

Federal Supreme Court Activity Report 2016

This activity report aims to comply with the requirement of item XIV of article 13 of the Internal Regulation of the Federal Supreme Court (STF) to present the "detailed report of the work of the year".

In compliance with the parameters of sustainability established in the STF's strategic planning, this paper was produced in digital format, available through a hotsite, which is compatible with desktops, mobiles and tablets, and is accessible via QR code. This initiative reduces costs and increases institutional transparency.

As a historical record of the recent years' judicial statistics as well as of the main activities of 2016, the report strengthens transparency and allows for the overall vision of the Court's main results at the period.

Adjudication

Through adjudication the STF meets the demand of the Brazilian society for Justice, through the exercise of its constitutional jurisdiction.

In 2016, the collegiate organs of the Federal Supreme Court held 208 trial sessions and 3 solemn plenary meetings, as specified in the following table.

Number of collegiate trials and STF's meetings in 2016

Organ	Meetings				Cases tried	
	Ordinary	Extraordinary	Solemn*	Virtual	On-site meetings	Virtual trials
Plenary	36	44	3	18	1,934	1,441
First Panel	38	0	0	17	4,251	2,063
Second Panel	36	1	0	18	3,272	1,516
Total	110	45	3	53	9,457	5,020

In the following topics, we present the digest of the main statistics of the Federal Supreme Court in the last 5 years and other highlights of its adjudication in 2016, when the Court issued 117,472 decisions. Other results are highlighted below.

Quantitative of decisions sorted by case type

Decisions	Year				
	2012	2013	2014	2015	2016
Decisions with General Repercussion	119	110	138	116	84
Internal Appeals	10,684	12,591	15,965	17,492	14,495
Preliminary Injunctions	2,976	2,533	2,335	2,507	2,415
Interlocutory Decisions	1,696	2,527	2,210	3,018	4,900
Suspensions	2,282	806	1,170	1,121	264
Final decisions (sole-judge and collegial)	72,185	71,447	92,610	92,372	95,314
Total	89,942	90,014	114,428	116,626	117,472

Evolution of the caseload

The Court's caseload is the number of cases that are being handled at a certain date. All cases registered to the Presidency or distributed to the Justices, except those remanded or archived, are computed.

In 2016, the Court's caseload amounted to 57,995 lawsuits in progress, with an increase of 4,105 cases, which represents 7.6% more than in 2015.

Evolution of the STF's caseload and the relation between original and appellate cases

Case jurisdiction	Year				
	2012	2013	2014	2015	2016
Original	19,659	18,489	15,608	15,072	15,416
Appellate	47,167	48,563	40,883	38,818	42,579
Total	66,831	67,052	56,491	53,890	57,995
Original	29,4%	27,6%	27,6%	28%	26,6%
Appellate	70,6%	72,4%	72,4%	72%	73,4%

Caseload composition: printed x electronic case files

Case file format	2016	%
Printed	11,137	19,20%
Electronic	46,858	80,80%
Total	57,995	100,00%

Binding precedents

The binding precedents represent objective and permanent orientations directed to the legal operators for the solution of constitutional matters.

The Constitutional Amendment 45/2004 included in the Federal Constitution the determination that the Supreme Court may, by its own motion or through provocation, in a decision by two thirds of its members, after repeated decisions on constitutional matters, approve a summary that, from its publication in the official press, shall have binding effect in relation to the other organs of the Judiciary and to the Public Administration at federal, state and municipal levels, as well as to review or cancel it, in the manner established in law (1988 Federal Constitution, article 103-A, caput). The institute is regulated by Law 11.417/2006, which governs the editing, revision and cancellation of the statement of binding precedent by the Federal Supreme Court.

The first binding precedent of the Federal Supreme Court dates from May 2007. The following table shows the number of precedents edited by the Federal Supreme Court until 2016.

Binding precedents edited by STF since 2007

Year	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	Total
Quant.	3	10	14	4*	1	**	**	5	16	3	56

General repercussion

The general repercussion aims: (a) to delimitate the jurisdiction of the Federal Supreme Court, in the judgment of extraordinary appeals, to cases in which the constitutional subject under analysis have social, political, economic or legal relevance, that transcends the subjective interests in the case; and (b) to create standards of interpretation without the requirement of hearing multiple identical cases.

The institute was included in the legal system by the Constitutional Amendment 45/2004, which added a third paragraph to Article 102 of the Constitution demanding the general repercussion of the constitutional issue brought in the extraordinary appeal. In addition, it was regulated by Law 11,418/2006, which introduced articles 543-A and 543-B, and respective paragraphs, to the Code of Civil Procedure (CPC) of 1973. Such provisions governed the procedure for the extraordinary appeal under the rite of general repercussion. However, it was only from May 3, 2007, the date of publication of Amendment 21 to the Supreme Federal Court's Internal Regulation, that the general repercussion began to be applied (AI 664.567-QO).

In 2015, Law 13,105 established the new CPC and prescribed: (a) the possibility of, in recognizing the general repercussion, the rapporteur in the Supreme Court determine the suspension of the processing of all pending lawsuits, individual or collective, being carried out in the national territory (article 1035, § 5); (b) the admissibility of internal appeal against the decision that applies an interpretation made on a general repercussion basis or in the judgment

of repetitive appeals (article 1035, § 7); and (c) the establishment of one year as the maximum time for the judgment of an appeal whose general repercussion have been recognized, with the exception of the priorities established in article 1.035, § 9.

The institute of general repercussion demands more direct and effective communication between the organs of the Judiciary, especially in the sharing of information on the subjects in judgment and the suspended cases, as well as in the systematization of the decisions and actions required to standardize procedures.

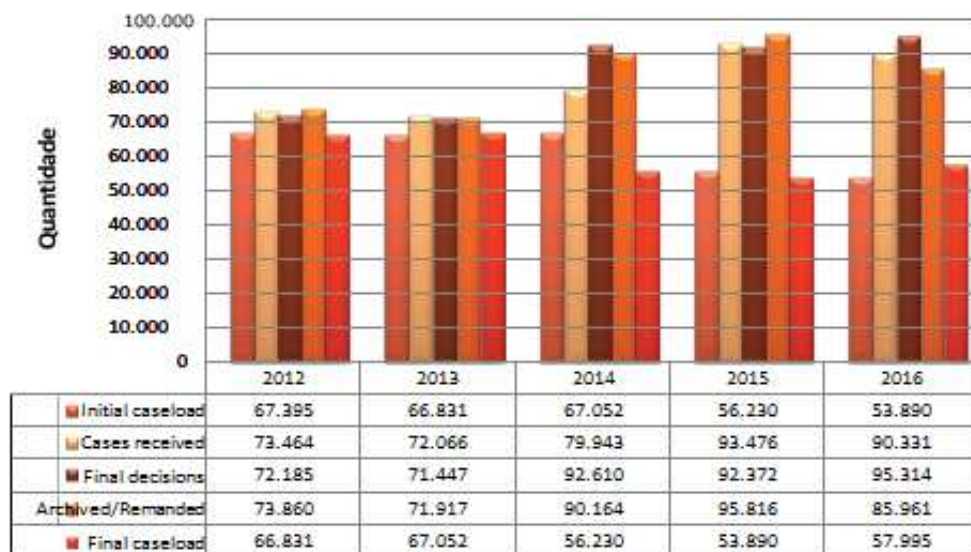
Final decisions on merits of the subjects with general repercussion have, as an immediate consequence, the release of lawsuits suspended by the lower courts throughout the country. In 2016, because of these judgments, more than 90,000 cases were resolved.

Since the STF's Internal Regulation Amendment 21/2007, the Federal Supreme Court has recognized 616 themes with general repercussion and judged the merits of 305 themes, as shown below.

General Repercussion history

Year	Number of themes			
	Recognized general repercussion	Denied general repercussion	Merit	
			Judged	Judged reaffirming case law
2007	14	6	0	0
2008	101	26	26	8
2009	65	30	25	8
2010	79	42	19	9
2011	111	38	38	18
2012	80	32	12	6
2013	47	22	46	8
2014	48	42	60	14
2015	44	22	43	13
2016	27	28	36	9
Total	616	288	305	93

Comparison: initial caseload, cases received, final decisions, cases archived/remanded and final caseload



Sources: STF 2014 and 2015 Activity Reports and STF Management Information Portal. Data for 2016 extracted on 1/13/2017, except initial caseload.

Transparency and Relationship with Institutions and Society

In this section, we cover some actions carried out with the aim of strengthening institutional transparency, access to public information, communication to society and institutional relations.

Citizen's Central

Created in 2008, the Citizen's Central is the support unit of the Federal Supreme Court for direct communication with the citizen. With a focus on excellence in service, it has the task of articulating, with the competent internal units, the responses to requests and manifestations received from society, guiding and transmitting information, as well as redirecting requests to other public agencies.

With Law 12,527/2011 (Access to Information Law) the Citizen Center also assumed the responsibilities of the Citizen Information Service. Thus, it provides information and orientation to the public, receive and respond to requests for access to information, and manage internal referrals, in the form and term defined by law.

Society demands information about the role and performance of the Supreme Court, the functioning of its services, the expenditure of money allocated to it in the public budget etc. The average is 177 requests per day and 5,854 requests answered and solved per month.

Number of requests answered and solved in 2016

Month	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Solved requests	5,493	5,163	6,323	6,742	7,296	5,722	5,216	6,159	6,386	5,715	6,398	3,635	70,248
Average/day	177	184	204	225	235	191	168	199	213	184	213	117	177

Open Doors Program – public visitation to the Court

In 2016, the Federal Supreme Court received 18,025 visitors – despite the interruption, since April, of public visits in the weekends and of the suspensions due to renovation in the headquarters building, public demonstrations and budget constraints. Visitors had the opportunity to know relevant data about more than two hundred years of the history of Brazilian Justice and to attend in the Plenary or the Panels meetings.

Number of visitors in 2016

Month	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Visitors	928	1100	913	1787	1914	1692	1685	1590	2113	1967	1720	616	18,025

Institutional communication

In order to keep the company informed and to give transparency to the work carried out, The Federal Supreme Court (STF) uses different means of communication Institution: Internet portal, Justice TV, Justice Radio, Twitter account and Channel on YouTube. In addition, it serves journalists and media outlets through the Secretariat of Social Communication.

In 2016, there was a relevant increase in the visualization and access numbers of the STF's digital media, as shown below.

Access to the STF's digital media

Means of mass communication	Year	
	2015	2016
STF Portal – top ten news most read	456,197	941,559
Twitter – inscriptions	275,334	1,523,357
YouTube Channel - inscriptions	103,784	143,839

Management and Governance

The STF Strategic Planning, called *PE/STF - towards 2020*, was approved by the Justices in 2015 and was drawn up in the course of that year with the participation of managers, clerks and representatives of Justices offices. For the new five-year period, 10 strategic objectives were defined, 19 indicators and 19 goals, distributed in the following perspectives of performance: adjudication, transparency, institutional articulation, structure and infrastructure, and people.

At the end of 2016, 37% of the 19 goals had already been accomplished, as seen below.

Strategic Planning results by the end of 2016

