

PROGRAMME FOR THE IMPLEMENTATION OF QUALITY MANAGEMENT IN THE ROMANIAN JUDICIARY SYSTEM

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Abstract

The quality management in the Romanian legal courts was undertaken as fragmented, not considering some essential phases, such as the importance of the quality strategic planning, and also the principle of the orientation towards the justice client. Starting from this reality, the research performs a pertinent proposal to implement the total quality management in the Romanian courts, proving at the same time the possibility to adapt the principle to the requirements and particulars of the judicial system. Our action consists in the preparation of a plan based on the logic model which proves the practical utility of the research. The guide proposed in the plan achievement is intended to be a useful tool for the court managers, an example to prove how, starting from the expectations of the justice clients and from the necessary resources, it is possible to define actions improving the court operation, measurable products of the actions and the expected short, medium and long-term results may be determined.

Keywords: quality management, logic model, judicial system, Romanian courts, court managers

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1. INTRODUCTION

The review of the related theoretical benchmarks revealed that Romania has proved a pleasing evolution the last years, by using the experience of the quality management pioneers, Netherlands and Finland, as it

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may be noticed from the comparative review, making an important step from the quality procedures to a complex quality measurement system. Even if the fields and the used performance indicators multiplied, offering a much broader perspective on the quality and embedding some guiding principles of the justice, we should notice that the Romanian model still has great deficiencies. We refer mainly to the failure to consider the primordial principle of orientation towards the customer of the judicial services, to the avoidance of any external evaluation and implicitly of any subjective indicators. The Romanian judicial system failed to integrate the citizen perspective in the evaluation approach on the quality of the activities conducted by the legal courts which does not allow a proper implementation of the quality management in the Romanian courts.

2. UTILITY OF THE LOGIC MODEL

The opening towards change is pressing in the current context, the same as the reaction, the way whereby organizations act effectively for change. Knolton and Philips, noticing that every day people and organizations of all fields should respond to change and generate change, propose a guide based on the logic model as support for learning and for reaching the performance. As the authors state "models may help us see what it is and what we want to create ... These may help us by metacognition: to think about our way of reasoning." (Knowlton, Phillips, 2012).

The logic models are a popular tool, which may be used for helping to conceptualize the effort for change. It is achieved by inviting the author to understand and harmonize and current situation, the changes that the author hopes to bring by the effort to realize the programme by and through the planned activities to contribute to this change, the necessary resources, the formulated hypotheses and the external factors which might influence the results. (University of Wisconsin Extension, 2016).

In the opinion of W.K. Kellogg, a logic model is actually a systematic and visual way to present and share the meaning of the relations between the resources whereby the program should operate, the activities that it schedules and the modifications or the results expected to be achieved. (W.K. Kellogg Foundation, 2014).

3. A LOGIC MODEL-BASED PROGRAMME APPLICABLE TO THE JUDICIAL SYSTEM

Appealing to these grounds, as well as to the principles set forth in the literature for the execution of a logic model-based programme, we will outline a guide regarding a programme for the implementation of the quality management as effective support for the judicial management. The proposed guide is intended to describe graphically the programme, respectively the initiative to implement the quality management by applying the principle of orientation towards the justice customer, serving at the same as fundament for the programme planning and evaluation. The premise behind this guide is that a proper planning and evaluation reflect a clear reasoning and a responsible management of the programme.

The advantages of the initiative evaluation reflects both on the strategic planning, facilitating at the same time the communication of the purposes and progresses within the organization and it represents a basis for the continuous learning and improvement.

So, the purpose of a logic model –based programme to improve the court operation is to support several management activities, such as:

- *Programme planning.* The logic model is a valuable tool for the programme planning and development. The structure of the logic model help the judicial managers to think to an appropriate strategy regarding the quality starting from the diagnosis of the current situation and the situation intended to be reached. The starting point should always be the customer perception regarding the quality of the justice operation and obviously the resources that the judicial managers have and the situation intended to be reached by the implementation of the quality management, respectively the principle of the orientation towards the customer is the users provisions with some quality judicial services, adapted to the customers' expectations and needs.

- *Programme management.* Since "it connects the points" between resources, activities and results, a logic model may represent basis for the elaboration of a more detailed management plan. By the support in the data collection and evaluation for planning, the logic model may support the court management to follow and monitor the operations in order to manage the results as better as possible.

- *Communication.* A logic model executed appropriately is a strong communication tool. It may represent for the interest parties, users,

professionals, community, a commitment regarding the quality, providing visibility on the activities and results, highlighting at the same time the connection between the two.

• *Promotion of consensus and establishment of partnerships.* The development of a logic model creates a joint agreement and promotes the establishment of partnerships between the internal and external customers regarding what is a programme, how it operates and what it intends to realize.

• *Fund collection.* A logic model systematizes what the court management intends to realize and what resources will be required to realize the work, thus justifying the financial needs.

Interested parties. In the preparation of a logic model-based programme, the interested parties should be always considered and which would be their implication. The interested parties should include in our example the programme personnel, respectively the court personnel, the customers/ beneficiaries of services, the justice professionals, the community representatives, the academic environment, non-governmental organizations and volunteers. The perspective of these interested and involved actors may enrich the model of the logic programme by clarifying the expectations for this programme.

Definition of the issue. Besides the determination of the interested persons, the programme should start by declaring the issue underlying the design of an improving programme. This may be synthesized thus: in the Romanian judicial system, the external evaluation is avoided in the context where the citizen confidence in justice and their perception regarding the system operation quality are low, the external feedback, based in specific performance indicators being the point for effective improvement measures adapted to the needs of the justice service users.

The guide proposes hereunder the following elements based on the methodology proposed by Knolton and Philips:

Resources. The judicial managers should identify the available resources for the programme implementing the quality management. This helps to determine the measure where the management will be able to implement the programme and to reach the expected objectives and results. The programme will consider:

- human resources: court personnel, justice independent professionals, uses, non-governmental organizations and academic environment.
- information resources;

- material resources and
- financial resources.

The activities are the actions which are necessary to implement the programme – what is intended to be realized by using the programme resources, for the purpose of reaching the objectives and finally the initiative results. We have to mention that the programme designed for legal courts has as started point the research, respectively the executed external evaluation, so the actions were focussed on the following directions:

- Upgrading the material and information bases;
- Execution of pilot programmes for the proper programming of the causes;
- Communication with the users, their periodical questioning;
- Citizen information and education;
- Partnerships between professional categories.

The outputs are the direct products of the programme activities, are measurable and they may include types, levels and objectives of services which are to be supplied by the programme. In our case, reported to the fixed activities, the outputs or the participations are represented by:

- The administrative measures realized for upgrading the headquarters, respectively the provision of a proper signalling, an increased comfort degree of the premises intended for the waiting, the holding of the court hearing and related activities.
- Pilot programmes/measures for improving the hearing management and for a proper planning of the causes.
- Measures regarding the computerization and other informational changes which ensure an increased accessibility and transparency.
- The communication sessions organized for the purpose of informing the citizens on the progresses achieved by the justice sector for increasing the transparency and accessibility of the judicial services, the measures taken by the court for this purpose, any other general information.
- The external evaluations performed periodically.
- The number of realized partnerships and the participation at focussed discussions between the justice professionals with reference to the improvement of the court operation;
- The improvement measures identified as a result of integrating the evaluations results.

The results are the specific changes in the behaviour, knowledge, skills of the programme participants, but in our case also changes regarding the organization operation level. The results express principally the modifications having occurred or difference made for individuals, groups, families, organizations, systems or communities during or after the programme completion, essentially the basic achievements expected by the programme.

The results should answer the questions: What difference is realized in the studied field by applying the programme: How does success look like?

The results may be materialized in learning changes, attitude changes, policies changes or condition changes. In our case, we may consider that the programme application may generate increased communication skills for the court personnel.

An attitude change may be expected both as for the role of the citizens, the justice customers in the evaluation of the justice operation that are made responsible and an attitude change of the justice personnel that accepts that they may not avoid an external evaluation. As for the policies change, the programme will generate changes also at this level by their orientation towards the customers of the judicial services. The condition changes shall concern the justice users and the justice professionals (lawyers) that will acquire a status of actors involved effectively in the quality evaluation process. It is important for the results to be systematized according to their duration, respectively a distinction should be made between:

Short-term results:

- Proper environment for the good development of the activity, including the related services;
- Reconsideration of values,
- Increase of transparency and accessibility;
- Celerity of the public hearing;
- Change of attitude for the court personnel and citizens accountability;
- Reconsideration of the external evaluation role;
- Increased communication skills, continuous learning;

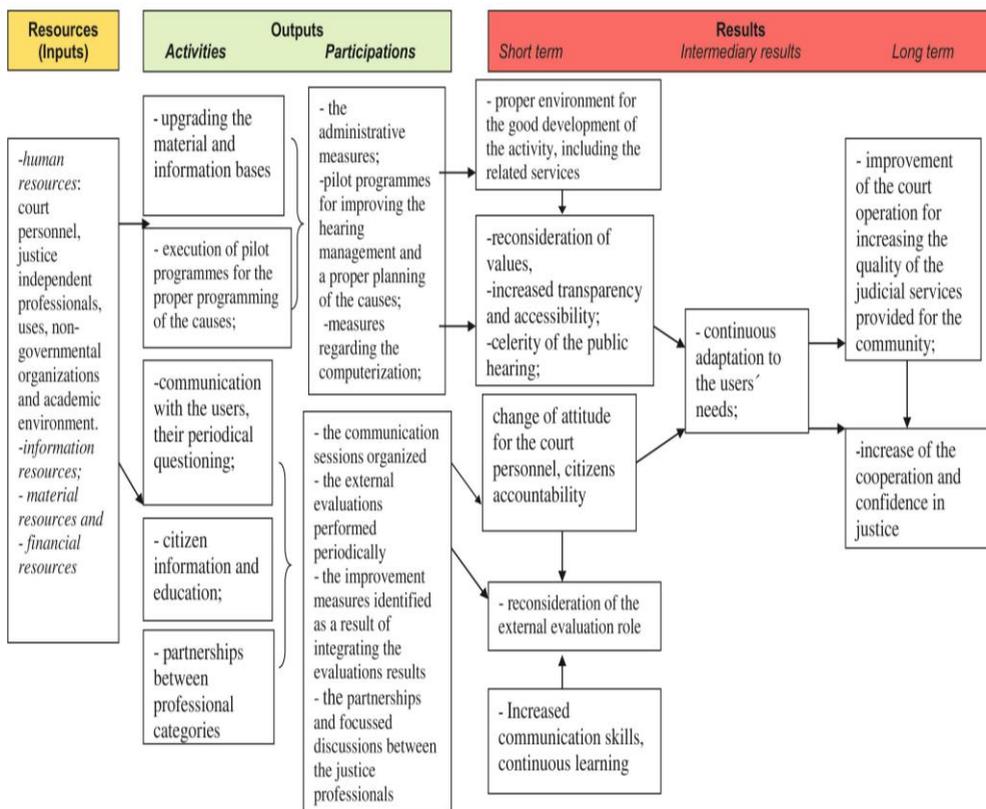
Intermediary results:

- Continuous adaptation to the users' needs;

Long-term results:

- Improvement of the court operation for increasing the quality of the judicial services provided for the community;
- Increase of the cooperation and confidence in justice.

Figure 1. Quality management implementation program based on the logical model



4. CONCLUSIONS

In conclusion, we consider that the logic model-based plan presents the advantage of an efficient quality planning and a very efficient evaluation tool which increases the probability to reach the desideratum as for quality. The framework of the logic model not only facilitates the evaluation process, but it also increases significantly the involvement of the management and of the entire court personnel. At the same time, the programme establishes the partnership between the professional categories and the cooperation between the court personnel, the justice users and/or any other interested persons, having as potential impact the increasing quality in the justice operation, an increased transparency and accessibility and finally, an increased confidence of the users and of the society generally in the justice institution.

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