

# INTERNATIONAL FRAMEWORK FOR COURT EXCELLENCE

THE AUSTRALASIAN INSTITUTE  
OF JUDICIAL ADMINISTRATION  
WWW.AIJA.ORG.AU

THE FEDERAL  
JUDICIAL CENTER  
WWW.FJC.GOV

THE NATIONAL CENTER  
FOR STATE COURTS  
WWW.NCSCONLINE.ORG

THE STATE COURTS  
OF SINGAPORE  
WWW.STATECOURTS.GOV.SG

## Framework Users –

### Your feedback is requested

The Executive Committee is committed to ensuring the Framework and the associated tools, including the ICCE website, are as beneficial as possible for Consortium members and users. Consortium members or those who are interested in using the Framework can send any feedback they may have about the Framework and how we can improve the website by email to Liz Richardson at the ICCE Secretariat.

### Want to know more about the Framework?

Interested in holding an IFCE Regional Forum in your region? These workshops give an:

- explanation of the Framework;
- overview of the self-assessment questionnaire;
- overview of how to interpret and analyse the results of an assessment; and
- an explanation of how to develop an action plan for improvement.

Please contact the ICCE Secretariat for further information.

**ICCE Secretariat**  
**Australasian Institute of Judicial Administration**  
Ground Floor, 555 Lonsdale St  
Melbourne VIC 3000  
Phone: +61 3 9600 1311  
ICCE Officer Liz Richardson  
Liz.Richardson@monash.edu

## International Consortium for Court Excellence

### Newsletter Issue 5 – October 2015

#### What is the Framework?

The *International Framework for Court Excellence* (IFCE) is a resource for assessing the performance of a court against seven detailed areas of excellence and provides guidance to courts intending to improve their performance. The IFCE was first developed in 2008 and a Second Edition was published in 2013 by the International Consortium for Court Excellence (ICCE), consisting of organisations from Europe, Asia, Australia, and the United States. The IFCE uses the term 'court' for all bodies that are part of a country's formal judicial system including courts and tribunals of general, limited or specialised jurisdiction, as well as secular or religious courts.

#### In this issue:

##### Consortium news

Read about the latest Consortium news including the latest ICCE publication, the International Framework for Judicial Support Excellence, visits to Melbourne from the Judicial Service Commission of Kenya, and a membership update. (page 2)

##### International updates

Read about IFCE developments in:

- New Zealand – the District Courts of New Zealand - pages 3-4.
- United States – from the NCSC – pages 5-6.
- Dubai - Dubai International Financial Centre Courts – page 6.

##### Feature article

In this issue we have a feature article on the relationship between judicial evaluation and feedback and the Framework:

- 'The Importance of Judicial Performance Feedback' - Elizabeth Wiggins, Mira GurArie and Judge Jeremy Fogel, Federal Judicial Center, Washington DC – pages 7-9.

##### Regional forum reports

- Singapore - pages 10-11.

**Other news, conferences and contacts** - page 12.

## Consortium news

The Consortium has recently published a version of the Framework aimed at Judicial Support Organisations, entitled the International Framework for Judicial Support Excellence ('IFJSE'), on its website at: [www.courtexcellence.com/News.aspx](http://www.courtexcellence.com/News.aspx). Consortium members in the Affiliated Judicial Institutions membership category may wish to consider applying the IFJSE to their own organisations, particularly when courts in the same jurisdiction are utilising the International Framework for Court Excellence ('IFCE').

Judicial support organisations are those bodies that provide broad support services to courts as well as specific services such as research, performance management, records management, education, technology, finance, asset or personnel services. Examples include the AIJA, the NCSC, the FJC, the Singapore Judicial College, the Commonwealth Judicial Education Institute, the NSW Judicial Commission and Court Services Victoria. These types of organisations play a significant role in supporting the administration of justice and invariably have indirect community accountability as well as direct accountability to their 'client' courts, judicial officers and court administrators.

The IFJSE is based on the IFCE and follows the same structure as the Consortium publication 'Thinking of Implementing the International Framework for Court Excellence.' However, the Self-Assessment Questionnaire in the IFJSE is substantially different and is not designed to be used by courts or tribunals. The purpose of the IFJSE, like the IFCE, is to assist organisations identify areas of their operations that may require improvement and to develop improvement plans to guide implementing change.

The IFJSE:

- Sets out the Framework approach;
- The 3 basic steps of the Framework (self-assessment, analysis and improvement plan);
- The process to undertake self-assessment and tailored self-assessment checklist;
- New IFJSE checklists for specific service delivery functions such as education, research, information technology, finance, asset management, human resources and labour relations.

Organisations interested in learning more and/or interesting in implementing the IFJSE are encouraged to contact that ICCE Secretariat for more information: [liz.richardson@monash.edu](mailto:liz.richardson@monash.edu).

## Visits

The AIJA and the Secretariat of the Consortium in Melbourne welcomed a visit from the Judicial Service Commission of Kenya on the 19 June 2015. Eight delegates of the Commission met with Professor Greg Reinhardt and Liz Richardson while on a benchmarking tour of Australia, to discuss the Framework and other areas of common interest between the organisations.



Photo: Professor Greg Reinhardt (4<sup>th</sup> from Right) with members of the delegation from the Judicial Service Commission of Kenya.

## Membership update

The ICCE now has 32 member organisations, with more jurisdictions implementing or planning implementation of the IFCE. Categories of membership under the ICCE Membership Policy include:

- *Members by Application* for judicial institutions (including courts and court systems) that have expertise in judicial, court or tribunal administration and, among other criteria, have an active and demonstrated interest in the Framework and its implementation.
- *Affiliated Judicial Institutions* for institutions that provide active support and assistance to judges, courts and court systems but do not have direct responsibility for implementing the Framework in courts or court systems. They support the goals of the Consortium and implementation of the Framework and seek to assist and support the promotion of the Framework.

If your organisation is interested in joining the ICCE, visit our website for an application form or contact the ICCE Secretariat for further information:

<http://www.courtexcellence.com/Members/Membership-Policy.aspx>

# International updates

## New Zealand

### Report from the District Courts of New Zealand

#### Judge Anna Skellern and Judge Maree MacKenzie – Members of the District Courts of New Zealand IFCE Committee



Photo: Chief District Court Judge, Jan-Marie Doogue.

#### The District Courts of New Zealand

The District Courts of New Zealand have the largest judiciary and the broadest jurisdiction of all courts in Australasia, with 156 permanently warranted District Court Judges and 16 Community Magistrates.

#### Approach to IFCE

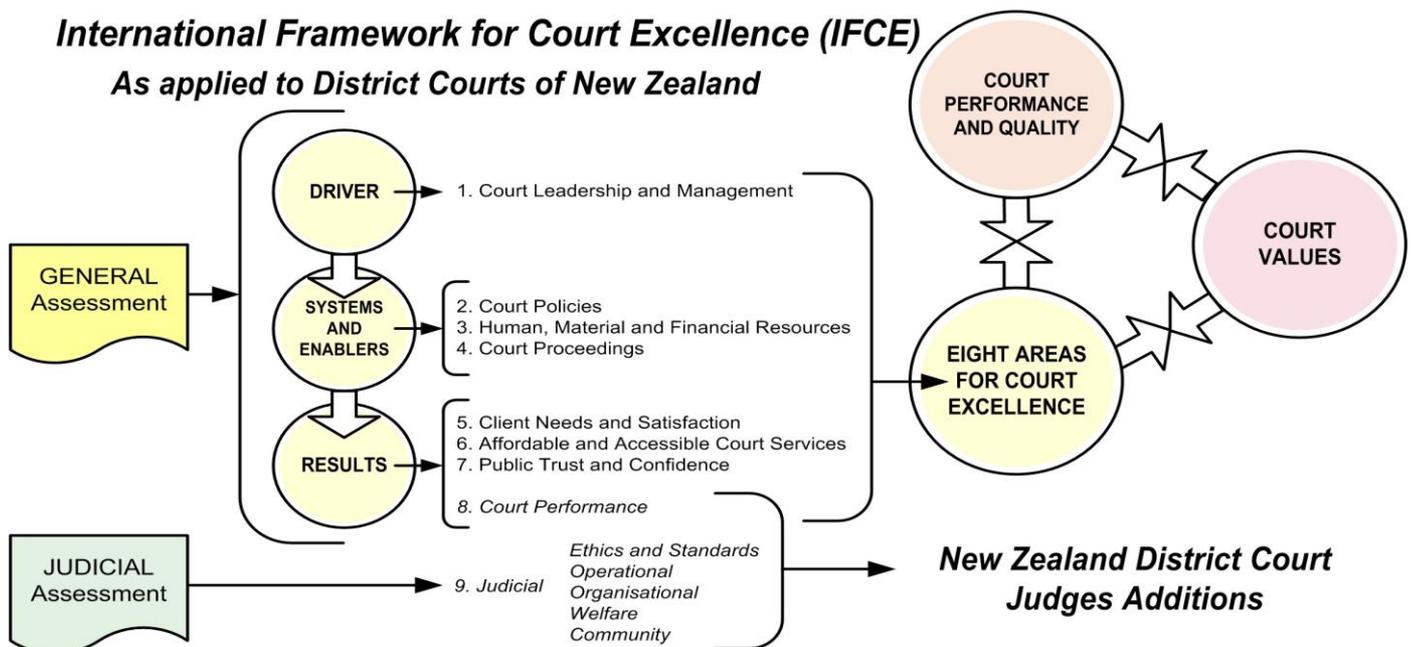
The District Courts of New Zealand have committed to, and implemented, the International Framework for Court Excellence ('IFCE'). The four step process envisaged by the Framework (assessment; analysis; improvement plan; review and refinement) is overseen and led by the IFCE Committee, which is comprised of Judges and senior officials from the Ministry of Justice. The Committee is led by the National Executive Judge, Judge Colin Doherty, who, along with the Chief District Court Judge, Judge Jan-Marie Doogue, are visionary in terms of the pursuit of quality management, improvement, innovation and change for the District Courts.

The New Zealand approach to the Framework is dynamic to ensure that the Framework is responsive to the particular conditions of the New Zealand judicial system. Thus, in New Zealand, an eighth area of excellence was added, being Court Performance. A judicial assessment was also added, with five discrete statements relating to the Judges and Community Magistrates of the District Courts. The application of the IFCE to the District Courts of New Zealand is best illustrated in the diagram below.

The assessment currently takes place on a three yearly basis, another dynamic adaptation to the recommendation set out in the IFCE (2nd Edition, March 2013) of an annual assessment. As Judge Doherty reported, in his article in the September 2014 edition of the ICCE Newsletter, the District Courts of New Zealand completed its first IFCE assessment in 2012. The assessment included both the general and judicial components, referred to above.

### International Framework for Court Excellence (IFCE)

#### As applied to District Courts of New Zealand



These two assessments were completed by Judges only, and analysed at several levels; nationally and regionally and within individual Courts. In turn, the assessment and analysis process led to a number of innovative measures being implemented through the District Courts Judicial Strategy Plan examples of which were detailed in Judge Doherty's last report.

### The IFCE in 2015

In alignment with the Framework, it is recognised that despite New Zealand's constitutional model of judicial independence from the executive, involvement of senior Ministry of Justice personnel, widens the ambit of, and strengthens the effectiveness of the implementation in New Zealand of the Framework. Based on that premise, the IFCE Committee itself includes senior Ministry of Justice representatives.

In addition, membership of the IFCE Committee was widened to include not only the respective jurisdictional heads (Chief District Court Judge, Principal Family Court Judge and Principal Youth Court Judge), but other District Court Judges willing to promote a quality management system.



Photo: National Executive Judge, (Chair of the IFCE Committee), Judge Colin Doherty.

The assessment process was refined for the 2015 assessment. Refinements have included:

- Adaptations to the assessment questions for the purposes of clarity and relevance to the culture of New Zealand itself and the District Courts.
- In addition to District Court Judges undertaking the assessment, senior Ministry of Justice managers participated, as well as Community Magistrates, representing a significant change from 2012. Judges, senior Ministry management and Community Magistrates all completed the general assessment with District Court Judges and Community Magistrates only, completing the ninth area, the judicial assessment.

- In contrast to the 2012 paper-based time-limited survey, the 2015 assessment took the form of an online survey, with an opportunity for comment. Participants were given a 14 day timeframe to undertake the assessment.

The response rate to the general and judicial assessments was excellent, with 99% of those invited to participate completing the assessment. The obvious benefit of such a high response rate is the ability to gain a more accurate picture of the health of the District Courts of New Zealand.

In order to reach a consensus in terms of responses, moderation sessions were undertaken. The re-framing of many of the statements for participants (a task undertaken by an IFCE sub-committee) resulted in fewer responses requiring moderation in order to reach an agreed conclusion to each statement than the 2012 model.

Some responses were able to be moderated by the IFCE Committee applying business rules. Those that could not be resolved in this way were addressed by a moderation panel of four committee members who met with the Judges, senior Ministry participants and Community Magistrates in the relevant home Courts over a period of days. The value of the moderation sessions lay not only in achieving a consensus of responses, but also allowed an opportunity to debate and highlight particular issues impacting on Courts' performance and Framework areas.

At the time of writing this article, the moderation sessions have been completed. The next stage of the IFCE process is to collate and analyse the information gathered from the 2015 assessment. This will inform further innovations and improvements, and potential refinement of IFCE processes, as well as change management for the District Courts, driven by the judiciary and supported by the Ministry of Justice.

One of the exciting aspects of the 2015 assessment is the fact that the District Courts of New Zealand will, for the first time, have comparative data in order to not only inform the 'health check' of the District Courts, but also provide a means to analyse the implementation of improvement measures from the 2012 assessment.

A follow-up article in the next ICCE newsletter will focus on analysis of the 2015 assessment and the development of an action plan.

## United States

**Report from Dan Hall, Vice President, Court Consulting Services Division, National Center for State Courts (NCSC), United States**

### **Applying the IFCE to State Courts in the United States**



**Photo: Dan Hall, NCSC.**

The United States version of the International Framework for Court Excellence (IFCE) is the High Performance Court Framework (HPCF). The HPCF integrates performance measurement and performance management into the daily operations of a court. Court managers and leadership judges are increasingly integrating these practices into the daily operations of their organizations. Like the IFCE, the HPCF provides a unifying performance management framework that houses performance measures, such as the CourTools, and identifies ten perspectives that courts need to address to become a high performance court. It also contains the Quality Cycle which is a critical element of both the IFCE and the HPCF as a problem solving strategy.

Most state trial courts in the US are using parts of the HPCF, particularly performance measures. An increasing number are also using the HPCF to establish a culture of continual improvement that better prepares them to bring innovative techniques and business processes into their courts. This article outlines how the HPCF has been used to identify new ways to better manage and resolve difficult, emotionally-charged divorce cases in ways that more appropriately meet the needs of individual families. By applying the principles of the HPCF, a domestic relations court can develop and implement a triage process to meaningfully differentiate cases. Effectively sorting cases onto alternative tracks makes it possible to streamline the process for uncontested divorces, while preserving limited court staff time and resources

for contested cases and families needing greater attention. The project, led by the NCSC, used the Quality Cycle to refine and adapt a model screening tool for use by courts to better manage these cases.

A large number of courts process all divorce cases alike, each case moving through the same set of prescribed steps. In this traditional model, a family's case will move along a continuum of court-connected events beginning with the initial filing and progressing through such services as parent education classes, mediation, and judicial settlement conferences.

These services are offered in a linear or tiered fashion where families start with the least intrusive and least time consuming and if not successful proceed to the next process, which is usually more intrusive and directive. Under this model nearly all parents will go to mediation. In many states they are required by statute or administrative rule to do so. This approach burdens those where both sides are largely in agreement and just want to have the case resolved in timely fashion, while siphoning resources away from families that may truly benefit from enhanced services.

A number of courts – some very urban, with high numbers of filings – have found a better way to address families coming before the court. Miami, Florida and the State of Connecticut provide examples of jurisdictions that have developed triage processes to link available resources to the families who most need them. Triage has also been implemented and studied in Nova Scotia, Toronto and New Zealand. These courts commonly screen cases to distinguish parties ready for resolution from those that require more court involvement and services. The purpose of screening is to grant a divorce judgment at the earliest opportunity that best meets the needs of the individual family while ensuring a fair outcome. NCSC studied these models then worked to deconstruct elements of successful divorce case triage in order to develop tools that could be applied nationally, in concert with the HPCF.

This tool is intended to serve as a guide to help courts identify which types of questions to ask families, to determine which track a litigant should be placed on and whether the litigant needs minimal or no court assistance. It also includes a series of questions to identify any safety issues that might be involved with the case. The ultimate purpose of the tool is to ascertain that litigants who are ready to complete the process (uncontested) do not get lost in the system or forced into services that they do not want or need. In the US court processes and procedures differ greatly from court to court across the country. Consequently, the tool is not designed as a one-size-fits-all instrument. Rather, the design is sufficiently flexible to be readily adapted to fit a court's specific jurisdiction.

The screening tool can be seen on the NCSC web site at <http://www.ncsc.org/~media/Files/PDF/Services%20and%20Expert%20Areas%20of%20expertise/Children%20Families/Initial-Screening-Tool-Dissolution-divorce-12232014.ashx>.

The use of the Quality Cycle contained in the HPC was instrumental in developing the screening tool. The first step was to clearly identify the problem. The second step was to compile and analyze data relevant to understanding the true cause of the problem and what actions might be taken. The third step was iterative—what additional information was needed to further narrow and refine the problem. The fourth step was to take action and develop the actual tool. And the fifth step is checking to see whether the solutions have their intended result.

The story does not end here. The IFCE and the HPCF are road maps in the pursuit of continual improvement. While many litigants know what they want and can proceed with little court involvement, there are also many parties that cannot agree and not know how to proceed to get resolution on their issues. For these more contested cases, a natural next step is to extend the screening tool to aid in identifying what particular assistance and services each individual family needs to resolve their case as quickly and fairly as possible.

The HPCF will be used to more fully develop the full extent of the triage concept for divorce cases. The goal is to help courts more appropriately use scarce resources. Whether the services are as minimal as explaining what to expect next and directing litigants to a self-help center or require greater court involvement, such as mediation, each family should get the services needed for their specific situation.

## Dubai International Financial Centre Courts

### Report from the Dubai International Financial Centre Courts

The DIFC Courts have exclusive jurisdiction over all civil and commercial disputes within the DIFC financial district, including bodies and companies registered in DIFC. The courts operate within an English-language, commercial common law system. Since commencing operation in 2008, there has been a strong emphasis on customer service and developing new best practice in court-user engagement within the courts. The DIFC Courts' interest in implementing the International Framework for Court Excellence (IFCE) arose in 2011 after attending International Consortium for Court Excellence (ICCE) workshops and conferences.

In 2012, the Business Excellence department was established within the DIFC Courts to supervise the implementation of the IFCE across the organisation. In 2013, the team attended a conference in The Hague, which provided an opportunity to learn from the experiences of court systems around the world. The Business Excellence section drives IFCE-related projects, such as interviews with stakeholders and strategic partners, surveys and mystery shopper exercises, initiatives to engage staff and end-users, facilitating Courts Users' Committee meetings, and yearly staff evaluations. Before implementation new projects or initiatives are measured against the IFCE.



Photo: DIFC Courts.

There has been a continuing focus at the DIFC Courts on technological innovation. It was one of the first courts to become a paperless court and to launch an e-Registry service, enabling end users to file claims and all subsequent case related documents electronically, 24/7 from anywhere in the world. Significant investments in state-of-the-art courtroom communication equipment have allowed parties to contribute to hearings via video conference or follow a case's progress via secure online feed. All public cases are available online, while videos of court hearings are also broadcast via the DIFC Courts' Youtube channel.

Through initiatives such as these, the DIFC Courts have continued to progress their journey towards court excellence. Self-assessment against the Framework has been conducted indicating strength in the areas of public trust and confidence, client needs and satisfaction, court resources and leadership. A customer services survey conducted in 2013 revealed high levels of satisfaction with court users in face-to-face interactions.

The DIFC Courts' journey towards excellence was recognised in 2014 by becoming the first Dubai Government entity to receive five stars under the country's rating system for government services. The DIFC Courts aims to attain greater heights of excellence in court administration in the coming years.

## Feature article

### The Importance of Judicial Performance Feedback

**Elizabeth C. Wiggins, Mira GurArie, and Judge Jeremy D. Fogel**

**Federal Judicial Center, Washington, DC**

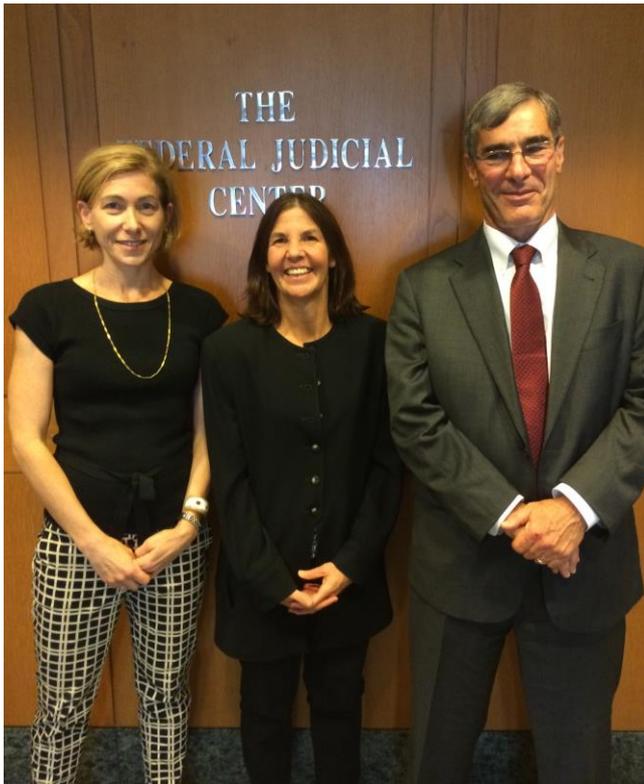


Photo: Mira GurArie, Elizabeth Wiggins and Judge Jeremy Fogel. (Photo provided by Federal Judicial Center, Washington DC).

A well-designed and carefully administered judicial performance evaluation (JPE) embraces the core values of the International Framework for Court Excellence and can help courts gain competency in the seven areas of court excellence. A JPE program can help courts and judges in the following ways: improving the administration of justice and enhancing public confidence in the judiciary; providing feedback to help judges improve their performance and informing the development of appropriate judicial education programs; promoting accountability by setting forth neutral criteria about the competencies and qualities expected of judges; assisting in making

fair and appropriate reappointment and promotion decisions; and providing a way for users of the system to have input on the quality of the services the court provides.

The importance of providing feedback and evaluating the performance of judges seems to transcend all judicial systems. The Center's International Judicial Relations Office regularly hosts judicial delegations from around the world for informational briefings on a variety of topics. In recent years, many of the visiting groups have requested information about judicial performance evaluation. This subject is of great relevance to judiciaries undertaking reform initiatives or interested in developing responsive judicial education programs. In this article, we share with you some of the information we have provided those delegations.

#### Goals of a JPE program

The development of a JPE program should be guided by its intended purpose. Is the goal of the program to assess the performance of new judges and give them feedback as they learn their judicial role? To provide information to individual judges at all experience levels to help them improve their performance? To make determinations as to promotion or reappointment? To bolster the accountability of the court to the public or another part of the government? To help inform the development of a judicial education curriculum?

#### Considerations when creating a JPE Program

The goal of the program affects many of its features:

- whether judges are required to undergo evaluation or can choose not to participate;
- how often and when in a judge's tenure an evaluation is conducted;
- who has access to the results of the evaluation;
- who is asked to provide feedback;
- the methods used to obtain feedback;
- the nature of the feedback that evaluators actually provide.

Multiple performance procedures and evaluation tools will generally be needed if the program's goals are multifaceted.

A judiciary should consider developing its own JPE program to ensure that the goals and methods of the program are appropriate. The program may be administered and developed by individual courts, a judicial council, the judiciary's governing body, or in consultation with a judicial education or research institution. If the judiciary does not develop its own

resources to provide feedback to and evaluate judges, the legislature or executive agencies may do so without adequate input and control by the judiciary.

A systemic JPE program is preferable to ad hoc judicial evaluations of judges. A systemic program is the best way to promote accountability and minimize legitimate concerns about interference with judicial independence. It helps ensure that adequate resources can be devoted to developing appropriate policies, tools, and procedures, and that all judges are treated fairly and equally. In addition, although most judges want to know how they are doing and how they can improve, ethical and practical considerations may constrain individual judges from obtaining feedback on their own.

### Criteria to assess

It is important that evaluation criteria be based on neutral and quantifiable measures and not the substance of court rulings, thereby minimizing any potential that the program will be politicized or used to undermine judicial independence. Judicial attributes to assess include legal knowledge, integrity and impartiality, communication skills (oral and written), professionalism and temperament, and administrative skills (including case management). For more information, see the American Bar Association's Black Letter Guidelines for the Evaluation of Judicial Performance (1985), available at [www.americanbar.org/content/dam/aba/migrated/jd/lawyersconf/pdf/jpecfinal.authcheckdam.pdf](http://www.americanbar.org/content/dam/aba/migrated/jd/lawyersconf/pdf/jpecfinal.authcheckdam.pdf).

### Gathering information about judicial performance

Information about judicial performance can be collected from a number of sources, such as questionnaires or interviews with attorneys, court staff, law enforcement personnel, or litigants, as well as observations by other judges or trained court observers. The judge being assessed also may complete a self-assessment tool. In addition, a judge's written decisions and case disposition data may be reviewed. Judicial performance surveys allow for anonymous feedback from respondents and some degree of confidentiality of the results.

Some court systems release judicial evaluation results only to the judge being evaluated; others provide information to the chief judge (court president) or judicial council, and in some cases results are made public—often permitting the judge to review and appeal any negative feedback.

Advocates of releasing evaluation results to the public argue that such transparency promotes accountability and public confidence in the judiciary. Others think that releasing such results encourages evaluators to

provide less detailed and less useful feedback to the judge and could undermine judicial independence. From this perspective, providing information about the JPE process and about the mechanisms available for dealing with negative feedback is thought to constitute adequate accountability.



Photo: Thurgood Marshall Federal Judiciary Building.

### Judicial performance evaluation in the federal courts

The U.S. federal judiciary does not have a mandatory JPE program. The Federal Judicial Center, however, has developed material to assist judges in obtaining feedback about their performance, and some judges have participated in voluntary evaluation processes. In addition, some state bar associations include federal judges in the reviews they undertake (see below).

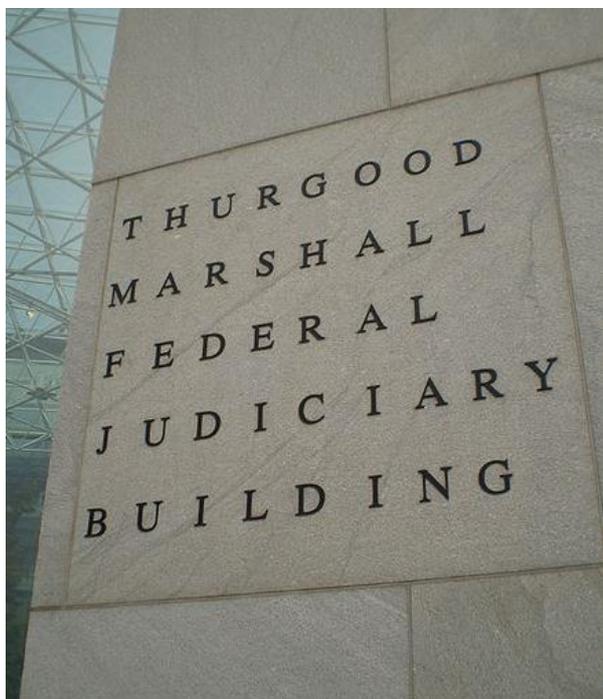
In 2003, at the request of the Judicial Conference Committee on the Administration of the Bankruptcy System, the Federal Judicial Center developed an evaluation program for bankruptcy judges. An individual judge may ask the Center to survey attorneys who have practiced before the judge to assess his or her impartiality and integrity, legal ability, and professionalism and work habits.

Some courts have collectively decided that each bankruptcy judge in the court will undertake such an evaluation. Because the purpose of the survey is to provide feedback for the judge in improving his or her performance, participation by a judge is voluntary and survey responses are anonymous and confidential; results are released only to the judge being evaluated. The standard questionnaire for chief judges is available at <https://fjc.co1.qualtrics.com/SE/?SID=SV09wKcpPtn0hWQ85>.

In the district courts of the U.S. federal court system, magistrate judges who are appointed to eight-year renewable terms work closely with the district judges who have life tenure. The Center has prepared

material to assist district judges in providing feedback to magistrate judges on their performance, and a similar process could be used with any set of judges who are in positions to evaluate the others' work. Basically, the judge being evaluated completes a self-assessment worksheet, and the other judge evaluates the judge using a parallel worksheet. The goal of the worksheets is for both judges to identify issues to be discussed during a face-to-face meeting. The worksheets can be exchanged, but they do not need to be.

In general, federal judges share an expectation that all judges will perform at a high level. Chief judges have a critical role in helping judges meet this expectation by routinely monitoring caseload statistics, establishing regular communication among the judges in the court, helping newly appointed judges learn the intricacies of the judicial role, and assisting all judges in resolving matters that might interfere with their performance.



**Photo: Thurgood Marshall Federal Judiciary Building sign.**

More generally, judges can often obtain some of the most useful feedback about their performance from their judicial colleagues. Chief judges might help develop a culture of providing feedback by using some simple exercises at judges meetings. One such exercise, for example, would be for judges to come to a meeting with one specific aspect of their judicial performance in mind they would like to improve. During the meeting, the judges would pair off, with the first judge succinctly explaining his or her desired area of improvement and the second judge offering at least

one suggestion for making the improvement. The judges would then exchange roles and do the same thing. Each judge would then move on to another judge and repeat the exercise, with the goal of talking to about three judges within a 15–20 minute timeframe. The Center has developed other such exercises with the overarching purpose of showing judges that feedback, although threatening at times, can be positive as well as negative and can help judges meet their performance goals.

The Center has a webpage of information about judicial performance feedback, which to date has focused primarily on the program for bankruptcy judges. The webpage is currently offline as it is being updated with current information about the bankruptcy judges program as well as with information for other types of federal judges. In the interim, we welcome questions from you by email.

### **Judicial performance evaluation programs in the state courts**

A number of state court systems have adopted judicial performance evaluation programs. These programs differ in their goals and thus in the level to which results are publicized, but they are often intended to serve as a resource for voters during judicial elections. (In the United States, some state court judges are elected or are appointed by the governor for a limited term and are required to participate in a popular election to retain their positions.) Some state JPE programs distribute questionnaires to attorneys (including prosecutors and defenders), jurors, and litigants. Other JPE initiatives use committees composed of attorneys, judges, and citizens to observe and assess performance, including courtroom demeanor, written decisions, and case-management skills.

The Colorado Commission on Judicial Performance also asks about the judge's service to the legal profession and the public. A number of programs use self-evaluation tools implemented independently by judges. Some states conduct evaluations only of first-instance judges, while others also have programs for appellate judges. In nine states, local bar associations distribute nonofficial judicial performance evaluation surveys. For more information, see the National Center for State Courts resource guide, available at [www.ncsc.org/topics/judicial-officers/judicial-performance-evaluation/resource-guide.aspx](http://www.ncsc.org/topics/judicial-officers/judicial-performance-evaluation/resource-guide.aspx), and the Institute for the Advancement of the American Legal System's information about the JPE process, available at <http://iaals.du.edu/initiatives/quality-judges-initiative>.

For more information, please contact Beth Wiggins of the Federal Judicial Center at [bwiggins@fjc.gov](mailto:bwiggins@fjc.gov).

# Regional forums

## Singapore

Report from District Judge Boon Heng Tan, Executive Director, Singapore Judicial College.

### International Framework for Court Excellence 4-day workshops in 2015 for Cambodia, Myanmar, Laos and Vietnam

In conjunction with the Ministry of Foreign Affairs Singapore Cooperation Programme (MFA-SCP) under the auspices of the Initiative for ASEAN Integration (IAI), the Singapore Judicial College (SJC) was appointed to conduct 4-day workshops on the International Framework for Court Excellence (IFCE) for judges and justice related officials at the following:

- Cambodia-Singapore Training Centre from 27 to 30 April 2015, Phnom Penh.
- Myanmar-Singapore Training Centre from 12 to 15 May 2015, Yangon.
- Lao-Singapore Training Centre from 2 to 5 June 2015, Vientiane.
- Vietnam-Singapore Training Centre from 28 to 31 July 2015, Hanoi.

The average number of participants in each workshop was about 30 (capped by the class size). More than 120 participants were trained on the IFCE over the 4 workshops held in Cambodia, Myanmar, Laos and Vietnam. Over the 4 days, the participants learnt about the:

- founding of the International Consortium for Court Excellence (ICCE) leading to the establishing of the IFCE;
- raison d'être of the IFCE and the benefits of adopting the IFCE;
- seven criteria of the IFCE;
- setting-up a self-assessment team and the tools and resources available to administer the evaluation;
- administering the self-evaluation using the IFCE Checklist; and
- mapping an action plan after the self-assessment.

Participants also benefitted from the experience of the Singapore Judiciary in implementing the various aspects of the IFCE to enhance the administration of justice.



Photo: Cambodia-Singapore Training Centre from 27 to 30 April 2015, Phnom Penh.



Photo: Myanmar-Singapore Training Centre from 12 to 15 May 2015, Yangon.

To provide participants with a foretaste of what it would be like to conduct a self-assessment using the IFCE Checklist, they were divided into 5 teams each evaluating a courthouse that they are acquainted with. Different items of the criteria were selected for interaction corporately so that the participants could share the rating accorded and why they had rated it as such.



Photo: Lao-Singapore Training Centre from 2 to 5 June 2015, Vientiane.



**Photo: Vietnam-Singapore Training Centre from 28 to 31 July 2015, Hanoi.**

To make the workshop more interactive and engaging, the other groups were also invited to state how they would have rated on that item having heard the justifications provided. To round off the self-assessment, each team was also required to identify the areas for improvement and map an action plan for the courthouses that they had selected to evaluate. The workshop rounded off with each group presenting its action plan for the respective courthouse assessed.

The participants found the IFCE to be an extremely helpful tool to implement reforms in the administration of justice. Instead of reinventing the wheel, courthouses can attempt the checklist to identify the areas for improvement and close the gaps.

Many of the participants have asked for an advanced workshop on the IFCE to follow-up on their maiden efforts in implementing the IFCE. This should prove to be very interesting as we hear from them firsthand the challenges in implementing the IFCE in their respective courthouses. [www.supremecourt.gov.sg](http://www.supremecourt.gov.sg)

### **End-To-End Court Technology: A Compendious Survey (6 to 10 July 2015)**

In conjunction with the Singapore Cooperation Programme funded by the Singapore Ministry of Foreign Affairs, the Singapore Judicial College ('SJC') organised a 5-day course for foreign judges and officials on court technology from 6 to 10 July 2015 titled, 'End-To-End Court Technology: A Compendious Survey'.

This training programme, under the International Wing of the SJC, received an overwhelming response. The intention was to cap the enrolment at 30 to ensure optimal participation. However, the final registration was 32 participants from 27 countries. The participants hailed from Bangladesh, Bhutan, Cambodia, Fiji, India, Jordan, Mauritius, Myanmar, Nigeria, Oman, Pakistan, Palau, Palestine,

Philippines, Romania, Saint Lucia, Serbia, Seychelles, Solomon Islands, Sri Lanka, Sudan, Swaziland, Tanzania, Thailand, Uzbekistan, Zambia, Zimbabwe.

The topics covered in the 5-day programme include the conceptualisation, development and implementation of the Electronic Filing System (EFS), eLitigation (2<sup>nd</sup> Generation EFS), Integrated Criminal Case Filing and Management System (ICMS), LawNet, eLex, Legislation Editing and Authentic Publishing (LEAP) System and Versioned Legislation Database (VLDB) with a live demonstration of the Singapore Statutes Online.

To allow the participants to see for themselves the use of court technology on the ground, learning journeys to the Supreme Court, State Courts, Family Justice Courts, Singapore Academy of Law, Infocomm Development Authority (IDA) and IT consultants' premises (ie CrimsonLogic and Ecquaria) were weaved into the programme. Highlights of the learning journeys include visits to the Supreme Court's Learning Court, IDA-Lab and CrimsonLogic's Call Centre and Data Centre.



**Photo: The 32 Participants from 27 Countries attending the Court Technology Workshop (6-10 July 2015).**

A bonus module at the workshop was the introduction to the International Framework for Court Excellence (IFCE). The harnessing of court IT does not typically occur in silo. Courts that leverage on technology are typically courts that manage for excellence.

There was tremendous interest in the IFCE among the participants as they could see the relevance of the IFCE to assist courts to harvest IT to enhance its efficiency and effectiveness to better deliver justice.

## Other news

### Conferences

#### **7<sup>th</sup> International Conference on the Training of the Judiciary November 8-12 2015 Recife, PE, Brazil**

Under the overall theme of judicial excellence, the 7<sup>th</sup> International IOJT conference will consider Leadership and Judicial Education, Judicial Skill Building, Technology and Judicial Education, Judicial Education and the Academy (Academic Community), Judicial Education in Support of Justice System Reform, Independence, and Accountability, Electoral Judicial System and Process Electronic Judicial (Electronic Lawsuit). There will be a Knowledge Fair with displays by IOJT member organisations. The main language of the conference is English but there will be simultaneous interpretation in English, French, Spanish and Portuguese in the plenary sessions. Further information can be found at <http://www.iojt2015-brazil.com/>

#### **'Judiciary of the Future' an International Conference on Court Excellence - 27-29 January 2016, Singapore**

The State Courts of Singapore is hosting an international conference from 27 to 29 January 2016 entitled 'Judiciary of the Future' an International Conference on Court Excellence. This conference will have sessions on the IFCE among other topics and will be of interest to judges, court administrators and public sector officials who are interested in court excellence and judicial administration. The conference will be a platform for participants to deliberate on the future direction of courts. Details will be available on the State Courts website: <https://www.statecourts.gov.sg/NewsAndEvents/Page/International-Conference-on-Court-Excellence.aspx>

#### **European Regional International Association for Court Administration Conference – May 18 – 20 2016, The Hague, World Trade Center.**

More details: <http://www.iaca.ws/upcoming-conferences.html>

**Eighth International Association for Court Administration Conference, Washington DC, USA, Sunday, July 9 to Thursday, July 13, 2017** - to be held in conjunction with the National Association for Court Management and will be held at the Hyatt Regency Crystal City. More details: <http://www.iaca.ws/upcoming-conferences.html>

## Next newsletter

The next ICCE newsletter will be published in April 2016. Those members wishing to submit articles to the ICCE Newsletter for consideration by the Secretariat on their experiences implementing the Framework are invited to contact Liz Richardson.

## Want to know more?

For enquiries about the Framework please contact Liz Richardson at the ICCE Secretariat:

**ICCE Secretariat**  
**Australasian Institute of Judicial Administration**  
**Ground Floor, 555 Lonsdale St**  
**Melbourne VIC 3000**  
**Phone: +61 3 9600 1311**  
**ICCE Officer Liz Richardson**  
[Liz.Richardson@monash.edu](mailto:Liz.Richardson@monash.edu)

## Founding members of the ICCE



**Gregory Reinhardt**  
ICCE Secretariat  
Australasian Institute of Judicial Administration  
Ground Floor, 555 Lonsdale Street  
Melbourne VIC 3000  
+61 3 9600 1311  
[gregory.reinhardt@monash.edu](mailto:gregory.reinhardt@monash.edu)

**Laurence Glanfield**  
Deputy President  
Australasian Institute of Judicial Administration  
[l.glanfield@hotmail.com](mailto:l.glanfield@hotmail.com)



**Daniel J. Hall**  
Vice President, Court Consulting Services Division  
National Center for State Courts  
707 Seventeenth Street, Suite 2900  
Denver, Colorado 80202  
(303) 308-4300  
[djhall@ncsc.org](mailto:djhall@ncsc.org)

**Beth Wiggins**  
Research Division  
Federal Judicial Center  
1 Columbus Circle, NE  
Washington, DC 20002-8003  
(202) 502-4160  
[bwiggins@fjc.gov](mailto:bwiggins@fjc.gov)



**Jennifer Marie**  
Deputy Presiding Judge/Registrar  
State Courts  
State Courts Complex  
1 Havelock Square  
Singapore 059724 (65) 64325 5155  
[Jennifer\\_MARIE@statecourts.gov.sg](mailto:Jennifer_MARIE@statecourts.gov.sg)