

A STUDY ON ASSERTIVENESS, EFFICIENCY AND THE QUALITY OF JUDICIAL WORK^a

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Abstract

The subject matter of this research is the correlation between the judges' assertiveness and the efficiency and quality of judicial work. The primary aim is to examine whether there is a correlation between the judges' assertiveness, on the one hand, and the efficiency and quality of their work, on the other hand. The second aim is to explore the correlation between the efficiency and quality of judicial work. The starting premise is that there is a correlation between particular indicators of these variables. Judges' assertiveness is a conditionally independent variable used as a referential point for measuring two conditionally dependent variables: the efficiency and the work quality of the judiciary. The assertiveness was measured by a standardized questionnaire which was distributed to a research sample including 40 judges from the Criminal Department and the Civil Department of the Basic Court in Niš in May 2015. The efficiency of judicial work was measured by employing four indicators: the clearance rate (CR), the disposition time (DT), the clearance coefficient (CC) and the percentage of solved cases as related to the total number of cases (PS), whereas the quality of judicial work was assessed by measuring the overall work quality (WQ). The data on the efficiency and quality of judicial work were collected from the 2014 Report on the work of the judges in the Civil Department and the Criminal Department of the Basic Court in Niš. Contrary to our expectation, the most important finding is that there is no correlation between assertiveness and the efficiency and quality of judicial work; however, there are various correlations between the aforementioned indicators of efficiency and quality of judicial work.

Key words: assertiveness, efficiency, work quality, judges, correlation.

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СТУДИЈА О АСЕРТИВНОСТИ, ЕФИКАСНОСТИ И КВАЛИТЕТУ РАДА СУДИЈА

Апстракт

Предмет овог истраживања је однос између асертивности, ефикасности и квалитета рада судија. Примарни циљ јесте испитати да ли постоји веза између асертивности судија, с једне стране, и ефикасности и квалитета њиховог рада, с друге стране. Такође, циљ је испитати и постојање везе између ефикасности и квалитета рада судија. Полазимо од тога да постоји корелација између појединих индикатора ових варијабли. Асертивност судија представља условно независну варијаблу у односу на коју меримо ефикасност и квалитет рада судија (две условно зависне варијабле). Асертивност судија мерена је стандардизованим упитником на узорку од 40 судија Кривичног и Грађанског одељења Основног суда у Нишу маја 2015. године. Ефикасност судија мерена је помоћу четири индикатора: стопе ажурности, временске диспозиције предмета, коефицијента ажурности и процента решених предмета у односу на укупно у раду, док је квалитет рада судија оцењен мером укупног квалитета. Подаци о ефикасности и квалитету рада судија произлазе из Извештаја о раду судија Грађанског и Кривичног одељења Основног суда у Нишу из 2014. године. Супротно нашем очекивању, најважнији налаз јесте да не постоји корелација између асертивности судија и њихове ефикасности и квалитета рада, али постоје бројне корелације између појединих индикатора ефикасности и квалитета рада судија.

Кључне речи: асертивност, ефикасност, квалитет рада, судије, корелација.

INTRODUCTION

The subject of this research is the relation between the judges' assertiveness and the efficiency and quality of judicial work. In literature (Zdravković, 2007), *assertiveness*, as a specific term of English origin, has a meaning of a reliable, responsible and self-affirmative behavior of persons in communication with others when exercising and protecting their rights. An assertive person expresses empathy for other people's feelings and respects the opinions and attitudes of others in communication, regardless of whether these opinions and attitudes are perceived as false, foolish, or colored by prejudices. The demonstration of respect for other people's opinions does not mean agreeing with them. Practically speaking, in a behavioral and communicational sense, the term "assertiveness" more commonly refers to *skills* of expressing thoughts, feelings and beliefs in a direct, honest and appropriate way, while respecting the rights of others (Krnетић, 2004).

Since assertiveness implies a special communication skill, it can be learned by mastering special assertive techniques. Recent studies (Ghasemian et al., 2014) have proven a significant impact of using assertive techniques on decreasing social anxiety and increasing happiness. The use of assertive techniques is particularly significant in various conflict situations where an assertive person expresses faith in the possibility of

resolving the dispute as well as the ability to manage the given situation. In this regard, there are special models of conflict resolution that particularly take into account assertiveness as a communication skill (Davidson, Wood, 2004). Additionally, assertiveness plays an important role in the negotiation process, as a special alternative dispute resolution method (Patton, 2005). Also, in the mediation process, a mediator often plays a role of “communication director” (Kovach, 2005). However, it is not clear whether assertiveness is an important skill in situations where, for example, a judge needs to resolve a civil dispute between two parties involved in a dispute over a right or interest based on the law. Similarly, in criminal matters, the judge has a delicate role of maintaining an active dialogue with various participants in the proceeding (the defendant, the victim, the public prosecutor, witnesses, experts and others). It ultimately raises the important question of his/her skills, the most prominent of which is assertiveness.

On the other hand, *the quality of judicial work* implies (*inter alia*) judges’ ability and knowledge demonstrated in the application of substantive and procedural law, whereas *the efficiency of judges in solving cases* represents the criterion for evaluating the quantity of their work. The former is demonstrated through the number of judgments that are confirmed upon appeal or extraordinary legal remedy, whereas the latter can be operationalized through various indicators of efficiency, which will be discussed further on this paper.

In Serbian literature, there are just a few research papers on the subject matter of *efficiency and quality of judicial work*. In one of these research papers (Mojašević, 2015), the author examines the correlations between specific indicators of efficiency of civil proceedings before and after the implementation of the 2011 Serbian Litigious Proceedings Act. To our knowledge, there are no research papers analyzing the assertiveness, the efficiency and the quality of judicial work, as well as their respective correlations. The authors’ research has been driven by an endeavor to close the existing gap and analyze the correlations between these variables.

RESEARCH METHODOLOGY

Type, Importance and Aims of the Research

This study is an *exploratory research* aimed at examining the correlations between assertiveness, efficiency and quality of judicial work at the Basic Court in Nis.

The importance of the research stems from the fact that there are no research papers on this subject matter in Serbian literature. The research results may, among others, contribute to the enrichment of scientifically established conditions in this area, especially from the theoretical point of view. The practical significance of this research is embodied in the fact that

its findings may contribute to improving the judges' communication skills by organizing various assertiveness trainings.

The aims of the research were threefold. The primary aim of the research was to examine whether there is a correlation between judicial assertiveness, on the one hand, and the efficiency and quality of judicial work, on the other hand. The second aim was to determine whether there is a correlation between the efficiency or certain indicators of judicial efficiency (the clearance rate, the disposition time, the clearance coefficient and the percentage of resolved cases as related to the total number of cases) and the measure of overall quality of judicial work, as a specific indicator of the work quality. The third aim was to explore the correlations among the four aforementioned indicators of judicial efficiency.

Hypotheses of the Research

- There is a statistically significant correlation between the assertiveness of judges (A), on the one hand, and the efficiency and quality of their work, on the other hand.
- There is a statistically significant correlation between the efficiency of judges, i.e. indicators of that efficiency (CR, DT, CC and PS) and the measure of overall work quality (WQ), as an indicator of quality of judicial work.
- There is a statistically significant correlation between the clearance rate (CR) and the disposition time (DT).
- There is a statistically significant correlation between the clearance rate (CR) and the percentage of solved cases in relation to the total number of cases (PS).
- There is a statistically significant correlation between the disposition time (DT) and the clearance coefficient (CC).
- There is a statistically significant correlation between the disposition time (DT) and the percentage of solved cases in relation to the total number of cases (PS).
- There is a statistically significant correlation between the clearance coefficient (CC) and the percentage of solved cases in relation to the total number of cases (PS).

Research Variables and their Operationalization

Judges' assertiveness (A) is a conditionally independent variable which is used as a point of reference for measuring two conditionally dependent variables: *the efficiency* and *the quality* of judicial work. The control variables are *the type of legal matter (civil or criminal)* and *the gender of judges*.

According to the European Commission for the Efficiency of Justice (CEPEJ, 2014: 191-192), *the judges' efficiency* can be operationalized

through two indicators: *the clearance rate (CR)* and *the disposition time (DT)*. These two indicators have been used in the research.

The clearance rate (CR) is calculated by dividing the number of cases resolved within a certain time period (usually a year) by the number of cases received, and multiplying the result by 100. The clearance rate shows whether, and to what extent, the judges are able to keep pace with the influx of cases at a given time without increasing the backlog. If the clearance rate is more than 100%, the judges are able to solve more cases than they receive annually. In such a case, a judge prevents the backlog of cases to be transferred to the next year as a residual from the previous year. Conversely, if the clearance rate is less than 100%, it means that judges are not able to solve all received cases (i.e. they solved fewer cases than they received). If the clearance rate in several consecutive years is less than 100%, then surely comes to backlog. Finally, if the clearance rate is 100%, it means that judges resolve as many cases as they receive annually.

On the other hand, *the disposition time (DT)* shows the maximum estimated number of days required for the pending case to be resolved. The disposition time on annual level is obtained when the number of unsolved cases is divided by the number of solved cases, and the result is then multiplied by 365 (days). At the same time, the disposition time does not measure the average time required for the completion of each case, but only indicates the maximum estimated time for the completion of cases. Simply put, disposition time represents the *expected value* of duration of proceedings.

In the Serbian judicial system there is a special indicator of efficiency, known as the *clearance coefficient (CC)*. The clearance coefficient is calculated by dividing the number of unresolved cases at the end of the year with the average monthly influx of cases in the reporting period. The average monthly influx of cases is calculated by dividing the total number of received cases with the number of months in the reporting period. Finally, as the fourth indicator of efficiency, we used *the percentage of solved cases as related to the total number of cases (PS)*.

On the other hand, *the quality of judicial work* was measured through the number of judgments that were confirmed on appeal or upon filing extraordinary legal remedies. The principal measure for assessing the quality of judicial work is *the measure of overall work quality (WQ)*, which is obtained when the total number of solved cases is reduced by the number of abolished or overturned cases; then, the resulting number is divided by the total number of solved cases and multiplied by 100.

Description of the Research Sample and the Research Method

The research was conducted in May 2015 in the Basic Court in Niš, which is the third largest city in Serbia. The sample included 40 judges of this court. The sample was divided into two major sub-samples:

the first one consisted of 15 judges of the Criminal Department, and the second encompassed 25 judges of the Civil Department (18 civil judges of general specialization, 6 civil judges specialized in labor disputes, and one non-contentious procedure judge).¹ The sample included 13 male judges and 27 female judges.

The questionnaires were distributed individually to each judge of the Basic Court in Nis. On the other hand, the available data on the efficiency and the quality of judicial work were collected from the latest *2014 Report on the work of the judges in the Civil Department and the Criminal Department of the Basic Court in Niš*.²

The statistical analysis of the collected data was conducted by using the SPSS program (version 19).

Research Instruments

The research was carried out by using the standard technique of scientific methodology of data collection – a *standardized questionnaire to measure assertiveness or the A-scale questionnaire* (Tovilović, Okanović, Krstić – see in the Appendix). The *A-scale* is an advanced version of the questionnaire which was used in an earlier period (so-called the *Rathus Assertiveness Schedule – Rathus, 1973*) but which demonstrated certain flaws (lower internal consistency, incongruity with the domestic mentality, and others). The *A-scale* is constructed from items (statements) that describe the reactions and behaviors that are typical for the expression of assertiveness or non-assertiveness. The respondent is instructed to use the *five-point Likert scale* to provide a personal response to a social situations that require assertiveness; the provided responses range from permanent absence of such reaction or behavior (*never*) to their permanent presence (*always*). The scale has 27 items, including 13 positive statements and 14 negative statements.

Table 1 below shows description of categories applied to general population on the basis of the values of raw scores on the *A-scale*.

¹ The Criminal Department includes a total number of 19 judges while the Civil Department includes a total number of 37 judges (including 10 judges specialized in labor disputes).

² The permission to use the Report for scientific research purposes was obtained upon submitting a formal request to the President of the Basic Court in Niš.

Table 1. Description of the categories and values of raw scores on the A-scale

Raw scores	Categories
27-71	extremely low expressed assertiveness
72-86	low expressed assertiveness
87-103	averagely expressed assertiveness
104-119	highly expressed assertiveness
120-135	extremely highly expressed assertiveness

RESULTS AND DISCUSSION

The obtained results concerning the correlation between the basic research variables are shown in Table 2. Notably, *assertiveness (A) does not correlate significantly with any other research variable*. This means, among other things, that there is no correlation between judges' assertiveness, on the one hand, and the efficiency and quality of judicial work, on the other hand.

However, statistically significant correlations exist between other research variables. There are *four* negative and *two* positive correlations. The negative correlations are those between: *the clearance rate (CR) and the disposition time (DT)*; *the disposition time (DT) and the percentage of solved cases as related to the total number of cases (PS)*; *the work quality (WQ) and the clearance coefficient (CC)*; *the percentage of solved cases as related to the total number of cases (PS) and the clearance coefficient (CC)*. The positive correlations are those between: *the clearance rate (CR) and the percentage of solved cases in relation to the total number of cases (PS)*, and between *the disposition time (DT) and the clearance coefficient (CC)*. Most of these correlations were expected, but one of them was unexpected (the third negative correlation, see below).

The first statistically significant **negative** correlation was that between *the clearance rate (CR) and the disposition time (DT)*. This means that those judges who managed to overcome the influx of new cases in 2014 (over 100%) had a better score in terms of the expected length of proceedings (lower DT).

The second particularly strong negative correlation ($r = -0.965$, $P = 0,000$) was expressed between *the disposition time (DT) and the percentage of resolved cases as related to the total number of cases (PS)*. This means that the judges who quickly solved the cases pending resolution (with a lower DT) had a higher percentage of solved cases as related to the total number of cases.

Particularly interesting is *the third* negative correlation which indicates to the link between *the quality of work (WQ) and the clearance coefficient (CC)*. Those judges who were more expeditious (with a lower

CC) had a higher work quality (WQ), i.e. their judgments were abolished and overturned in the second instance to a lesser extent.

Finally, *the fourth* negative correlation was determined between *the percentage of solved cases as related to the total number of cases (PS)* and *the clearance coefficient (CC)*. Thus, the more expeditious judges (who had a lower CC) had a higher percentage of solved cases in relation to the total number of cases (higher PS).

On the other hand, *the first* statistically significant **positive** correlation was manifested between *the clearance rate (CR)* and *the percentage of solved cases as related to the total number of cases (PS)*. In other words, those judges who had a better score in terms of CR had a higher percentage of solved cases as related to the total number of cases.

The second positive correlation was demonstrated between *the disposition time (DT)* and *the clearance coefficient (CC)*. The judges who had a lower DT had a lower CC, and vice versa; accordingly, the more expeditious judges more quickly mastered the unsolved cases.

Table 2. Correlations between the basic research variables

Variables	Clearance rate	Disposition time	Work quality	Clearance coefficient	% solved cases	Assertiveness
Clearance rate	1	-0,406 0,009	-0,020 0,904	0,196 0,225	0,565 0,000	0,006 0,970
Disposition time	-0,406 0,009	1	-0,189 0,244	0,693 0,000	-0,965 0,000	0,096 0,557
Work quality	-0,020 0,904	-0,189 0,244	1	-0,380 0,015	0,174 0,282	0,147 0,366
Clearance coefficient	0,196 0,225	0,693 0,000	-0,380 0,015	1	-0,626 0,000	-0,037 0,821
Percentage of solved cases	0,565 0,000	-0,965 0,000	0,174 0,282	-0,626 0,000	1	-0,020 0,904
Assertiveness	0,006 0,970	0,096 0,557	0,147 0,366	-0,037 0,821	-0,020 0,904	1

Table 3 shows the mean values of variables according to the *type of legal matter (civil and criminal)*, whereas Table 4 indicates the statistically significant differences in the values of variables that exist in the disposition time (DT), the work quality of judges (WQ), the clearance coefficient (CC) and the percentage of solved cases as related to the total number of cases (PS). First, it may be noted that the expected time (DT) required for completion of the pending cases is longer in criminal than in civil matters. Second, the quality of work (WQ) is better in civil than in criminal matters. Third, the expeditiousness of judges (CC) is higher in civil than in criminal matters. Finally, the percentage of solved cases as related to the total number of cases (PS) is higher in civil than in criminal matters. On the other hand, in terms of overcoming the influx of new

cases, there is no statistically significant difference between criminal judges and civil judges. Also, the two groups of judges do not differ significantly in terms of assertiveness (A).

Table 3. Mean values of variables according to the type of legal matter (civil and criminal)

Variables	CR	DT	WQ	CC	PS	A
Criminal matter	137,03%	417, 93	72,99%	17,07	48,47%	97,80
Civil matter	132,87%	311,52	92,45%	10,52	55,64%	101,72

Table 4. Statistically significant differences in the values of variables according to the type of legal matter (civil and criminal)

Variables	CR	DT	WQ	CC	PS	A
P	0,821	0,048	0,000	0,002	0,029	0,506

Table 5 shows mean values of variables according to *gender*. When it comes to gender, the research has shown that there are no statistically significant differences in the basic research variables (Table 6). In other words, male and female judges of the Basic Court in Niš do not differ significantly in terms of the CR, DT, WQ, CC, PS and A.

Table 5. Mean values of variables according to gender

Variables	CR	DT	WQ	CC	PS	A
Male	125,31%	355, 69	79,81%	13,29	52,27%	95,07
Female	138,82%	349,37	87,72%	12,82	53,28%	102,74

Table 6. Statistically significant differences in the values of variables according to gender

Variables	CR	DT	WQ	CC	PS	A
P	0,430	0,904	0,103	0,798	0,756	0,269

CONCLUSION

The most important part of the research has shown that the judges of the Basic Court in Niš are *averagely assertive*. The research results indicate that *there are no differences in the level of assertiveness among the judges of the Civil Department and the Criminal Department, as well as between male and female judges*.

Within the basic objectives and hypotheses of the research, the essential findings show that *there is no correlation between the judges' assertiveness and the efficiency and quality of their judicial work*. In other words, none of the efficiency indicators (the clearance rate, the disposition

time, the clearance coefficient, and the percentage of solved cases as related to the total number of cases), nor the work quality indicator (WQ), is significantly correlated with the judges' assertiveness (A). This result is contrary to the authors' expectations.

However, this research has established numerous and various correlations between specific indicators of efficiency, as well as between the efficiency indicators and the indicator of judicial work quality.

First, it is obvious that *the work quality of the judiciary (WQ) in the Basic Court in Niš depends on their expeditiousness (measured by CC)*. The judges who were more expeditious (i.e. had fewer cases pending at the end of the year as compared to the average monthly influx of cases) had a lower percentage of abolished and overturned judgments on appeal to a higher court instance. This finding tells us that *the judges who work more seem to work better*. This raises the question of causes of this correlation, which should be addressed in another research. In any case, the hypothesis about the correlation between the work quality of the judiciary (expressed by the measure of overall work quality) and judicial efficiency (measured by CC) has been confirmed.

Second, the clearance rate (CR) expectedly correlates with the disposition time (DT) and with the percentage of solved cases as related to the total number of cases (PS). This indicates that *the judges who were more successful in managing the influx of new cases* terminated the unresolved cases more quickly and with a higher percent of efficiency.

Third, the disposition time (DT) expectedly correlates with the clearance rate (CR), the clearance coefficient (CC) and the percentage of solved cases as related to the total number of cases (PS). In other words, *the judges who completed cases in a shorter time were also more expeditious*; namely, they more successfully managed the influx of new cases and, on the average, solved a higher percentage of cases monthly and annually. This finding corresponds with the finding of recent study (Mojašević, 2015) on the efficiency of civil proceedings before the Basic Court in Niš in the period from 2008 to 2014.

Finally, the clearance coefficient (CC), as expected, correlates with the percentage of solved cases as related the total number of cases (PS).

Particularly interesting is the finding that *civil judges terminated the proceedings more quickly, and solved cases better (in terms of quality) and more expeditiously as compared to the criminal judges*. One of the possible reasons for those differences is that a large number of civil disputes before the Basic Court in Niš in 2014 were resolved in collective litigations, while disputes in criminal matters were solved individually. But the question concerning the causes of the differences in the values of given variables pertinent to criminal and civil judges remains to be determined. On the other hand, all judges may take pride in their good results in managing the influx of new cases on the annual level (in 2014).

The study suggests that the quality and quantity of judicial work does not depend on the judges' assertiveness. However, this finding does not suggest that the assertiveness has *no role* in improving the quality and quantity of judicial work. The results on the examined correlation between the judges' assertiveness and the efficiency and quality of judicial work would probably be different on a larger and more representative sample at the national level, or in another year. Also, the question remains whether the quantity and quality of judicial work are correlated with some other psychological features, such as: dimensions of personality, level of perfectionism, anxiety level and the level of emotional stability, emotional and social intelligence, etc. Moreover, there are many others (internal) factors in the judicial system (such as: budget, work technology, organization of work, etc) that may exert certain impact on the quality and quantity of judicial work. The significance of these factors has been emphasized in the recent study of the World Bank (World Bank, 2014).

Probably, the potential measures for enhancing the quality and quantity of judicial work (for example, by providing financial incentives) should be aimed at improving *the clearance coefficient* (CC), since this indicator correlates with other indicators of efficiency (DT and PS) as well as with the work quality (WQ). Due to the fact that the expected time required for completion of pending cases is longer in criminal than in civil matters, and that the quality of judicial work is lower in criminal than in civil matters, there is a space for the implementation of such measures. However, it should be noted that this difference may be the result of different ways of regulating the criminal and civil proceeding, and hence the distinctive nature of these proceedings. On the other hand, our research raises the question of whether the assertiveness, as a special communication skill, might play a role in the *Family Law matters*, given the specificity of the disputes (relations between spouses or relations between parents and children). This issue should be the subject matter of some future research.

As a pioneering research conducted in this area, this study should *inter alia* focus the attention of both scientific and professional public on the importance of establishing additional work quality of all actors in the field of justice, especially judicial officials. The significance of an efficient and high quality judiciary is further emphasized by the wider social trends and activities, particularly those undertaken in the process of integration of our country in the European Union.

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APPENDIX

A-scale Questionnaire

The *five-point Likert scale* descriptor:

- 1 – never
- 2 – very rarely
- 3 – sometimes
- 4 – almost always
- 5 – always

1. In case of a conflict, dispute or disagreement with another, I can clearly articulate and confidently defend my point of view.	1	2	3	4	5
2. If one tries to jump the queue without any excuse or permission to cut in, I overtly object and tell him/her to join the back of the line.	1	2	3	4	5
3. In order to avoid conflict or argument in relations with others, I make more concessions than I would really like to.	1	2	3	4	5
4. I can calmly and decisively ward off an intrusive person.	1	2	3	4	5
5. I happen to do things for others simply because I cannot refuse a request.	1	2	3	4	5
6. I can clearly and fairly direct criticism at another person.	1	2	3	4	5
7. When I need some information, I ask directly and without discomfort or anxiety.	1	2	3	4	5
8. I hesitate to express my feelings even in completely inconsequential situations.	1	2	3	4	5

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|---|---|---|---|---|---|
| 9. I openly and honestly express my opinion even when I am aware that the other person would not like it. | 1 | 2 | 3 | 4 | 5 |
| 10. When one acts contrary to a prior common agreement, I do not put up with it; I openly discuss the issue with the other person. | 1 | 2 | 3 | 4 | 5 |
| 11. I would rather remain silent than get involved in a conflict with another person. | 1 | 2 | 3 | 4 | 5 |
| 12. When I am exposed to improper conduct or treatment, I tend to take act no notice. | 1 | 2 | 3 | 4 | 5 |
| 13. In case of being frustrated by noisy and disruptive conversation of other theater or cinema-goers, I directly and politely ask them to keep quiet. | 1 | 2 | 3 | 4 | 5 |
| 14. When necessary, I directly complain about poor service in restaurants and other public facilities. | 1 | 2 | 3 | 4 | 5 |
| 15. I find it difficult to openly say "no". | 1 | 2 | 3 | 4 | 5 |
| 16. I'd rather hide my feelings than make a public scene. | 1 | 2 | 3 | 4 | 5 |
| 17. I can persistently defend my opinion without getting "all worked or fired up". | 1 | 2 | 3 | 4 | 5 |
| 18. Without imposing my will, I openly let other people know what I want and what I don't want. | 1 | 2 | 3 | 4 | 5 |
| 19. When I meet an attractive person, I am mesmerized. I run short of words and I don't know what to say. | 1 | 2 | 3 | 4 | 5 |
| 20. I have a feeling that most people have more self-confidence, audacity and determination than I do. | 1 | 2 | 3 | 4 | 5 |
| 21. When I'm being unfairly accused, I can calmly and confidently defend myself. | 1 | 2 | 3 | 4 | 5 |
| 22. I think that I give the impression of a self-confident person. | 1 | 2 | 3 | 4 | 5 |
| 23. I feel helpless in situations when I need to stand up for myself. | 1 | 2 | 3 | 4 | 5 |
| 24. I avoid asking questions for fear of being considered stupid or ignorant. | 1 | 2 | 3 | 4 | 5 |
| 25. I feel embarrassed when I need to make an official business conversation by telephone. | 1 | 2 | 3 | 4 | 5 |
| 26. I tend to postpone the moment of asking a borrower/debtor to return the borrowed item or money. | 1 | 2 | 3 | 4 | 5 |
| 27. I conform to the given circumstances in order to avoid being found at fault with another person, even when it involves a (benevolent) person who is unlikely to inflict any harm. | 1 | 2 | 3 | 4 | 5 |
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СТУДИЈА О АСЕРТИВНОСТИ, ЕФИКАСНОСТИ И КВАЛИТЕТУ РАДА СУДИЈА

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Резиме

Овим истраживањем, спроведеним маја 2015. године, испитана је корелација између асертивности, као посебне вештине комуникације, и ефикасности и квалитета рада судија Кривичног и Грађанског одељења Основног суда у Нишу. Асертивност судија мерена је стандардизованим упитником за мерење асертивности, док је ефикасност судија процењена на основу посебних показатеља које користи Европска комисија за ефикасност правосуђа: стопе ажурности и временске диспозиције предмета. Овим индикаторима ефикасности додали смо и оне који се користе у нашем правосудном систему: коефицијенат ажурности судија и проценат решених предмета у односу на укупно у раду. Квалитет рада судија оцењен је на основу посебног индикатора – мере укупног квалитета рада.

Најважнији налази јесу да су судије Кривичног и Грађанског Одељења Основног суда у Нишу просечно асертивне, али да не постоји корелација између њихове асертивности и других посматраних варијабли (ефикасности и квалитета рада). С друге стране, установљене су бројне корелације између појединих индикатора ефикасности и квалитета рада, од којих издвајамо везу између ажурности судија и квалитета њиховог рада. Другим речима, судије које су ажурније уједно су имале и нижи проценат укинутих или преиначених пресуда пред вишом судском инстанцом. Такође, интересантан налаз јесте и тај да су судије Грађанског одељења окончавале предмете за краће време, ажурније и квалитетније у односу на судије Кривичног одељења. Овим истраживањем постављен је концептуални оквир за утврђивање узрока поменутих корелација и отворена су бројна нова питања, као што је евентуално постојање везе између асертивности, ефикасности и квалитета рада судија у породичноправној материји.