**2019年上半年审判情况及态势分析**

根据数字法院业务应用系统、中国裁判文书网提取的珲春林区基层法院办案数据，我们对2019年1月1日至2019年6月30日，珲春林区基层法院审判执行工作情况进行了汇总分析。

**一、2019年1-6月审判、执行工作总体情况**

2019年1-6月共受理各类案件(含执行)138件。其中，上年转旧存7件，新收131件；结案124件，结案率89.86%，结收比94.66%；截至2019年6月30日，未结案件14件。

与去年同期相比，旧存减少19件，下降73.08%；新收减少28件，下降17.61%。旧存加新收合计减少47件，下降 25.41%。结案下降33件，下降21.02%；结案率上升5.00个百分点；未结案件减少15件，下降53.57%。（具体情况参照图表一）

**2019年1—6月结收比统计表**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **旧存** | **新收** | **未结** | **已结** | **总计** | **结案率** | **结收比** |
| **7** | **131** | **14** | **124** | **138** | **89.86%** | **94.66%** |

**二、2019年1-6月案件总体情况**

（一）诉讼案件总体情况

共受理诉讼案件69件。其中，年转旧存3件，新收66件；结案60件，结案率86.96%，结收比90.91%；未结案件9件。

与去年同期相比，诉讼类案件旧存减少3件，下降50.00%；新收减少39件，下降37.14%；旧存加新收合计减少42件，下降37.84%；结案减少38件，下降38.78%；结案率下降1.33个百分点；未结案件减少4件，下降30.77%。

受理的诉讼案件69件中，刑事22件，占比31.88%，同比(12.61%)下降19.27百分点；民事47件，占比68.12%，同比(86.49%)上升18.37百分点；行政0件，与同比下降100.00%。（以上案件分类依据数字法院业务应用系统收结存统计中案件类型划分，具体情况参照图表二）。

**2019年1---6月诉讼案件结案率统计表**

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| |  | | --- | | 时间 | | |  | | --- | | 旧存 | | |  | | --- | | 新收 | | |  | | --- | | 未结 | | |  | | --- | | 已结 | | |  | | --- | | 总计 | | |  | | --- | | 结案率 | |
| |  | | --- | | 1月1日-6月30日 | | |  | | --- | | [3](javascript:Artery.getCmp(%22resultArea%22).linkto(%7b%22runTimeType%22:%22%22,%22formType%22:%222%22,%22targetWidth%22:%22%22,%22params%22:%7b%22con3%22:%2233250544%22,%22con2%22:%22825%22,%22con5%22:%222019-01-01%22,%22con4%22:%2254067219%22,%22con7%22:%221%22,%22con6%22:%222019-06-30%22,%22con9%22:%220%22,%22con8%22:%221%22,%22btqz%22:%22珲春林区基层法院%22,%22con10%22:%224%22,%22con15%22:%222%22,%22con16%22:%221%22,%22con14%22:%222%22,%22con208%22:%222%22,%22con1%22:%226%22%7d,%22fullScreen%22:%22false%22,%22type%22:%22report%22,%22title%22:%22%22,%22formId%22:%22712f20e3e8416f84866ef4d8e1a7e8b4%22,%22targetHeight%22:%22%22,%22name%22:%22rel5%22,%22target%22:%22_blank%22,%22value%22:%22712f20e3e8416f84866ef4d8e1a7e8b4%22,%22modal%22:%222%22%7d)) | | |  | | --- | | [66](javascript:Artery.getCmp(%22resultArea%22).linkto(%7b%22runTimeType%22:%22%22,%22formType%22:%222%22,%22targetWidth%22:%22%22,%22params%22:%7b%22con3%22:%2233250544%22,%22con2%22:%22825%22,%22con5%22:%222019-01-01%22,%22con4%22:%2254067219%22,%22con7%22:%222%22,%22con6%22:%222019-06-30%22,%22con9%22:%220%22,%22con8%22:%221%22,%22btqz%22:%22珲春林区基层法院%22,%22con10%22:%224%22,%22con15%22:%222%22,%22con16%22:%221%22,%22con14%22:%222%22,%22con208%22:%222%22,%22con1%22:%226%22%7d,%22fullScreen%22:%22false%22,%22type%22:%22report%22,%22title%22:%22%22,%22formId%22:%22712f20e3e8416f84866ef4d8e1a7e8b4%22,%22targetHeight%22:%22%22,%22name%22:%22rel5%22,%22target%22:%22_blank%22,%22value%22:%22712f20e3e8416f84866ef4d8e1a7e8b4%22,%22modal%22:%222%22%7d)) | | |  | | --- | | [9](javascript:Artery.getCmp(%22resultArea%22).linkto(%7b%22runTimeType%22:%22%22,%22formType%22:%222%22,%22targetWidth%22:%22%22,%22params%22:%7b%22con3%22:%2233250544%22,%22con2%22:%22825%22,%22con5%22:%222019-01-01%22,%22con4%22:%2254067219%22,%22con7%22:%223%22,%22con6%22:%222019-06-30%22,%22con9%22:%220%22,%22con8%22:%221%22,%22btqz%22:%22珲春林区基层法院%22,%22con10%22:%224%22,%22con15%22:%222%22,%22con16%22:%221%22,%22con14%22:%222%22,%22con208%22:%222%22,%22con1%22:%226%22%7d,%22fullScreen%22:%22false%22,%22type%22:%22report%22,%22title%22:%22%22,%22formId%22:%22712f20e3e8416f84866ef4d8e1a7e8b4%22,%22targetHeight%22:%22%22,%22name%22:%22rel5%22,%22target%22:%22_blank%22,%22value%22:%22712f20e3e8416f84866ef4d8e1a7e8b4%22,%22modal%22:%222%22%7d)) | | |  | | --- | | [60](javascript:Artery.getCmp(%22resultArea%22).linkto(%7b%22runTimeType%22:%22%22,%22formType%22:%222%22,%22targetWidth%22:%22%22,%22params%22:%7b%22con3%22:%2233250544%22,%22con2%22:%22825%22,%22con5%22:%222019-01-01%22,%22con4%22:%2254067219%22,%22con7%22:%224%22,%22con6%22:%222019-06-30%22,%22con9%22:%220%22,%22con8%22:%221%22,%22btqz%22:%22珲春林区基层法院%22,%22con10%22:%224%22,%22con15%22:%222%22,%22con16%22:%221%22,%22con14%22:%222%22,%22con208%22:%222%22,%22con1%22:%226%22%7d,%22fullScreen%22:%22false%22,%22type%22:%22report%22,%22title%22:%22%22,%22formId%22:%22712f20e3e8416f84866ef4d8e1a7e8b4%22,%22targetHeight%22:%22%22,%22name%22:%22rel5%22,%22target%22:%22_blank%22,%22value%22:%22712f20e3e8416f84866ef4d8e1a7e8b4%22,%22modal%22:%222%22%7d)) | | |  | | --- | | [69](javascript:Artery.getCmp(%22resultArea%22).linkto(%7b%22runTimeType%22:%22%22,%22formType%22:%222%22,%22targetWidth%22:%22%22,%22params%22:%7b%22con3%22:%2233250544%22,%22con2%22:%22825%22,%22con5%22:%222019-01-01%22,%22con4%22:%2254067219%22,%22con7%22:%225%22,%22con6%22:%222019-06-30%22,%22con9%22:%220%22,%22con8%22:%221%22,%22btqz%22:%22珲春林区基层法院%22,%22con10%22:%224%22,%22con15%22:%222%22,%22con16%22:%221%22,%22con14%22:%222%22,%22con208%22:%222%22,%22con1%22:%226%22%7d,%22fullScreen%22:%22false%22,%22type%22:%22report%22,%22title%22:%22%22,%22formId%22:%22712f20e3e8416f84866ef4d8e1a7e8b4%22,%22targetHeight%22:%22%22,%22name%22:%22rel5%22,%22target%22:%22_blank%22,%22value%22:%22712f20e3e8416f84866ef4d8e1a7e8b4%22,%22modal%22:%222%22%7d)) | | |  | | --- | | 86.96% | |

（二）2019年1-6月执行案件总体情况

共受理执行案件69件。其中，年转旧存4件，新收65件；执结64件，结案率92.75%；未执结案件5件。

与去年同期相比，执行类案件受理案件数减少5件，同比下降6.76%；旧存案件减少16件，同比下降80.00%；新收案件增加11件，同比上升20.37%；执结案件增加5件，上升8.47%；执结率上升13.02百分点；未执结案件减少11件，同比下降73.33%（具体情况参照图表三）。

（三）1-6月（员额法院13名）人均受案数10.62件，人均结案数9.54件。

**三、2019年1-6月诉讼案件新收情况**

（一）诉讼案件新收类型分布情况

共新收诉讼案件66件，与去年同期相比减少39件，下降37.14%。其中，刑事新收21件，同比增加7件，上升了50.00%；民事新收45件，同比减少45件，下降50.00%；行政新收0件，与同比下降100.00%，（具体情况参照图表四）。

（二）新收诉讼案件案由、罪名情况

1-6月新收民事案件中，数量最多、占比最大的3个案由（不区分案由级别）分别是物业服务合同纠纷17件、民间借贷纠纷15件、林业承包合同纠纷4件，分别占全部民事新收案件数66件的25.76%、22.73%、6.06%（具体情况参照图表五）。

1-6月新收刑事案件中，数量最多、占比最大的2个罪名分别是非法采伐、毁坏国家重点保护植物罪7件，盗伐林木罪6件分别占刑事新收案件数21件的33.33%、28.57%（具体情况参照图表六）。

**四、1-6月审结诉讼案件情况**

审结诉讼案件60件，与去年同期相比，同比减少38件，下降38.78%。

（一）审结诉讼案件类型分布情况

审结诉讼案件60件，其中，刑事19件，占比31.67%；民事41件，占比68.33%，行政0件，占比持平。

(二)审结案件的案由、罪名情况

审结民事案件中，数量最多、占比最大的3个案由（不区分案由级别）分别是物业服务合同纠纷17件，民间借贷纠纷11件，林业承包合同纠纷4件，分别占全部民事审结案件数41件的41.46%、26.83%、9.76%

审结刑事案件中，数量最多、占比最大的2个罪名分别是非法采伐、毁坏国家重点保护植物罪7件，盗伐林木罪5件分别占刑事审结案件数19件的36.84%、26.32%。

（三）2019年1—6月诉讼案件人均结案数情况

2019年1—6月人均受理数为10.62件。

（四）法定（正常）审限内结案率情况

2019年1-6月，法定（正常）审限内结案率100%。

（五）诉讼案件结收比情况统计

1月结收比为100%；2月份结收比47.36%；3月份结收比90.90%；4月结收比52.00%；5月结收比200.00%；6月结收比112.50%。一季度（1—3月）结收比92.31%；二季度(4—6月)结收比90.00%；前二季度结收比90.91%。

（六）简易程序适用率情况

1-6月一审简易程序适用率91.38%，同比（75.82%）上升15.56个百分点。

刑事一审简易程序适用率94.74%。

民事一审简易程序适用率89.74%。

（七）服判息诉率情况

1-6月珲春林区基层法院一审案件服判息诉率94.83%，同比（94.51%）上升0.32个百分点。

**2019年1-6月一审服判息诉率统计表**

|  |  |  |
| --- | --- | --- |
| 一审结案数 | 上诉案件收案数 | 一审服判息诉率 |
| 58 | 3 | 94.83% |

（八）1-6月一审案件上诉被改判、发回重审率情况

一审案件上诉被改判、发回重审率为3.45%。

**2019年1-6月一审案件上诉被改判、发回重审率统计表**

|  |  |  |  |
| --- | --- | --- | --- |
| 一审案件  结案数 | 上诉案件  改判数 | 上诉案件  发回重审数 | 一审案件上诉发回重审率 |
| 58 | 0 | 2 | 3.45% |

（九）生效案件再审被改判、发回重审率情况

1-6月珲春林区基层法院生效案件再审被改判、发回重审率为0.00%。

（十）超期结案率情况

1-6月超期结案率为0.00%。

（十一）民事调撤率情况

1-6月民事调撤率为71.79%，全院共有28件案件通过调解、撤诉方式结案，其中调解8件，撤诉20件。

(十二)员额法官人均审结诉讼案件数情况

1-6月13名员额法官人均审结诉讼案件数4.62件。

（十三）诉讼案件平均审理天数情况

1-6月诉讼案件平均审理天数18.7天。

五、2019年1—6月诉讼案件未结情况

2019年1—6月共有未结诉讼案件9件，与去年同期同比减少4件，下降30.77%。

（一）2019年1—6月长期未结诉讼案件占比情况

截止2019年6月30日，共有长期未结诉讼案件0件，与去年同期持平。

（二）2019年1—6月份超六个月未结诉讼案件情况

截至2019年1—6月共有超六个月未结诉讼案件0件。

**六、审判绩效考核情况**

(一) 裁判文书上网情况

2019年1—6月裁判文书上网率为87.07%。

**2019年1-6月裁判文书上网率统计表**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| 法院 | 公开文书数 | 公开信息数 | 结案数 | 上网率 |
| 珲春 | 101 | 8 | 124 | 87.07% |

（二）庭审直播数占比情况

1-6月应庭审直播案27件，庭审直播数26件，占受理的诉讼案件总数的37.68%。未直播案件1件，原因为直播视频异常，技术故障导致。

（三）卷宗归档率情况

1-6月珲春林区基层法院卷宗归档率88.33%。

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 未归档4件：结案后3个月内未归档4件，刑事1件（未生效）、民事3件（未生效）。   |  | | --- | | **珲春林区基层法院归档统计** | | | | | | | | | | | | | | | | | | |
| |  | | --- | | 统计日期：2019-01-01到2019-03-31 | | | | | | | | | | | | | | | | | | |  | | --- | |  | |
| |  | | --- | |  | | |  | | --- | |  | | |  | | --- | |  | | |  | | --- | |  | | |  | | --- | | **上诉** | | | |  | | --- | | **应归档案件数** | | | |  | | --- | |  | | |  | | --- | |  | | |  | | --- | | **归档案件中** | | | | |  | | --- | |  | | |  | | --- | | **未归档案件中** | | | |  |
| |  | | --- | | **序号** | | |  | | --- | | **法院** | | |  | | --- | | **结案** | | |  | | --- | | **归档总数** | | |  | | --- | | **上诉未归档** | | |  | | --- | | **上诉已归档** | | |  | | --- | | **未归档** | | |  | | --- | | **已归档** | | |  | | --- | | **归档率** | | |  | | --- | | **归档** | | |  | | --- | | **结案后3个月 内归档** | | |  | | --- | | **结案后6个月内归档** | | |  | | --- | | **结案后超过6个月归档** | | |  | | --- | | **未归档** | | |  | | --- | | **结案后3个月内未归档** | | |  | | --- | | **结案后6个月内未归档** | | |  | | --- | | **结案后超过6个月未归档** | |  |
| |  | | --- | | 1 | | |  | | --- | | [珲春林区基层法院](javascript:Artery.getCmp(%22resultArea%22).linkto(%7b%22runTimeType%22:%22%22,%22formType%22:%222%22,%22targetWidth%22:%22%22,%22params%22:%7b%22con3%22:%22825%22,%22con2%22:%22-1%22,%22con5%22:%221630636736%22,%22con4%22:%2254067206%22,%22faHiddenaBmqz%22:%22%22,%22con7%22:%222019-03-31%22,%22con6%22:%222019-01-01%22,%22con9%22:%224%22,%22con8%22:%22%22,%22faHiddenBm%22:%22%22,%22faCodeBblx%22:%223%22,%22con11%22:%222%22,%22con12%22:%222%22,%22con10%22:%221%22,%22con13%22:%221%22,%22faHiddenBmqz%22:%22%22,%22qntq%22:%22-1%22,%22faCodeSftj%22:%221%22,%22con1%22:%224%22%7d,%22fullScreen%22:%22false%22,%22type%22:%22report%22,%22title%22:%22%22,%22formId%22:%220cf54d91f23269199a1cd4b5d037af8c%22,%22targetHeight%22:%22%22,%22name%22:%22rel1%22,%22target%22:%22_self%22,%22value%22:%220cf54d91f23269199a1cd4b5d037af8c%22,%22modal%22:%222%22%7d)) | | |  | | --- | | 60 | | |  | | --- | | 56 | | |  | | --- | | 0 | | |  | | --- | | [3](javascript:Artery.getCmp(%22resultArea%22).linkto(%7b%22runTimeType%22:%22%22,%22formType%22:%222%22,%22targetWidth%22:%221024%22,%22params%22:%7b%22con3%22:%22825%22,%22con2%22:%22-1%22,%22con5%22:%221630636736%22,%22con4%22:%2254067206%22,%22con7%22:%222019-03-31%22,%22con6%22:%222019-01-01%22,%22con9%22:%223%22,%22con8%22:%22%22,%22con11%22:%222%22,%22con12%22:%222%22,%22con10%22:%221%22,%22faHiddenBmqz%22:%22珲春林区基层法院%22,%22con1%22:%226%22%7d,%22fullScreen%22:%22false%22,%22type%22:%22report%22,%22title%22:%22%22,%22formId%22:%227aceb974b463dac1c0fa4aafd6d24492%22,%22targetHeight%22:%22%22,%22name%22:%22rel2%22,%22target%22:%22_blank%22,%22value%22:%227aceb974b463dac1c0fa4aafd6d24492%22,%22modal%22:%222%22%7d)) | | |  | | --- | | 4 | | |  | | --- | | 53 | | |  | | --- | | 93.33% | | |  | | --- | | 61 | | |  | | --- | | 61 | | |  | | --- | | 0 | | |  | | --- | | 0 | | |  | | --- | | 4 | | |  | | --- | | 4 | | |  | | --- | | 0 | | |  | | --- | | 0 | |  |
| |  | | --- | | 总计 | | | |  | | --- | | 60 | | |  | | --- | | 56 | | |  | | --- | | 0 | | |  | | --- | | 3 | | |  | | --- | | 4 | | |  | | --- | | 53 | | |  | | --- | | 93.33 | | |  | | --- | | 61 | | |  | | --- | | 61 | | |  | | --- | | 0 | | |  | | --- | | 0 | | |  | | --- | | 4 | | |  | | --- | | 4 | | |  | | --- | | 0 | | |  | | --- | | 0 | |  |

**七、法官办案情况**

我院共有员额法官13人，院领导4人，审结10件；其他员额法官9人，审结 114 件（含执行）。

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **珲春林区基层法院员额法官办理案件数据统计** | | | | | | | | |
| 序号 | 姓名 | 旧存 | 新收 | 合计 | 未结 | 已结 | 结案率 | 结收比 |
| 1 | 郑国荣 | 0 | 0 | 0 | 0 | 0 | —— | —— |
| 2 | 李志君 | 1 | 0 | 1 | 0 | 1 | 100.00% | —— |
| 3 | 金成武 | 0 | 4 | 4 | 0 | 4 | 100.00% | 100.00% |
| 4 | 李忠臣 | 0 | 5 | 5 | 0 | 5 | 100.00% | 100.00% |
| 5 | 范 军 | 0 | 5 | 5 | 0 | 5 | 100.00% | 100.00% |
| 6 | 李铁根 | 1 | 16 | 17 | 5 | 12 | 70.59% | 75.00% |
| 7 | 朴哲权 | 0 | 12 | 12 | 1 | 11 | 91.67% | 91.67% |
| 8 | 玉常镇 | 0 | 9 | 9 | 0 | 9 | 100.00% | 100.00% |
| 9 | 刘银铎 | 0 | 5 | 5 | 4 | 1 | 20.00% | 20.00% |
| 10 | 魏广前 | 0 | 9 | 9 | 0 | 9 | 100.00% | 100.00% |
| 11 | 路 清 | 0 | 15 | 15 | 0 | 15 | 100.00% | 100.00% |
| 12 | 梁奉吉 | 1 | 23 | 24 | 3 | 21 | 87.50% | 91.30% |
| 13 | 张俊东 | 4 | 6 | 30 | 2 | 28 | 93.33% | 107.69% |

**八、智慧法院建设与应用情况**

（一）网上立案情况

1-6月民事一审案件网上立案41件，网上立案率为91.11%；行政一审案件网上立案率为0.00%。

（二）网上证据交换使用率情况

1-6月网上证据交换率为0.00%。

（三）网上开庭情况

1-6月网上开庭率为0.00%。

（四）电子送达率情况

1-6月电子送达率为0.00%。

九、审判流程信息公开率情况

1—6月审判流程信息公开率为96.88%。已公开案件数64件，应公开案件数为64件。

有效公开率为96.88%。有效公开案件数为62件。

**十、审判态势呈现的特点、存在的问题及下一步工作建议**

（一）加强均衡结案

2019年1月，新收19件，结案19件，结收比100%，高于本月考核指标（70%）30个百分点；2月新收19件，结案9件，结收比47.37%，低于本月考核指标（70%）22.64个百分点；3月新收22件，结案20件，结收比90.91%，高于本月考核指标（70%）20.91个百分点;一季度新收60件，结案48件，结收比80.00%，高于本季度考核指标（70%）10.00个百分点。4月新收38件，结案39件，结收比102.63%，高于本月考核指标（85%）17.63个百分点; 5月新收15件，结案21件，结收比140.00%，高于本月考核指标（85%）55.00个百分点; 6月新收18件，结案16件，结收比88.89%，高于本月考核指标（85%）3.89个百分点; 二季度新收71件，结案76件，结收比107.04%，高于本季度考核指标（85%）22.04个百分点。前二季度新收131件，结案124件，结收比94.66%，高于本季度考核指标（85%）9.66个百分点。从1、2月份结收比看，1月份高于考核指标，而2月结收比明显低于考核指标，3月份加强了均衡结案督导管理，均衡结案步入正轨。4、5、6月份高于考核指标，随6月结收比高于考核指标，但明显低于4、5月份结收比，没有做好均衡结案工作。2019年1-6月各类案件结案数、结案率、结收比同比上年同期结案率上升以外都有所下降，结案数、结收分别下降21.02%、4.08%，结案率上升5.00%。总之，前二季度收结不均衡的现象仍然存在。加强均衡结案工作仍不容忽视，需进一步加大督导力度，控制未结案件存量，最大限度缩短办案周期，确保审判工作高效运行。

（二）加强电子法院深度应用力度

网上立案应用指标未达标，网上证据交换、网上开庭、电子送达等未实际应用。建议各审判业务庭、各员额法官提高网上办案意识，充分利用网上证据交换、网上庭审、电子卷宗深度应用等各项智能办案系统，提高办案效率。

（三）加强网上立案、文书上网、案卷归档、调撤率等指标的督导

自下半年起网上立案应达到100%；裁判文书生效后及时上网（分类办理）；案件结案后一个月内归档；调撤率不能低于70%。