



International Association for Court Administration

SUMMER 2011 ISSUE IV



2011 Indonesia Conference



The Peace Palace, The Hague



2011 Trinidad Conference

A MESSAGE FROM THE PRESIDENT

Dear Members and Colleagues,

It would be an understatement to report that the International Association for Court Administration has made great strides over the last six months. We had two regional conferences in Trinidad and Indonesia with an international conference being planned at the Peace Palace in The Hague June 13-15, 2012. In Trinidad and Indonesia, we had a total of 55 countries in attendance, including several Chief Justices. We have published a sixth edition of our Journal, acquired new association members from Mongolia and Macedonia, and completed a successful computer donation project for the High Council of Haiti. In addition, we have established a memorial award for the court judges and employees who died while in service to their country in the tragic earthquake and appointed new officers to the Executive Board of IACA. Our new officers are Mark Beer, Vice President for Middle-East, Vladimir Freitas, Vice President for South America, and Charles Glenn, Treasurer. Please view the pictures included in this newsletter as they speak for themselves.



Where can gratitude begin? Without the support of the Supreme Courts of Indonesia, Australia, and the Caribbean Court of Justice, these conferences would not have been possible. Not only were they successful, they were magnificently managed and the cultural events were beyond description. One of my most memorable moments was signing a Memorandum of Understanding with Chief Justice Tumpa of Indonesia to enhance access to legal services for the poor. Another was working with CCJ Justice Saunders, Brice Bussiere of UNDP, and Dawn Conway of Lexis-Nexis, to deliver 25 computers to Haiti. My thanks also go to all our officers and board members for their hard work.

We now move forward to the IACA Conference in The Hague. We are being assisted by the International Criminal Tribunal for the Former Yugoslavia and the International Criminal Court. The theme has generally been established as based on qualitative justice initiatives and other international justice themes relevant to access to justice and court funding problems. Our capacity will be 350 attendees. Registration materials should be mailed by the end of August with a limited registration period because we expect the conference to fill quickly.

In our eight years of existence, we must continue to ask, are we making a difference for our courts and the citizens we serve? I have recently visited prisoners that were being held in pretrial detention longer than their sentences would have been, seen the people of Haiti struggling for dignity and justice, friends and families murdered in Mexico for fighting drug cartels, yet... I have been in 16 countries worldwide in the last three months and I sense progress in the resolve of emerging democracies to improve the administration of justice. In Kyrgyzstan, for example, they changed the law regarding the administration of the budget for the courts by giving the courts control over budget administration to improve court independence. When I asked my friend, the advisor to the president how it happened, he said he learned about it at the IACA Verona conference. There is a wave building; look at what has occurred in Egypt, Tunisia, Libya, and elsewhere. People are simply asking for justice and freedom from the domination of elitist governments, and they are winning. Let us dedicate this conference to those that have sacrificed all for self government and human dignity. Let the spires of the Peace Palace serve as the memorial to their sacrifice as we convene in The Hague.

Biography



Vladimir Freitas - IACA Vice-President, South America

VLADIMIR PASSOS DE FREITAS is Professor at the Master course of Pontifícia Universidade Católica do Paraná, in Curitiba, PR, Assistant-Chief of the National Inspectoring of Justice, in Brasília, Federal District, Vice-President of the Instituto Brasileiro de Administração do Sistema Judiciário, Curitiba, PR and Director of International Relations of Brazilian Federal Judges Association – AJUFE, Brazil. He worked as a Federal Judge for 26 years, being President of the Court of Appeal of the 4th Circuit, Rio Grande do Sul, from 2003-2005. He was Prosecutor in the states of São Paulo and Paraná for 10 years, President of the Brazilian Federal Judges Association and Co-Chair of the National Judicial School. He is Master and Doctor in Law by Universidade Federal do Paraná, and wrote the books “Federal Justice. History and Evolution”, “Law and Justice Administration” (coordinator and co-writer), “Crimes against nature” with his brother Gilberto Passos de Freitas (8th ed.), “Administrative Law and the Environment” (3rd ed.) and “The Constitution and the effectiveness of the Environmental Statutes” (3rd ed.). He has made lectures in Brazil, Portugal, Mexico, Honduras, Argentina, Paraguay, Uruguay, United States, Kenya, Morocco, Thailand, Italy, South Africa, Panamá, Honduras, El Salvador, Nicaragua, Ecuador, Philippines, Australia and Trinidad/Tobago. He is consultant of UNEP – United Nations Environmental Programme, established in Nairobi, Kenya and is member of the Judiciary Specialist Group of the Commission on Environmental Law of the World Conservation Union - IUCN, established in Bonn, Germany.

Biography

Mark Beer - IACA Vice-President, Middle East



Mark Beer has been Registrar at the DIFC Courts since 2008 and CEO of the DIFC Judicial Authority since 2009. In his roles, Mark is charged with administering the DIFC Courts' office and staff, undertaking various judicial functions and other duties as prescribed in Article 17 of the DIFC Courts Law No. 10 of 2004.

During Mark's tenure, and with guidance and support of the Chief Justice, he has lead various initiatives to promote access to justice and to create a world class, efficient, transparent and fair judicial system. This has in-

cluded overseeing the implementation of an electronic case management system to enhance the efficiency of the Courts' operations. Mark has been instrumental in the DIFC Court's adoption of a Code of Professional Conduct and he has supported the development of the DIFC Courts' Pro-Bono programme, both of which are firsts of their kind in the Middle East.

To increase understanding of the DIFC Courts within the UAE's legal community, Mark, with the assistance of the resident Judges and the Courts' team, has worked to establish a DIFC Courts' Legal Practitioners' Series that presents quarterly seminars and lectures on matters that concern the DIFC Courts' working practices and related issues.

Mark has played a key role in developing formal working relationships between the DIFC Courts and the other Courts in the UAE and internationally. In Dubai, he has been involved with formalising agreements covering enforcement and joint initiatives to promote training with the Dubai Courts. The DIFC Courts are an important component of the DIFC's international business offering, and accordingly, Mark has represented the Courts to increase awareness of the DIFC's world-class judicial framework. For this work, Mark received the DIFC Governor's 2009 award for Distinguished New Employee.

Mark joined the DIFC Courts after five years working at MasterCard Worldwide in Dubai where he had served as the company's Regional Legal Counsel for South Asia, Middle East and Africa and was later promoted to Vice President, heading MasterCard's Government Relations and Corporate Services across the same region. Previously, Mark worked in the corporate finance team of Man Investments in Switzerland and prior to that in private practice both in the UK and the UAE.

International Cooperation with the - International Association of Judicial Officers (UIHJ)

A report written by Anne Kappl



Thomas Kappl Leo Netten Walter Gietmann

On 7th of March 2011 the president of the International Association of Judicial Officers (UIHJ) Leo Netten and the president of the European Union of Rechtspfleger (E.U.R.) Thomas Kappl met in Cologne for brainstorming and thoughts exchange. The UIHJ represents the interests of the bailiff and has its headquarters in Paris. In the presence of the German Representative Walter Gietmann, chairman of the Association of German Bailiffs, the parties agreed, that for the

institution, which is responsible for enforcement in civil matters (bailiff), and for the Rechtspfleger as an independent decision-making body at the courts, alongside the judge, a single European professional image with a uniform training must be achieved. Furthermore, a clear delineation of responsibility in both judicial bodies is necessary. Leo Netten handed out to the President of the E.U.R. a study on the role of the bailiff in the worldwide justice. He received the Green Paper on a European Rechtspfleger of the E.U.R.. Kappl welcomed the idea of the President of UIHJ to establish a world court day. Both organizations will enhance cooperation.

- International Association for Court Administration (IACA)

On 8 March 2011 the President of the E.U.R. Thomas Kappl as a member of the European Board met the President of the International Association for Court Administration (IACA) Jeffrey Apperson in The Hague.



European Board of the IACA at the International Criminal Court of the United Nations in The Hague

There were also John Stacey, President of the CEPEJ, Kersti Fjrstad, Norway, Tina Brecelj, Slovenia, Sonya Postran, Serbia, Noel Doherty, Administration of Justice, Dublin, Tim Albers, Ministry of Justice in The Hague, Carline Ameerali and the editor of the newsletter of IACA Philip Langbroek, a professor at the University of Utrecht. They all belong to the European Board. The European Board determined the issue of the international congress, which will take place in The Hague in spring of 2012.

Kappl stressed the need to create a European Rechtspfleger to the view of the large burden on the courts because of the rise of court proceedings in many areas, such as land registry, commercial register, insolvency, European and national payment order, enforcement, to get more efficient courts, which are close to the citizens. This should be a subject of the congress in The Hague in spring 2012.

The President of the IACA, Jeffrey Apperson, Washington DC, welcomed the successful collaboration with the EUR, which has been already started in 2006 in Verona by the previous President of the EUR, Gabriele Guarda, Italy.

IACA ASIA-PACIFIC REGIONAL CONFERENCE 2011

Bogor, Indonesia – March 2011



The International Association for Court Administration (IACA), in association with the Supreme Court of the Republic of Indonesia, hosted the first Asia Pacific Regional Conference in Bogor, Indonesia in 13-16 March 2011.

The regional conference was attended by over 300 delegates from more than 22 countries including Afghanistan, Australia, Cambodia, Dubai, Indonesia, Malaysia, Maldives, Mongolia, Pakistan, the Philippines, Papua New Guinea, Singapore, Solomon Islands, the Netherlands, Timor-Leste, Ukraine, the United States, Vanuatu and Vietnam.

The conference focused on the critical issue of Access to Justice which provided participants with a broad range of topics to consider and discuss including facilitating access to justice for children and disadvantaged groups; training and development of court administrators; circuit courts and access to justice for the poor and those living in remote areas. The conference also focused on court administration and court excellence and the use of information technology to enhance access to justice.

A highlight of the conference was the address by The President of the Republic of Indonesia, Dr Susilo Bambang Yudhoyono when he opened the three-day conference at the Istana Bogor (Presidential Palace).

During his opening speech the President called for the widening of access to legal services for marginalized people, such as women, children and the poor.

We need to increase access to justice for our people... increasing access to justice could be achieved by using information technology for more efficient cases management, supporting the role of civil society organizations that provide legal aid for the people, providing mobile courts for those in rural areas as well as provide free litigation for poor people” Yudhoyono said.

□

Yudhoyono added that the conference’s theme, “Access to Justice,” was the right and relevant theme, and participants should work to share the same perception and find innovative solutions to allow the underprivileged better access to law enforcement.

The President’s address was published in international and national media including the Jakarta Post, the Australian and the Jakarta Globe.

Statement of Commitment

The Conference culminated in the development of a Statement of Commitment which was delivered at the closing ceremony by the Indonesian organizing committee. The statement of commitment reads:

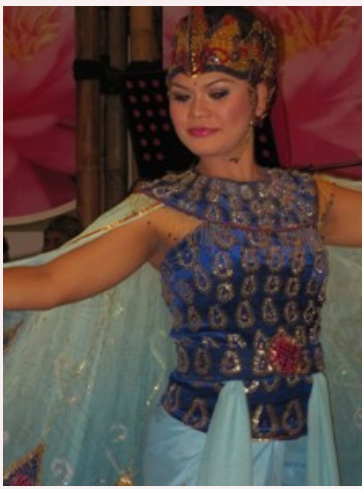
We, the participants of the International Association for Court Administration Asia Pacific Regional Conference 2011 acknowledge:

- Acknowledge that access to justice, particularly for disadvantaged groups is a common concern;*
- Understand that every country faces different challenges in delivering access to justice;*
- State our commitment to improving access to justice for all members of the community, particularly those suffering from disadvantage by reviewing and improving our respective court services;*
- State our commitment to work with all stakeholders to improve access to justice.*

Gala Dinner

A further highlight of the conference was the gala dinner held on Monday 14 March. The dinner, with an international influence, gave delegates a sample of cuisine from all the participating countries.

The entertainment included traditional Indonesian dancers performing a variety of dances which reflects the country’s diversity of ethnicities and cultures.



All guests were treated to an Angklung, a musical instrument made out of bamboo tubes attached to a bamboo frame. The base of the frame is held with one hand while the other hand shakes the instrument rapidly from side to side to produce a resonant pitch and a rapidly repeating note to sound. All participants played one note (on command) and together a complete melody was produced.



Courting Reform: Indonesia's Islamic courts and justice for the poor.

At the closing ceremony the Honourable Dr Harifin A. Tumpa, Chief Justice of the Supreme Court of the Republic of Indonesia and the Honourable Diana Bryant Chief Justice of the Family Court of Australia launch the Lowy publication – Courting Reform: Indonesia's Islamic courts and justice for the poor.

The publication, co-authored by Cate Sumner who has worked for twenty years in the Middle East and Asia for international organisations and bilateral development agencies, focusing on access to justice, human rights and judicial reform and most recently as the Lead Adviser for Access to Justice in AusAID's Indonesia Australia Legal Development Facility and Tim Lindsey a Professor of Asian Law and Director of the Asian Law Centre in the Law School at the University of Melbourne who has worked as Senior Technical Adviser to AusAID's Indonesia Australia Legal Development Facility, explores how the Islamic courts have embraced reform within a judicial system notorious for corruption and incompetence, taking the lead in efforts to deliver decisions that are more accessible, transparent and fair, especially for women and the poor.

In the publication Professor Lindsey challenges the western perceptions of Islam in Indonesia that are often dominated by images of radical minorities seeking a shari'ah state. He details how mainstream Islamic institutions have played an important part in the post-Soeharto process of democratisation and institutional reform. Among them are Indonesia's Islamic courts, the Pengadilan Agama or Religious Courts.



Sponsors

The conference was supported by four major partners: Crimson Logic (Singapore), JAVS (USA), Sys Solusindo (Indonesia), and For the Record (USA).



Crimsonlogic (Singapore) – works with governments across Asia, the Middle East, North America, Latin America and Africa to find innovative solutions to collaborate more seamlessly with their citizens and ecosystems. For over 20 years CrimsonLogic has continued to set industry standards by delivering world-first eGovernment solutions in trade facilitation, judiciary, tax, healthcare and IT security

domains to optimize workflow, increase operational efficiencies and improve decision making.



JAVS (USA) – provides engineered audio and video recording systems that are used to easily create the official record of important proceedings. As an industry leader in courtroom recording systems for over 25 years, the company has continued to pioneer improved ways of capturing, logging, storing and delivering the official public record.

More than 2500 JAVS courtroom systems are installed in 35 states and numerous countries including Europe, Africa, Asia and Latin America.



SYS Solusindo (Indonesia) – is a development company and provider of state court information systems for religious courts. Their services include program and software development, web application development, network systems, electronic devices and automation and multimedia. SYS Solusindo aims to build a foundation for the IT industry in Indonesia to enable it to compete in the international market.

Fortherecord (USA) – is a global leader dedicated to providing digital recording and content management solutions for justice and public safety venues. It specializes in court recording, digital court reporting and interview room recording.

Each of the partners contributed financially to the conference and IACA is appreciative of their continuing support.

The Caribbean Court of Justice



Master Christie-Anne Morris-Alleyne ,The Caribbean Court of Justice Staff and Jeff Apperson

2011 Trinidad Conference



Brice Bussiere (UNDP), President Moise, and former Minister of Justice Rene Magliore



Chief Justice Diana Bryant, President-elect Richard Foster and Australian delegation members, with Jeff Apperson



Jeff Apperson

2011 Trinidad Conference



Festival Celebration at the Trinidad Gala



Cathy Hiuser and Jeff Apperson with the Mexican delegation at the conference.

2011 Indonesia Conference



IACA President Jeffrey Apperson receives a gift from Indonesia Supreme Court Chief Justice Harifin Tumpa

Robert French, Chief Justice of Australia



**IACA ASIA-PACIFIC
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Richard Foster and The Honourable Widayatno Sastro Hardjono

Mongolia



Jeff recruits new members of IACA



The President and Officers of the Mongolian Court Administration Association

Macedonia



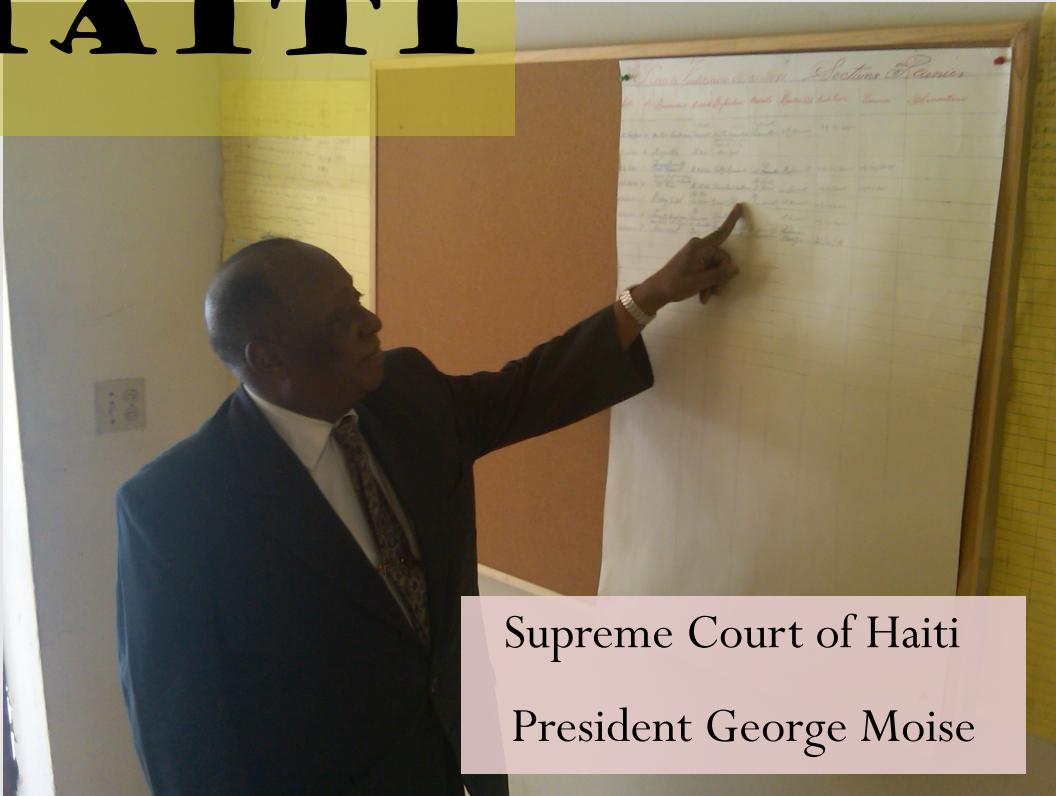
From left: Jeff Apperson, Borce Mirceski, President, Macedonia Court Administration Association with Administrator of Macedonia Supreme Court

The Hague Planning Conference



From Left: Tina Breclj, Charlotte Dahuron, Jeff Apperson, and Marc Dubuisson

HAITI



Supreme Court of Haiti

President George Moise



Jeff gives award to Director General Antoine André, and the Director of Judicial Affairs, Jean Saint Nogène Avillon on behalf of IACA, for those members of the court that died during the earthquake in 2010. Also pictured, Brice Bussiere.

Conference: Criminal Justice in Australia and New Zealand – Issues and Challenges for Judicial Administration, AIJA Criminal Justice Conference

Dates: Wednesday 7 - Friday 9 September 2011

Venue: Four Points by Sheraton Darling Harbour, Sydney

Full registration details are available at www.amp.com.au/cjc11

For regular updates and program information visit www.ija.org.au

If you are the contact person for potential/or multiple delegates, please forward this message to all interested persons. Your assistance in promoting this conference would be greatly appreciated.

Questions and enquiries to A.M. Meetings Plus on +61 (03) 9372 7182 or cjc11@amp.com.au



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In partnership with



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Visit www.nacmnet.org for more information, registration, and sponsorship and exhibiting opportunities.



David Pogue,
Technology columnist for the New York
Times, opens CTC 2011 with a keynote
address on October 4, 2011.

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