

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

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- Slow justice imposes large welfare costs (Chemin 2009; Visaria 2009; Lichand and Soares 2014; Ponticelli 2013)

Motivation (2)

- Lack of evidence on the effectiveness of justice reforms prevents formulation of actionable policy recommendations (Aboala 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

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- Can we isolate speed vs. quality tradeoffs?

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 - retrace the full historic of cases, with bi-monthly frequency
- Construct an event study to examine the impact of a legal reform that imposed new procedural deadlines
- Use rich caseload data to document mechanisms and shed light on judges' incentives
 - say something about the nature of delays (*idle vs. strategic*)

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- Evidence supports the idea that delays are largely *idle*
- We document no effect on the precision of the evidence, and no effect on duration of the decision stage
 - Overall, efficiency gains dominate

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 - *Decision*
 - Judges deliberate in closed session, announce decision in public hearing
 - judges' inputs influence quality (review evidence, argument, decide)

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- Allows judges to reject cases as “*irrecevable*” 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
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- incoming caseload is a function of existing caseload
- Result 1: judges have no incentive to deviate from an *implicit* threshold of pre-trial speed

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 - increase *decisiveness* of pre-trial hearings
- The effect on quality is a priori *ambiguous*

Data



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Data

- Digitized data on all 2010/14 civil and commercial ongoing and completed caseload
 - collection still ongoing, adding data up to Dec 2015
- High-frequency data on 5,300 cases
 - 7 civil and commercial chambers
 - 21 hearings per year over three years
 - retrace the full history of each case from entry into court and across pre-trial phase → judgement
- Adding appeal data

Model: Case-level

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

$$y_{ij} = \alpha + \sum_{\tau=-38}^7 \beta_{\tau} \mathbb{1}(tApplicationSinceEntry_i == \tau) + D_m + D_j + \varepsilon_{ij}$$

- 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

Model: Case-level

- average the effect across the cutoff, allowing for an adjustment period

$$y_{ij} = \alpha + \beta 11(tApplicationSinceEntry_i > 2) \\ + \gamma_{interim} 11(tApplicationSinceEntry_i \in [-3; 2]) \\ \psi\tau + D_m + D_j + \varepsilon_{ij}$$

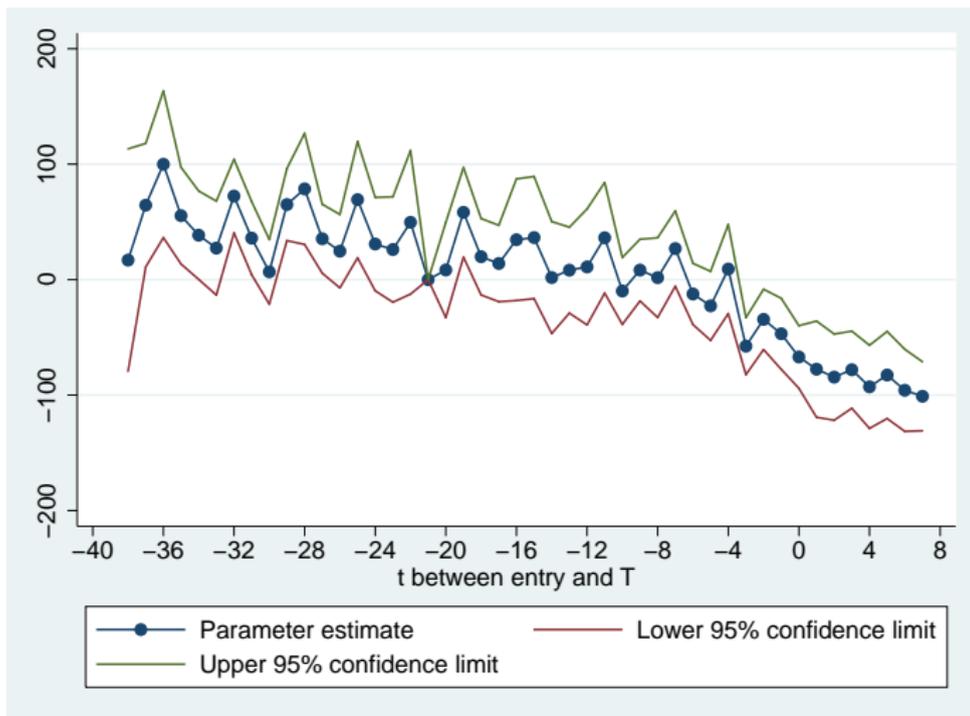
- Identification

$$E(\varepsilon_{ij} | D_m, D_j, \tau) = 0$$

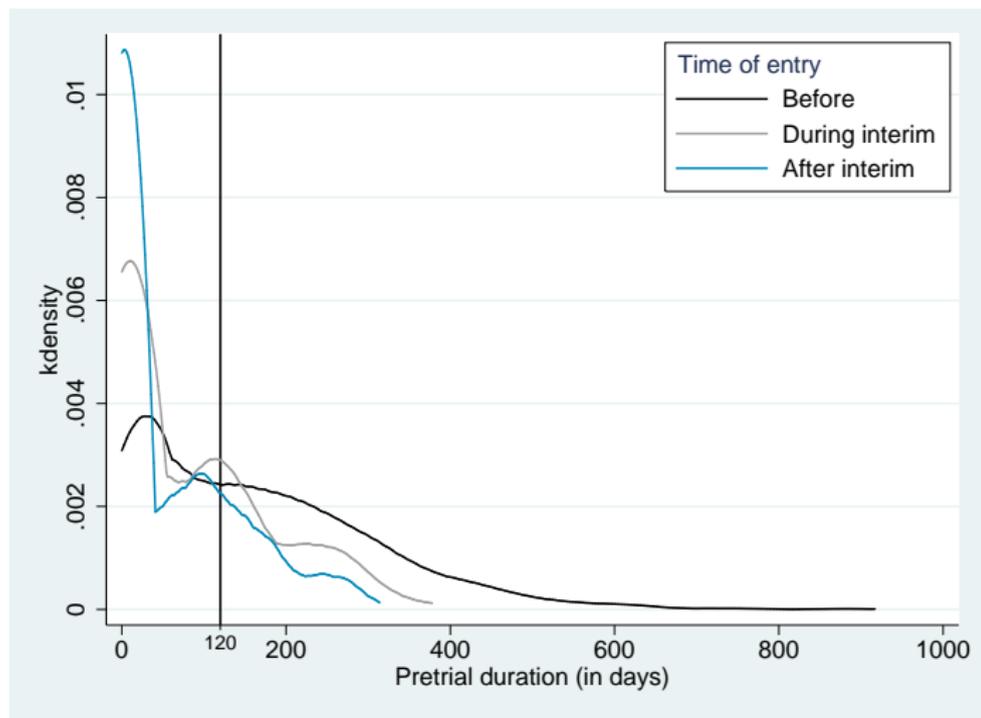
Robustness

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

Pre-trial duration (days)



Pre-trial duration: Distribution



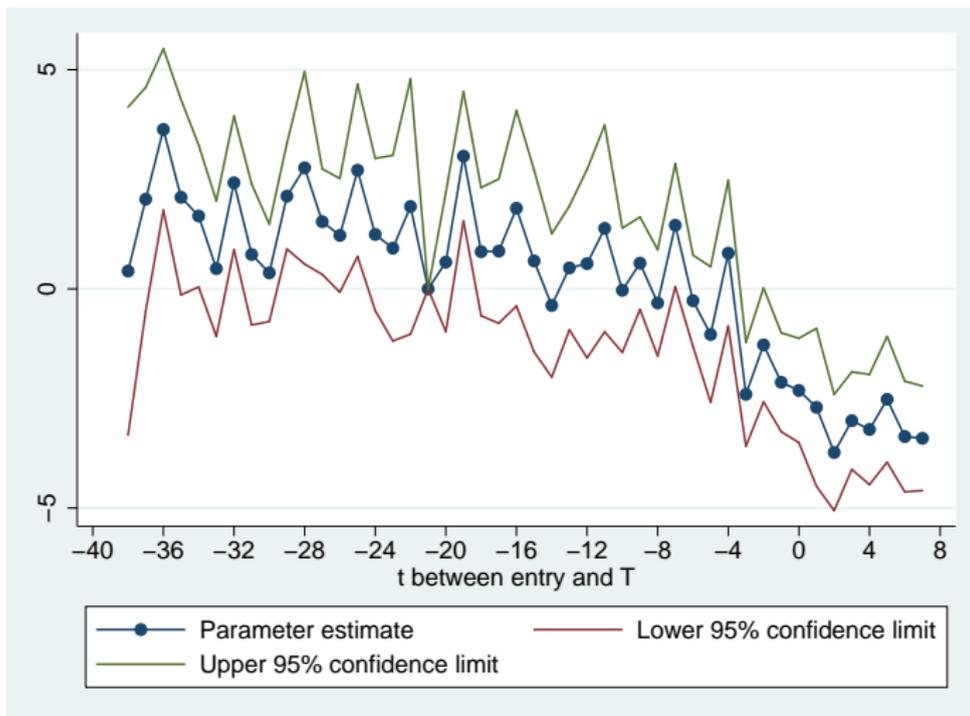
Duration of pre-trial procedure

	(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

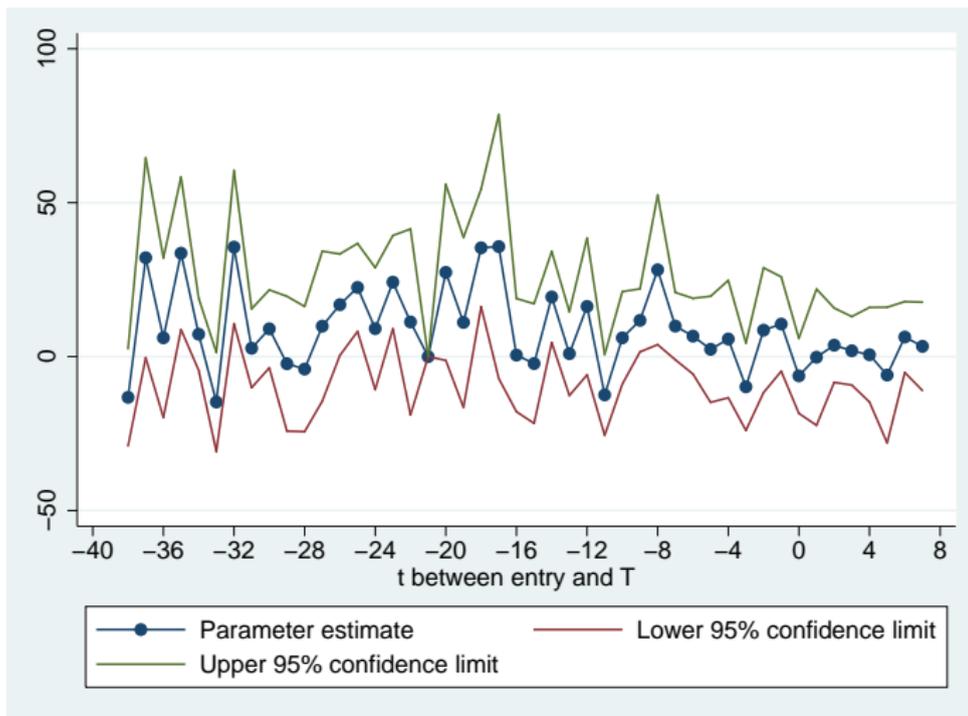


Pre-trial mechanisms

	(1) Number of pretrial hearings	(2) No pre-trial	(3) Pre-trial likelihood of being heard	(4) Judge more strict
Entered after interim	-2.625*** (0.426)	0.149*** (0.037)	0.039** (0.017)	0.080*** (0.020)
Entered during interim	-2.147*** (0.377)	0.161*** (0.030)	0.024 (0.015)	0.027* (0.015)
Constant	5.587*** (0.742)	0.174*** (0.036)	0.779*** (0.019)	0.160*** (0.022)
Chamber FEs	Yes	Yes	Yes	Yes
Calendar month FEs	Yes	Yes	Yes	Yes
Trend	Yes	Yes	Yes	Yes
Pre-mean	8.551	0.088	0.872	0.141
Pre-sd	6.335	0.283	0.139	0.172
R-Squared	0.163	0.112	0.208	0.033
Observations	3515	3515	3500	2570

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Duration of the decision phase



Decision mechanisms

	(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
R-Squared	0.027	0.255	0.021	0.061
Observations	3515	2945	2943	2943

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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*)

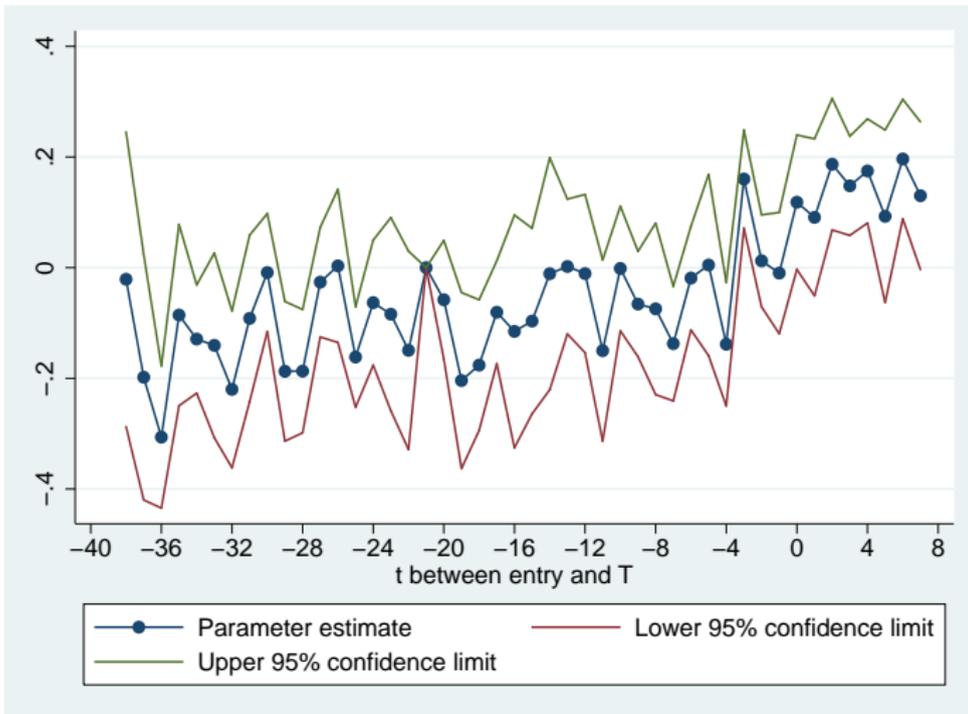
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 - can help combat high-level of procedural complexity (*large number of hearings*)
- Results support predictions from a model where delays are mostly *idly induced*
- Lack of meaningful effect on quality does not corroborate the idea of a speed vs.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

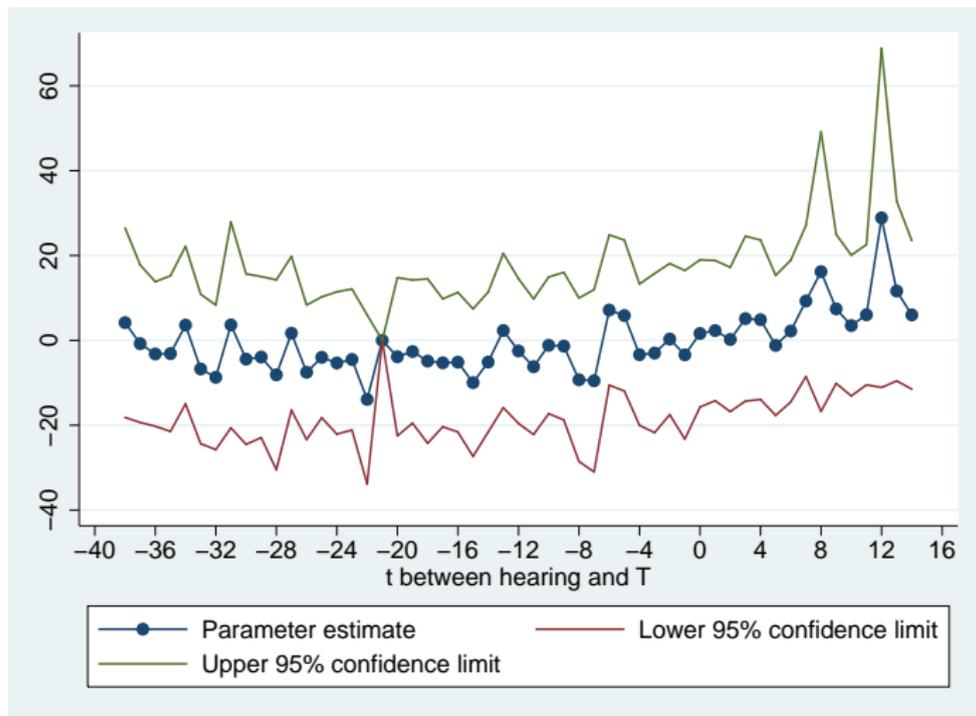
Likelihood of pre-trial phase <4 months



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Structural break in chamber-level incoming caseload



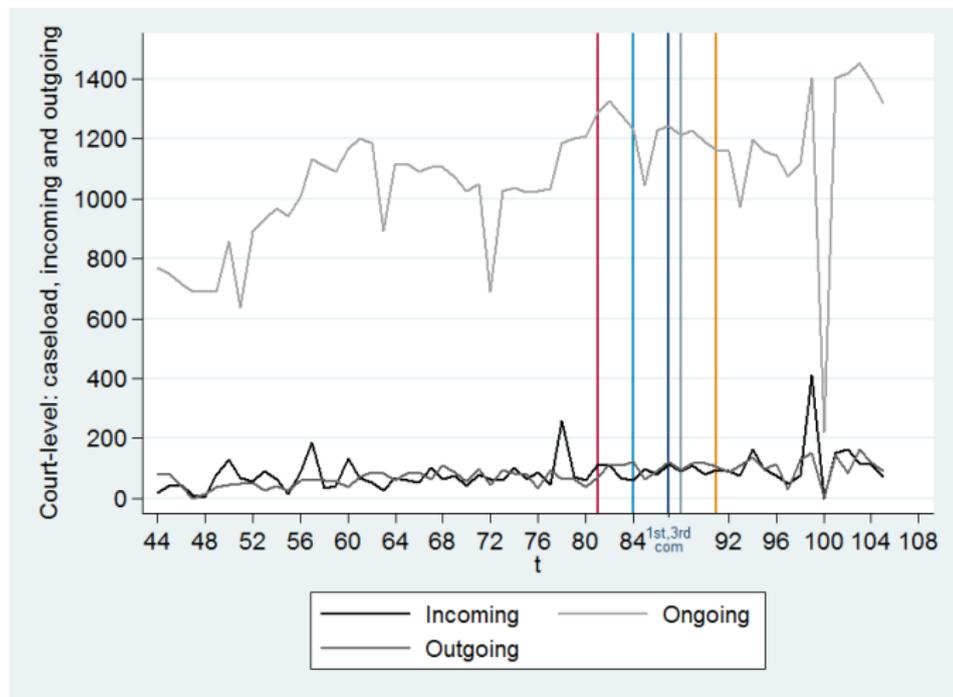
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Structural break in jurisdiction-wide incoming caseload



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