



*The International Association
For
Court Administration*

Winter 2010

Newsletter, Issue I



[The Blue Mosque, Istanbul, Turkey]





International Association for Court Administration

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President Apperson

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**A Message from the President,
Jeffrey A. Apperson**

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Dear Colleagues,

Welcome to the inaugural edition of the International Association for Court Administration Newsletter! This publication is intended to keep our membership and others informed of our activities and our accomplishments. It is also our intention to publish quarterly. We welcome articles of interest to our membership regarding court administration advances in your court systems, membership activities, or other matters. Please keep articles to less than 1,000 words. In addition, as you may know, Markus Zimmer recently completed his term as President of IACA. We are all very grateful for his leadership up to this point. During his presidency, we established an online journal (the fourth edition will soon be published), administered four international conferences, and established a website. He will continue to serve IACA as Advisory Council Chair and Executive Editor of the IACA Journal. I am also proud to announce

that Richard Foster, CEO of the Family Courts of Australia, has been chosen as President-Elect!

While this newsletter, as our first edition, is rather limited in scope, I want to thank John Stacey and Cathy Hiuser for their contributions.

This will also serve as an announcement of the consideration of my offer of membership to IACA by the Supreme Court of the Southern Sudan. Indeed, I am told that as a result of the court's participation at our conference in Istanbul, a series of recommendations to improve court administration in the southern Sudan were presented to the Supreme Court and were approved for study and possible future implementation.

Istanbul Conference

Our most recent conference was last November 2-4 in Istanbul, Turkey, and was a great success. It was co-sponsored by the Ministry of Justice of Turkey, and drew over 240 attendees from 47 countries. Minister of Justice Ergin, Judge Kaya and Judge Orta were extremely gracious. In addition, Mayor Kadir Topbaş and Governor Muammer



Güler were excellent hosts. I also want to thank President Kilic and Vice President Adali of the Constitutional Court for their important assistance, as well as Judge Mammadov, our Vice President for Central Asia, and Intratravel for conference support. A special thanks to USAID, ICTY, DPK, Chemonics, NCSC, MSD, IDLO and EWMI. They were critical to the success of the conference.

The materials presented at the conference are accessible to IACA members and can be found on our website: www.iaca.ws



From left: Adnan Shuaibi (Palestine), Rommel Moreno Manjarrez (Mexico), and IACA President Markus Zimmer, at our Istanbul Conference.

Membership

While our membership is increasing, our funding needs are substantial. At this time, our operating costs are dependent on dues as a means to maintain independence. We are in the early stages of establishing 501(c) 3 status to enable contributors to deduct donations from taxes. Ralph DeLoach, President of the International Foundation for Court Administration is coordinating this effort with me. We envision foundations eventually making contributions to our

501(c) 3 accounts. All contributions will be used to support our mission.

Please consider joining us! Our Mission Statement can be found at:

<http://www.iaca.ws/mc/page.do?sitePageId=49382&orgId=iaca>

Membership fees are graduated, which are based on income and listed at:

<http://web.memberclicks.com/mc/page.do?sitePageId=49384&orgId=iaca>

You can join IACA online at

<http://web.memberclicks.com/mc/page.do?sitePageId=50787&orgId=iaca>

Or make a bank wire transfer to:

USBank
Swift: USBKUS44IMT
Routing: 042100175
Account: 145805655308

USBank
Bank Address Information:
401 West Market Street
Louisville, KY 40202
United States
Phone: (502) 562-6660

Paper applications and money orders can be mailed to one of the following:

Mr. Noel Doherty
Treasurer - IACA
Court Service Branch
Phoenix House
15/24 North Phoenix Street
Dublin 7
Ireland

Or

Jeffrey A. Apperson
President – IACA
601 West Broadway, Room 106
Louisville, KY 40202 USA



IACA Conference Schedule

We have three conferences planned for 2010 and 2011. The Caribbean Court of Justice has agreed to co-sponsor a conference in Trinidad November 1-3 2010. A video trailer highlighting the venue is at:

http://www.youtube.com/watch?v=EzetgVHIHpc&feature=player_embedded.

This is intended to be a regional conference for the Americas, dedicated to agenda themes which include restorative justice trends, criminal justice procedural reforms, court administration advances and comparative models for such.

In March 2010 we intend to work with the Supreme Court of Indonesia to host a conference in Jakarta. Our President-Elect, Richard Foster, will be overseeing this important event (with all the support we can give) for the region of Southeast Asia and the South Pacific.

In October 2011 we are planning an international conference at the Peace Palace in The Hague, Netherlands. We anticipate that the tribunals of the United Nations may participate as well, since several are located there. I also hope to organize a small meeting in Africa, perhaps in conjunction with the Rome Statutes meeting in May 2010 for Africa. Hopefully one representative from each country in Africa could attend.

By the end of 2011, as a consequence of projected success at the above mentioned events, we should have a well established presence throughout the world. Indeed, our board continues to gain new members that have important experience in court management. Please plan to join us if possible.

Organizational Activities

We have several new officers and board members as part of IACA. In Europe, John Stacey of the Council of Europe Committee for the Efficiency of Justice has agreed to join the board. We are awaiting final approval for Kersti Fjorstad, Deputy Director General of National Courts Administration of Norway; and Nadia Long, with the European Institute for Public Administration.

In Central Asia, Vice President Eldar Mammadov announces that Mikheil Gogishvili, First Deputy of the Supreme Court of Georgia; and Abdumanon Dodoev of the Supreme Court of Tajikistan have also joined the board! We expect other board members to be named soon in several different regions.

The most notable changes in the officer section of the organization include Markus Zimmer, our former President and now President Emeritus, becomes Chair of the Advisory Board. Richard Foster, Chief Executive Officer of the Family Courts of Australia is our President-Elect. Julia Ricketts, my executive assistant, will assume the duties of Secretary.

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European Commission for the Efficiency of Justice

By John Stacey, Vice President, CEPEJ

The European Commission for the Efficiency of Justice, better known as the CEPEJ, was created as a result of a resolution of the Council of Europe in 2002. The CEPEJ was given the mandate to evaluate judicial systems across Europe, devise tools and produce



guidance member states may use to improve the efficiency of their judicial system.

To understand the purpose of the CEPEJ you must realise that the CEPEJ came into being due to the high number of Article 6 (right to a fair trial) violations of the European Convention of Human Rights, in particular the delays to court proceedings. This is best summed up by that famous quote by William Gladstone, “Justice delayed is justice denied”.

The CEPEJ is made up of experts from the 47 member states of the Council of Europe; in addition there are observers from a number of other Countries including Canada, Japan and the USA as well as from organisations representing judges, prosecutors, enforcement agents and the World Bank. The experts nominated by their Countries must be experts in the judicial area and they are normally judges, prosecutors, academics, operational administrators or policy officials from the Ministry of Justice.

I became involved with the CEPEJ as the UK Ministry of Justice (then the Lord Chancellor’s Department) thought that a person with a broad experience of Court Management would make a suitable expert. As I had spent most of my working life in court management I was chosen to be the expert. During this time I served on a working group looking at effective ‘time frames’ and the group produced a compendium of best practices, a time management checklist together with several academic studies on delay. After 4 years I was elected Vice President of CEPEJ.

In this new role I represented the CEPEJ at International Judicial events and, at the invitation of a Country, took part in a

number of commissions reviewing national systems. I continued with my participation with the working group on time frames although this became the SATURN Observatory with the purpose of monitoring the developments in member states to improve time frames. Two new working groups were formed; the first is looking at the question of ‘quality’ judicial and court practices, but not the quality of judicial decisions. The other Group has produced guidance on creating and managing an effective enforcement service as the ECtHR considers enforcement as part of the proceedings when evaluating delay.

It was at one of those International Judicial events I mentioned earlier that I came into direct contact with the IACA for the first time. Although I was aware of the Association’s existence it was at that first meeting in Istanbul that I came to really appreciate the clear synergies between the IACA and the CEPEJ. I am very hopeful that the two organisations can work together in the future and further our common objectives.

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Mexico Criminal Justice Reform Project

**By Cathy Hiuser
Manager, Court Operations, Ontario
Vice President of Associations, IACA**

In 2003, US Aid’s Rule of Law Project in Mexico initiated a comprehensive assistance program as a means of establishing the foundation for the implementation of an oral adversarial criminal justice system in Mexico. Through seminars and specialized workshops, USAID was instrumental in increasing an understanding of oral,



public and transparent adversarial criminal justice systems among politicians, judges, prosecutors and defense attorneys and civil society. This increased understanding established the foundation for moving forward with criminal justice reform in Mexico.

In 2004, former Mexico President Fox submitted to the Mexican Congress a Federal Justice Reform package that proposed an oral, adversarial criminal justice system for Mexico. The USAID project worked with several Mexican states offering assistance in code drafting, cost benefit projections and other aspects for the reforms. In May 2006, the state of Chihuahua amended its state constitution, and on June 15, 2006 passed a code of criminal procedures. Chihuahua became the first Mexican state to adopt an oral, transparent, public and adversarial criminal justice system. Other states have now moved forward - Oaxaca, Zacatecas, Morelos and Baja California have passed reforms to allow oral adversarial procedures for all criminal offences.

In 2007, IACA signed a memorandum of understanding with USAID to provide support and resources to assist in the implementation of these significant criminal justice reforms across Mexico. Since 2007, IACA has assisted those responsible for implementing the reforms by conducting three assessments in several states; participating in discussions with Mexican judges and court administrators at both the state and federal level; held meetings with Attorney General's and their staff; prosecutors, defense counsel, public defenders and restorative justice

mediation staff. IACA members have also participated as speakers at several conferences and will continue to support Mexico as they move forward in these historic reforms.

In June 2008, President Calderon passed the constitutional reforms required within an 8-year timeline to implement criminal justice reforms across all of Mexico's 31 states and the Federal District.

IACA will continue to assist our close friends in Mexico who are dedicated and committed to their participation in changing Mexico's criminal justice system.



Pictured from left: Judge Ken Fields, Cathy Hiuser, Jeffrey Apperson, Ray Billotte, Judge Robert Hyslop (Mexico, 2007)



Pictured from left: Bruce Curran, Cathy Hiuser, Jeffrey Apperson, Wanda Rubianes, Jorge Sanz (Mexico, 2008)

