

Bhutan National Legal Institute, which was established on 25 February 2011 is a premier national judicial training academy. It was established under the *Judicial Service Act of Bhutan, 2007*. Her Royal Highness Princess Sonam Dechan Wangchuck is the President of the Institute. The Institute is mandated to provide legal education, trainings and research services in law for the development of legal system and promotion of the *rule of law* in the country.

The Institute comprises of the Continuing Legal Education Section (CLES); Capacity Building Section (CBS); Research and Development Section (R&DS); ICT and Media Section (IMS); and Administration and Finance Section (AFS). Over the years, the Institute revived, strengthened and institutionalized the age-old informal and amicable mediation of disputes in the communities (*Nangkha Nangdrig*). It also publishes the *Bhutan Law Review*, a biannual law journal and *National Mediation Reports* – a compilation of the number and nature of cases mediated by the Local Government Leaders nation-wide. The Institute also institutionalized the Court-Annexed Mediation (CAM) System in the Royal Courts of Justice. The Institute also serves as the Academic Faculty for conducting the *Post-Graduate Diploma in National Laws* (PGDNL) at the Royal Institute of Management, Simtokha. It has established academic linkages with several judicial academies and training institutions with its counterparts, such as India, Nepal, Thailand, Singapore and the U.K. The Institute organizes a series of continuing judicial education and capacity building trainings and workshops for the judges and judicial personnel annually. It is also involved in the dissemination of laws to the public and students through the media and other forums; Institute also conducts *Judges Book Club*, facilitates the *School Law Club* Programs and arranges lecture series.



STRATEGIC PLAN

2022 - 2026



Bhutan National Legal Institute
Supreme Court Complex, Lhadrong, Thimphu
P.O. Box: 575
Tel: +975-2-331628/331630
Fax: +975-2-336701
www.bnli.bt

@BNLI

Bhutan National Legal Institute

STRATEGIC PLAN

2022-2026



BHUTAN NATIONAL LEGAL INSTITUTE

SUPREME COURT COMPLEX

LHADRONG, HEJO

THIMPHU: BHUTAN



VISION

Endeavour to become a center of excellence in judicial education for a free, fair and just civil society.



MISSION

Promote legal literacy, deliver professional services, enhance judicial independence and inspire public trust and confidence in the justice system.



CORE VALUES

We strive for excellence in the pursuit of our Vision, Mission, Goals and objectives; as well as discharge our mandates and serve the *Tsa-Wa-Sum*.

Knowledge: We continuously learn, improve and grow in the process of helping others acquire knowledge and skills, and lead education for a free, fair and just society.

Synergy: We build and nurture respectful relationships among our stakeholders and collaborate and work as a team to achieve our goals and objectives.

Integrity: Our programs are informed, precise, effective, relevant and timely.

Professionalism: Our services are informed, relevant and mindfully delivered for progressive changes and development.

MANDATES OF THE INSTITUTE

As a component of the justice sector institutions, the Institute must play an active role to strengthen the *rule of law*, protect fundamental rights and ensure equal access to justice. These mandates are partly fulfilled through legal awareness and dissemination programs. The Institute also promotes right to information through similar educational programs. It shall continue to serve the Judiciary and public by fulfilling its *Constitutional* mandates.

Legislative mandates of the Institute is derived from the *Judicial Service Act of Bhutan, 2007* as follows:

- a) Conduct pre and in-service courses and trainings for judicial service personnel;
- b) Create forum for the exchange of views and ideas on judicial or legal matters;
- c) Organize and hold meetings, conferences, lectures, workshops, symposiums and seminars to improve the professional expertise, knowledge and skills of the judicial service personnel;
- d) Formulate and conduct training and research in various aspects of the administration of justice;
- e) Provide library facilities and other educational and technological materials for judiciary;
- f) Provide for and organize periodical information communication and technology (ICT) trainings;
- g) Conduct legal dissemination and awareness programs;
- h) Explore exchange of ideas, experience, and programs with other similar institutions both within and outside Bhutan; and
- i) Conduct research and publish law journals, reports and other periodicals.

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FOREWORD

The role of a leader is crucial for any organization to respond to changing times. The visionary and innovative leadership of Her Royal Highness Princess Sonam Dechan Wangchuck has brought successful organizational reforms. The Institute introduced several reforms in line with the underlying core values of the Institute. In terms of national commitments, the Institute strives to collaborate with justice sector institutions in achieving the goal of effective justice services as stated in the 12th Five Year Plan (2018-2023). The Royal Government of Bhutan is committed to create a just, harmonious and sustainable society by strengthening justice services and institutions.

In 2020 the impact of global COVID-19 pandemic not only posed greater socio-economic and political crisis, but also disrupted the dispensation of justice. Bhutan is maneuvering to halt the spread of disease and mitigate the public health and economic impact of the outbreak. The current situation has presented challenges as well as opportunities in the legal field. With the digitalized world, Judiciary in Bhutan is also embarking on electronic litigation (e-litigation), which is intended to provide e-registration, e-filing and e-payment services and other processes in a nutshell.

Looking towards the future, the Institute's actions will be focused in four key areas to fulfill its vision, mission and core values. Firstly, it will focus on improving professional capacity development for professional staff. Then the Institute will also promote the culture of research, carry out internal reforms of the Institute, strengthen judicial integrity and capacity, and finally, enhance institutional collaboration in terms of knowledge sharing, resources, etc. The Institute will also strengthen rights of children, the elderly, victims of human trafficking and others in need of services of the Institute. This year we are adopting this Strategic Plan with the theme ***“expanding access to justice for all, through capacity enhancement and justice service improvement.”*** The Plan sets the agenda and direction for quality judicial education enhancing access to justice in the country through key reform measures and institutional strengthening.

That being said, this plan will direct our efforts towards supporting Judiciary as a training arm. Moreover, it will support other priorities as an Institute with the mandate to facilitate access to justice for all. Thus, this Plan is our pledge to serve the *Tsw-Wa-Sum* and help Bhutan achieve Gross National Happiness (GNH) by playing a small role among justice sector institutions. Although, the agendas of the Institute is incomplete and boundless; it will always strive to achieve its' goals by focusing on smaller and gradually moving towards larger goals.

A handwritten signature in blue ink, consisting of several overlapping loops and curves, positioned above the printed name of the Director General.

**Director General
Bhutan National Legal Institute
Thimphu, Bhutan**

PREFACE

Over the years the Institute has successfully implemented successive strategic plans. All plans were framed based on the experiences from preceding plans. Periodical review of previous plans is crucial for the growth of an institution. A success today does not guarantee success tomorrow. However, success or failures are relative concepts based on set of premises, which is subject to change with the change in conditions of those premises. After completion of every implementation phase, it is important to evaluate the performance of a chosen strategy. Strategy evaluation involves three crucial activities: (i) reviewing the internal and external factors affecting the implementation of any chosen strategy; (ii) measuring performance; and (iii) taking corrective steps to make the strategy more effective.

All three steps in strategic planning occur within three hierarchical levels of upper, middle and operational management levels. Therefore, it is important to foster communication and interaction among employees and managers at all levels, so as to help the Institute operate as a more functional and effective team. This plan is a product of collaborative efforts of all the staff of the Institute. It was discussed and reviewed extensively in the course of drafting of this Plan.

The Plan is inspired by His Majesty's infinite wisdom and vision for legally sound professionals. It is also heavily derived from various documents such as FYP of the Gross National Happiness Commission (GNHC), Judiciary Strategic Plan 2022–2032, Justice Sector Strategy Plan 2018–2023, and other regional and international best practices.

By 2021 there were growing expectations from the Institute, as the stakeholders increasingly demanded its services. It has already prioritized some of the strategic goals in the 2016-2020 Plan through enhancement of professional capacity of legal and judicial professionals through teaching, learning and educational experience; facilitating research and innovation; streamlining organizational and institutional environment; enhancing systemic access to mediation

services to people; developing institutional linkages and relationships with key local and regional bodies.

In the course of implementing Strategic Plan 2016–2020, the Institute’s activities and programs were directed towards improving professional capacity of the Judicial Service Personnel. The current Plan will further enhance performance of legal and judicial professionals by developing HR capacity building programs. The Plan is also directed towards effective court management and administration and expanding access to justice.

The Court-Annexed Mediation (CAM) was institutionalized and conducted CAM training for Judges and Bench Clerks. CAM Unit is established in all the courts including Supreme Court and the High Court. The current Plan is also committed to expanding access to justice through ADR (mediation & CAM) and other legal awareness programs. The Institute will continue to train Judicial Service Personnel and others in mediation and CAM.

Realizing the importance of communication, consultation and collaboration, the Institute has entered into institutional relationship with the National Judicial Academy (NJA), India. The establishment of relationship officially began with the signing of Memorandum of Understanding (MoU) between the Institute and NJA on 17 August 2019. Besides this, the Institute also collaborates with other national, regional and international institutions.

Within the country, the Institute works closely with other justice sector institutions. The role of justice sector institutions is to promote the *rule of law*, access to justice, uphold rights and duties, etc. The Institute works closely with the Judiciary and other institutions that has common goals and functions as that of the Institute. Over the years, it has actively contributed in formulating Justice Sector Strategic Plan 2018-2023 and carried out various activities under the Justice Sector Programme, funded by the Austrian Development Agency (ADA). The Institute will continue to collaborate with these Institutions for research, training and data and information sharing purposes.

Realizing the importance of compilation, documentation, publication and reporting, the Institute published *National Mediation Reports*. Further, to maintain proper records on mediation, the Community Disputes Mediation Register was published and distributed in all 205 *Gewogs*. The Institute also started maintaining staff Profile Book, PGDNL Profile Book, Profile of the Judges, Brief Report on Judges Book Club, Mediators Accreditation Standards (MAS) 2019, Rules of Procedure for CAM 2019, CAM Inception Document 2019, CAM Strategic Plan 2019-2023, etc. The Institute plans to improve the compilation and publication of training and research materials. The goal of research and innovation has been designed for achieving this objective.

This Plan is collective experiences of the past and present and the progressive document to meet the future requirements, needs and expectations for the development of legal and judicial system in Bhutan. Hence forth, this Plan will guide us to achieve further development in legal and judicial education and contribute to the overall national goal: *free, fair, just and harmonious society*.

OVERVIEW OF THE STRATEGIC PLAN 2022-2026

The Institute was created with the purpose of supporting Judiciary of the Kingdom of Bhutan through the provision of the highest standard of judicial training and education. Strategic Plan 2022 - 2026 outlines what the Institute hopes to achieve throughout the span of five years depending upon available resources. The Institute ensures that its Plan has clearly reflected changing needs of the Judiciary, legal fraternity, youths, leaders and people of Bhutan at large. It is prepared to guide the Institute towards providing effective and efficient services. In the outset, it begins with expressions of the vision, mission and core values of the Institute. Then the plan outlines prioritized activities that are framed broadly, followed by detailed strategies.

KEY STRATEGIC PLAN AREAS 2022-2026

Key Strategic Plans as mentioned below are the strategic priorities and objectives. It reflects on the judicial landscape as well as our success. We have identified four key strategic priorities. By focusing the effort of the Institute on these areas it will be able to fulfill its mandates. Each of these strategic goals will be further broken down into greater details, setting out goal description and implementation strategies.

1. Development of Institutional Capacities and Professionalism;
2. Enhancing Research and Innovation;
3. Expanding Access to Justice; and
4. Strengthening Institutional Linkages and Collaboration.

Goal 1. Development of Institutional Capacities and Professionalism

Strategy Goal A: Develop and enhance the capacity of Institute's Human Resource



Goal Description: Recognizing the importance of HR development programs, the Institute shall strive to improve employee performance through periodical skills and knowledge enhancement programs. Alongside the training provided to judicial and legal professionals, Institute's in-house HR also needs timely trainings. Both new and existing HR requires enough training for them to be in the field of teaching and training. Currently the Institute highly depends upon external faculties. HR capacity building will enhance productivity and also reduce employee turnover, thus helping the Institute in retention of its employees.

Professional staffs at the Institute have to perform multiple functions given the nature of work. They formulate programs and organize trainings and workshops and teach Post-Graduate National Legal Courses at the Royal Institute of Management as well as others. This type of work environment deserves to be rewarded with appropriate skills development training in relevant fields. For example, the Institute conducted training on Pedagogy Skills and Methodologies to improve the teaching, learning and training experiences.

Implementing Strategy:

- a) Explore opportunity for continuing education for professional staffs;
- b) Enhance knowledge and skills of professional staff in the areas of ICT, administration, finance, procurement, etc.;
- c) Provide trainings on designing and handling programs and conducting trainings, workshops, seminars, conference, etc.;
- d) Recruit and deploy required HR in consultation with the Judiciary and Royal Civil Service Commission (RCSC);
- e) Develop succession plan with clear career path; and
- f) Develop and implement a comprehensive workforce HRD plan and corresponding training needs.

Strategy Goal B: Develop and offer quality training to enhance professional capacity of judges, legal and judicial professionals

Goal Description: The challenges faced by the Judiciary are manifold, but the greatest of all is undoubtedly a visible capacity vacuum in its human resource. The Institute as a training arm of the Judiciary has the mandate of enhancing the professional capacity of Judges and Judicial Service Personnel. In this regard, the Institute conducts trainings, workshops, conferences, seminars, etc. to discuss, debate and inform the Judges and judicial professionals of both existing and emerging legal issues. To impart correct information at the right time, it requires appropriate courses, pool of resource persons and other resources. The Institute has to periodically analyze the continuing legal and judicial education requirements of the Judges, legal and judicial professionals. The Institute must execute well-planned trainings for the effective implementation of the Judiciary Strategic Plan 2022–2032 and this Plan.

Judicial education is the fundamental aspect of judicial capacity building and judicial reform, which should be clear to judicial leadership. Training and judicial education improves court management and dispensation of justice. In this regard, in order to make the trainings relevant, the Institute will focus on need based and practical trainings to judicial and legal professionals.

Implementing Strategy:

- a) Develop and update training needs of Judges and judicial professionals in line with the Judiciary Strategic Plan 2022-2032;
- b) Develop and implement Standard Operating Procedure (SoP), Guidelines and Regulations on training of judicial professionals in consultation with the Judiciary;
- c) Develop training plans for different target groups such as Judges, legal and judicial professionals, etc.;

- d) Evaluate and review training needs assessment periodically to enhance the professional capacity of the judicial and legal professionals;
- e) Introduce specialization programs by exploring fields of specialization such as contract law, cyber law, child justice, and other emerging legal issues relevant to the ongoing professional development requirements in the Judiciary;
- f) Explore the demand-led training courses and respond to specific training needs of Judges, legal and judicial professionals;
- g) Conduct periodical post-training assessment of the training programs with the actual performance of legal and judicial personnel; and
- h) Develop a national level profile of experts/ resource persons.

Goal 2. Enhancing Research and Innovation

Strategy Goal A: Conduct legal and judicial research

Goal Description: Research has been a central focus of the Institute for decades and it needs improvement for better outcomes. The Research and Development Section of the Institute is expected to support the Media and Public Relations Unit of the Judiciary, by providing substantive inputs. The traditional doctrinal paradigm of legal research is no longer sufficient for modern legal and judicial personnel. They must have exposure to additional research methods and skills. Research at the highest level requires people of outstanding talent, and it is therefore essential for the research-oriented Institute to be able to retain professional staff of the highest distinction in research skills.

To produce usable findings the research has to follow a sequential and structured process called the research methodology. The research methodology has to be properly designed as it takes into consideration the logic behind the methods used. Research methodology is a field



that is rapidly growing in importance. Resources and expertise of the Institute has to be dedicated towards research on contemporary and emerging legal issues, Bills and Legislations passed by the Parliament. The Institute recognizes the importance of research in improving the quality of services and in sustainable management and sharing of knowledge (both new and applied).

Implementation Strategy:

- a) Develop judicial and legal research information system;
- b) Identify contemporary, significant and ambiguous legal and judicial issues demanding further study and research;
- c) Strengthen and implement HRD Plans to train Legal Officers for better research skills;
- d) Assign specific legal issues or topic to the Legal Officers to conduct research;
- e) Publish periodical research reports ; and
- f) Provide inputs for improving legal and judicial process through research.

Strategy Goal B: Develop a participatory and collaborative research culture, enabling exchange of information and data

Goal Description: The Institute provides forum to the Judges and Judicial Service Personnel who must play an active role in activities carried out by the Institute. In addition, the Institute also welcomes academicians and other legal fraternity to participate and contribute through research. In order to have wider perspective we create a platform for Judges, lawyers, legal scholars and wide range of other participation. Having participants from various background supports each other and makes use of knowledge sharing and participate collaboratively.

The participatory research supports each other and enables sharing of information and coming up with efficient research and development. The Institute not only wants to support research culture for Justices, Judges, lawmakers, scholars and practitioners but also engage actively in research by themselves. However, the kind of research conducted will be more of collaborative in nature and data collection from justice sector institutions and other relevant sources. Collaboration enables knowledge and information sharing, thus, it prevents duplication of functions and creates efficiency in resource management. Further, this kind of research has the advantage of providing more wholesome experience of conducting research.

Implementation Strategy:

- a) Identify and study the areas and issues of research within the justice sector institutions;
- b) Explore strategic alliances within the justice sector institutions to collaborate and conduct research and share data;
- c) Invite Justices, Judges, lawmakers, academicians and practitioners for collaborative research on common areas of legal, social and economic issues;
- d) Seek inputs from the Judges, lawyers, scholars and others to researches carried out by the Institute;
- e) Develop legal-judicial interaction to facilitate exchange of idea and experience; and
- f) Publish and share research materials such as journals, research reports and other materials.

Goal 3. Expanding Access to Justice

Strategy Goal A: Conduct legal and judicial education and legal awareness programs

Goal Description: Judicial training is an essential element of an efficient system of justice, as it helps to ensure the competency of the Judiciary. It is a prerequisite if Judiciary wants to build trust and confidence of public that it serves. The training of newly appointed Judges before they take up their posts (initial induction training) as well as the professional upgrade of practicing Judges (in-service or continuous training), is given significant attention at regional and international level. Training is seen as an essential factor in view of the need to improve the skills of those in the judicial and legal services. The Institute is guided by certain principles while it provides judicial training as follows:

- a) It is the right as well as an obligation of members of the judiciary to receive judicial training;
- b) Training for impartial and competent performance of judicial functions;
- c) The state has the responsibility to give adequate financial and technical assistance to the Institute to meet the means and cost of training; and
- d) The judiciary should play a major role in the organization of training.

The Institute has to conduct training and capacity building programs in order to make the role of legal and judicial service personnel easier, effective and efficient. The trainings provided by the Institute must result in the actual performance at the field. One of the visible outcomes is improved decision-making and performance of judicial personnel. It also enables courts to apply procedural laws uniformly and consistently.

Public awareness and legal literacy are key areas to promote improvements in the accessibility of justice services. Legal awareness programs enhance legal literacy among youths and general public. It also prevent cases of Child in Conflict with the Law (CICL) and adult incrimination will decrease given that they are made aware of the consequences of breaching law. Further, it is as good as having a good fence in terms of maintaining good relationship with the neighbors and living harmoniously in the community. Ignorance of law is not an excuse; hence everyone must know the law. In this regard, the Institute in consultation with the Royal Court of Justice, Supreme Court will frame Guidelines or SOP on dissemination of information to the general public about judicial processes, administration of justice, legislations, etc.

Implementation Strategy:

- a) Develop curriculum in a responsive, demand-driven manner that has bearing on the effective delivery of judicial services;
- b) Conduct training or workshop on court management and judicial administration and case management for Judges, Court Registrars, and Bench Clerks;
- c) Improve uniform application of laws through periodical training on updated legislations;
- d) Develop training manuals on resource persons, selection of participants and organizing trainings and workshops;
- e) Improve through learning from the best practices of other jurisdictions;
- f) Orientation Programs for new judicial service personnel including Judges;
- g) Conduct specialized courses based on specialized benches;
- h) Inform general public about important development in legislations;

- i) Initiate and expand lecture series at schools and other institutions;
- j) Continue to conduct rural legal dissemination programs as part of enhancing access to justice, to widen the knowledge and information on rights and duties;
- k) Coordinate and cooperate with other institutions that have parallel mandate to create legal awareness and prevent duplication of activities; and
- l) Formulate training programs as informed through recommendations, needs assessment and training impact evaluations.

Strategy Goal B: Strengthen Alternative Dispute Resolution (ADR) System

Goal Description: The Institute strengthened ADR (Mediation) services and also institutionalized Court-Annexed Mediation (CAM). It is evident through the National Mediation Reports that, different types of disputes were resolved amicably through mediation in 205 *Gewogs*. Disputes settled through mediation covered different subject matters such as *Matrimonial, Land, Inheritance, Monetary, Irrigation and drinking water, Footpath and access road, Crops damaged by cattle, Child maintenance, etc.* This trend has reduced the number of caseloads for courts, whereby they get more time to focus on other issues. So far under ADR training program, the Institute has successfully trained participants from local government leaders, school law clubs, PGDNL trainees and other stakeholders.

ADR is an exceptionally cost-effective, highly accessible mediated dispute resolution mechanism that draws on the long-standing customary dispute resolution mechanism. Case load and litigation in courts has to be reduced by making formal court proceedings as measure of last resort, reserved only for cases where mediation and CAM has failed.

Implementation Strategy:

- a. Develop national ADR training manual and undertake training on ADR;
- b. Enhance access to mediation services, and advocate mediation as a primary method of resolving disputes;
- c. Develop a Mediator's Code of Conduct to enhance the accountability, transparency, and credibility of the mediation system; and
- d. Implement mediation training for registered paralegals, and other stakeholders.

Strategy Goal C: Develop and strengthen legal and judicial information system

Goal Description: *“The Judiciary Strategic Plan states that the nation lacks a means of educating the public about the Judiciary, the judicial process, and specific matters before the courts.”* This has caused misunderstanding or misinformed general public forming negative perception of the Judiciary. One of the ways to improve public's perception and to gain public trust and confidence by the Judiciary, it was suggested to leverage technology and media to ensure complete, accurate, and timely dissemination of information to the public concerning the functioning of the Judiciary and the administration of justice.

The Institute will collect resources for information on legislative, regulatory, judicial, and executive responses in Bhutan as well as important legal matters at international level. Historical writings and other documents, which are basis of legal system in Bhutan, are scattered and it is difficult to trace to any particular source. Before we lose such significant documents to natural disasters and their permanent disappearance, they have to be preserved mostly in electronic form. By being the center for legal and judicial information, the Institute can cater to the increasing demand for fast and easy access to legal information. In this age of information, being

informed is empowerment. Further, with the rise in computerization and digitalization, people prefer to have instant information. Thus, the Institute will make it a one-stop source for all kinds of legal and judicial information available through electronic or other means. Disseminating information also enables legal fraternity to have access to materials for research and studies.

Implementation Strategy:

- a) Compile discrete legal information into one source and archive historically significant legal documents;
- b) Develop materials enabling public to understand legal and judicial process;
- c) Harness technology to improve dissemination of legal and judicial information;
- d) Develop ICT applications for compiling historical documents pertaining to legal developments in Bhutan;
- e) Ensure high quality of information services and public access to those information;
- f) Host national, regional and international collection of legal books, journals, magazines, etc. in electronic or other form;
- g) Compile and publish lectures and conference documents;
- h) Document and publish research articles, papers, reports in accessible forums;
- i) Study and publish Judicial Orders, Notifications, landmark judgments, case studies and legislations;
- j) Provide relevant information to the upcoming Media and Public Relations Unit of the Royal Court of Justice, as and when required to do so;
- k) Develop bibliographic data on electronic legal resources (such as oral legal history documents, library, mediation documents) in CD-ROMS & Booklets; and
- l) Develop judicial personnel directory and legal fraternity directory.

Goal 4. Strengthening Institutional Linkages and Collaboration

Strategy Goal A: Cooperation with local and international institutions

Goal Description: Given the needs for development and improvement of training programs, it is most important to strengthen cooperation with other institutions. When we establish cooperation and collaboration, it requires well-planned long-term agreements between institutions to cooperate along mutually beneficial lines. Planned institutional linkages encourage or offer advantages of shared use of resources, support each other technically, financially and in other ways. This allows flow of knowledge and scholars across national and international boundaries. This also provides an opportunity for the person to learn things, which he or she cannot learn in the place where he or she belongs. Therefore, the Institute promotes cooperation and collaboration for exchange of ideas, resources and information. This enables participatory and collaborative work culture among institutions and individuals.

Implementation Strategy:

- a) Organize well planned exchange programs for the staff, students and faculties, Judges and Judicial Service Personnel;
- b) Align exchange programs as per the needs and purpose of the Institute and larger judicial interest of the country;
- c) Sign MoUs and agreements for establishment and widen the cooperation;
- d) Facilitate joint research opportunities for judicial and legal fraternity across sectors and institutions;
- e) Exchange resources such as libraries, training materials, programs and other materials for study and research purpose; and
- f) Mobilize financial and technical assistance through the institutional linkages.

RISK ASSESSMENT

The Institute has to meet the demand of increasing legal and judicial trainings and capacity development. With these increasing demand, it will require more resources and the governmental and political will to continuously support the Institute. Moreover, the Judiciary has to actively engage and support in activities and programs conducted by the Institute. It has to manage to secure financial and technical assistance through institutional linkages and allocation of government budget. All these have bearing on timely completion of the plans and programs of the Institute.

The detailed analysis of strength and weakness and probable opportunities and threats that, the Institute might encounter over the years of implementing this Plan, are formulated as following:

| STRENGTH | WEAKNESS |
|--|--|
| <ul style="list-style-type: none"> ❁ Visionary Leadership ❁ Clear institutional mandates ❁ Permanent institutional infrastructure & training autonomy ❁ Institutional linkages ❁ Institutionalized ADR (Mediation and CAM) ❁ Periodical strategic planning ❁ Institutionalized judicial and legal education ❁ Publication of <i>Bhutan Law Review</i> and Reports ❁ Judges' Book Club ❁ Establishment of School Law Clubs ❁ Ownership of PGDNL Course | <ul style="list-style-type: none"> ↻ Research capacity ↻ Inadequate Human Resources and capacity-building programs ↻ Lack of in-house expertise and succession plan ↻ Lack of policies and incentives for retention of staff ↻ Lack of monitoring & evaluation (post-training) ↻ Lack of Action Plan to implement the Strategic Plan ↻ Lack of training need assessment |

| OPPORTUNITIES | THREATS/RISK |
|---|---|
| <ul style="list-style-type: none"> ⇒ Harnessing ICT’s potential ⇒ Conducting training needs assessments and monitoring and evaluation ⇒ Improving research capacity ⇒ Short & long-term HRD Plans ⇒ Systematic reporting, documentation, publication etc. ⇒ Establishment of School Law Clubs | <ul style="list-style-type: none"> ☞ Lack of awareness about the Institute and it’s mandates ☞ Parallel mandates and duplication of activities ☞ Training indifference ☞ Limited budget and HR ☞ Lack of relevant resource persons/pool of experts ☞ No HR independence and limited career growth for the lawyers |

During and Beyond COVID-19 Pandemic

Today most of the businesses and organizations are focused on the functional and operational continuity challenges posed by the pandemic. It is still uncertain as to when will this pandemic give way for normal function and operation of businesses and other organizations. Most believe that it may stay for longer durations. However, irrespective of whether it is going to stay for longer or not, most of the institutions have devised a mechanism to continue to operate and deliver services.

As the main and the only training arm of the Judiciary, the Institute dedicates its efforts in delivering timely and quality trainings, workshops, seminars and conferences to judicial and legal professionals. As long as COVID-19 stays and also for future uncertainties, the Institute will leverage technology to function continuously and fulfill it’s mandates. To enable the Institute to facilitate training promptly, it has to be equipped with necessary infrastructures and facilities. Information Technology is rapidly advancing and has become an essential part of our professional life and work management.

Keeping in mind the limitations posed by digital technologies, the Institute will make use of technology only when trainings and other programs allow the use of such technology. Making decisions regarding the modality of virtual training depends on the individual training needs. The Institute will be guided by following factors to determine whether to conduct virtual training, teaching and learning based on:

1. Training goals;
2. Target audience;
3. Subject content to be presented;
4. Knowledge, skills and attitude that needs to be developed;
5. Infrastructural development of the Institute; and
6. Type of media or devices that the target audience uses on a daily basis, etc.

IMPLEMENTATION, MONITORING AND EVALUATION

It is not only the quality of document that determines the success of this Plan; plans identified in this document have to be implemented thoroughly and reviewed periodically. On 25 February 2021 the Institute has completed ten years of its operation. Within this period it has certainly taken some positive directions in terms of capacity building of the judicial community, research and publication and creating positive environment for improving the dispensation of justice. However, it is not good to be overlooking the success and miss those challenges faced by it. Therefore, the formulation of the Plan is an inception towards achieving the goals and through its implementation the success will be guaranteed. The Institute must develop action plan for timely implementation of this Plan. The action plan will provide monthly, quarterly, and yearly activities along with the allocation of appropriate finance and roles and responsibilities.

As numerous as efforts in the field of judicial education are, equally as numerous are attempts in measuring the effectiveness and efficiency of those efforts. Monitoring and evaluation helps in developing specific programs for judicial training and education. One of the ways of evaluation and monitoring can be done through building accountability and reporting technique. Any effective plans and development must be ultimately based on a complete, coherent and correct funding to inputs and activities to outputs to outcomes and impacts.

The Plan highlights numbers of task such as trainings, workshops, projects, etc. and also goals to be achieved through such programs. It has to be reported from time to time by the responsible (dealing) personnel to the approving authority regarding the status of the project, trainings, etc. The overall goal of the activities carried out by the Institute is to promote effectiveness and quality of legal system in Bhutan through judicial and legal education. The effectiveness and quality of a legal system may be evaluated with reference to indicators as following:

1. Public Trust and Confidence in the legal system and the Judiciary;
2. Measures to enhance access to Justice;
3. Internal Integrity of the Institution;
4. Independence, equality, fairness, impartiality, and certainty (five judicial decision making values applicable to Judges);
5. Faith in, and allegiance to, the *Constitution* and the *Rule of Law*; and
6. Expeditious, efficiency and efficacy of court proceedings.

This plan outlines some of the factors and indicators to determine the success of the Plan. The success of the implementation of this Plan is to be determined by assisting courts in improving efficiency, access to justice and user-friendliness, reducing delays and enhancing timeliness, reducing backlog of cases, enhancing quality

of adjudication, quality of judicial administration and management, development and implementation of court and case management systems maximizing quality and efficiency and lowering cost. Above all, it must ensure protection of civil liberties and *Constitutional* rights, child justice, criminal justice administration, environmental protection and economic development.

To ensure optimal impact, trainees for relevant trainings should be selected bearing in mind their current and future responsibilities so that trainees will have full opportunity to use their newly acquired skills. The Institute will also evaluate the program from time to time and also its impact and performance of the trainees. Further, the Institute will carry out strength, weakness, opportunities and threats (SWOT) analysis and impact of trainings, workshops, conferences, seminars, etc. on delivery of judicial services. The month of December and January shall be marked to undertake necessary review, monitoring and evaluation and report writing, etc. All activities shall be reported both for internal and external information.

Conclusion

The Institute will continue to meet challenges and take advantage of opportunities for improving the process of delivery of justice. As identified in this Plan, it will address four fundamental areas in an effort to become a center of excellence in judicial education to create a free, fair and just civil society. The objective of these fundamental goals includes delivering free, fair, impartial and timely justice, improving public's trust and confidence in Judiciary and understanding of judicial process, access to justice and the scope of relations with the other institutions within and outside the country and harnessing ICT's potential. The Institute is committed to respond to those matters of concern affecting Judiciary and the public it serves to deliver fair, impartial and expeditious justice.