IACA

The Court Administrator

Wherever in the world
you happen to be...

Please Come Join Us!

OCTOBER 25, 26, AND 27, 2023

University of Buenos Aires School of Law • Buenos Aires, Argentina

TABLE OF CONTENTS

The Court Administrator

INTERNATIONAL ASSOCIATION FOR COURT ADMINISTRATION LEADERSHIP

OFFICERS

Luis Maria Palma
President

Pamela Harris
President-Elect

Sheryl L. Loesch
Immediate Past President

Thomas Bruton
Chief Executive Officer

Catherine Hiuser
Chief Administrative Officer

Suzanne Schneider
Chief Financial Officer

Stacy Worby
Chief Information Technology Officer

Jeffrey A. Apperson
Ex Officio/ Past President
Lifetime Member

Vladimir de Freitas
Ex Offico/Past President

Richard Foster
Ex Officio/Past President

Markus Zimmer
Ex Officio/Past President
Lifetime Member

ADVISORY COUNCIL

Sheryl Loesch
Advisory Council Chair

EXECUTIVE BOARD

Valerie Pompey
Secretary/Communications Officer

Adam Watson
Membership Chair

Michele Oken Stuart
Vice President for Corporate Sponsorship

Kenneth Isaac Komicho
Vice President for Africa

Madiyar Balken
Vice President for Central Asia/India

Tina Brecelj
Vice President for Europe

Flavia Podestá
Vice President for South and Latin America

HE Justice Ali Al Madhani
Vice President for the Middle East

Jeffrey Newman
Vice President for North America

Juthika Ramanathan
Vice President for South Asia and Australia

Vacant
Vice President-International Associations

IACA PUBLICATIONS

Dr. Tim Bunjevac
Co-Managing Journal Editor

Dr. Gar Yein Ng
Co-Managing Journal Editor

Eileen Levine
Managing Editor of The Court Administrator

Regional Boards are made up of a vice president and seven board members. Vice President and/or Board Member positions are available in Africa, Central Asia/India, Europe/Slovenia, Middle East, Central & South America, Southeast Asia & Australia, and International Associations. This list is current as of October 3, 2023. Please see https://www.iaca.ws/organizational-chart-officers for additional updates after this date.

The President´s Message

Luis Maria Palma, IACA President

Hello!

It is my great privilege to present the 15th edition of The Court Administrator (TCA).

In this latest issue, you´ll get first-hand information generously shared by experts discussing varied court administration topics such as: Best Practices and approaches to digital transformation in Zimbabwe, Procedural guidelines in Greece & the Ukraine, Artificial Intelligence (AI)- a brief primer for jurists, Socio-Judicial innovations in administering justice in courts all around the world, Exploring the development of Judicial administration in Kazakhstan and Ideas to help courts adjust to Artificial Intelligence. Of course, we present updated news about our exciting upcoming activity: the International Conference to be held in Buenos Aires, Argentina.

My warmest acknowledgement to our great Executive Editor, Eileen Levine, and very special thanks to the remarkable authors who have distinguished IACA with their generous contributions to make this new and exciting issue a reality.

IACA has continued with the development of online conferences that have raised great interest worldwide.

In this regard:

On May 30, 2023, Ms. Flavia Podestá, our Regional Vice President for South and Latin America, led an amazing online conference entitled "Teleworking and Virtual Hearings. Impacts on the Quality of Justice and People," with speakers from Argentina, Brazil, Chile, Paraguay and Perú. This conference was held in Spanish. Ms. Podestá organized and developed this project.

On June 6, 2023, we held the fourth session of our continued series jointly organized by IACA with the State Judicial Administration of Ukraine, the EU Project "Pravo-Justice", the USAID "Justice for All" Activity and the All-Ukrainian Association of Court Employees. The theme for the 4th program was "Justice Digitalization and Information Security Management in War Times and Beyond".

On June 22, 2023, the Regional Vice Presidency for Europe, led by Ms. Tina Brecelj, offered the online conference "User-Friendly Courts," with experts from Moldova, Serbia, Slovenia, the United States, and Uzbekistan.

Between June 20 and 25, I visited the Republic of Kazakhstan in my capacity as President of IACA. I was honored to participate as a keynote speaker of the International Round Table entitled "Judicial Administration for an Independent Justice: Global Standards and Best Practices," organized by the Judicial Administration of Kazakhstan. I´ll share more about this unique experience in an article that you´ll find in this issue.

As anticipated, IACA this year will hold its international conference in Buenos Aires, Argentina, on October 25, 26 and 27. The theme is "Access to Justice, Administration, and Innovation in a Changing World," and as a result of the call for presentations that we published on the website IACA received more than 50 proposals from over 20 countries, amongst them Argentina, Brazil, Canada, Colombia, Dominican Republic, Georgia, Guatemala, Kazakhstan, India, Jamaica, Morocco, Mexico, Paraguay, Peru, Polonia, Rwanda, Serbia, Singapore, Ukraine and the United States.

Thanks to such valuable initiatives, we have built a program as diverse as exciting. Please take the time to view our Conference agenda, which you will also find in this new issue, #15.

I hope that you register for this conference and take advantage of this outstanding opportunity! The value that you will receive from your participation will help you and your court grow and share these benefits of hearing world-class presenters. You can register accessing the IACA website https://www.iaca.ws/ and pressing the link Register now! Vacancies are limited!

Looking forward to seeing you in Buenos Aires!

Thank you so much!

Luis Maria Palma

EDITOR'S MESSAGE

On behalf of IACA Officers, Advisors, Board Members, and all of our IACA members who work tirelessly behind the scenes to bring to you a world class court administration association, the International Association of Court Administration, IACA, I am truly honored to present to you our 15th Edition of "The Court Administrator." I also want to take this opportunity to celebrate our milestone edition and the sixth year that the association has been sharing court administration ideas, suggestions, and best practices from around the world with our members in this publication. I acknowledge the Honorable Vladimir de Freitas, past President of IACA, who had the vision along with many others, to open up the court world to an even larger audience. Since IACA launched this publication in 2017, we have published over one hundred and twenty articles from over one hundred and twenty-five authors in over forty countries!

Eileen Levine
Court Administrator
Eastern and Southern Districts of New York

Of course, each court conducts business using your own styles, programs, and technology; what works for you and how your courts have adopted and adapted to your changing worlds. Judges have demanding jobs to ensure justice is fairly served to all. We, as court administrators serving our communities, work extremely hard to keep court calendars moving and to effectively manage our caseloads and personnel. Whether we are supervising complex civil litigations, multi-defendant criminal cases or payments of fines or parking tickets, we all have challenging and important responsibilities to our citizens; providing equal access to court processes and fair and impartial justice to be made available to all.

Our contributing authors for Edition #15, share their own special worlds with you to begin discussions and to educate our readers. "The Court Administrator" articles may provide solutions to your issues or at the very least, provide you with author's contact information thereby enabling you to follow up and provide you with the ability to reach out and connect with authors to collect additional information. A court system in the Middle East may have just the appropriate solution that you have been looking for, or a court in Asia may be able to help you with a project you have been working on or struggling with. Somewhere, someone will have the key to help you and your associates accomplish your objectives. And, if you find that key to help you open your doors, we have accomplished our goals.

I take this special opportunity to thank IACA President, Dr. Luis Maria Palma and President-Elect Pamela Harris, for their unwavering support, advice, friendship, and wisdom.

I hope that you enjoy reading #15 and that you will consider sharing your best practices with your colleagues around the world. Please join our esteemed authors in presenting your designs, ideas, and best practices to share with IACA members.

Please always keep in mind that knowledge, expertise, and technology is out there for you to freely use, to experiment with, and adapt as it works within your individual court systems. Our goal is to help to guide you towards court administrators and other experts who are willing to open up their courtroom doors and experiences for you to explore and to build on. You can virtually travel around the world from your desktop right now. We are the wings to help take you where you want to go and where you need to be.

IACA Conference 2023 Sponsorship Opportunities

The International Association for Court Administration (IACA) will hold its 2023 conference in Buenos Aires, Argentina, October 25-27, 2023. Attendees will include judicial officers, court presidents, security advisors, policy makers, court administrators, court managers and registrars from around the world. Court professionals will come together to debate current topics, listen to plenary/workshop speakers and share court-related experiences.

The success of IACA's conferences is not possible without the sponsors/vendors who support it. Thank you for your continued support and we look forward to your participation and sponsorship for our upcoming conference!

Sponsorship/Vendor opportunities are outlined below:

Platinum Sponsor

Cost: $17,500

- 15-minute presentation by company principals (preceding plenary on second or third day) or Conference audio/visual or gala dinner
- Exhibit space in a premier location in the coffee/lunch break hall
- Four conference registrations (includes snacks, lunches)
- Four invitations to the president's reception
- Four invitations to the gala dinner
- Sponsor name and logo in the conference program with full page advertisement
- Sponsor name and logo on conference website
- Two-page ad in the next Court Administrator and International Journal for Court Administration publications

Gold Sponsor

Cost: $10,500

- Sponsorship of lunch on Tuesday or Wednesday
- Exhibit space in the coffee/lunch break hall
- Three conference registrations (includes snacks, lunches)
- Three invitations to the president's reception
- Three invitations to the gala dinner
- Sponsor name and logo in the conference program with full page advertisement
- Sponsor name and logo on conference website
- Two-page ad in the next Court Administrator and International Journal for Court Administration publications

Silver sponsor

Cost: $5,500

- Sponsorship of conference coffee break or tote bags
- Exhibit space in the coffee/lunch break hall
- Two conference registrations (includes snacks, lunches)
- Two invitations to the president's reception
- Two invitations to the gala dinner
- Sponsor name and logo in the conference program and conference website
- One-page ad in the next Court Administrator and International Journal for Court Administration publications

Bronze sponsor

Cost: $3,500

- Sponsorship of one of the following: program, lanyards/badges
- Exhibit space in the coffee/lunch break hall
- One conference registration (includes snacks, lunches)
- One invitation to the gala dinner
- Sponsor name and logo in the conference program and conference website
- Half-page ad in the next Court Administrator and International Journal for Court Administration publications

Conference registration does not include accommodations

If you have any questions and/or need additional information, please contact:

Michele Oken Stuart
Vice President Corporate Sponsorships
mokencsr@gmail.com
(213) 760-0837

2023 IACA Conference Sponsors
Thank you to our
2023 conference sponsors!

Gold Sponsors

Casedoc

Silver Sponsors

National Center for State Courts

For The Record

Immediation

Bronze Sponsors

Subastas Eectronicas

JAVS

Thomson Reuters

Link to the IACA conference sponsor page:

https://www.iaca.ws/conference-sponsors

IACA MEMBERS:

*Please consider volunteering
to help one of the IACA Committees!
We appreciate your willingness to serve!
Please see the IACA website for information.
IACA.ws*

International Association for Court Administration
Membership Updates

Membership in IACA gets you access to restricted content, including our conference presentations, presenter's notes, information about previous conferences, and our membership directory. In addition, you'll be supporting IACA's publications, The Court Administrator, and the International Journal for Court Administration. You can become a member for just $50 per year. We also encourage organizational memberships, in which you can get up to 10 registrations for $400. Please share this with your friends and colleagues and encourage them to join.

As we look at the year ahead and set outreach and membership goals, please take a moment to reach out to your regional board through your Regional Vice President to find out how you can get involved. We want to see IACA building momentum as we start planning for new events, conferences, and resources. Consider submitting an article to The Court Administrator. By connecting with members and sharing your court's best practices, you are helping to spread the word to the world.

We hope you are all planning on attending the conference in Argentina in October 2023! The conference in Helsinki, Finland in October of 2022 was a huge success. Please see website notes as well as The Court Administrator Edition # 13 for recap of the conference. It was wonderful for everyone to reconnect with members, presenters and sponsors and see so many new faces. The friendships we have made at IACA conferences over the years have become meaningful and lasting relationships. Please take the time to follow up with the connections you made and with our authors who have shared their experience and knowledge with members. These relationships will undoubtedly be among your most valuable conference takeaways!

For additional membership information please contact: membership@iaca.ws

Members: There are still opportunities to register for the upcoming conference. Please see the conference website at https://www.iaca.ws/iaca-conference

It is not too late to register for our upcoming conference!
Currently, we have attendees registered from the following countries:

ALBANIA	**GUATEMALA**	**PARAGUAY**
ARGENTINA	**INDIA**	**PERU**
AZERBAIJAN	**JAMAICA**	**POLAND**
BRAZIL	**KENYA**	**SERBIA**
CANADA	**MEXICO**	**SINGAPORE**
COLOMBIA	**MOLDOVA, REPUBLIC OF**	**TOGO**
COSTA RICA	**MONTSERRAT**	**TRINIDAD / TOBAGO**
DOMINICAN REPUBLIC	**NAMIBIA**	**UKRAINE**
GEORGIA	**NIGERIA**	**UNITED STATES**

IACA Jobs Bulletin Board

IACA's founding principles envision a global association of professionals collectively engaged in promoting the effective administration of justice. To this end, IACA's Jobs Bulletin Board is a service for job seekers and employers who want to fill both full-time and part-time positions in the field of justice administration. The intent of IACA's Jobs Bulletin Board is three-fold:

1. to provide job-seeking IACA members a valuable resource,
2. to provide employers a place to post job openings; and
3. to add value to IACA membership.

Listings are provided as a courtesy for paid members. IACA makes no guarantees and therefore accepts no liability for the listings.

IACA Members – Please see the Jobs Bulletin Board for opportunities in the field of justice administration from all over the world! Remember to submit available positions from your courts to the Board and share this valuable information with your colleagues. To post a job on the IACA Jobs Bulletin Board send an email to jobpostings@iaca.ws.

What we accept: Listing Criteria

- Employment needs, job listings, and volunteer opportunities are accepted.
- Indirect job listings (recruiters/third party) must be clearly noted.
- Limit job listings to project/program/portfolio management and related specialties.
- Job postings are removed after the closing date of the position.
- Jobs must be made available to qualified candidates regardless of age, race, gender, and sexual orientation.

What we Do Not accept:

- Logos and graphics are not accepted due to space constraints and consistency.
- Ads are not permitted.

Important Information regarding Postings:

- No fees are charged for posting your vacancy announcements.
- Application must be accessible and transparent.
- Information gathered in the application process should be shared carefully and never made available to 3rd parties.

Postings are accepted from the following:

- Directly from individual courts • Court Administrative Offices
- Non-Governmental Offices
- Non-Profits
- International Development Agencies

Best Practices and Approaches to Judicial Digital Transformation: Zimbabwe IECMS Case Study

By: Shamiso Muserere and Adam Watson

Shamiso Muserere is the Deputy Head – Digital Courts in the Judicial Service Commission in Zimbabwe. She holds a degree in Computer Science. She has worked in the Information Technology Department of the Judicial Service Commission for nine years. Initially, she joined the organization as a Software Developer, but in her current post she concentrates on the Digitization of the Courts.

Located in Harare, Zimbabwe, the author may be reached at smuserere@jsc.org.zw.

Adam Watson is Vice President of Account Management and Customer Success at Synergy International Systems, Inc. He holds a Master of International Public Policy degree from the Johns Hopkins School for Advanced International Studies. His work supports global e-Justice programs, including national Court Case Management Systems in Eswatini, Rwanda, Uganda, and Zimbabwe. Located in Tulsa, Oklahoma, United States, the author may be reached at Adam.Watson@synisys.com.

Abstract

The introduction of the Integrated Electronic Case Management (IECMS) for the Judiciary of Zimbabwe has been a transformational journey. The Judicial Services Commission (JSC) faced immediate challenges in the design and development phase, as interaction with the developers had to be done entirely remotely due to the pandemic. However, the introduction of the system and early launch of online hearings was well received by both the Judiciary and the Law Society. The change management process to promote system adoption was driven by a concerted effort to apply lessons learned from similar projects, specifically in Rwanda. As a result, the IECMS has improved access to justice by allowing judicial proceedings to continue when they would have otherwise been interrupted. The Judiciary is now more accessible, efficient, and resilient against future shocks, and is eager to contribute to the growing international body of knowledge on justice sector change management and court automation.

1 Preparation for Digital Transformation

1.1 Background

Prior to the IECMS, case tracking for the Judiciary of Zimbabwe was predominantly manual and paper based. There was a legacy case tracking system for scanning and attaching case files post-factum, but the system did not support automation and was never rolled out nationally. Without e-filing functionality, litigants were still required to file documents, attend hearings, and pay fees in-person. Documents could easily be lost, and a single report could take a week to prepare. Compounding these challenges were pandemic closures and the corresponding backlogs. Inmates and prisoners' cases had to be remanded, and lawyers were stuck at home and could not work for several months.

The National Development Strategy 2021-2025 (NDS1)[1] and the *Judicial Service Commission Strategic Plan (2021-2025)* both included a goal to automate the justice sector by 2025. The Chief Justice and JSC Secretary demonstrated

1 https://www.veritaszim.net/sites/veritas_d/files/NDS.pdf

strong political will and ownership in driving the design and procurement of the new system. While officially opening the 2021 legal year, Zimbabwe's Chief Justice Hon. Luke Malaba noted that, "Courts could not afford to lag behind in harnessing the potential of ICT in ensuring that access to justice is not disrupted."

1.2 Project Design

The overall objective of the IECMS project was to implement a software solution that would integrate the Constitutional Court, Supreme Court, Commercial Court, High Court, Labor Court, Administrative Court, Magistrates Court, and Sheriff of the High Court under one IT umbrella and automate and track all aspects of a case life cycle from initial filing through disposition and appeal. The IECMS software vendor, Synergy International Systems, Inc. was selected because of the flexibility of their eCase platform and the company's extensive regional experience, including national level systems in Rwanda and Uganda. This experience included the critical best practices and lessons learned from rolling out similar systems in both countries, which were eagerly applied by the JSC.

2 Implementing the Integrated Electronic Case Management System

2.1 Project Governance

The Steering Committee was formed and lead by the Secretary of the JSC. The Steering Committee served as the formal authorizing body at the initial development stage and the Implementation Committee provided oversight for the project once it was underway. This included the Secretary, Deputy Secretary, Judge of the Commercial Court, Chief Registrar, and three members from the Technical Working Group (TWG). The TWG consisted of about 12 individuals who represented the various user groups and were selected because of their technical competence in the Judiciary case flow and their comfort with information systems. They continue to serve as System Administrators and Trainers for the rest of the court staff.

2.2 Phased Implementation

In February 2022, prior to deploying the full system, the JSC launched virtual courts in the Harare Magistrates' Court, the Harare Remand Prison, Chikurubi Maximum Security Prison and Harare High Court. This ensured that urgent hearings such as remand and bail hearings could

be conducted through a virtual connection between the court and prisons. Around 283 cases were tried using video conferencing solutions between February and April of 2022 in the Zimbabwean courts.

The first phase of IECMS was deployed on 1st May 2022 which included the Constitutional Court, Supreme Court, and High Court (Commercial Division only). These courts were selected because of their strategic priority, their ability to later enforce compliance among lower courts, and their relatively advanced infrastructure, including the necessary hardware, internet, and stable electricity. The Commercial Court Division is a new court and as such it is the only court in the country that has been automated from its inception.

The second phase of deployment included the three Labor Courts and one Administrative Court that went live on 1st Feb 2023. The third phase will include the High Court, which has five locations around the country (Harare, Bulawayo, Chinhoyi, Mutare and Masvingo), and the Sheriff of the High Court. The Magistrate Courts are currently being prepared to adopt the IECMS and will be activated in the final phase.

3 Change Management

The JSC proactively designed a comprehensive change management strategy to promote adoption of the IECMS by the intended users. The JSC was guided by the advice and best practices applied by various regional judiciaries who have also implemented case management systems. In fact, a south-south model of cooperation and change management expertise is emerging across the region. The lessons from Rwanda[2] and Uganda informed the implementation in Zimbabwe, and Zimbabwe has recently shared best practices with Eswatini during their IECMS Change Management Workshop.

The Change Management Committee was created by the Secretary of JSC and it includes the Chief Registrar, Chief Magistrate, Director of Finance, President of the Law Society, Head of Training, Deputy Head of IT and Records Management and two focal points for Publicity (Head of Corporate Services and Principal Communications Officer), with one responsible for digital communications and one for print media. This group of senior advisors was responsible for planning all activities that were to be carried out pre-launch, during the launch, and post launch. The committee divided itself into thematic working groups for communications,

continued

2 https://www.iaca.ws/assets/The_Court_Administrator/Court%20Administrator_Volume%207_Spring%202020.pdf

stakeholder interactions (internal and external), training and coaching, technical support, and budgeting.

3.1 Training and Capacity Building

Before training began on the IECMS, JSC provided critical general ICT training to court staff through collaboration with the Ministry of Information and Communications Technology. The IT and Records Management Department, working hand in hand with the Judicial Training Institute of Zimbabwe (JTIZ), provided basic ICT Training concentrating on basic internet skills.

The software vendor then provided Administrator Training to the Technical Working Group, including specific sessions on Training of Trainers, so that the TWG could proceed to train end-users. For each new launch, court staff, lawyers and litigants have been notified of dates for both physical and virtual training. Apart from this, the JSC also developed instructional videos on how to register and file a case. These were shared on the JSC YouTube platform.

Before going live with the IECMS in Zimbabwe, the JSC initiated a pilot phase called "Phase 0" in which legal practitioners were requested to file both physical files and soft copies in the training environment. The purpose of this was to both test the system and build confidence among its primary users. The JSC hosted an in-person training of trainers for legal practitioners identified from every province, and law firms were encouraged to request personalized trainings. For continuous training, virtual sessions were done both pre- and post-launch.

3.2 Transition

Public Awareness Campaigns began before the launch of the IECMS. The JSC hosted an open house day at the courts to assist people in creating accounts in IECMS. They distributed brochures and fliers on how to register in the IECMS, and provided information about how to access technical support.

Before the launch, the Judiciary captured all pending cases that were in the manual process and IT Officers entered them in the IECMS by scanning records.[3] The Judiciary communicated to the case parties informing them that from the date of launch they were required to continue with the cases in the system. For each phase, a hard deadline for 100% transition was established. Best practices from other implementations have demonstrated that fully committing

JSC Secretary Mr. Walter Chikwana, personally handing out brochures promoting the IECMS

to a transition is the best way to ensure universal adoption, and the Judiciary of Zimbabwe benefited from this decisive approach.

3.3 Technical Support

In addition to training, technical support was made available for litigants and lawyers through the following mechanisms:

E-filing Centers: E-filing centers were developed at each station of the JSC, including at least one in each city, and more in large cities. These centers have trained staff and computers to support public users and lawyers.

Call Center: A 24/7 call center with 4 personnel was established so lawyers could call or email any time and get assistance.

Support email: A support email was also created where litigants could send their queries by email. Two personnel were recruited and are responsible for replying to the emails.

3.4 Resistance Management

In practice, there was little resistance from judges, due to the high level of support from the Chief Justice. And among the lawyers there was already a strong interest in adopting the system, as the experience of being unable to work during the pandemic was fresh in everyone's mind. Other Judiciary staff concerns were addressed by providing opportunities for training and promotion. Some of the existing clerks of court, interpreters, office orderlies, and court recorders transitioned to become e-filing officers, with a higher professional grade and salary. Records and Information Assistants, who were responsible for keeping the physical

3 Among the initial courts that have gone live, the largest number of active cases (about 300) was for the Labor Court. The initial data entry for this court was completed in one month's time.

records, were understandably concerned about losing their jobs. However, JSC guaranteed their job security, and many received additional training and successfully transitioned to assistant registrars at the Superior Courts.

4 Results

The most significant results from the project include the successful introduction of virtual hearings, online payments, e-filing, e-signature, and e-stamping. Although it is still early to analyze overall case performance statistics, some positive trends are already emerging from the data.

- **Case Clearance Rates:** Clearance rates improved dramatically for the Constitutional Court during the quarter in which the IECMS was launched. This cannot be specifically attributed to the IECMS, but it is an interesting correlation. In Q1 2022 (before go-live), the clearance rate was 36%, and even lower in previous quarters. After go-live in Q2 2022, the rate increased to 56% and continued rising over the subsequent three quarters. Rates for the Supreme Court stayed mostly steady before and after the launch.

- **Online payments:** From 2022 to 2023, the percentage of users taking advantage of online payments went up for both the Constitutional Court (25% to 39%) and the Commercial Division of the High Court (37% to 42%). However, the number of Supreme Court cases utilizing online payments reduced from 55% to 44%. This may be explained by increases in fees and limitations on transaction amounts.

- **Virtual Hearings:** Among 22 court staff and lawyers that were surveyed, the virtual hearing was found to be at least "somewhat helpful" by virtually 100% of parties surveyed, with 28% noting that it was "very helpful."

5 Best Practices and Lessons Learned

The following lessons learned are provided to guide future adopters of similar eJustice technology:

- **Learn from others:** Zimbabwe was perhaps the first country in the region to establish a strong benchmarking practice in the implementation of electronic case management for the Judiciary. Zimbabwe looked to the Rwanda example, in which a similar technology was used, and rigorously applied the lessons learned and shared by these institutions, particularly as it relates to the strong Change Management Plan and adequate funding for training, promotion, and support of the system.

- **Take advantage of windows of opportunity to enable**

transformation: Transitioning during a crisis such as the pandemic would normally not be advisable from a change management perspective. But in this case, it provided a strong, clear, and broadly accepted impetus for change. All judicial staff and court users, particularly lawyers, understood and accepted the need for the system. Judiciaries that capitalize on the momentum for change during similar windows of opportunity will be able to make technological strides that may not normally be achievable.

- **Use flexible software and allow adequate time for testing:** The needs assessment had to be done remotely due to the pandemic, so the developer focused on designing and implementing a very flexible and adaptable system, such that even if there are a large number of changes requested, the underlying architecture could remain valid. It took more than a year of development, and another six months of testing with the initial phase 0 implementation before the processes were more or less finalized and the JSC was comfortable with the system.

- **Demonstrate how electronic tools can improve access to justice rather than hinder it:** Public access to e-filing centers needs to be rolled out nationwide. In this way, access to justice can be improved rather than hindered. For example, the constitutional court is currently only in Harare, so prior to IECMS a litigant that wanted to file a case there had to travel to Harare. But now, even a user without personal internet access can simply go to the nearest courthouse to receive assistance and file their case.

- **Make a full transition and prevent duplication of effort:** As advised by other Judiciaries that have transitioned to e-filing, the JSC maintained a policy of 100% e-filing with the three courts starting in Phase 1 on 1 May 2022 (Constitutional, Supreme and the Commercial Division of High Court). This has again proven to be successful and will be the model for future phases.

6 Conclusion

The Government of Zimbabwe has implemented many enterprise level information systems, but the IECMS is one of the largest and most successful e-gov tools. The JSC is continuing with the nationwide rollout of the IECMS and is positioning itself as a regional leader in court automation and change management in eJustice. Zimbabwe has not only benefited from the lessons learned in other countries but is now becoming a contributor to the eJustice body of knowledge that is emerging on the African continent.

INTRODUCING PROCEDURAL GUIDELINES IN UKRAINE AND GREECE

By: Em. Prof. dr. Philip M. Langbroek

Philip Langbroek is professor emeritus of Judicial and Justice Administration, at Utrecht School of Law, Utrecht University, the Netherlands. Dr. Langbroek is also one of the co-founders of the IACA Journal.

The author may be reached at p.m.langbroek@uu.nl.

Procedural Guidelines are a means to enable judges and court staff to manage cases efficiently whilst upholding fair trial rights, by imposing limitations on parties, proportional to case characteristics. In his article, Dr. Langbroek reports about the successes and failures of introducing this concept in some courts in Ukraine and Greece.

1. Introduction

Since 2019, the Centre for International Legal Cooperation in The Hague has been organizing several projects that aim, among other things, to promote the idea of procedural guidelines in the judicial organizations of Ukraine and Greece.[1] Procedural guidelines are a result of cooperation between judges, in which the BAR is also involved. As far as the procedural guidelines are concerned, both projects were led by Dutch senior judge Esther de Rooij. In this article, I outline some of the different backgrounds of the judicial organizations of Greece and Ukraine and report on the success and failure in both projects.

2. Ukraine

Independent and impartial justice in Ukraine has long been difficult to achieve. Judges could buy a position (call it goodwill) or an oligarch would get someone a post. There had to be something in return. And that goodwill had to be recouped. Think of amounts between 50,000 and 400,000 Euros. Law firms also cooperated. In this sense, a lawsuit of any importance could be purchased.

Since December 2015, a National Anti Corruption Bureau and a High Anti Corruption Court have been established and in operation. An electronic system has been set up, in which civil servants and office holders must declare their property. This system performs automatic checks with, among other things, the population register, the land register, etc. And the data is accessible to the public and the most important tool in the fight against corruption.[2] Judges should also be able to declare their ownership in this way. So, if you own three houses, an apartment, a Tesla and a collection of Rolexes, and you cannot prove that you obtained them in a normal way, for example considering your income history, then you cannot be reappointed as a judge. More than 6,000 judges and candidates for judges' posts also had to undergo a substantive assessment to requalify. Of the nearly 9,000 judges, 3,000 have resigned or been dismissed. In addition, the High Qualification Commission of Judges of Ukraine has launched a special evaluation (vetting) and appointment procedure for the members of the Supreme Court and the High Council of Justice. This involves working with the Venice Commission and a group of international experts to arrive at a selection

1 The projects in Ukraine (Odessa, and later in Kyyiv) are Social Transformations projects, funded by the Ministry of Foreign Affairs, the project in Greece was funded by the European Commission.

2 Nicholas Dam, 1/26/2021, Reform-of-Asset-and-Interest-Disclosure-in-Ukraine. https://thedocs.worldbank.org/en/doc/457791611679267058-0090022021/Reform-of-Asset-and-Interest-Disclosure-in-Ukraine (all websites in the footnotes were visited between 27 March and 10 April 2023).

of fair judges. NGOs (Non-Governmental Organisations) play a monitoring and driving role, closely monitoring the steps taken and commenting on the degree of transparency – including during the war.[3] But opposition to anti-corruption reform is extremely tough.[4] You can set up an anti-corruption section within the Public Prosecution Service, but those people can also be bribed – or a media campaign is set up to make it plausible that effectively operating corruption fighters are themselves corrupt, including anti-corruption NGOs.[5] Much of the media in Ukraine is in the hands of oligarchs. In the meantime, members of NGOs fighting corruption must also declare their own assets. And the Constitutional Court found in 2020 that the obligation of civil servants to show their assets because of public accessibility violated the Constitution.[6] In this way, some members of the Constitutional Court also tried to escape prosecution. Quite a few of the pending cases before the High Anti-Corruption Court are obstructed by lawyers with deferral requests and even with requests that the court had already provided for – or they simply don't show up. The High Anti-Corruption Court and the Ukrainian legal profession are hostile to each other. A recent 'incident' was the arrest of the newly appointed president of the Supreme Court of Ukraine, Vsevolod Kniaziev, on May 18, 2023. He appeared to have cashed three million dollars in return for a beneficial verdict for a mining company. He had been intensively vetted by the anti-corruption committee, everybody was impressed by him, but following his appointment he decided to take better care of himself in the usual way. This came to light by careful observation of the Anti-Corruption Bureau in Kyiv. In the meantime, a new president has been appointed (Stanislav Kravchenko) who earlier hadn't made it through the vetting-process… Apparently, corruption is so deeply embedded in Ukrainian society that it is difficult to find 'clean' persons who are capable…

In the project in Odessa Oblast, an attempt was made to make the judges discover whether and how they could get a better grip on their work by developing procedural arrangements (we call them guidelines) for the different jurisdictions. To this end, they worked together with an NGO (Second of May), which monitored the project. It was also surprising that the local bar cooperated with this project and contributed to the development of these litigation arrangements, thanks to the efforts of a lawyer who was also a member of parliament. Andrii Dryschliuk, the then president of the Odessa Court of Appeal, also played a pioneering role. It was noticeable that judges were hardly used to cooperating but enjoyed discussing cases and possible procedural guidelines with each other. This was also supported by the presidents of the first instance courts in Odessa Oblast.

One of the problems that was discussed is that in (criminal) cases involving a powerful politician or a powerful businessman, judges tend to duck away. They prefer to throw the hot potato over the wall to a colleague. And then every excuse is valuable. This also applies to challenging of judges, which also delay a case, and lawyers there often want to postpone the hearing of a case. Arguments that are used include: *the judge was a fellow student, the judge has previously been in a case in which I was involved, the judge was a colleague in a previous life, or the judge is a customer of the organization that filed a case against me,* etc. These arguments have been declared invalid in the procedural guidelines in the Odessa Courts. But they are also about the role of lawyers in the planning of cases, of postponements and so on. They indicate when postponement requests are not honored. The basic principle is that if you as a lawyer cannot appear at a scheduled date/time, you should send a colleague, unless unforeseeable circumstances arise (and you must then prove them). Furthermore, guidelines are about time limits, about evidence, about speaking time and about the reading of the verdict (statements were read out in full!) in order to use court capacity efficiently. In Odessa, judges are now working with these procedural guidelines, to their satisfaction. To make this possible, hierarchical security was very important. Before participating, they wanted to make sure that supervisors of the Supreme Court of Justice agreed to this experiment – with a

3 Vgl. Max Bader, Oksana Huss, Andriy Meleshevych, Oksana Nesterenko, Civil Society Against Corruption in Ukraine: Pathways to Impact, Kyiv-Mohyla Law and Politics Journal 5 (2019) p. 2-35; DeJuRe, Judicial reform in Ukraine https://en.dejure.foundation;
4 Bij voorbeeld: John Lough and Vladimir Dubrovskiy, Are Oekraine's Anti-Corruption Reforms Working? Russia and Eurasia Programme | November 2018 https://euaci.eu/what-we-do/resources/are-Ukraines-anti-corruption-reforms-working-research-paper). Transparency International, Report Based on the Monitoring of the High Anti-Corruption Court, April 1 – July 1, 2021 (euaci.eu).
5 Cf. https://antac.org.ua/en.
6 https://ti-Ukraine.org/en/news/breaking-constitutional-court-effectively-terminates-e-declarations/; https://antac.org.ua/en/news/constitutional-court-destroyed-edeclarations/.

letter, a signature, and a stamp.

The current situation of judges in Ukraine is one of uncertainty and chaos in the highest institutions; There is still a hierarchy, but it has changed and become uncertain due to the many changes and redundancies that have been made in recent years. In these circumstances, collaboration with colleagues in the development and application of guidelines to get a grip on case management is an attractive prospect. The same project has therefore started this year in Kyiv. The extent to which this has a chance of success depends not only on the course of the war, but also on the success or failure to gain support from the legal profession and to link this method with the newly established institutions of the judicial system in Ukraine.

3. Greece

The project in Greece aimed to organise statistical data collection, improve the training of judges, and stimulate cooperation between judges by drawing up procedural arrangements. Unfortunately, that project was sabotaged in terms of cooperation between judges from different sides – from the Athens court, and by the local judges' association and the President of the Greek Supreme Court (Areios Pagos), Maria Georgiou.[7] Only the family judges of the Pireaus District Court and the prosecutors of Athens and Piraeus were willing to join us. For the judges in Piraeus, their cooperation soon led to a brief set of guidelines regarding the planning of cases at trial and regarding the parties' limitations on the conduct of the proceedings. The lawyers we spoke to during the preparation of our project were very much in favour of improving case planning and communication about it at the Athens District Court. The Athens Court is the largest court in the country where eight hundred of the 2900 Greek judges work and that is where most of the cases are served, because half of the Greeks live in the Athens region. Cooperation between the bar association, the court and the public prosecutor's office to improve planning and turnaround times in civil and criminal cases is absent, the president of the Athenian Bar Association had not spoken to the administration of the Athens court for five years, and the

court still did not want it.

Anyone who reads the Greek Constitution will be impressed by the strong rule of law position of the judges and prosecutors and of the judicial system. But if you then delve into the regulations[8], you will discover that many formal competences are and therefore much power is concentrated in the Greek Supreme Court *(Areios Pagos)*. It is not only the highest court of the land, but it is also responsible for the inspection of judges and courts. Presidents and the Head of the Public Prosecutor's Office and Advocates-General in the Areios Pagos and the Council of State are selected and appointed by the Government (Art. 90 Grw). In practice, Presidents to the Supreme Court and the Council of State are appointed when they are sixty-five or nearly 66, so their term ends when they are 67 – and retire. On this point – the government's influence on the selection of candidates for these posts – the European Commission and GRECO have criticized the Greece for quite some time already, but without result.[9]

A large proportion of the judges in the Areios Pagos is charged with inspection duties, there are more than two hundred courts in Greece. Inspectors are appointed by lot and are assigned at a court for one year. In the long run, inspection results determine the promotion that judges can make. In the highest instance, a court within the same Supreme Court also decides on disciplinary sanctions and promotions on appeal. The criteria by which individual judges are assessed are not very clear. Inspectors do not cooperate with each other. In addition, attention is paid to the enormous backlogs in Greek courts. This is seen not so much as an organizational problem, but primarily as an individual judicial responsibility. At the same time, the Greek legislator believes that traffic violations should be punished by judges. All kinds of other minor violations (such as exceeding the maximum number of seats on a terrace, or not mentioning a product name in a market stall) must also be dealt with in this way. As a result, the public prosecutor's office and the courts are flooded with criminal

7 Several judges of the Areios Pagos and a vice president had indicated in the fall of 2020 that they supported this project.
8 Code of courts organisation and status of judicial officers.
9 European Commission Staff Working Document, 2020 Rule of Law Report. Country Chapter on the rule of law situation in Greece SWD (2020) 307 final; 2021 Rule of La Report, Country Chapter on the Rule of Law situation in Greece SWD (2021) 709 final; 2022 Rule of La Report, Country Chapter on the Rule of Law situation in Greece SWD (2022) 508 final; GRECO, Fourth Evaluation Round; Corruption prevention in respect of members of parliament, judges and prosecutors, Addendum To The Second Compliance Report Greece, Strasbourg, 21 – 25 March 2022.p 4, nrs 18-22

cases, while they are not equipped to handle them properly. One problem is that Greece has the highest density of lawyers in the EU (almost four hundred per 100,000 inhabitants, while their fee system encourages them to carry out as many actions as possible. Judges in Athens are so busy with requests for adjournment that they do not have enough time for the substantive treatment of cases. Scheduling hearings often results in chaos, because lawyers do not adhere to speaking times. There is no electronic communication about changed hearing schedules, which means that lawyers often have to wait with their party in the corridor or on the grounds of the former barracks in which the court is located.

It often happens that a disciplinary complaint is filed by a lawyer against a judge, which must then first be assessed by an inspector. The vast majority of these complaints are dismissed untreated, but about five judges a year are dismissed for dysfunction. In December 2021, there were seven, following a call by Maria Georgiou[10], the then president of the Areios Pagos appointed at the end of June 2021, to report the dysfunction of judicial colleagues to her through the hierarchy. Also Mr. Tselipos, the benevolent president of the Piraeus court at the time, threw in the towel for our project with reference to this letter.

Greece is lagging behind in terms of court administration and judicial organisation. Her ranking in the World Justice project is the lowest in the EU.[11] Other NGOs also highlight the inadequate state of the rule of law in Greece.[12] Greece has hardly any statistics on the functioning of ordinary courts, the data they provide for CEPEJ and the EU Justice Scoreboard are very limited, transparency is hard to find, the courthouses in Athens and Piraeus are abominable, IT of any significance

was absent from civil and criminal justice in mid-2022, and appointments to leadership positions are for a limited time (2 years) and not based on management talent or organizational experience.

Recent examples of hierarchical manipulation in Greece include the prosecution of Andreas Georgiou, the former president of the National Statistical Office (ELSTAT), who in 2011 announced the true extent of Greece's budget deficit, for harming the country's interests.[13] The head of the Greek Public Prosecution Service – a member of the Areios Pagos – has ordered this prosecution three times, even after repeated acquittals. His former colleagues have also filed defamation lawsuits against him. His case was brought before the ECHR in Strasbourg last January. The prosecution for human smuggling that has been initiated against volunteers who receive washed-up migrants on the islands of Lesvos and[14] more recently of Kos[15] is undoubtedly also known. How can that be when Greek prosecutors are as independent as judges? It has the distinct smell of underhand political interference. Such court proceedings take years: in Greece, apparently, you instigate court proceedings, not to win your case, but to harass your opponents for as long as possible.

In the 2022 Rule of Law Report, the European Commission welcomed some ongoing reforms – especially new regulations and the creation of a justice statistics office, but it is not clear to what extent these will benefit the functioning of judges and judicial organisations. They refer to amendments to the Law on the Judicial Organisation, the Law on Court Officials and procedural rules. The

10 www.areiospagos.gr/anakinoseis/%CE%95%CE%A0%CE%99%CE%A3%CE%A4%CE%9F%CE%9B%CE%97%20%CE%A0%CE%A1%CE%9F%CE%95%CE%94%CE%A1%CE%9F%CE%A5%20%CE%91%CE%A1%CE%95%CE%99%CE%9F%-CE%A5%20%CE%A0%CE%91%CE%93%CE%9F%CE%A5%20%CE%A3%CE%A4%CE%9F%CE%A5%CE%A3%20%CE%94%CE%99%CE%9A%CE%91%CE%A3%CE%A4%CE%95%CE%A3%20%CE%A4%CE%97%CE%A3%20%CE%-A7%CE%A9%CE%A1%CE%91%CE%A3%20%CE%9A%CE%91%CE%99%20%CE%94%CE%99%CE%9A%CE%91%CE%A3%CE%A4%CE%99%CE%9A%CE%9F%CE%A5%CE%A3%20%CE%A5%CE%A0%CE%91%CE%9B%CE%9B%-CE%97%CE%9B%CE%9F%CE%A5%CE%A3.FR10.pdf
11 https://worldjusticeproject.org/sites/default/files/documents/Greece_2021%20WJP%20Rule%20of%20Law%20Index%20Country%20Press%20Release.pdf
12 Joint Civil Society Submission to the European Commission on the 2023 Rule of Law Report, January 2023, (Vouliwatch, Greek Council for Refugees (GCR), Refugee Support Aegean (RSA), HIAS Greece, Generation 2.0 – Second Generation / Institute for Rights, Equality and Diversity, Reporters United);
13 Miranda Xafa, 26 August 2021 https://www.world-economics-journal.com/Papers/The-Case-of-Andreas-Georgiou-A-Travesty-of-Justice.aspx).
14 https://www.hrw.org/news/2018/11/05/greece-rescuers-sea-face-baseless-accusations.
15 https://www.hrw.org/news/2023/01/16/sea-rescuers-still-waiting-justice-greece

2020 Rule of Law report still wrote about the poor quality of Greek regulations as 'polynomia' and 'kakanomy'[16], and I do not believe that all these new rules suddenly make that organisation function properly, and they are also so detailed that they are difficult to manage. Undoubtedly, the Greek judiciary meets the strict standards of the Venice Commission when it comes to the rules that protect judges from outside influence.[17] But the hierarchical arbitrariness to which Greek judges can be subjected internally prevents them from standing up in their court organizations for the improvement of practices that can lead to more effective case management, and to better turnaround times.

4. Concluding

At a time when the European Union is placing much emphasis on the importance of the rule of law, the example of Greece shows that mere attention to the outside of judicial independence is not enough. The Greek judiciary lacks internal cooperation, the relationship with the other state powers is mainly controlled by those other state powers and they do not seem to want the development of a robust judiciary. I suspect that in interactions with the Council of Europe and the European Commission, they will say 'yes' and do 'no'. I am referring to a member of the Eurogroup in the European Union!

For Ukraine, I hope that the current opportunities for the development of the judicial system will lead to results in about 5-10 years' time. That is why the project for procedural guidelines in Ukraine deserves broad support and, in the not-too-distant future, an embedding in permanent Ukrainian justice policies. This means that local cooperation between judges of courts and tribunals will eventually have to be embedded in a formalised cooperation between the High Council of Justice, the Ministry of Justice and parliament, preferably, but not necessarily in legislation. It may help if these developments are monitored by NGOs, and it will take effort, resolve and endurance to put an end to corruption practices – but first this horrible war must be won.

16 European Commission Staff Working Document, 2020 Rule of Law Report. Country Chapter on the rule of law situation in Greece SWD (2020) 307 final, p. 10.
17 CDL-AD (2010)004-e Report on the Independence of the Judicial System Part I: The Independence of Judges adopted by the Venice Commission at its 82nd Plenary Session (Venice, 12-13 March 2010).

Court Leadership and the Mandate for Resilience

By: Janet G. Cornell

Janet G. Cornell has over 35 years in court leadership in general and limited jurisdiction courts. She has a master's in public administration from Arizona State University, Tempe, Arizona, U.S.A., and is a Fellow of the National Center for State Courts, Institute for Court Management, Williamsburg, Virginia, along with certificates from the Leader Coach Institute, Scottsdale, Arizona, and the Leadership Institute for Judicial Education, Memphis, Tennessee.

Currently, Janet G. Cornell serves as a consultant, faculty, and author on court administration, with projects across the United States and internationally. Ms. Cornell is a past president of the National Association for Court Management, as well as serving as President of several court administration associations. During her career as a Court Administrator, Ms. Cornell has served in many capacities in the state, federal and city courts in Arizona. She is a founding and contributing member to a website with court leadership materials at www.courtleader.net.

To follow up with the author, she may be reached at Email: jcornellaz@cox.net Linked In: linkedin.com/in/janet–g–cornell–consultant

Court leaders face many challenges in the court environment. Those challenges include competing and varying roles, job expectations, and organizational change. These environmental challenges are further exemplified by topics invited for the IACA 2023 Conference in Buenos Aires. Conference topics include: access to justice, judicial independence, accountablity, and system innovations. Therefore, it is increasingly vital that court leaders find ways to be strong, weather the challenges, and thrive.

This article is about a soft skill! It is about resilience abilities applicable to and needed for a court leader. The article reviews the roles that leaders play, select challenges in the court environment, and sample techniques for resilience.[1]

Resilience – a Soft Skill

Resilience skills are soft skills. Soft or professional skills include personal or character qualities. In contrast, technical - or hard - skills include things such as job related abilities, equipment proficiency, writing, and data analysis skills. Hard skills are measureable, whereas soft skills are typically less quantifiable.[2]

Figure 1 - Comparison of Hard versus Soft Skills

Comparison of Hard and Soft Skills	
Hard Skills (from training and experience gained)	**Soft Skills** (developed as personal habits and traits)
Language skills Planning Problem solving Statistical analysis Budgeting Scheduling Risk management Time management Equipment proficiency	Integrity People skills Communication Organization Leadership Empathy Adaptability Teamwork Critical thinking

placed on the hard skills, those that have been acquired by training, educational credentials, and experience. Value is placed on knowing how to perform job duties. An incumbent may thus focus on those hard skills, to the detriment of the valuable soft skills.

continued

In the recruitment and hiring phase, enphasis is often

1 Content and ideas in this article emanate from the author's experience and desire to practice resilience when confronted with frustrations, and, to frame thoughts when encountering challenges. In early 2020, the author began the study of articles and research on resilience tactics. The resulting information and listings are included in this article.

2 Hard and soft skill information adapted from https://www.learningscientists.org/blog/2021/3/25-1 .

Figure 2 - Different Court Leader Roles
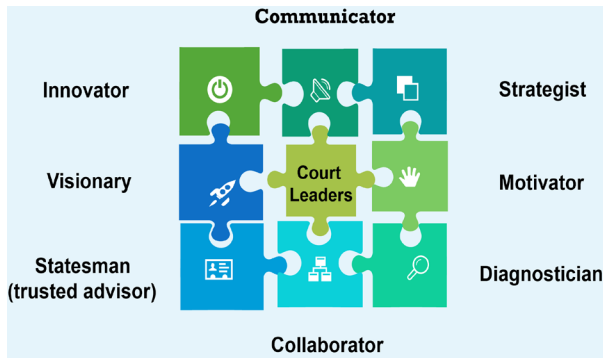
A Variety of Challenges that Contribute to the Need for Leader Resilience

Several influences are present in the world of court leaders. Influences include leader roles, justice system factors, and challenges encountered as a court leader. Each of these contribute to performance expectations and offer reasons to be resilient. Each will be briefly reviewed.

Court Leader Roles and Duties
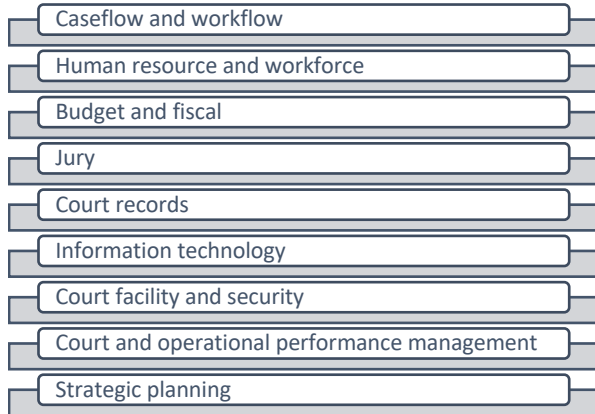
Figure 3 - Court Leader Duty Areas

- Caseflow and workflow
- Human resource and workforce
- Budget and fiscal
- Jury
- Court records
- Information technology
- Court facility and security
- Court and operational performance management
- Strategic planning

A court leader, regardless of title, may be expected to play a variety of discreet roles. These roles may include being a communicator, a strategist, a motivator, a diagnostician, a collaborator, a trusted advisor, a visionary, or an innovator.[3] Each role draws upon different knowledge, skills and abilities (KSA's). KSA's may also vary widely in terms of the techniques and actions. And, a court leader may have a proficiency within one role, but lesser skill in another role. The leader may need to tap into, or move from role to role or multple roles at different times. This may create stress.

In addition to the different roles, court leaders may carry responsibility for varying duties within the court. Among the duties are things like caseflow management, budgeting, technology, records management, or facility and security. Each one of these is a discreet discipline.[4] These too create expectations for court leader performance.

Court and Justice System Factors

The structure (governance) allows a court to function and carry out its purposes and be consistent, accountable, and make decisions. Typically, chief judges and administrators have a role in the governance structure. However, the duties and expectations of the judges, chief judge, and court administrator may vary. Some duties clearly belong to a judge, some are delegated to the administrator, and many exist in an area where either the judge or administrator must act.[5] Some duties are quasi judicial. These expectations and duties may in fact create overt or subtle pressures for the court leader.

A continuum diagram illustrates the different skills needed. Of note, judges and administrators may use their education, credentials, skills, and communication strategies in different ways.

Mary McQueen, President of the National Center for State Courts, has noted the "loosely coupled" nature of this partnership between judges and court managers. Her article indicates some differences in education, focus, goals, decision-making and management approach.[6] Examples of the differences include the following:

---

3 Court leader roles adapted from the National Association for Court Management (NACM) CORE® Competency on Leadership, available at https://nacmcore.org/competency/leadership/ .

4 For a full listing of typical court leader duties and competency areas, see the NACM Court Management CORE® Competencies, available at https://nacmcore.org/ .

5 From Mark A. Zaffarano, "Understanding Leadership in State Trial Courts: a Review Essay," The Justice System Journal, Volume 10, Number 2, 1985, and E. Keith Stott, Jr., "The Judicial Executive: Toward Greater Congruence in in an Emerging Profession," The Justice System Journal, Volume 7, Number 2,1982.

6 From "Two Sides of the Gavel, or Court Leaders as Productive Pairs," Mary McQueen, Trends in State Courts, National Center for State Courts, 2015.

Continuum of Administrative and Judicial Activities		
Administration/Administrator		Adjudication/Judicial
Administrator makes the decisions without consulting the judge	Joint decision making or information sharing – "share role"	Judge makes the decisions without consulting the administrator
• Budgeting • Training non judicial staff • Purchasing • Accounting • Publishing statistics • Preparing reports • Researching and analyzing system and processes • Keeping and maintaining the record/case records	• Maintaining agency relationships • Managing legislative relationships • Providing public information • Serving on planning committees • Researching rules and procedures • Overseeing or performing probation functions • Processing cases • Issuing financial policies • Following personnel rules	• Issuing case decisions • Directing meetings of judges • Assigning judges • Training for judges • Selecting law trained support personnel • Supervising screening and instructing of jurors • Creating the case records

- Judicial interest in individual cases or the case currently on the docket, and administrator attention to court wide topics and needs,

- Judicial focus on specific individual responsibilities of a judicial officer, and administrator focus on general or overall workings of the court, and

- Judicial value on independent and rapid decisionmaking, while the administrator focuses on time intensive group process and deliberative actions.

	Judges	Court Managers
Education	Structured; uniform	Organizational; diverse
Focus	Individual cases	Court-wide
Gratification	Specific	General
Decision Making	Independent/Rapid	Group process/Deliberative
Management Approach	Authoritarian; act alone	Collaborative
Accountable to	Profession; rule of law	Superior authority/Job description
Incentives	Recognition	Mission accomplishment

Figure 5 – Judges and Court Managers–Different Foundations

Within a court, cultural aspects, values, and assumptions also underly how things are accomplished. Culture traits have been described as communal, networked, autonomous, or hierarchical.[7] Depending on the magnitude of any of these traits, several things can be affected, for example, how a court responds to caseflow and operations management, leadership styles, relationships between judges and staff, change management and reactions to change, and internal organizational structures.[8] A court administrator thus needs to be effective within these different cultures – another potential stressor.
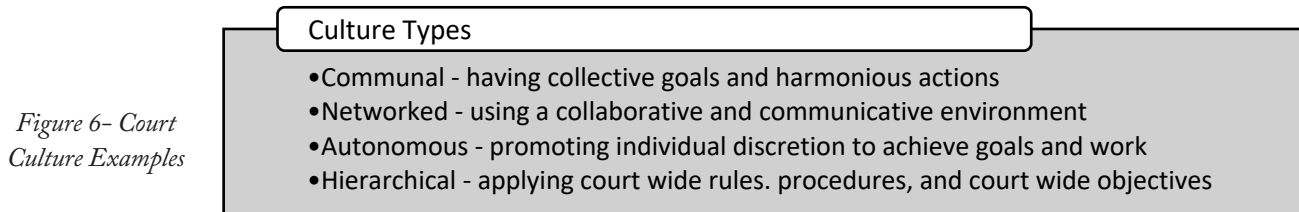
Figure 6– Court Culture Examples

Culture Types

- Communal - having collective goals and harmonious actions
- Networked - using a collaborative and communicative environment
- Autonomous - promoting individual discretion to achieve goals and work
- Hierarchical - applying court wide rules. procedures, and court wide objectives

Leadership "Partners" in the Court Environment

An additional aspect of the court environment is the variety of partners with which the court leader must interact. Partners include the chief or presiding judge, other judges, representatives from justice system stakeholders and service providers, interested parties from the funding agency/ies, and other leaders within the court itself (e.g., department or agency representatives, subordinate managers and leaders). These constituents bring expectations that often fall to the court leader to act upon or address. These create another expectaton for the court administrator.

7 From Institute for Court Management Course: Caseflow and Workflow Management.
8 From Brian J. Ostrom, Charles W. Ostrom, Jr., Roger A. Hanson, and Matthew Kleiman, Trial Courts as Organizations, Temple University Press, 2007.
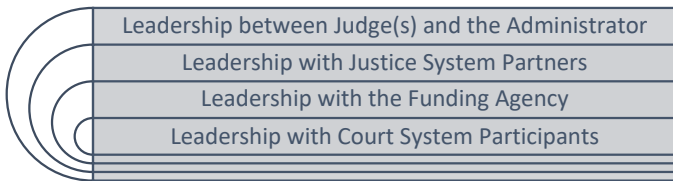
| Leadership between Judge(s) and the Administrator |
| Leadership with Justice System Partners |
| Leadership with the Funding Agency |
| Leadership with Court System Participants |

Figure 7 – Court Leadership Partners

Additional Influences

A variety of other influences are present in the courts. A sampling includes:[9]

o Responding to the demands of daily operations and seeking operational stability,
o Having interdependencies between many staff positions and roles,
o Balancing different power roles based upon authorities and assignments,
o Feeling pressures to know and master court "business,"
o Staying in specific responsibility "lanes" or crossing over between areas,
o Being a generalist or specialist,
o Connecting the various operational parts of a courts operations,
o Seeking, implementing, and responding to change,
o Striving for collaborative management,
o Relying on rules and processes to guide actions and operations,
o Responding to public and customer expectations,
o Addressing the role and relevance of the court and its purposes, and
o Participating in the ongoing evolution of court operations and processes.

Resilience Ideas

Leadership resilience is a skill well-suited to court leaders. Leaders at all levels encounter challenges and "bumps in the road." Ideas for resilience fall within these areas: mindset, habits, and self-evaluation.

Mindset

Many sources have noted the importance of having a specific mindset. Here's a sampling of mindset elements:[10]

• Pay attention to how you are thinking,
• Manage self talk,
• Practice grit, passion, and perseverance,
• Be patient and tolerant,
• Watch and guard language used, and
• Be willing to make mistakes.

Habits

Positive habits can also serve resilience. Here are examples of habits to consider:[11]

• Be willing to learn and adapt
• Be a giver
• Think outside the box
• Believe in yourself
• Be self aware
• Be in control and overcome distraction

Self-Evaluation

One of the overarching techniques for leader resilience to manage what they encounter is the ability to know and evaluate oneself. A sampling of notable sources states:

• Manage yourself by asking about your strengths, evaluating the conditions in which you work best, identifying and knowing your values, answering "where do I belong?," and identifying "where can I best contribute?"[12]
• Apply emotional intelligence techniques which include these practices:
    o Self awareness, Self regulation, Motivation, Empathy, and Social skills.[13]
• Practice these actions to find inner strength and overcome life's hurdles:
    o Know and take care of yourself,
    o Make lemonade out of lemons, and seek to solve problems,
    o Accept setbacks and learn from experience, and
    o Keep time in perspective to balance the past, present and future[14]

The following chart illustrates a summary compilation of resilience techniques and actions. Practices are grouped within five main areas, which include: mindset, focus, use of a goal or mission, communication/connection, and action.[15]

---

9 Readers are invited to consider specific influences present in their respective courts, and to consider how they may affect the court leader.
10 Examples taken from "5 Things You Need for a Successful Mindset," Success Magazine, January 102017, and "5 Ways a Crisis Can Help You Cultivate a Growth Mindset," Harvard Business Review, August 20, 2020, and Harvard Business Review Webinar, December 7, 2020.
11 Examples of habits taken from "8 Daily Habits to Build Your Mental Strength," Success Magazine, February 17, 2017.
12 Managing Yourself, Peter Drucker.
13 What Makes a Leader, Daniel Goleman.
14 The Resilience Factor, Karen Reivich and Andrew Shatte.
15 Chart and content taken from "Leadership Under Stress – the Role of Resiliency," June 14, 2020, available at https://courtleader.net/2020/06/14/leadership-under-stress-the-role-of-resiliency/

An Invitation to Create Your Individual Resilience Strategy

The following chart suggests one approach to create resilience strategies as a court leader. It uses the categories of mindset, focus, linking to a goal or mission, communication/connection, and action. An important first step is to determine the overall priorities or goals for resilience (first column). Next, consider which area or area on which to begin attention to resilience (using the areas of mindset, focus, linkage to a goal/mission, communication or connection, and actions to take, represented in the second column). The last step is to list the tangible actions to take to be resilient (represented in the third column).

This chart provides only a beginning structure to explore how to be resilient, or, to expand upon current resiliency practices and skills. Maximizing the soft skill of resilience will add to the court leader's toolkit for success.
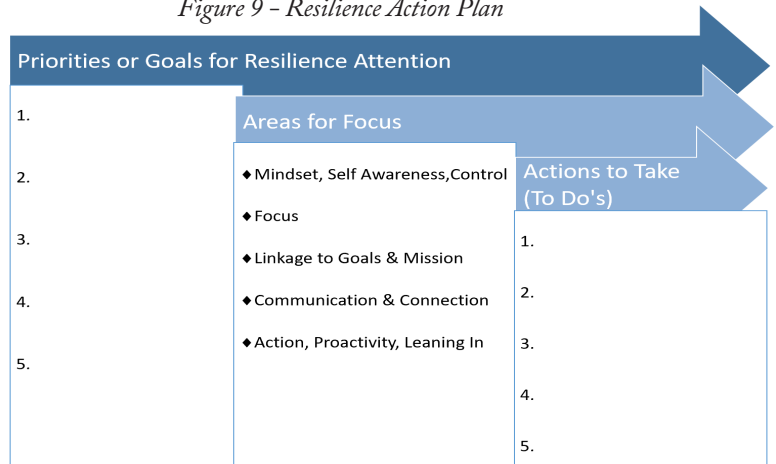
Mindset, Self Awareness and Control	Focus	Link to Goal and Mission	Communicate and Have Connections	Action, Proactivity, and "Lean In"
• Get comfortable with the uncomfortable • Embrace and find meaning in the challenge • Make lemonade out of lemons • Accept harsh realities • Focus on the positive • Break through excuses • Have personal awareness • Maintain perspective • Have optimism • Have faith in self • See possiblities • Accept what you cannot change • Accept setbacks and losses • Believe you can create forward movement • Watch self talk	• Have mental focus • Practice self control • Be self aware • Turn setbacks to comebacks • Take care of yourself • Learn how to thrive in adversity • Have intentions and think big • Keep time in perspective • Embrace disequilibrium	• Integrate to the mission and values • Keep focus on the mission • Put the mission first • Own the narrative and be transparent • Put yourself in the shoes of those you serve • Embrace the long view • Declare a goal and set a strategy	• Communicate clearly • Keep your word • Cultiavate relationships and connections • Engage staff and stakeholders • Seek feedback and follow up • Maintain sense of justice and fairness to others • Collaborate	• Be "in" all the time • Improvise and make do • Look ahead • Work to adapt • Work to innovate • Turn adversity to advantage • Use the heart (empathy) and the head (rationale) • Resolve to act • Learn from experience • Decide what you control • Decide what others control • Foster adpatation • Develop next practices • Ask for help when needed

Figure 8 – Resiliency Actions

Figure 9 – Resilience Action Plan

Priorities or Goals for Resilience Attention
1.
2.
3.
4.
5.

Areas for Focus
♦ Mindset, Self Awareness, Control
♦ Focus
♦ Linkage to Goals & Mission
♦ Communication & Connection
♦ Action, Proactivity, Leaning In

Actions to Take (To Do's)
1.
2.
3.
4.
5.

Suggested Resources (not in any order)

• Court leadership topic postings at www.courtleader.net
• What is a Court Administrator
• Court Leadership and High Performance
• Leadership Under Stress – the Role of Resiliency
• Leadership and Managing Yourself
• The Various Roles of Court Leadership
• Governing Loosely Coupled Courts in Times of Economic Stress, Gordon Griller, from National Center for State Courts, Trends in State Courts 2010, page 48, available at https://cdm16501.contentdm.oclc.org/digital/collection/ctadmin/id/1605
• Two Sides of the Gavel, or Court Leaders as Productive Pairs, Mary McQueen, https://www.ncsc.org/__data/assets/pdf_file/0020/25445/keynoteaddr_mcqueen.pdf
• Presiding Judge and Court Executive Officer (NAPCO) Trial Court Governance and Leadership Principles, Roles and Responsibilities, https://napco4courtleaders.org/key-elements-of-the-presiding-judge-in-trial-courts/
• The Resilience Factor, Karen Reivich and Andrew Shatte
• The Power of Resilience, Robert Brooks and Sam Goldstein
• Meditation for Fidgety Skeptics, Dan Harris and Jeff Warren
• Success Magazine, https://www.success.com/
• Harvard Business Review, https://hbr.org/
• "On Managing Yourself" – Harvard Business Review
• The Truth About Leadership, James M. Kouzes and Barry Z. Posner
• Toughness Training for Life, James E. Loehr
• Harvey MacKay, columnist and speaker, (https://harveymackay.com/)

Artificial Intelligence – A Brief Primer For Jurists

By Fredric I. Lederer[1]

Fredric I. Lederer, Chancellor Professor of Law and Director, Center for Legal & Court Technology, William & Mary Law School is located in Williamsburg, Virginia, U.S.A. To follow up with this author, you can reach him at filede@wm.edu.

Artificial intelligence," (AI) is a rapidly evolving technology of great potential interest to court administrators, judges, and lawyers. This brief article explains what AI is, its strengths and weaknesses, and reviews current court uses.

INTRODUCTION

Artificial Intelligence or "AI" is an increasingly interesting – and/or frightening – technology. On the one hand, it has been alleged to have such great potential promise that it could draft judicial opinions or even replace judges.[2] On the other hand, not only might it cause massive technological unemployment, it could - or will- destroy humanity.[3] For the moment at least, AI does not appear to be a near-term threat to humanity, and it is unlikely to displace judges.

For many, AI was a matter of only casual interest until early 2023 when ChatGPT, a generative AI Large Language Module product, was released by Open AI and seized the immediate attention of countless people. ChatGPT and its competitors from companies such as Google[4] provide people, apparently especially students, the ability to have the AI system nearly instantaneously compose extraordinarily well-drafted writings in a wide variety of styles. Fears of student

cheating by AI have been accompanied by widespread concerns about technological unemployment. All of this took place amid the discovery that the new AI products are often substantively wrong, albeit in very persuasive ways.[5] Given this situation, jurists are legitimately concerned about the potential use of AI by courts and judges. This article is an effort to explain simply what AI is, its capabilities and problems, and what judges likely can use it for in the near to mid-term future. This article does not address how judges should proceed when presiding over a case the facts of which involve AI. That is largely a question of evidence law, especially expert testimony, and the inherent problem that most jurists lack significant knowledge and experience in the area of technology. Rather we are addressing the present and future use by judges of AI technology in their work.

A QUESTION OF DEFINITION

There are many definitions of "Artificial Intelligence," and merchants and vendors are quick to claim that their products or services are based on AI. Indeed, it's often hard to determine whether something is merely technological

---

1 Chancellor Professor of Law and Director, Center for Legal & Court Technology, William & Mary Law School. ©2023; all rights reserved.

2 Whether replacing the judiciary with technology is "interesting" or "frightening," I leave to the reader.

3 See, e.g. Kevin Roose, AI Poses 'Risk of Extinction" Industry Leaders Warn, N.Y. TIMES (May 30, 2023), AI Poses 'Risk of Extinction,' Industry Leaders Warn - The New York Times (nytimes.com)

4 Microsoft has Bing, and Google has Bard.

5 See e.g. Sabine Otiz, ChatGPT's hallucination just got Open AI sued. Here's what happened, ZDNET (June 9, 2023), ChatGPT's hallucination just got OpenAI sued. Here's what happened | ZDNET; David Wilkinson, Be Careful . . . Chat GPT appears to be Making Up Academic References, THE OR BRIEFINGS,   Be Careful… ChatGPT Appears to be Making up Academic References, Be Careful... ChatGPT Appears to be Making up Academic References (oxford-review.com). These errors have come to be known as "hallucinations."

or uses true artificial intelligence, "machine learning." One colleague, Karl Branting of Mitre, defines it as "the field that seeks technology capable of human-like reasoning, perception, and control."[6] Notwithstanding the accuracy of this definition, the many commercial claims that products or services are based on "Artificial Intelligence" make it difficult to properly determine whether machine learning – with its useful properties and significant risks - are truly involved. Accordingly, we would limit the use of "Artificial Intelligence" to machine learning, particularly that form of machine learning in which software (algorithms) modifies its own software based on its experience.[7] "General" artificial intelligence, in which technology replicates a sentient thinking being, does not exist. Rather contemporary artificial intelligence, machine learning, is far more limited.

A machine learning system ordinarily processes information (data) and then according to its programming (the algorithm), analyzes it (assigns it to given categories) and then can act on it. A modern car, for example, might be equipped with sensors to collect different forms of data to determine whether the driver is "drowsy" so that its machine learning system might warn a potentially at-risk driver to pay better attention or even take control and drive the car to the side of the road and stop.[8] Machine learning systems are invaluable as they can analyze truly vast amounts of data, determine relationships among that data, draw conclusions from that data, and if so programmed, take specific actions based on its conclusions.

THE NATURE OF MACHINE LEARNING

Let us assume a simple, albeit not very realistic example, based on a very real commercial gold mine AI installation.[9] The Chief Judge of a court is concerned about a case backlog and would like to enhance productivity. The judge has the court modify the heating and air conditioning system so that each individual part of the courthouse, including each courtroom, is a separate temperature zone. The court then defines productivity for each part of the courthouse.[10] An AI system is installed with the instruction to modify the temperature of each part of the courthouse in such a way as to enhance productivity. Productivity measurement is constantly fed to the AI which correlates it with the temperature in that part of the courthouse. The AI varies the temperature and determines the effect on productivity. Over time, the AI devises temperature standards that are paired with maximum productivity. Notably, however, change of seasons; different personnel, including different participants in trials and hearings; require constant modification so that no one can predict what the temperature will actually be in a given part of the courthouse at a given time. In a normal heating and cooling installation, the programmer could explain that in a given location the system would run at a specified temperature when specific events occur. In our machine learning system, however, the AI has modified its own programming based on its experience, and no one can be certain of why a given result has occurred. Machine learning devices thus are extraordinarily versatile but function as "black boxes," technology without clear explainable programming. In our temperature example, no expert would be able to explain why the system generated a specific temperature in that part of the courthouse at that time.

CREATION OF A MACHINE LEARNING SYSTEM

There are many types of machine learning systems, but their most basic structure is common to all. There are three steps in making a machine learning system:[11] creation of the algorithm, training, and operation.

The first step is creation of the algorithm, the program itself. Customarily this is done by a human being although this could be done by another program, such as ChatGPT. Erroneous or inadequate programming will produce erroneous operational results later.

continued

6 In 2023 the Congressional Research Service defined it thusly: "Artificial intelligence (AI)—a term generally thought of as computerized systems that work and react in ways commonly thought to require intelligence . . ." LAURIE A. HARRIS, CONGRESSIONAL RESEARCH SERVICE, ARTIFICIAL INTELLIGENCE: OVERVIEW, RECENT ADVANCES, AND CONSIDERATIONS FOR THE 118TH CONGRESS, (R47644 (August 4,2023), Artificial Intelligence: Overview, Recent Advances, and Considerations for the 118th Congress

7 See Sara Brown, Machine Learning Explained, MIT MANAGEMENT (April 21, 2021), Machine learning, explained | MIT Sloan

8 See generally Sabine Gless, Fredric Lederer & Thomas Weigend, AI Devices as Criminal Evidence (2023)(not yet published).

9 Cf. MACIEJ KRANZ, BUILDING THE INTERNET OF THINGS 49 (2017)(addressing the Internet of Things rather than AI).

10 A fascinating endeavor, which we will assume is possible.

11 Admittedly, this is incredibly simplistic.

The second step is training. For a machine learning system to function, it has to "understand" the data it processes. The classic example is a system intended to scan pictures of animals and distinguish cats from dogs. Using supervised learning, the trainers would then input thousands of pictures of dogs and cats. Assuming that they were properly labeled, eventually, the system would have enough data to "determine" whether a given unlabeled image was a cat, dog, or "other." Of course, the accuracy of such training would need sufficient images and, critically, accurate labeling. Even so, unusual images might still be classified incorrectly if they contained sufficient details similar to an erroneous category. Note that a machine learning system is no better than the data it has been trained on. If a company wishes to use a machine learning system to scan and recommend resumes for employment purposes for example, and trains it on largely male resumes, the system is unlikely to recommend women.[12] If a facial recognition system is trained on predominantly Caucasian photos, it is likely to function badly when given photos of people from other races. [13]

In short, inadequate training is often the primary failure point for a machine learning system. But, as they sometimes say on television, "Wait, there's more." A system could be trained as indicated and then function based only on the training data. Ordinarily, however, the system would be designed to improve its function based on the data processed during its actual operation, reinforcement learning. This could be done in two ways: when the system detected variances with the operational data, it could be reported to humans who would then decide whether to alter the programming to account for it, or the program could be left free to modify its programming without human involvement or knowledge.

If we assume a dog/cat recognition system that does nothing else, every time the system processed a questionable image, assigning it to "dog or cat," it will change its recognition parameters. Given sufficient erroneous decisions, it will increasingly generate erroneous results. It might, for example, classify a photo of a miniature horse as a dog. Accordingly, if a machine learning system processes large amounts of erroneous data without human review, as can happen when a system is connected to the Internet and its vast trove of erroneous information, it will become increasingly unreliable. Accordingly, even experts at trial likely will not at present[14] be able to explain why such a machine learning system drew a given conclusion or produced a given action.

CHATGPT AND OTHER LARGE LANGUAGE MODELS

Large Language Models (LLM's) are machine learning systems that have been trained on enormous amounts of multi-sourced (especially text) data.[15] They are generative in the sense that they are designed to generate responses in response to a "prompt" or question or direction. Although this can be audio and/or visual,[16] ChatGPT (Chat Generative Pre-trained Transformer)[17] and its competitors are designed to produce text responses based on what a human being likely would write. Responses can be amazingly well-written and persuasive. They can also be badly wrong. Often designated as "hallucinations,"[18] major error − inaccuracies − are common.[19] In one well known case, counsel in the Southern District of New York used ChatGPT is produce a legal document submitted to the Court. The unchecked document was then found to cite non-existent cases and to contain

12 An all-too-true example. See Jeffrey Dastin, Amazon scraps secret AI recruiting tool that showed bias against women, REUTERS (October 10, 2018), Amazon scraps secret AI recruiting tool that showed bias against women | Reuters

13 See, e.g. Arianna Johnson, Racism And AI: Here's How It's Been Criticized For Amplifying Bias, FORBES.COM, May 25, 2023, Racism And AI: Here's How It's Been Criticized For Amplifying Bias (lexis.com); Jennifer Henderson, Black mom sues city of Detroit claiming she was falsely arrested while 8 months pregnant by officers using facial recognition technology, CNN WIRE, August 7, 2023, Black mom sues city of Detroit claiming she was falsely arrested while 8 months pregnant by officers using facial recognition technology (lexis.com); C,f Algorithms Are Making Decisions About Health Care, Which May Only Worsen Medical Racism | ACLU

14 Computer scientists are working on "Explainable AI," but only limited progress has been made.

15 Many authors and owners of copyrighted material are complaining that their work has been used for training without their consent or payment.

16 See DALI (Daniel to specify)

17 Renee Hanlon, What Does 'ChatGPT' Stand For? Everything To Know About the AI That's Growing at a Faster Pace Than TikTok and Instagram, PARADE, (March 15, 2023), What Is ChatGPT? What Its Name Stands For, How It Works - Parade: Entertainment, Recipes, Health, Life, Holidays

18 Our colleague Chris Shenefiel objects to that language as it suggests that the systems are sentient, which they are not.

19 See, e.g. When A.I. Lies About You, There's Little Recourse - The New York Times (nytimes.com)

other inaccurate information.[20] Counsel was fined $5,000. [21]Subsequently, at least Judge Starr of the Northern District of Texas ordered that when counsel use LLM's they are to certify that LLM language has been checked for accuracy.[22]

There is general agreement that LLM's are highly useful in producing first drafts, but that they must be verified to ensure accuracy. Note that it appears that ChatGPT modifies its programming based on the interactions with its users, albeit after human review. suggesting that error may be unavoidable depending upon the degree of human involvement. In the 2023-24 academic year, William & Mary Law School will teach a course on using LLM's for legal writing. Although judges may wish to use LLM's to generate first drafts of opinions and the like, subject to the individual case, the risk of error is sufficiently high that doing so may not be worth the effort. Judges should note that LLM's are not designed to decide anything.

Because LLM's can produce visual and audio/visual material, they can also produce "deep fakes," material that can, for example, depict a given person saying things that person never actually said. Although deep fakes can currently be detected and distinguished from real audio-video captures, that may not continue as the technology improves. Deep fakes pose major evidentiary issues for judges. The old saying that a picture is worth a thousand words" may soon no longer be true when any visual or audio/video exhibit will be inherently untrustworthy.[23]

One of the ongoing problems with material available on the Internet is the potential presence and access to not only inaccurate information but also highly disturbing criminal, racist, sexist, violent, child pornographic and other forms of unacceptable content. Social media and LLM companies have employed large numbers of people, often from outside the United States to find such content and eliminate it from potential use,[24] with only limited success. Deep fake technology has already been used to pose real and fictional individuals in pornographic videos.[25]

POTENTIAL AI USES FROM A JUDICIAL PERSPECTIVE

Although machine learning technology is increasingly important for lawyers, it has had very limited impact on courts and judges thus far. In law practice, the key use of machine learning is analysis of vast amounts of data, whether for e-discovery or document review. Some years ago, JP Morgan reported that it "now has AI reviewing commercial loan agreements, completing in seconds what used to take 360,000 hours of lawyers' time over the course of a year."[26] A number of companies advertise their use of machine learning to predict litigation results, and the legal research firms also advertise their services as AI based.[27]

Although machine learning would appear to lend itself to case management, I am unaware of such a use at present. Rather the two principal uses of machine learning in the court other than legal research are risk assessment for pretrial release and sentencing in criminal cases and court record.

Risk assessment tools are non-machine-learning

20 AI Hallucinations in the Courtroom: A Wake-Up Call for the Legal Profession, N.Y. L.J. ONLINE (June 14, 2023), AI Hallucinations in the Courtroom: A Wake-Up Call for the Legal Profession (lexis.com)

21 United States: Judge Castel Sanctions Lawyers Who Submitted Fake Cases Generated By ChatGPT, MONDAQ BUSINESS BRIEFING JULY 3, 2023), United States: Judge Castel Sanctions Lawyers Who Submitted Fake Cases Generated By ChatGPT (lexis.com)

22 Mealey's IP/Tech - Judge: Lawyers Must Certify Whether They Used AI, Checked Its Accuracy, MEALEY'S DAILY NEWS UPDATE - IP/TECH (JUNE 6, 2023), 1,790 results for ChatGPT federal judge texas court order (narrowed) (lexis.com).

23 The AI companies have committed to implement best practices that might help prevent this result. See, g. Kevin Collier, Top AI Companies agree to work together toward transparency and safety, White House says, NBC NEWS, July 21, 2023, Top AI companies agree to work together toward transparency and safety, White House says (nbcnews.com)

24 See, e.g., Josh Dzieza, AI Is a Lot of Work, New York 20 (June19-July 2023).

25 See, e.g., Kevin Roose, Experts warn video footage becoming easy to doctor; 'Deepfake' trend puts celebrity faces on pornography, Houston Chronicle, March 5, 2018 at B005, Experts warn video footage becoming easy to doctor; 'Deepfake' trend puts celebrity faces on pornography (lexis.com)

26 Alana Semuels, Fewer Jobs, More Machines, TIME, August 17th-24th, 2020 at 68.

27 See, e.g. Jean O'Grady, Lexis+ AI Launches with Two Customer Initiatives: Commercial Preview and AI Insider Programs, NEWSTEX BLOGS (May 4, 2023)(noting that according to LEXIS CTO, "LexisNexis has been leveraging artificial intelligence technology, including natural language processing and large language models, in its legal solutions for years."), Lexis+ AI Launches with Two Customer Initiatives: Commercial Preview and AI Insider Programs; AI & Thomson Reuters - utilizing generative AI to inform your work | Thomson Reuters

technology that after input of the accused's personal data provides a judge with a likelihood of future offenses.[28] Insofar as I know, current risk assessment tools are not machine learning-based.

Court record is an exciting application for machine learning. At least in the United States all courts of general jurisdiction generally require verbatim text transcripts of what is said during a hearing or trial, often produced by court reporters. Although traditionally the purpose of the transcript was for appellate use, the advent of real-time court reporting, which can yield an immediate, albeit draft, transcript, made it an important trial tool for both lawyers and judges. Few jurisdictions use audio or audio-video recordings as the "court record" in lieu of a text transcript.[29] A number of companies[30] now offer machine-learning systems that can provide an immediate text transcript, usually with the associated audio and video. Experiments in CLCT's[31] McGlothlin Courtroom with FTR's technology suggest a 96% accuracy in the transcript with instant access to the audio and video for 100%. Machine learning automated court record systems could markedly lower the cost of transcripts, enhance the utility of the court record as a trial tool, provide meaningful access to the audio/video aspects of trial proceedings for appellate purposes and provide enhanced transparency of legal proceedings.[32]

News reports from China indicate that Chinese judges have access to machine learning assistance in drafting opinions. Some reports[33] stated that the technology could produce case decisions, and judges were obligated to use those results absent explanation. As best as CLCT can tell, that is incorrect.

Machine learning technology would appear to be "low hanging fruit" for online resolution of relatively straight-forward civil disputes, replacing judges in many of those disputes. Although this thought may be unsettling for many, who would argue that technology cannot properly substitute for human judges and lawyers, the vast numbers of Americans unable to afford lawyers suggests that imperfect machine learning might be far better than the current system in which poor unrepresented parties often face more affluent represented ones at a massive disadvantage that machine learning could eliminate.

It should be noted that machine learning decision-making for high volume relatively minor civil disputes does not predict general technological unemployment for judges. If nothing else, concern for fairness dictates human decision-making. Machine learning may apply past decisions, but cannot discern fairness, compassion, or justice. Perhaps as important, the core of the common law-precedent system requires judges to interpret existing law and in the process *make* new law. This is not something that machine learning is designed for. Machine learning excels in analysis of past decisions and occurrences in order to predict how new matters would be handled pursuant to rules generated by those past matters. Deciding whether and how to change a precedent is a decidedly human function and need.

MACHINE LEARNING AND JUDGES

As previously noted, commercial concerns are using machine learning to analyze case-related data to predict the likely results of case litigation. Although that ordinarily involves data about the case, it can also involve data about the **judge**. Given sufficient data about a judge's past decisions,

---

28 Fredric I. Lederer, Problematic AI - When Should We Use It? HARVARD ADVANCED LEADERSHIP INITIATIVE SOCIAL IMPACT REV. (May 2022).

29 Experience suggests that this stems primarily from two factors: lawyer/judge preferences for text and the difficulty and time needed to find a given point in an audio or audio/video transcript and review it.

30 See, e.g. VIQ Partners with JAVS on Courtroom Documentation Using AI, Speech Technology News (June 16, 2023), VIQ Partners with JAVS on Courtroom Documentation Using AI (speechtechmag.com) ; courtsmart speech recognition, Speech Recognition - CourtSmart Inc.

31 The Center for Legal & Court Technology (CLCT) is a joint initiative of William & Mary law School and the National Center for State Courts. The McGlothlin Courtroom, located in William & Mary Law School, is generally considered to be the world's most technologically advanced courtroom. As of 2023, it was the only courtroom in the world know to have the capability for remote 3D life-size holographic testimony.

32 It would appear that court reporters are likely to be the first legal professionals to face near total technological unemployment. CLCT has long suggested that court reporters, known for their dedication and competence should transition to courtroom technologist positions.

33 See, e.g. AI helps judges decide court cases in China | AI Business

professional writings, and, importantly, personal background, counsel cannot only try to predict judicial rulings but may also shape their case issues and presentation to the specific judge. The use of personal data for this purpose is unlawful in France but is lawful in the United States. A wise judge should take this into account, especially when considering what to post on social media.

It is likely that in the near future at least, judges, albeit tempted by LLM's such as ChatGPT and plagued by lawyers using such technology, will be largely unaffected by machine learning in their daily professional pursuits. There will be one huge exception of course. Judges increasingly will preside over cases involving machine learning applications, whether family, civil, or criminal. As already noted, machine learning evidence will be especially difficult to evaluate as it often will be impossible to determine how a machine learning system reached a given conclusion. Further, it will require working knowledge on the part of judges to understand the very nature of the evidence presented, likely from AI experts. The eventual range of such evidence is unforeseeable. Today we know that contemporary cases may rest on device evidence presented to the effect that a driver was negligent or facial recognition conclusions presented for proof of identity. Far more is to come. Welcome to the world of machine learning and artificial intelligence!

A Concept Note of The Courts and Society Webinar Series: A Socio-Judicial Innovation in Administering Justice[1]

By: Ari Niki-Tobi, PhD

Ari Niki-Tobi, Ph.D. is the CEO of A.T. Socio-Judicial Consulting, and the convener of the Courts and Society Webinar Series (CSWS). She is a former magistrate-judge of the Lagos State Judiciary, Nigeria. Dr. Niki-Tobi earned a master's degree in law (LLM) and a master's in judicial studies (MJS). The University of Nevada, Reno and the Journal for Blacks in Higher Education recognize Ari Niki-Tobi as the first Nigerian and first African woman to earn a master's in judicial studies, and the first Black woman to earn a doctorate in judicial studies. Located in Oneonta, New York, U.S.A. the author may be reached at atsjconsulting@gmail.com.

INTRODUCTION

The arrival of this millennium unveiled diverse innovations in society; the most prominent are technological developments that advanced global systems and institutions. Hence, public institutions like the courts adopt different initiatives (with technology) that enable unprecedented structural changes.... The courts play a crucial but paradoxical role in social development. Their function is not just to interpret the laws of the land, but the court also has the critical role of 'establishing justice' that encompasses the emerging trends in society....From Asia to Europe, America to Australia, and across Africa, judicial systems are emerging with diverse innovations to comply with the social realities of their respective societies and circumstances. Some regions have gone ahead of others, while some are trying to catch up. In any event and at any level, the role that judges/courts play in their respective societies determines the impact of these judicial innovations on socioeconomic/sociopolitical developments, and it eventually reiterates the value of courts in society.[2]

The above extract from a book-chapter contribution reiterates the indispensable connection between courts and society and the necessity of innovating socio-judicial concepts to bridge the gap between society and courts/the law. Alas, this gap keeps widening as a significant part of some societies–from public to private sectors, from professionals in various organizations to regular citizens in the marketplace, often question the courts' impacts on individuals and society. Most people/societies do not have confidence in their justice systems because they do not understand the courts' roles in society or the judge's modus operandi. Also, the public/society is often skeptical and distrusts courts due to the constantly widening gaps between society and the law.[3] So, questions often arise about judicial opinions' impacts on social change, or how courts impact democratic development. Researchers and academics attempt to answer these questions that rebirth nuances on the foundational question of what justice really means to society.[4] Unfortunately, these nuances about social versus judicial notions of justice/courts do not occupy

---

1 A.T. Socio-Judicial Consulting, is a firm dedicated to tenacious research about socio-judicial developments in our immediate communities and the contemporary world. Through this concept, we attempt to define the roles of judges in society and redefine what justice means to society while explaining to society the modus operandi of the judicial process with emphasis on the various challenges that judges encounter in executing their roles in democratic societies.

2 Tobi-Aiyemo, A "The Role of Courts in Emerging Judicial Innovations" Astute Judicial Judgments and Essays, In Honor of Justice Nayai Aganaba (2022) O.F. Emiri & C. Llyod. Malthouse Press Ltd, Nigeria.p.108-110.

3 See Episode 157: Judicial Impact on Society with Dr. Tobi-Aiyemo. Backpacking America. January 8, 2022. Also available at https://atsjconsulting.com/csws/

4 See CSWS' first edition "The Impact of Judicial Precedent on Developing Law and Society. P.1 Available at https://youtu.be/KfQytGfFexE and https://atsjconsulting.com/csws/

domestic government or international agendas as should be. Judges' interpretations of justice from a judicial rather than social perspective demonstrate why some sectors of society mistrust and see courts as detached from social realities. Nevertheless, courts impact our lives and society more than we know or understand.

Therefore, this author's socio-judicial theory posits through the Courts & Society Webinar Series that courts are agents of social change.[5] Through presentations from accomplished distinguished judges and intellectuals from different countries worldwide, the CSWS demonstrates that courts/judges are essential instruments for sociopolitical, socioeconomic, cultural, and diverse societal changes. Therefore, the CSWS research emphasizes the indispensable role of courts in society and democratic development to rebuild public confidence in our courts/judges. The Courts and Society Webinar Series focuses on bridging the gap between society and the law, through tenacious comparative research about socio-judicial developments in different court systems worldwide. These webinar series gather judges, intellectuals, students, and public stakeholders to attempt to define courts' roles in society and redefine the concept of justice in society while explaining to the public, the modus operandi of the judicial process with emphasis on the various dilemmas that judges encounter in executing their roles to ensure justice in democratic societies.

BRIEF HISTORY OF COURTS AND SOCIETY WEBINAR SERIES (CSWS)

The Courts & Society Webinar Series (CSWS) is an outcome of about two decades of socio-legal research on courts and society. It was formally created from the first Hon. Justice Niki Tobi[6] Biennial Symposium, organized and convened by A.T.Socio-Judicial Consulting[7] advances judicial jurisprudence by gathering judges, lawyers, students, professors from all disciplines, the press, and the public to discuss the value of courts in developing law and society.[8]

The CSWS commenced on April 25, 2022, with the first edition **"The Impact of Judicial Precedent on Developing Law and Society."[9]** The second edition was **"Courts as Agents of Social Change."[10]** The title of the third edition was **"The Impact of Judicial Education on Developing Law and Society."[11]** The fourth edition was **"The Court's Role in Advancing Human Rights in a Diversified World." [12]** The fifth edition, titled **"The Courts Role in Nigeria's Electoral Process,"[13]** commenced the 2023 special edition series. The sixth edition–Special Series 2, titled **"Women Judges' Impact on Society: Celebrating a Justice Icon, Hon. Justice Amina Augie, JSC, CFR.,"[14]** celebrates female judges worldwide. The next edition is the seventh edition–Special Series 3, titled

continued

5 See Tobi-Aiyemo, A. (2021) "The Role of the Nigerian Judiciary in a Democracy: A Judge's Dilemma. Dissertation submitted to the University of Nevada, Reno. ProQuest PP. 337-377.

6 The irreplaceable and unforgettable Honorable Justice Niki Tobi (1940-2016), retired as a justice of the Supreme Court of Nigeria. He was an erudite, renowned professor of law who developed and advanced judicial jurisprudence through iconic judgments from the High Court, Court of Appeal, and the Supreme Court of Nigeria, his use of language and words, several impactful presentations, over ten books on law and justice, book chapters and articles. His meritorious and selflessly dedicated service to Nigeria remains in our minds, courts, society.

7 A.T. Socio-Judicial Consulting (ATSJC) is a New York-based consulting firm that improves socio-judicial development in societies worldwide. Through research, literature, presentations, symposiums, conferences, workshops, and a series of training, we aim to enlighten the judiciary, judges, lawyers, students, law enforcement agents/agencies, the media, stakeholders of the criminal justice system, and the public about the court's roles in society in order to bridge the gap between law and society and restore public confidence in our justice systems.

8 https://atsjconsulting.com/csws/

9 The presenters were: a Justice of the Supreme Court of Nigeria, a distinguished professor of law, an American trial court judge, and a South African Attorney. Available at https://youtu.be/KfQytGfFexE

10 The speakers were: a Supreme Court Justice of the Republic of Sierra Leone, a former Nigerian Presidential aspirant/professor of economics, a Ugandan professor of sociology, and an American trial Judge from Pennsylvania. Available at https://youtu.be/ORYwQjNW-mc

11 The Honorable Chief Justice of the Republic of Sierra Leone opened the presentations. Other presenters were a Nigerian Court of Appeal justice, the director of the Judicial Studies program, University of Nevada, Reno, the Provost of the National Judicial College, Reno, Nevada, and a representative of the National Judicial Institute of Nigeria. Available at https://youtu.be/r8i3Q3Psp3g

12 The presenters were: A Nigerian Supreme Court justice, An Irish judge, an advocate and former head of the South African Human Rights Commission, and a Nigerian Magistrate-judge. Available at https://atsjconsulting.com/csws/

13 The presenters include a retired justice of the Supreme Court of Nigeria, a distinguished advocate and expert on electoral law, a senior Advocate of Nigeria/former gubernatorial candidate, and the Executive Director of the Electoral College of Nigeria. Available at https://youtu.be/x9ZE4VF8ysQ

14 The presenters were the ambassador of Malawi to the United States/a retired judge of the High Court of Malawi, a retired U.S.

"Judicial Ethics and Social Impacts on Judges: *'The Buga'* Issue"[15] will discuss judges' lives and how society affects or should affect judicial decisions within the confines of substantial justice.

Through these webinar series, ATSJC celebrates, honors, and advances judicial jurisprudence/judges and courts, especially African courts, which are often subdued by underdevelopment, corruption, slow technological advancements, plagiarism, etc. Thus, through connecting judges of developed democracies like the U.S.A and developing democracies like Nigeria, the CSWS creates a platform for these judges, lawyers, students, researchers, and the domestic/international communities to interact with themselves, learn various judicial cultures and exchange notes on the challenges of their roles in society. This forum also discusses the courts' roles in society and democratic development, to bridge the widening gap between courts and society.

CSWS MISSION

The CSWS is committed to stimulating global judicial reform through our socio-judicial theory/approach to justice, by organizing webinars to celebrate, encourage, inspire, motivate, challenge, and train judges/stakeholders of the justice system to uphold and enforce the law, equity, and justice to build/rebuild public trust in our courts and judges. Through these webinars, we educate the public /laypeople on the modus operandi of the justice system to bridge the gap between law and society.

CSWS GOALS

❖ To revamp judicial thinking/philosophies to be more empathic and society-oriented

❖ To build/rebuild public confidence in our justice system through defining/redefining the roles of judges/courts in society.

❖ To introduce, analyze and review the socio-judicial theory of justice.

❖ To bridge the widening gap between law and society

❖ To instigate social empathy for judges and appreciation for courts through educating and enlightening the public on judges' dilemmas in performing their roles.

❖ To seek answers to nuances embedded in the imprecise roles of judges in a democratic society.

❖ To create a synergy between stakeholders in the criminal justice system.

❖ To understand the value of courts as agents of social change in developing law and society.

❖ To discuss (common) contemporary issues affecting courts in different jurisdictions and exchange notes to propose solutions that will ultimately benefit society and democratic development.

❖ To foster and facilitate judicial/legal, intellectual, and scholastic relationships across diverse societies/countries and exchange ideas about different court systems worldwide.

❖ To inspire further research on courts and society to advance judicial jurisprudence and ensure socio-judicial development.

❖ To celebrate judges, judicial culture, and judicial jurisprudence of different countries.

❖ To support and encourage judges' hard and sacrificial roles and focus on judicial security and biological/mental health as key to democratic development.

❖ To ensure judicial independence by synchronizing various attempts and procedures from different courts worldwide.

CSWS RESEARCH QUESTIONS

❖ What is the role of the judiciary in democracy today?

❖ How does society perceive the courts, and what is the courts' essence and purpose in society?

❖ Do judges make laws– is judicial review the same as judicial lawmaking?

❖ What is the concept of justice, and what does justice mean to society?

❖ Is the judiciary's role in upholding justice best served by judicial activism or restraint?

❖ Do judges understand their roles as umpires to uphold ideal democracy?

❖ What dilemmas do judges encounter in performing their roles in society?

Sixth Circuit Court of Appeal Judge, the president of the National Industrial Court of Nigeria, A judge of the High Court of Marshall Islands, and a former judge of a Provincial Court in Afghanistan.

15 This webinar is scheduled for September 28, 2023. More details are available at https://atsjconsulting.com/csws/.

❖ Does empathy in judging exceed the role of judges or breach the rule of separation of powers or even the Ethical Code of Judicial Conduct?

❖ How human are judges in their decision-making process and in performing their judicial roles?

CSWS METHODS AND APPROACH

In attempts to answer these revolving and recycled research questions and other related questions that may come up, CSWS will sustain the comparative webinar presentations from different court systems worldwide and eventually include non-empirical, semi-empirical, and empirical research methodology. The non-empirical will resort to archived presentations from previous CSWS editions, legal documents, judges' biographies, autobiographies, scholarly books, peer-reviewed articles, newspaper articles, legal research blogs, and other electronic media to discern contemporary social and legal issues that affect the courts and society. The semi-empirical method will involve informant interviews of serving and retired judges, and attorneys. We will also apply volunteer attendee informant data. These interviews will be conducted virtually and on a reliable social media platform. The empirical method will entail taking anonymous polls from webinar attendees and sending questionnaires about the research concerns.

CSWS OUTCOMES

These outcomes entail how this globally unique CSWS impacts courts/judges, and the administration of justice in different countries since its inception.

❖ Redefining the court's roles as agents of social change and societal development.[16]

❖ It celebrates judges and judicial jurisprudence in different countries.[17] So far, we have had judges, lawyers, students, professors, civil society organizations, and people from different vocations and continents attend the webinars from all continents, except Antarctica.

❖ We created about ten courses for the National Judicial Institute of Nigeria's curriculum to train judges.[18]

❖ Through the CSWS, judges from diverse countries are interacting with their colleagues and knowing more about other courts.

❖ Creating awareness through domestic and international presentations on defining/redefining the court's roles concerning socio-political issues.[19]

❖ Made presentations to refurbish judges' judicial philosophy and over-reliance on judicial precedent to the detriment of developing caselaw and judicial jurisprudence.[20]

❖ Making presentations and publishing articles to test my socio-judicial theory as a solution to judicial development.[21]

16 https://youtu.be/ORYwQjNW-mc

17 Recently on July 27, 2023, we celebrated an outstanding retiring female justice of the Supreme Court of Nigeria, the Hon. Justice Amina Adamu Augie. The recording will be available soon at https://atsjconsulting.com/csws/.

18 https://youtu.be/r8i3Q3Psp3g

19 https://youtu.be/x9ZE4VF8ysQ

20 Ari Niki-Tobi "Judges' Roles in Theorizing Judicial Jurisprudence in African Societies: A Socio-Judicial Approach." LSA Annual Conference, San Juan-Puerto Rico. Friday, June 2, 2023

21 PUBLISHED: Tobi-Aiyemo, A (2022) Judges and Judging in Society: A Socio-Judicial Dilemma, Judges and Judging: Essays in Honor of Hon. Justice Kate Abiri, CJ, CON. The Judges' Roles in Theorizing Judicial Jurisprudence in Africa Societies: A Socio-Judicial Approach. Law and Society Association Conference, San Juan–Puerto Rico (June 2, 2023) UNPUBLISHED: The Judges' Roles in Theorizing Judicial Jurisprudence in Africa Societies: A Socio-Judicial Approach. Law and Society Association Conference, San Juan–Puerto Rico (June 2, 2023); A Socio-Judicial Approach to Resolving Judicial Dilemmas in Promoting Stable Constitutionalism in Africa. Socio-Legal Studies Association Conference, 2023 –Ulster University, Derry-Londonderry (April 5, 2023; The Role of Judges in Eliminating Implicit Bias and Discrimination, for Diversity and Inclusion in New York State Courts: A Judicial Dilemma. Judicial Integrity and Quality in a Changing World Webinar. International Journal for Court Administration (April 18, 2023); The Role of Judges in Eliminating Implicit bias and Discrimination, for Diversity and Inclusion in New York State Courts: A Judicial Dilemma. Diversity Task Force/Equal Justice in the Courts Committee, The 6th Judicial District New York State Unified Court System (Friday, July 22, 2022.); The Role of the Courts in Societal Change: A Judicial Dilemma. Courts as Arena of Social Change Conference. University of Leiden, Netherlands. July 9, 2022; The Role of Courts in Shaping Human Rights in a Borderless World. Critical Perspectives on Human Rights Conference, City College of New York. New York, April 21, 2022; The Role of the Nigerian Judge in Society: A Judicial Dilemma. The Honorable Justice Niki Tobi

❖ Some graduate students communicate with me about their interest in research and writing in this area.

PENDING CSWS

❖ Courts & Society Webinar Series (CSWS, 7th Edition to be held September 28, 2023. Topic: Judicial Ethics and Social Impacts on Judges: 'The Buga'[22] Issue

TARGET AUDIENCE

1. Judges and Lawyers from all countries
2. Judges' disciplinary organizations
3. Interdisciplinary academics
4. All levels of students
5. Domestic and international communities/ civil society organizations
6. Government institutions

INTRODUCING SOCIO-JUDICIALISM THEORY[23]

The socio-judicial theory (SJT) also known as socio-judicialism, is a theory of social and judicial empathy. It states how courts' roles impact society/societal changes through social and judicial approaches to administering justice in society. This concept of empathy seeks to indoctrinate judges into considering social views, ideas, and interests in the act of judging and using the judicial process to impact social changes. This theory proposes a paradigm shift for judges to take bold stands to think outside the box.

Five basic principles of SJT

1. The principle of social impact–**Brown v Board of Ed. (1954)**
2. The humanity principle–**Cox v. Louisiana, (1965)**
3. The principle of justice, equity, and good conscience–**Miranda v Arizona (1966)**
4. The principle of the preamble–**Marbury v Maddison (1803)**
5. The living law principle–**Jones v United States (2012)**

CONCEPTUAL MODEL[24]
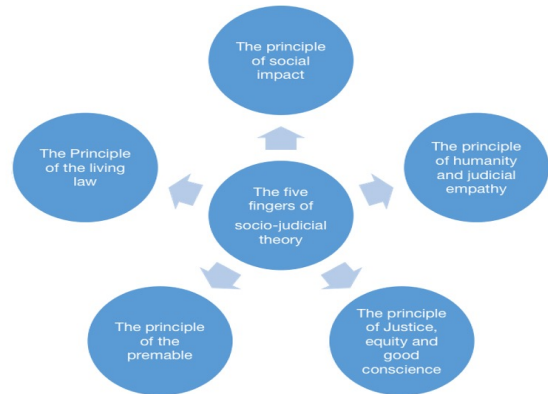
CONCLUSION

The CSWS has established innovative socio-judicial techniques for judicial development. Through these quarterly gatherings, judges from different courts discuss ideas and strategies applied in their courts to ensure delivering justice to their communities. Therefore, socio-judicialism attempts to inspire judges to interpret substantial justice from a sociological perspective. According to Hon. Justice Niki Tobi, "Substantial *justice, which is actual and concrete justice is justice personified. It is secreted in the elbows of cordial and fair jurisprudence with a human face and understanding. It is excellent to follow it in our law. It pays to follow it as it brings invaluable dividends in any legal system anchored or predicted on the rule of law, the lifeblood of democracy.*"[25] Therefore, it is vital to adopt socio-judicial techniques that balance the judges' roles in society between the conflicting interests of society, the government, and the justice system that judges represent.

Biennial Symposium, Abuja-Nigeria (December 2, 2021)

22 A controversy from an Election Tribunal Judge's reference to a popular Nigerian song titled "Buga Won." In his judgment, the Honorable Judge referenced the song as an analogy. The media and senior lawyers criticized the judge for being unethical and unprofessional in his analogy. Available here: https://barristerng.com/x-raying-the-buga-controversy-and-the-indecent-attack-on-supreme-court/.

23 This author formally propounded this theory in her dissertation submitted to the University of Nevada, Reno, ibid.

24 2023©AriNikiTobi

25 See Samuel Ayo Omoju v. The Federal Republic of Nigeria (2008) LPELR-2647(SC)

Judicial Administration in Kazakhstan
Achievements and Perspectives

By Dr. Luis Maria Palma, President, International Association for Court Administration (IACA)

Dr. Palma wears many hats in his professional career(s). Currently, he is a Head Professor at the Universidad Nacional de La Matanza (UNLaM) in FLORENCIO VARELA 1903 in SAN JUSTO, BUENOS AIRES, Argentina. Dr. Palma also serves as a Director at the International Institute for Justice Excellence (IIJE), The Hague, Netherlands. To read and view Dr. Palma's research on his Social Science Research Network (SSRN) page, please view https://ssrn.com/author=846895. Readers may follow up with Dr. Palma at President@iaca.ws.

Between June 20 and 25, 2023, I visited the Republic of Kazakhstan thanks to the generous invitation of the Judicial Administration of the country and the support of the Organization for Security and Co-operation in Europe.

In Astana, on June 22 I participated as keynote speaker in the International Round Table "Judicial Administration for an Independent Justice: Global Standards and Best Practices," where I addressed the subject "Judicial Administration, New Models and Challenges in Developing Countries".

In this forum, judges, and representatives of the judicial administrations of the Kazakhstan, Azerbaijan, Kyrgyzstan, Turkey, Uzbekistan, United Kingdom, and other countries shared their experiences and discussed tools and current activities aimed to optimize access to justice and judicial administration with a strong support on Information and Communication Technologies (ICT).

During my stay, I visited Astana and Almaty and had the opportunity to acquire first-hand knowledge of the developments of the judicial administration. I had been in Kazakhstan in September 2019, attending the International Conference of IACA. Since that conference, and in a short term, thanks to strong leadership and consistent and organized teamwork, it was possible to carry out impressive reforms in areas as diverse as access to justice, training, management, infrastructure, regulations, and cooperation. The Judicial Administration has great deal to do with that.

Previously, the Ministry of Justice of Kazakhstan was responsible for judicial administration and related matters. In 2000 it was established as the Committee on Judicial Administration of the Supreme Court, aimed to ensure the independence and autonomy of the judiciary from the executive branch. Judicial administration evolved since then, and in 2010 the Committee was replaced by a Department under the authority of the Supreme Court, which was put in charge of providing organizational and logistical support to the courts.

By the beginning of 2023, the key and breakthrough moment in the management reform within the framework of the judicial system of Kazakhstan was the decision of the President of Kazakhstan on the creation of a new independent central government: The Judicial Administration of the Republic of Kazakhstan.

The Judicial Administration design is one of its kind, based on international experiences and recommendations from the UN Special Rapporteur, UNDP, OSCE and CEPEJ, amongst other organizations: the Kazakh Judicial Administration has been institutionalized as an independent branch of the public administration of the country.

This, to achieve these strategic objectives:

• To ensure an independent administration of justice.
• To create the judicial administration state policy.
• To develop systemic reforms aimed to improve the judicial system and the courts functioning.

Thanks to the former, the Judicial Administration has relieved judges of exercising functions that do not relate to their core mission, such as administrative activities, participating in government working groups, commissions, and meetings.

As an example of the changes that were performed, previously the Chairman of the Court oversaw administrative tasks such as creating or improving working conditions, judges' workplace ergonomics and services for the people. With the new model, the specially trained staff of the Judicial Administration take care of all those nonrelated judicial activities, and judges can be fully focused on their core mission: delivering justice through their rulings.

Also, the handling of interactions with the other branches of the government is carried out through the Judicial Administration, something that is material to facilitate dialogue, policy building and effective management.

I'm going to summarize just some of the achievements of Kazakhstan that I was able to see and learn from:

Independent Budgeting for the Judicial System

Previously, the Executive Branch and the Parliament decided upon the establishing of the budget for the judicial system. Then the Ministry of Finance used to set a spending limit for the year, and decided which projects were to be carried out with that funding and which were not. Such a practice created a permanent uncertainty about the following year's budget and any possibility of improving services with a short, middle, or long-term projection. That in turn highlighted the dependent position of the judiciary from the Executive Branch of the Government.

In the context of the judicial reform and since 2022, the decision was made to eliminate the spending limit and set the lower budget threshold at the level of the constitutional law. Currently the judicial budget represents at least 6.5% of all government agencies expenses.

Now, the judicial community is represented in an expanded plenary session of the Supreme Court by delegates from each region and all tiers, and it can distribute the budget accordingly.

The organization of the planning, formation, and spending, is entrusted to the Judicial Administration.

This way it has been possible to exercise the autonomous right of the judicial self-government body to determine the amount of judge salaries by itself, to guarantee their intangibility and economic stability.

Automated Distribution of Cases

An automated case distribution system (ARD) has been introduced in Kazakhstani courts of all tiers. ARD distributes the cases among judges without any human intervention, considering the nuances of procedural legislation and the workload of judges.

In the same regard, the use of the system made possible to apply the so-called principle of extraterritoriality in jurisdiction: ARD randomly distributes the cases not within one court, but among all the courts of the country, considering the specialization of the court and judges. This in turn serves as a full-fledged anti-corruption tool.

The issue of establishing a collegial composition of appellate judges in a random automated way is also being worked out thanks the developments in the same field.

Given all activities are recorded in an electronic journal without the possibility of editing, any unlawful interference in the ARD entails liability.

All these matters were considered in 2019 and set in the Constitutional Law, securing the powers of the plenary session of the Supreme Council to approve the rules for its application.

Digitalization and Access to Justice

Kazakhstan ranks as the 4th country in the world in terms of digital access of the population to the courts. In this regard, the development of user-friendly IT services has been essential to simplify access to justice in real time.

The use of plain language under development is another key to make justice get closer to the people and promote a higher quality access and delivery of it.

A single electronic window of access to the courts was launched in 2014. Thanks to this, 94% of the cases are filed through this system. Currently, any user can apply to the court and submit documents electronically without leaving home or office by using Face ID and Touch ID. This service enables the remote acquaintance with the case materials for all participants in the process.

Since 2016, the information and analytical system "Torelik" provides prompt access to data exchange and ensures a complete transition to the electronic format.

All courtrooms are equipped with state-of-the-art audio and video recording (AVF) systems, with the ability to remotely familiarize users with audio and video recordings and conduct court hearings remotely via videoconferencing (VCS).

Artificial Intelligence and Robotization

The use of machine learning, artificial intelligence (AI), and robotics in legal proceedings is a course of action of great importance and potential, as well as of increasing achievements.

In Kazakhstan, the use of information services made it possible to move fast to robotization and the introduction of elements of artificial intelligence: a robotic system for certain categories of civil cases was introduced in 2022.

A robot, based on clear decision-making algorithms, automatically generates draft judicial acts in cases where judicial discretion is strictly limited by law.

If the robot makes any technical error, the judge can correct it. The responsibility for the decision remains with the judge, so there is no infringement whatsoever of the constitutional provisions.

In 2022 a robot registered 126.000 or 80% of the materials received by the bailiff on the restriction of the debtor to leave the country, and over 10.000 applications for the issuance of court orders for the recovery of alimony for children.

It is underway the analysis of other categories of cases and materials for further robotization.

Another development in this area is related to digital analytics of civil cases using elements of artificial intelligence. The system is trained to determine the category of the cases, search for similar cases, track the "life cycle" in all courts, identify inconsistencies in court decisions and predict the outcome of civil cases.

Therefore, AI provides the judge with data on the judicial practice in similar cases. In the future, the same will be possible with the aim to facilitate users to assess their chances of succeeding before going to court.

AI is used as an auxiliary tool to ensure uniformity in the application of the law, considering the principles of the CEPEJ's European Ethical Charter on the use of artificial intelligence (AI) in judicial systems and their environment. This, in order to develop reforms based on generally recognized standards and best practices.

As a summary: during my visit I have seen how remarkable achievements have been made to deliver justice by improving access and services. With this aim, quality, and efficiency are (in this order) two essential features. The Judicial Administration of Kazakhstan is working restlessly with such purpose, and the results are impressive and greatly encouraging.

Helping Justice Agencies make the Jump into AI and beyond

By: Lily Robinson, Accenture

Lily Robinson is the Global Justice Lead within Accenture's Global Public Safety Industry Practice. In this role, she manages Accenture's suite of justice assets, supports local teams to successfully deliver justice projects and develops thought leadership. Prior to her position in Accenture, Lily worked at the Crown Prosecution Service and Ministry of Justice in the United Kingdom.

Lily Robinson is currently located in London, United Kingdom, and for those readers wishing to follow up with this author, she may be reached at lily.robinson@accenture.com

In this article, Accenture highlights the huge potential of Artificial Intelligence within the justice sector to automate repetitive tasks, streamline archaic processes and improve citizen interactions with courts. To bring this to life, two examples of how Accenture has helped justice agencies in Spain and the United States to implement innovative AI solutions have been outlined.

Generative Artificial Intelligence (AI) solutions, specifically Chat-GPT, have dominated discussions across the technology sector and beyond in recent months, as organizations lean into conversations on what it might mean for them. The justice system should be no exception to those conversations. AI technologies are accelerating at phenomenal pace – offering huge potential within the public sector to automate repetitive tasks, streamline archaic processes and improve citizen interactions. Yet key to the success of applying any form of AI solution in justice is doing it in a way that is responsible, secure, transparent, and accountable so as not to erode public trust and confidence. Without trust, justice systems lose their legitimacy to uphold the rule of law and society loses confidence in the system's ability to deliver fair justice.

Here, we will focus on AI's possible applications within the justice system, Accenture's work delivering AI powered solutions in justice in Europe and the United States and provide Accenture's perspective on the fundamental success factors for implementation.

Understanding AI

Artificial Intelligence is a constellation of many different technologies working together to enable machines to sense, comprehend, act, and learn with human-like levels of intelligence. Maybe that's why it seems as though everyone's definition of Artificial Intelligence is different: AI isn't just one thing.

Technologies like machine learning and natural language processing are all part of the AI landscape, enabling it to analyze large volumes of data and generate insights. Each one is evolving along its own path and, when applied in combination with data, analytics, and automation, can transform the delivery of justice.

It's important to keep in mind that while the promise of AI technologies is exciting, a clear and thoughtful strategy for their integration must precede use. That must start with identifying how AI will deliver value to the organization and the citizens it serves by exploring the art of the possible and also the guidelines and guardrails that need to be put in place to manage it.

Applications of AI within the Justice System

Possible applications of AI in justice range from simplifying and summarizing legal language and jargon, helping people understand and navigate legal processes via chatbots, or addressing court backlogs by automatically prioritizing court cases based on complexity, urgency, and available resource.

When implemented successfully, AI can result in a number of benefits to support the delivery of justice:

- Empowered judicial employees – AI can tackle mundane, routine, and time-consuming activities such as redacting sensitive data from court documents, freeing up court administrators to focus on high value tasks.

- Improved experience for court users – AI can increase access to justice for people by simplifying complicated legal language, explaining court processes, or providing virtual assistance to fill out court documents.

- End-to-end efficiencies – When used to automate time-consuming tasks and streamline processes, AI can improve judicial resource utilization, resulting in significant cost savings which is critical in the context of public finances.

Spain – a GenAI platform to demystify the justice system

Accenture has built a GenAI-powered judicial search engine called Delfos to help Spain's Ministry of Justice simplify how critical information about judicial processes and laws is accessed. Using large language models and the Microsoft Cloud, Delfos gives users a quick, efficient way to access relevant information by searching hundreds of thousands of complex judicial documents.

Delfos offers a service similar to ChatGPT, through GenAI it takes a user's keywords or question and quickly searches for and finds the relevant content in a matter of seconds. It does not make decisions; it intelligently searches vast amounts of data and retrieves the user's required information. Second, it consumes this content—which is often jargon heavy—and rewrites it in plain language that is easy to understand regardless of the user's judicial experience. The search engine's interface is simple to use and enables people to access and understand information that has historically been hard to reach and opaque. Delfos reduces the time it takes to locate specific information by 40%, making this essential part of everyday judicial work far simpler and more straightforward than ever before.

We are also using GenAI to help the Ministry of Justice better connect its people—searching for specific information will link users to colleagues across the country who have experience in that relevant area of law and can provide support.

Thanks to Delfos, Spain's Ministry of Justice now has almost instant access to vital information used in millions of cases each year.

United States – an automated redaction solution to protect identities

In one state in the United States, court redaction clerks manually review legal documents to conceal confidential information prior to publication or disclosure. The process is highly time-consuming, with more complex reports often requiring 3-5 clerks to review up to 600 pages of unstructured information.

In response to a clear need to work smarter, Accenture implemented a pioneering AI powered redaction solution – a unique technology that auto-detects and redacts personally identifiable information across multiple document formats. With the solution in place, the court saw a 2-3-fold increase in reviewer productivity, up to 50% improvement in accuracy compared to human-only reviews, and millions of dollars in operational savings. The solution also helped make best use of limited court resources, deliver quicker turnarounds, and maintain a trustworthy redaction service to streamline disclosure and protect individuals' identities.

Steps towards valuable AI applications

So, what do justice agencies need to do to realize the value of AI technologies? Embarking on any AI transformation can be daunting, but based on our experiences, we have identified three steps that can help agencies implement AI in the most valuable way:

1. **Prioritize use cases** – justice agencies should start their AI journey by defining their strategic objectives and use them to assess and prioritize what use cases will best achieve them. Then, start small. Conduct 'Test and Learn' via low-risk projects with appropriate guardrails; with a focus on measuring impact and validating model selection and adaptation.

2. **Rethink your workforce** – the growing momentum of AI calls for a diverse, reconfigured workforce. Despite early fears that artificial intelligence and automation would lead to job loss, the truth is that it will not replace people, but it will change the work people do. A human+machine collaborative environment is part of the reimagined workforce. Equipping employees

continued

with the skills they need to use the technology and fostering a willingness to learn and seize longer-term transformational opportunities is essential.

3. **Implement responsibly** – justice agencies must design, develop, and deploy AI ethically, securely, and transparently to engender trust and scale AI with confidence. That means establishing the right governance structures early and making sure responsible principles are translated into the development of algorithms to minimize unintended bias.

To further our exploration of AI within the Public Sector, Accenture is launching a new Data and AI Studio in Brussels where we will be conducting more research into the use of AI across the Public Sector including justice. Later this year we will be bringing several of our justice clients together to share, innovation and develop new ideas, approaches and applications for GenAI in justice. If you are interested in learning more, please do get in touch.

This is a pivotal moment for justice agencies to responsibly embrace the potential of AI and redesign how they operate to increase levels of performance, engagement, and satisfaction for all involved in the delivery of fair and timely justice.

INTERNATIONAL ASSOCIATION FOR COURT ADMINISTRATION
BUENOS AIRES CONFERENCE
25, 26 AND 27 OCTOBER 2023

"ACCESS TO JUSTICE, ADMINISTRATION AND INNOVATION IN A CHANGING WORLD"

UNIVERSITY OF BUENOS AIRES LAW SCHOOL
AV. FIGUEROA ALCORTA 2263, BUENOS AIRES

<u>CONFERENCE AGENDA</u>

TUESDAY, OCTOBER 24, 2023

Time	Event	Location
8:00 am – 6:00 pm	**EXHIBITORS SET-UP**	University Reform Lobby (Hall de la Reforma Universitaria)

WEDNESDAY, OCTOBER 25, 2023

Time	Event		Location
8:00 – 10:00 am	**IACA BOARD MEETING**	Per invitation only	Vélez Sarsfield Room (Sala Vélez Sarsfield)
8:00 - 10:00 am	**CONFERENCE REGISTRATION**		University Reform Lobby
10:00 – 10:30 am	**Welcome and Opening Remarks**	**PROF. DR. LUIS MARIA PALMA**, President of IACA **HON. FRANCISCO QUINTANA**, President of the Council of Magistracy of the Autonomous City of Buenos Aires **HON. INÉS WEINBERG**, President of the Superior Tribunal of Justice of the Autonomous City of Buenos Aires **HON. MARÍA DEL CARMEN BATTAÍNI**, President of the Federal Board of Courts and Superior Tribunals of the Argentine Provinces and Autonomous City of Buenos Aires (JUFEJUS) **HON. SUSANA MEDINA**, President of the Argentine Association of Women Judges (AMJA)	Great Hall (Aula Magna)

HON. MARCELO GALLO TAGLE, President of the Association of Magistrates and Officials of the National Judiciary (AMFJN)

10:30 – 11:15 am	**Plenary Session:** Innovation in the Argentine Judiciary. The Vision of the Judges of Supreme Courts	**Panelists:** **HON. MARIO ADARO**, President of the Federal Institute of Justice and Technology (IFITEJ-JuFeJus) and Associate Justice of the Supreme Court of Justice of Mendoza, Argentina **HON. ARIEL GUSTAVO COLL**, Associate Justice of the Superior Court of Justice of the Province of Formosa **HON. ADRIANA GARCÍA NIETO**, Associate Justice of the Court of Justice of San Juan Aires, Argentina **HON. DANIEL SORIA**, Deputy Chief Justice of the Supreme Court of Justice of the Province of Buenos Aires, Argentina	Great Hall (Aula Magna)
11:15 - 11:45 am	**COFFEE BREAK SPONSORED BY FTR / SPONSOR EXHIBIT**		University Reform Lobby
11:45 am - 12:30 pm	**Plenary Session:** How the U.S. courts are combatting the threat of disinformation	**Panelists:** **MR. JESSE RUTLEDGE**, Vice President of Public Affairs, National Center for State Courts (NCSC), USA **MR. MIKE BUENGER**, Executive Vice President, NCSC, USA	Great Hall (Aula Magna)
12:35 - 1:20 pm	**Plenary Session:** Access to Justice in a Changing World	**Panelists:** **HON. GLADYS ÁLVAREZ,** General Coordinator of the Commission on Access to Justice of the Supreme Court of Justice of the Nation, Argentina	Great Hall (Aula Magna)
	Inter-American Program of Judicial Facilitators and Justice of the Peace in the Province of Corrientes	**HON. FERNANDO NIZ**, Associate Justice of the Superior Tribunal of Justice of the Province of Corrientes	

HON. IRIDE ISABEL GRILLO, Chief Justice of the Superior Tribunal of Justice of the Province of Chaco

HON. EMILIA VALLE, Associate Justice of the Superior Tribunal of Justice of the Province of Chaco

1:20 - 1:50 pm	**SPONSOR EXHIBIT**	University Reform Lobby
1:50 – 3:30 pm	**THE PRESIDENT´S RECEPTION**	University Reform Lobby
3:30 pm	**ADJOURNMENT**	University Reform Lobby

THURSDAY, OCTOBER 26, 2023

Time	Event	Presenters	Location
9:00 - 9:45 am	**Breakout Session:** How a court system can strategically achieve the accuracy and completeness of court data	**Panelists:** **HON. ROBERT BRUTINEL**, Chief Justice, Supreme Court of Arizona **MR. DAVE BYERS**, Director, Arizona Administrative Office of the Courts, USA	Blue Room
	Breakout Session: Access to Justice, Vulnerabilities, and IT-Based Solutions: The JES Experience	**Panelists:** **MS. SONIA POULIN**, CEO, Justice Education Society of British Columbia, Canada **MR. DAVE NOLETTE**, Canada	Red Room
	Breakout Session: The Judge Selection Process and Performance Control as a Tool for Access to Justice	**Panelist:** **HON. JIMENA DE LA TORRE**, Counselor of the Magistracy of the Judicial Power of the Nation, Argentina	Green Room
9:50 – 10:50 am	**Breakout Session:** Courts Accountability in Administration Delivery. Access to Justice by Vulnerable People, Transparency, and Forms of Denunciations against Magistrates, Judges and Civil Servants	**Panelists:** **HON. FAUSTO MARTIN DE SANCTIS**, Judge at the Federal Court of Appeals for the 3rd Region in São Paulo, Brazil	Blue Room
	Do you know who you're talking to? A collaborative strategy in the Brazilian Federal Court	**HON. FABRICIO BITTENCOURT**, Federal Judge and Professor, PhD, Federal Regional Tribunal of the 4th Region, Brazil	
	Breakout Session: Public Trust in the Judiciary	**Panelists:** **HON. MARIELA PONCE VILLA**, Chief Justice, Superior Tribunal of Justice of the State of Querétaro, México	Red Room
	Open Justice Index: Measuring the transparency, openness, and collaboration of Guatemala's Justice Sector	**MR. JULIO HERRERA TOLEDO**, "Red Ciudadana" Civil Association, Guatemala	
	Breakout Session:	**Panelists:**	Green Room

Artificial Intelligence and Judicial Management: Design and Expectations of the "Experticia" System	**HON. LAURA CONTI**, Criminal Enforcement Judge, Judicial Department of Morón, Province of Buenos Aires - National University of La Matanza (UNLaM) – Eng. Gabriel Blanco, Argentina	
Artificial Intelligence in Justice and Use of Freely Available Tools	**MR. HERNÁN ELMAN**, Director, Digital Center for Judicial Documentation (CENDOJ), Council of the Magistracy of the Judicial Power of the Nation, Argentina	
10:50 - 11:20 am	**COFFEE BREAK SPONSORED BY IMMEDIATION / SPONSOR EXHIBIT**	University Reform Lobby
11:20 am – 12:05 pm	**Breakout Session:** Judicial Modernization towards 2030. Challenges and Perspectives	**Panelists:** **MR. GERMÁN GARAVANO**, International Consultant on Judicial Reform and Former Minister of Justice and Human Rights of Argentina	Blue Room
	Breakout Session: Advancing People-Centered Justice in Georgia through the Creation of Court Community Engagement Plans and Emphasis on Procedural Justice	**Panelist:** **DR. TIM BUNJEVAC**, USAID Rule of Law Program in Georgia - East West Management Institute (EWMI)	Red Room
	Breakout Session: Problem Solving and Drug Treatment Courts in Colombia	**Panelists:** **HON. LEONEL MAURICIO PEÑA SOLANO**, Assistant Magistrate, Superior Council of the Judiciary, Colombia **MR. LESTER CHÁVEZ MS. ALEJANDRA RESTREPO MR. PABLO VÁZQUEZ**, Colombia	Green Room
12:05 - 12:15 pm	**INTERMISSION / SPONSOR EXHIBIT**	University Reform Lobby
12:15 – 1:00 pm	**Breakout Session:** The Digital Transformation of the Justice Ecosystem in Morocco:	**Panelist:** **MS. SAMIA CHAKRI**, Head of Department of Modernization and	Blue Room

Challenges and Future Prospects	Information Systems, Ministry of Justice, Morocco	
Breakout Session: Independence and Effectiveness of the Judiciary in the Light of the Shape of Court Administration Models	**Panelist:** **HON. JAN OLSZANOWSKI**, PhD., Judge, District Court of Poznan, Poland - Professor, Adam Mickiewicz University, Poznan, Poland	Red Room
Breakout Session: Access to Justice and Sustainable Development: A Measurement Experience in the Framework of the 2030 Agenda	**Panelist:** **DR. NORA LUZI**, Democratic Governance Coordinator, United Nations Development Programme (UNDP), Argentina	Green Room
1:00 – 2:30 pm	**LUNCHEON SPONSORED BY CASEDOC / SPONSOR EXHIBIT**	University Reform Lobby
2:30 – 3:45 pm	**Plenary Session:** The Chief Justices Panel – Judicial Modernization around the World	**Panelists:** **HON. MARÍA DEL CARMEN BATTAÍNI**, President of the Federal Board of Courts and Superior Tribunals of Justice of the Argentine Provinces and the Autonomous City of Buenos Aires (JUFEJUS) **HON. ROBERT BRUTINEL**, Chief Justice of the Supreme Court of Justice of Arizona **HON. JUAN EDUARDO FUENTES BELMAR**, Chief Justice of the Supreme Court of Justice of Chile **HON. SUSANA MEDINA**, President of the Association of Women Judges of Argentina (AMJA) **HON. LORETTA RUSH**, President of the Conference of Chief Justices of the United States **THE HONOURABLE MR. BRYAN SYKES OJ CD,** Chief Justice of the Supreme Court of Jamaica **HON. SERGIO TORRES**, Chief Justice of the Supreme Court of Justice of the Province of Buenos	Blue Room
3:50 – 4:50 pm	**Panelists:**	Blue Room

Breakout Session: Access to Justice: The Singapore Judiciary's Experience	**MR. MOHAMMED JALEES**, Director, Access to Justice Programme, Singapore	
(a) Delivering Community Justice through Innovative Tribunal Administration	**MR. HA YEONG SHENG**, Senior Director (Legal) / Senior Assistant Registrar, Small Claims Tribunals, Singapore	
(b) Therapeutic Justice and Multi-disciplinary Approach to Dispute Resolution	**MR. KENNETH YAP**, Registrar, Family Justice Courts, Singapore	
Breakout Session: Judicial Policy for Attention of the People in Street Situation in Brazil	**Panelists:** **MS. LUCIANA ORTIZ TAVARES C. ZANONI**, Federal Judge, São Paulo, Brazil	Red Room
Public Defender´s Offices in Brazil: Access to Justice, Courts, and Public Defenders	**MR. ALEXANDRE DOS SANTOS CUNHA**, Planning and Research Expert, Brazilian Institute for Applied Economic Research, Brazil	
Breakout Session: The IFITEJ-JuFeJus Experience as an Area of Judicial Innovation in Argentina	**Panelists:** **HON. MARIO ADARO**, President of the Federal Institute of Justice and Technology (IFITEJ-JuFeJus) and Associate Justice of the Supreme Court of Mendoza, Argentina	Green Room
JUSLAB: Building an Innovative Judicial Community	**MS. JESSICA NAME,** Secretary in charge of the Coordination of Access to Justice of the Superior Tribunal of Justice of the Province of Tierra del Fuego, Antarctica and South Atlantic Islands **MR. GUILLERMO COSENTINO**, Secretary of Planning and Management, Superior Tribunal of Justice of the Province of Chubut (To be confirmed) **MS. MARÍA CELINA ABAURRE,** Coordinator of the Training Center "Manuel A. Sáez", Judicial Power of the Province of Mendoza	
Innovating with a Focus on People	**MS. CAROLINA GRANJA**, Coordinator of the Center for Strategic Management and Statistics, Superior Court of Justice of Córdoba, Argentina	

4:50 - 5:15 pm	**COFFEE BREAK SPONSORED BY NATIONAL CENTER FOR STATE COURTS (NCSC) / SPONSOR EXHIBIT**	University Reform Lobby
5:15 – 6:00 pm	**Breakout Session:** South-South Cooperation in eJustice Project Design	**Panelists:** **MR. ADAM WATSON**, Vice President, Synergy International Systems, Inc. - Rwanda Cooperation Initiative **THE HONOURABLE MR. JUSTICE BRYAN SYKES OJ CD**, Chief Justice of Jamaica	Blue Room
	Breakout Session: Court Leadership and the Mandate for Resilience	**Panelist:** **MS. JANET CORNELL**, Court Consultant and Retired Court Administrator, Arizona, USA	Red Room
	Breakout Session: Access and Digital Transformation in the State Judiciaries of Argentina	**Panelists:** **MR. MARIANO CANO**, Director of Information Technology of the Judiciary of the Province of Mendoza	Green Room
	Migrating Management and Decision to the Cloud	**DR. ALEJANDRO FLORES DUTRÚS**, Director of Information Technology of the Judiciary of the Province of San Luis	
	Risk Management Plan	**LIC. RAÚL RODRÍGUEZ**, Director of Information Technology of the Judiciary of the Province of San Juan	
	Automation and AI: Driving Efficiency in Judicial Management	**AUS. CLAUDIA ESTEBAN**, Director of Information Technology of the Judiciary of the Province of Córdoba	
	Path to Orality with Dynamic Audience Management	**ING. ALEJANDRO LOPRESTTI**, Director of Information Technology of the Judiciary of the Province of Salta	
	Access to Justice through User-Friendly and Accessible Tools	Catamarca (TBC)	
6:00 – 6:30 pm	**MEMBERSHIP MEETING**	Blue Room
6:30 pm	**ADJOURNEMENT**	

8:00 – 10:00 pm   **GALA COCKTAIL**   Golden Hall (Salón Dorado" of the Colón Theater

FRIDAY, OCTOBER 27, 2023

Time	Event	Panelists	Location
9:00 – 9:45 am	**Plenary Session:** Selecting Members of the High Qualifications Commission of Judges in Ukraine: Building an Institution from the Scratch	**Panelists:** **JUSTICE IVAN MISHCHENKO**, Chair of the Selection Commission **MR. ROBERT BROEKHUIJSEN**, Member of the Selection Commission **MS. OLHA NIKOLAIEVA**, Technical and Administrative Support Coordinator for the Selection Commission **MR. IAROSLAV KITAN**, IT Assistant for the Selection Commission	Blue Room
9:50 - 10:35 am	**Breakout Session:** Behind the Curtain: The Power of Human-Enhanced Technology for Promoting Access to Justice	**Panelists:** **MS. PAMELA ORTIZ**, Director, Access to Justice, Maryland Administrative Office of the Courts **HON. JOHN MORRISSEY**, Chief Judge, District Court of Maryland, USA	Blue Room
	Breakout Session: Gender Perspective in the Judiciary of Canada	**Panelists:** **MS. ERROLYN HUMPHREYS**, Deputy Commissioner, Office of the Commissioner for Federal Judicial Affairs, Canada **MS. NATALIYA HORODETSKY**, Senior Program Analyst for FJA's International Programs Division, Canada	Red Room
	Breakout Session: The Implementation of Digital Justice in Civil and Family Proceedings in Mexico	**Panelist:** **DR. ARTURO NAHLE GARCÍA**, Presiding Judge, Superior Tribunal of Justice of the State of Zacatecas, Mexico	Green Room
10:35 - 11:05 am	**COFFEE BREAK SPONSORED BY IMMEDIATION / SPONSOR EXHIBIT**		University Reform Lobby

11:05 – 11:50 am	**Breakout Session:** The transversal approach to disability as a public policy of the Judiciary. Inclusion, integration, participation, and access to justice for persons with disabilities	**Panelist:** **MS. GENOVEVA FERRERO**, Secretary of Security of the Government of the Autonomous City of Buenos Aires, Argentina	Blue Room
	Breakout Session: Courthouse Confidential: Unveiling Lessons Learned in Leading and Managing Trial Court Organizations	**Panelist:** **DR. GIUSEPPE M. FAZARI**, Professor, Criminal Justice Department at Monmouth University, New Jersey, USA	Red Room
	Breakout Session: The IACA Publications: The Court Administrator (TCA) – International Journal for Court Administration (IJCA)	**Panelists:** **MS. EILEEN LEVINE**, Managing Editor of TCA **DR. TIM BUNJEVAC**, Co-Managing Editor of IJCA	Green Room
11:55 am – 12:40 pm	**Breakout Session:** Empowering Survivors through Remote Access: A New Frontier in Addressing Gender-Based Violence	**Panelists:** **MS. ALICIA DAVIS**, JD (NCSC) **MS. MEGAN HERNÁNDEZ ANGULO**, Costa Rica	Blue Room
	Breakout Session: People-Centered Justice in Serbia: The Open Doors of Judiciary USAID Project	**Panelist:** **MR. MOMCILO ZIVADINOVIC**, Executive Director, Lawyers' Committee for Human Rights (YUCOM), Serbia	Red Room
	Breakout Session: Restorative Justice in Consumer Relations in the Autonomous City of Buenos Aires	**Panelist:** **MS. ROMINA JULIETA VÁZQUEZ**, Principal Officer, Directorate of the Prior Conciliation System in Consumer Relations, Council of the Magistracy of the Autonomous City of Buenos Aires, Argentina	Green Room
12:45 – 1:30 pm	**Breakout Session:** Community Houses of Justice and People-Centered Justice	**Panelists:** **MR. NELSON ESPINAL BÁEZ**, President of the Centro "Casas Comunitarias de Justicia" **MR. MICHEL CAMACHO**, Deputy Chief of Party, USAID JSA Project, Dominican Republic (TBC)	Blue Room

Breakout Session: Reforming Judicial System in Developing Countries: A Critical Analysis of Court Administration-Based Model	**Panelist:** **DR. VANDANA SINGH**, Associate Professor, USLLS, GGSIP University - Ms. Mehak Rai Sethi, India	Red Room
Breakout Session: The Judicial Administration Model of Kazakhstan	**Panelist:** **MR. NAIL AKHMETZAKIROV**, Head of the Judicial Administration of Kazakhstan	Green Room
1:30 - 2:30 pm	**LUNCH / SPONSOR EXHIBIT**	University Reform Lobby
2:30 – 3:30 pm **Breakout Session:** Teleworking in the Legal Profession and Justice. Impacts on the Quality of Justice and People	**Panelists:** **HON. JULIO A. GRISOLÍA**, National Labor Judge, Buenos Aires, Argentina	Blue Room
Breakout Session: Judicial Management Panel for Decision Making. Business Intelligence in the Judiciary of the Province of Córdoba, Argentina	**Panelists:** **MR. LUCAS ANTUÑA**, Legal Assistant Secretary in the Civil and Commercial Secretariat of the Superior Court of Justice of the Province of Córdoba, Argentina	Red Room
	MR. MARTÍN ALFANDARI, Judicial Official, Planning Secretariat of the Supreme Court of Justice of the Province of Buenos Aires, Argentina	
Security of Information and Protection of Personal Data. The use of Google Office in the Judiciary of Córdoba, Argentina	**MR. RAMÓN AMÉRICO WILLS**, Judicial Power of Córdoba, Argentina	
Breakout Session: True Access to Justice: Accessible Comprehension Sentences for Children and Adolescents	**Panelists:** **HON. CLAUDIO FABIÁN MAZUQUI**, Control Judge, Children, Youth, Juvenile Criminal, Family and Gender Violence, Judiciary of Córdoba, Argentina	Green Room
Clear Communication in a Court of Guarantees of the	**HON. JORGE WALTER LÓPEZ**, Judge of Guarantees,	

	Province of Buenos Aires, Argentina	Lomas de Zamora, Province of Buenos Aires, Argentina	
3:30 – 3:45 pm	**INTERMISSION / SPONSOR EXHIBIT**		University Reform Lobby
3:45 – 4:30 pm	**Breakout Session:** Allowing Non-Lawyers to Practice Law: The Model of Arizona	**Panelists:** **HON. ROBERT BRUTINEL**, Chief Justice, Supreme Court of Arizona **MR. DAVE BYERS**, Director, Arizona Administrative Office of the Courts, USA	Blue Room
	Breakout Session: Judges´ Presence in the Media as a Response to Disinformation Threats and Attacks to Justice Systems	**Panelist:** **DR. WOJCIECH PIATEK**, Professor at the Adam Mickiewicz University, Poznan, Poland	Red Room
	Breakout Session: People-Centered Justice and the Challenges of Local Courts: The Experience of the Access to Justice Model of the Judiciary of Coahuila, Mexico	**Panelist:** **HON. MIGUEL FELIPE MERY AYUP**, Associate Justice, Superior Tribunal of Justice of the State of Coahuila, Mexico	Green Room
4:30-4:45 pm	**CLOSING REMARKS**		Blue Room
4:45 pm	**ADJOURNMENT**		