way to address a set of regulatory complexity indicators at topic level.

**Table 3 – Regulatory complexity indicators at topic level**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Variables** | **(1)**  **Laws & Reg.** | **(2)**  **Laws** | **(3)**  **Reg.** | **(7)**  **Supreme Court Sent.** | **(4)**  **Laws & Reg. Norm.** | **(5)**  **Laws Norm.** | **(6)**  **Reg. Norm.** | **(8)**  **Supreme Court Sent. Norm.** |
| **1. Personality rights** | 3576 | 1589 | 1987 | 66906 | .1781 | .2872 | .1217 | .3014 |
| **2. Family rights** | 729 | 265 | 464 | 14683 | .0036 | .0371 | .0317 | .0661 |
| **3. Property rights and inheritance law** | 1646 | 495 | 1251 | 8053 | .0819 | .0895 | .0855 | .0363 |
| **4. Contracts and obligations** | 749 | 95 | 654 | 20301 | .0378 | .0172 | .0447 | .0914 |
| **5. Liability for tort** | 12 | 8 | 4 | 8057 | .0006 | .0014 | .0003 | .0363 |
| **6. Legal entities** | 7398 | 1754 | 5644 | 7479 | .3683 | .3171 | .3857 | .0338 |
| **7. Company law** | 1574 | 653 | 921 | 21949 | .0784 | .1181 | .0629 | .0989 |
| **8. Lease and commodatum** | 130 | 13 | 117 | 3444 | .0065 | .0023 | .0079 | .0155 |
| **9. Bankruptcy** | 1822 | 202 | 1602 | 7644 | .0972 | .0365 | .1095 | .0344 |
| **10. Administrative law** | 2160 | 407 | 1753 | 54666 | .1978 | .0736 | .1198 | .2462 |
| **11. Banking law** | 288 | 52 | 236 | 8834 | .0143 | .0094 | .0161 | . 0398 |

Source: our elaboration.

The topic “Others institutes” is a mixed issued that is impossible to clustering in a sectorial way, while the special proceedings concern precautionary proceedings in all areas. For these reasons we cannot calculate for them an indicator of regulatory complexity at sectorial level.

The data on laws were retrieved from the DeJure database and a keywords search was conducted to avoid excluding overlapping laws. All kinds of laws and regulations were considered.

**Table 4 – Correlation matrix of Regulatory Complexity Indicators**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Variables** | **(1)** | **(2)** | **(3)** | **(4)** | **(5)** |
| **(1) Time duration** | 1.000 |
| **(2) Laws and regulations** | 0.138 | 1.000 |
| **(3) Laws** | 0.212 | 0.807 | 1.000 |
| **(4) Regulations** | 0.067 | 0.936 | 0.726 | 1.000 |
| **(5) Supreme Court sent.** | 0.171 | 0.815 | 0.847 | 0.644 | 1.000 |

Source: our elaboration.

## 4. Estimation model and results

**4.1 Ranking civil topics**

In our analysis, we use the first instance special proceedings as reference group for statistical reasons, due to their shorter duration resulting from their technical characteristics[[9]](#footnote-9). Indeed, the Two-sample t-test performed in our sample of 16,789 sentences, shows that the difference in average duration between special proceedings and other topics with ordinary proceedings is highly statistically significant. Specifically, the average duration of defined civil sentences in the Sicilian Courts in 2022 is 898 days for ordinary proceedings and 87 days for special proceedings[[10]](#footnote-10).

**Table 5 – Special proceedings vs Ordinary proceedings for disputes time duration**

|  |  |  |  |
| --- | --- | --- | --- |
|  | ***Special proceedings (SP)*** | ***Ordinary proceedings (OP)*** | ***SP vs OP p-value*** |
| **Average duration (in days)** | 87.13  (161.39) | 898.18  (679.73) | 0.000 |
| **Observations** | 9,774 | 7,015 |

Source: our elaboration from Two sample t-test. Note: Standard deviation in parenthesis

Equation (1) shows the linear regression model we perform with duration of disputes as our dependent variable:

(1)

In detail, Timeduration is our dependent variable and represent the time duration of first instance civil sentences. It is a continuous variable and it is measured in days, from the date of deposit in the registry of the court to the day of publication of the first rank sentence. Instead, βi is a vector of twelve dummy variables representing the different topics under consideration.

In Table 6, OLS estimation results have been reported. Coefficients are all statistically significant and with a positive sign (except Company law). However, in relation to the special proceedings reference group, results are mixed. Personality rights present the highest time duration (on average 1,285 days more than SP), while family rights the lowest (on average only 383 days more than SP). With respect to the remaining ones, property and inheritance law 1,017 days, contracts and obligations 802, liability for tort 1,114 days, legal entities 401 days, company law 135 days (but non-significant), lease and commodatum 676 days, bankruptcy 585 days, administrative law 716 days, banking law 838 days, and other institutes 590 days.

**Table 6 – Time duration of ordinary proceedings by topic**

|  |  |
| --- | --- |
| **Time duration** | **OLS** |
| **Personality rights** | 1285.032\*\*\*  (16.400) |
| **Family rights** | 383.252\*\*\*  (18.060) |
| **Property rights and inheritance law** | 1017.184\*\*\*  (17.987) |
| **Contracts and obligations** | 802.901\*\*\*  (11.052) |
| **Liability for tort** | 1114.665\*\*\*  (15.459) |
| **Legal entities** | 401.360\*  (212.530) |
| **Company law** | 135.496  (128.207) |
| **Lease and commodatum** | 676.142\*\*\*  (20.048) |
| **Bankruptcy** | 585.474\*\*\*  (18.560) |
| **Administrative law** | 716.812\*\*\*  (25.196) |
| **Banking law** | 838.410\*\*\*  (31.049) |
| **Other institutes** | 590.490\*\*\*  (13.922) |
| **Constant** | 87.139\*\*\*  (4.298) |
| **Observation** | 16,789 |
| ***R2*** | 0.51 |

Source: our elaboration. Note: Standard errors in parentheses. \*\*\*, \*\*, and \* denote significance at the 1%, 5%, and 10% level.

In addition, since in our model the statistical significance of coefficients of topics are considered in relation to our reference groups of special proceedings, the Wald test has been performed between each topic, to study the relation among them. Indeed, topics with a not statistically significant difference in time duration have been placed at the same level of ranking. At first, we report highly significance between the slower and the faster topics in time duration (Personality rights vs Family rights, p<0.001). Secondly, in Table 7, Wald test enable us to create a ranking among all the topics, where the first one is the slower topic with the highest time duration and the last one the faster (we consider as significant confidence levels at 10%, 5% and 1%). Topics that have not statistically significant difference are placed in the same position. Company law is removed from the rank because it is not statistically significant neither from the regression analysis in Table 6.

**Table 7 – Topics’ rankings**

|  |  |
| --- | --- |
| **Ranking** | **Topic** |
| 1 | Personality rights |
| 2 | Liability for tort |
| 3 | Property rights and inheritance law |
| 4 | Banking law; Contracts and obligations |
| 5 | Administrative law; Lease and commodatum |
| 6 | Other institutes; Bankruptcy; Legal entities |
| 7 | Family rights |

Source: our elaboration from Wald test

**4.2 Regulatory complexity indicators**

As a final step of our analysis, we consider the four civil regulatory complexity indicators presented in Section 3.1, in order to investigate differences in time durations among topics. With this aim, we perform an OLS regression following the model in equation (2):

(2)

where βi is a vector of four continuous variables going from 0 to 1 representing the set of indicators of regulatory complexity described above.

As highlighted in Table 8, regulatory complexity matters and increase time duration of disputes[[11]](#footnote-11)

**Table 8 – Indicators of Regulatory Complexity**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Time Duration** | **(1)** | **(2)** | **(3)** | **(4)** |
| **Laws and regulations** | 1498.131\*\*\* (139.368) |  |  |  |
| **Laws** |  | 1670.112\*\*\* (99.341) |  |  |
| **Regulations** |  |  | 1066.407\*\*\* (205.971) |  |
| **Sup. Court sent.** |  |  |  | 1324.923\*\*\* (98.456) |
| **Constant** | 844.709\*\*\*  (12.311) | 835.637\*\*\*  (10.623) | 875.584\*\*\* (14.738) | 809.104\*\*\* (12.942) |
| **Observation** | 5,985 | 5,985 | 5,985 | 5,985 |
| ***R2*** | 0.0189 | 0.0451 | 0.0045 | 0.0294 |

Source: our elaboration. Note: Standard errors in parentheses. \*\*\*, \*\*, and \* denote significance at the 1%, 5%, and 10% level.

## 5. Conclusion

In this paper, we studied the relation between topics and time duration of first instance civil disputes in ten Sicilian first instance courts and the interplay between time duration of disputes with a set of regulatory complexity indicators at topic level.

An overall civil justice reform that aims to reduce time duration of disputes should be a key component in the planning of public policies with the scope to foster the economy.

From a policy perspective, our results suggest that policy-maker should take in consideration time duration across different topics for the assignment of resources and caseload in different sectors of the justice administration. Moreover, policy aimed at the simplification of the regulation system should be fostered.

Further analysis could take in consideration productivity of judges across sections and other Courts’ organizational features.

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1. The so called “Judges of peace” (Giudice di Pace) is competent only for disputes of lower value (generally, up to 5,200 euros) while all the others are devolved to the jurisdiction of the court. [↑](#footnote-ref-1)
2. The Italian institute of statistics (ISTAT) divides the Italian regions in three groups: North (Piemonte, Valle d’Aosta, Lombardia, Liguria, Veneto, Emilia-Romagna, Trentino-Alto Adige, Friuli-Venezia Giulia), Centre (Toscana, Umbria, Marche, Lazio), South (Abruzzo, Molise, Campania, Puglia, Basilicata, Calabria, Sicilia, Sardegna) [↑](#footnote-ref-2)
3. Italian PNRR program has been approved the 13th July 2021. Italy has developed this plan to take advantage of the European funds of Next Generation EU, a 750 billion euros package that the European Commission agreed in July 2020 to cope with the coronavirus crisis and its impact on the economy and society. The plan consists of six missions that aim to make Italy more equitable, sustainable and inclusive, with a more productive, agile and innovative economy. [↑](#footnote-ref-3)
4. The Office for Trial (UPP), having a similar purpose to that of other institutes present in various EU and non-EU countries, has been introduced in Italy with the art. 50 of the legislative decree June 24, 2014 no. 90, converted by the law of 11 August 2014, which inserted the art. 16-octies within the d.l. no. 179/2012 of 18/10/2012 (so-called "Decree for development bis"), convert by law 17/12/2012 n. 221. The purpose of this institute is to "guarantee the reasonable duration of the process, through the innovation of organizational models and ensuring a more efficient use of information and communication technologies" (Article 16-octies, Legislative Decree 179/2012) through the establishment of a team at the service of judges at the first and second instance courts. Art. 1 of the law of 27 September 2021 n. 134 has enlarged the competence of the Office for Trial also in the criminal sector, at the first, second and third instance courts. [↑](#footnote-ref-4)
5. UPP employees have been employed, among others, in the following tasks, ordered in decreasing scale of frequency: study of the files, in-depth study of jurisprudential and doctrinal matters, preparation of the minutes of the provisions, draft sentences, assistance in hearings and drafting of minutes, supplying professional magistrates in the formation of panels, listening to witnesses and attempts at conciliation in civil trials, creation of archives (Ministry of Justice) [↑](#footnote-ref-5)
6. Task juggling can be triggered by various factors, such as the interconnection of work, the demand from clients or co-workers, or the best distribution of time across different stages of completion. [↑](#footnote-ref-6)
7. Other kind of quantitative approaches consider lexical structures of rules such as number of pages, paragraph, sentences and words (De Lucio & Mora-Sanguinetti, 2021). [↑](#footnote-ref-7)
8. Excluding regional law, EU directives, international treaties, and sentences of Constitutional Court (see Di Vita, 2018 for an overview of the institutional setting of Italy) [↑](#footnote-ref-8)
9. Special proceedings are those rites that differ from the ordinary proceeding of cognition, because they omit one or more procedural phases, allowing faster and simpler judicial decisions. Special proceedings are divided into different categories, including summary proceedings, precautionary and possessory proceedings, proceedings in chambers and other additional special proceedings. [↑](#footnote-ref-9)
10. This duration is in line with the previous year: 1,158 days for ordinary proceedings vs 83 days for special proceedings in 2021; 1,191 vs 82 in 2020; 1,197 vs 77 in 2019; 1,152 vs 84 for 2018; 1,080 vs 91 for 2017 (Patti, 2023). [↑](#footnote-ref-10)
11. See Di Vita & Ferrante (2021) for coordination externalities in the regulatory production and their negative effects on efficiency. [↑](#footnote-ref-11)