

Workshop

Getting Started: Creating and Sustaining a Successful Training Center with Limited Resources



LIETUVOS
TEISĖJŲ
MOKYMO
CENTRAS

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JUDICIAL TRAINING OVERVIEW IN LITHUANIA

Legal Background

- **The Law on Courts**

Under the provision No 93 **the Ministry of Justice** and **the Council of Courts** is responsible for judges training, training programs and training material preparation.

- **Rules of organizing the training for judges and testing the acquired knowledge**

- **2002 the Council of Courts and the Minister of Justice approved the long-term training plan for judges, which groups the arrangement and programmes of training**

JUDICIAL TRAINING OVERVIEW IN LITHUANIA

Training forms

Initial training

- for newly appointed judges

Continuous training

- upon promotion;
- to those appointed or transferred from a court of general jurisdiction to a specialized court, and vice versa, also in cases when specialization of the judge becomes different;
- when the legal regulation of social relations becomes essentially different;
- no less than once in every five years, counting from the last training;
- in other necessary cases.

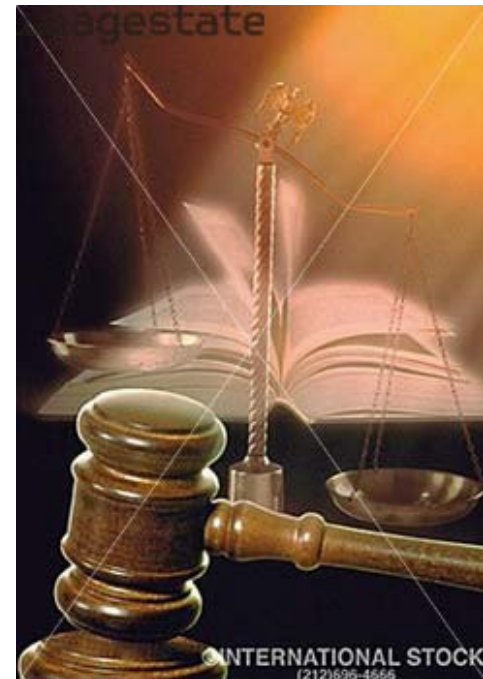
LITHUANIAN JUDICIAL TRAINING CENTER

- Founded in 1997
- Non-governmental and non-profit public institution
- The Center was made possible by the cooperative efforts of its six founders and three additional founding contributors

Founders and Founding Contributors

- Ministry of Justice of Lithuania
- Lithuanian Judges' Association
- Supreme Court of Lithuania
- UNDP
- OSF
- ABA / CEELI

- USAID
- EU PHARE
- Government of Finland



Goals of the Center

- **organizing and conducting training and educational activities for judges and other judicial staff;**
- **conducting research concerning the status of the court system and current practices;**
- **maintaining research and reference materials to support the Center's activities;**
- **publishing or making available in electronic form materials useful to judges for the purposes outlined above.**

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- Although the main focus is on the training of judges, the LJTC as well conducts seminars for other lawyers such as **court bailiffs, notaries, court personnel, attorneys etc.**
 - **The training for judges is free of charge.** While the other trainees have to pay for the training.

Location

- Headquarters
- Training facilities
- Affiliate



Organisation and structure

- Founders' Meeting
- Board
- Committees
- Staff



Funding

- Foreign foundations
- State budget allocations



Workshop Questions

- **Organizational location and model**
- **Structure**



Organizational location models

- **JTC as a public institution**
- **JTC as part of the Ministry of Justice**
- **JTC outside the government as part of a university**
- **JTC as a unit of another judicial branch agency (e.g., Supreme Court or Courts Council or National Courts Administration)**

JTC as a public institution

■ Advantages

- At the primary stage easier to receive foreign sponsorship
- Independence as long as the institution has its own funding

■ Disadvantages

- Cannot receive state budget allocations directly-has to stand procurement tender procedures in order to obtain the right to budget funds
- Become dependant upon the governmental institution channelling budget funds
- Baltic countries experience in terms of control and funding
- Founders with finished funding become passive

JTC as part of the Ministry of Justice

■ Advantages

- It is easier to receive state budget allocations directly

■ Disadvantages

- Interest conflict and too high governmental interference with judges
- Courts have their own self governing body and do not like to be controlled by the Ministry
- In a way breaches courts independence principle

JTC outside the government as part of a university

■ Advantages

- Judicial training incorporated into the overall legal education picture

■ Disadvantages

- A threat for a gap existence between the training institution and judicial branch
- Can become too academic

JTC as a unit of another judicial branch agency (e.g., Supreme Court or Courts Council or NCA)

■ Advantages

- Could be the best model if it is provided with sufficient direct state funding
- Supervised by the courts' self-governance body
- Courts and judges have direct interest in sustaining a professional judicial training body
- Courts directly involved in the training process

■ Disadvantages

- ???

Structure



- **Depends on:**
 - **country scale**
 - ✓ population and number of judges
 - **consolidated institution or solely judges branch training entity**

These factors influence **the internal structure** of organization, i.e. number and functions of departments, supervision and reporting models etc.

“external structure”

Structure (2)



- Certain principles should be the same or similar, i.e.:
 - **“external structure”** plays equally important role
- These are the boards and committees working for the training institution. This “external structure” is important for promotion and positioning of the institution in the state picture.

Structure (3)



It is inevitable to have an **Advisory or Governing Board** and **Curriculum Committee**. Advisory Board is responsible for overall strategy and policy of an institution. The Advisory Board should comprise the representatives of relevant legal community professionals. While Curriculum Committee is responsible for long-term and annual training programmes. The majority of the Curriculum Committee members should be judges from all the court levels including Supreme Court judges and a few academics who would have experience with long-term adults education. **The successful performance of these bodies depends upon the members' willingness to contribute and be active.**

Conclusions



- State and Government must be involved from the very beginning and be committed to long-term sustainability of judicial training institution in terms of funding
- The institution must be state politics resistant, i.e. the change in the Government or Parliament should not influence the institution

Conclusions (2)



- Foreign donors funding is a temporary phenomena of a developing country, and it should not be considered to give long-term sustainability
- Establishing a new judicial training institution it is very important to chose the right model and structure which could guarantee the long-term sustainability

Thank you for your attention!

A.M.

