

Sinergia research project CRSII1_136243

Basic Research into Court Management in Switzerland

Scientific report of the second project year
1 May 2013 – 30 April 2014

4 June 2014

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1 Overall project overview

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The Sinergia research project „Basic Research into Court Management in Switzerland“, which started in May 2012 has made good progress during the second project year. In total, 12 dissertations are currently being written and 2 studies are running within the project. The details regarding the status of the research work of the five subprojects and the cross-sectional project as well as the dissertations and studies will be described in chapters 2 to 7. In this chapter, an overview of the development and the activities of the overall project and the project leaders is given.

During the second project year, a one-day coordination conference has taken place at the University of Bern (6 February 2014). The meeting was organised by the Center of Competence for Public Management (CCPM) and was attended by PhD students, researchers, subproject leaders as well as members of the academic board of the project. The aim of the meeting was to discuss selected aspects of court management. The focus was on three topics: 1) procedural law and court management, 2) caseload management and 3) quality. Two presentations were held on each topic, either by a member of the academic board or by a subproject leader. In the first session, Prof. Dr. Benjamin Schindler and Dr. Hans-Jakob Mosimann held a presentation on the relationship between procedural law and court management. In the second session, Johannes Riedel presented Germany's caseload management system PEBBŞY and Dr. Patrick Müller gave insights into the caseload management system applied in the former administrative court of the Canton of Lucerne. The latter presentation will be published shortly.¹ In the third session, Dr. François Paychère set out the work of the CEPEJ working group on quality while Prof. Dr. Philip Langbroek presented the research design of subproject 3 on quality management in courts. The presentations and discussions proved to be highly valuable for the research work running within the project, especially as they allowed profiting from knowledge and experience of members of the academic board and subproject leaders. Following the presentations, the subproject leaders met with the overall project management in order to settle administrative issues. In parallel, the PhD students and researchers had the opportunity to further coordinate the empirical research work and discuss the status of their research work as well as preliminary results.

Another one-day coordination meeting will take place at the Swiss Federal Court in Lucerne on 11 June 2014 in order to discuss the status of the research work of each subproject.

Several articles on court management have been published within the first and second project year (see publication list in chapter 8). In addition, several publications are in the pipeline. Furthermore, the project leaders are continuously updating the project website (www.justizforschung.ch) which contains relevant information on the overall project as well as the subprojects. The website contains also a bibliography on Court Management and is linked to an intranet which aims at facilitating the coordination of research and exchange of information amongst the PhD students.

The international networking (coordination group for international networking and connections K2) is primarily guaranteed by the Permanent Study Group XVIII „Justice and Court Administration“ of the European Group for Public Administration (EGPA). The study group is chaired by Prof. Dr. Andreas Lienhard, Mag. rer. publ. Daniel Kettiger, Prof. Dr. Philip

¹ Müller, Patrick M. (2014): Geschäftslastbewirtschaftung mittels Lastenkennziffer. Erfahrungen am Verwaltungsgericht des Kantons Luzern, in: Justice - Justiz - Giustizia, 2014/2.

Langbroek and Dr. Marco Fabri (IRSIG-CNR Bologna) and offers an international and multi-disciplinary platform to discuss justice administration policies and justice administration projects related to the functioning of courts and public prosecution agencies, and other organizations and institutions in the justice field. The aim is to create an exchange and discussion platform in Europe in the justice field.²

The study group held its second meeting at the 2013 EGPA annual conference in Edinburgh, Scotland, from 11 to 13 September 2013. 16 papers related to three different areas were presented: 1) justice and court management in general, 2) caseload and caseflow management and 3) courts in the age of information.³ More than 30 participants from different European countries, the United States of America and Australia actively participated in the successful and intense conference, amongst them practitioners as well as academics from different fields. Several persons involved in the research project participated in the meeting. Furthermore, 5 of the 16 presentations were held by researchers from different subprojects.⁴ The report of the conference was published in the Schweizer Richterzeitung.⁵ The third meeting of the study group is currently being organised and will take place at the 2014 EGPA annual conference in Speyer, Germany, from 10-12 September 2014. To date, 25 abstracts have been submitted for consideration.

As to the knowledge transfer within Switzerland (coordination group for knowledge transfer K3), during the second project year several meetings were held with members of the Swiss Judge Academy of the University of Lucerne in order to discuss the possibilities for cooperation. In November 2013, the project leaders (Prof. Dr. Andreas Lienhard and Mag. rer. publ. Daniel Kettiger) presented the research project at the "Tag der Richterinnen und Richter" in Lucerne. At the end of May 2014, Prof. Dr. Andreas Lienhard and Mag. rer. publ. Daniel Kettiger together with a PhD student each from subproject 1 (Christof Schwenkel) and 4 (Angela Eicher) will present insights into court management and first results of the research work within the framework of the "Lehrgang Judikative" of the Swiss Judge Academy. In order to further guarantee the knowledge transfer, a closing conference is scheduled for August 2015.

2 Subproject 1: Environment of Justice

Prof. Dr. Michele Luminati / Dr. Stefan Rieder

University of Lucerne / Interface Politikstudien Forschung Beratung

The historical study is restricted to the analysis of selected cantons in terms of case studies, which are mainly based on Foucault's concept of discourse and dispositive, as mentioned in the last report. For Lucerne – one of the selected cantons – the data collection has been completed and the evaluation is almost finished. As a result we can now provide a detailed description of the developments in court organisation taking place between the 19th century and now. Furthermore, we can portray reform debates, which were negotiated in the juridical and in the public field during this period. Amongst others these include: resistance in the public field against the reduction of the district courts in the 19th and the beginning 20th century; reform efforts to improve efficiency and the introduction of economic and statistical consider-

² For more information on the Study Group see www.ias-iisa.org/egpa/groups/permanent-study-groups/psg-xviii-justice-and-court-administration/.

³ The program and the abstracts can be accessed at www.conftool.pro/egpa2013/sessions.php.

⁴ Subproject 1: Christof Schwenkel; subproject 2: Daniela Winkler/Andreas Müller and Peter Bieri; subproject 3: Sandra Taal; subproject 5: Lorenzo de Santis.

⁵ Müller, Andreas/ Schwenkel, Christof (2013): Bericht über die EGPA Jahrestagung 2013: Study Group "Justice and Court Administration", Justice - Justiz - Giustizia, 2013/4.

ations in the juridical field in the 19th century; paradigm shift in the mid-20th century with resistance against the economic and statistical discourse in the juridical field and therefore problems with reform. We will publish these results in an article in autumn 2014.

For the other case studies, we will integrate these results for the data collection as well as for the analysis. The focus here will be on the comparison and the development of categories of court organisations and reform debates. Therefore, the investigations for the other selected cantons will be less detailed. Furthermore, we would like to mention the publication of Stephan Aerschmann's dissertation in the year under review.⁶ This study has some common point with our project, which we will take into account.

The second part of the subproject puts a focus on public confidence in cantonal courts and follows the target to explain differences both on a contextual and individual level. Between May 2013 and April 2014, the explanatory model has been further developed and now includes hypotheses that are based on institutional design, institutional performance and culturalist approaches. The data collected in the survey with 3'400 persons from April 2013 has been analysed and findings were presented in an article in the first issue of "Justice – Justiz – Giustizia" in 2014.⁷ A second article uses results of this survey and investigates whether the institutional type of the cantonal conciliation authorities influences public confidence in those institutions. This article was presented at the EGPA conference in Edinburgh in September 2013, reviewed and accepted for publication by the International Journal for Court Administration (May 2014 issue). A small survey with experts in the field of courts and justice in Switzerland has been conducted in spring 2014 to identify cantons where media had repeatedly covered deficits in the judicial institutions of the cantons over the last five years. The information of this survey will be used in the overall model and the statistical testing of the hypotheses on confidence in the cantonal courts. For the EGPA conference in September 2014 a paper will be prepared that presents a categorisation of the subnational justice systems into 5 different groups, using a hierarchical cluster analysis.

3 Subproject 2: Resources of the Judiciary

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Two studies concerning the topic of workload studies and caseload management as the core theme of this subproject are being conducted. The legal study is focusing on the general legal conditions regarding the establishment of caseload management in the judiciary. The public administration study deals with the methodology of workload studies in courts. Both Andreas Müller and Daniela Winkler have presented the research design of their studies at the 2013 EGPA annual conference in Edinburgh.

Juridical framework regarding caseload management (Andreas Müller)

The author completed a first version of the comparative part of the study in September 2013. This paragraph mainly examines the legal framework and the current praxis concerning caseload management in Germany and the United States of America. Furthermore, he wrote down a draft version of the fundamental part of his thesis from October 2013 to April 2014. This section is divided into three parts: definition of terms, current praxis of caseload man-

⁶ Aerschmann, Stephan (2014): *Der ideale Richter. Schweizer Bundesrichter in der medialen Öffentlichkeit (1875-2010)*, Chronos-Verlag, Zürich.

⁷ Schwenkel, Christof/Rieder, Stefan (2014): *Die Wahrnehmung der Justiz durch die Bevölkerung. Resultate einer Bevölkerungsbefragung in 26 Kantonen*, Justice - Justiz - Giustizia, 2014/1.

agement in Switzerland and judicial framework (independence of judges, autonomy of the justice, transparency requirements, right to one's lawful judge, requirement of rapid action, demand for an economical and effective application of resources, and others). Currently, Andreas Müller develops the final paragraph of the thesis in which he plans to elaborate best legal practices in relation to caseload management in Switzerland. Target by the end of 2014 is to finalise a draft version of the complete dissertation.

Methodological issues concerning caseload studies (Daniela Winkler)

During the second project year, the research design of the study on caseload measurement in courts (that was only started in February 2013) has been further developed on the basis of a literature analysis. The aim of the thesis is to 1) show what kind of methods have been applied so far in order to determine the workload of courts, 2) identify possibilities and limitations for caseload studies in Swiss courts from a methodological perspective and 3) develop models for workload measurement in an empirically valid and objective way in the Swiss context. Currently, the theoretical and conceptual background is being explored and written. Also, work on the overview and categorisation of methods applied in Switzerland, Germany and the United States has been started. The empirical work is scheduled for the second half of 2014 and aims at revealing the use and acceptance of caseload studies, the strengths and weaknesses of the different methodologies as well as the effects on the daily work of judicial bodies. It will presumably include interviews with a few court administrators, managing judges and academics in Switzerland, Germany and the United States as well as a survey at selected courts in Switzerland.

Within the framework of subproject 2, two additional dissertations with a direct link to the cross-sectional project on basic constitutional and political questions (see chapter 7) are being written. One dissertation deals with the supervision of the judiciary, the other with the data protection of judges.

Supervision of justice (Mirjam Frey Haesler)

The first and second part of the dissertation on the terminology and the legal basis of the supervision of the judiciary in Switzerland are already written. Also the different supervising and supervised authorities as well as the objects of the supervision are embraced. Currently, the different instruments to supervise the courts are being analyzed on federal level and also selected on cantonal level. In a next step, possible problems regarding the procedure, the instruments and the way of supervising the courts will be analyzed and possible solutions will be discussed. The aim of the thesis is an illustration of the different authorities who supervise the judiciary or are supervised, of the instruments and objects of the supervision as well as of types of supervision at the federal and punctually on cantonal level in Switzerland. The main question of the PhD is, how far the supervision of the judiciary can and must go in order to be in accordance with the international, the federal and also the cantonal law.

Data protection of judges (Peter Bieri)

The doctoral thesis aims to develop recommendations on the legal question on how the legitimate demands for information on judges' workload activities and the interests of privacy can optimally be dovetailed. On the basis of a literature analysis the relevant information needs have been figured out. At the present moment, the legal framework is being analysed. With a view to an efficient and functioning justice system and in accordance with the rule of law especially the judicial independence as a right of the parties (Article 30 section 1 BV) and as an institutional guarantee (Article 191c BV), the principles of efficient and effective government

acting (Article 170 BV) and the principle of freedom of information have to be taken into consideration. Furthermore, it will be discussed which fundamental rights of judges may be affected by the use of personal information.

To obtain an overview on the use of individual data on judges' workload activities, a quantitative questioning at all the higher cantonal courts (civil, criminal, administrative and social insurance courts) and the four federal courts (Federal Supreme Court, Federal Criminal Court, Federal Administrative Court, Federal Patent Court) was carried out in June 2013. First results of the survey were presented at the 2013 EGPA annual conference in Edinburgh. The second phase of the empiricism is an anonymous online-questioning of judges. Therefore, an overview of all courts in Switzerland has been produced which will be published shortly.⁸ The goal of this survey is to explore the attitude of judges towards the use of personal information and connected issues.

4 Subproject 3: Processes inside Courts

*Prof. Dr. Mandy van der Velde / Prof. Dr. Philip Langbroek
Utrecht University, The Netherlands*

We can report on two projects within the *Processes within courts*.

Collegial knowledge sharing in courts: a comparative analysis – Sandra Taal

After the development of the research model and the corresponding questionnaire, the research has now reached the data collection phase. In this phase, the online questionnaire is electronically distributed among administrative judges in the Netherlands, Germany (Niedersachsen, Baden-Württemberg, Nordrhein-Westfalen) and Switzerland. In parts of Switzerland, the process of getting approval from the selected courts to distribute the online questionnaire among its judges is still ongoing. Unfortunately, especially in Switzerland, the cooperation of some courts was slow so that to date the Swiss part of the questionnaire is not completed yet.

In the Netherlands and in Germany the survey procedure is now finished. In the Netherlands, the questionnaire has been sent to 324 judges of which 119 judges filled in the questionnaire *completely* (response rate 36,7%). In Niedersachsen, Baden-Württemberg and Nordrhein-Westfalen the survey procedure is also finished. Here, the response rates (full completion of the questionnaire) are respectively 26,1% (47 out of 180), 24,5% (37 out of 151) and 33,6% (151 out of 450). In Switzerland the survey procedure is still ongoing (until the end of May 2014). In the (ongoing) data collection phase appropriate actions are being taken to optimize the response rates.

During the data collection phase, the theoretical sections of the dissertation are being further explored and written. These sections form the basis of the research model.

We expect to publish an article in a peer reviewed journal before February 2015.

Quality management in courts, development of quality standards – Philip Langbroek and Mirjam Westenberg

Following a slow start in the autumn of 2013, we hired dr. Mirjam Westenberg to help conduct the research.

⁸ Bieri, Peter (2014): Die Gerichte der Schweiz - eine Übersicht, in: Justice - Justiz - Giustizia, 2014/2.

We have gathered information about quality management in judicial organisations in Lower Saxony (Germany), Norway, the Netherlands and Switzerland. In Germany and Norway, interviews are completed. In the Netherlands, a few interviews are conducted and more interviews are planned in June. The interviews in Switzerland were hard to organize, it took several months to have them planned; they will be conducted at the end of May 2014. Furthermore, we have gathered information from the CEPEJ/Council of Europe and the International Consortium for Court Excellence about quality management and development of standards.

Following the experiences with interviews so far, the focus will be on quality management and organization development in courts in relation to the development and operation of quality standards for court organizations. Until now, we have developed insights into the following issues.

First, the participation and the position of judges in the development process of standards is crucial for the acceptance of those standards and therefore, for the success or failure of their application.

Second, there are fundamental differences between the use of 'soft', peer-review related exchanges in Norway (and Sweden) and Lower Saxony on the one hand, and the use of 'hard' performance measurements in the Netherlands on the other hand. The soft methods do not involve accountability of individual judges on the basis of hard performance measurements: instead, quality standards for judicial performance are operated in dialogues. In the Netherlands quality standards are applied at the court level: they are used for external accounting mainly. The Swiss situation is yet unknown to us, also because of the differences between the Cantons.

Third, 'hard performance measures' always concern objectively countable issues; 'soft quality measures' usually concern self-assessments for more abstract issues like satisfaction. We want to find out in how far soft quality measures are used for accounting purposes.

Because of the delays in interviewing we will not be able to deliver the final report before summer. It is more likely that we will deliver the report in October 2014.

Following the report we expect to publish two articles in peer reviewed journals before the Summer of 2015.

5 Subproject 4: Court Organisation

*Prof. Dr. Kuno Schedler / Prof. Dr. Benjamin Schindler
University of St. Gallen*

Scientific part of Prof. Dr. Kuno Schedler and Angela Eicher

After having finished the first phase of subproject 4 *organization and management* in April 2013 we can now report that the second phase of the project has successfully been accomplished. We finished the empirical investigation which includes in total 57 semi-structured interviews with distinct court professionals such as judges, managing judges, clerks, administrative personnel and some further staff of court. On top of the interviews we were able to take part in three meetings where we conducted non-participating observation. The main objective of the research was, as stated in the last status report, to analyse more deeply a particular district court in Switzerland, where finally most of the interviews have been conducted. These interviews have already been transliterated.

We are now about to start the analysis of the interviews that first results should be available in fall 2014. A first draft of the project report is planned to be finished in spring 2015.

In terms of sharing the results with the scientific community we can report that Mrs Eicher was able to newly visit the EGPA-conference (European Group for Public Administration) in Edinburgh in September 2013 where she attended the justice & court administration study group. The first results of the empirical research will be presented at a course at the Judge Academy (Lehrgang der Richterakademie) in Bern May 23rd. In fall 2014 we will present the article *Co-existing Logic in a District Court: Micro-level Manifestations of Institutional Pluralism* at the EGPA Conference in Speyer.

Scientific part of Prof. Dr. Benjamin Schindler and Anna Rüefli

The time since the last reporting period was dedicated to advance the dissertation project. The dissertation focuses on an analysis of Swiss courts with judges who provide knowledge of a discipline other than law and who have a specific expertise (so called “Fachrichter”) appropriate to the (specialist) court or tribunal concerned. Therefore literature, federal and cantonal legislation as well as case law had been analysed in order to find interesting example courts and outline specific case studies. The outline, the chapters and the contents of the research were defined and specified. The various definitions of “Fachrichter” were explored and presented having regard to cantonal and federal distinctions. Eight example courts were chosen: Kantonsgericht Luzern, Kindes- und Erwachsenenschutzgericht Bern, Familiengerichte Aargau, Verwaltungsrekurskommission St. Gallen, Verwaltungsgericht Waadt, Bundespatentgericht, Handelsgericht Zürich, Jugendgericht Basel-Stadt. These eight courts are going to be compared in view of several criteria that emphasize the importance of the specific knowledge of their non-jurist members. The criteria can be assigned to the three superordinate fields of the selection procedure of the specialised judges, their participation in the decisive chamber and their legal status in court. In addition, the legislative reasons for the participation of judges with a specific knowledge and expertise (that is to enhance the effectiveness, the efficiency and the legitimacy of jurisdiction) are being examined with a view to possible conflict of objectives in terms of constitutional law (e.g. jurisdictional independence).

6 Subproject 5: Cultural Aspects of the Judiciary

Prof. Dr. Yves Emery

Swiss Graduate School of Public Administration (IDHEAP)

During this phase of the research, based on an inductive methodology, the team has conducted interviews with the main stakeholders of the judiciary in Switzerland, in order to analyse: (1) the main role expectations confronting judges and courts, (2) the characteristics that define “good justice” and “good judges”, (3) the extent to which a plurality of role expectations may or may not facilitate or impede justice, (4) the needs of judges and the quality of management that judges think will facilitate their work. Two doctoral theses are presently conducted: the first one is focused on the regional and cantonal level (1st and 2nd instances) in the French part of Switzerland mainly, whereas the second, which is not financed by the SNF, deals with the federal court (3rd instance).

To the first thesis (Lorenzo de Santis)

10 additional interviews have been conducted in order to complete a total of 81 interviews in 9 cantons (VD, VS, NE, FR, JU, GE, TI, LU, SH) in three national languages (French, Italian, German). The final sample includes: 30 professional judges, 5 non-professional judges, 13

judicial clerks, 9 court managers, 2 secretaries, 4 general attorneys, 7 politicians from 5 different political parties, 5 lawyers, 5 journalists and 1 university professor. The selected judges work in different types of courts (administrative, civil, and criminal) and different instances (1st and 2nd) in order to maximise the diversity of opinions, and have various degrees of responsibility in terms of the tribunal's administration (ranging from 100% legal activity to 80% administrative duties).

All interviews have been transcribed (approx. 900 pages) and coded using the NVIVO 10 software. The collected data have been then analysed according to the main objectives presented above, using the content methodology which resulted in more than 200 topical nodes. Based on this rich material, the research team has already written three articles (1 accepted for publication⁹, 1 under review¹⁰ and 1 in progress¹¹). The second article includes a section with a national survey headed by TP1 in which we were given the chance to ask Swiss citizens to identify whether a set of proposed values were in line with their perception of justice and how they generally evaluate justice throughout the country.

One paper has been presented to the EGPA conference in September 2013 in Edinburgh (panel on Justice and Court Administration).

The research as such has been presented in 2 seminars at IDHEAP and once during the Swiss-Asian Summer School 2013 in Singapore.

To the second thesis (Lorenzo Egloff)

A document analysis (historical, legal, internal notes) has been realised in order to study the context and main modernisation initiatives implemented within the Swiss federal court. 9 interviews (6 judges, 2 court managers, 1 judicial clerk) in the three national languages and an in-depth analysis of the CV's of federal judges have been carried out. An active participation in an internal seminar for court managers completed the set of recent activities. These data gave the opportunity to present a first scientific contribution to a doctoral seminar at IDHEAP. This second thesis is conducted according to the same methodology used by the first one, with some adaptations due to the specific context of the Swiss Supreme Court.

Other publications in the pipeline

The research team is presently working on two further articles:

- One is about the main cultural obstacles to the managerialisation of Courts in Switzerland (will be published in French).
- The second one is about Managing judges (will be published in German).

The second phase of the research, based on a large quantitative survey conducted in the same Cantons where the interviews took place, will provide us with the opportunity to assess on a broader basis the main expectations directed to the Judiciary in Switzerland, and to what extent these expectations are realised. This survey will also provide data about the perceived interaction between the judicial and the managerial processes. The questionnaire is being currently tested and is expected to be sent out to participants before summer 2014.

⁹ By the International Journal for Court Administration (IJCA), spring 2014. Published in English.

¹⁰ By Law & Society (Should be published in English).

¹¹ Provisory title : «Suisse : une justice plus commerciale qu'industrielle ?» (Will be published in French).

7 Cross-sectional project: Basic constitutional and political questions

Prof. Dr. Regina Kiener / Prof. Dr. Giovanni Biaggini
University of Zurich

Nadine Küng – „Selection and qualification of judges“

Current state of research: The main focus in 2013 and early 2014 was laid on literature review and investigating existing case material regarding the topic of the sub-project leader's doctoral thesis. Based on the findings the research question for the doctoral thesis has been formulated and a detailed research plan has been developed. The doctoral thesis consists of four parts. First, the sub-project leader focusses on the judicial task based on the constitutional principles (I. Basic Principles: Function and Position of Judges). The second part of the thesis deals with judges' qualifications in a descriptive way (II. The Judges' Qualification). As legal provisions could only have a limited impact on the judge's personality, special attention is given to the selection of judges. This leads to the third part (III. Selection and Election of Judges) describing the selection process of judges and its regulation. To conclude the thesis and fulfilling the objective of developing *best practice* for quality management in the Swiss judiciary, the sub-project leader is finally elaborating recommendations *de lege ferenda* on the qualification and selection of judges (IV. Selection and Qualification of Judges *de lege ferenda* for *best practice* of Quality Management in the Swiss Judiciary). During the year under review the analysis of the legal foundation of the judges' qualification and selection process in the different Swiss Cantons as well as on federal level has been conducted.

Additionally the sub-project leader participated in February and March 2014 an advanced training in scientific writing at the Graduate Campus of University of Zurich. Furthermore the second doctoral colloquium at University of Zurich has been attended in April 2014.

Schedule: Lightly delayed in time, the sub-project leader recently started with a first draft of the thesis. Adhering to timeline, it is planned to finish this first draft by the end of 2014. Thereafter the sub-project leader will revise the first draft of doctoral thesis with a main focus on formal aspects and the accordance of the subject matter.

Catherine Reiter – „Best practices of court internal organisation“

Current state of research: The sub-project's prime focus in 2013 and early 2014 was to finalise to identify its exact scope and content and to summarise the relevant literature. Due to the extent of literature available on court organization and on the judiciary as a whole, it was only in December 2013 when the sub-project's final scope could be identified.

The formal requirements are defined and some of the work on the material requirements has meanwhile been completed as well. The material requirements completed concern the organs of a court, their size and competencies as well as their composition (static approach). The outstanding chapters are going to deal with the relationships between these organs (e.g. the coordination of jurisdiction; dynamic approach regarding the composition of the bench). The development of *best practice* criteria will only be possible once all requirements are defined. First findings of this research may only be published at a later stage, as the various practices interrelate with each other and a final evaluation will only be possible at the end of the sub-project's timeline.

Schedule: The sub-project leader currently works on identifying the outstanding material requirements for court organizations. The first draft of the thesis should be ready by the end of September 2014. Thereafter, the sub-project leader will focus on the formal aspects, update literature etc. where necessary (new ed.) and possibly do some additional research.

8 Publications

1st project year

- Eicher, Angela/ Schedler, Kuno (2012): Management Responses to Multiple Rationalities in Courts – A Review. *The International Journal for Court Administration*, Special Issue, December 2012, 20-34.
- Eicher, Angela/ Schedler, Kuno (2012): Multiple Rationalitäten in Gerichten – eine neue Managementtherausforderung. *IMPacts*, Ausgabe 03. Juni 2012.
- Kettiger, Daniel (2013): Zur Gehaltseinreihung von Richterinnen und Richtern: Anmerkungen zu BGE 138 I 321, in: „Justice – Justiz – Giustizia“ 2013/1.
- Lienhard, Andreas (2013): Stand des Justizmanagements in der Schweiz. In: *Public Governance – Entwicklungen und Herausforderungen*. Jubiläumsschrift zum 10-jährigen Bestehen des KPM. KPM-Schriftenreihe Nr. 50.
- Lienhard, Andreas/ Kettiger, Daniel/ Winkler, Daniela (2013): Stand des Justizmanagements in der Schweiz, in: "Justice - Justiz - Giustizia" 2013/1.
- Lienhard, Andreas/ Kettiger, Daniel/ Winkler, Daniela (2012): Status of Court Management in Switzerland, *The International Journal for Court Administration*, Special Issue, December 2012, 41-67.
- Lienhard, Andreas/ Kettiger, Daniel (2012): Forschungsprojekt "Grundlagen guten Justizmanagements in der Schweiz" gestartet, in: "Justice - Justiz - Giustizia" 2012/2.
- Rüefli, Anna (2013): Spezialisierung an Gerichten, in: "Justice - Justiz - Giustizia" 2013/2.
- Winkler, Daniela (2012): IACA Konferenz, 13. – 15. Juni 2012, Den Haag, in: „Justice - Justiz – Giustizia“ 2012/4.
- Winkler, Daniela/ Eicher, Angela (2012): Bericht über die EGPA Jahrestagung 2012: Study Group "Justice and Court Administration", in: "Justice - Justiz - Giustizia" 2012/4.

2nd project year

- Bieri, Peter (2014): Die Gerichte der Schweiz - eine Übersicht, in: *Justice - Justiz - Giustizia*, 2014/2.
- Lienhard, Andreas/ Kettiger, Daniel/ Winkler, Daniela (2013): Stand des Justizmanagements in der Schweiz, *Schriftenreihe zur Justizforschung*, Band 1, Bern: Stämpfli Verlag AG (German version of the publication in *IJCA* special issue of December 2012).
- Müller, Andreas/ Schwenkel, Christof (2013): Bericht über die EGPA Jahrestagung 2013: Study Group "Justice and Court Administration", in: *Justice - Justiz - Giustizia*, 2013/4.
- Müller, Patrick M. (2014): Geschäftslastbewirtschaftung mittels Lastenkennziffer. Erfahrungen am Verwaltungsgericht des Kantons Luzern, in: *Justice - Justiz - Giustizia*, 2014/2.
- Schwenkel, Christof/ Rieder, Stefan (2014): Die Wahrnehmung der Justiz durch die Bevölkerung. Resultate einer Bevölkerungsbefragung in 26 Kantonen, in: *Justice - Justiz - Giustizia*, 2014/1.