



# Judicial Performance Review and Evaluation Rules

Royal Court of Justice

## **Judicial Performance Review and Evaluation Rules**

*“We must correct those who deviate, be firm with those who do not deliver, replace those who are incompetent and terminate those who under perform and have become a liability to our system and nation.”*

- His Majesty the Druk Gyalpo

### **1. Title and Commencement of the Rule**

- 1.1. This Rule shall be called the Judicial Performance Review and Evaluation Rules.
- 1.2. The Rule shall come into effect from March 01, 2022 corresponding to the 29<sup>th</sup> day of the twelfth month of Iron Female Ox Year.

### **2. Objectives**

- 2.1. The Objectives of this Rule are to:
  - a) Promote transparency, efficiency and accountability in the dispensation of justice;
  - b) Enable fairness in career advancement and promote talent, merit, productivity and morale;
  - c) Enhance both organizational and individual effectiveness by introducing objective measures of performance targets and results;
  - d) Facilitate maximization of the output of every Judicial Service Personnel (hereinafter referred as JSP) so that the individual delivers his/her services in the best possible manner;
  - e) Ensure equal opportunities to every JSP to develop his/her capabilities and use the potential to the fullest extent to discharge the duties and responsibilities efficiently and effectively;
  - f) Inspire public trust and confidence; and
  - g) Maintain a track record to determine eligibility for promotion or elevation, regularization of service and other incentives.

### **3. The Scope of Application**

This Rule shall apply to the following three categories of personnel:

- 3.1. Judicial Service Personnel:
  - a) Drangpons of the Supreme Court;
  - b) Chief Justice and Drangpons of the High Court;
  - c) Registrar General of the Supreme Court and High Court;
  - d) Drangpons of the Dzongkhag and Dungkhag Courts;
  - e) Director General and the Legal Officers of the Bhutan National Legal Institute (BNLI);
  - f) Drangpon Rabjams;
  - g) Court Registrars; and
  - h) Bench Clerks.
- 3.2. Administrative and Finance Personnel; and
- 3.3. Other Judicial Support Personnel.

### **4. Judicial Performance Review and Evaluation Committee**

- 4.1. The Royal Judicial Service Council (hereinafter referred as Council) shall establish an independent Judicial Performance Review and Evaluation Committee (hereinafter referred as Committee) as per the procedures provided in this Rule.
- 4.2. The Committee shall be composed of the following members:
  - a) One Drangpon of the Supreme Court;
  - b) One Drangpon of the High Court;
  - c) Two Drangpons of the Dzongkhag Court;
  - d) One Drangpon of the Dungkhag Court;
  - e) One Court Registrar; and
  - f) One Bench Clerk.
- 4.3. The Drangpon of the Supreme Court shall be the Chairperson of the Committee.
- 4.4. The Chief Human Resource Officer of the Supreme Court shall be the Committee Secretary.
- 4.5. The Human Resource Division of the Supreme Court shall be the Secretariat Office, supported by the Office of the Registrar General of the Supreme Court.

**5. Nomination and Selection of Committee Members**

- 5.1. The Office of the Registrar General of the Supreme Court shall call for nomination to establish the first Committee within thirty days from the date of commencement of this rule.
- 5.2. Thereafter, the Office of the Registrar General shall call for nomination of Committee members within one month from the completion of the tenure of the incumbent Committee Members.
- 5.3. The Drangpons, Court Registrars and Bench Clerks shall nominate a member from each level of courts.
- 5.4. The nomination shall be submitted to the Office of the Registrar General of the Supreme Court within ten days from the date of call as per the form prescribed in *Annexure I*.
- 5.5. No person shall be a member of both the Council and the Committee at the same time.
- 5.6. In the event of a tie, the Office of the Registrar General shall call for a second round of nomination for the tied candidates within ten days.
- 5.7. The Registrar General of the Supreme Court shall submit the list of nominees to the Chairperson of the Council and the Chief Justice of Bhutan.
- 5.8. The Chief Justice of Bhutan shall appoint the Chairperson and the members of the Committee by warrant under his hand and seal.

**6. Tenure**

- 6.1. The Members of the Committee shall serve for two-years with an eligibility to be re-elected.

**7. Vacancy**

- 7.1. Members shall not withdraw or resign after the confirmation of the nomination by the Chief Justice of Bhutan, except in the event of death, retirement, resignation or transfer of service to other agencies.

- 7.2. The Office of the Registrar General shall call for nominations to fill any vacancy, following the same selection procedures as prescribed above.
- 7.3. The person nominated to fill the vacancy shall only serve for the remaining tenure of the previous member.

## **8. Functions and Responsibilities of the Committee**

- 8.1. The Committee shall:
  - a) Review and evaluate the quality of judicial process and decisions and other judicial services;
  - b) Verify and endorse annual case report of each courts;
  - c) Verify reasons offered by the courts for undue delays;
  - d) Analyze feedback from the staff, peers and the Bar;
  - e) Rate performance of the individual JSP based on Key Performance Parameters and Key Performance Indicators; and
  - f) Submit the Performance Review and Evaluation Report to the Chairperson of the Council and the Chief Justice of Bhutan.
- 8.2. The Committee may recommend:
  - a) Reform initiatives to the Council based on the performance review and evaluation report; and
  - b) Amendment of the Rule to the Council.

## **9. Performance Review and Evaluation Procedure**

- 9.1. The Office of Registrar General and the Committee Secretary shall compile and submit the case report, feedback and other information to the Committee for review, verification and validation by the end of January every year.
- 9.2. The Committee shall review and evaluate each JSP biennially based on performance reports of the two preceding years.
- 9.3. The Committee shall commence the review and evaluation in the month of February. The Committee shall complete the review and evaluation within one month from the date of commencement.
- 9.4. The Committee may convene *ad hoc* meetings if deemed necessary.

- 9.5. The members of the Committee shall not take part in the review and evaluation of their respective performance. The Council shall review and evaluate the performance of the committee members including the Chairperson of the Committee.
- 9.6. The Committee shall be assisted by the Office of the Registrar General and the Committee Secretary.

**10. Key Performance Parameters (KPP)**

- 10.1. The performance of JSP shall be reviewed based on the following Key Performance Parameters:
  - a) KPP 01 - Quantitative Parameter;
  - b) KPP 02 - Qualitative Parameter;
  - c) KPP 03 - Behavioral and Competency Parameter;
  - d) KPP 04 - Court Administration and Management Parameter; and
  - e) KPP 05 - Academic Scholarship and Mandatory Continuing Judicial Education (MCJE) Parameter.
- 10.2. This Rule identifies specific parameters for different categories of JSP based on their respective core functions.

**11. Key Performance Indicator (KPI)**

- 11.1. The Key Performance Indicator is a measurable expression for the achievement of a desired level of results under Key Performance Parameters.
- 11.2. This rule specifies different SMART (Specific, Measurable, Achievable, Realistic and Timely) KPIs under respective KPP.

**12. Performance Review and Evaluation Method (PREM)**

- 12.1. The performance review and evaluation shall be based on 360 degree feedback which includes:
  - a) Focused survey and feedback;
  - b) Feedback from the supervisor, peers and staff;
  - c) Review and evaluation by the Committee;
  - d) Case statistic from the Case Management System;
  - e) Relevant reports of other agencies; and
  - f) Appraisals, justifications and statements submitted by the individual JSP.

12.2. The Committee shall maintain the confidentiality of any information provided by the supervisors, peers, staff, the bar and other sources.

**13. Performance Rating Scale (PRS)**

13.1. The performance rating of individual JSP shall be based on a performance rating scale specified for each of the KPP or KPIs or indicators and descriptions of performance review and evaluation method.

13.2. The performance rating scale is based on the maximum and minimum points that can be used by the Committee and feedback providers to rate the performance.

**14. Overall Weightage**

14.1. Different weightage is assigned to different KPP and KPIs based on their correlation to the core functions of an individual JSP.

14.2. The final performance rating shall be based on the overall weightage for KPP as per the following table. The weightage for a specific KPI is assigned under the respective KPP.

<b>Key Performance Parameters</b>	<b>Weightage</b>
KPP 01 - Quantitative Parameter	30%
KPP 02 - Qualitative Parameter	30%
KPP 03 - Behavioral & Competency Parameter	20%
KPP 04 - Court Administration & Management Parameter	10%
KPP 05 - Academic Scholarship & MCJE Parameter	10%
<b>Total</b>	<b>100%</b>

**15. Final Grading**

The final individual performance review and evaluation report shall be based on the combined points secured by an individual JSP under each KPP. Performance of JSP shall then be categorized as follows based on the absolute grading system.

Percentage Range	Description	Grade
80 - 100%	Outstanding	A
60 - 79%	Very Good	B
40 - 59%	Satisfactory	C
Below 40%	Need Improvement	D

**16. Performance Review and Evaluation Report**

- 16.1. The Committee shall complete the review and evaluation exercise within one month from the date of commencement.
- 16.2. The Committee shall share the draft performance review and evaluation report with the individual JSP within 10 working days from the date of completion of the exercise.
- 16.3. The individual JSP shall appeal and respond to the report within ten working days from the date of receipt of the report.
- 16.4. The Committee shall finalize the Performance Review and Evaluation Report within fifteen working days from the date of receipt of any appeal or response.
- 16.5. The Committee shall submit the final report only to the Chairperson of the Council and the Chief Justice of Bhutan, and shall not be made accessible to anyone.
- 16.6. The Council may share the Performance & Review Report of the individual JSP with the relevant authorities upon receipt of an official request.
- 16.7. The report shall be used only for official purposes such as transfer, promotion, elevation, and regularization of services.

**17. Quantitative Parameters (KPP 01)**

- 17.1. Caseloads, clearance and pending rate, and other quantifiable data are the key performance indicators of judicial efficiency. The input (number of cases registered) and the output (clearance and disposal) are the tangible data that can be directly used as a primary basis to evaluate the performance of the JSP.



- 17.2. These KPIs are paramount in determining judicial efficiency and assessing the performances of the JSP and the courts. It furnishes objective data free of political, social and ideological bias ensuring transparency and accountability.
- 17.3. The quantitative data will serve as a supplement to the qualitative measures to allow for robust review and evaluation of judicial performance.
- 17.4. The Information, Communication and Technology (ICT) Division of the Supreme Court shall generate annual case reports of the respective courts from the Case Management System, and submit them to the Committee Secretary within the second week of January every year as per the format prescribed in *Annexure II*.
- 17.5. **Objectives**  
The primary objective of the quantitative parameters is to ensure judicial efficiency through:
- a) Timely and expeditious dispensation of justice; and
  - b) Reduction of litigation cost.
- 17.6. **Key Performance Indicators**
- a) KPI 01- Number of cases decided;
  - b) KPI 02 - Docket clearance rate (Number of cases decided against total number of cases in a year);
  - c) KPI 03 - Number of cases decided beyond twelve months;
  - d) KPI 04 - Number of cases pending beyond twelve months. In case, a Drangpon is transferred to another court, the cases pending beyond twelve months in his/her previous court at the time of transfer shall also be considered for his/her assessment; and
  - e) KPI 05 - Total number of judgments enforced by the courts. The cases pending enforcement in his/her previous court prior to the transfer of a Drangpon to another court shall be considered for his/her assessment for that year only. However, enforcement of child support allowances (*Sothue*), loan repayment and such other similar cases that needs to be continuously enforced or in cases where the judgment debtor could not be traced shall not be counted for assessment.
- 17.7. **Other Performance Indicators:**

- a) KPI 06 - Number of Court-Annexed Mediation and negotiated settlement; and
- b) KPI 07 - Number of notary services.

**17.8. KPI Weightage**

Key Performance Indicator		Weightage
KPI 01	No. of decided cases	30%
KPI 02	Docket clearance rate (No. of cases decided against total no. of cases in a court)	30%
KPI 03	No. of cases decided beyond 12 months	10%
KPI 04	No. of cases pending beyond 12 months	10%
KPI 05	No. of judgments enforced	10%
KPI 06	No. of CAM & negotiated settlement	5%
KPI 07	No. of notary services provided	5%

**17.9. Performance Rating Scale for quantitative parameters**

a) Performance rating of cases decided shall be based on the following PRS:

● Above 250 Cases - 30 Points	● 200 - 249 Cases - 25 Points
● 150 - 199 Cases - 20 Points	● 100 - 149 Cases - 15 Points
● 50 - 99 Cases - 10 Points	● Below 50 Cases - 05 Points

b) Performance rating of docket clearance rate (No. of cases decided against total no of cases in a year) shall be based on the following PRS:

● 70% - 100 % - 30 Points	● 50% - 69 % - 25 Points
● 20% - 49% - 20 Points	● 10% - 19 % - 15 Points
● 5% - 9 % - 10 Points	● Below 5% - 0 Point

c) Performance rating of cases decided beyond twelve months shall be based on the following PRS:

● 70 Cases and above - Nil	● 50 - 69 Cases - 01 Point
● 30 - 49 Cases - 04 Points	● 15 - 29 Cases - 07 Points
● Below 15 Cases - 10 Points	

d) Performance rating of the cases pending beyond twelve months shall be based on the following PRS:

● 15 & above cases - Nil	● 10 -14 cases - 3 Points
● 06 - 09 cases - 5 Points	● 01 - 05 cases - 7 Points
● Zero cases - 10 Points	

e) Performance rating of judgment enforcement shall be based on the following PRS:

● 80% - 100 % - 10 Points	● 60% - 79 % - 08 Points
● 40% - 59% - 06 Points	● 20% - 39 % - 04 Points
● Below 20 % - 02 Points	

f) Performance rating of CAM and negotiated settlement shall be based on the following PRS.:

● 40 & Above - 5 Points	● 30 - 39 - 4 Points
● 20 - 29 - 3 Points	● 10 - 19 - 2 Points
● 01 - 09 - 1 Point	

g) Performance rating of notary services shall be based on the following PRS:

● 40 & Above - 5 Points	● 30 - 39 - 4 Points
● 20 - 29 - 3 Points	● 10 - 19 - 2 Points
● Below 10 - 1 Point	

## 18. Qualitative Parameters (KPP 02)

18.1. Adjudication is the core function of the courts, and uniformity, consistency, certainty and predictability shall be the primary attributes of an efficient court system.

### 18.2. Objectives

The objectives of the qualitative parameters are to:

- a) Guarantee just and fair judicial process, and uniform application of procedural laws;
- b) Assess the quality of judicial decisions objectively;
- c) Promote uniformity and consistency of judicial decision-making process;
- d) Enhance uniformity, certainty and predictability of interpretation and application of laws;
- e) Ensure equal treatment and access to judicial services;
- f) Effective enforcement of court orders and judgment; and
- g) Inspire public trust and confidence in the court system.

### 18.3. Key Performance Indicators

The quality of judicial services shall be reviewed and evaluated based on the following two Key Performance Indicators:

- a) KPI 08 - Judicial Process; and
- b) KPI 09 - Judicial Decision.

18.4. **Judicial Process (KPI 08)**

All courts shall follow the due process enshrined in the Civil and Criminal Procedure Code, and other procedural laws. The quality of the judicial process shall be evaluated based on the following four indicators:

- a) Procedural fairness;
- b) Courtroom control;
- c) Access to justice; and
- d) Expeditious proceedings.

Indicators	Description
<b>Procedural Fairness</b>	<ul style="list-style-type: none"> <li>● Procedural coaching during the hearing.</li> <li>● Time and opportunity to make oral and written submissions.</li> <li>● Treatment of the parties in the courtroom.</li> <li>● Opportunity to present evidence and examine witnesses.</li> </ul>
<b>Courtroom Control</b>	<ul style="list-style-type: none"> <li>● Courtroom decorum.</li> <li>● Pre-trial preparations and conduct of trial.</li> <li>● Structure of trial and proceedings.</li> <li>● Communication skills.</li> <li>● Examination of the parties and witnesses.</li> </ul>
<b>Access to Justice</b>	<ul style="list-style-type: none"> <li>● Addressing barriers to access court services. For instance, enabling indigent persons, children, women, and people with disabilities equal access to justice.</li> <li>● Addressing linguistic barriers to access court services.</li> </ul>
<b>Expeditious Proceedings</b>	<ul style="list-style-type: none"> <li>● Conduct of hearing as per the Civil and Criminal Procedure Code.</li> <li>● Hearing calendar.</li> <li>● Hearing as per the hearing calendar.</li> <li>● Unwarranted adjournments.</li> <li>● Issuance of summons and court orders.</li> <li>● Judicial Investigation.</li> <li>● Technology in court proceedings (e-litigation platform and virtual hearing).</li> </ul>

18.5. **PREM for judicial process**

- a) Feedback from the Bench Clerk and Court Registrar. The Committee can decide on the number of feedback based on the minimum number of bench clerks including the court registrars as per Form no. A (1) provided in *Annexure III*;
- b) Feedback from the Bar. The Committee can decide on the number of feedback based on the minimum number of feedback provided by the Bar as per Form no. A (2) provided in *Annexure III*; and
- c) Review and evaluation of the selected cases by the Committee as per Form no. A (3) provided in *Annexure III*.

18.6. **Performance rating scale for judicial process**

● Strongly Agree (04-05)	● Agree (03-03.9)
● Disagree (02-02.9)	● Strongly Disagree (≤ 01.99)

18.7. **Judicial Decision (KPI 09)**

The quality of the judicial decision shall be reviewed and evaluated based on the following indicators:

- a) Facts;
- b) Issue;
- c) Rule;
- d) Analysis and Reasoning;
- e) Application of substantive laws; and
- f) Language and Structure.

Indicators	Description
Facts	● Determination and presentation of facts.
Issue	● Identification and structure of legal issues.
Rule	● Statement of relevant laws and rules.
Analysis and Reasoning	● Application and interpretation of laws. ● Legal reasoning. ● Citation of case laws and precedents.
Application of Substantive Laws	● Relevant substantive and procedural laws. ● Recent legal developments. ● Emerging legal issues.
Language and Structure	● Structure of the judgements (FIRAC format). ● Language and typography.

18.8. **Performance Rating Scale for Judicial Decision**

The quality of judicial decision shall be based on the evaluation of cases selected by the Committee.

● Outstanding (04-05)	● Very Good (03-03.9)
● Good (02-02.9)	● Need Improvement (≤ 01.99)

18.9. **Performance Review and Evaluation Method for judicial decision**

- a) The Committee shall randomly select two court decisions from each year for the assessment as per Form no. B provided in *Annexure III*.
- b) The Committee shall exclude summary judgment, CAM and negotiated settlement judgment, default judgment and withdrawal judgment from the selection pool.

**19. Behavioral and Competency Parameters (KPP 03)**

Behavioural and competency are the manifestation of physical conduct, intellectual ability and judicial mindset. These are the core judicial values that inspire public trust and confidence, and promote judicial excellence. Therefore, behavioral and competency of the JSP shall be assessed based on the following set of KPIs:

**19.1. Judicial Temperament (KPI 10)**

The conduct of Drangpons is an integral part in the dispensation of justice. Positive image of JSP creates respect for the judiciary and the Rule of Law. Judicial temperament, which is opposed to judicial arrogance, is an important element of this positive image.

**19.2. Transparency and Accountability (KPI 11)**

In accordance with Chapter 11 of the Judicial Services Act, 2007, the Chief Justice of the High Court, Registrar Generals of High Court and Supreme Court, Director General of the BNLI, Chief Drangpon, and Drangpons shall be held responsible and accountable for the judicious use of public funds and properties.

**19.3. Leadership (KPI 12)**

A Drangpon shall ensure effective management and administration of the court, and shall maintain order and decorum in the proceedings and ensure efficient functioning of the court.

**19.4. Effective communication (KPI 13)**

All Drangpons must be able to communicate effectively, and must be proficient in writing and speaking. He/She must be mindful of the potential negative impact of verbal and non-verbal communication. Effective communication skill and one’s manner can create either an appropriate or inappropriate atmosphere in a judicial proceeding.

**19.5. Judicial Collegiality (KPI 14)**

The Judiciary is a collegial body with a common vision of achieving the ends of justice. It is imperative to exchange views, freely and effectively, to promote the Rule of law. With the interest of the judiciary and vision of national unity and integrity at heart, the attitude of judicial collegiality shall reinforce the incentive to behave and act in a principled and responsible manner.

**19.6. Judicial Independence (KPI 15)**

The Constitution enshrines the mandate of the Judiciary to safeguard, uphold, and administer justice fairly and independently without fear, favor, or undue delay in accordance with the Rule of Law to inspire trust and confidence and to enhance access to Justice. In keeping with this mission, it is imperative that the JSP uphold personal and institutional independence.

**19.7. Judicial Ethics and Integrity (KPI 16)**

The conduct of the JSP is guided by the set of Code of Conduct enshrined in Chapter 10 of JSA. The code of conduct or other governing set of rules shall hold all JSP accountable for any unethical conduct and ensure protection for the Drangpon against unfounded public criticism.

<b>KPI</b>	<b>Indicators and Description</b>
<b>KPI 10 Judicial Temperament</b>	<ul style="list-style-type: none"> <li>• Exhibits patience, hears courteously, enquires and decides impartially.</li> <li>• Possess the ability to treat people with dignity and respect.</li> <li>• Conducts in a manner as to preserve the dignity of the judicial office and the impartiality and independence of the Judiciary.</li> <li>• Always maintains high moral standards and refrains from involving in moral turpitude.</li> <li>• Does no act or omission which is unbecoming of the high office at all times.</li> </ul>
<b>KPI 11 Transparency Accountability</b>	<ul style="list-style-type: none"> <li>• Promotes transparency in all judicial proceedings and decisions.</li> <li>• Takes responsibility and accountability to use funds and properties for intended purposes.</li> <li>• Recuse from participating in any proceedings in which he/she is unable to decide the matter impartially or in which he/she has conflict of interest.</li> <li>• Does not indulge in direct or indirect acts that will amount to abuse of office or power, prejudicial to the rights of any other person knowing that such an act is unlawful or contrary to the law.</li> <li>• Demonstrate a high sense of responsibility and accountability in execution of all judicial functions.</li> </ul>
<b>KPI 12 Leadership</b>	<ul style="list-style-type: none"> <li>• Demonstrate professionalism in functioning, dealing with litigants and administration and management of courts.</li> <li>• Ability to work as a team.</li> <li>• Provide mentorship.</li> <li>• Inspire, motivate and guide the staff.</li> <li>• Effective conflict management and resolution of internal issues.</li> <li>• Promptness and decisiveness.</li> </ul>
<b>KPI 13 Effective communication</b>	<ul style="list-style-type: none"> <li>• Demonstrate ability to articulate and communicate information clearly and concisely.</li> <li>• Effective verbal communication and written communication skills.</li> </ul>

and Management	<ul style="list-style-type: none"> <li>• Ability to maintain order and decorum in proceedings.</li> </ul>
KPI 14 Judicial Collegiality	<ul style="list-style-type: none"> <li>• Demonstrate ability to work individually and collectively.</li> <li>• Respect and honor judicial office as a public trust and strive to enhance and maintain confidence in the judicial system.</li> <li>• Respect for other’s view and opinions.</li> </ul>
KPI 15 Judicial Independence	<ul style="list-style-type: none"> <li>• Decide cases without concern for the popularity of the decision without fear, favor, bias or prejudice.</li> <li>• Treat litigants and Jabmis fairly and equally.</li> <li>• Not swayed by partisan interests, public clamor or fear of criticism.</li> <li>• Exercise the judicial function independently based on the assessment of the facts and in accordance with a conscientious understanding of the law.</li> <li>• Is not a member of any commission, committee, association, arbitration board, or any other organization that may affect the independence of the Judiciary.</li> </ul>
KPI 16 Judicial Ethics & Integrity	<ul style="list-style-type: none"> <li>• Declare conflict of interest in accordance with existing laws/rules and refrain from hearing the case.</li> <li>• Does not make any comment in public or otherwise that might reasonably affect the outcome of any proceeding or impair the fairness of the process.</li> <li>• Refrain from indulging in habits of associating with litigants and behavior that infringe upon the performance of official duties or tarnish the image of position and the institution.</li> <li>• Does not accept any gifts, presents or benefits.</li> <li>• Does not engage in financial and business transactions in which a JSP may have a conflict of interest.</li> </ul>

**19.8. Performance Review and Evaluation Method**

The performance review and evaluation method of the behavioral and competency parameter shall be based on:

- a) Supervisor’s feedback - the Chief Justice of Bhutan shall provide feedback for the Drangpons of the Supreme Court and the Chief Justice of the High Court. The High Court Chief Justice shall provide feedback for the Drangpons of the High Court as per *Annexure IV*.
- b) Feedback from the staff and peers (Drangpon shall provide feedback for Court Registrar and Bench Clerks and vice-a-versa) as per *Annexure IV*; and
- c) Feedback from the Bar as per *Annexure IV*. (prosecutors and private attorneys).

**19.9. Performance Rating Scale**

• Strongly Agree (15-20)	• Agree (10-14.9)
• Disagree (5-9.9)	• Strongly Disagree (≤ 4.99)



**20. Court Administration and Management Parameters (KPP 04)**

- 20.1. Drangpons shall be responsible for administration and management of the courts that involves planning, finance, resource allocation, personnel motivation, control, supervision of human resource, and coordination with other agencies.
- 20.2. Administrative matters and managerial responsibilities of a Drangpon may vary with courts. He/She must possess good management skills in order to be productive, organized and effective in efficient utilization of the resources.
- 20.3. The resources shall be allocated and utilized in accordance with the highest standard of financial discipline.
- 20.4. **Key Performance Indicator**
  - a) Financial Management (**KPI 17**);
  - b) Human Resource Management (**KPI 18**);
  - c) Maintenance of Court structure and properties (**KPI 19**); and
  - d) Archive & Record Management (**KPI 20**).

KPI	Indicators and Description
<b>KPI 17 Financial Management</b>	<ul style="list-style-type: none"> <li>● Efficient utilization of approved funds.</li> <li>● Unauthorized use or diversion of funds.</li> <li>● Efficient management of revenue (bail, fine, penalties and court fees).</li> </ul>
<b>KPI 18 Human Resource Management</b>	<ul style="list-style-type: none"> <li>● Employee motivation.</li> <li>● Timely execution of relevant HR orders from the Office of the CJB and the Registrar General of the Supreme Court.</li> <li>● Effective management of internal conflicts.</li> <li>● Ensure timely execution of responsibilities by employees as per the job description.</li> <li>● Enforcement of employee code of conduct.</li> </ul>
<b>KPI 19 Maintenance of court structure and properties</b>	<ul style="list-style-type: none"> <li>● Timely maintenance of court structure and premises.</li> <li>● Beautification of surroundings.</li> <li>● Property management - Procurement and disposal of properties as per the existing rules.</li> <li>● Other initiatives.</li> </ul>
<b>KPI 20 Archive and record management</b>	<ul style="list-style-type: none"> <li>● Archiving case files.</li> <li>● Updation and maintenance of employee personal files.</li> <li>● Updation and maintenance of case registers.</li> <li>● Maintenance of financial records.</li> <li>● Maintenance of administrative and HR records.</li> <li>● Maintenance of office inventories, bills and vouchers.</li> </ul>

**20.5. Performance Review and Evaluation Method**

The performance review and evaluation method of the administration and management skill shall be based on:

- a) Feedback from the supervisor, staff and peers as per the Form no. A and B in *Annexure V*; and
- b) Consideration of relevant evidence such as Royal Audit Authority Reports, Reports of the Royal Judicial Service Council and the National Judicial Commission; Reports from the Office of the Registrar General, Disciplinary Committee Reports; and other relevant reports.

**20.6. Performance Rating Scale**

The rating for court administration and management skill parameter shall be based on the following performance rating scale.

● Outstanding (08-10)	● Very Good (06-7.9)
● Good (04-5.9)	● Need Improvement (≤ 03.99)

**21. Academic Scholarship and Mandatory Continuing Judicial Education (MCJE) Parameter (KPP 05)**

21.1. Achievement of both quantitative and qualitative parameters requires JSP to continuously engage in academic training programs. The academic scholarship and training programs result in development and intensification of professional skills in pursuit of judicial excellence. It is only through skilling, re-skilling and up-skilling that the noble profession remains relevant to society.

21.2. The BNLI and the Council shall ensure adequate and equal opportunities and participation of all JSP in academic and training programs.

21.3. An individual JSP shall submit the list of academic scholarship activities and MCJE programs as per Form no. 2 in *Annexure VI* to the Committee Secretary annually along with necessary evidence.

**21.4. Objective**

The following objectives of the academic scholarship and mandatory continuing judicial education parameter is based on section 85 of the Judicial Service Act of Bhutan, 2007 (JSA):

- a) Provide opportunity for career advancement in pursuit of judicial excellence;

- b) Acquisition of necessary skill, knowledge and technology required to perform a higher responsibility in the respective profession;
- c) Maximize professionalism and productivity; and
- d) Enhance judicial efficiency, capability and quality.

**21.5. Key Performance Indicators:**

The following KPIs are based on the statutory mandates of the BNLI to provide various training and education programs for in-service JSP:

- a) Academic papers - Publication (**KPI 21**);
- b) Academic papers - Presentation (**KPI 22**);
- c) Trainings (**KPI 23**);
- d) Mandatory Continuing Judicial Education (MCJE) programs (**KPI 24**) -
- e) Legal dissemination and awareness programs (**KPI 25**)- ; and
- f) Other academic activities (**KPI 26**).

KPI	Activity Description
KPI 21 Academic Paper (Publication)	<ul style="list-style-type: none"> <li>● No. of Books</li> <li>● No. of Articles</li> <li>● No. of Research papers</li> <li>● No. of Academic writings</li> <li>● Official writing assignment</li> <li>● Others (specify)</li> </ul>
KPI 22 Academic Papers (presentation)	<ul style="list-style-type: none"> <li>● No. of papers presented</li> <li>● No. of books review presented</li> <li>● No. of research papers presented</li> </ul>
KPI 23 Trainings	<ul style="list-style-type: none"> <li>● No. of trainings facilitated</li> <li>● No. of lectures delivered</li> </ul>
KPI 24 MCJE programs	<ul style="list-style-type: none"> <li>● No. of workshops attended</li> <li>● No. of trainings attended</li> <li>● No. of conference attended</li> <li>● No. of symposiums attended</li> <li>● No. of other forums</li> </ul>
KPI 25 Legal dissemination & Awareness Programs	<ul style="list-style-type: none"> <li>● No. of legal dissemination and awareness conducted (in shows)</li> </ul>
KPI 26 Other academic works	<ul style="list-style-type: none"> <li>● No. of other academic and MCJE programs attended</li> </ul>

21.6. The academic works and MCJE programs attended by an individual JSP during the two preceding calendar years shall be considered for evaluation by the Committee.

**21.7. Performance Rating Scale**

The rating shall be based on the total number of academic scholarships and MCJE programs achieved by a JSP in a year.

<b>No. of Activities</b>	<b>Points</b>
Activities 08 and above	10 points
Activities between 06-07	07 Points
Activities between 04-05	05 Points
Activities between 02-03	03 Points
01 Activity	01 Point

**22. Amendment**

22.1. The Council shall have the authority to amend this Rule.

22.2. The amendment shall come into effect upon approval by the Chief Justice of Bhutan.

22.3. The amendment shall be approved by the Chief Justice of Bhutan before implementation.