Index

Abas, Tun Salleh 289
Abubakarov, Vakhid 357
accountability 14–15
  Brazil 58–9
  Canada 14, 78–80
  China 117–19
  Croatia 15
  England and Wales 152
  India 15
  Italy 15
  Russian Federation 15
  United States 15
alternative dispute resolution (ADR) 197
Anleu, Sharyn Roach 40
Anti-Corruption Group, Council of Europe 140
appellate mechanisms 19–20
  Brazil 65–6
  Canada 86–7
  China 121
appointment of judges 17–19
  Australia 38–41
  Brazil 18
  Canada 85–6
  China 18, 120–21
  Croatia 18
  England and Wales 18, 153–5
  Germany 18
  court system 169
criticisms of process 170
  Federal Constitutional Court 169–70, 178–9
  reforms 178–9
  Supreme Federal Courts of Justice 168–9
  India 18, 198–202
  Ireland 18, 213–17
  Italy 18
  Portugal 18
  Russian Federation 18
  South Africa 377
  Arndt, Adolf 168
Association of Southeast Asian Nations (ASEAN) 339–40, 341, 342
  Political-Security Community (APSC) 340
Atkinson, Michael 45
Australia 35–54
  appointment of judges 38–41
case law 38
  change, flux and innovation 29
Constitution 36
court budgets 24
  Courts Legislation Amendment (Judicial Complaints) Act 2012 (Cth) 42
  ethical content and education 44
  future of judiciary 48–9
  High Court of Australia Act 1979 (Cth) 37
  Howard Coalition Government 37, 38
  human rights 36
  independence of judges 13
  institutional relations 17, 36–8
  Judicial Commission, New South Wales 43
  Migration Act 1958 (Cth) 37
  multiple court hierarchies 36
  National Judicial College 44
  North Australian Aboriginal Legal Aid Service 47
relations and engagement with the public and media 22, 44–6
  removal and discipline of judges 21, 41–3
  representativeness 15
  resources 46–8
  transparency 15
Regulating judges

Bai Yugang 118
Barak, Aharon 236
Beinisch, Dorit 236
Bell, Virginia 40
Berlusconi, Silvio 245
Brazil 55–75
appointment of judges 18
Association of Brazilian Judges 64
Bar Association 61, 65
change, flux and innovation 29
Constitution 56, 59, 60, 71
Constitutional Amendment 45 of 2004 65
court budgets 24
institutional relations 17
clashes with executive branch 62–3
clashes with legislative branch 62
National Council of Justice 58, 59, 62, 63, 64, 69, 70, 71, 73
outcomes 70–72
political background 56–7
processes
appellate mechanisms 65–6
complaints and discipline mechanisms 21, 63–4
education and training, continuing 19
institutional relations 17, 62–3
judicial selection 60–61
relations and engagement with the public and media 64–5
regulatory pyramid 57–72
resources 66–9, 72
internal allocation of 69
numbers of judges 66
overall court spending/total of pending cases 67–9
salaries of judges 25, 66–7
Supreme Federal Court 56, 57, 61, 62, 63
values of judiciary 57–60
accountability 58–9
efficiency 59–60
impartiality 58
independence 13, 14, 58
transparency 59
Brennan, Sir Gerard 45
Canada
Aboriginal persons 77
appellate mechanisms 86–7
appointments processes 85–6
Bar Association 81
Canadian Judicial Council (CJC) 81, 88, 89, 90
Canadian Security Intelligence Service (CSIS) 80
Canadian Superior Court Judges Association 88
change, flux and innovation 29
Constitution 81
continuing education and training 87–8
ethical assistance programmes and networks 20, 88–9
evaluation of judges 94
institutional relations
communication between judiciary and executive 83–5
references 83
separation of powers 83
Judicial Advisory Committees (JACs) 85
Justice Reform Initiative, British Columbia 95
National Judicial Institute 87
open courts principle 80
processes
appellate mechanisms 86–7
appointments 85–6
complaints, discipline and removal of judges 21, 89–90
continuing education and training 87–8
evaluation of judges 94
institutional relations 17, 83–6
judicial immunity/liability 93
relations and engagement with the public and media 22, 92–3
representativeness 15
resources 24, 94–6
Supreme Court of Canada 77, 78, 79, 82, 83, 86, 87, 92, 93
values of judiciary
accountability 14, 78–80
efficiency 81–2
federalism 16, 76, 82
impartiality 76–7, 78
independence 13, 77–8
Index

representativeness 81
transparency 15, 80–81
career judges 19
Carmody, Tim 39
case studies, deploying of 11–27
case contributors
- overview 11–12
- synthesis 12–27
outcomes 26–7
processes 17–23
resources 23–6
values 12–17

Chim Eusoff 284
China 105–27
- Adjudication Committees 120
- Central Organization Committee 121
change, flux and innovation 29
Chinese Communist Party, rule of
105, 111, 113–14, 116, 121
Code of Conduct 121, 122
Court Organization Law (1979) 108
court system 108–9
Cultural Revolution 108
culture 111–12
early Communist era 108
governmental system 109–11
guānxi (personal networks) 111, 112
history 107–9
individual case supervision 115
Li 111, 112
Liu (Judge) 118, 119
Mandarin/Confucian tradition 107–8
modern era 108–9
National Judiciary Team Building Meeting (2013) 123
National People’s Congress 109, 110
outcomes 123–4
People’s Republic of 109
physical infrastructure 123
processes
- appellate mechanisms 121
- appointments 18, 120–21
- complaints, discipline and removal of judges 21, 121–2
- continuing education and training 19, 121
- institutional relations 120
Republican era 108
resources 122–3
salaries and pensions 25
‘Seed Case’ 117–18, 119
Supreme People’s Court 110, 121
values of judiciary
- accountability 117–19
- and CPC rule 113–14
- economic development 114
- general 16–17
- impartiality 13
- independence 13, 114–17
- social stability 114

Cohen, Hila 228, 239–41
complaints, discipline and removal of judges 21–2
Australia 21, 41–3
Brazil 21, 63–4
Canada 21, 89–90
China 121–2
Croatia 21, 136–8
India 21
Ireland 21, 217–21
Israel 21, 237–41
Italy 21
New Zealand 21
Russian Federation 21
South Africa 379–81
Confucianism, China 107–8
Cornes, Richard 308
corruption control
India 202–4
Singapore 334–6
Cosgrove, Paul 90, 91
Council of Europe, Anti-Corruption Group 140
courts
Brazil 67–9
budgets 24
court management, improving in
Croatia 138–40
England and Wales 156–8
Germany 168–70
Croatia
accountability 15
Constitution 128, 130, 133–4
Constitutional Court 130–31
Regulating judges

context 128–30
Council of Judges 134
court budgets 24
EU membership 128
impartiality 13
independence of judges 13, 14, 130
Ministry of Justice 130, 132, 139
Organized Land programme 139
outcomes 140–41
Parliament Committee for Justice 133
processes
appointments 18
continuing education and training 19
court management, improving 138–40
disciplinary sanctions for judges 136–8
enhancing efficiency of the judiciary 131–3
fostering of rule of law 129, 133–6
institutional relations 17
numbers of courts, reducing 138–40
strengthening and modernizing the judiciary 133–6
regulatory reform in 128–44
salaries and pensions 25
State Judicial Council (SJC) 130, 131, 134, 136, 138
State School for Judicial Officials 135–6
transformation since independence 128, 129
values of judiciary 130–31
Curtin, Brian 219
deliberative secrecy, Canada 93
Deng Xiaoping 108
disciplining of judges see complaints, discipline and removal of judges
Douglas, Lori 90, 91
education and training, continuing 19
Australia 44
Brazil 19
Canada 87–8
China 19, 121
Croatia 19
Germany 19

Italy 19
Japan 19
Portugal 19, 318
Russian Federation 19
efficiency 16
Brazil 59–60
Canada 81–2
Croatia 131–3
England and Wales 145–62
see also Ireland
pre–2005 regime 146–9
post–2005 regime 149–53
accountability 152
appointment of judges 18, 153–5
change, flux and innovation 29
Constitutional Reform Act 2005 145, 146, 153–4, 159
court budgets 24
court service 156–8
HM Court Service (HMCS) 155, 157
impartiality 13
independence of judges 13
institutional relations 17
Judicial Appointments and Complaints Ombudsman (JACO) 152, 159
Judicial Appointments Commission (JAC) 152, 154, 155, 159, 160
judicial policy 153–8
Lord Chancellor, office of 146–7, 149–50, 151–2, 153
Lord Chief Justice (LCJ) 149, 150, 151–2, 153
regulatory state concept 145–6
representativeness 15
salaries and pensions 25
standardization 149
transparency 15
ethical assistance committees 20
ethical assistance programmes and networks 20–21
Canada 88–9
European Commission for the Efficiency of Justice (CEPEJ) 16
European Court of Human Rights (ECtHR) 211, 356, 365
evaluation of judges
Canada 94
Germany 175–6
Evans, Simon 49
Federal Constitutional Court, Germany 169–70
appointment of judges to, reform efforts 178–9
Finlayson, Chris 303, 304
Fischer, Thomas 171
Frank, Hans 166
French, Robert 46
Friedman, Daniel 229, 230

Gandhi, Maneka 193
Germany
appointment of judges 18, 168–70
court system 169
criticisms of process 170
Federal Constitutional Court 169–70, 178–9
reforms 178–9
Supreme Federal Courts of Justice 168–9, 179–81
Basic Law for the Federal Republic of Germany 168, 173, 175, 181
Bundesrat and Bundestag 169, 179
cassation remedy 167
as a civil law country 163–4
Constitution of the German Reich (1871) 165
constitutional and legal framework 168–70
Courts Constitution Act (GVG) 165–6
criticism of appointment process 170
developing values 172–7
diligence 172
district courts, regional courts and higher regional courts 169
education and training, continuing 19
ethical assistance programmes and networks 20
ethical framework 170–72
reforms 181–2
evaluation of judges 175–6
Federal Constitutional Court 169–70, 182
Federal Republic (FRG) 166
general values 17
German Democratic Republic (GDR) 166, 167
German Judiciary Act (DRiG) 169, 174–5, 176, 181
historical development 164–7
impartiality 13, 171
Imperial Chamber Court 164
independence of judges 13, 14, 166, 171
institutional relations 17
Law for the Restoration of the Professional Civil Service 1933 165
Law on Legal Protection against Lengthy Processes and Criminal Investigation Proceedings 177
legal framework 173–6
imposing 176–7
lessons learned/reform proposals 178–82
Ministry of Justice 169, 180
National Socialist regime 165, 166
Parliamentary Council 172
profile of judiciary 177–8
representativeness 15
reserve 171
salaries and pensions 25
salaries of judges 173–4
Socialist Unity Party (SED) 167
Supreme Federal Courts of Justice 168–9
transparency 15, 171–2
Weimar Constitution 165
women’s quota, proposal for 180–81
‘Greenhouse effect’ 22

Halim, Ahmad Fairuz Abdul 284
Hamilton, Liam 218–19
Harkat, Mohamed 80
Harris, Bruce 304
Hitler, Adolf 166

Illingworth, Grant 300
Immigration and Refugee Protection Act (2002) 80
immunity see judicial immunity/liability
impartiality 13
Brazil 58
Canada 76–7, 78
China 13
Croatia 13
Regulating judges

England and Wales 13
Germany 13, 171
India 13
Ireland 13
Japan 13
Malaysia 13
New Zealand 13
Portugal 13
Russian Federation 13
Singapore 13
United States 13

independence of judges 13–14
Australia 13
Brazil 13, 14, 58
Canada 13, 77–8
China 13, 114–17
Croatia 13, 14, 130
England and Wales 13
Germany 13, 14, 166, 171
India 13, 14
Ireland 13, 14
Israel 13
Italy 13, 14
Japan 13, 14
Malaysia 13, 14

Code of Ethics as response to judicial crisis 283–5
legislation 283–6
restoring public confidence 285–6
rule of law and judicial independence 286–8
New Zealand 13, 14
Portugal 13, 14, 318–19
Russian Federation 14
Singapore 13, 14, 332–8
South Africa 13
United States 13

India 189–208
accountability 15
All India Judicial Service (AIJS) 198
alternative dispute resolution (ADR) 197

collegium system 199, 200
Constitution 189, 198, 199
corruption, eradicating 202–4
Dharma concept 190
High Courts 191, 194, 195, 198, 204
impartiality 13

independence 189

independence of judges 13, 14
institutional relations 17
judicial appointments 18, 198–202
mounting backlogs issue 195–8
National Judicial Appointments Commission (NJAC) 200, 201
numbers of judges 24
Passport Act 1967 193
property rights 191–2
Right to Information Act (RTI Act) 203
rise and entrenchment of judicial supremacy in 190–5
salaries and pensions 25
Supreme Court of India 190, 191, 194, 195, 204
transparency 15
institutional relations 17

Australia 17, 36–8
Brazil 17, 62–3
Canada 17, 83–5
China 120
Croatia 17
England and Wales 17
Germany 17
India 17
Ireland 17
Israel 17
Italy 17
Portugal 17
Russian Federation 17
South Africa 17
United States 17

International Commission of Jurists (ICJ) 354

Ireland 209–26
see also England and Wales
appointment of judges 18, 213–17
Circuit and District Courts 211
Committee on Judicial Conduct and Ethics 219
Constitution 209, 210, 213, 214
Court and Court Officers Act 1995 214
court budgets 24

Courts Service 212
discipline and removal of judges, regulating 21, 217–21
EU-IMF Programme of Financial Support 221
Financial Emergency Measures in the Public Interest (Amendment) Act 2011 222
impartiality 13
independence of judges 13, 14
institutional relations 17
Judicial Appointments Advisory Board 214, 215, 217
Judicial Council, need for 219–20
numbers of judges 24
President 213
regulation of appointment of judges in 213–17
remuneration, regulating 221–3
representativeness 15
salaries and pensions 25
structure of legal system 210–13
transparency 15
Israel
appointment of judges 18
Bar Association 234
change, flux and innovation 29
Chief Justice 229, 230, 236
clash between parliament and judiciary 232–7
decentralized coordinated regulation over judicial behaviour 237–41
executive branch regulation and restraint 229–32
Finance Committee (Knesset) 231
High Court of Justice (HCJ) 227
independence of judges 13
institutional relations 17
inter-branch tensions in 227–44
Judicial Disciplinary Court 237–8
Judicial Selection Committee 239, 240
Knesset 228, 231, 232–3, 234, 235, 242
Minister of Justice 229, 235, 240
numbers of judges 24
Ombudsman of Complaints against judges 238–41
Supreme Court 227
transparency 15
Italy
accountability 15
appointment of judges 18
Association of Judges and Prosecutors 255, 256
Association of Magistrates 247
civil liability 255
complaints, discipline and removal of judges 21
Constitution 247, 248
Constitutional Court 256
constitutional values 247–50
court budgets 24
education and training, continuing 19
Fascist regime 247
independence of judges 13, 14
institutional relations 17
Judicial Council 247, 248, 249, 250, 251, 252, 256, 257
Judicial School 256
Magistracy 247, 251
Ministry of Justice 247, 249, 250, 256
National Association of Judges 255
National School of the Magistracy 251
political background 245–6
reform of 2005–07 250–54
reform proposals of 2014–15 254–6
Royal Decree 1946 254
salaries and pensions 25
transparency 15
Japan 262–77
Allied Occupation 262, 265
appointment of judges 18
Chief Justice 265, 267
Constitution 262, 272
District Courts 263, 264, 269
education and training, continuing 19
Family Courts 269
General Secretariat 270, 271
High Court Presidents 264
High Courts 263–4, 269
impartiality 13
independence of judges 13, 14
judicial system 263–4
Legal Training and Research Institute (LTRJ) 264, 269, 270

Regulating judges

Lower Court Judges Nomination Consultation Commission 270
lower court justices 269–72
Public Prosecutor’s Office 263
public satisfaction and confidence 277
qualifications 264
Supreme Court justices 263, 265–9, 271
judges
numbers of 24
judicial immunity/liability 23, 93
judicial selection, Brazil 60–61
Kelly, Cyril 218
Khehar, J.S. 201
Kirby M. 40
Landis, Kennesaw 335
Liebert, Ulrike 180
Lukianovskaia, Marianna 359
Mack, Kathy 40
Malaysia 279–82
Bar Council 289
Beijing Principles 285, 286
impartiality 13
Judicial Appointment Commission 288
judicial codes 279, 280
judicial crisis 283–5, 289
judicial independence 13, 14
legislation for 283–6
and rule of law 286–8
judicial structure and Code of Ethics 281–3
legislation for judicial independence
Code of Ethics as response to judicial crisis 283–5
restoring public confidence 285–6
Mahathir Mohammad, premiership of 284
Panel of Eminent Persons 289
political scandals 284
superior and inferior courts 281
Malaysian Anti-Corruption Commission (MAC) 287
Malik, Waleed Haider 334–5, 336
Mao Zedong 114
Martin, Wayne 46
Matlow, Theodore 90
Mayne, Greg 339
McGrath, John 297, 298, 308
McMurdo, Margaret 39, 40, 41
media, relations with 22
see also relations and engagement with the public and media
Menon, Sundaresh 335
meso-level analysis 9–11
meta-level analysis 6–9
Moran, Michael 148, 149
Morgan, Gwynn 216
Murphy, Lionel 38, 41, 42, 44
Nadon, M. 84
Navot, Suzie 233–4
Nazri, Mohamed 284
New Zealand 293–312
and Act of Settlement 1701 295
appointment of judges 18
Attorney-General 302, 303
change, flux and innovation 29
complaints, discipline and removal of judges 21
Head of Bench, referral to 296
impartiality 13
independence of judges 13, 14
JCCJCP Act 2004 293, 296, 297, 300, 301
judicial appointments 301–9
Judicial Appointments Unit 302, 303–4
Judicial Complaints Commissioner 293, 296, 298
Judicial Conduct Commissioner 293, 296, 298
Judicial Conduct Commissioner and Judicial Conduct Panel Act 2004 296
Judicial Matters Bill 2004 295
judicial misconduct 295–301
Minister of Justice 293
transparency 15
Wilson case 300, 301, 309
New Zealand Law Commission 305
numbers of judges 24
Brazil 66
China 123
Index

O’Flaherty, Hugh 218
outcomes
Brazil 70–72
China 123–4
Croatia 140–41
meso-level analysis 10
regulatory pyramid 7–8

performance evaluation 23
physical infrastructure 25
political accountability 78, 79
Portugal 313–30
access to the legal profession 316–18
Anti-Corruption Report (2014) 323
appointment of judges 18
CITIUS system 322
Code of Civil Procedure 321
Constitution of the Portuguese Republic (CPR) 314, 318, 319, 326
Constitutional Court 314–19, 327–9
court budgets 24
Court of Auditors 318, 319–20
court types 314–16
Courts of Appeal 315
Courts of First Instance 315–16, 317–18
education and training, continuing 19
ethical framework 318–20
impartiality 13
independence of judges 13, 14, 318–19
institutional relations 17
judicial activism claims 325–8
judicial system in reality 320–29
legal framework 316–18
new judiciary organization 321–3
popular perception of a dual justice system 323–5
professional progression 318
regulation of judges 319–20
Supreme Administrative Court 316
Supreme Court of Justice 315, 317, 320
Potapenko, Sergei 359
processes
appellate mechanisms see appellate mechanisms
discipline and removal see complaints, discipline and removal of judges
education and training see education and training
ethical assistance programmes and networks see ethical assistance programmes and networks
institutional relations see institutional relations
judicial immunity/liability see judicial immunity/liability
meso-level analysis 10
performance evaluation 23
recruitment and appointments see appointment of judges
regulatory pyramid 6
relations and engagement with the public and media see relations and engagement with the public and media
selection of judges see judicial selection
specific countries
Brazil 60–66
Canada 82–94
China 120–22
Croatia 131–40
public, relations with 22
see also relations and engagement with the public and media
public accountability 78, 79
Putin, Vladimir 352, 356, 357, 361
pyramid, regulatory see regulatory pyramid
Qing Dynasty, China 107
recognition judges 18, 19, 23
recruitment and appointments see appointment of judges
recusal regulation, US 396–7
regulation of judges 1–34
change, flux and innovation 5, 29
complexity of regulation 4, 28
contemporary regulation theory and practice 3–5
contextual nature of analysis 4–5, 28–9

Richard Devlin and Adam Dodek - 9781786430793
Downloaded from Elgar Online at 05/05/2019 12:31:15AM
via free access
Regulating judges

conventional paradigm, weaknesses 2–3
empowered judiciaries, challenge of 1–3
hybridity as leitmotif of regulation 5, 29
as inherently normative and programmatic exercise 4
meso-level analysis 9–11
pragmatists, approach of 2
regulation as an inherently normative and programmatic exercise 28
regulatory pyramid see regulatory pyramid
regulatory theory 28–9
remuneration 221–3
responses to emergence of
empowered judiciaries 1
sceptics, approach of 1–2
‘soft’ 4, 14, 19, 20, 21, 22, 88
regulatory pyramid 11
see also outcomes; processes; resources; values
Australia 35
Brazil 55, 57–72
China 112–24
Croatia 128
deploying of case studies 11–27
England and Wales 158–9
meso-level analysis 9–11
meta-level analysis 6–9
Russian Federation 350
United States 390
relations and engagement with the
public and media 22
Australia 44–6
Brazil 64–5
Canada 92–3
removal of judges see complaints, discipline and removal of judges
remuneration, regulating 221–3
Renzi, Matteo 245
representativeness 15
resources
case studies, deploying of 24–6
court budgets 24
meso-level analysis 10
numbers of judges see numbers of judges
physical infrastructure 25, 123
regulatory pyramid 7
salaries and pensions see salaries and pensions
security 26
specific countries
Australia 46–8
Brazil 66–9
Canada 94–6
China 122–3
South Africa 384–6
support staff 25
Reynolds, Albert 214
Roxon, Nicola 40
Ruddock, Philip 37
rule of law
Croatia 129, 133–6
Malaysia 286–8
Russian Federation 349–71
accountability 15
appointment of judges 18
change, flux and innovation 29
commercial courts 350
complaints, discipline and removal of judges 21
Conception of Judicial Reform 354
Constitution 351, 352
Constitutional Court 350, 351, 353, 358
court budgets 24
disciplinary Judicial Presence (DJP) 361
dual state
administrative regime 349, 350, 353, 355, 358–9, 361, 364, 365, 366
constitutional regime 349, 352, 356–8, 360, 362, 364, 365
judicial outcomes 363–6
process of regulation 355–63
tension between arbitrariness and constitutionalism 350–52, 355–7, 365, 367
value framework 353–5
education and training, continuing 19
general values 17
higher Arbitrazh Court (HAC) 358, 361
impartiality 13
independence of judges 14
institutional relations 17
judicial qualification commissions (JQCs) 355, 357, 360, 363
Law on the Status of Judges 351
salaries and pensions 25
Special Qualification Commission 358
Supreme Court 361
transparency 15
Ryan, Anne 218

salaries and pensions 24–5
Brazil 66–7
China 123
Salgado, Ricardo 324
Schmitt, Carl 166
security 26
selection of judges see judicial selection
Sheedy, Philip 218, 219
Shkobeneva, Galina 357
Singapore 331–48
appointment of judges 18
Attorney-General 333
Centre for Judicial Education and Learning 337
change, flux and innovation 29
Code of Judiciary Ethics 336
codes of conduct 331, 336
Constitution 332–3
corruption control 334–6
general values 17
impartiality 13
independence of judges 13, 14, 332–8
internal code of judicial ethics 336–8
Judicial Education Board (JEB) 337
judicial structure and infrastructure of judicial independence 332–8
national audience 338–9
regional and international audience 339–42
regulatory context 332–4
Singapore Judicial College (SJC) 337–8
State Courts Act 332
Supreme Court 332, 333
Work Plans 336, 337
Singapore International Commercial Court (SICC) 341
Sócrates, José 324
’soft’ regulation 4, 14, 19, 20, 22, 88
South Africa
appointment of judges 18
change, flux and innovation 29
Constitution 374
Constitutional Court Justices 377, 383
duty on judges to disclose wealth 382–3
independence of judges 13
institutional relations 17
JSC body 377, 378, 379, 380
Judges’ Remuneration and Conditions of Employment Act (JRA) 385
Judicial Conduct Tribunals 380–81
Judicial Education Institute Act 2008 378
judicial legitimacy in public eye 383–4
Office of the Chief Justice (OCJ) 384
processes 376–84
Code of Conduct 381–2
disciplining of judges 379–81
judicial appointments 377
readiness for judicial office 377–9
relations and engagement with the public and media 22
representativeness 15
resources 384–6
transparency 15, 382–3
wealth, disclosure of 382–3
Spring, Dick 214
Stout, Sir Robert 301
Strassberg-Cohen, Tova 241
’superior and inferior’ judges 24
support staff 25
Supreme Federal Courts of Justice, Germany 168–9
appointment of judges to, reform efforts 179–81
technological needs/supports 26
transparency 15
Australia 15
Brazil 59
Canada 15, 80–81
Regulating judges

England and Wales 15
Germany 15, 171–2
India 15
Ireland 15
Israel 15
Italy 15
New Zealand 15
Russian Federation 15
South Africa 15, 382–3
United States 15

United States
accountability 15
American Bar Association (ABA) 392
ethical assistance programmes and networks 20
federal courts 391–2
future direction 404–5
impartiality 13
independence of judges 13
institutional relations 17
Judicial Conference of the United States 391
judicial elections, regulating money and speech in confidence in everyday judging 403–4
selection methods 398–400
Supreme Court, recent developments 400–403
numbers of judges 24
overview of regulatory approaches and regimes 391–3
pressure on Supreme Court for further regulation 393–8
codes and process 393–5
recusal 396–7
terms, tenure, status, etc 395–6
salaries and pensions 25
state courts 392–3
Supreme Court 391, 393–8, 400, 404
transparency 15

Valiavina, Elena 357
values of judiciary 12–27
accountability see accountability
efficiency see efficiency
federalism 16, 76, 82
impartiality see impartiality
independence see independence
meso-level analysis 9
other 16–17
regulatory pyramid 6
representativeness see representativeness
specific countries
Brazil 57–60
Canada 76–82
China 113–19
Croatia 130–31
Germany 170–72, 181–2
Portugal 318–20
Russian Federation 353–5
South Africa 374–6
transparency see transparency
wealth, disclosure of 382–3
Whelehan, Harold 214
Williams, Daryl 45
Williams, John 49
Working Group on a Courts Commission 212
World Economic Forum, Global Competiveness report 286–7
World Justice Index 96, 364
Yak, Chua Cher 334, 336
Yeltsin, Boris 351, 352, 355, 360