



Amendment of the Statute of the Court of Justice

The Court of Justice of the European Union (CJEU) has proposed amendments to its Statute to cope with a significant increase in its case-load. The increasing numbers of cases awaiting judgment stem from enlargement and the development of EU competences. Despite the Court successfully taking procedural steps to reduce the time taken to deal with cases, further changes are needed to avoid infringement of the principle of timely justice.

Proposed changes

In a [letter of 28 March 2011](#), Vassilios Skouris, President of the CJEU, transmitted to the European Parliament and the Council the Court's request for [amendments to the Statute of the Court of Justice](#). The proposed reform essentially aims at improving the efficiency of the work of the [three jurisdictions](#) of the CJEU and at reducing the duration of their proceedings.

The proposed amendments concern notably a change in the composition of the Grand Chamber of the Court of Justice, the establishment of the office of Vice-President of the Court of Justice in order to assist the President in carrying out his duties, and an increase in the number of judges on the General Court from 27 to 39.

A separate proposal would allow temporary judges to sit on the [Civil Service Tribunal](#), in order to cover the absence of judges who for health reasons are prevented from participating in judicial business for an extended period of time.

The Commission opinion

On 30 September 2011, the [European Commission issued a favourable opinion](#) on the two proposals. It also proposed certain adjustments, such as to establish specialised chambers for the Court.

The CJEU's Statute

The Court's proposals have been extensively debated in the Council working party and in the European Parliament's Legal Affairs Committee (JURI), and it has now been agreed to follow a step-by-step approach. As a first

step, only those amendments to the CJEU Statute and its Annex I concerning the organisation of the Court of Justice and the General Court would be adopted now. The institutions will continue to work towards putting in place appropriate measures to address the [workload of the General Court](#) by the time of its partial renewal in September 2013, in particular through the proposed increase in Judges on the General Court. The EP and Council will discuss this in a second phase of inter-institutional negotiations.

The agreed amendments include in particular the composition of the Grand Chamber of the Court of Justice (and the consequent adaptation of the rules for a quorum in the Grand Chamber and the full Court), the establishment of the office of Vice-President of the Court of Justice and of the General Court, and the possibility to attach temporary judges to specialised courts (see below).

On the issue of specialised chambers, the JURI Committee considered that this would be too rigid a system. [According to the rapporteur, Alexandra Thein \(ALDE, Germany\)](#) this choice should be made by the Court in its [Rules of Procedure](#). The report notes that the Court already has the power to allocate cases of the same nature to one or more specified chambers.

Civil Service Tribunal

In order to ensure that [the European Civil Service Tribunal](#) can carry out its judicial functions, it is foreseen that temporary judges could be appointed for a period of four years. This could occur when, for medical reasons, a Judge is unable to perform their duty for a period of at least three months.

A temporary judge will have the prerogatives of a permanent Judge solely in dealing with cases to which they are assigned, and will not take part in the organisational decisions of the Tribunal. They would be paid 1/30th of the basic monthly salary allocated to a Judge for each day they work for the Tribunal.