



Rethinking Judicial Education

A Detailed Study of Curriculum and
Learning Methodologies in Judicial Academies





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Learning Methodologies in Judicial Academies

Centre for Research and Planning

Supreme Court of India

New Delhi

*This work has been drafted by the Centre for Research and Planning,
Supreme Court of India, in collaboration with the National Judicial
Academy, Bhopal*

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Foreword by Hon'ble The Chief Justice of India

The Indian judiciary plays a pivotal role in upholding justice and addressing the diverse challenges of a rapidly evolving society. Recognising the need for a more effective and inclusive judicial system, the Centre for Research and Planning of the Supreme Court of India, in collaboration with the National Judicial Academy, has prepared this analysis of the judicial curriculum. The importance of this work lies in addressing the pressing issues within the current state of judicial learning. The analysis highlights issues, such as need for uniformity in judicial training across State Judicial Academies, need to focus on societal awareness, and skill development for judges. Many programmes tend to focus on procedural aspects of law, while critical issues like gender sensitisation and the challenges faced by marginalised communities require greater attention. Additionally, questions like the duration, mode of learning, and availability of post-session assessments and feedback hinder the effectiveness of judicial training.

This work “*Rethinking Judicial Education: A Detailed Study of Curriculum and Learning Methodologies*,” by the Centre for Research and Planning, addresses the gaps, by drawing the experience from this both domestic and international practices, such as mediation skills. The paper provides practical recommendations to enhance judicial education, including the adoption of standardised thematic

frameworks, innovative teaching methods, mentorship programmes, and strengthened coordination between the National Judicial Academy and State Judicial Academies. These measures aim to create a more consistent and comprehensive approach to judicial learning.

I commend the authors who have painstakingly worked to prepare this seminal work. The Report was prepared under the guidance of the Director NJA, Mr. Justice Aniruddha Bose (former Supreme Court Judge). I congratulate the team led by Dr Sukhda Pritam, Director [Additional Registrar (Research)], CRP, along with the Law Researchers for their meticulous efforts in surveying, curating, and analysing the functioning of judicial academies in India and globally. Their comprehensive work not only identifies critical challenges but also offers actionable solutions, significantly contributing to a judicial system that is informed, inclusive, and responsive to the needs of the society it serves.

As we strive toward a more meaningful reforms in judicial education, I urge the National Judicial Academy and State Judicial Academies to take into consideration the findings and work collaboratively to build a stronger foundation for justice in India. I sincerely hope that this document will serve as a catalyst for meaningful change, imbibing a culture where learning methodologies are more constructive, collaborative, reflective, integrative and inquiry based. By doing so, we will not only strengthen our judicial curriculum but also take a significant step toward improving judicial education, ensuring that judges across the country are better equipped to deliver fair and efficient justice.

Sanjiv Khanna
Chief Justice of India

New Delhi
December 11, 2024

Acknowledgement

This paper has been prepared with the guidance and support of the Hon'ble the Chief Justice of India, Mr Sanjiv Khanna. A special thanks to Justice (Dr) D Y Chandrachud, former Chief Justice of India, for his constant nudge towards strengthening the judiciary. We extend our sincere gratitude to Mr Atul M Kurhekar, Secretary General and Mr Bharat Parashar, Secretary General (OSD), Supreme Court of India, for their invaluable encouragement and guidance, which greatly supported the preparation of this work.

We extend our heartfelt gratitude to the team and faculty of the National Judicial Academy, led by the esteemed Director and former Supreme Court Judge, Justice Aniruddha Bose, for making this collaboration a resounding success. Thanks to the expertise, guidance, and tireless efforts of Justice Bose, we had the privilege of conducting a meaningful three-day consultation between the NJA and the CRP in Bhopal, from 21st Oct to 23rd Oct 2024. This engagement played a crucial role in shaping comprehensive findings and analysis.

Special thanks to Professor G Mohan Gopal and Justice A P Sahi, former Directors of the National Judicial Academy, for their valuable suggestions and guidance. We also benefited from the inputs received from Prof K P S Mahalwar, former Head and Dean, Faculty of Law,

M D University, Rohtak and Dr Shalini Phansalkar Joshi, former Judge, Bombay High Court and former Director, Maharashtra Judicial Academy.

We further wish to acknowledge the commendable efforts of Mr Amarendra Kumar, Consultant, Centre for Research and Planning; Ms Riya Kharab and Ms Shambhavi Srivastava, former Law Clerk-cum-Research Associates at the Centre for Research and Planning. Their contributions in the initial ideation of this paper have been of immense value.

Finally, we extend our heartfelt appreciation to everyone whose contributions, knowledge, and commitment have shaped this work, creating a forward-looking shared vision for an enhanced future for the judicial curriculum in India.



List of Abbreviations

ADR	Alternative Dispute Resolution
AI	Artificial Intelligence
CFSL	Central Forensic Science Laboratory
CIQ	Critical Incident Questionnaire
CJI	Chief Justice of India
CJM	Chief Judicial Magistrate
CRP	Centre for Research and Planning
DPSPs	Directive Principles of State Policy
EJTN	European Judicial Training Network
EI	Emotional Intelligence
EQ	Emotional Quotient
EU	European Union
FASTER	Fast and Secured Transmission of Electronic Records
FSL	Forensic Science Laboratory
ICT	Information and Communications Technology
IT	Information Technology
JEP	Judicial Executive Programme
KAP	Knowledge, Attitude, and Practice

LAST	Leadership and Administrative Skills Training
LGBTQ	Lesbian, Gay, Bisexual, Transgender, and Queer
NCMS	National Court Management System
NFCE	National Framework of Court Excellence
NJA	National Judicial Academy
NJAC	National Judicial Academic Council
NJCA	National Judicial College of Australia
NJDG	National Judicial Data Grid
NSTEP	National Service and Tracking of Electronic Processes
ODR	Online Dispute Resolution
PIO	Public Information Officer
POCSO	Protection of Children from Sexual Offences Act
PDJ	Principal District Judge
SFL	State Forensic Labs
SC/ST	Scheduled Castes and Scheduled Tribes
SCI	Supreme Court of India
SJA	State Judicial Academy
SJAs	State Judicial Academies
SUPACE	Supreme Court Portal for Assistance in Court Efficiency
UNESCO	United Nations Educational, Scientific and Cultural Organisation
UNODC	United Nations Office on Drugs and Crime
PVTGs	Particularly Vulnerable Tribal Groups
QASK	Quality, Attitude, Skills, and Knowledge

Executive Summary

The Centre for Research and Planning of the Supreme Court of India in collaboration with the National Judicial Academy is pleased to present the ‘Seminal work on Judicial Academy Curriculum.’ In the pursuit of advancing a judiciary that is not only legally adept but also socially conscious, this analysis aims to examine the current landscape of judicial academies addressing these crucial aspects within their curriculum.

In addition to evaluating the domestic judicial curriculum, a comparative analysis of learning methods from other judicial systems worldwide can provide valuable insights into international best practices. By examining programmes like the Judicial Executive Programme in Singapore, which emphasises strategic leadership, innovation, and technological advancements, or the European Commission for Efficiency of Justice’s Mediation Awareness Programme, which enhances judges’ mediation skills, we can identify effective strategies and methodologies. Adopting and adapting these proven practices can help us design a more comprehensive and effective judicial curriculum, ensuring our judiciary is well-equipped to meet contemporary challenges and uphold justice efficiently.

Before delving into the specific recommendations for updating the judicial curriculum, it is important to recognise the foundational strengths and areas for improvement identified through our evaluation.

By understanding the current framework and its effectiveness, we can better appreciate the necessity for incorporating international best practices.

1. FINDINGS

While the legal landscape continues to evolve, the importance of comprehensive knowledge and skill development for judges cannot be overstated. Such learning plays a crucial role in equipping judges with the knowledge, skills, and sensitivity required to dispense justice in an inclusive and fair manner. Despite the critical need for comprehensive learning, the current state of judicial education presents several challenges that hinder the realisation of a more inclusive and sensitised judiciary.

a. Non-uniformity in Judicial Learning across Academies

The in-depth analysis of the current state of judicial learning as evident from the responses received as well as the curricula available on the websites of the State Judicial Academies revealed a host of concerning issues that demand immediate attention. It is disconcerting to note that the provision of learning is not uniform across all judicial academies. The stark disparity in the provision of learning raises questions about the consistency of knowledge and sensitivity across the judiciary, thereby posing hindrances to the establishment of a uniformly informed and empathetic legal system. Moreover, the purpose of certain judicial learning is undermined when the judicial academies that provide these learning and skill enhancement programmes are optional for judges.

For Instance, in 2023, only 15 State Judicial Academies conducted programmes and workshops on aspects of gender sensitisation and on women-centric issues whereas, on issues pertaining to marginalised communities, six judicial academies conducted workshops but with no programmes

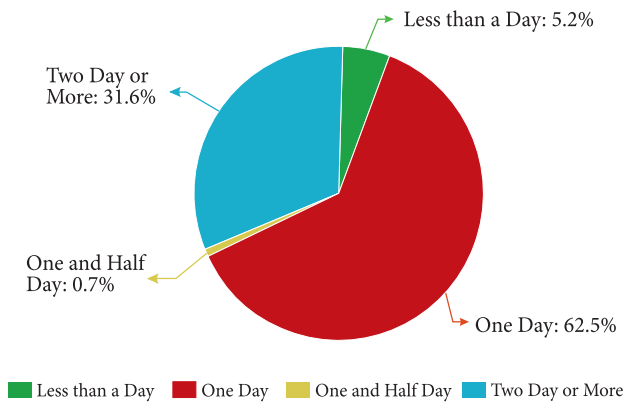
conducted on the issues faced by disabled people. For minors and children, all of the judicial academies have conducted the programmes but the majority of such programmes/workshops have had their limitations, dealing with only the procedural aspects of the POCSO Act, 2012 and Juvenile Justice Act, 2015 and have been mainly imparted to judges deputed in special courts.

b. Non-uniformity in the Mode and Duration of Judicial Learning

There is a lack of consistency within State Judicial Academies regarding the mode and duration of learning modules. For instance, for the years 2021-23, a total of 309 trainings conducted by 22 judicial academies excluding Bihar, Andhra Pradesh and Madhya Pradesh have been analysed. For the purpose of simplification, limited data was collected from various state judicial academies via Google Forms. The responses received focused on the extent to which various training modules across the country address topics related to gender, marginalised communities, and juveniles in conflict with the law for the period of 2021-23. The data analysed in the chart below can be referred to as an example. Some judicial academies have not shared the response for either the mode or duration or both, the analysis is conducted based on the responses available. Accordingly, the majority of academies conduct sessions in offline mode and very few conduct in hybrid mode. Similarly, some academies are conducting sessions that last less than a day.

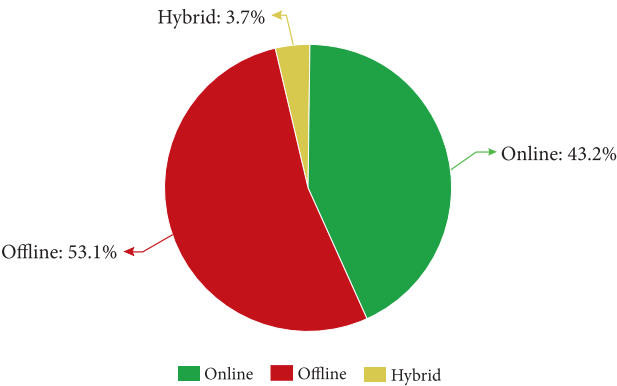
DURATION OF SESSIONS	
Duration	No. of Sessions
Less than a day	16
One day	192
One and half day	2
Two days or more	97
Duration not specified	02

Duration of the Training¹



SESSIONS CONDUCTED IN DIFFERENT MODES	
Mode	No. of Sessions
Online	126
Offline	155
Hybrid	11
Mode not specified (online or offline)	17

Training Conducted in Different Mode



1 For the purpose of simplification, limited data was collected from various state judicial academies via Google Forms. The responses received focused on the extent to which various training modules across the country address topics related to gender, marginalised communities, and juveniles in conflict with the law for the period of 2021-23.

c. Knowledge and Skill Development limited to Special Court Judges

The exclusion of a broader spectrum of judges from programmes creates a divide, with certain members of the judiciary receiving specialised education while others are left without exposure to crucial societal issues. This unequal distribution of learning mechanisms not only affects the overall competence of the judiciary but also hampers its ability to address cases with the depth of understanding required for fair and just decisions. A judiciary that aspires to be just and impartial should ensure that all its members, regardless of specialisation, learn a broader spectrum of societal issues.

d. Inadequate Emphasis on Societal Awareness in Judicial Learning

A critical observation in our analysis reveals that the focus of many learning programmes primarily revolves around purely procedural legal aspects, with insufficient emphasis on creating awareness and sensitising judges to the societal nuances and socio-cultural dimensions that underlie the cases they adjudicate, highlighting a critical gap. This narrow emphasis undermines the holistic understanding required to address the diverse challenges that come before the judiciary. Majority of the programmes conducted by the judicial academies concerning minors and children and marginalised communities do not practically deal with the sensitisation and awareness aspect.

e. Absence of Post-session Assessments and Feedback

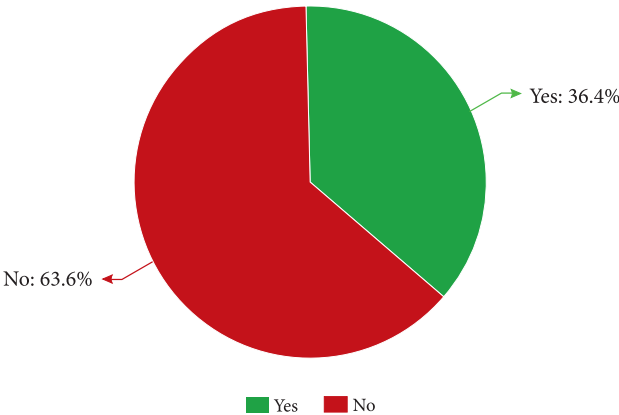
Another significant concern is the absence of post-session assessments for judges. Without a systematic evaluation of the impact of learning on their attitudes, knowledge application,

and behaviour, the effectiveness of these programmes remains uncertain. The lack of assessments deprives the legal system of a valuable tool for measuring the tangible outcomes of initiatives and identifying areas that may require further emphasis or improvement.

Assessment conducted by Judicial Academies Post Learning Session	
Yes	08
No	14

* Data not available for Chhattisgarh, Madhya Pradesh and Andhra Pradesh Judicial Academy

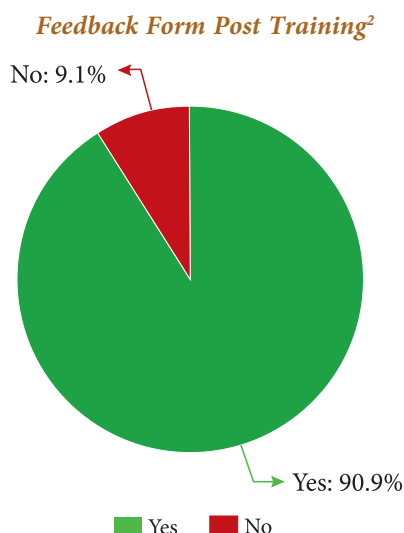
Assessment Conducted for Judicial Officers post training



Furthermore, the absence of prevailing practice of collecting feedback post learning sessions is a significant limitation. Feedback forms are an essential requisite of analysing the perspective of judges post-learning session which could also highlight the limitations of sessions conducted. The lack of uniformity in the academic calendars among judicial academies, coupled with the absence of comprehensive information regarding the modules offered, poses a challenge in assessing whether critical modules are adequately covered.

Feedback Form Post Learning Sessions	
Yes	20
No	02

** Data not available for Chhattisgarh, Madhya Pradesh, and Andhra Pradesh Judicial Academy*



2. SUGGESTIONS

Based on the comprehensive analysis of the current state of judicial education and the identified challenges, several suggestions emerge to enhance the effectiveness and inclusivity of these programmes:

- a. **Enhancing Practical Learning for Judges:** To improve judicial education, it is essential to shift from traditional lecture-based formats to interactive and practical learning methods. Implementing techniques such as the Circular Response Method, Devil's Advocate Activity, and Scenario Analysis will help in critical thinking, analytical, evaluative, and creative

² For the purpose of simplification a limited data was collected from various judicial academies via Google Forms. The responses received focused on the extent to which various modules across the country address topics related to gender, marginalised communities, and juveniles in conflict with the law for the period of 2021-23.

skills among judges. These methods should be integrated into knowledge and skill development learning programmes to enable judges to effectively address complex legal issues and make informed decisions.

b. Developing and Evaluating High-Quality Learning

Materials: An independent body under the National Judicial Academic Council (NJAC) can be established to focus on the research and creation of comprehensive curriculum resources. This body shall ensure that materials are regularly updated to reflect the evolving socio-political, economic, and technological landscape. Additionally, a combination of group and individual learning formats, supported by diagnostic tools, can be implemented to identify and address specific learning needs. This approach will provide judges with the necessary resources and flexibility to engage in self-directed learning, thereby enhancing their professional competence and the overall quality of judicial decisions.

c. Enhancing Judicial Learning through Thematic Frameworks:

To ensure that the judiciary remains adept in an evolving legal landscape, it is imperative to implement a comprehensive thematic framework. This framework can focus on critical areas such as judgment writing, the integration of modern technologies, and the development of management and leadership skills. Specifically, programmes must emphasise structured reasoning and clear articulation in judgment writing, the ethical and effective use of AI and other technologies, and the cultivation of emotional intelligence and stress management.

Additionally, establishing regular, interactive learning sessions that incorporate practical exercises, case studies, and continuous feedback will enhance the judiciary's ability to deliver fair and timely justice.

- d. **Establish a Standardised Skeletal Knowledge and Skill Development Framework:** A skeletal calendar can be created with the assistance of State Judicial Academies (SJAs). This framework can ensure a balance between uniform learning components, such as judicial ethics, media management, and AI integration while allowing for localisation to address the specific legal and cultural needs of each state. This approach will promote cohesion across judicial learning programmes nationwide without sacrificing the unique requirements of individual states.
- e. **Introduce Innovative Learning Methods and a Judicial Mentorship Programme:** Judicial learning programmes can incorporate innovative practices, such as critical thinking exercises, role plays, and scenario analysis, to enhance problem-solving skills. Additionally, a structured judicial mentorship programme can be implemented, wherein senior or retired judges mentor new judges. This mentorship will provide on-the-job guidance and support, ensuring practical skill development and nurturing professional growth in the judiciary.
- f. **Collaboration between NJA and SJAs for Interim Judicial Learning:** To enhance the capabilities of judges across different states, there should be a collaborative effort between the National Judicial Academy (NJA) and the State Judicial Academies (SJAs). One immediate solution is to implement interim measures that leverage existing NJA resources, such as those focused on gender sensitisation, cybercrime, medical forensics, and ADR (Alternative Dispute Resolution) techniques until the SJAs are fully equipped to independently deliver high-quality and comprehensive learning. It is essential that these crucial courses are incorporated into the SJA induction programmes. This collaboration will ensure that newly inducted officers

are adequately trained and prepared for the evolving judicial demands, creating a strong foundation while the broader judicial education system is being revamped.

- g. Strengthening Resource Persons/ Trainers' Proficiency through Uniform Modules:** Additionally, resource persons/trainers within the SJAs must be upskilled to deliver modern methodologies such as experiential learning, participatory teaching, and technology integration. A uniform “Module for Resource Persons” as a Training for Trainers programme can be implemented to enhance their proficiency in these areas. By ensuring that resource persons/trainers are well-versed in these advanced techniques, the effectiveness of judicial education will significantly improve. These measures will prepare resource persons/trainers to adopt new methods, contributing to the successful long-term transformation of the judiciary's learning system. Therefore, improving the methodologies of resource persons/trainers is a critical first step towards a comprehensive judicial education overhaul.
- h. Strengthening Coordination between NJA and SJAs for Judicial Learning:** To enhance the judicial education framework, the National Judicial Academy (NJA) can act as a bridge between State Judicial Academies (SJAs) and the Supreme Court of India, ensuring the consolidation of reports and facilitating a streamlined communication process. This would allow the NJA to coordinate the development and standardisation of programmes while addressing resource constraints faced by SJAs. Additionally, the NJA can support SJAs in achieving minimum standards of judicial education, providing necessary assistance until the SJAs are fully capable of independently managing these programmes. This collaboration will ensure consistency in judicial learning across the nation while maintaining the independence of each institution.

Introduction

The 117th Law Commission Report highlights the significance of knowledge and skill development in mastering the art of rendering justice. Additionally, it also notes that learning must evolve over time to remain relevant and effective to the changing needs of the legal field. This need for adaptability is aligned with the seven tenets presented by Hon'ble the Chief Justice of India, Dr D Y Chandrachud on judicial learning and methodology discussed during the second-to-last session at the National Conference of the District Judiciary, held at Bharat Mandapam, Delhi. Mentorship and continuous support from senior judges and peers throughout a judge's career are important, stressing the need for a dynamic and comprehensive approach to judicial learning. Acknowledging the need for assimilation of these tenets in the curriculum and the methods of imparting judicial education, the Chief Justice of India tasked the Centre for Research and Planning, Supreme Court of India, to collaborate with the National Judicial Academy (NJA) under the guidance of Justice Aniruddha Bose, NJA Director, to prepare a uniform and detailed curriculum. The NJA functions as the institution to advance the national-level judicial education for judges across the country, conduct research on justice and judicial institutions, and strengthen the administration of justice, making its role essential in this initiative. The curriculum delves into the

current mode of judicial learning, the curriculum, the challenges, best practices-domestic and international, recommendations collated through responses received from various High Courts and State Judicial Academies and through deliberations undertaken at the National Judicial Academy, all towards achieving the goal of ‘mastering the art of rendering justice through learning, that evolves over time.’ The current findings and analysis purely intend to propose a recommendation framework for the judicial curriculum and training methodologies, with the final authority on the implementation and the assimilations resting entirely with the Members of Governing Bodies, National Judicial Academy India, viz. Members of the General Body and members of the Governing Council. The document consists of five parts. The objectives and organisation of these five parts are outlined below:

Part I: Structured learning is important for providing a systematic framework that enhances learning outcomes and ensures consistent skill development. The first part proposes a structured approach to learning, emphasising the creation of a resource pool, peer learning, practical activities, and ICT integration, ensuring that judicial learning is need-based and accessible.

Part II: Outlines seven tenets on judicial learning, emphasising the importance of comprehensive legal education. While some State Judicial Academies (SJAs) incorporate these themes, the adoption of all these areas is essential for a holistic approach to legal education in India. The themes from various judicial academies across the nation and internationally were examined leading to the development of this Thematic Framework. This second part introduces the framework, focusing on critical areas such as judgment writing, ICT, courtroom management, sensitisation, and AI, along with learning in leadership and forensics.

Part III: After examining and then developing the themes, it is important to tailor a calendar to ensure that learning is relevant to the specific challenges faced by judges in different regions, facilitating more effective skill development. The third part presents a SJA Thematic Framework, with a tailored knowledge and skill development calendar addressing local needs and evolving practical learning.

Part IV: The development and integration of the curriculum requires time, making interim measures by the NJA necessary to support SJAs during this transition. The fourth part deals with capacity building for SJAs, advocating for “teaching the trainers” programmes, leadership development, and specialised courses in areas such as cybercrime, forensics, and alternative dispute resolution (ADR).

Part V: The final part examines the current role and relationship between the NJA and SJAs, and recommends a collaborative evaluation system to ensure effective judicial education across India.

While this integrated proposal aims to create a dynamic and future-ready framework for judicial education and provide uniformity across judicial academies, it does not supersede the 80:20 policy of judicial education for State Judicial Academies. This policy requires that 80 percent of the curriculum is standardised across the country, covering subjects relevant nationwide, while 20 percent consists of state-specific topics, allowing for the development of education tailored to local needs.

SCOPE

To develop this document, a comprehensive approach to collect and analyse information was employed. Responses were gathered from various High Courts and State Judicial Academies to analyse the existing judicial curricula and identify existing challenges and potential areas for reform in judicial learning. An interactive session

with the former Director of the National Judicial Academy (NJA)¹ further clarified key issues and opportunities for improvement. Additionally, a comparative study of the curricula from different State Judicial Academies (SJAs) and the NJA, supplemented by research into international best practices, was also undertaken. This systematic approach aided in the formulation of well-rounded recommendations and ultimately the present proposal for enhancing judicial learning effectiveness.

LIMITATION

This document is prepared based on the responses obtained through an email circulated among High Courts and State Judicial Academies to obtain their Judicial Calendars for the years 2024, 2023 and 2022 along with suggestions for enhancements of learning methods. 14 High Courts and 13 State Judicial Academies provided their Calendars as well as suggestions in response to the email which were analysed in drawing up this document. Apart from the responses received, the annual calendar for the State Academies as published and available on their respective websites were also referred to. Thereby, the document has been based on the curricula of all the judicial academies, out of which some have been analysed on the basis of the academic calendar available online and the rest based on the responses obtained through the emails, comprising the calendars as well as the suggestions. Additionally, the thematic calendar of NJA was also referred to, in preparation of the document.

1 Prof G Mohan Gopal (Director of the National Judicial Academy from 2006 to 2011)

Current Challenges Facing Judicial Curricula In India

Non-uniformity in Curriculum and Learning Methods: It becomes imperative to bring systematic change to include contemporary topics and adapt to the transforming legal landscape which calls for a systematic change in the framework for judicial education, adaptable to regional variations. Inspiration can be taken from comprehensive modules from national and international academies which can better equip judges to handle the increasing complexity of specialised and contemporary legal areas.

Practical Learning over Theoretical Learning: The methods of learning have been majorly focused on procedural and theoretical learning. Incorporating innovative and interactive learning methods is crucial to making judicial education more engaging and effective. Judges will perform better if trained in real-life situations and through a mix of pedagogical and andragogical teaching methods. These methods will give a newly recruited judge more insight into the practical functioning along with mentorship while keeping in-service judges up to date. Knowledge and Skill Development Learning would also focus on niche and developing areas of artificial intelligence and updated technology which is needed for a digitally empowered judiciary. These innovative methods can also enhance the judges' decision-making and case-management skills.

- a. **Internal Feedback and Assessment Mechanisms:** Evaluation and feedback are necessary to enhance learning through surveys, assessments and questionnaires. The assessment and feedback can be based on the type of learning. The models can ideally have grades and markings to determine whether the judicial officer is equipped with the skills. Performance in the induction programme needs to be closely reviewed. Progressive skill evaluation, assignments, longitudinal assessments etc., can help improve modules and ensure accountability.
- b. **Re-engineering the Judicial Process through Effective use of (Information and Communications Technology) ICT:** There is a gap between the integration of technology and the functioning of the judiciary. The tools that are available are yet to be utilised to their full potential. Technology can make a major impact in reducing the backlog of cases, helping in case categorisation, expediting and reducing the time taken to dispose of cases. Judges need to be taught to use technology and adopt case management/case flow management principles, for enhancing the quality and increasing the quantity of decisions. This will help improve efficiency, timelines and access to justice. Judges must be educated regarding tools such as JustIS App, NJDG, FASTER, NSTEP etc., to be aware of how to use these tools to their benefit. In the future, a cloud-based learning platform and e-knowledge platform could also be launched to enhance assessment and learning.
- c. **Judicial Knowledge Management:** E-learning platforms with documents, repositories of research articles, and sharing of ideas and opinions by peers and colleagues in judicial academies. These knowledge-sharing platforms can become instrumental in learning and answering queries regarding judging. Constant review and update of the material provided to judges is also essential.

- d. **Social Context Judging:** Sensitisation regarding social realities concerning gender and marginalised communities. Judging with knowledge and social context will provide the necessary sensitivity while providing legal services to vulnerable sections of society. Such learning has become imperative and is absent in most academies.
- e. **Management Skills:** Judges face difficulties with administrative tasks, equipping them with skills to handle administrative issues will help improve court planning and management systems and create detailed development plans to optimise case management.
- f. **Judicial Wellness:** There is an immediate need to address judicial wellness, which includes mental health and stress management, to ensure the holistic and overall development of judges. The focus is minimal on the psychological aspects of judging and the emotional quotient of judges. The judges constantly deal with emotionally burdensome cases and realities. It becomes important to give them tools to manage stress.
- g. **Media Engagement:** Judicial learning has to update with the changing times. Social media and media constantly publishes negative and positive things relating to ongoing cases. A judge must be trained to react objectively and not be affected by such publicity. Responding to social media in a positive manner and mindful interaction with the media will be possible through such learning.
- h. **Inadequate Emphasis on Alternative Dispute Resolution (ADR):** Emphasis should be placed on encouraging alternative dispute resolution equipping judges with the knowledge and skills to effectively utilise ADR processes to expedite case resolutions and increase satisfaction regarding these resolutions.

- i. **Judicial Conduct:** Development of judicial conduct and behaviour within the court while dealing with litigants, lawyers and other stakeholders. Judicial conduct and behavioural learning to judges, giving them ways to communicate with everyone effectively. Reinstating values of judicial integrity, judicial independence, discipline and accountability to lead a judicial life.
- j. **Disconnect Between National and State Judicial Academies:** Redefining the roles and the relationship between NJA and SJAs is essential for strengthening judicial learning across the country. Collaboration and integration can help with the creation of better channels of communication, feedback mechanisms, resource sharing, and accountability. Resource disparities also exist between the National Judicial Academy and the State Judicial Academies.



Domestic and International Best Practices

Analysing best practices from both national and international organisations helps to identify methodologies curated by experts who have successfully addressed similar challenges and refined their approaches. Best practices offer valuable insights into effective solutions and innovative strategies making them a reliable source for generating ideas for reforms and enhancements. After examining these proven methods, some could be applied to improve the curricula and programmes of National Judicial Academy (NJA) and State Judicial Academies (SJAs), ensuring that judicial learning evolves in line with contemporary needs and challenges.

1. BEST PRACTICE ACROSS INDIAN JUDICIAL ACADEMIES

A comprehensive review of the curricula from various State Judicial Academies was undertaken to identify effective practices and innovative approaches. While many components of programmes are uniformly implemented, certain distinctive elements have proven particularly impactful. These features stood out because they are well-aligned with current needs and effectively address gaps and challenges that have been identified. These challenges included areas where traditional learning methods were found lacking or where evolving judicial requirements were not adequately met. In

the course of drafting the document, the curricula of different State Judicial Academies across the country were reviewed with some of the notable features given below:

- a. **Diverse Learning Modules:** This covers a broad spectrum of specialised programmes for various judicial officers, including district judges, family court judges, and special judges. It includes orientation courses, refresher courses and core competence conferences aimed at developing knowledge, skills and perspectives specific to their roles and responsibilities.
- b. **Stakeholder Inclusion:** The academy's curriculum extends beyond judges to include other stakeholders such as public prosecutors, police officers, court staff, and child welfare committee members. This ensures that a wide range of participants are trained in relevant legal and administrative areas, enhancing overall system efficiency and effectiveness.
- c. **Joint and Optional Programmes:** The curriculum features both joint programmes for judges and other stakeholders and optional programmes for specialised interests. Joint programmes facilitate collaboration among different stakeholders on topics like juvenile justice and mental healthcare, while optional programmes focus on personal and professional development in areas such as professional excellence and responsive justice for marginalised groups.
- d. **Specialised Learning:** It is categorically designed for specific groups such as Civil Judges, District Judges, and non-judicial officers, with sessions focusing on relevant legal and procedural knowledge based on their roles and jurisdiction.
- e. **Hands-On Approach:** Many programmes, like the e-courts learning, include practical, hands-on components led by

experts, ensuring that participants gain practical skills alongside theoretical knowledge.

- f. **Capacity Building and Sensitisation:** The Academy emphasises capacity enhancement for judicial and non-judicial officers including skills in management, communication and stress, while also addressing important issues like sexual harassment and victim compensation.

2. JUDICIAL CURRICULUM IN OTHER COUNTRIES

a. SINGAPORE

The Singapore Judicial College is an institute for higher judicial learning to impart necessary competencies and skills to judges. The College in collaboration with the Singapore Management University has introduced a Judicial Executive Programme for judicial officers already in service and future key appointment holders for introducing elements of management studies.

- **JUDICIAL EXECUTIVE PROGRAMME (JEP)¹**

The JEP is a 2 weeks programme with an additional 1-week training attachment to a serving member of the Singapore Judiciary.

The JEP has 5 thematic modules:²

- **Leadership for Strategic Impact:** It works on the idea that strategic leadership is a necessity to contribute to

1 Juris Doctor Programme Brochure, Judicial Executive Programme, Singapore Management University, 2023 <<https://law.smu.edu.sg/sites/law.smu.edu.sg/files/2023-05/JEP%20Brochure%20Final-1.pdf>> (accessed 18 August 2024)

2 Judicial Executive Programme 2022 Programme Sequence, Singapore Judiciary, <[https://www.judiciary.gov.sg/docs/default-source/sjc-docs/jep-2022-programme-sequence-\(004\).pdf?sfvrsn=fb8417d5_0](https://www.judiciary.gov.sg/docs/default-source/sjc-docs/jep-2022-programme-sequence-(004).pdf?sfvrsn=fb8417d5_0)> (accessed 18 August 2024)

organisational strategy development, to develop strategies to comply with governance requirements and to model leadership and behaviours. This corresponds to NCMS Baseline Report on NFCE at Para 2.11. In fact, there are several stakeholders in the system of administration of justice like the judges, supporting staff, advocates, litigants, public prosecutors and police etc. Each one of the stakeholders has a specific role to play and the performance of the Court depends upon the collective output by all the stakeholders. Therefore, leadership for strategic impact is a key skill for judges to effectively engage and gain support from stakeholders.

- **Facilitating Innovation and Leading Change:** The module is centered on the idea that innovation is as important in the public domain as it is in the private sector and therefore, explains the value of innovation in the judicial context by providing a toolbox of techniques to judicial officers to initiate and manage the innovation process. Some of these tools include strategic ‘systems thinking,’ strategic ‘zoom out’ systems thinking to mitigate risks of innovation, etc.
- **Regional Economic Integration:** Since Singapore is a growing hub of foreign trade and investment as well as an established arbitration centre, the programme has incorporated a module on international trade and investment law and associated international organisations to equip judicial officers to deal with regional economic disputes.
- **International Mediation Law and Practice:** The module is centred around the theme of promoting alternative dispute

resolution mechanisms and deals with the rapidly growing area of international mediation and multi-tiered dispute resolution processes that have mediation as an element giving judicial officers a framework for understanding cross-border law and practice in this field. This is relevant to India since the Parliament has recently enacted the Mediation Act, 2023 and is looking towards making India a global hub of arbitration and other methods of alternative dispute resolution mechanism. Equipping our judiciary to deal with disputes that may arise from such mechanisms would be crucial towards the effort to promote ADR.

- **Law and Technology:** The rapid technological advancement has bearing on the disputes before the judiciary as well as the judicial processes as well. The module is especially relevant in case of commercial disputes arising out of cross-border contractual disputes, smart contracts and blockchain and the growing use of artificial intelligence. Therefore, understanding the legal implications of these technologies is important for judicial officers to impart fair and balanced judgments keeping future of such technology in mind as well.

- **JUDICIAL MEDIATION TRAINING PROGRAMME**

The Judicial Mediation Training Programme offered by Singapore Mediation Centre is a specialised training to allow judges to become more familiar with mediation and its processes for enhancing their ability to identify cases before them which are suitable for mediation. The course will also strengthen conflict management skills of the judges to enable judges to make use of mediation to quickly resolve cases.

b. AUSTRALIA

Australia's judicial training is primarily overseen by the **National Judicial College of Australia (NJCA)**, which leads national efforts in judicial education. Its programmes are designed to address the ongoing professional development needs of judges, equipping them to navigate the complex and evolving challenges in legal, social, and administrative contexts.

- **National Curriculum for Australian Judicial Officers**

The NJCA's curriculum is structured into 12 key units, each designed to enhance specific aspects of judicial training, the most important ones have been enumerated below:

- **The Judicial Function:** Explores the role, responsibilities, and independence of judges, focusing on judicial impartiality and the separation of powers.
- **Vulnerable People in the Courtroom:** Addresses the needs of vulnerable individuals, including children, victims of crime, and people with disabilities, ensuring sensitivity and fairness.
- **Judicial Reasoning and Decision Making:** Enhances critical thinking and decision-making processes, emphasising the application of legal principles to diverse cases.
- **Diversity and Inclusion:** Trains judges to be sensitive to issues of race, gender, and socio-economic diversity, promoting fairness and inclusivity in judicial practices. Provides insights into legal and cultural issues concerning Indigenous Australians, including customary law and historical injustices.

- **Judicial Life and Quest for Enduring Purpose:** Explores the personal and professional challenges of judicial life, emphasising work-life balance and personal well-being.
- **Intersection of Science, Technology, and the Judicial Function:** Examines the legal implications of technological advancements such as digital evidence, cybersecurity, and artificial intelligence.
- **Judicial Self-Care and Longevity on the Bench:** Offers strategies for stress management and self-care, promoting long-term effectiveness and well-being.

Australia's judicial training framework is designed to be adaptable, dynamic, and comprehensive, addressing the evolving professional development needs of judges throughout their careers. The NJCA ensures that judges receive education in ethics, leadership, courtroom management, and cultural sensitivity, preparing them to deliver justice in a fair, efficient, and contextually aware manner.

3. JUDICIAL TRAINING CURRICULUM RECOMMENDED BY INTERNATIONAL BODIES

a. EUROPEAN COMMISSION

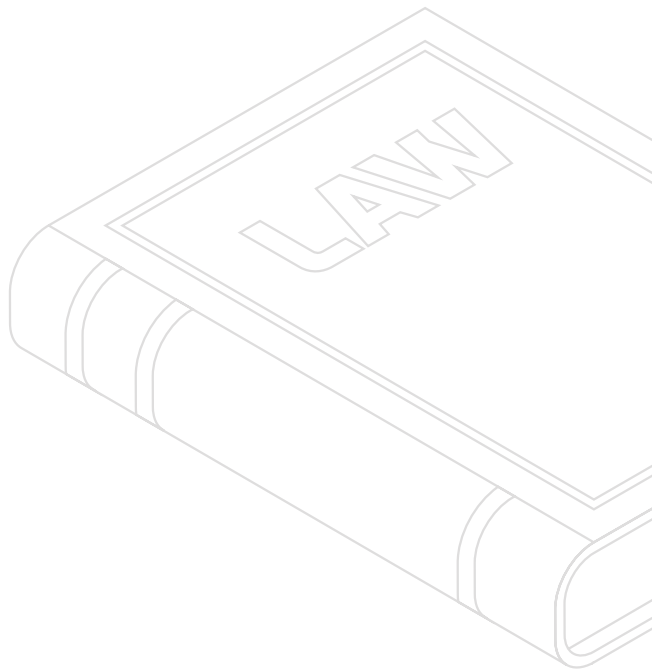
Best Practices in Training of Judges and Prosecutors:
 Programme Name: “Business of Judging” (England and Wales)³
 Duration: Two (02) days residential seminar

3 *The Training of Legal Practitioners: Teaching EU Law and Judgecraft Session II Report*, Brussels, Policy Department C: Citizens' Rights and Constitutional Affairs, 2013, <[https://www.europarl.europa.eu/RegData/etudes/workshop/join/2013/493023/IPOL-JURI_AT\(2013\)493023_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/workshop/join/2013/493023/IPOL-JURI_AT(2013)493023_EN.pdf)> (accessed 21 August 2024)

Key Features:

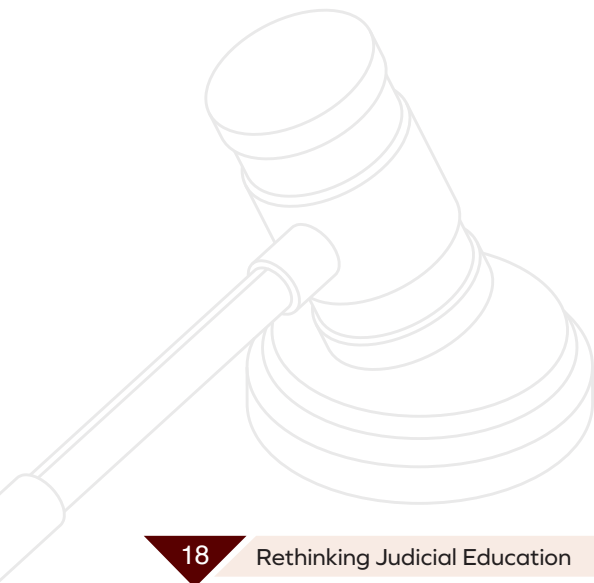
- Continuous training programme for existing judges
- Paperless – nothing to read or prepare beforehand
- 13 training hours – divided as 20% listening and 80% doing (practice)
- 4 parts/modules:
 - Judicial conduct and ethics
 - Discussion of ‘in-court’ and ‘out-of-court’ practical scenarios and looking at how the judges deal with them;
 - 7 scenarios in DVD format.
 - Assessing Credibility
 - Judges – in small groups;
 - Shown conflicting evidence of the complainant and defendant in an invented case acted out by professional actors and advocates;
 - Judges have to fill out a questionnaire indicating the factors that affected their judgment of witnesses’ credibility;
 - Judges to give short oral judgment of about 5 minutes;
 - There is time for preparation;
 - Each judge then receives feedback on their ‘performance’ and the learning outcomes are discussed.
 - Managing Judicial Life
 - Deals with judicial stress and how to cope with it;

- Real life examples of former judges and their experience handling difficult cases.
- Dealing with Unexpected and High Conflict Situations
 - Judges receive a brief summary of a case in advance on which they have to conduct a live hearing lasting a few minutes but do not know what situation will arise before them;
 - The case is acted out by professional actors and advocates to simulate the court;
 - Judges' task is to assess, manage and solve the problems that unfold before them;
 - The live hearing is filmed and later on discussed by the group of judges and the course tutor for learning outcomes.



Summary of the Suggestions Received

Various suggestions were received from the High Courts and State Judicial Academies (SJAs) regarding the content and methodology of judicial learning. 14 High Courts and 13 State Judicial Academies provided their Calendars as well as suggestions in response to the email which were analysed in drawing up this seminal work. These inputs provided valuable perspectives and helped in formulating comprehensive recommendations. The detailed suggestions and their contributions to the recommendations have been compiled and are available in the chart prepared from the responses received from High Courts and State Judicial Academies for 2021-23 (Annexure A).



Proposal and Recommendations

The document outlines a comprehensive approach to enhancing judicial education in India, divided into five key parts. The first part proposes a structured approach to learning, emphasising the creation of a resource pool, peer learning, practical activities, and ICT integration, ensuring need-based and accessible learning. The second part introduces the NJA Thematic Framework, focusing on areas like judgment writing, ICT, courtroom management, sensitisation, and AI, along with leadership and forensics. The third part presents a SJA Thematic Framework, with a tailored calendar addressing local needs and inculcating practical learning. The fourth part centres on capacity building for SJAs, advocating for “teaching the resource persons/trainers” programmes, leadership, and specialised courses in areas like cybercrime, forensics, and ADR. The final part focuses on the role and relationship between the NJA and SJAs, recommending a collaborative evaluation system to ensure effective judicial education across India. This integrated proposal aims to create a dynamic and future-ready framework for judicial education.

PART I

STRUCTURED APPROACH TO JUDICIAL LEARNING



A study of the topics covered hereinabove indicates a glaring need for a systemic change in the way judicial education is conducted in our country. The starting point for such change needs to be the realisation that education for adults, that is, andragogy cannot be achieved only with standard pedagogical tools and motivations. Therefore, a distinctive approach is required to be charted out for building the foundations of adult and professional learning theory and to accommodate specific learning needs and practices of judges.

1. OVERVIEW OF THE PROPOSED STRUCTURE

The proposed structure *firstly* involves increasing the judges'/ trainee officers' capabilities to deal with complex problems through increased use of practical learning as opposed to a one-direction flow of information from a trainer/resource person to the target participants. *Second*, such learning also needs to be adequately categorised into programmes which the potential participants need to group for and ones which the judges can do in isolation at their own convenience. *Third*, adequate and quality material needs to be developed and constantly evaluated with the aim of making judicial education constantly available and accessible to the participants even when there may not be active learning taking place.

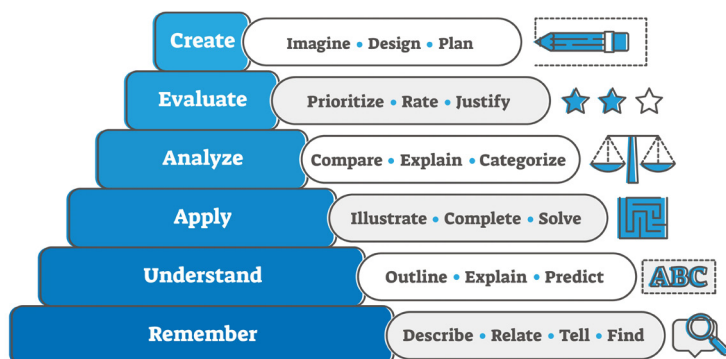
1.1. Holistic learning instead of a one-directional flow of information

A. Setting Learning Outcomes

A good starting point in this regard would be setting outcomes for trainees on the lines of learning outcomes suggested by Bloom's Taxonomy¹ consisting of six major categories:

¹ Thomas J. Lasley, "Bloom's Taxonomy: Education, Cognitive Skills & Learning Outcomes," Encyclopedia Britannica <<https://www.britannica.com/topic/Blooms-taxonomy>> (accessed 22 August 2024)

BLOOM'S TAXONOMY



Legal education in India equips students to achieve the first three stages of learning outcomes viz. remembering, understanding and applying. However, judicial education needs to move one step ahead given the nature of work of judges. Judges require the three learning outcomes at the top of the taxonomy pyramid, that is, analysis, evaluation and creation, in their daily work as a judge. Therefore, it is important to centre learning objectives around the same and devise methods of teaching and learning accordingly.

B. Critical Thinking Methodologies

For all the three learning outcomes, critical thinking is an indispensable and foundational skill. To inculcate these skills, the learning programmes can use the following methodologies to teach knowledge-based subjects for promoting critical analysis and evaluation of the subject-matter²:

² Christine Sereni-Massingier and Nancy Wood, "Teaching Strategies for Critical Thinking Skills," *Academic Exchange Quarterly*, Vol. 19, Season-03, 2015 <<http://rapidintellect.com/AEQweb/5637z5.pdf>> (accessed 22 August 2023)

i) Circular Response Method

In order to question an assumption regarding a particular topic, a trainee first has to identify the assumption then analyse the accuracy and validity of the assumption. According to the Circular Response Method, a trainee must incorporate a comment that was referred to by the prior student by either agreeing or disagreeing with the prior student's statement and providing a reasoning for the stance taken. This sort of communication continues all throughout the classroom in the assigned circle of discussion. At the end of the circular response the trainees can discuss their views and reveal whether they were persuaded by their colleagues to change their position.

Benefits:

- This method allows for the trainees to reflect on their colleagues' opinions and thoughts while presenting reasons for challenging or not challenging them.
- This method promotes acceptance of differences in opinion.
- This method creates an educational climate in which differences of opinion are not only discussed, but also appreciated. This may help to propel social and economic advances, making the activity all the more important for trainee judges and/or judges already in service.

ii) Devil's Advocate Activity (Debates)

Using this methodology, the trainees can be compelled to examine the difference between thoughts with inherent biases and reasonable thoughts. This strategy can be structured by having the trainee act as their own devil's advocate wherein they present a hypothesis and then challenge their own hypothesis. Another way in which this can be accomplished is by having two trainees advocate opposing positions but they take the positions which are opposite of what they truly believe.

Benefits:

- This type of debate permits the trainees to examine the pros and cons of their positions while thoroughly listening to and examining the alternative position.
- The employment of this strategy in the classroom assists the trainees in analysing and evaluating their biases.
- It also assists them in contemplating divergent points of view.

iii) Scenario Analysis (Role Play)

In this method, the trainees will be presented with a fictional or real scenario asking them to imagine themselves as the main character. First, the trainees are asked to create a list of the assumptions for why the main character acted the way they did. Second, they are asked which of these assumptions can be verified by research or inquiry. Lastly, they are asked to give an alternate view of the scenario based on issues that the main character has not taken into consideration.

Benefits:

- Through this method, the trainee becomes aware of their biases and prejudgments about a particular character and also delves into their ability to be empathetic in order to build their emotional quotient.
- This teaching strategy also develops trainees' intellectual empathy by examining and confronting the idea that emotion is embedded in our decision-making and that of others.

iv) Critical Incident Questionnaire (CIQ)

The CIQ enables reflective thinking by analysing a position or argument through an assumption audit. The trainees are asked to present an argument and then to follow that argument with an

audit of the assumptions made. In doing so, the resource persons explore with the trainee their reasons for taking a particular stance.

Benefits:

- This enables the resource persons/trainers as well as the trainee to better question what is just and fair in their thinking and what may be coloured by biases.

v) Look, Select, Deepen

The process under this method is three-fold. *First*, the trainees are requested to immerse themselves in examining their work product and to appraise its relevance (the Look back stage). *Second*, the trainees are told to selectively retain portions of their work product and be mindful of what they should discard, keep or prioritise (the Select stage). *Third*, the trainees are encouraged to delve deeper into the topics/arguments that they selected as priority areas and to develop them further.

Benefits: This method allows the trainee to reflect on their own thought processes by examining reasons for past thoughts. It also prepares the trainee to think through future dilemmas and challenges as well.

Integrating the above-mentioned methodologies with the subject-matter of the judicial curricula will lend more practicality and motivation to adult learners and allow them to draw questions and challenges from their sum of experiences and to test those claims.

C. Other Relevant Methodologies

It is imperative to note that the learning outcomes set out above cannot be implemented merely with knowledge and one-time exercises. Analysis, evaluation and creation of material are

skills that need to be developed and continuously honed. This requires constant practice, assessment and feedback. Therefore, a comprehensive judicial learning programme must include all three elements. Methods through which the same can be institutionalised and implemented are:

1. Alternation of Lectures and Participative Learning Methods³

Lectures are important when new knowledge is being introduced to the trainees; however, long-lasting learning can only occur when the participants are actively involved in their own learning process and are made to implement the knowledge being taught to them. Therefore, a combination of lectures and participative learning is required.

The participative learning methods can be either in the group format or for individual trainees. For instance, integrating the critical thinking methods like circular response method or CIQ method, etc. outlined in the above section with the lectures can enable comprehensive learning and offer chances for reflection for an individual or a group.

Benefits:

- Participants are clear about the purpose of the discussion and be prepared for it.
- This enables the participants to feel motivated and connected during the learning process.
- The method offers an opportunity for assessment and feedback on a frequent basis as opposed to traditional evaluations conducted at the end of a semester or trimester.

3 EJTJN Handbook on Judicial Training Methodology in Europe, Brussels, 2016, <<https://ejtn.eu/wp-content/uploads/2023/10/Handbook-Judicial-training-methodology-in-Europe-2016.pdf>> (accessed 23 August 2024)

2. Snowballing and Debriefing⁴

Snowballing involves the participants in the following group architecture: (1) the participants work alone; (2) then in pairs; (3) then in groups of four; (4) then in groups of eight. This structure may be changed according to the strength and structure of the participants in a course. The trainees are tasked with answering a specific question which may be given to them beforehand or on the spot on which they first work individually and formulate a certain view/position. Thereafter, the individual participants work in groups and share ideas and keywords with each other leading to diversified understanding of a topic which is not limited to individualistic pre-conceived notions. The method works best when the participants themselves belong to diverse communities.

Benefits:

- Promotes a shared analysis of a problem which enables better consolidation of the material taught.
- Enhances listening skills and active learning as the participants feel that they are integral to the process.
- Dynamic discussion enhances creativity and imagination.

Debriefing is an important aspect of group work with the resource persons/trainer providing opportunity for groups to review the activity and report back to give a final concluding input from their discussions.

Benefits:

- Identification of different viewpoints.
- Reviewing the activity allows a first-stage reflection of ideas and their coherence.

⁴ *Methods of Assessing Learning Needs, Faculty of Medicine, University of Toronto, 2019* <<https://www.cpd.utoronto.ca/wp-content/uploads/2019/01/Assessing-Learning-Needs-2.pdf>> (accessed 24 August 2024)

3. Case Studies

Case studies provide an overview of the main issue, the background of the setting, the people involved, and the events that led to the problem or decision at hand. This can be differentiated from the “case method” which is focused on mapping the legal position through precedents. While both of these methods are important, case studies become relevant in the context of the functions that a judge has to perform being an impartial arbiter of disputes. This involves the study of not only law but also marshalling of facts, studying the socio-economic and political context of the case and people skills. Taking these factors into account significantly impacts decision-making which may not always be easy to make without adequate practice.

Since case studies do not usually provide clear-cut answers, they allow participants to analyse the problem and evaluate between alternatives and finally choose their preferred solutions while retaining an objective outlook.

Benefits:

- This aids in study of factors apart from study of core law.
- Caters to the three learning outcomes: analysis, evaluation and creation.
- Can be an individual or group activity.
- When done in a group, this method promotes learning from others’ experiences and analytical approaches and leads to reflection upon one’s own approach.
- Case studies are flexible in terms of the wide range of subjects that can be covered through the method and the ways in which this method can be implemented.

Examples:

- Ethical dilemmas like the fictional Speluncean Explorers case by Jon L. Fuller.⁵
- UNODC case studies.⁶
- Moot courts or mock trials in which the trainees judge the case.

4. Flipped Classrooms⁷

The flipped classroom proposes a model in which participants gain *first-exposure learning* prior to class through their own initiative by availing the reading materials or audio-visual aids provided beforehand. The classroom discussion focuses on the *processing* part of learning that is, synthesising, analysing, problem-solving, etc. This is especially beneficial in terms of the learning objectives set out under Bloom's taxonomy as flipped classrooms make the participants do lower levels of cognitive work (gaining knowledge and comprehension) outside the class and allow them to focus on higher forms of cognitive work/learning that is, application, analysis and evaluation) in class with the support of the resource persons/trainer and their peers.

Benefits:

- The method is flexible and the participants can learn at their own pace.
- The learning is self-directed as the participants take responsibility for their learning.

5 Lon L. Fuller, "The Case of the Speluncean Explorers" Harvard Law Review 49, No 4 (February 1949) <<https://penntastelaw.psu.edu/file/TheCaseOfTheSpelunceanExplorers.pdf>> (accessed 25 August 2024)

6 Case Study 1, University Board, United Nations Office on Drugs and Crime <https://www.unodc.org/docum'ents/ji/training/case_studies.pdf> (accessed 26 August 2024)

7 M. Sundar, "Designing Curriculum for Specific Judicial Needs and Impact Assessment of Judicial Education Programmes," (Lecture, Tamil Nadu State Judicial Academy, 2024) <https://nja.gov.in/Concluded_Programmes/2023-24/P-1408_PPTs/2.Justice%20M%20Sundar%20-%20Sessions%204%20and%205.pdf> (accessed 26 August 2024)

- The method provides a mechanism to assess the understanding of the participant first-hand during class sessions decreasing the need of traditional assessments.
- The higher-order learning objectives are met.

5. Self-directed Learning

While in-classroom learning methods are effective learning tools, they are time- intensive and may not always accord the participants with an opportunity to learn at their own pace and in their own preferred setting. These considerations are important as the target audience of the programmes are fresh judicial recruits or in-service judges who usually may not have the adequate amount of time to dedicate to in-classroom learnings. Therefore, it is important to tailor programmes such that they can be availed even in the paucity of time that judges face.

For this, it is imperative to resort to heutagogy which focuses on the autonomy of the learner to facilitate and manage their own learning and is an alternative to the traditional teacher-centred model. This goes one step beyond andragogy and is highly dependent on the learner's sense of responsibility and initiative. Therefore, the support that a curriculum can give for igniting the sense of initiative is by providing diagnostic tools so that the trainees are capable of identifying the areas in which they require further learning and then by provision of high quality materials which the trainees can use to learn at their own pace.

D. Methods of Assessing Learning Needs⁸

A learning need is the gap that exists between current practices and desired practices. Learning needs can be of different types:

⁸ Methods of Assessing Learning Needs, Faculty of Medicine, University of Toronto, 2019 <<https://www.cpd.utoronto.ca/wp-content/uploads/2019/01/Assessing-Learning-Needs-2.pdf>> (accessed 24 August 2024)

- Self-recognised or Perceived needs: *“I know what I want and need to know”*
- Unknown to the learner or Unperceived needs: *“I don’t know what I don’t know”*
- Miscalculated or misperceived needs: *“I think I know something I don’t”*
- Emergent needs: *“Now I have some new information, I realise I want or need to learn something else instead of, or in addition to, what I am learning now”*

For each learning need, a combination of assessment methods can be used, some of which are recommended below.

a. Self-recognised or Perceived needs: *“I know what I want and need to know”*

For identifying what learners themselves perceive as their learning needs, it is important to ask them directly. Some of the methods are as follow:

Survey	A questionnaire with any number of questions directed at determining what potential participants may want or need to know.
Interview	A one on one process in which representatives of the target audience are asked a series of questions pertaining to program preference or current level of knowledge.
Focus group interview	An interview conducted with several representatives of the target audience led by a trained and impartial facilitator. Participants are asked for their candid views and opinions.

b. Unknown to the learner or Unperceived needs: *“I don’t know what I don’t know”* and **Miscalculated or misperceived needs:** *“I think I know something I don’t”*

For determining learning gaps that the participants themselves may not be aware of, more knowledge-assessment based methods are required. For example:

Knowledge Test	Learners are asked to respond to questions that test their knowledge. These can be multiple choice quizzes, a true/false quiz, a presentation of cases with questions attached or any variation thereof.
Critical Incident	Information using this technique can be gathered by using a hypothetical case situation involving application of critical skills/knowledge e.g. cases involving complex legal questions or complicated facts, etc.
Judgment audit	<p>This involves systematically examining judgments rendered by participants looking for patterns of adjudication that can be appropriate or inappropriate.</p> <p>OR</p> <p>A non-threatening method of judgment audit would be to present a case with lots of opportunities for participants to reflect on their own practice vs. what is recommended.</p>

c. Emergent needs: *“Now I have some new information, I realise I want or need to learn something else instead of, or in addition to, what I am learning now”*

Poll	Poll the audience and ask directly.
Future Planning	Ask for ideas that have arisen for “personal learning projects”.

These diagnostic tools will allow participants to identify the gaps in their learning and how it is affecting their professional performance

leading to motivation to fill these gaps and hence, undertake additional learning either through the classroom format or on their own.

E. Tailoring Critical Thinking and other Relevant Methodologies to Individual Participation

A combination of critical thinking methods, rich qualitative material and mentorship sessions as and when required by the participant can be used to make the programmes more suited to be done individually. While group activities may have more impact as there is a better exchange of diverse ideas, it is imperative to bring quality learning at an equilibrium with time constraints of judges.

Some examples of how the teaching methodologies outlined above can be used in a more individualistic setting are:

- a. **Critical Incident Questionnaire:** The material provided can ask the learner in place of the resource person/trainer to present an argument and to make an audit of the assumptions. This can be contrasted with an ideal stance reflected in the material itself or may be discussed with an assigned mentor at the discretion of the learner.
- b. **Scenario Analysis:** The material can provide fictional or real scenarios and the learner can study and determine why the scenario played out as it did highlighting their own assumptions. The material can provide an alternate view of the scenario which can enable the learner to consider the factors that they had not taken into account while studying the scenario due to their biases and preconceived notions.
- c. **Look, Select, Deepen:** This method need not be varied much and is applicable as it is in both group and individualistic settings.
- d. **Case Studies:** This method need not be varied much and is applicable as it is in both group and individualistic settings.

- e. **Flipped Classrooms:** While this method's core component lies in utilising the classroom setting for higher order learning, the same can be modified and made more individual-centric by effectively using interspaced mentorship sessions which can offer insights to the learner from an analytical and problem-solving point of view.

1.2. Establishment of Research and Course Development Unit/Wing

A crucial aspect for the success of the above-mentioned methods is the availability of quality course materials that can be used by the resource persons/trainers for effective imparting of learning as well as by judges for revision and individual study. The curriculum materials must mirror the objectives of the knowledge and skill development methodologies for effective results. Therefore, the materials are also required to be segregated into those that can be used in group settings, individual study or both. The curriculum materials also need to fulfil the objective of increasing the quality of the judges by constant practice rather than imparting theory-based knowledge. Therefore, the materials must comprise problem-solving approaches, case studies, dilemmas that allow for experiential learning, etc.

The Chief Justices' Conference held in 2016 had an agenda regarding creation of a body whose overall focus will be on promoting the cause of judicial education, devising the academic calendar of the NJA and prescribing and approving the academic calendars of the SJAs, promoting the growth and availability of resources required for judicial learning and education, monitoring the functioning of NJA and SJAs and giving suggestions regarding improving of judicial education facilities. Therefore, the National Judicial Academic Council (NJAC) was brought into existence with

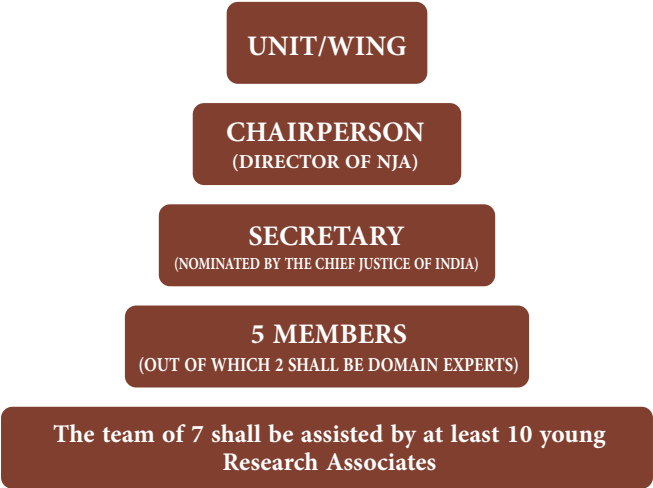
members comprising of the Chief Justice of India along with two other justices of the Supreme Court, the Judges-in-Charge of the SJAs, the director of the NJA, Secretary of Department of Justice and other members nominated by the CJI.⁹

The scope of this Part in particular is to follow the objectives of the NJAC and promote the growth and availability of quality resources required for judicial education and skill development. Therefore, to fulfil these objectives, it is suggested that a dedicated Research Wing/Unit is the need of the hour which can be established within the National Judicial Academy, subject to the prior approval of the National Judicial Academic Council (NJAC) and the State Judicial Academies, subject to the approval by the concerned Chief Justice of the respective High Courts and the Judges incharge of the concerned State Judicial Academy. The Unit/ Wing will be tasked with carrying out holistic research and development of reading materials, audio-visual aids, handbooks, benchbooks and toolkits for the use of resource persons and participants alike. Since, the judicial curriculum is a specialised area of education, it is pertinent to note that a special team/sub-committee should be formed consisting of 7 members including the Chairperson who shall be the Director of the NJA. The Chief Justice of India may preferably nominate the Secretary and three members from within the NJAC and two domain experts. The team of 7 shall be assisted by at least 10 young Research Associates. The same may be followed by the respective SJAs with the Director as the Chairperson and the nominations of the 5 members including the Secretary may be by the Chief Justice of the concerned High Court. This team of 6 shall be assisted by at least 8 young Research Associates. The appointment of these Research Associates shall be subject to the prior approval of the NJAC.

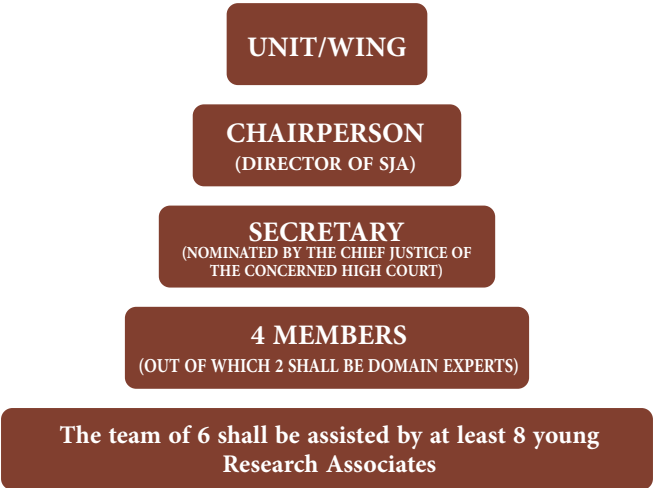
9 National Judicial Academy "National Judicial Academic Council" <<https://nja.gov.in/NJAC-H.html>> (accessed 28 August 2024)

The inclusion of domain experts is a necessity provided that they can best understand the kind of learning objectives that judges need to meet and mirror the said requirement by providing quality problem-solving tools and practice exercises to enhance experience with difficult propositions.

The recommended structure of the Unit/Wing at the NJA level is as follows:



The recommended structure of the Unit/Wing at the SJA level is as follows:



The functions of the Unit/Wing will be to prepare, evaluate and constantly update the knowledge and skill-development curriculum on the lines of the knowledge and skill development methodologies suggested under this Part. The Unit/Wing will remain accountable to the NJAC and provide the NJAC with regular updates of best practices.

It is suggested that NJAC in collaboration with either the Indian Institute of Technology (Madras, Delhi, Mumbai or Indore) or any other State institution renowned for its achievement in IT develop a Learning Management System (LMS) like coursera or EdX open learning platform. This will help in providing short term as well as long term certified courses, with opportunities for adding research components, chat features through integrations and data management tools. This will provide a one stop space for discussions, content curation, and data management, which will be a cloud repository tailored as per the needs and requirements of the Judicial Academy. It is also suggested that a mechanism for short-term and long-term evaluation of the knowledge and skill-development curriculum to measure the result. This may be done using the Kirkpatrick model of evaluation.¹⁰

Therefore, the recommendations under this Part seek to meet the objective of “QASK (Quality Attitude Skills and Knowledge)” as highlighted in the National Judicial Education Strategy of NJA, 2010. It is noted that the content of the existing NJA and SJA courses is exhaustive and provides an excellent starting point for a revamp of the knowledge and skill- development methodologies. However, the ‘quality’ of judicial decisions can be enhanced only with constant updation of knowledge and skill-development content in tandem with the changing socio-political, economic and technological landscape as well as with practice and problem-solving abilities which is the focus of the Part 1 of this document.

¹⁰ Marco Fabri et al., *Medium-to long-term evaluation of judicial training*, European Judicial Training Network, 2023 <<https://ejtn.eu/wp-content/uploads/2017/10/ejtn-handbook-jtm-guidelines-for-evaluation-of-judicial-training-practices-2023.pdf>> (accessed 29 August 2024)

PART II

NJA THEMATIC FRAMEWORK



1. INTRODUCTION

The NJA plays a critical role in ensuring that India's judiciary remains equipped with the skills and knowledge necessary to uphold justice in an increasingly complex and dynamic world. As judicial challenges evolve, there is a growing need to provide specialised knowledge and skill-enhancement across various themes that address both the technical and human aspects of judicial functioning. The following thematic framework outlines key areas of knowledge and skill-enhancement aimed at enhancing the effectiveness of judges at all levels, from judgment writing to the integration of modern technologies, management skills, and leadership development. By incorporating both technical knowledge and skill-enhancement and personal development, this framework sets the foundation for a judiciary that not only upholds the law but also adapts to the rapidly changing demands of the modern justice system. While the themes identified herein have already been broadly covered by the 2024-25 annual calendar of the NJA, as approved by the NJAC, the collation of these themes may be utilised as a ready reckoner by the State Judicial Academies while drawing up their annual calendars and for other future references.

2. SUGGESTED THEMATIC FRAMEWORK

2.1. Judgment Writing

Judgment writing is a critical function of judges that requires not only a deep understanding of the law but also the ability to communicate decisions clearly, concisely, and persuasively. At the heart of effective judgment writing is structured reasoning, which ensures that judgments follow a logical progression, beginning with the

identification of issues, followed by the application of legal principles, and concluding with a reasoned decision. To improve the quality of judgments, courses for judges should emphasise structured reasoning, issue framing, and the clear articulation of the ratio decidendi.

Framing of issues is a foundational step in judgment writing, as it sets the stage for the entire adjudication process. The issues define the scope of the dispute and guide the judge in applying relevant legal principles to the facts of the case. A well-framed issue directs attention to the central questions that need resolution, avoids digressions, and keeps the focus on core legal matters. As part of developing judgment writing skills, judges should be equipped with the skills to identify material facts, separate them from irrelevant details, and craft precise issues that drive structured legal analysis.

Structured reasoning involves a logical flow in which the judge systematically addresses the framed issues, analyses the evidence, applies the relevant law, and arrives at reasoned conclusions. This method ensures that the judgment is not only legally sound but also easy to follow for the parties, higher courts, and the public. The process begins by outlining the relevant facts and issues, followed by a thorough examination of legal principles and precedents. Judges must then clearly articulate their reasoning for accepting or rejecting arguments, using clear and persuasive language. The conclusion should tie back to the framed issues, demonstrating a coherent resolution of the dispute.

A crucial element of this process is the clear articulation of the ratio decidendi—the legal principle or rule of law upon which the decision is based. The ratio decidendi serves as the binding precedent in future cases, and its clarity is paramount for the development of consistent jurisprudence. By clearly identifying the ratio, judges not only ensure the logical foundation of their own decisions but also provide clear guidance for lower courts and future cases. The

ratio decidendi must be distinguished from obiter dicta, which are observations made by the judge that are not essential to the decision. Development of Judgment writing skill should emphasise the importance of crafting a concise and well-reasoned ratio, as it enhances the predictability and reliability of judicial decisions.

Clarity in expression is another vital aspect of judgment writing. Judges must communicate complex legal ideas in simple, direct language, avoiding unnecessary jargon to make judgments more accessible to a wider audience. Providing concise summaries of key facts, legal principles, and conclusions helps readers grasp the essence of the decision, ensuring that the judgment is not only legally sound but also easy to understand. This clarity enhances access to justice and reduces ambiguity for all involved.

Judgment writing must also be consistent and coherent. Judges should align their decisions with established legal precedents and maintain a consistent approach in applying legal principles. When precedents conflict, judges must provide a well-reasoned explanation for preferring one interpretation over another. This consistency upholds the integrity of the legal system and promotes trust in judicial decisions.

The methods ensuring longer retention should be adopted. Audio-visual modes of learning and activities involving greater participation of the attendees to avoid gaps in attention should be incorporated. Activities like participatory evaluation of existing judgment, presentation of assignments, peer discussions and mock judgment writing should be included as a non-negotiable part of learning. Taking into account the paucity of time faced by judges, learning can be divided into two parts – intermediary and advanced. Integrating a google form active between sessions for raising queries and challenges encountered by judges on their day-to-day work can be used as a tool to identify the area of improvement. Subsequent

to identifying areas requiring improvement and developing targeted interventions to address these challenges, these issues can be addressed in an advanced session spanning over two-days.¹

2.2. Information and Communication Technology Training

Technology has percolated in every sector and the legal fraternity has also not remained untouched by it. With the advent of the age of the internet and people turning to technology for ease of living, its incorporation becomes a necessity, not a choice. Indian judiciary has also been dabbling with novel technologies to assist in the process of dispensation of justice – quickly and efficiently. From e-filing, push and pull SMS, virtual hearing and AI aided legal assistance, the scope of usage will get wider. However, issues with respect to awareness, usage and popularisation of these novel technologies have also risen, thus creating the need for dedicated effort to tackle them.

To that extent, modules on information and communication are suggested to be designed with the object of normalising the use of AI and ensuring that judges are well-acquainted with its benefits, usage and limitations. It is recommended that the training start with an introduction to technology and AI, covering the fundamentals and how these tools can be effectively integrated into the judiciary. It will also include a segment on opportunities for deploying AI supported by case studies that demonstrate its potential benefits in the judicial context. To make the module and the skill dissemination more comprehensive, it will also cover the risks associated with AI bias and other related issues, their impact on decision-making and fairness. By incorporating these elements, the training will provide judges with a thorough understanding of AI's role and enable them to navigate its advantages and limitations effectively.²

1 Canadian Association for the Administration of Justice. "Judgment Writing Part 1," 2022 <<https://cacj-ajp.org/courses/judgment-writing-part-1>> (accessed 3 September 2024)

2 Mirim Stankovich, Ivana Feldfeber, Yasmin Quiroga, Marianela Ciolfi Felice, Vukosi Marivate, "Global Toolkit on AI and the Rule of Law in Judiciary" (Paris: UNESCO, 2024) <<https://unesdoc.unesco.org/ark:/48223/pf0000387331>> (accessed 2 September 2024)

The training will be delivered through a combination of interactive discussions of online and offline sessions. Self-study materials including reading assignments and self-paced videos will be provided to attendees before the training begins. Presentations, reference materials and daily quizzes will be incorporated into the curriculum. A questionnaire will be distributed beforehand to gauge participants' existing knowledge and feedback forms will be collected to evaluate the effectiveness of the training. Each module will be concluded with group discussions on specific questions, and practical elements such as showcasing tools from different regions and running mock trials will be included to offer hands-on experience. Training through these methods aid in enhanced understanding and engagement for better integration of new practices. With new technologies emerging regularly, sessions will be spaced no more than three months apart to avoid knowledge gaps. Additionally, considering judges' time constraints, each session will be limited to two days.

2.3. Sensitisation (treatment of vulnerable witnesses, norms associated with gender, children, caste, persons with disabilities, and other vulnerable groups)

The work of a judge varies based on the nature, intensity and circumstances of each case making a case-by-case approach is essential. Special attention must be given to cases involving women, children, individuals with disabilities, and other vulnerable groups. The way a judge handles a case can significantly impact the perception and acceptance of their decisions. Sensitisation allows judges to understand the unique circumstances and needs of these groups- leading to more informed and empathetic decision-making. Without proper sensitisation, critical factors may be overlooked, potentially resulting in decisions that do not fully address or support the needs of vulnerable individuals.³

³ United Nations Educational, Scientific and Cultural Organisation (UNESCO). "Global Education Monitoring Report 2016: Education for People and Planet – Creating Sustainable Futures for All" Paris: UNESCO, 2016.

For sensitisation, both content and methodology are important. The aim is to develop a practical sensitivity that activates whenever a sensitive issue arises, regardless of the judge's prior knowledge. The modules will, therefore, include effective techniques for addressing and interviewing victims, ensuring their experiences are understood without causing additional frustration. The module will include case studies on the experiences of marginalised groups and cover key topics like access to justice, human rights, and international standards. It will feature inputs from both international and national trainers. The judges should be involved in repeated sessions. Regular exposure to various groups will help reduce the shock value of sensitive cases and improve acceptance and compassion. To gauge the effectiveness of such programmes/workshops, KAP (Knowledge, Attitude, and Practice) assessments will evaluate participants' knowledge, attitudes and beliefs. The judicial academy will also collaborate with national human rights institutions, national commissions and ombudspersons to address common issues and complaints pertaining to gender, children, caste, persons with disabilities, and other vulnerable groups. At the end of these sensitisation programmes/workshops participants will complete an assignment to assess their knowledge and create a personal action plan for applying their new skills.

2.4. Time and Stress Management Training

The exposure of judges to distressing situations is part and parcel of their job. While the frequency of the encounters cannot be minimised, the effect can be regulated by proper training. Effective time and stress management training is essential for judges to ensure high productivity and well-being given their demanding roles. Proper time management allows judges to handle their workload and deliver prompt judgments, while managing stress helps maintain their mental health and overall performance. Training programmes,

therefore, will be designed to equip judges with practical strategies to optimise their time and productivity while addressing the impact of exposure to distressing evidence.

Time Management (Productivity) training will focus on techniques for optimising time, maximising efforts and establishing habits that support sustained high performance. Judges working with mentors to develop personalised strategies for their specific work environments and circumstances can prove to be helpful. Emphasis will also be put on imparting training to achieve a work-life balance and managing the stresses associated with judging.

Modules dealing with stress management will also include practice sessions conducted by experts, especially the biological aspects of chronic stress and anxiety and how these factors affect individuals in a courtroom setting. A significant part of this module will cover ‘resiliency training’, addressing the negative effects of exposure to toxic evidence- such as disturbing images or videos.

The mode of training will encompass activities to identify stress symptoms and use of a common questionnaire to determine the most prevalent issues to be taken up in the session. To address and resolve identified stress related issues categorically, the program will enlist the help of a psychologist to formulate specific strategies for reducing symptoms. Additionally, retired judges will also be invited to share their experiences to provide practical insights and strategies for managing stress and maintaining resilience.⁴

2.5. Behavioural Training

Judges hold the crucial responsibility of ensuring justice is served with impartiality and fairness. However, their duties extend beyond

⁴ “Survive and Thrive: Optimising Judicial Productivity and Well Being,” Canadian Judicial Council <https://cjc-ccm.ca/en/what-we-do/programmes/survive-and-thrive-optimizing-judicial-productivity-and-well-being> (accessed 2 September 2024)

legal interpretation and analytical thinking. To maintain a fair judicial environment, judges must also manage the complex interpersonal dynamics of the courtroom, balancing their legal expertise with emotional awareness and interpersonal understanding. Behavioural training is crucial in this context, as it equips judges with essential skills such as emotional intelligence, empathy, and courtroom etiquette. These skills enable judges to manage diverse interactions with respect and integrity, ensuring justice is administered fairly to all, both in the courtroom and through their broader professional responsibilities.

It is essential that the training focuses on developing Emotional Intelligence (EI) and empathy in judges. Judges in the district often preside over cases where emotions run high, especially in matters of family disputes, child custody or cases involving vulnerable sections of society. In these scenarios, empathy and emotional intelligence allow judges to understand the perspectives of all involved parties while maintaining the impartiality required for fair decision-making. Justice Chandrachud, at the National Conference of District Judiciary held in August 2024, also emphasised the need to evaluate Emotional Quotient (EQ) in judges during recruitment, similar to other professions like the armed forces. He suggested that incorporating EQ assessments could enhance the effectiveness of judges by ensuring they possess crucial emotional skills for handling complex cases.

Judges are required to communicate their decisions clearly and manage conflicts effectively. Effective communication skills are crucial for judges to articulate their judgments in ways that are accessible to all stakeholders, including litigants who may not be familiar with legal jargon. Conflict resolution is equally important, as judges often mediate between opposing parties, requiring skills

to de-escalate disputes, encourage dialogue, and maintain order in the courtroom. Modules focused on communication strategies and practical conflict resolution techniques will be made part of judicial education. By honing these skills, judges can ensure smooth proceedings and create an environment of respect, reducing courtroom tensions and misunderstandings.

Given the diversity of India, it is crucial that judges remain aware of their potential unconscious biases. Without proper training, unconscious biases relating to caste, gender, religion, or socioeconomic background can inadvertently influence judicial decisions, undermining the principle of equality before the law. To address this, behavioural training will include sessions on unconscious bias awareness and management. Workshops on bias identification, case studies, and reflective practices can help judges recognise and mitigate their biases. This will lead to fairer trials and more equitable judgments, ensuring that justice is delivered without prejudice, especially to marginalised communities.

The judiciary often deals with high-stakes cases, heavy caseloads, and intense public scrutiny, which can lead to stress and burnout. Stress management and emotional resilience will be integral parts of behavioural training for judges. Providing judges with tools such as mindfulness, meditation, and time management strategies can help them cope with the pressures of their work. Sessions on emotional resilience will enable judges to remain calm, composed, and focused during challenging cases, preventing burnout and improving their overall effectiveness. In the Indian context, where judicial delays and backlogs add to stress, these resilience-building techniques can greatly enhance judicial efficiency.

Behavioural training will also address how judges interact with their administrative staff. Respectful and supportive interactions with

court staff are crucial for maintaining a positive work environment. Judges should be trained to communicate clearly and respectfully with administrative personnel, promoting an atmosphere of mutual respect and collaboration. Acknowledging the essential role of staff in the judicial process and maintaining professionalism in these interactions can improve overall courtroom efficiency and contribute to a more harmonious work environment. For behavioural training, best practices from countries like the USA,⁵ Australia,⁶ can serve as valuable examples. These include focusing on emotional intelligence, stress management, and ethical decision-making in judicial contexts. programmes often incorporate role-playing, reflective exercises, and peer discussions to help judges enhance their communication skills, empathy, and leadership abilities. Incorporating these methods in India's judicial learnings can significantly improve courtroom management, public interactions, and the overall perception of judicial fairness. Given the demanding schedules of judges, the training could be effectively structured as a series of concise, modular sessions over a few weeks, each lasting 2-3 hours to accommodate their time constraints.

2.6. Training against Media Trials and Social Media Scrutiny

Justice Chandrachud, at the National Conference of District Judiciary in August 2024, spoke about the need for judges to receive training in dealing with social media. He highlighted two main areas of focus: managing constant commentary from “citizen journalists” and addressing media trials of high-profile cases on social platforms. He also emphasised the importance of judges understanding how their in-court behaviour may be shared widely on social media. This aspect of training will help judges maintain the integrity of their roles in an increasingly digital world.

5 Programmes and Resources for Judges: Federal Judicial Center, <<https://www.fjc.gov/education/programmes-and-resources-judges>> (accessed 3 September 2024)

6 Unit One The Judicial Function – NJCA, <<https://www.njca.com.au/units/unit-1/>> (accessed 3 September 2024)

In India's rapidly evolving media landscape, the judiciary's relationship with the media requires careful and strategic management. Given the growing influence of both traditional and digital media on public opinion, it is essential for judges to be equipped with the skills to navigate these interactions responsibly. A tailored media sensitisation training module would help judges maintain judicial integrity while strengthening public trust. This training would empower judges to manage media engagements effectively without compromising the fairness and independence of judicial processes.

A key component of this training will focus on how judges can refrain from reacting to social media trials while maintaining a safe distance from discussing their work on any social media platform. Through this program, judges will gain insights into both traditional media, such as print and television, and the increasingly influential digital and social media scrutinisation. The training will also emphasise the elimination of information and misinformation, as well as guidance on how to consume news in a way that does not affect their mental health. The program will be conducted by domain experts who will ensure that judges do not feel pressured or prejudiced by any public outcry or media attention related to the cases they handle.

2.7. Training on the Use of Artificial Intelligence in the Judiciary

As India embraces technological advancements across sectors, the judiciary stands at the forefront of integrating innovative tools such as Artificial Intelligence (AI) to enhance judicial efficiency and accessibility. AI has the potential to revolutionise various aspects of the legal process, from case management to legal research and even predictive analysis in decision-making. However, for AI to be effectively and ethically implemented in the judicial system, judges

need to undergo structured training that equips them with the skills to use AI responsibly. Training on the Use of Artificial Intelligence in the Judiciary is essential to prepare judges for this technological transformation, ensuring that AI complements judicial work without compromising human oversight and justice.

The first aspect of the training will focus on introducing judges to the fundamentals of AI—what it is, how it works, and its various applications within the legal system. In the Indian context, AI can be particularly useful in addressing issues such as delayed justice, backlog of cases, and administrative inefficiencies. The training module will explore AI tools that assist with case management, automated documentation, and legal research. Judges would benefit from understanding how AI can handle routine tasks, allowing them to focus more on complex legal reasoning and writing judgments. This foundational knowledge would enable judges to use AI tools ethically and efficiently in their daily work.

Training judges on the ethical considerations surrounding AI is crucial, given the sensitive nature of judicial decision-making. AI systems are driven by algorithms, which may reflect inherent biases if not carefully designed or monitored. Therefore, the training will include discussions on how to detect and mitigate bias in AI tools, ensuring that AI-driven recommendations do not infringe upon the principles of fairness and equality. Additionally, the module must address the importance of human oversight in judicial processes, as AI will serve as an aid rather than a substitute for judicial discretion. Indian judges should also be familiar with the global and national legal frameworks governing the use of AI in public services, particularly in the judiciary.

A major component of the training will focus on the practical application of AI within the Indian judicial system. Judges can be

introduced to existing AI platforms such as **SUPACE (Supreme Court Portal for Assistance in Court Efficiency)**, which uses AI to assist judges with case analysis, legal research, and managing large volumes of case data. Training sessions can involve demonstrations of how AI tools can automate repetitive tasks like sorting case files, tracking legal precedents, and generating summaries. By engaging with these AI applications firsthand, judges can better understand how to integrate them into their daily work to enhance productivity without compromising accuracy.

The training will also address the limitations of AI in the judiciary. While AI is a powerful tool, it is not without its challenges, particularly concerning data privacy, accuracy, and accountability. Judges need to be aware of the risks associated with relying on AI-generated data and predictions. For instance, errors in AI systems could lead to incorrect legal outcomes if not properly vetted. The training module will guide judges on when to use AI and when to rely solely on human judgment, ensuring that AI remains a supplementary tool rather than a primary decision-maker. Special emphasis may be placed on data security, as judicial information is highly sensitive and must be protected from misuse or unauthorised access.

Incorporating real-world case studies and hands-on exercises would make the training more engaging and impactful. For example, judges could handle hypothetical cases using AI tools, allowing them to practise how to integrate AI into their decision-making processes while ensuring fairness and transparency. Case studies of other countries where AI has been successfully implemented in the judiciary, such as the USA's use of AI for legal research,⁷ could provide valuable insights into best practices and lessons learned. These examples would help Indian judges gain a clearer

7 "Generative AI in Legal Research, Education, and Practice: AI and Law Practice", UChicago Libraries <<https://guides.lib.uchicago.edu/AI/Practice>> (accessed 3 September 2024)

understanding of the potential benefits and pitfalls of AI in judicial settings. To ensure sustained learning, this training will be conducted in regular, periodic sessions, allowing judges to stay updated on new AI developments and continue practising over time.

2.8. Judicial Leadership

In the rapidly evolving legal and social landscape, strong judicial leadership is crucial for maintaining the integrity, efficiency, and independence of the judiciary in India. Judicial leadership is not only about delivering judgments but also about guiding the judiciary towards greater transparency, innovation, and adaptability. Judges, especially those in leadership roles such as Chief Justices or senior judges, play a vital role in setting standards for judicial conduct, ethics, and administration. Sessions on Judicial Leadership are essential to equip judges with the skills needed to manage courts effectively, inspire their colleagues, and ensure that the judiciary remains a pillar of democracy.

The sessions will begin by highlighting the importance of judicial leadership. Judges need to understand that leadership includes not only administrative decision-making and court management but also setting an example in ethical behaviour. In India, where courts face heavy workloads and limited resources, strong leadership can help improve efficiency and reduce delays. The module will cover how judicial leaders can promote cooperation within their courts, create a culture of accountability, and ensure justice is delivered in a timely manner. It also prepares judges to defend judicial independence against political or social pressures.

Judicial leadership will emphasise the key qualities that define an effective judicial leader. These include integrity, vision, decisiveness, communication, and empathy. Integrity is the foundation, requiring judges to stick to the highest ethical standards. Vision helps leaders

anticipate challenges and push for necessary reforms. Decisiveness allows judges to make tough decisions about resource management, case prioritisation, and administration. Strong communication skills are essential for leading teams and engaging with the public. Empathy is also critical, helping leaders understand the needs of court staff, fellow judges, and the people they serve.

Judicial leadership also involves managing court resources, handling public perception, and leading reforms. The programme will teach judges how to effectively allocate resources, such as court staff, technology, and infrastructure, to improve the functioning of the judiciary. In India, where many courts face resource shortages, judicial leaders must be adept at managing with limited means while maximising productivity. The module will also address how to handle the public's perception of the judiciary, including managing media relations and addressing concerns about transparency and accountability. Judicial leaders also need to be proactive in reforming outdated practices, whether by adopting better case management systems, improving the use of technology or expanding Alternative Dispute Resolution (ADR) options.

Judicial leadership is not without its challenges. The programme will prepare judges to navigate issues such as maintaining judicial independence in the face of political or social pressures, balancing innovation with tradition, and addressing the needs of a diverse society. In the Indian judiciary, where delays and backlogs are persistent concerns, leaders must find ways to innovate without compromising legal traditions and the rule of law. Additionally, judicial leaders must contend with evolving societal values, ensuring that the judiciary remains progressive while upholding established legal principles. The programme will include strategies for overcoming resistance to change within the judiciary and managing conflicting interests within the court system.

The programme will incorporate case studies of effective judicial leadership both in India and globally. For instance, judges could study the leadership of Indian Chief Justices who spearheaded major judicial reforms or managed high-profile cases with sensitivity and fairness. International examples, such as leadership programmes for judges in the US, Australia,⁸ can offer valuable lessons. Practical exercises, such as mock court management scenarios or role-playing leadership dilemmas, would give judges an opportunity to practise decision-making and team management in a controlled environment. Group discussions could facilitate dialogue about best practices and common challenges, helping judges learn from one another's experiences. To accommodate judges' demanding schedules, the programme may be divided into brief, modular segments conducted over a few weeks, with each segment lasting 2-3 hours.

2.9. Forensics

Forensic science is a vital tool in the judicial process, acting as a bridge between law and science by applying scientific principles to solve crimes and support legal investigations. Judges frequently encounter forensic evidence in both criminal and civil cases, making it essential for them to understand the fundamentals of forensic science. Learning programmes on Forensics aims to equip judges with the knowledge and skills necessary to evaluate forensic evidence, assess the reliability of expert testimony, and apply scientific findings appropriately in legal proceedings.

The first component of the programme will focus on introducing judges to the significance of forensic science in the judicial process. Judges need to understand how forensic evidence can help establish facts, identify suspects, and corroborate witness testimonies. In India, where the use of forensics is expanding, it is essential that judges

⁸ "Unit Ten Judicial Leadership," National Judicial College of Australia <<https://www.njca.com.au/units/unit-10/>> (accessed 2 September 2024)

are familiar with various forensic disciplines such as DNA profiling, toxicology, ballistics, and fingerprint analysis. This foundational knowledge will allow judges to properly evaluate the evidentiary value of forensic reports presented during trials. Forensic science not only strengthens the pursuit of justice but also plays a key role in preventing wrongful convictions and ensuring that innocent individuals are not punished due to flawed or misinterpreted evidence.

One of the core objectives of the forensic learning programme will enhance judges' ability to critically assess forensic evidence and expert testimony. Forensic experts provide crucial insights into the scientific aspects of a case, but it is the responsibility of the judge to determine whether the evidence is reliable and admissible. The programme will focus on helping judges differentiate between robust and flawed forensic methods, with particular attention to the accuracy and credibility of expert witnesses. Judges will also learn how to assess the quality of forensic samples, understand the limitations of certain scientific techniques, and recognise the potential for cognitive bias in expert opinions. By equipping judges with these skills, the programme will ensure that forensic evidence is used appropriately in legal proceedings and that decisions are based on sound scientific principles.

With advancements in science and technology, the field of forensics is constantly evolving, introducing new tools and methodologies for investigation. The programme will include modules on emerging forensic technologies, such as advanced DNA sequencing, digital forensics, and artificial intelligence-based investigative tools. Judges need to stay updated on these developments to accurately interpret and apply cutting-edge forensic evidence in their courtrooms. However, the integration of new technologies also presents challenges, such as questions of admissibility, privacy

concerns related to genetic databases, and the risk of over-reliance on artificial intelligence. The programme must address these legal and ethical challenges, ensuring that judges are prepared to balance technological innovations with the protection of fundamental rights and legal standards.

Incorporating practical exercises and case studies into the forensic learning programme is crucial for giving judges hands-on experience in dealing with forensic evidence. The programme will feature real-world case studies where forensic evidence played a pivotal role, highlighting both successful applications and cases where forensic errors led to wrongful convictions. This will allow judges to explore the complexities of forensic science in action, such as the interpretation of DNA evidence, the use of toxicology reports in drug-related crimes, and the examination of digital evidence in cybercrime cases. Practical exercises, such as mock trials or forensic report evaluations, can also be included to help judges practise analysing forensic findings, cross-examining experts, and applying scientific data in their judicial decision-making process.

The learning programme on forensics will emphasise the importance of collaboration between the judiciary and forensic experts. In India, forensic labs and institutions play a critical role in providing scientific expertise in legal matters. The programme will educate judges on the best practices for engaging with forensic professionals, ensuring clear communication between the judiciary and experts. Judges will also be familiarised with the process of commissioning forensic reports, requesting clarification from experts, and ensuring the chain of custody for evidence is maintained throughout the judicial process. Additionally, partnerships with forensic institutions, such as the Central Forensic Science Laboratory (CFSL) and State forensic labs (SFLs), can be encouraged to promote ongoing learning and access to the latest forensic techniques and resources.

Forensic learning programmes for judges in countries like the U.S, provides valuable best practices that India can learn from. These include interdisciplinary, hands-on learning, and a focus on ethical and practical challenges surrounding forensic evidence. By adopting similar methods, India can ensure that its judiciary remains equipped to handle forensic evidence effectively, safeguarding the integrity of judicial outcomes. To maintain an ongoing learning process, the learning will be delivered through a series of scheduled intervals, offering judges continual opportunities for skill refinement and knowledge expansion.

3. CONCLUSION

In conclusion, this thematic framework offers a well-rounded approach to improving the skills and efficiency of the judiciary. By focusing on critical areas such as judgment writing, technology use, behavioural training, and leadership, the framework equips judges to handle the evolving demands of the legal system. Learning in specialised fields like media sensitisation, artificial intelligence, and forensics further strengthen the judiciary's ability to deliver timely and fair justice.

This comprehensive learning approach not only enhances judicial expertise but also upholds essential values of integrity, empathy, and accountability. By promoting continuous development, the framework ensures that the judiciary is prepared to meet new challenges and adapt to the changing landscape of the legal world.

PART III

RECOMMENDED ANNUAL CALENDAR FOR STATE JUDICIAL ACADEMIES



1. INTRODUCTION

India has 22 State Judicial Academies that impart judicial learning and facilitate knowledge and skill development for newly inducted judges in different districts. While the training methods are similar across states that are also recommended to undergo reform, there is a substantial difference in the themes covered. Training on sensitisation, AI, media management, courses and workshops on local laws, among others are missing from the curriculum of some SJAs. This omission can be seen as detrimental to the judicial environment country-wide with the underlying uniform need for sensitivities to vulnerable groups, the integration of Technology and AI, media and courtroom management. At the same time, a localised curriculum cannot be dispensed with as that would cause injustice to the locals of the State and their needs. These circumstances present a dual challenge of upholding unity while embracing diversity.

Therefore, a balance between unity and diversity of judicial education is vital for promoting cohesion and collaboration without losing on innovation and growth. This can be achieved by creation of a skeletal SJA calendar that can be used as a base structure for the SJAs to design their curriculum. Since the SJAs will be the final authority for preparation of their curriculum, the recommended skeletal framework can be localised as per the unique needs of each State.

2. METHODOLOGY

To draft a qualitative skeletal framework of the calendar for the induction programme, a study of the existing academic calendars

of all the SJAs was conducted. The primary observation made was that in most SJAs the legal subjects were those that the trainees are already taught in law schools. While a comprehensive revision of these subjects from the point of view of a judge may enhance relevant knowledge of the trainees, it can also result in stagnation of capabilities as repetition of subjects may not necessarily be helpful to the trainees. Therefore, the next step was to see which of these subjects are a part of all or majority of the SJA academic calendars. This provided us with subjects and modules that are perceived by the SJAs as being indispensable. Such common subjects have been included in the recommended framework of induction training.

The second leg of the exercise was to study the curricula of all SJAs to identify any innovative practices or content training that are being used which may benefit all the SJAs. Such innovative and diverse practices which can be homogenised and implemented all throughout the country have been included as well. The last leg of the exercise was to incorporate some courses and modules which are either not a part of the current SJA calendars or are not as elaborate as required. These include courses inspired from international best practices or academia suggestions.

Therefore, the recommended SJA annual calendar is a product of learning content and methods perceived as being indispensable, certain innovative practices adopted by the SJAs, international best practices and suggestions from academia working on judicial education.

3. RECOMMENDED CALENDAR FOR THE SJAs

Programme Details: One Year Induction Course for the Newly Recruited Officers

Participants: Newly recruited judges

Objectives:

- Enhancing QASK (Quality, Attitude, Skills and Knowledge)
- Inculcating Judicial Ethics
- Ensuring Uniformity and Predictability of Decisions

Duration and Scheme of Training: One Year hands-on training in the following phases-

Phases	Type of Training	Duration
Phase 1	Institutional Training at the Academy	2 months
	Field training (at the district HQs of the area of posting)	1 month
Phase 2	Training at the academy	2 months
	Field training (in a Taluka/Tehsil Court which would be the place of posting)	1 month
Phase 3	Training at the academy	2 months
	Field training at the place of posting	1 month
Phase 4	Integrative/reflective training at the academy	1 month

Broad Methodology

1. Use of critical thinking methodologies like Circular Response Method, Devil's Advocate Activity, Scenario Analysis (Role Plays/Moot Courts), Critical Incident Questionnaire, Look Select Deepen Method, etc. in legal scenarios.

2. Alternation of Lectures and Participative Learning Methods to increase problem-solving capabilities and Flipped Classrooms for better participation and active learning.
3. Snowballing to avoid and mitigate intellectual isolation and Debriefing to consolidate learnings from group activities.
4. Case Study method not limited to only legal cases but also socio-political and economic scenarios to enable impartial thinking.
5. Mirroring Technique: Asking trainees to provide analogies and demonstrations to assess whether they have understood and perceived what the resource person has conveyed.
6. Using legal ethical dilemmas to develop analysis, evaluation and guide decision- making. This will also enable the resource persons to understand the trainees' pattern of decision-making and appropriate course correction can be done during the induction stage itself, if required.
7. Using Recordings of real-life proceedings and studying and discussing in groups about the manner in which judges conducted themselves, asked questions, interacted with witnesses, etc.
8. Daily Diary Entry of the training activities and self-perceived achievement of learning outcomes. Such entries will be subject to weekly evaluation of the same.
9. Periodic feedback from trainees regarding the utility of the content being taught and the methods used according to them (this will encourage self-directed learning).

a. Academy Training

Knowledge: The focus areas for knowledge enhancement are as follow:

- Constitutional Law

- *Procedural Laws*: Civil and Criminal
- Evidence Law and introduction to scientific aspects of evidence (For instance, analysis of raw data of FSL report)
- Rules of Interpretation
- *Alternative Dispute Resolution mechanisms*: How judges can facilitate settlements between parties either through referral or in-court mediation.
- *Awareness of Social Realities¹*: Study of interplay of law with Sociology, Psychology, Economic fundamentals, Study of demographics of the State; Analysing the effect of media reporting on judicial working.
- *Technology in judiciary*: Use of ICT & AI tools in legal research and decision-making

Judicial Skills: The focus areas for improving judicial skills are as follow:

- *Language Skills*: Teaching vernacular languages of the state as well as use of English and Sign language
- *Writing Skills*: writing judgments, orders, research notes
- Communication Skills including courtroom etiquette, press conference
- Use of computers and legal softwares
- Appreciation of Evidence
- Study of body language and non-verbal language of witnesses
- *Court management skills*: Case flow management, Court decorum, Relationship between Bar & Bench, Time management, Resource management, Office administration

¹ Chief Justice of India, Speech at the National Conference of the District Judiciary, 31st August 2024 to 1st September 2024

Attitude and Ethics: The focus areas for developing judicial attitude are as follow:

- Inculcating a constitutional vision of justice by relating constitutional law to constitutionalism, constitutional morality and linkages between fundamental rights and DPSPs.
- Awareness and sensitisation programmes on gender & LGBTQ issues, caste and class dynamics of the State, vulnerable groups such as PVTGs and differently-abled persons, etc.
- Judicial philosophy and discussions on what is the role of a judge.
- Judicial Ethics, Concept of Justice and Access to Justice
- Social context adjudication
- Physical and Mental Health awareness and Stress management

b. Practical Learning

The trainees will undergo practical learning in intervals of time as specified in the scheme of the curriculum.

Broadly, the work of trainees during court attachment will involve the following:

1. Taking down the depositions of witnesses, frame issues/charges.
2. Writing draft orders, decrees and judgments which shall be supervised and assessed by the district judges in-charge of the trainee.
3. Familiarising themselves with all registers and forms of civil and criminal courts.
4. Independent handling of petty offences during the third round of practical learning to inculcate confidence (which offences

can be handled independently will be determined by each individual SJA or High Court).

5. Trainees shall work under the direct supervision of the Principal District Judge (PDJ), where they are encouraged to independently handle cases pertaining to petty offences, under the guidance of the Chief Judicial Magistrate (CJM). The PDJ should also ensure that the new recruits familiarise themselves with court procedures during the field training rather than just relying on the academy.

c. Field Visits

1. The trainees must be sent on field visits during weekends to watch Lok Adalat proceedings, Medico-legal institutes, Correctional institutions and central prisons, Mediation centres, etc.
2. To enhance judicial understanding and effectiveness, a two-week Social Reality Field Training program is proposed. Judges will immerse themselves in local communities, directly experiencing social complexities and issues. By interacting with locals, attending hearings, and participating in community meetings, judges will gain valuable insights. Post-immersion workshops and discussions with legal experts and psychologists will facilitate reflection and analysis of case studies. This initiative, coordinated with State and District Legal Services Authorities, will promote trust, transparency, and a more informed judiciary. It is further suggested that newly inducted judges should spend at least one week in the local area among the communities to better understand the social realities and cultural diversity of the people. This experience is expected to bridge the gap between different social strata by exposing judges to the daily struggles and challenges faced by less privileged

or marginalised sections of society. Such exposure will further aid judges in ensuring that justice is not only done but is also seen to be done.

d. Periodic Dialogue Exchange

Periodic Dialogue Exchanges aims to facilitate communication and knowledge sharing among district judges. Through quarterly or biannual meetings, workshops, and discussions, judges can address common challenges, learn about recent legal developments, and share innovative practices. These exchanges, which can be conducted virtually, to enable peer learning, mentorship, and multi-stakeholder collaboration to enhance judicial effectiveness.

JUDICIAL MENTORSHIP PROGRAMME

The need for judicial mentorship was highlighted by the 50th Chief Justice of India, Dr D Y Chandrachud during the National Conference of the District Judiciary, 2024. Experience of several senior judges has suggested that on-job guidance and mentorship was a key factor in their career progression and better functioning of the justice system. Therefore, an inclusion of a comprehensive judicial mentorship programme as a part of induction training can prove beneficial for the individual judges as well as for the performance of the court as a whole.

In this regard, the SJAs can develop a mentorship programme on the following lines:

- i) *Target Group:* Newly inducted judges who have undergone induction training.
- ii) *Duration:* One year
- iii) *Mentor:* A mentor must be an experienced member of the

judiciary, preferably a retired judge for greater availability to the mentee.

iv) **Functions and Duties of the Mentor**

- *Teaching:* Sharing of knowledge, experience, skills, etc. through formal or informal instruction as may be seen fit by the mentor.
- *Guidance:* Appraising the mentee of ethics, etiquettes, rules and conventions of the judicial system as well as guidance on court and stakeholders management.
- *Counselling:* Listen to concerns of the mentees and attempt resolution through empathetic means.
- *Validation and Motivation:* The mentor will support and refine the mentee's goals and aspirations in their judicial duties, offering guidance and encouragement throughout the process. This includes engaging in discussions about the mentee's progress to ensure that their objectives align with their judicial responsibilities.
- *Communication:* Establishing open lines of communications through which the concerns of the mentee can be discussed effectively.

v) **Phases of Mentoring**

- *Phase I:- Intense Mentoring*

Duration: First three months

Scheme: Meeting physically or online on all working days in the first two weeks post which a schedule suitable to both the mentor and mentee can be adopted.

Broad topics to be covered: Functioning of courts, Relationship with the stakeholders, etc., Communication with higher authorities.

Accountability: The mentor will keep a weekly track of the mentee's work product and guide on how to perform such duties in a better and efficient manner.

- *Phase II: Active Mentoring*

Duration: After completion of Phase I, the next three months

Scheme: Meeting physically or online at least twice a month

Broad topics to be covered: Practical aspects of judicial work, Issues faced by the mentee

Accountability: The supervising District judge shall assess the result of mentoring at the end of this Phase based on the report submitted by the mentor. Such reports will be forwarded to the relevant SJA for monitoring purposes.

- *Phase III: Passive Mentoring*

Duration: After completion of Phase II, the next three months

Scheme: There is no need for structured meetings however the mentor and mentee may meet if the latter requires assistance.

Broad topics to be covered: Issues faced by the mentee

- *Phase IV: Transformative Mentoring*

Duration: After completion of Phase III, the next three months.

Scheme: There is no need for structured meetings however the mentor and mentee may meet if the latter requires assistance.

Objectives: Making the mentee self-reliant.

Accountability: A completion report shall be sent by the mentor to the SJA with remarks on the mentee's performance, attitude, goals and requirement for any further training.

The mentee shall also submit a report to the SJA indicating the extent of the achievements and gains from the mentorship programme.

4. CONCLUSION

This Part aims to modify the existing format of judicial training for newly recruited judges in various districts of respective States to include methodologies of learning that make the programme more participatory and conducive to the object of developing problem-solving and evaluation skills. The inclusion of a judicial mentorship programme will enhance the effectiveness of the induction training as it will provide a sandbox to these new judges allowing them to make mistakes but also learn on the job. These methods are imperative for a revamp of the judicial education system of India and efficient management of cases and better judicial life for the judges.



PART IV

CAPACITY BUILDING OF STATE JUDICIAL ACADEMIES Interim Measures



1. INTRODUCTION

A critical analysis of various SJA calendars reveals significant variations in implementation across different states in India. These differences stem from diverse regional needs, varying resources and state-specific legal contexts. Some SJAs excel in tailoring the curriculum to address local issues, while others struggle with basic infrastructure, leading to inconsistencies in judicial learnings nationwide. For instance, technological proficiency, sensitisation and the depth of specialised courses can vary greatly between states.

At the same time, it has been observed that the judicial system has not been able to keep up with contemporary developments in technology, workplace wellness, etc. and associated laws. This has reflected in the lack of constant development in various SJA annual calendars as well as implementation thereof. Addressing these issues requires a delicate balance between standardisation and customisation, potentially through more structured implementation guidelines from the NJA, improved resource sharing among SJAs, and regular assessments to identify and propagate best practices. Ultimately, the challenge lies in creating a judiciary that is both nationally consistent in its core competencies and adaptable to local needs and contexts.

Therefore, there is a need for paradigm shift in the SJA learning content as well as methodologies as also suggested in Part 3 of this Chapter. However, we realise that such change cannot be immediate and will require time to be institutionalised. Therefore, as an interim measure, we suggest that the SJA induction learning programmes can avail the benefits of the existing NJA courses.

2. OBJECTIVES

A study of the National Judicial Academy's courses reveals a comprehensive and multifaceted approach to judicial education in India. These courses are designed to address the evolving needs of the judiciary in the 21st century, encompassing a wide range of skills and knowledge areas crucial for effective justice delivery.

At the heart of the NJA's curriculum is the Leadership and Administrative Skills Training (LAST) program. This cornerstone initiative recognises that modern judges must be more than just legal experts; they must also be capable administrators and leaders. The LAST program equips judges with essential managerial competencies, including capacity building for developing organisational goals, stakeholder management, and docket and caseload management. It also addresses critical issues such as delay and arrears management, time management, and staff supervision. Importantly, the program reinforces the principles of judicial ethics and behaviour, ensuring that integrity and impartiality remain at the forefront of judicial practice.

In recognition of the digital transformation sweeping across the legal landscape, the NJA places significant emphasis on *Information and Communication Technology (ICT)* skills. This module prepares judges for the realities of paperless courts and e-filing systems, enhancing their abilities in digital legal research, data retrieval and introduces them to the implementation of virtual courts and Online Dispute Resolution (ODR) platforms. As cybersecurity becomes increasingly critical, judges are required to be trained in secure communication methods, including the use of designated email IDs and cloud-based data storage.

Sensitisation forms another crucial component of the NJA's offerings. This module addresses the human aspect of justice delivery, focusing

on courtroom etiquette and the treatment of vulnerable witnesses. It also covers norms associated with gender and raises awareness about the unique needs of children, different castes, persons with disabilities, and other vulnerable groups. Sensitisation ensures that judges are equipped to create an inclusive and empathetic courtroom environment, promoting equal access to justice for all members of society.

The NJA also offers a series of specialised courses with certificates of completion, allowing judges to develop expertise in specific areas of law and judicial practice. These in-depth programmes cover critical topics such as Arbitration and Alternative Dispute Resolution (ADR), cybercrime, medical forensics, land acquisition, and the complex issues surrounding sentencing, probation, and victim compensation.

At the core of the NJA's curriculum are courses focused on enhancing judicial skills. These modules delve into the nuances of objective decision-making, the art of drafting judgments, and the importance of sensitivity in judicial pronouncements. The program explores the principles of judicial reasoning, examining the interplay between logic, personal attitudes, and the skills required for effective judging. It also addresses the complex relationship between subjectivity, objectivity, and rationality in the decision-making process. Importantly, the curriculum emphasises the role of constitutional morality in judicial reasoning, ensuring that judgments align with the fundamental principles enshrined in the Indian Constitution.

The NJA has recognised the importance of proficiency in both English and vernacular languages for clear and effective communication of judicial decisions. The art of judgment writing receives particular attention, as it represents the primary means through which judges

articulate their reasoning and decisions to both the legal community and the wider public.

Thus, the need for offering such courses at SJAs cannot be overstated. However, such foundational adjustments cannot be fully realised without addressing another core issue of equipping the resource persons with the resources and skills themselves. Since resource persons are crucial in shaping the learning experience, equipping them with modern teaching methodologies and tools is essential. This leads to the next critical step of enhancing the skill and the learning of resource persons, ensuring they are proficient in delivering the updated curriculum and methodologies, such as participatory learning, experiential learning, and technology integration, that are necessary to build a competent and responsive judiciary.

3. UPSKILLING OF RESOURCE PERSONS

The evolving nature of legal frameworks and the increasing complexity of judicial roles necessitate the continuous development of judicial knowledge and skill development methodologies. For efficient imparting of knowledge and skill development to judges, a competent team of Resource Persons is necessary. To address the variations in the judicial learning at different SJAs a skeletal uniform learning module for the participants can be chalked out. Along with uniformity in the knowledge imparting modules of the resource persons, efforts need to be made to complement the same with other modern methods to increase the Resource Persons' efficiency.

NJA delivers programmes for educators ("train the trainer" programmes) each year as requested by High Courts. These are delivered to faculty members or resource persons of State Judicial Academies who are expected to deliver the same programme at the State level to multiple audiences. It is essential to continuously evolve

the methodologies used by NJA to meet the demands of a modern judicial system. The NJA currently employs a mix of traditional methods such as lectures, discussions, and case studies. There is an emphasis on interactive learning techniques, including the use of storytelling, practical illustrations, and real-life examples. The NJA also recognises the importance of adult education principles, such as focusing on continuous education, promoting self-directed learning, and ensuring collaboration among judges.¹ Yet, the application of these principles appears limited, with a greater reliance on traditional teaching methods. Reports as mentioned earlier also highlight the lack of practical application of the same. It is recommended that the training for the resource persons must also happen in line with the suggestions given under Part 1 hereof and training will not be constrained to resource persons from a legal background but will also include education experts for better results.

- ***Equipping Resource Persons with Adequate Tools of imparting knowledge***

Since various methodologies have been recommended for the knowledge and skill development of the High Court and District court judges in the Part 1 of the document, it is essential to recognise the parallel need to equip judicial trainers/resource persons with the same set of skills and capabilities. To ensure the successful implementation of modern learning techniques, such as participatory learning, technology integration, and experiential learning models, etc. it is imperative that resource persons themselves are proficient in these methodologies. By equipping resource persons with these tools, they will be better prepared to impart high-quality knowledge and skill development that aligns with the evolving demands of the judiciary. Thus, empowering the resource persons with these skills

1 Pradish Raj Singh, "p. 1347: Training for Trainers for State Judicial Academies," National Judicial Academy India, Programme Training Report (Bhopal: National Judicial Academy, 2023) <https://www.nja.gov.in/Concluded_Programmes/2022-23/P-1347%20Programme%20Report.pdf> (accessed 4 September 2024)

is a critical first step towards creating an effective and responsive judicial education system. The following areas are broad components vital for developing a “Module for Resource Persons.”

- ***Efficiency in demonstrating participatory learning approaches***

It is imperative that the resource persons are able to demonstrate the adequate skills necessary to train the judges using the same approaches. The participatory techniques for the same can include debates, snowballing and debriefing, roleplay, flipped classrooms, case studies, etc.

- ***Building Technical capabilities***

For judges to be efficient in the use of technology it is necessary to equip their resource persons with a high level of proficiency in the same. The ‘Module for Resource Persons’ will include the integration of adaptive learning technologies and multimedia to enhance these skills. Further, they must be trained to use all e-resources and as adopted by the judiciary and impart the same to the trainees.

- ***Equipping resource persons with tools of experiential learning techniques***

Since, adult learning style methods have been emphasised for use in the knowledge and skill-development of judges, it becomes extremely necessary that the resource persons are capable of using such techniques efficiently. Experiential learning techniques should be incorporated in the learning programmes for resource persons to equip them with the necessary skills and experience so that they can understand how such a technique is aiding a participant and can utilise the indirect feedback they get from performance of the attendees to develop and upgrade the teaching methods.

The curriculum and structure for the ‘Module for Resource Persons’ can be devised by the ‘Research and Course Development Unit/Wing’ under the aegis of the National Judicial Academic Council with the objective of inculcating core methodological competencies and contemporary legal developments.

4. INTERIM MEASURES TO INCREASE COMPETENCY OF TRAINEES OF SJAs

While the incorporation of modern methodologies and the expansion of learning programmes for judges within judicial academies are essential steps towards long-term solutions to address educational lacunae, it is crucial to recognise that these measures cannot immediately address the pressing challenges faced by SJAs. Certain courses offered by the SJAs may differ in quality as compared to those offered by the NJA. This highlights a significant gap in the induction training of judges at various SJAs. Addressing this gap requires immediate intervention. To this end, a skeletal calendar for the SJAs has been suggested under Part 3 hereof. It is suggested that the NJA may collaborate closely with SJAs to integrate critical courses into their curricula as a part of the induction process. However, we realise that implementing the suggestions contained in this document may take some time. Until the SJAs develop a pool of resource persons trained in these subjects and establish a repository of compatible learning materials, the NJA will address this gap by offering courses to the resource persons/trainers of each SJA. Meanwhile, an option will be available for judges in each district to join these classes online from their respective locations. This will continue until the sessions are initiated at their respective judicial academies during the hands-on phase of their training following their selections.

Such collaboration is vital to ensure that the foundational learning of newly inducted judges is comprehensive and aligned with the evolving demands of the judiciary even during the transition period from the existing framework to the one recommended. Such immediate interim measures must be taken to equip judges with the necessary skills and knowledge to perform their duties effectively.

To address the gaps in the knowledge and skill development modules for participants at SJAs, it is suggested that the NJA may offer the following critical courses as a short term strategy.

- a. Sensitisation Workshop²
- b. National Conference of Judges of the District Judiciary on Adjudication of Issues Relating To Women and Children³
- c. Workshop on the use of ADR System⁴
- d. Workshop on Applicability of ADR techniques to Reduce Pendency in Courts⁵
- e. National Seminar on Cybercrime & Electronic Evidence⁶
- f. Workshop for District Judiciary on Medical Forensics and Medico-Legal Aspects in Trial⁷

2 hruti Jane eusebius et al., “National Workshop for Gender Sensitisation of Judicial Officers (In Collaboration with National Commission for Women),” 2023, <https://nja.gov.in/concluded_programmes/2023-24/se-30_dec_2023%20programme%20report.pdf> (accessed 6 September 2024)

3 National Conference of Judges of the District Judiciary on “Adjudication of Issues Relating to Women and Children.” National Judicial Academy, 2014, <https://nja.gov.in/TOC_and_PS/P-843%20PR.pdf> (accessed 6 September 2024)

4 Singh, Yogesh Pratap, Justice A.M. Ahmadi, Dr. Geeta Oberoi, Justice A.M. Ahmadi, Dr. S. K. Jain, and Mr. Prathmesh D. Popat. “Work-Shop on the use of ADR System: 21-23, September 2015,” Programme Report, 2015 <https://nja.gov.in/Concluded_Programmes_2015-16/P-944%20Prog.%20Report.pdf> (accessed 6 September 2024)

5 P-1002, Intern’s Report, National Judicial Academy, 2016-17, ((Bhopal: National Judicial Academy, 2023) <https://nja.gov.in/Concluded_Programmes/2016-17/P-1002%20Intern's%20Report.pdf> (accessed 6 September 2024)

6 P-1348, Programme Report (Bhopal: National Judicial Academy, 2023) <https://nja.gov.in/Concluded_Programmes/2023-24/P-1348%20Programme%20Report.pdf> (accessed 6 September 2024)

7 P-1305, Programme Report, (Bhopal: National Judicial Academy, 2023) <https://nja.gov.in/Concluded_Programmes/2022-23/P-1305%20Programme%20Report.pdf> (accessed 6 September 2024)

- g. National Conference for High Court Justices on Judgment Writing⁸
- h. Refresher Course on Land Acquisition⁹
- i. National Conference on Sentencing, Probation and Victim Compensation¹⁰
- j. Seminar on Judicial Reasoning: Knowledge, Skills & Perspective Development¹¹
- k. National Seminar on Judicial Skills¹²

By incorporating critical courses such as sensitisation, ADR techniques, cybercrime, medical forensics, and judicial reasoning into the induction process, the foundational skills and knowledge of judges can be significantly strengthened. Such interim measures, to be undertaken through collaborative efforts between the NJA and SJAs can address the gaps in the current training modules of SJAs and significantly enhance the capabilities of the judges.

5. SUGGESTED CERTIFICATE COURSES FOR SKILL ENHANCEMENT OF INDUCTION TRAINEES

We recommend incorporating certificate courses on crucial aspects of judicial learning, designed to upskill and enhance the capabilities of judges. These certificate courses will be part of the NJA module

8 P-1350, Programme Report (Bhopal: National Judicial Academy, 2023) <[https://nja.gov.in/Concluded_Programmes/2023-24/P-1350%20PS\(08-08-2023\).pdf](https://nja.gov.in/Concluded_Programmes/2023-24/P-1350%20PS(08-08-2023).pdf)> (accessed 6 September 2024)

9 P-1368, Programme Report (Bhopal: National Judicial Academy, 2023) <https://nja.gov.in/Concluded_Programmes/2023-24/P-1368%20Programme%20Report.pdf> (accessed 7 September 2024)

10 P-1381, Programme Report (Bhopal: National Judicial Academy, 2023) <https://nja.gov.in/Concluded_Programmes/2023-24/P-1381%20Programme%20Report.pdf> (accessed 7 September 2024)

11 P-1310, Programme Report (Bhopal: National Judicial Academy, 2023) <https://nja.gov.in/Concluded_Programmes/2022-23/P-1310%20Programme%20Report.pdf> (accessed 7 September 2024)

12 P-1365, Programme Report (Bhopal: National Judicial Academy, 2023) <https://nja.gov.in/Concluded_Programmes/2023-24/P-1365%20Programme%20Report.pdf> (accessed 7 September 2024)

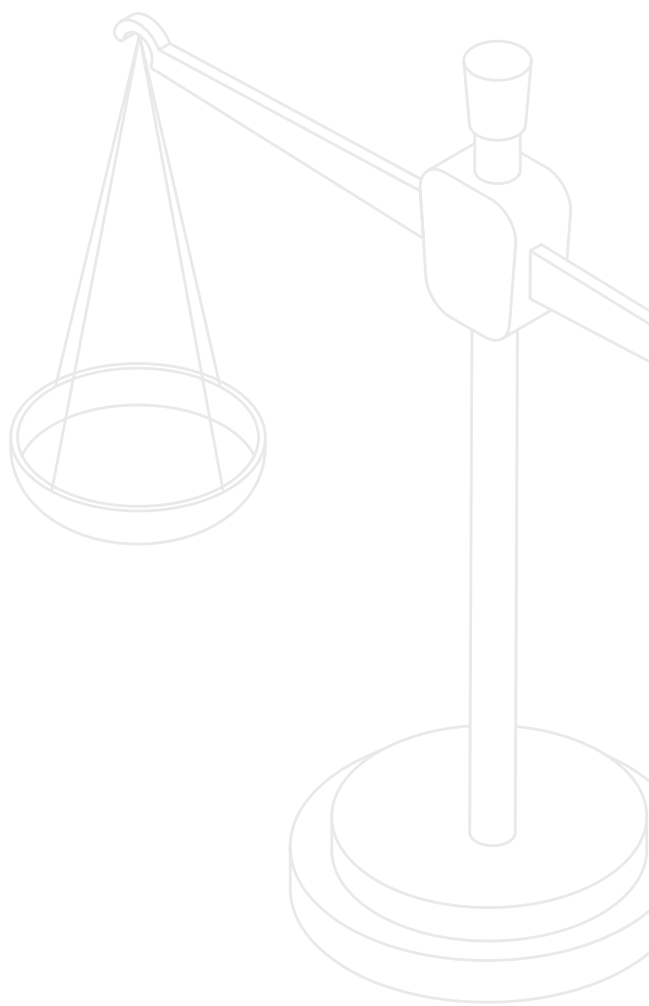
but will also be integrated into the training programs of the SJAs. The courses will have both voluntary and mandatory options, depending on the specific needs and requirements of each SJA and judges in general. The proposed courses will span from 1 to 2 months, with flexibility to extend up to 6 months, allowing judges to upskill at their own pace based on their individual needs.

A detailed outline of select certificate courses, including their objectives and content, will be curated by the Research and Course Development Unit/Wing at the NJA and made available online through the LMS developed by the NJA. Additionally, the link to the LMS platform, inspired by coursera or Edx, will be shared with the SJAs, ensuring that every judge, during their induction or skill development period, can access this expert learning free of cost and receive certification. This initiative is aimed at achieving the primary goal of capacity building (Annexure B). The annexure presents a comprehensive view of the proposed courses and their intended outcomes.

6. CONCLUSION

These courses can help as interim short-term measures for moving towards a holistic and forward-thinking approach to judicial education in India till the long-term solution of revamping judicial education is sufficiently achieved. By covering a broad spectrum of topics – from administrative skills and technological literacy to legal specialisations and core judicial competencies – the NJA aims to cultivate a judiciary that is not only well-versed in law but also equipped to meet the diverse challenges of modern justice delivery. This comprehensive strategy reflects a recognition that effective judging in the 21st century requires a multifaceted skill set,

combining legal acumen with administrative capability, technological proficiency, and a deep understanding of social dynamics. As these courses cascade through the State Judicial Academies, they have the potential to significantly enhance the quality and efficiency of justice delivery across India, ultimately strengthening public trust in the judicial system and upholding the rule of law in this diverse and complex democracy.



PART V

ROLE AND RELATIONSHIP OF NATIONAL JUDICIAL ACADEMY AND STATE JUDICIAL ACADEMIES



1. INTRODUCTION

The 50th Chief Justice of India, Dr D Y Chandrachud, highlighting the role of judicial education, asserted, “*Continuous judicial education is essential for judges to keep pace with the rapid changes in law and society. It ensures that judges are well-equipped to handle the complexities of modern legal issues and deliver justice effectively.*” Similar sentiments were reflected for the long standing need for structured judicial learning in the decades leading up to the establishment of the National Judicial Academy. National Judicial Academy and State Judicial Academies trace their conception to recurring discourses on the importance and need of judicial learning through dedicated institutions, reverberating in several law commission reports, court directive and judges’ conferences.

The Law Commission of India in its 114th Report on the ‘*Gram Nyayala*,’ published in 1958, identified delays in case disposal and the accumulation of arrears as significant issues. It attributed these problems to the lack of meticulous organisation and the inadequate application of procedural codes by judges. The need for enhanced judicial learning to address these issues was evident. The 54th Report of the Law Commission in 1973 further emphasised the necessity of judicial learning and recommended the creation of a National Academy for Judicial Training. However, it was the 117th Report of the Law Commission, which focused exclusively on judicial learning, that **laid the groundwork for the establishment of a dedicated institution**. This report highlighted the need for both pre-service and in-service training for judges to ensure they are well-prepared for the demands of their roles. The Supreme Court’s directive in the case of *All India Judges’ Association vs. Union of India*¹ reinforced

1 (1992) 1 SCC 119

this need by instructing the establishment of an All India Institute of In-Service judicial learning for judges. This directive set the stage for more formalised learning structures. On September 18-19, 1992, the Conference of Chief Justices discussed the proposal for a National Judicial Academy, reflecting a growing consensus on the need for such an institution. The resolution from this conference called for Chief Justices of High Courts to provide their feedback and curricula related to judicial learning, marking the initial steps towards the establishment of the Academy. Consequently, the National Judicial Academy was formally established in 1993 as a society registered under the Societies Registration Act, 1860 with the campus dedicated on 5 September 2002, in Bhopal.

The establishment of the NJA and the subsequent formation of State Judicial Academies (SJA) represent a concerted effort to provide a platform for ongoing judicial education, a call to action approach to the decades long need for continuous learning and adaptability in the legal field.

While the establishment of academies categorically dealing with imparting learning and skills to judges is a step in the right direction, it surely is not the last one. Laws change according to the peculiar need for order in society- it may be something today and it could be a different thing tomorrow. Therefore, the knowledge and skill development of officers dealing with the law, in its very nature, should be one that evolves.

2. NJA: CURRENT ROLE AND PROPOSED RECOMMENDATION

The National Judicial Academy (NJA) plays an important role in enhancing judicial learning and court management across India. Its broad responsibilities include facilitating knowledge and

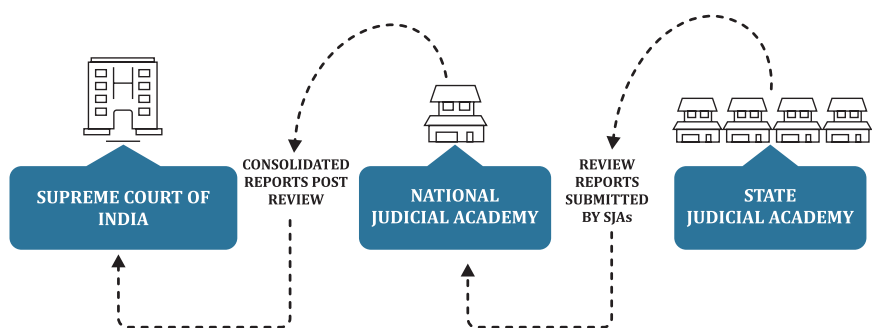
skill development among judges from various states and union territories, offering facilities for ministerial staff working in the Supreme Court and studying and recommending improvements in court management and justice administration. The NJA organises and facilitates a range of educational activities, including study courses, conferences, seminars and research on court management and judicial administration. It also enhances the capabilities of existing institutions for judges, publishes research and outcomes and awards certificates and distinctions to trained officers, ensuring they meet established standards of proficiency.

Given the challenges highlighted earlier by means of this document, changes are proposed to strengthen the NJA's role by categorically dealing with challenges. One significant reform for the NJA is to act as a **gap-filling unit**, serving as a bridge between the SJAs and the Supreme Court of India. The NJA will be responsible for consolidating reports submitted by the SJAs and forwarding these to the Supreme Court. This streamlined reporting process will ensure that the Supreme Court remains informed about the learning and knowledge and skill development activities and needs across different states. The NJA's involvement is intended to facilitate coordination and manage relationships between the SJAs and the Supreme Court, ensuring minimum oversight and promoting independence among SJAs.

The NJA is proposed to **ensure that minimum standards of judicial education are consistently maintained across all SJAs**. This role involves offering learning support until the SJAs are fully equipped to handle their own programmes independently. NJA's role will focus on addressing resource constraints that SJAs face, including financial and manpower limitations. While the NJA's support will be significant, it is designed to supplement rather than undermine the independence of the SJAs. By providing necessary resources

and assistance, the NJA aims to help the SJAs overcome obstacles and improve their learning capabilities.

In addition, a unit envisioned as the **‘Research and Course Development Unit/Wing’** is also recommended to be developed subject to the prior approval of the NJAC, at the NJA, and Chief Justices and judges incharge, at the SJAs. This Research Unit/Wing will carry out the function of updating the course material annually, to provide analysis on the feedback forms in order to make necessary changes in the teaching methods and other suggestions as well as creating a collective assessment report. The Unit/Wing will also be entrusted with creating knowledge based short videos, quarterly newsletter of the NJA, curating data and information received from the SJAs regarding their annual judicial learning and knowledge and skill development programmes and workshops, for the emerging topics for participants necessary for the each year research and creation of an enhanced qualitative curriculum. The unit/wing will develop courses and workshops on various themes covering different aspects of judicial work spanning across judgment writing, sensitisation, usage of technology and language courses, among others. The modules will be uploaded on cloud and made available to all the officers interested in accessing and taking the courses and workshops at their own pace, with an in-person assessment on a specific date and time. Sir William Blackstone has referred to ‘Law as a jealous mistress’, alluding to its nature to evade those who cease to change, making it all the more pertinent for judges to remain updated to avoid falling prey to its capricious nature. The Unit, therefore, will be responsible for the resources to be up-to-date and drawn up by domain experts with tailored insights – both on the methods of imparting judicial learning and the content.



Flowchart illustrates the process of consolidating reports from SJAs and forwarding them to the Supreme Court.

3. SJA: PRESENT ROLE AND PROPOSED RECOMMENDATION

State Judicial Academies (SJAs) are specialised institutions dedicated to the continuous education and professional development of both newly inducted judges and in-service judges. The current role of SJAs is to enhance judicial skills, promote ethics, update legal knowledge and improve court management. However, the proposed reforms for SJAs include a more focused approach to addressing existing challenges. The recommendations aim to transform **SJAs into knowledge-sharing platforms**. The outcome will entail imparting knowledge and skill development that not just provides insights but also cultivates a long standing habit in judges to translate the learnings and the teachings into tools for everyday use. For instance, the purpose of thematic courses on judgment writing is not recommended to be linear, applicable to a class of judgments and orders covered in the session, but to inculcate the habit of making clear and cogent arguments and framing unambiguous issues.

Another key aspect of the proposed changes is the emphasis on evaluation. Effective evaluation helps in determining the impact

of such learning programmes. Without proper evaluation, the benefits of learning may be diminished. Evaluation helps identify gaps in content, delivery methods, and the intervals between learning sessions. It ensures that the programmes lead to tangible improvements in professional practice.

The evaluation process can face challenges such as limited knowledge about evaluation methods, time constraints and inadequate resources. To address these issues, the evaluation methodology, tools, and levels can be integrated into the knowledge and skill enhancement design from the beginning. An effective evaluation plan will include necessary resources, a schedule, involved personnel and appropriate tools that align with the learning content and judicial context while respecting judicial independence.

A comprehensive evaluation model, drawing from international best practices, can effectively assess programmes by the SJA.² This will substitute the need for oversight with the evaluation aiding in drawing up the review reports to be submitted to the Supreme Court. This model comprises four key levels:

- **Reaction:** This level captures participants' **immediate feedback** on the programmes.

It assesses their satisfaction with the content and methods used through:

- Questionnaires
- Feedback forms
- Verbal reactions

2 Fabri, Marco, Petros Alikakos, Gianluca Grasso, Eva Krejčová, Anastasia Patta, Pedro Raposo De Figueiredo, Arno Vinković, et Marco Fabri et al., Medium- to long-term evaluation of judicial training, European Judicial Training Network, 2023 <<https://ejtn.eu/wp-content/uploads/2017/10/ejtn-handbook-jtm-guidelines-for-evaluation-of-judicial-training-practices-2023.pdf>> (accessed 10 September 2024)

- **Learning:** This level measures the effectiveness of the learning in terms of what participants have learned and how well their needs were addressed. It includes:
 - Tests administered before and after the workshop/programmes/courses
 - Interviews
 - Self-assessment
 - Handouts
 - Observation sheets
- **Behaviour:** This level examines how **well participants apply their new skills in the workplace**. It focuses on the transfer of learning and includes:
 - Observations and interviews conducted over time to assess changes, relevance, and sustainability
- **Results:** This level evaluates the impact of the learning on job performance and organisational outcomes. It measures **how individual development contributes to improved results** and organisational effectiveness through:
 - Management reports
 - Evaluation of results after 1, 2, and 3 years

By implementing this evaluation model, SJAs can ensure they meet their objectives and identify areas for improvement and support data-driven decisions to refine and optimise learning processes.

Kirkpatrick's Model for Evaluation of Modules³

LEVEL	WHAT is being measured?	WHY	HOW
1	Reaction Evaluation of the reaction is about the perception of the participants after the training.	The degree of satisfaction of the participants straight after the training provides information about the immediate appreciation of the content and the methods used during the training.	<ul style="list-style-type: none"> • Questionnaires. • Feedback forms. • Verbal reactions.
2	Learning Evaluation of learning is a central process in initial training. It should be well structured to obtain a proper measurement of what happened from input to output context-wise.	Adult learning is about individual development and change. Learning should be checked and tested to prove that training has been useful and addressed the needs of the participants.	<ul style="list-style-type: none"> • Tests before and after the training. • Interviews. • Self-assessment handouts. • Observation sheets.
3	Behaviour Evaluation of behaviour looks into the transfer of skills from the learning environment to the workplace environment.	As mentioned above, adult learning is about individual development and change. The information obtained could also be used to redesign the initial training programme and adjust the courses offered for continuous training.	<ul style="list-style-type: none"> • Observation and interviews over time are required to assess change, relevance of change, and sustainability of change.
4	Results Evaluation of the results measures the participant's impact on the job or environment	Individual development and change are supposed to improve results, which have to be measured. The work and activity of the participants back at the court or prosecutor's office should positively affect the functioning of the organization.	<ul style="list-style-type: none"> • Management reports • Evaluation of the results 1/2/3 years after the training.

³ Ibid.

In addition, the object is recommended to not be limited to just the exchange of information, but **establishing fraternal bonds**. Many times, judges are riddled with cases that have great bearing on their minds, often taking a toll on their mental health. A conducive environment to engage in dialog with other judges may provide respite. The respite can be found in exchanging experiences and ideas among judges that will not compromise the need of secrecy and the lack of familiarity to the profession and the issues that may come up when talking to family and non-judge friends.

4. CONCLUSION

Systems are organisms made up of different processes. All processes require to undergo change with times to aid in the sustenance and growth of the system. Judiciary, as a system, is no different. Keeping up with changing times demands a nuanced study of the distance that remains between where one is, where one needs to be and what are the hindrances. The study of the present system of operation of NJA and SJAs, the challenges and the recommendation are an attempt to aid in overhauling the smaller processes that will ultimately culminate in the growth of the system-the Judiciary.



Annexure A

Chart Prepared From the Responses Received From High Courts and State Judicial Academies for 2021-23

S. No.	High Court/ Judicial Academy/ External Source	Suggestions	
		Content	Methodologies
1.	Judicial Training and Research Institute, U.P.	<ul style="list-style-type: none"> a. Proficiency in language. b. Interrelation of law and economics. c. Study of ethical practices. d. Forensic and bio-science. e. Cyber and communication laws. f. Laws relating to differently-abled individuals. 	<ul style="list-style-type: none"> a. Promoting Systems thinking, b. Presentation of case laws c. Group discussion. d. Debates, sports and cultural events, and movie screening.
2.	High Court of Andhra Pradesh	<ul style="list-style-type: none"> a. Visiting police stations, government offices, and court. b. Physical and mental well-being. c. Office administration and HR management skills. d. Leadership qualities and extra-curricular activities. e. Training to advocates. f. Involvement of advocates as a resource person. 	<ul style="list-style-type: none"> a. Lecture, discussion, case study, exam writing, quiz, moot trials, presentations, etc. b. Basic and foundation course for new recruits. c. Professional advancement training on promotion. d. Theory-practice based approach. e. Basic and foundation course in online and offline modes.

S. No.	High Court/ Judicial Academy/ External Source	Suggestions	
		Content	Methodologies
3.	High Court of Bombay	<ul style="list-style-type: none"> a. Visit judicial academies and institutions. b. Special visit for sensitization. c. Technological skills and listening skills. d. Mock trial e. Cultural events and sports events. f. Disposal of departmental inquiries and handling of complaints. 	<ul style="list-style-type: none"> a. Innovative Training methods. b. Training on the Water (Prevention and Control of Pollution) Act, 1974.
4.	West Bengal Judicial Academy	<p><i>All Judicial Officers:</i></p> <ul style="list-style-type: none"> a. Science and technology. b. Criminology. c. Woman centric laws. d. Tackle challenges pertaining to e-commerce transactions. e. Legal database. f. Physical and mental health. g. Media management. h. Personality development. i. Privacy and data protection law. j. Witness protection, role of police, prosecution and the Court. <p><i>For Civil Judges (Entry Level) and newly promoted Judges of Fast Track Courts:</i></p> <ul style="list-style-type: none"> k. Conflict of law between jurisdiction, service and execution. 	<ul style="list-style-type: none"> a. Interactive approach. b. New Techniques. c. Need-based training.

S. No.	High Court/ Judicial Academy/ External Source	Suggestions	
		Content	Methodologies
		l. Economic offences. m. Arbitration and Conciliation Act. <i>Short-term courses on:</i> n. Narcotics Drugs and Psychotropic Substance Act, 1985. o. POCSO Act, 2012. p. SC and ST Act, 1989. q. Commercial Courts Act. r. Prevention of Corruption Act. s. Juvenile Justice Act.	
5.	High Court of Chhattisgarh	a. Publication of Judicial Officers. b. E-books c. Establishment of Centralised Redressal Mechanism Cell. d. Skill development. e. Expert faculty members. f. Legal softwares.	a. Interactive and Participatory Learning Approach. b. Specialised training programs.
6.	Delhi Judicial Academy	a. Emerging Technology. b. Laws relating to trafficking. c. Training programmes. d. Conferences e. IP, Cyberspace, Digital Piracy and Online Counterfeiting. f. Analysis of raw data of FSL report. g. Mental and physical well-being. h. Workshops.	a. Theatre method. b. PowerPoint presentation. c. Audio and visual methods. d. Use of interactive apps. e. Programs for other stakeholders.

S. No.	High Court/ Judicial Academy/ External Source	Suggestions	
		Content	Methodologies
7.	Gauhati High Court	a. Personality development. b. Skill development. c. Mental wellbeing. d. Interpersonal development.	a. Interactive learning approach. b. Self-teaching and self-learning.
8.	High Court of Gujarat	a. Compulsory library period. b. Overall health development. c. Extracurricular activities.	a. Interactive learning approach.
9.	Himachal Pradesh Judicial Academy	a. Training pertaining to forest and wildlife laws, cybercrimes, mental health act, etc. b. Sensitization programmes. c. State and local laws. d. Penal resource person. e. Uniform training curriculum. f. Stakeholders' interest.	a. Interactive learning.
10.	High Court of Jammu & Kashmir and Ladakh	a. Contemporary social issues. b. Awareness of daily news, international development, and judicial decisions. c. Administrative training. d. Legal research wing.	a. Multidisciplinary approach. b. Non-adjudicative process. c. Interactive learning. d. Training programmes at different levels.
11.	Jharkhand Judicial Academy	a. Invite queries. b. In-house discussion. c. Case management and mental health.	a. Adult education technique. b. Interdisciplinary training.

S. No.	High Court/ Judicial Academy/ External Source	Suggestions	
		Content	Methodologies
12.	Karnataka Judicial Academy	<ul style="list-style-type: none"> a. Digital training. b. Feedback from the trainees. c. Test. d. Lifestyle technique e. Cause-list management and work management. 	<ul style="list-style-type: none"> a. Special need-based training.
13.	Kerala Judicial Academy	<ul style="list-style-type: none"> a. One year mandatory induction programme and one year in-service judicial mentoring. b. Continuous judicial learning. c. Judgment evaluation. d. Judicial Research and Development. e. Online publication. f. Skill development for non-judicial staff. 	<ul style="list-style-type: none"> a. Traditional approach to advanced approach. b. Problem solving and critical thinking. c. Transform mindsets and attitudes.
14.	High Court of Madhya Pradesh	<ul style="list-style-type: none"> a. English language. b. Orientation. c. Online and offline programme, d. Pro-bono initiatives. e. Cultural programmes. f. Mental well-being. g. Doubt clearing sessions. 	<ul style="list-style-type: none"> a. Interactive and participatory learning approach.
15.	Madras High Court	<ul style="list-style-type: none"> a. Regular evaluation and feedback from participants. b. Workshops and seminars. c. Audio-video recording of past seminars. 	<ul style="list-style-type: none"> a. Interactive learning and teaching methods. b. Adoption of an effective approach.
16.	Manipur Judicial Academy	<ul style="list-style-type: none"> a. Mock trials. b. Writing orders and judgments. 	<ul style="list-style-type: none"> a. Practical training.

S. No.	High Court/ Judicial Academy/ External Source	Suggestions	
		Content	Methodologies
17.	Meghalaya State Judicial Academy	<ul style="list-style-type: none"> a. Contemporary legal issues, practical skills and inter-disciplinary subjects. b. Faculty development c. Legal technology. d. Collaboration of judicial academies, globally. 	<ul style="list-style-type: none"> a. Research oriented learning. b. Innovative teaching methods.
18.	High Court of Meghalaya	<ul style="list-style-type: none"> a. Technology. b. Best practice sharing. c. Research cell. d. Training modules. 	<ul style="list-style-type: none"> a. Modern and interactive approach. b. Effective judicial training. c. Active participation.
19.	High Court of Orissa	<ul style="list-style-type: none"> a. Mental health management. b. Work-life balance. c. Stress-free working environment, d. Common pool of resource persons at National level. 	<ul style="list-style-type: none"> a. Trainee oriented training programmes.
20.	Bihar Judicial Academy	<ul style="list-style-type: none"> a. Victimology. b. Specialised court c. Training on judicial officers, in public and social media platforms. d. Technological advancement. e. Judicial ethics 	<ul style="list-style-type: none"> a. Interactive sessions
21.	High Court of Punjab and Haryana	<ul style="list-style-type: none"> a. Paperless work. b. Time management. c. Administrative work d. Joint training of judicial officers and prosecution department. e. Accountancy. 	

S. No.	High Court/ Judicial Academy/ External Source	Suggestions	
		Content	Methodologies
		<ul style="list-style-type: none"> f. Judicial ethics g. Video conferencing faculty. h. Physical and mental well-being. 	
22.	Rajasthan High Court	<ul style="list-style-type: none"> a. Collaboration between national and state judicial academies, institutions, legal experts, and international partners. b. Sensitization, counselling, and stress management. c. Technological advancement. d. Settlement by virtue of arbitration, conciliation and mediation mechanism in suitable cases. e. Avoid using procedural jargons causing delay. f. Speedy trial. 	<ul style="list-style-type: none"> a. Maintain credibility. b. Unbiased approach. c. Transparency. d. Interactive based approach. e. Toward judicial excellence.
23.	Sikkim Judicial Academy	<ul style="list-style-type: none"> a. AI in judicial proceedings. b. Human psychology. c. Constitutional law. d. Feedback form in training programmes. e. Evolve judicial personality of judges. 	<ul style="list-style-type: none"> a. Comprehensive approach.
24.	High Court of Sikkim	<ul style="list-style-type: none"> a. Mental health programme. b. Ethical and constitutional morality. c. Evaluation kit for evaluation of training programmes. 	<ul style="list-style-type: none"> a. Modern training methods. b. Fixed time training.

S. No.	High Court/ Judicial Academy/ External Source	Suggestions	
		Content	Methodologies
		<ul style="list-style-type: none"> d. Compulsory appointment of research scholars. e. In-house lectures. f. Send questions on serious and interesting legal issues to the Director of Academy by the judicial officers. 	
25.	High Court for the State of Telangana	<ul style="list-style-type: none"> a. Different work areas. b. Interpersonal relations and stress management in the work environment. c. Judicial ethics. d. Implementation of guidelines of the Hon'ble Supreme Court. e. Access to justice. f. Importance of law and literature. 	
26.	Tripura Judicial Academy	<ul style="list-style-type: none"> a. Administrative training and skill development. b. Emerging areas of dispute in law. c. Protection of refugees and asylum seekers. d. Cattle lifting and smuggling. e. Role of CPC, jurisdiction and commercial litigation pertaining to Commercial Courts Act. f. Technology. g. Ethics and well-being. 	<ul style="list-style-type: none"> a. Training for judges of family courts. b. Practical training. c. Interactive learning. d. Interactive technique. e. Mentorship programme.

S. No.	High Court/ Judicial Academy/ External Source	Suggestions	
		Content	Methodologies
27.	Uttarakhand Judicial and Legal Academy	<ul style="list-style-type: none"> a. Matter pertaining to socio-economic conditions. b. Technological advancement. c. Report and dialogues in physical and digital format. d. Sensitization programmes. 	<ul style="list-style-type: none"> a. Interactive study. b. Need based assessment. c. Foundation training.
28.	Justice AP Sahi, President of National Consumer Dispute Resolution Commission, Former Director NJA	<ul style="list-style-type: none"> a. Research based on special legislation. b. Comparative jurisdiction of other countries. c. Forensic science and digital forensics. d. Development of handbooks. e. Specialised sessions on Constitutional laws for High Court judges. f. Judicial tools required for judging the validity of legislation. 	<ul style="list-style-type: none"> a. Interactive, informative and inspirational curriculum. b. Curriculum based excellence and improvement. c. Improved judicial performance.
29.	Dr. Shalini Phansalkar Joshi, Former Judge, Bombay High Court, Mumbai	<ul style="list-style-type: none"> a. Keep the group for thematic training restricted to 40- 50 judges and devising a method to accommodate all the district judges in the thematic trainings Avoiding the repetition of judges' participation in courses that have already been taken by them and adopt the practice of nominating judges who have not taken the said training to undergo it. 	<ul style="list-style-type: none"> a. Development of an institutionalised method of training for the trainers (non-permanent member as well as permanent) as they possess the knowledge, but lack the skills for imparting training. Streamlining the

S. No.	High Court/ Judicial Academy/ External Source	Suggestions	
		Content	Methodologies
		<p>b. To evaluate the assimilation of knowledge and test whether the training given to them is actually being used by them in their everyday lives, judgments and orders should be scrutinised.</p> <p>c. Formal Meeting to be organised between judicial officers posted at SJA with Principal District judges to evaluate the performance of the Trainee judges.</p> <p>d. Preparation of the training module well in advance with sub sections and incorporating practical exercises like hypotheticals, role play, true false. They should be regularly updated.</p>	<p>training methods would be useful for in-house, permanent as well as non- permanent members-allotment of not more than 2-3 trainee judges to district judges, and not High Court Judges as it facilitates accountability on both sides.</p>
30.	<p>Prof. KPS Mahalwar, Former Member, Harayana State Higher Education Council, Formerly Chair Professor, National Law University Delhi, Honorary Professor, MNL University Aurangabad, Formerly Dean, Faculty of Law, M D University, Rohtak</p>	<p>a. Introduce a credit or incentive based system in training program linked to career progression.</p> <p>b. Allow for online presence in training to mitigate the difficulty of leave or vacation faced by the officers in joining physical mode of training.</p>	

S. No.	High Court/ Judicial Academy/ External Source	Suggestions	
		Content	Methodologies
		<p>c. Skills and temperament for ADR strived to be imbibed in new judicial officer and should be scheduled as a comprehensive course at the induction training.</p> <p>d. The 'Unit' responsible for developing the curriculum must also comprise the members of the Bar in order to keep the curriculum up to date with the new development of the legal field.</p> <p>e. Periodical assessment, review and revision of Judicial Curriculum.</p>	



Annexure B

This annexure provides a detailed overview of the proposed courses and their expected outcomes. The courses outlined here can be implemented as interim measures, delivering immediate improvements to the current training framework and supporting the overarching goal of enhancing judicial competency.

A. Course for Judicial Officials on ICT Enablement of India Judiciary through E-Courts Project and the Evolving Concept of Artificial Intelligence

Duration: 1 month

Rationale: A strong grasp of technological tools allows judicial officers to ensure a citizen-centric approach, reduce delays, and enhance judicial productivity. This proficiency is crucial not only for improving accessibility and affordability in the justice delivery system but also for enabling better coordination and efficiency among State agencies.

Elements: A course on ICT enablement and Artificial Intelligence for judicial officers should cover several key elements to ensure a holistic understanding and application of

ICT and AI in the judiciary. Firstly, the course must introduce the goals of the e-Courts project, emphasising upon its major goals and objectives. It should enhance the use of citizen centric services under e-Courts Project Court and Case Management Tools like the National Judicial Data Grid (NJDG), Case Information Software (CIS), Electronic Case Management Tools (ECMT). It should then delve into the role of ICT in improving justice accessibility and affordability, focusing on tools such as the e-Courts Services App, and initiatives like SUVAS, SUPACE, NSTEP, Virtual Courts, and e-Sewa Kendras. Additionally, the course should cover the use of AI in the judiciary for structured processing, and preparation of information, preparation of simple judgments, for analysis, predictions and evaluation etc. It should also cover its applications, benefits, and risks, with an emphasis on the centrality of human decision-making.

Course on the use of Alternative Dispute Resolution System

Duration: 1-2 months

Rationale: Judicial officers need to be trained in the use of the Alternative Dispute Resolution (ADR) system to effectively manage and resolve disputes outside the conventional courtroom setting, thereby reducing the burden on the judiciary and promoting swift justice. This is particularly important in a country like India, where the judicial system is overwhelmed with pending cases.

Elements: A course on the use of the ADR system should begin with an overview of the challenges in implementing the ADR system in subordinate courts, including a critical analysis and discussion of the issues faced by participants in their respective

districts. It should then cover the differences between mediation, conciliation, and judicial processes, with a focus on the role of mediators and referral judges under Section 89 of the Code of Civil Procedure (CPC). Practical components such as role-play exercises and group discussions on hypothetical situations should be included to demonstrate mediation techniques, conflict understanding, and negotiation strategies. The course should also address the application of mediation techniques in specific contexts, such as family, matrimonial disputes, property conflicts, and intellectual property rights matters, with an emphasis on the practicalities of resolving these disputes. Lastly, the course should have a discussion on the Arbitration Act, 1966 and provide insights into the mediation rules of various High Courts, the cultural suitability of ADR for India, and the historical and international perspectives on ADR.

Course for District Judiciary on Sensitisation

Duration: 2 days

Rationale: In India, the socio-economic disparity requires the judiciary to use a specialised approach when addressing sensitive issues involving vulnerable and marginalised communities. Sensitization helps judicial officers understand the specific circumstances and needs of vulnerable groups, leading to more informed and empathetic decisions. Without this awareness, important factors might be missed, which could result in decisions that fail to fully address or support the needs of these individuals. Therefore, imparting sensitisation training to judicial officers to ensure equitable dispensation of justice becomes pertinent.

Elements: The framework for a sensitization course should include a foundational overview of realities of vulnerable groups, including

an examination of discrimination, rights and the application of representative perspectives in adjudication as the starting point.. The course should then delve into the practical aspects of handling cases involving issues, such as using sensitive language and combating stereotypes in judicial proceedings. The course should also address challenges faced by women in the workplace, focusing on gender-sensitive policies, pay disparities and matrimonial issues in case of female litigants. For strengthening the understanding of fair trials, the framework should cover essential principles like presumption of innocence, burden of proof and methods such as plea bargaining, compounding and probation. It should further explore victim rights, compensation and protection from re-victimization, alongside witness protection strategies and related challenges. Lastly, the course should include training on sentencing procedures, emphasising proportionality, individualization and best practices for sentencing in major and sexual offences.

Course for District Judiciary on Judgment Writing

Duration: 1-2 months

Rationale:. Judgments are a reflection of the court's reasoning and provide insight into the judge's decision-making process. Writing effective judgments involves navigating various challenges such as identifying relevant issues, adhering to deadlines and ensuring that the reasoning is both sound and understandable. Lack of clarity, absence of brevity and issues with sticking to timelines may arise in the course of writing a judgment. Therefore, courses on judgment writing with the learning outcome of improving the quality and effectiveness of judicial decisions, ensuring they are well-reasoned, timely and sensitive to the issues at hand becomes important for judicial officers.

Elements: A course to equip the judges in the art of judgment writing should start with an introduction on the essential skills and principles for effective judgment writing and listening. The basics of what a judgment is, including its purpose and the insentient factors influencing judgment writing should also be incorporated. Listening is an important part of forming cogent arguments in a judgment. The course should highlight the importance of attentive and responsive listening, identifying barriers to effective listening and distinguishing between hearing and listening. Ideal structure and elements of a judgment such as clear language, factual accuracy and legal reasoning are important in the formulation of a judgment and should be included in the course. The course should address balancing quality judgments with managing a backlog, the role of logic and reasoned analysis and the application of precedents. Additionally, it should also cover writing dissenting opinions, ensuring sensitivity and avoiding biases and stereotypes to provide a comprehensive approach to fair and informed decision-making.

Course for District Judiciary on Medical Forensics and Medico-Legal Aspects in Trial

Duration: 1-2 months

Rationale: As forensic science increasingly plays a pivotal role in modern legal proceedings,, it is essential for judges to understand the intricacies of forensic methodologies and their limitations. This knowledge enables judicial officers to evaluate the probative value of forensic evidence, distinguish between credible and flawed expert opinions, and make informed decisions in cases where forensic evidence is critical.

Elements: A course on forensics for judicial officers should be comprehensive and cover several essential elements to provide a well-rounded understanding of the subject. The course should begin with a historical evaluation of forensic law, providing context for its development and application in the legal system. A critical component of the course should be the application of judicial mind to evaluate forensic evidence, focusing on the probative value, individualization fallacy, and cognitive biases. It should also contain modules consisting of case law jurisprudence and open session discussions. Practical sessions should include the examination of various forensic techniques such as DNA analysis, fingerprinting, handwriting, and digital evidence, with discussions on case law jurisprudence to provide real-world context. Finally, the course should explore the impact of emerging technologies on forensic science, including the use of AI, machine learning, and novel technologies like blockchain forensics and forensic palynology, ensuring that judicial officers are well-equipped to handle the evolving landscape of forensic evidence.

Course for District Judiciary on Medical Law

Duration: 1-2 months

Rationale: As medical science advances, the legal implications of medical practices become more intricate, requiring judges to be well-versed in the principles and challenges of this specialised field. The realm of medical law encompasses a wide range of critical areas, including medical negligence, organ transplantation, assisted reproduction, and the use of forensic evidence. Judicial officers need to be trained in medical law to effectively adjudicate cases involving complex medical issues, which increasingly intersect with legal principles in today's society.

Elements: A course on forensics for judicial officers should be comprehensive and cover several essential elements to provide a well-rounded understanding of the subject. It should then address the liability arising from medical negligence and malpractice, identifying the difference between the two while also addressing the liabilities arising from the (vicarious and non vicarious) followed by open session discussions to identify challenges and best practices. The course should also cover the legal challenges surrounding assisted reproduction, In Vitro Fertilisation (IVF), the legal standards of consent and the inability to consent, the scope and limitations of treating in the “best interest”, Organ shortage as a global challenge, organ transplantation and role of courts in disallowing permission, including the rights and obligations of organ donors.

Certificate Course on Judicial Administration and Case Management

Duration: 1-2 months

Rationale: Effective caseload management is critical for docket control, enabling judges to prioritise cases, streamline court processes, and minimise delays. Moreover, judicial officers play a pivotal role in upholding the legal framework and ensuring that the justice delivery system operates smoothly. By acquiring skills in judicial administration, judges can better manage human resources, motivate court staff, and nurture productive relationships with various stakeholders, including the Bar.

Elements: Firstly, the course should provide an overview of the nature and role of court and case management, highlighting the legal framework and relevant judicial pronouncements. It should also focus on the role of judges in caseload management, including the prioritisation of cases and the use of Alternative Dispute Resolution

to alleviate docket pressures. The course must address the challenges in court management, offering model plans and strategies to enhance court performance. This includes the use of Information Technology (IT) for streamlining court processes, inspection and visits for performance assessment, and human resource management with an emphasis on motivational leadership. Additionally, the course should cover staff management and supervision, the importance of enhancing discipline and integrity, and the handling of complaints and inquiries against judges. Lastly, it should provide insights into the Bar and Bench relationship, exploring strategies to optimise justice delivery, remedial steps for combating delays, and best practices for effective case disposal and court performance improvement.

Certificate Course on Judicial Reasoning and Judicial Skills

Duration: 1-2 months

Rationale: The quality of judicial decisions significantly impacts the lives of individuals and the broader society, making it imperative that judges are well-equipped to deliver judgments that are not only legally sound but also ethically grounded. Training in judicial skills ensures that officers are adept at drafting judgments that reflect constitutional morality and sensitivity, particularly in cases involving vulnerable or disadvantaged groups. Furthermore, judicial reasoning is crucial for maintaining impartiality and integrity, ensuring that judicial neutrality is preserved and that decisions are made without bias or prejudice.

Elements: A course on judicial reasoning and judicial skills should encompass several core elements to equip judicial officers with the necessary competencies. Firstly, the course should focus on the fundamentals of judging skills, including drafting clear, precise,

and well-reasoned judgments that reflect constitutional values and societal sensitivities, such as gender sensitivity and the protection of vulnerable groups. Ethical standards and judicial norms should be a critical component, addressing ethical conundrums in the judicial sphere and offering potential solutions to maintain judicial neutrality. The course should also emphasise the importance of integrity and impartiality in judicial behaviour, ensuring that officers conduct themselves with the highest ethical standards. Additionally, the training must incorporate the use of ICT in courts, including the administration of paperless courts, e-filing systems, and technologies for efficient communication between courts and various stakeholders. Practical sessions on using tools like e-Sewa Kendras, SUVAS, and the National Judicial Data Grid (NJDG) should be included to ensure that officers are proficient in utilising these technologies to enhance court efficiency and accessibility.

Course for District Judiciary on Language Skills (English and Hindi)

Duration: 1-2 weeks

Rationale: Effective communication, both oral and written, is crucial for judges in performing their duties. This involves not only drafting judgments and writing orders but also interacting with litigants, lawyers, and other court officials. Given the multilingual nature of the judiciary, proficiency in both English and Hindi (or other regional languages) is essential for maintaining clarity, precision, and ensuring that judicial proceedings are accessible to all parties. To address this need, it is highly recommended that judges engage in a comprehensive course designed to enhance their language skills, with a specific focus on legal drafting, judgment writing, and courtroom communication in both English and Hindi.

Elements: The course should begin with an exploration of the role of judges as communicators, recognizing that effective communication is fundamental to the administration of justice. Judges need to excel in two key areas of communication – written and verbal. The course should provide a thorough overview of the importance of legal language and its impact on judicial communication. To address the bilingual nature of the judiciary, the course should balance focus between English and Hindi. Judges should receive training in the precise and clear use of legal terminology for drafting judgments, orders, and other court documents. Practical exercises should be included to help judges simplify complex language and enhance the clarity of both their written and spoken communication. Moreover, the course should offer strategies for effectively utilising both English and Hindi in courtroom settings. This includes managing bilingual proceedings and ensuring the accurate translation of legal concepts. Incorporating interactive workshops and mock sessions will provide judges with valuable hands-on experience, allowing them to apply their skills in real-time scenarios. By integrating these elements, the course aims to enhance judges’ language proficiency, ensuring effective and equitable communication in a bilingual judicial environment.

Course for District Judiciary on Judicial Philosophy

Duration: 1-2 months

Rationale: Judicial philosophy plays a crucial role in shaping how judges interpret laws and make decisions, impacting both case outcomes and broader legal principles. It is highly recommended that judges engage in a course on judicial philosophy to better understand various philosophical approaches. This knowledge will enable judges to reflect critically on their interpretative methods, recognize the limits of judicial power, and appreciate the broader implications of their decisions on societal norms. The course should

offer an invaluable opportunity for judges to explore and refine their own judicial philosophies while gaining insight into alternative viewpoints, thereby enhancing the consistency and depth of their judicial reasoning.

Elements: The course should begin with a foundational overview of key judicial philosophies. It is advisable to start with historical perspectives, exploring classical legal theories from influential figures such as Aristotle, Aquinas, Hobbes. Understanding how these early thinkers shaped modern judicial thought will provide essential context. The course should then delve into prominent judicial philosophies, including **originalism**—which interprets laws based on the original intent of their framers; **textualism**—which focuses on the plain meaning of legal texts; **purposivism**—which seeks to understand laws based on their intended purpose; and **legal realism**—which considers the broader social, economic, and political factors influencing judicial decisions. Practical sessions should involve analysing landmark rulings to apply these philosophies and interactive case studies to practise applying different judicial theories to hypothetical scenarios. The course should also address how judicial philosophy intersects with contemporary social issues like human rights, environmental law, and technology, exploring the adaptation of traditional principles to modern challenges. Additionally, it should include discussions on modern critiques of judicial philosophy and comparative law to offer broader perspectives and enhance judicial reasoning.

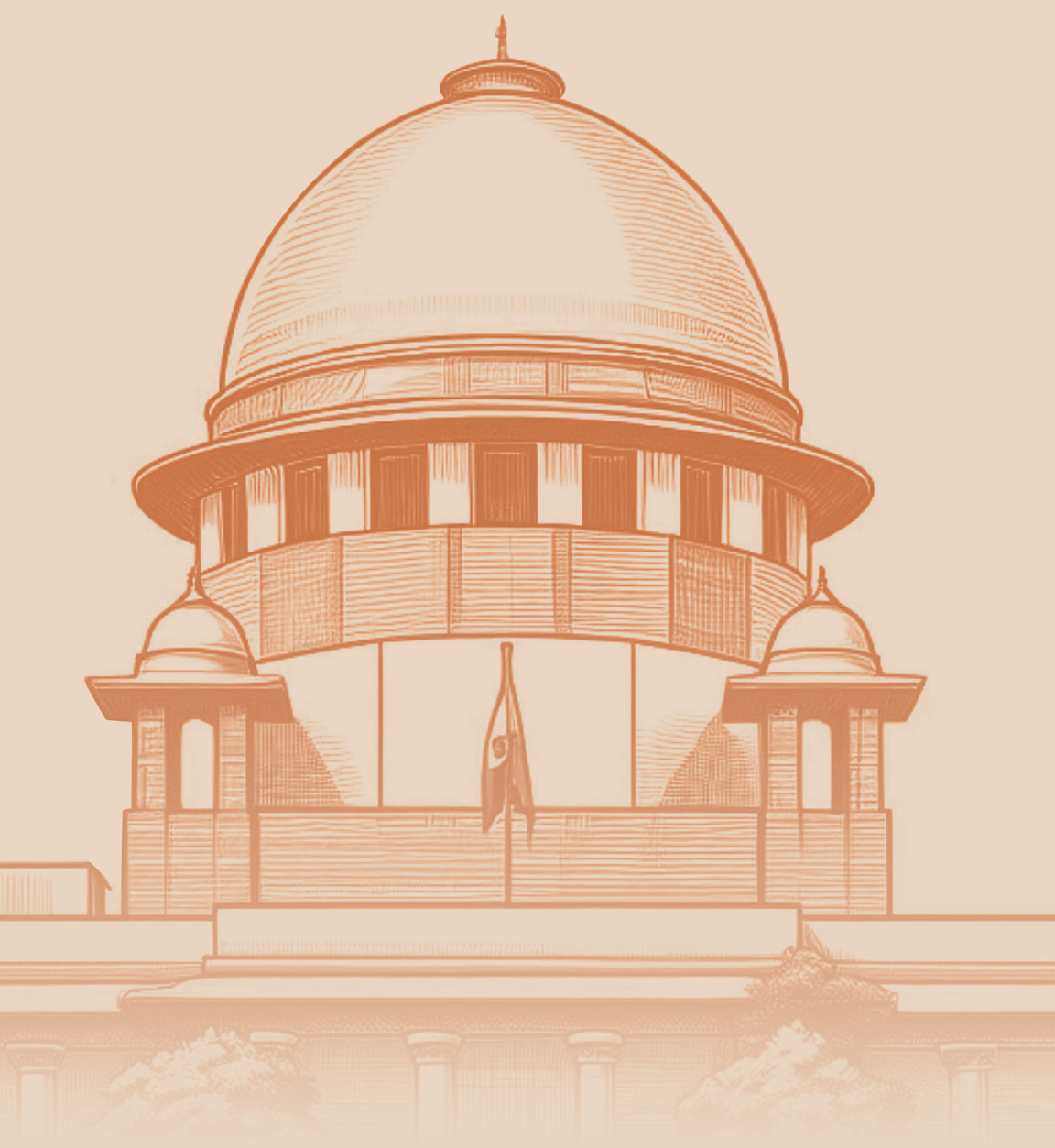


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