Faced with increasing scope, complexity, and accelerating proliferation of knowledge about self-governed, well-managed, and operationally efficient courts, court executives around the world must either learn together or risk failing alone. This article outlines the premise and promise of a global initiative to help judicial systems and judicial education institutions provide court executive education, training, and professional development for judges and non-judge managers of courts.

Learning from cross-national study of courts and other legal institutions is not novel. Reflecting on his early experiences, Herbert M. Kritzer, editor of the four-volume *Legal Systems of the World: A Political, Social, and Cultural Encyclopedia*, wrote that he was “impressed by the leverage I obtained in understanding legal phenomenon by the simple crossing of a nearby border” (Kritzer, 2002: ix). Today the forces of globalization and revolutionary advances of information technology (IT) create new opportunities and challenges by an expanding web of connectivity, creativity, and collaboration. Knowledge, skills, and abilities today move freely across national boundaries. Judicial educators in far-flung places can be virtual next-door neighbors.

**Opportunities and Challenges**

As justice systems in both developed and developing countries attempt to define and secure their position in a new order of expanding global interdependence, the institutions charged with education and professional development are being propelled in new directions and toward new partnerships. Today’s globalization and IT present unprecedented opportunities and challenges for collaboration, including sharing of educational programs, methods, and techniques; exchanges of knowledge and expertise in the form of curricula and faculties; and ready access to resources.

As the Honorable J. Clifford Wallace, a scholar of judicial education throughout the world, suggested in his 2003 paper in the *Yale Journal of International Law*, judicial education is no longer local and insular. ¹ In critical aspects, like leadership and management of judicial institutions and resources, judicial education is not unique to any one country’s justice system. Issues of self-governance, institutional independence, transparency, accountability, organizational legitimacy, public trust and confidence, and effective judicial administration are more alike than different as one crosses national borders.

In response to these opportunities and challenges, the National Center for State Courts (NCSC) in late 2010 began making plans for an ambitious initiative, the Global Academy for Court Executive Education and Development (Global Academy). The goals of the Global Academy are 1) to raise the status of the discipline of justice system administration, leadership, and management; 2) to help judicial systems and the institutions charged with judicial education throughout the world provide court executive education, training, and professional development for judges and non-judge managers of courts; and 3) to create a cadre of professionally trained court executives around the globe by providing a rigorous program of education and training that meets the highest international standards for what leaders and managers of justice systems should know, understand, and be able to do. The remainder of this article outlines the premise and promise of this initiative.

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¹ J. Clifford Wallace (2003: 355, 363)
A Focus on Leadership and Management

The Global Academy focuses on just one important aspect of globalization and advances in information technology: education services for justice system administration, leadership, and management. It does so for two reasons. The first reason is because effective judicial administration is necessary for courts and other justice system institutions to be recognized as public-service organizations that work to meet citizens’ needs in accordance with rule-of-law principles that apply to all countries, regardless of their different social, cultural, economic, and political systems. Judicial systems of all types, including common law, civil law, or Islamic law, whether in the developing or developed world, can improve only when court leaders and professional managers have access to both initial and continuing training, education, and professional development. Just as judges must first acquire initial competencies in the law and then stay abreast of new developments and sharpen their knowledge, skills, and abilities, court executives, including judges with management responsibilities and non-judge court managers, must have access to initial and continuing education in leadership and executive management.

The second reason the Global Academy focuses on education services for justice system administration, leadership, and management is that, except in more affluent countries with a tradition of professional court management, education for judges and court managers in leadership and management is still in its infancy. Judicial administration did not emerge as a recognizable profession until well into the 20th century. In the authors’ experience, most countries consider such topics as people management, resource management, information systems, negotiation, consensus building, and organizational leadership as secondary, mere “housekeeping,” and “soft,” as compared to traditional legal topics of jurisprudence and the interpretation and enforcement of laws.

One of the significant results of the court reform movement in the United States in the late 20th century was that judges started to realize that their responsibility for managing the justice system will determine whether it succeeds or fails as it copes with major changes. Today many justice system leaders throughout the world echo United States Chief Justice Warren E. Burger’s call more than 40 years ago for a cadre of professional administrators to manage the courts.

Judicial reformers and public-administration scholars agree that high-performing judicial systems require executives devoted to organizational leadership and management. Courts need more than competent jurists who know the law. They need leaders and executives to tackle organizational problems that are sociopolitical, cultural, and human. Court executives who are well-educated and held in high esteem for their expertise are best positioned to lead courts in such activities as budgeting, rulemaking, strategic planning, automated case management, information and communication technology, performance measurement and management, and judicial oversight and discipline. Justice systems that can administer themselves independently, while being transparent and accountable, are most likely to achieve public trust and confidence. The institutional independence that can result from professional and ethical leadership and management can only be established with effective self-governance, and effective self-governance is dependent on judicial leadership and management.

The Vision of the Global Academy

In its initial design, the Global Academy will leverage the resources of NCSC to provide two major services:

- A clearinghouse and library of information focused on the education and professional development of judicial system leaders and executives, including program descriptions, curricula, methods, techniques, and faculties.
- A mechanism—the International Court Executive Development Program (ICEDP)—for the development and delivery of a core curriculum for court executive education and professional development that meets the highest international standards.

Today’s globalization and IT present unprecedented opportunities and challenges for collaboration, including sharing of educational programs, methods, and techniques; exchanges of knowledge and expertise in the form of curricula and faculties; and ready access to resources.
The Global Academy’s clearinghouse and library would provide judicial education institutions and individual judicial educators throughout the world a one-stop agency for the collection, classification, and sharing of information and resources focused on education and professional development of justice system leaders and executives. It would serve as a means for sharing of resources, for the cross-pollination of ideas, and for mutual assistance. It would include Web-based information, as well as materials in traditional formats such as print, video, CD-ROM, and microfiche. In addition, the Global Academy would provide access to and facilitate participation in “live” presentations on the Internet (e.g., Webinars presented in various languages) and in-person conferences. Recordings of such presentations would become part of a collection accessible for continued use.

Through the ICEDP, the Global Academy proposes three levels of certification for court executives: a Level I certificate for completing an initial battery of courses designed to provide skills, knowledge, and abilities basic to successful court management; a Level II certificate for completing additional coursework and fieldwork to enhance basic skills while also providing a higher grounding in analytical and leadership abilities; and a Level III certificate designating the holder a graduate of the Global Academy who has completed coursework and fieldwork meeting the highest professional standards of court administration. The holder of a Level III certificate will be certified as a graduate of the ICEDP, an internationally recognized status given to the world’s top court executives.

The goal is that by 2020, court executives in countries throughout the world will be graduates of this cooperative program of training, education, and professional development of the Global Academy and their host countries’ judicial education institutions. This vision for the Global Academy will shape the plans for the future.

Steps Already Taken
NCSC has taken initial steps in two areas to build the Global Academy. First, planning has been done based on the capacities, resources, and experiences of its Institute for Court Management (ICM) and its International Programs Division. Second, NCSC has invited justice system education organizations from around the world to participate in designing the Global Academy. NCSC’s international outreach is described in the next section of this article. The work that has been done internally is as follows:

- Preliminary Design of an International Model for the Education and Professional Development of Court Executives. The preliminary design of the ICEDP consists of three levels of education and professional development. Level I consists of six courses designed to impart the knowledge, skills, and abilities necessary for all court professionals to be effective court managers and leaders:
  - Purposes, fundamental obligations, and governance of courts;
  - Caseflow management;
  - Court budgeting and fiscal management;
  - Managing people;
  - Managing court technology; and
  - Court performance measurement, management, and accountability.
Each of the six courses can be delivered in a classroom or distance-learning environment.

Level II courses combine practical, philosophical, and analytical learning to enhance skills learned in Level I and provide a more solid foundation for court administration and leadership in the following areas:

- Two freestanding courses, “An Orientation to Court Leadership,” one for court managers and one for judges with management responsibilities.
- Law, legal traditions, and their impact on court structure;
- Management and leadership in the courts;
- Organizational structure, design and reengineering; and
- Analyzing and managing change.

Level III consists of major fieldwork leading to a paper of publishable (or equivalent) quality that addresses a local or international challenge in court management or suggests innovations that can be implemented either locally or internationally to improve the administration of justice.

- Development of a Model International Curriculum. In addition to the preliminary work on the design of a model program, NCSC has also developed a model curriculum. The model curriculum includes modules for each of the six courses in Level I, as well as a preliminary version of Level II courses. Each module is described in a uniform fashion: 1) a brief overview of the module including its overall purpose; 2) learning objectives (i.e., what participants are expected to be able to do after completing the module); 3) a list of major topics and issues, some of which will be supported with brief annotations; 4) notes on instructional design, including suggestions for activities and exercises; 5) notes on faculty recruitment, selection, and development; and 6) an annotated list of resources and references, some relevant for more than one module.

- Faculty Development. In addition to the notes on faculty recruitment, selection, and development that are part of the curriculum modules described above, NCSC will assist in creating a faculty development program adapted for international “train-the-trainer” programs.

In addition, as part of its work in a number of countries throughout the world, NCSC currently is testing, refining, and enhancing the design, the model curriculum, and faculty development of the ICEDP. NCSC is working with local judicial education institutions to enhance their capacity to identify and to deliver educational and professional development programs.

Next Steps
Much has been done already, but much more consideration needs to be given to how and where the Global Academy is to be developed, how it can be financed, how it will function, how it will be directed and managed, and how it can best facilitate the exchange of ideas, programs, and methods. Although NCSC has made numerous presentations to international audiences, the design of the Global Academy has not yet fully benefited from the necessary broad participation of international stakeholders in court administration. Such broad participation is necessary before the Global Academy can realize its vision and enjoy the legitimacy necessary for success.

NCSC last year began exploring potential partnerships with international professional associations, an effort that will lead to the creation of a guiding coalition and establishment of a governance structure for the Global Academy. The capabilities and resources of ICM and NCSC’s Library, informed by those of its International Programs Division, will be used to establish the foundation of the Global Academy’s clearinghouse function. Together with international court organization partners, NCSC will establish a certification program for the Global Academy’s International Court Executive Development Program. Once these
preliminary steps are taken, NCSC and international partners will develop the clearinghouse and library, as well as the ICEDP and the certification program of the Global Academy with selected pilot (“lighthouse”) jurisdictions by providing consultation and technical assistance. We hope that lessons learned in these lighthouse jurisdictions, as well as further analysis and refinements, will lead to a permanent home (and perhaps regional satellites) for the Global Academy.

ENDNOTES

1 However, as pointed out by a reviewer of an earlier version of this article, it can be argued that improved institutional capacity and competence to deliver judicial education may actually promote local and insular solutions. The challenge in such a situation is, of course, to convince mature and competent institutions to share what they have learned with less developed institutions.

2 For example, access to justice is provided by competent, independent judges who have adequate resources; government and its officials are accountable under the law; laws are clear, fair, stable, well publicized, and protect human rights; and the process by which laws are enacted, administered, and enforced is accessible, fair, and efficient (see Agrast, Botero, and Ponce, 2011).

3 In countries in which court leadership and management education is available, it tends to be offered to judges as a relatively small part of the curricula of judicial training institutions. Rarely is such education available to court employees other than judges (see Warren, 2001).

4 “The courts of this country need management which busy and overworked judges, with vastly increased caseloads, cannot give. We need a corps of trained administrators or managers, just as hospitals found they needed them many years ago, to manage and direct the machinery so that judges can concentrate on their primary professional duty of judging . . . Such administrators do not now exist.” Remarks to the American Bar Association August 12, 1969 (see Burger, 1990).

5 ICM, through its flagship Court Executive Development Program (CEDP), is widely recognized as the premiere institution for the professional development of court executives. Since its establishment in 1971, ICM has graduated over 1,100 professional court managers in the United States and 12 countries. Formed in 1992, the International Programs Division assists institutions and organizations worldwide that are seeking innovative solutions to justice system problems. It has worked in over 30 countries, engaging in comprehensive rule-of-law projects in Africa and the Middle East, Asia, Eastern Europe and Central Asia, and Latin America and the Caribbean.

RESOURCES


Justice Eileen C. Moore was charged with finding artwork for the new 4th District Court of Appeal building in Santa Ana, California on a shoestring budget. She contacted the school superintendent and then the probation department got involved. Students read court cases and depicted them in murals. This year’s Trends cover was created by a 17-year-old at Juvenile Hall. The case involved gang violations and disfiguring a public place and the young artist had also been charged with graffiti crimes. The resulting mural hangs in the courthouse, along with more than a dozen other paintings depicting Orange County, California cases.