



Memorandum of Understanding
on
The Development of Performance Standards in Ubon Ratchathani Administrative Court
(The Pilot Court)
under the International Framework for Judicial Organisations

The Administrative Court has implemented its 20-year Master Plan (2018 - 2037) which is based on the vision of “rendering fair, speedy, and timely administrative justice for the enhancement of good governance in society and the achievement of court excellence”. In addition, the President of the Supreme Administrative Court determined a policy for the Administrative Court prescribing fiscal year 2020 as “The Year of Administrative Justice Development in Compliance with International Standards”. By virtue of the President of the Supreme Administrative Court’s Order No. 54/2562, dated 28 October 2019, the Commission for the Development of Performance Standards in the Administrative Courts under the International Framework for Judicial Organisations was established. Subsequently, the Commission considered the relevant international framework and identified practices and timeframe for the development of performance standards in the Administrative Courts (Phase I). Initially, the Commission viewed that there should be three pilot courts: Chiang Mai Administrative Court; Ubon Ratchathani Administrative Court; and Nakhon Sawan Administrative Court. The Presidents of these three courts agreed to pilot the development of performance standards.

To ensure clarity, continuation, and sustainability in the development of performance standards in the pilot courts - the executives of the Administrative Courts, the executive of the Office of the Administrative Courts, and the Commission entered into a Memorandum of Understanding (MOU). Following, are the details of that MOU.

1. As a pilot court, the Ubon Ratchathani Administrative Court shall comply with the framework for the development of performance standards in cooperation with court personnel at all levels covering the following aspects:

1.1 Court Personnel and Court Services:

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1.1.1 Training for Court Personnel and State Officials who could be Defendants in Administrative Cases and the Establishing of an Administrative Court Network.

Objectives:

- 1) To strengthen court personnel's knowledge and expertise in administrative cases;
- 2) To disseminate knowledge and enhance better understanding of good administrative practices among state officials who could be defendants in administrative cases; and
- 3) To disseminate knowledge and enhance better understanding via seminars/workshops for community leaders and people who are interested in volunteering to join the Administrative Court network.

Activities:

- 1) Regularly provide training/seminars/discussions to strengthen court personnel's knowledge related to administrative cases;
- 2) Provide training/seminars/discussions to disseminate knowledge and enhance better understanding of good administrative practices among state officials who could be defendants in administrative cases; and
- 3) Provide training/seminars/workshops for community leaders and people who are interested in volunteering to join the Administrative Court network.

1.1.2 Leisure Activities and Sports (Conforming to Court Personnel):

Objectives:

- 1) To help court personnel relieve their stress and increase their happiness; and
- 2) To promote physical and mental health among court personnel.

Activities:

- 1) Establish a leisure activities and sports club in the Ubon Ratchathani Administrative Court;
- 2) Regularly organise leisure activities e.g. social dancing and aerobic exercise; and
- 3) Regularly organise sports competitions e.g. football matches, petanque matches, or running races.

1.2 Fundamental Facilities and Court Proceedings:

Revision of Court Judgement and Order Formats:

Objective: To create more precise and comprehensible court judgements and orders.

Activities:

- 1) Compare and study samples of precise court judgment and order formats;
- 2) Identify possible improvements to the formats and review practices in preparing court judgements and orders;
- 3) Create prototypes for court judgements and orders;
- 4) Test the new formats; and
- 5) Evaluate the preciseness of new formats.

1.3 Court Services:

No Noon Break Policy (in case where people contact the Court and have to wait for results on the same day):

Objectives:

- 1) To provide services for service recipients without interruption; and
- 2) To allow accessibility to court services at any time during a business day, as well as at noon.

Activities:

- 1) Install “No Noon Break” signs to inform service recipients;
- 2) Court staff receive requests before noon and continuously process until finish; and
- 3) Allocate court staff for noon shifts.

1.4 Excellent Results and Achievements of the Court:

Proactive Mediation:

Objective: To employ mediation as a tool to solve problems in a speedy and effective manner for parties in administrative cases.

Activities:

- 1) In the stage of plaintiff examination, an administrative case official in charge shall propose to the President of the Ubon Ratchathani Administrative Court whether mediation should be carried out. Upon the President’s approval, the administrative case official in charge shall inform and request a chamber to proceed with mediation;
- 2) Once a defendant has prepared an answer to a plaintiff, a judge-rapporteur shall ask the parties whether they are willing to proceed with mediation; and
- 3) Upon the request of the parties, mediation shall be carried out in accordance with procedure stipulated by the law; and
- 4) Develop and extend the use of mediation in all types of cases within the jurisdiction of the Administrative Courts.

2. The Office of the Administrative Courts will fully and effectively support the Ubon Ratchathani Administrative Court (the pilot court) to fulfil assignments within the framework.

3. During the period of project implementation in the Ubon Ratchathani Administrative Court (the pilot court), the Commission for the Development of Performance Standards in the Administrative

Courts under the International Framework for Judicial Organisations shall closely collaborate with the pilot court – for successful development of performance standards within the framework.

4. Pre-test evaluation must be conducted from 1 April 2020 onwards. Post-test evaluation must be conducted after the project has been carried out for six months (approximately, by October 2020).

5. From 1 April 2020 onwards, the pilot court is required to proceed with the first phase of project for one year.

If it is thought that amendments should be made to this MOU, the Commission, the executives of the Administrative Courts, the executive of the Office of the Administrative Courts, and the executives of the pilot court shall hold a meeting and jointly pass a resolution thereon.

This Memorandum of Understanding (MOU) is made in duplicate - one in Thai and the other in English - both copies of which have the same substance and mutual intent in all aspects.

 <p>.....</p> <p>(Mr. Piya PATANGTA) President of the Supreme Administrative Court</p>	 <p>.....</p> <p>(Mr. Anont ADIREKSOMBAT) President of the Ubon Ratchathani Administrative Court</p>
 <p>.....</p> <p>(Mr. Atichoke PHOLDEE) Secretary-General of the Office of the Administrative Courts</p>	 <p>.....</p> <p>(Mr. Thana CHAMARAT) Director of the Office of Ubon Ratchathani Administrative Court</p>
 <p>.....</p> <p>(Mr. Boonanan WANNAPANIT) President of a Chamber of the Supreme Administrative Court, Chairman of the Commission for the Development of Performance Standards in the Administrative Courts under the International Framework for Judicial Organisations</p>	