

INTERNATIONAL FRAMEWORK FOR COURT EXCELLENCE

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*The 3rd Edition of the
International Framework
for Court Excellence will be
launched in the first half of
2020.*

*There will be a formal
launch of the new edition
with details to be
announced.*

International Consortium for Court Excellence Newsletter

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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. It 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. A third edition of the Framework will be launched in 2020. Please read ahead to page 3 for details about the third edition.

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.

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Consortium update

Report from the ICCE Secretariat

The current Secretary of the ICCE, Professor Greg Reinhardt, Executive Director of the Australasian Institute of Judicial Administration moving (AIJA), is retiring on 31 March 2020. Professor Reinhardt would like to thank the ICCE Executive Committee and members for their support since the ICCE was created in 2007 and in particular since the Secretariat was established in July 2014.

Since the Secretariat was established, there have been a number of achievements of the ICCE including:

- ICCE membership has doubled in size;
- 11 ICCE Newsletters have been published;
- A mailing list of organisations and individuals interested in the IFCE has been created and this continues to grow;
- Numerous visits from international judiciaries to meet and discuss the IFCE, in particular from African nations and Indonesia, have been hosted by the ICCE Secretariat. Most recently, the Secretariat met with dignitaries from the Constitutional Court of Indonesia in December 2019 to discuss implementation of the IFCE and membership with the Consortium;
- Support has been provided to multiple conferences on the IFCE;
- Many papers have been presented by Secretariat staff and Executive Committee members on the IFCE at Australian and international conferences;
- The publication of the research paper on the [Use, Modification and Impact of the IFCE](#);
- The ICCE Governance Policy, Membership Policy and membership form, have been revised and an ICCE Strategy developed;
- A Second Edition of the [Global Measures for Court Performance](#) has been published.

With the forthcoming release of the 3rd Edition of the IFCE, there will be increased interest in implementing the IFCE. With this there will be further innovations and improvements occurring in courts and tribunals internationally as jurisdictions continue on their court excellence journey. The ICCE membership base will undoubtedly expand along with this and the Consortium's role in promoting excellence in courts will continue to grow.

Professor Reinhardt wishes ICCE members and the Executive Committee his very best wishes in their future endeavours.

Membership update

The ICCE now has 52 members consisting of implementing members, associate members and affiliated judicial institutions. Courts, tribunals and affiliated judicial institutions who have implemented the Framework and who wish to become members must complete the application form and provide supporting evidence of their implementation of the IFCE.

The Executive Committee considers each application based on the information provided. Full details about the membership policy and requirements for membership applications can be found on the Consortium [website](#) or contact the ICCE Secretariat for further information.

New Members:

- Kediri District Court, Indonesia – Implementing Member
- Qatar International Court and Dispute Resolution Centre – Associate Member

Update on the 3rd Edition of the International Framework for Court Excellence

The International Framework for Court Excellence (“IFCE”) is the core resource of the ICCE, which was launched in 2010. Over time, a growing number of courts have used IFCE self-assessment tool and this has provided the Consortium with useful feedback on how it has been implemented. The Executive Committee of the ICCE welcomes the increasing use of the IFCE and is committed to ensuring that the framework remains relevant and beneficial to courts.

As the Framework was last revised in 2013, the ICCE conducted a public consultation in 2018 and embarked on a review of the IFCE to refresh the contents and reflect developments in the legal landscape. This also builds on the earlier work done in the 2017 ICCE research paper [‘Use, Modification and Impact of the International Framework for Court Excellence’](#), and modifications made by courts and judicial-affiliated institutions such as the National Centre for State Courts, the District Court of New Zealand, Dubai International Financial Centre (DIFC) Courts, and the State Courts of Singapore.

For readers who are less familiar with the IFCE, this self-assessment tool allows courts to holistically and systematically assess their performance over time. The Framework assists courts in identifying their areas of strength and areas of improvement, and developing plans for continuous improvement in Seven Areas of Court Excellence. These are Court Leadership; Strategic Court Management; Court Workforce; Court Infrastructure, Proceedings and Processes; Affordable and Accessible Court Services; Court User Engagement, and Public Trust and Confidence.

The revised IFCE maintains the overall structure and the fundamental approach in the business excellence quality management model on which the IFCE is

based. This ensures that courts that have already embarked on the court excellence journey continue to be familiar with this tool. The revised edition refines the language in the criteria statements, including simplifying the language wherever possible.

Refreshed Contents

The contents of the Framework have been refreshed with new topics that reflect emerging trends and important issues that courts face today. These new topics include:

- Ethics and code of conduct for judges and court staff
- Using data to deliver better court services
- Risk management
- Use of alternative dispute resolution to resolve disputes amicably and affordably
- Use of therapeutic or problem-solving approaches in suitable cases
- Working with stakeholders to provide affordable court services
- Language interpretation services are available to court users who require it
- Media access to and reporting of court proceedings
- Expanded area of court excellence on Court Workforce

The topic of human resources has also been assigned a dedicated area of court excellence in the revised edition. This gives greater recognition and emphasis on the role of the court workforce, going beyond training and development to take into account other topics such as engagement and well-being, and performance and recognition of judges and court staff.

The previous edition of the IFCE had included human resources under the category of ‘Resources’, together with financial and physical resources. The latter remain important elements of court excellence and have been re-organised under Court Strategy (Area 2) and Court Infrastructure, Proceedings and processes (Area 4).

New material on Court Technology

Increasingly, courts around the world have introduced technology into their court processes. This has enabled courts to be more efficient and to enhance the delivery of court services. Technology continues to evolve and advance rapidly. For courts interested in a more in-depth discussion on the use of technology, a new section has been included on the topic of technology. These discussion points, which are neither prescriptive nor exhaustive, may be useful as a starting point to inform discussions and shape longer-term planning about the use of court technology.

The Consortium appreciates the feedback from users of the IFCE, including the feedback from individuals and courts during the public consultation that took place in late 2018. The third edition will be released on the ICCE website in Q1 2020. For questions about the revised Framework, please contact the ICCE Secretariat.

International updates

Qatar International Court and Dispute Resolution Centre (QICDRC)

QICDRC is the latest member to join the ICCE as an Associate Member. QICDRC is a specialist civil and commercial court and dispute resolution centre.

The QICDRC Implementation Journey

What inspired the Court's ICCE journey?

The QICDRC, which is currently celebrating its ten-year anniversary, recognises the benefits to the local and international community by joining the ICCE and,

more importantly, implementing its quality management system - the *International Framework for Court Excellence* ('IFCE'). As a Court which prides itself in applying international best practices, adopting a framework of universal core values is in line with the QICDRC vision - to be recognised as a world-leading forum for the resolution of civil and commercial disputes.

Improving access to justice is a key component of the IFCE and something the QICDRC takes very seriously. The Court, for example, operates in both Arabic and English languages and is free to use. The QICDRC's innovative eCourt system, which was launched in 2018, allows court-users to file proceedings, access case papers, communicate with the Court and other parties and receive orders and judgments, from anywhere in the world across a range of electronic devices including smart phones and tablets.

Parties, lawyers and even judges can appear in Court remotely, through eCourt's integrated audio-visual capabilities, thus reducing cost and saving time. The QICDRC recognises, however, that improvements can always be made in relation to strengthening access to justice which is why aligning with the IFCE is so important.



The QICDRC also acknowledges, as does the IFCE, that an impartial and transparent judicial system is of the utmost importance in ensuring user confidence. The Court comprises highly regarded judges from a range of civil and common law jurisdictions who are

renowned for their independence, impartiality, integrity and propriety. Proceedings are conducted in public, with judgments of the Court published online.

The QICDRC firmly believes that its vision and practices are already strongly aligned with the work of the ICCE. Through implementation of the IFCE the Court will strengthen its position as a world-leading forum for the resolution of civil and commercial disputes and will be best placed to share and receive knowledge with other ICCE members and those interested in joining.

What were your first implementation steps?

Having first researched the ICCE online and talked with other members and the secretariat, the QICDRC established a Court Excellence Committee ('CEC'). The CEC, which is chaired by the QICDRC's Head of Business Development, had the mandate to drive the process forward in a timely manner.



As part of the process, an external Executive Coach was appointed who facilitated discussion among the members of the CEC and assisted it with implementation of the IFCE.

In addition, the CEC engaged the judges and all Court staff in order to devise an effective communication plan, draw up key messages and ensure that the CEC had all necessary information so that it was best placed to reach its objective.

What role did the Court Excellence Committee play?

The primary role of the CEC was to create and maintain an Improvement Plan which was then shared with the wider QICDRC workforce. The Improvement Plan was based on format suggested by the IFCE, modified where appropriate, but ensuring that all seven areas of court excellence were covered. The Improvement Plan specified areas of engagement and assigned certain tasks to certain departments within the QICDRC, clearly identifying what was required, by whom and by when.



A number of 'quick wins' were identified, including an enhanced messaging campaign, integrated behavioural competencies for new staff roles, and a reward-based system to recognise and appreciate those employees who demonstrated 'living' the QICDRC values- integrity, teamwork, innovation, justice and service excellence.

A number of service-orientated initiatives were also considered, including offering pro bono support for Court-users who would benefit from it. It was as a result of the hard work and determined efforts of the CEC, the creation of the Improvement Plan, and the input of all of those who assisted, that led to the QICDRC being admitted as an Associate Member of the ICCE in October 2019.

What steps did you take to drive engagement internally?

Following its creation, the CEC launched an internal self-assessment survey towards the end of 2018 which was aimed at both judges and employees. The results of the survey along with feedback sessions helped the CEC in understanding how best to implement the IFCE and formed the basis of the Improvement Plan. The CEC, with the assistance of the Executive Coach, undertook various team building initiatives and moderation sessions which helped the CEC to be more creative and innovative when finalising and implementing the Improvement Plan.

What are the QICDRC's plans going forward?

The QICDRC recognises that implementation of the IFCE is not a one-off event. The Court will continue to ensure that it is aligned with the ICCE's vision by monitoring and improving its processes and procedures and by embracing the universal core values set out in the IFCE. The QICDRC will also strive to be an active member of the ICCE by learning from other members and sharing information on international best practices with a view to being recognised by the ICCE as an Implementing Member in the near future.

South Australia Courts Administration Authority

The Courts Administration Authority (CAA) commenced implementation of the International Framework for Court Excellence (IFCE) in 2017. The IFCE provides a model methodology for courts wanting to improve their performance. The value of IFCE lies in a well-structured set of factors that are underpinned by core values of court excellence, on which to base regular assessment of court performance.

In general terms, the Framework provides a 'health

check' that can strengthen court's governance structures, improve processes and increase operational capabilities, through identifying areas for improvement. Specifically, the IFCE facilitates a targeted approach to identifying specific areas where improvements can be made and provides a baseline whereby improvements can be measured over time.

The South Australian Courts Administration Authority and the State Courts Administration Council ("the Council") is established by the *Courts Administration Act 1993 (SA)* and is a statutory authority, independent of control by the Executive Government. The function of the Council is to provide administrative facilities and services for the proper administration of justice by these Courts: Supreme Court of South Australia; District Court of South Australia; Environment, Resources and Development Court of South of Australia (referred to as "higher courts"), the Magistrates Court of South Australia; Youth Court of South Australia; and Coroner's Court of South Australia. The judiciary (but not the administration) of the South Australian Employment Tribunal are also within the CAA.

The Council comprises the heads of each jurisdiction, Chief Justice Kourakis, Chief Judge Evans and Chief Magistrate, Judge Hribal as well as associate members. The Council is assisted by the State Courts Administrator, Ms Julie-Anne Burgess, who is responsible, subject to the control and direction of the Council, for the control and management of the Council's staff and the management of property that is under the Council's care control and management. The CAA has approximately 800 staff.

In March 2017, the Council approved the creation of the IFCE Implementation Committee. The Committee's role is to:

- Consider the requirement for adopting the IFCE in a South Australian context;
- Consider the scope and methodology of the self-assessment (survey);

- Contribute to the development of a survey and approve its content that will establish a benchmark for South Australian courts;
- Identify areas for improvement;
- Prepare a detailed project report analysing the results of the survey and recommended areas for improvement; and
- Recommend areas for improvement to be addressed by individual business unit improvement plans.

The Committee, chaired by Supreme Court Justice Lovell, includes judicial officers from all jurisdictions together with senior court administrators.

The first step in the implementation of the Framework is to assess the courts performance against seven areas of court excellence: court leadership and management; court planning and policies; court proceedings; public trust and confidence; user satisfaction; court resources (human, material and financial); and affordable and accessible court services.

To achieve this, the Committee considered questions contained in the Framework’s self-assessment questionnaire and reviewed surveys conducted by other jurisdictions. In September 2017, the Committee finalised a series of 55 questions for CAA judiciary and staff.

The CAA’s first self-assessment survey under the IFCE was conducted over a two-week period during October 2017. Judiciary and staff were sent a link to an online survey tool to collect responses to questions covering the seven areas of court excellence.

At the completion of the survey period a report was prepared for the Committee to consider. The report provided a summary of results across the CAA and highlighted areas for improvement within each business unit.

Key findings were presented under each of the areas of court excellence.

Areas identified include:

1. Court leadership and management <ul style="list-style-type: none"> • Improved communication with Judiciary and staff. • More opportunities to provide feedback • Staff recognition 	2. Court Planning and Policies <ul style="list-style-type: none"> • Consistency between courts and registries • Investment in judicial support • Alignment of business plans to the strategic plan
3. Court Resources <ul style="list-style-type: none"> • Improved resourcing • Succession planning and training • Improved facilities 	4. Court Proceedings and Processes <ul style="list-style-type: none"> • Access to courtrooms • Address causes for delays in hearing matters • Consistency.
5. Client Needs and Satisfaction <ul style="list-style-type: none"> • Training for front line staff • Promotion of Courts within the community • Transparent complaints process for court users 	6. Affordable and Accessible Court Services <ul style="list-style-type: none"> • Upgrade information content for court users • Upgrade of the courts website
7. Public Trust and Confidence <ul style="list-style-type: none"> • Judgments published in a timely manner • Consistent agreed procedures and policies on access to information and records. 	

On 6 November 2017, Justice Lovell presented the results of the survey, with a focus on the judiciary, at the annual Judicial Development Day.

In early 2018, the results of the internal survey were presented to Council and the administration of the CAA by the IFCE Implementation Committee. Key themes, derived from the survey results, were identified for each business unit, which resulted in improvement strategies being incorporated into relevant business plans and linked to the CAA Strategic Plan.

At the beginning of April 2019, the CAA took the second step towards implementing the Framework by conducting an external court user survey. The survey was developed to address one of the seven areas of court excellence under the Framework: Client Needs and Satisfaction. It was conducted in all court jurisdictions and was aimed at any court user or legal professional attending the court on the day. Volunteers, comprising University of South Australia students and CAA staff, approached 430 court users across all locations with a 62% participation rate.

The results indicated that the courts are performing extremely well in the following areas:

- overall satisfaction rate for all respondents (96%)
- the location of court buildings is easy to find (93%) and people can find their way inside the building (96%)
- those attending court felt safe in the court building (97%)
- court users were treated in a professional manner and with courtesy and respect, independent of the role they played (97%)
- court users were satisfied with the information they were provided and understood outcomes of court hearings (97%).

Areas of improvement included:

- start times for hearings e.g. starting at the scheduled time
- signage and access to parking at country locations
- access to interview rooms
- AVL facilities – sound quality

A full report on the External Survey has been prepared and the CAA is currently working through strategies to address areas identified in the results.

Other news

Next newsletter

The next ICCE newsletter will be published in July 2020. Those members wishing to submit articles on their experiences implementing the Framework are invited to contact the ICCE Secretariat.

Want to know more?

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