

# INFORMATION NOTE

## Progress Report on the Research Study "Measurement of Efficiency of the Administration of the Judiciary"

### 1. Background

1.1 On 6 April 2000 the Public Accounts Committee (PAC) expressed concern about "utilization of judicial time" and noted that there had not been any increase in court sitting hours of judges in Hong Kong over the years. The PAC requested that a research be conducted on three aspects in overseas jurisdictions, namely, established standards for the average court sitting hours for different levels of courts, the arrangements for listing court cases, and monitoring of judicial time. The PAC suggested on 17 April 2000 that the research be continued after the expiry of the previous term of the Council and that the report be forwarded to the Panel on Administration of Justice and Legal Services of the Second Legislative Council for consideration and follow-up. This report gives an account of the progress made so far and seeks the Panel's advice on the way forward.

### 2. Progress

2.1 We have sent enquiries to six common law jurisdictions, namely, the United Kingdom, the United States, Canada Australia, New Zealand, and Singapore. We have studied around 20 books, and also gathered over 200 documents and articles from different libraries and the Internet.

2.2 Our preliminary findings indicate that utilization of judicial time or court sitting hours does not seem to be a standard measurement of the efficiency of the administration of justice in the above common law jurisdictions, nor is monitoring of judicial time a popular practice. Details of the preliminary findings are summarized in Appendix I for easy reference.

### 3. Advice Sought

3.1 In view of the scarcity of information on the three aspects in which the PAC was interested, we would appreciate the advice of the Panel on the way forward.

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## Appendix I

### Replies from Different Government Organizations and Professional and Academic Institutions

<i>Countries</i>	<i>Organizations</i>	<i>Court sitting hours data</i>	<i>Judicial time data</i>	<i>Arrangements for listing court cases</i>
<b><i>Government organizations</i></b>				
<b><i>US</i></b>	1. Director of the Administrative Office of the United States Courts	Nil	Nil	Reply promised but outstanding
	2. Chairman, Committee on the Judiciary, Senate	No response		
	3. Chairman, Committee on the Judiciary, House of Representatives	No response		
	4. Comptroller General, The United States General Accounting Office	Nil	Nil	Not applicable
	5. Washington State Court	Nil	Nil	Specific question not answered
<b><i>UK</i></b>	6. The Lord Chancellor's Department	Referred to the Court Service		
	7. Chief Executive, The Court Service	Nil	Nil	Yes
	8. Committee Office, House of Lords	Nil	Nil	Not applicable
	9. Committee of Public Account, House of Commons	Referred to the Lord Chancellor's Department		
	10. Chair, Audit Commission Headquarters	Nil	Nil	Not applicable
<b><i>Canada</i></b>	11. Registrar, Supreme Court of Canada	Specific question not answered	Specific question not answered	Reply promised but outstanding
	12. Minister of Justice and Attorney General of Canada, Department of Justice Canada	No response		
	13. The Standing Senate Committee on Legal and Constitutional Affairs, The Senate	Specific question not answered	Specific question not answered	Not applicable
	14. Clerk, Standing Committee on Public Account, House of Commons	No response		
	15. Commissioner, Office of the Auditor-General of Canada	Nil	Nil	Not applicable

<i>Countries</i>	<i>Organizations</i>	<i>Court sitting hours data</i>	<i>Judicial time data</i>	<i>Arrangements for listing court cases</i>
<i>Australia</i>	16. Chief Executive, Administration, the High Court of Australia	Nil	Nil	Specific question not answered
	17. Joint Statutory Committee of Public Accounts and Audit, Department of House of Representatives	Specific question not answered	Specific question not answered	Not applicable
	18. Auditor-General, Australian National Audit Office	Nil	Nil	Not applicable
<i>New Zealand</i>	19. Minister for Courts, Department for Courts	Yes	Specific question not answered	Yes
	20. Clerk, the House of Representatives	Referred to Department of Courts		
	21. Controller and Auditor-General, Office of the Controller and Auditor-General	No response		
<i>Singapore</i>	22. Registrar Supreme Court, Supreme Court	Nil	Nil	Yes
	23. Speaker, Parliament House	Referred to Registrar		
	24. Auditor-General, Auditor-General's Office	Nil	Nil	Not applicable
<b><i>Professional and academic institutions</i></b>				
<i>US</i>	25. Executive Director, National Center for State Courts (NCSC)	Specific question not answered	Specific question not answered	Specific question not answered
	26. President, American Judges Association (AJA)	Specific question not answered	Specific question not answered	Specific question not answered
	27. Executive Director, American Judicature Society (AJS)	Specific question not answered	Specific question not answered	Specific question not answered
	28. Deputy Director, Federal Judicial Center (FJC)	Specific question not answered	Specific question not answered	Specific question not answered
	29. Executive Director, The Justice Management Institute	No response		
	30. President, National Association for Court Management (NACM)	No response		
	31. President, The Conference of State Court Administrators (COSCA)	No response		
<i>Australia</i>	32. Executive Director, Australian Institute of Judicial Administration Incorporated (AIJA)	Specific question not answered	Specific question not answered	Specific question not answered