

INTERNATIONAL FRAMEWORK FOR COURT EXCELLENCE

THE AUSTRALASIAN INSTITUTE
OF JUDICIAL ADMINISTRATION
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THE NATIONAL CENTER
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THE SUBORDINATE
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Want to know more about the Framework?

IFCE Regional Forums will be held in the following regions in coming months (see page 3 for further details):

- ❖ Pacific Region
- ❖ Middle East
- ❖ South America
- ❖ Europe

The workshops will give an explanation of the framework, an overview of the self-assessment questionnaire, an overview of how to interpret and analyse the results of an assessment and how to develop an action plan for improvement.

If you are interested learning more about regional workshops you should contact a founding member of the consortium or the consortium contact officer, [Jackie Wallace@agd.nsw.gov.au](mailto:Jackie.Wallace@agd.nsw.gov.au).

Membership Update

Since the Asia-Pacific Courts Conference, the Consortium has had an overwhelming interest from various international court institutions wishing to join the consortium. There are 16 new members (see page 3 for more details).

Shortened Version of Framework

A recent addition to the resources supporting the Framework is a shortened version of the framework titled 'Thinking of Implementing the International Framework for Court Excellence'. The shortened version of the Framework represents a simple "how to do" approach (See page 4 for more details).

What is the Framework?

An International Consortium consisting of the above organisations from Europe, Asia, Australia, and the United States developed the *International Framework for Court Excellence*.

The *Framework* 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 term court is used for all bodies that are part of a country's formal judicial system. It includes courts and tribunals of general, limited or specialised jurisdiction as well as secular or religious courts.

Asia-Pacific Courts Conference

Over 220 speakers and delegates from 56 countries attended the 3 day Asia-Pacific Courts Conference Singapore from 4 - 6 October 2010. The conference promoted awareness among judiciaries and court administrators of the International Framework for Court Excellence and encouraged its use as a resource to promote judicial reform and improve court performance (See Page 2 for further information).

International Updates in this Issue:

Brazil

The National Supreme Court of Brazil has become a member and signed a Memorandum of Understanding with the consortium (more info on Brazil at page 2).

Australia:

The Chief Judge of the Land and Environment Court of New South Wales talks about implementation of IFCE. The County Court of Victoria announces its intention to implement the framework in 2011 (See page 2).

Abu Dhabi:

Recent developments in Abu Dhabi (see page 2)

Ukraine:

As a part of the USAID Rule of Law project a pilot has started to measure the quality of judgments and timeliness in the Ukrainian courts. Also a third round of court user surveys amongst 15 courts has been launched at the beginning of 2011 (See page 3).

Singapore:

The Asia Pacific Court Conference and further progress since October 2010 (See page 2)

International IFCE Updates:

Singapore:



Hosted in Singapore by the Singapore Subordinate Courts from 4 – 6 October 2010, the Asia-Pacific Courts Conference was formally opened by The Honourable the Chief Justice Chan Sek Keong, Singapore Supreme Court. A collaborative effort of the Consortium, the APCC saw the launch of the Framework, and also offered a platform for the exchange of information regarding best judicial practices and legal developments around the world.

In particular, speakers from the Consortium presented on the Framework and the journey towards excellence, explained the seven areas within the Framework, offered practical advice on the implementation of the Framework and provided court excellence case studies. Speakers from various jurisdictions were invited to share their respective experiences in improving their own courts. Some of the topics were on court planning policies, judicial training and quality measures and systems.

Brimming with fresh perspectives and new ideas, the delegates engaged in lively discourse with one another. At the closing session, representatives of the Consortium, namely, Chief District Judge Tan Siong Thye (Singapore Subordinate Courts), Mr Laurence Glanfield (Director General, Department of Justice and Attorney-General, representing the AIJA), Mr Daniel J. Hall (Vice President, Court Service Division, NCSC), Dr Heike Gramckow (World Bank) and Dr Pim Albers (CEPEJ) highlighted the various plans for the future of the Consortium, and invited membership applications from participating judiciaries and organisations committed to court excellence. Feedback from the delegates reflected that 99% agreed that the APCC has met their expectations and they have gained valuable knowledge from it, truly achieving APCC's objective of promoting exchanges of ideas between the judiciaries and jurisdictions.

You may visit www.subcourts.gov.sg to access the conference papers which were presented during the APCC 2010.

Brazil:

On Wednesday November 10, 2010, Minister Cezar Peluso, president of the Federal Supreme Court (Supremo Tribunal Federal in Portuguese) and of the National Council of Justice (Conselho Nacional de Justiça) signed a Memorandum of Understanding joining the International Consortium for Court Excellence. A signing ceremony followed an educational session at the World Bank in Washington D.C. titled "Brazil Judicial Reform: Challenges and Opportunities for South-South Cooperation". The session was jointly sponsored by the World Bank Legal Vice-Presidency in partnership with the Latin American and the Caribbean Region, the World Bank Institute and the Brazil CMU.

Abu Dhabi:

Quality measures at the Abu Dhabi Judicial Department (ADJD)

The ADJD is a young organization, having been created only in 2007, replacing the existing Shari'a Judicial Department which had a significantly more limited jurisdiction. Aiming to be one of the top courts in the World, the ADJD's interest in quality measures to inform management and to track progress towards its goals is especially high. Building upon a solid strategic plan the ADJD has employed different approaches to manage and measure its operations. Most recently, the department participated in the Abu Dhabi Excellence Award for governance performance.

This government wide effort is based on the European Foundation for Quality Management Excellence Model, a non-prescriptive framework for self assessment. Not unlike the International Framework for Court Excellence, using this tool an organization can assess whether it is doing the right things and getting the right results using nine criteria to measure both results and the quality of the processes and systems developed to achieve them. More recently the ADJD is embarking on ISO certification for its administrative services. The department is also contemplating the use of the IFCE since it is the only international quality performance measurement available that is specifically reflecting the needs and requirements of courts.

Australia:

Land and Environment Court of New South Wales

The Land and Environment Court of New South Wales was the first court to fully implement the Framework. The Court has formulated a Court Improvement Plan which outlines actions the Court proposes to improve its performance in each of the seven areas of court excellence. The Court's experience in implementing the Framework was outlined by the Chief

Judge of the Court, Justice Preston, at the Asia Pacific Courts Conference in Singapore in October 2010. A copy of the Judge's presentation can be found at [http://infolink/lawlink/lec/ll_lec.nsf/vwFiles/Paper_05Oct10_PrestonCJ_APCC.pdf/\\$file/Paper_05Oct10_PrestonCJ_APCC.pdf](http://infolink/lawlink/lec/ll_lec.nsf/vwFiles/Paper_05Oct10_PrestonCJ_APCC.pdf/$file/Paper_05Oct10_PrestonCJ_APCC.pdf)

Current projects have involved upgrading the quantity and quality of information provided on the Court, its processes and decisions, and the law. The Court produces and publishes electronically, on a quarterly basis, a comprehensive newsletter on notable developments in legislation, judicial decisions and court practice and procedure in the areas of the Court's jurisdiction.

The Court continues to create webpages for specialist areas of the Court's jurisdiction. These include biodiversity, heritage, mining, residential development and tree disputes. These webpages are designed from the perspective of the court user. They focus on the type of dispute and bringing together all information relevant to that type of dispute in the one place; in effect, they provide a "one-stop shop" for information on the type of dispute. These initiatives improve access to information and access to justice, transparency and accountability of the court, user satisfaction, and public trust and confidence in the Court and the justice system.

The Court is embarking on a project for the design and administration of cutting edge surveys of users, professional partners and civil society. The surveys will enable external evaluation of the Court's performance in each of the seven areas of court excellence in the Framework. They will also focus on particular areas of the Court's work, including the various dispute resolution services provided (including adjudication, conciliation and mediation), the availability, accessibility and adequacy of information provided by the Court, and the responsiveness of the Court to users' needs. The surveys will be designed to provide reliable and statistically valid data, which not only will provide valuable feedback to assist the Court in improving its performance but also will provide baseline data to enable the Court to make comparative assessments of the Court's improvement over time.

Other Australian / New Zealand News

There is significant interest in the Framework throughout Australia and a number of courts have committed to its use. Those courts that have advised the Consortium of their use of the Framework include the County Court of Victoria, which already has commenced its initial self-assessment as part of its commitment to implementing the Framework. The Supreme Court of Victoria has also announced its intention to apply the Framework and has engaged a consultant to begin the process.

Across the Tasman the District Court of New Zealand is considering embarking on the Framework journey.

Ukraine

As a part of the USAID Rule of Law project a working group on court performance has developed a pilot project to assess the quality of judgments and timeliness of proceedings of the courts. To determine the quality of judgments experts will provide a review of a selection of cases on various quality aspects, such as: a correct application of the law, linguistic style and grammar of the judgment, lawfulness and relevance of the court decision and the level of understandability of the judgments from the viewpoint of the users of the courts.

Moreover, the timeliness of the proceedings is assessed by the pilot courts through an evaluation of a selection of at-random court-files. For each of the files experts will determine if the cases has been decided within pre-determined time-standards and which factors contribute to a long duration of proceedings.

The results of the pilot on quality of judgments and timeliness will become available in the Summer of 2011.

In addition to the pilots a third round of court user surveys will be held in 15 courts to determine the level of quality of services. With the use of a standardized questionnaire, based on the Citizens' Report Card Methodology (a standard tool to measure citizens' satisfaction of municipal services), information will be collected on various quality aspects of courts (physical access to the courts, level of convenience of court houses, access to court information, affordability of court fees, timeliness of proceedings, court staff performance and judicial performance). The results of this evaluation round are available in the Spring of 2011.

The outcome of the court user surveys and the pilots on the subjects of quality of judgments and timeliness will be presented at a Court Quality conference in Kyiv (21 – 22 June). Members of the International Consortium of Court Excellence will be present at this conference.

Regional Forums:

IFCE Regional Workshop to be held in the Western Pacific

Participants at the October 2010 IFCE conference in Singapore expressed a strong interest in conducting regional workshops available where countries could receive hands-on experience in using the methods, tools, and measures offered by the IFCE. Since then Consortium members are pursuing this idea. A recent conversation with Guam Chief Justice Philip Carbullido, chair of the Education Committee of the Pacific Judicial Council indicated that the Pacific Judicial Council will consider hosting a workshop at its February 2012 Court Administration Conference. Members of the Pacific Council include American Samoa, the Federated States of Micronesia, Guam, the Northern Mariana Islands, and Palau.

Membership:

Since the Asia Pacific Court Conference, the Consortium has had an overwhelming interest from various international court institutions wishing to join the consortium. The following new members have now joined the International Consortium:

- Australian Capital Territory Magistrates Court (Australia)
- Commonwealth Judicial Education Institute (Canada)
- Customs Appeal Tribunal Malaysia
- District Court of New Zealand
- Judiciary of Guam
- Judiciary of Swaziland
- Land and Environment Court NSW
- Magistrates Service of Papua New Guinea
- Palau Supreme Court
- Queensland Civil and Administrative Tribunal (Australia)
- Supreme Court of Brazil
- Supreme and National Court of PNG
- Supreme Court of Nepal
- Supreme Court of the Philippines
- Supreme Court of Seychelles

Shortened Version of Framework

A recent addition to the resources supporting the Framework is a shortened version of the framework titled '*Thinking of Implementing the International Framework for Court Excellence*'. The shortened version of the Framework represents a simple "how to do" approach, which remains consistent with the Framework values and areas but greatly simplifies the self-assessment process and scoring. It incorporates a refined checklist and a highly simplified scoring tool.

The shortened version of the Framework can be found on the court excellence website. The Court Excellence website is a great reference point for resources, with regular updates added by the founding members.

www.courtexcellence.com



Interested in Joining or Want to Know More?

If you are interested in joining the Consortium, an application form and the membership policy can be found on the courtextcellence.com website. For general enquiries you can contact the Consortium Contact Officer at: Jackie_Wallace@agd.nsw.gov.au. If you have specific questions about implementing the Framework, you can contact one of the founding members:



Pim Albers

Ministry of Security and Justice
Judicial System Department
P.O. Box 20301
2500 EH The Hague
The Netherlands
+31 (0) 7 03 70 75 62
P.albers2@minjus.nl



Laurence Glanfield

Director General
Department of Justice and Attorney
General
GPO Box 6
Sydney NSW Australia 2001
61 2 8688 7313
Laurie_glanfield@agd.nsw.gov.au



Daniel J. Hall

Vice President, Court Services
Division
National Center for State Courts
707 Seventeenth Street, Suite 2900
Denver, Colorado 80202
(303) 308-4300
djhall@ncsc.org

Beth Wiggins

Research Division
Federal Judicial Center
1 Columbus Circle, NE
Washington, DC 20002-8003
(202) 502-4160
bwiggins@fjc.gov

Heike Gramckow

Senior Counsel, Justice Reform
Practice Group Legal Vice
Presidency, World Bank
hgramckow@worldbank.org



Hoo Sheau Peng

Subordinate Courts
Registrar
Subordinate Courts Complex
1 Havelock Square
Singapore 059724
(65) 64325 5155
subct_registrar@subct.gov.sg