

INTERNATIONAL FRAMEWORK FOR COURT EXCELLENCE

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An opportunity to contribute...

The International Consortium for Court Excellence is currently developing the 3rd Edition of the Framework. A Consultation Paper will be distributed to ICCE members in October 2018. This will be your opportunity to provide feedback to the ICCE on your experiences with the Framework including what works and what does not.

International Consortium for Court Excellence Newsletter

Issue 11 – July 2018

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.

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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Interview with ICCE Chairperson, Dan Hall, Vice President of Court Consulting Service, National Center for State Courts



Tell us about yourself and your role at the NCSC

I have spent nearly 40 years in the judicial sector working to support and improve the administration of courts both in the US and internationally. The first half of my career was in the court system in the state of Colorado where I was the Director of Planning. I have been the Vice President of Court Consulting Services for the National Center for State Courts for the past 17 years. Over this time, I have overseen nearly 2000 consulting projects. I have also worked in nearly 20 countries beginning 2001 in Bulgaria. My international focus for the past few years has been with the International Consortium for Court Excellence (ICCE) where I am now serving as the Chair of the Executive Committee and conducting numerous workshops. I have been fortunate to see the dedication and integrity that judges and court staff in all parts of the world bring to their work as they serve their citizens.

When did you first get involved with the IFCE and the Consortium?

In 2007, I was part of the original group that formed the ICCE initiated by Senior District Judge Richard Magnus from the Singapore Subordinate Courts, now known as the Singapore State Courts. Despite the original members residing in four continents we were able to draft the first version of the IFCE in less than a year. It was launched in Australia in 2008 and again in Singapore in 2010.

What role does the IFCE play in your work at the NCSC?

The concepts contained in the IFCE apply to all aspects of the work the NCSC does in providing technical assistance to courts within the United States. The US version of the Framework is the High Performance Court (HPC) Framework. The values and areas of court excellence of the HPC are slightly different than the IFCE but the aspects of performance measures, evaluation and continually striving to improve are key components which we apply on an on-going basis.

What do you see as the benefits of courts and tribunals using the IFCE?

Ultimately the main benefit of use of the Framework is that helps courts deliver higher quality services and thus improve the community's confidence in the courts. There are other less tangible benefits too. For example, in Bangladesh we saw judges and staff become energized by identifying solutions to problems. In the state of Michigan, where courts are locally funded, it provides a way to share a common court perspective across the state. One of the major strengths of the Framework is it provides a tool that courts can use for self-evaluation. The Framework is unique in the realm of quality improvement systems in that it has developed by courts for courts.

What are the main challenges in courts and tribunals implementing the IFCE?

The main challenge is the diversity of courts in the US. There are nearly 200,000,000 cases filed each year in the 50 states and 5 US territories. Each of these judicial systems have different statutes and rules. They also may have different organizational structures with different sources of funding. Given this diversity the framework offers a tool courts can use to identify their unique challenges and develop innovative solutions guided by the principles of the framework.

Tell the readers something about yourself that not many people know.

I love the outdoors. We have a cabin tucked into the mountains here in Colorado that is just a wonderful place to enjoy the solitude and other blessings of nature.

Membership update

The ICCE now has 48 members of the Consortium. 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 will consider 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:

- Pekanbaru District Court, Indonesia
- West Jakarta District Court, Indonesia
 - Cilacap District Court, Indonesia
 - Wonosobo District Court, Indonesia
 - Tarakan District Court, Indonesia
 - Ungaran District Court, Indonesia
- Temanggung District Court, Indonesia
 - Sragen District Court, Indonesia
 - Kudus District Court, Indonesia
 - Klaten District Court, Indonesia
- Courts Administration Authority of South Australia

Regional forums

Bogota, Columbia

Alicia Davis, Principal Court Management Consultant, National Center for State Courts

On June 25th, the magistrates of the Constitutional Court of the Republic of Colombia participated in a workshop facilitated by the National Center for State Courts (NCSC) concerning the International Framework for Court Excellence in the capital city of Bogota. The Constitutional Court is the highest appellate court for matters involving fundamental rights and interpretation of the Constitution with the power to determine the constitutionality of laws, acts, and statutes in Colombia.

Court President Alejandro Linares commented that this is the first time the Constitutional Court had decided to

undertake a self-assessment of its services. President Linares has served in academia, the public sector, and as a managing partner of a law firm. He took interest in the International Framework for Court Excellence because it addresses the business aspects of managing courts, an approach that differs from other discussions around access and transparency.



Photo: Mr Dan Hall, NCSC conducting the IFCE workshop with delegates.

Throughout the workshop, the magistrates and other high court officials considered court improvement practices to strengthen the administration of justice within the Constitutional Court. Participants said that the exercise provided a productive forum to share challenges and opportunities to improve access to the court, strengthen strategic planning, and opportunities to improve access to the court, strengthen strategic planning, and optimize resources. NCSC Vice President, Dan Hall, and Principal Court Management Consultant, Alicia Davis, co-facilitated the workshop. Mr. Hall and Ms. Davis have worked on justice sector reform efforts in numerous countries.



Photo: Delegates at the Bogota IFCE Workshop

Members and representatives of the court established action plans targeting two areas of fundamental interest to the court: employee development and governance. The

plans included short- and long-term goals to be pursued by the Court. Mr. Hall applauded the Court's formation of action plans.

"When we reflect on justice systems throughout the world, one commonality remains constant," said Mr. Hall. "In serving the lofty purposes of Courts, in the furtherance of justice, a Framework is necessary to maintain forward momentum and to measure progress made over time."

The event was covered by several media outlets and the Court hopes that the self-assessment process brings into focus the Court's goals and planning priorities.

Colombo, Sri Lanka

Sri Lanka IFCE Workshop May 27 & 28, 2018

At the invitation of the Chief Justice of the Sri Lanka Supreme Court, the Honourable Parinda Ranasinghe, Daniel Hall, Vice President of the National Center for State Courts, and Justice Robert Torres, Guam Supreme Court and former Chief Justice of that Court, conducted a two-day workshop for the Sri Lanka Judiciary. The workshop introduced the Sri Lanka Judiciary to the International Framework for Court Excellence (IFCE) as a tool to improve the way justice is delivered to citizens of Sri Lanka.

The workshop was held at the Supreme Court Ceremonial Court House in Colombo on May 27 & 28, 2018. The seminar introduced the concepts of the IFCE and how it can be applied in Sri Lanka to 70 judges from the High Court, the District Court and Magistrate Court.

The meeting produced initial implementation plans. Prior to the workshop participants completed the IFCE check-list assessment instrument. The results were used in the meeting to help teams identify areas for improvement. During the session participants were divided into seven teams. Each group worked with several of the seven areas of court excellence where they:

- Identified specific areas where the court could improve;
- Crafted strategies that would lead to improvements;
- Developed performance measures to determine the extent of improvements; and
- Constructed a quality improvement plan to assure successful implementation. Initial discussions have begun with the judiciary on how to move forward to implement the IFCE.

Discussions have begun to identify the next steps the Sri Lanka Judiciary can take to improve its operations using the IFCE.



Singapore

The State Courts' Experience - Tools for Court Excellence

State Courts of Singapore

On 25 July 2018, in conjunction with the 13th ASEAN Law Association General Assembly and the ASEAN Law Conference 2018, the State Courts of Singapore hosted a satellite programme entitled "The State Courts' Experience – Tools for Court Excellence". The State Courts welcomed 32 delegates from the judiciaries, government agencies and bar associations of the ASEAN Member States, the People's Republic of China, Republic of Kazakhstan and the Russian Federation.



As part of the programme, the State Courts spoke on the work of the International Consortium for Court Excellence (ICCE), introduced the IFCE methodology, the International Framework for Judicial Support Excellence, and the ICCE's ongoing efforts to review and publish a revised edition of the IFCE. The presentation also elaborated on the use of the IFCE in the State Courts and other judiciaries. Each participant was presented with a copy of the publication, the *IFCE State Courts Model – A Practical Guide for Sustainable Court Excellence*, which includes illustrative examples from the State Courts.

The audience was very interested in understanding the State Courts' experience in implementing the IFCE. Reference was made to the importance of engaging staff in the self-assessment process, including ensuring that a wide cross-section of judicial officers and court administrators of different seniorities and performing different court functions participated in the process, and that they had a

good understanding of the criteria statements and methodology involved. These are examples of the preparatory work that is required when planning to undertake the IFCE self-assessment.

The State Courts also delivered presentations on the case management systems which support the work of its Criminal Justice Division and Community Justice and Tribunals Division respectively, which have significantly transformed court processes in the State Courts. In the course of developing these case management systems, the State Courts reviewed its processes and procedures, with the objective of further promoting court excellence in the area of proceedings and processes (Area 4). These systems have allowed the State Courts to enhance accessibility to court services through innovation and leveraging on technology, and have enabled the State Courts to serve its court users better (Area 6).

In his opening remarks, Justice See Kee Oon, Presiding Judge of the State Courts, noted that these initiatives could not have been implemented by the State Courts alone, but required the collaboration of stakeholders, including other government agencies and the Bar.

The event also provided an opportunity for the delegates to network and share their practices in their respective courts and organisations. The event was extremely well-received.



Photos: Participants of the State Courts' satellite programme, 'The State Courts Experience – Tools for Court Excellence', held in conjunction with the 13th ASEAN Law Association General Assembly and the ASEAN Law Conference 2018, held in Singapore, 25 July 2018

Feature Article:

Framework Actualized: The Implementation of the Seven Areas of Court Excellence at Klaten District Court, Central Java, Indonesia

by Albertus Usada, Chief Judge of Klaten District Court



Klaten District Court in Indonesia implemented the International Framework for Court Excellence (IFCE) in 2018. This represents a key element of our program towards court excellence under the Indonesian Quality Assurance Accreditation process overseen by Directorate General of the General Courts, the Supreme Court of the Republic of Indonesia. The accreditation program includes the application of ISO 9001: 2008, ISO 9001: 2015, in which the Klaten District Court achieved its excellent "A" accreditation certificate in November 2, 2016.

With the assistance of Mr Danu Harya Yudha (danuhy@msi-indo.com) from [MSI Consulting](#) the court implemented the IFCE over a three month period in the following 4 phases:

1. Self-assessment

This involved a thorough assessment of court processes and analysis of performance compliance in the Seven Areas of the IFCE, using the following methodology:

- Conducting a review of the self-assessment checklist contained in appendix A of the IFCE.

- Teams of judges and staff were divided into seven groups for each area of court excellence.
- Team composition consisted of cross-functional members, from Technical and Non-Technical.
- After each team performed the assessment for their area, the whole team gathered for a plenary session and to discuss the results.
- The results were reviewed and approved by the Chief Judge, Klaten District Court.

a. The first self-assessment April 23 - 26, 2018

Klaten District Court achieved 786 points (79%) as scoring result in the first self-assessment and identified improvements and actions required for each area. The leaders of area #1 Court leadership and management, Judge Irma Wahyuningsih; area #2 Court planning and policies, Judge Novi Wijayanti; area #3 Court resources, Judge Wahyu Setioadi; area #4 Court processes, Judge Sagung Bunga Mayasaputri Antara; area #5 Court user satisfaction, Judge Dian Herminasari, area #6 Affordable court services, Judge Kurnia D Ginting; and area #7 Public trust and confidence, Judge Ira Wati and Judge Tri Margono.



Photo: Left to right: Judge Kurnia D Ginting, Judge Ira Wati, Judge Dian Herminasari, Judge Novi Wijayanti, Judge Albertus Usada - Chief Judge Klaten District Court, Judge Irma Wahyuningsih, Judge Annisa Noviati, Judge Wahyu Setioadi, Judge Tri Margono

b. The second self-assessment July 2018:

After several action plans had been executed, the teams reassessed the court's performance in the seven areas with a final self-assessment score of 908 (91%). Details of the results and further description are included in the

[IFCE Implementation Summary of Klaten District Court](#), July 2018, pages 18-110. A video describing the implementation journey of IFCE in Klaten District Court can be viewed at: <https://youtu.be/r9K2u6qUA3A>

2. Analysis

The analysis builds upon the assessment to determine the areas of the court which are capable of improvement.

3. Improvement Plan

The Improvement Plan was developed detailing the areas identified for improvement, using the SMART (systematic, measureable, achievable, realistic, and timely) technique to describe the actions proposed to be taken and the expected outcomes.

4. Measurement

This phase involved specific measurement of the performance, consisting of 2 types of measurement: performance measures and the Global Measures of Court Performance.

Public Trust

Through the IFCE implementation, Klaten District Court was able to identify improvement areas to increase Court's performance and gain public trust. Klaten District Court is a Technology and Digital base-court in Indonesia, tasked with simplifying the process within its operation and improving access for Court users.

The Court activity plan includes that we will conduct periodic IFCE self-assessments and internal staff surveys, as part of the Plan-Do-Check-Action (PDCA by W. Edward Deming, *Out of the Crisis*, 1986) cycle approach in implementing the IFCE.

Continuously Improve Court Performance

Klaten District Court is dedicated to providing the highest quality judiciary services to Court users within the Klaten jurisdiction. We are a technologically advanced court in Indonesia and we deliver our services in practical, cost efficient and high quality ways. It is important for Klaten District Court to maintain public trust and confidence.

The IFCE enables us to take a journey forward to transform into an 'Excellent Court'. Klaten District Court is committed to continued use of the IFCE, and using it to methodologically improve Court performance.

Throughout the experience, it demonstrated that the IFCE is a valuable model that provides a clear process for leaders, judges and staff, to views and design a blueprint for change. We will continue to challenge ourselves, in providing best services to court users.

Photo below: Klaten District Court Judges and Staff



Recent reflections on the IFCE from New Zealand

By Judge Anna Skellern, District Court of New Zealand



Introduction

Judges Phillip Cooper and Barney Thomas produced an article entitled, *District Court of New Zealand: Refining the Assessment* for the last ICCE newsletter. In that article, they discussed the possible changes they might implement to the IFCE assessment, due in 2019. They set out the background to, and rationale for, the proposed changes. Factors that might affect whether the refinements would be implemented were also examined. They listed some of the ways in which IFCE is benefitting the judiciary and the community but highlighted the fact it is not always appreciated that the improvements are delivered by the IFCE process.

This article identifies some key changes brought about by IFCE and the ways in which the IFCE Committee is trying to better publicise the work which has driven the changes. The significant benefit in employing a “joined up” approach with the Ministry of Justice (“the Ministry”), whilst maintaining the clear separation of powers required by our system of government, is evident.

Key Changes

Perhaps the most, well-recognised achievement of an IFCE initiative in the New Zealand District Court, is the award received by Karen Harvey¹ and Tony Fisher² from the Australasian Institute of Judicial Administration. Its annual Award for Excellence in Judicial Administration was in recognition of their work in establishing the District Court

website. The website was set up to publish decisions of the District Court which a Judicial Editorial Board deems to be of significance or public interest. In doing so, the public’s insight into the work of the District Court is enhanced. In establishing this website, several core values of ICCE—client needs and satisfaction, accessibility of court services, and public trust and confidence—are all advanced.

How best to meet the court’s technology requirements has been the subject of extensive discussion between Ministry and judicial members of the IFCE Committee. Dissatisfaction felt by judicial officers because of perceived deficits in the IT area has been high historically. The IFCE Committee has benefitted greatly from the attendance of members of the Ministry’s IT team, including the Chief Technology Officer, at meetings.

Fruitful discussions around judicial needs and the benefits of upgrading IT to enhance accessibility and mobility have taken place. The Ministry’s use of financial resources to enhance the court’s efficiency results in greater public trust and confidence. The Committee, having first-hand information of the nature of the advances and the dates when they are expected, has been able to disseminate this information to the entire District Court bench.

Concern has been recently raised by the judges on the committee about an apparent significant increase in the number of self-represented litigants in the District Court’s general and family jurisdictions. Although the concern has not been supported by statistical analysis by the Ministry, judges anecdotally identify a need to improve the quality of information available to self-represented parties. The information needs to be readily accessible, both online and in person. The judicial members of the Committee are reviewing the information available to the public and are working with the Ministry Committee members to improve the content. This work enhances the core values of affordability and accessibility of court services.

Enabling judges to deliver quality decisions and limit churn in proceedings has also been a plank of the IFCE Committee’s discussion. The Committee determined there should be limits on the number of cases any sitting judge should hear in a day. The Chief District Court Judge and Ministry officials agreed on the numbers, with a Rostering and Scheduling Protocol to achieve this end. This innovative approach increases efficiency of the courts and

¹ Director of Publications in the Chief District Judge’s Chambers.

² Former General Manager of District Courts at the Ministry of Justice.

timeliness of court hearings. In turn, there is greater client satisfaction, public trust, and confidence.

Publicising the work of the IFCE Committee

To publicise the work of the IFCE and the improvements made as a result of its endeavours, a Publicity Sub-Committee has been set up. It has been resolved it will: routinely publish details of the IFCE’s work on the Ministry’s internal website; and require Executive Judges to place IFCE matters on the agenda for common room meetings regularly.

On a more direct basis, a workshop was held recently in the Whanganui/Taranaki courts by Judges Cooper and Thomas and Richard Williams who is a Regional Manager for the Ministry (“the presenters”). The workshop was arranged in response to an invitation from those courts and was attended by judges and senior leadership teams from the Ministry.

The presenters provided: a history of the adoption and implementation of IFCE by the District Court; the international context; the areas of court excellence; the assessment and evaluation process; some of the gains made so far; and the improvements in train for the 2019 assessment and follow-up.

It became clear to the presenters there were gaps in the participants’ knowledge and understanding of the IFCE, and a lack of awareness that gains they recognised had been made were a result of the IFCE process. Participants also had little understanding of the work of the IFCE Committee. When this was explained to them, they were enthusiastic to know more about it and to receive regular updates.

The presenters particularly noted that there was a real desire from participants to further the joined-up approach with the Ministry at a local court level, as contemplated by a recommendation from the 2015 IFCE assessment. Given the level of interest displayed, the proposal to require Executive Judges to place IFCE matters on the agenda for common room meetings, and meetings between judges and Ministry personnel at local levels, was endorsed.

The benefits for the New Zealand District Court in maintaining this high level of co-operation with the Ministry at IFCE level are significant. Recognition of the benefits is key to continuation of the success.

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Other news

Conferences - DIFC Courts and ICCE conference 7-8 November 2018

The DIFC Courts are hosting a major IFCE conference on 7-8 November 2018 which will look closely at:

- the key values and success factors in the International Framework for Court Excellence (IFCE) and identify international best practice and challenges for Courts around the globe.
- practical strategies that are vital to achieving court excellence within all judicial systems.
- developments taking place in court innovation, service excellence and look at future technologies like AI, blockchain, robotics and their legal implications on courts around the world.

The conference website is www.courtexcellenceconference.org



Third Edition of the IFCE

As noted on the front page of this Newsletter, the ICCE Executive Committee is currently undertaking a review of the IFCE with the view to developing a 3rd Edition for publication in 2019. A discussion paper is being prepared for members to provide their valuable feedback on the IFCE and how it could be improved. Members will be sent a copy of the discussion paper in October 2018 and be provided with the opportunity for comment.

Next newsletter

The next ICCE newsletter will be published in January 2019. Members wishing to submit articles on their experiences implementing the Framework for consideration by the Secretariat are invited to contact Liz Richardson.

Want to know more?

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

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