

Activities and organization of the Supreme Administrative Court of Finland

According to the Constitution of Finland, the Supreme Administrative Court and the regional Administrative Courts are general courts of administrative law.

According to the Constitution of Finland, justice in administrative matters is in the final instance administered by the Supreme Administrative Court. Justice in civil, commercial and criminal matters is in the final instance administered by the Supreme Court.

The majority of the categories of cases handled by the Supreme Administrative Court are not subject to leave to appeal. As a rule, the parties have a right to appeal, and the Supreme Administrative Court will make a decision as to the substance. The most important categories of cases where, according to legislation applicable to them, a petition for leave to appeal must be filed, concern taxation, aliens and subsistence support. The criteria for granting leave, however, are defined in a manner preventing appeal to the Supreme Administrative Court from becoming a mere system of precedents.

During the year 2001, the Supreme Administrative Court settled 3,612 cases. Of them 2,120 cases were appeals and 1,170 applications for leave to appeal. The remaining 322 settled cases mainly concerned extraordinary appeal. Of the 1,170 cases settled where leave to appeal is required, leave was granted in 260 cases, or 22 per cent. Among the 3,612 cases involving appeal and leave to appeal settled during the year 2001, a total of 2,380 cases, or 66 per cent, was settled as to the substance.

Judges in the Supreme Administrative Court are the President and 20 Justices. Administrative judicial matters are regularly settled on presentation in sessions of the chambers in benches of five judges. The Supreme Administrative Court has about 40 referendaries and about 40 other employees. They are headed by the Permanent Secretary.

When a matter of judicial administration has been instituted in the Supreme Administrative Court, the notary and the secretary of the chamber are responsible for preparing the case in the initial stages, particularly for hearing the parties. Before the session, the referendary establishes the legal and factual questions of the case and prepares a draft decision. In session, after the written and oral statement of the referendary, the justices negotiate and settle the matter.