



Memorandum of Understanding
on
The Development of Performance Standards in Nakhon Sawan 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. Upon agreement of court personnel, 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 the pilot court, the Nakhon Sawan 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:

1.1.1 Case Management: There are monthly meetings of the executives of the Nakhon Sawan Administrative Court and the Office of the Nakhon Sawan Administrative Court which focus on tracking registered cases, finished cases, and pending cases in the Nakhon Sawan Administrative

Court as well as caseloads per judge and finding appropriate procedures for finishing trial and adjudication on time;

1.1.2 Mutual Learning and Personnel Development: Discussions and mutual learning activities are organized among administrative judges, administrative case officials, and relevant staff in judicial proceedings. The administrative judges and administrative case officials hold discussions on interesting judgements rendered by the Supreme Administrative Court, as well as problems and obstacles occurring at work and how to solve them. Discussions emphasize jointly finding approaches for handling actual problems at work and enabling effective judicial proceedings so as to provide a better response to people's needs.

1.1.3 Improving Environment at Work:

1) Foster a work environment favourable to administrative judges and administrative case officials assisting the judges. Allocate office space suitable for working in the Court. Provide a plaint receipt room, including case consultancy rooms. Also, provide sufficient and up-to-date equipment and tools at work for all personnel; and

2) Landscape the area around the Court and adjust the appearance of surrounding areas by growing plants around the Court.

1.2 Fundamental Facilities and Court Proceedings:

1.2.1 Courtrooms: Equip courtrooms and the inner areas of the Court with a security system. Allocate police officers to the courtrooms. Scan all visitors with weapon detectors before allowing them to enter the Court and the courtrooms;

1.2.2 Courtroom Management: Prioritise trials and make announcements of court judgements/orders and inquiries, as the case may be. Allocate computers for all judges in chamber, including judge-commissioners of justice, to facilitate a simultaneous review of court proceedings reports while a court clerk is typing or recording testimony as well as the revision of a judge rapporteur's summary of facts.

1.2.3 Judicial Proceedings Management:

1) Affix all notifications related to judicial proceedings to the front of all courtrooms. Examples of such notifications are the President of the Nakhon Sawan Administrative Court's regulations for maintaining peace and order in the Court, the code of conduct in courtrooms and inquiry rooms and court building regulations.

2) Publicise workflow diagrams of clerical work, process and duration; For example, the process of receiving petitions/complaints, the process of case consultancy, the process of requesting copies of documents etc.

1.2.4 Alternative Dispute Resolution: Adopt mediation as an alternative in dispute resolution when appropriate so as to complete proceedings in an effective and timely manner.

1.2.5 e-AdminCourt Procedure:

1) When a chamber uses a video conference system in a case trial, the Nakhon Sawan Administrative Court will link the video conference signal with the signal provided by

another Administrative Court in the area nearest to the domicile of parties. For example, the parties are domiciled in Lom Sak and Lom Kao Districts, Phetchabun Province, and the nearest Court is the Phitsanulok Administrative Court. The video conference will then be broadcast to the Phitsanulok Administrative Court, so that the parties are not required to go directly to the Nakhon Sawan Administrative Court. This approach helps to save time in travelling to the Nakhon Sawan Administrative Court.

2) A chamber can specify the means used to notify court orders to the parties or in the parties' submission of documents. Relevant instructions are provided at the back of the court writ. For instance, instructions on lodging an application for the extension of submitting a plea and instructions on sending notification of permissions granted by the Court for such an extension can be sent by e-mail, facsimile, or other electronic channels.

1.3 Court Services:

1.3.1 Revised Process for Refunding Court Fees: Make the process and procedure for refunding court fees to be more precise and timely;

1.3.2 The Allocation of Case Consultancy Officials or “Coaches”: Officials will provide relevant suggestions for service recipients in the Court;

1.3.3 Receiving Feedback from Service Recipients:

1) Provide channels for lodging complaints e.g. a suggestion box, or the Office of the Nakhon Sawan Administrative Court's website (access via QR code); prescribe the process of responding to complaints; and concretely improve services as suggested;

2) Provide proper space and schedule for officials on duty who receive complaints submitted in person;

1.3.4 Strengthening Relations with Local People and Communities:

1) A project titled “Nakhon Sawan Administrative Court's Open House: Strengthening Relations, Empowering Thinking, and Increasing Positivity” enables local administration executives, sub-district headmen, and educational institute executives to share their opinions on the Court's operations including information services, communication channels, and channels for submitting complaints. The project also allows for various groups to visit the Court and view plaint receipt rooms, case consultancy rooms, courtrooms, library, etc. Additionally, the project includes visiting local community leaders and people nearby and disseminating information about the Nakhon Sawan Administrative Court's missions.

2) A project titled “Establishing Good Administrative Practices among Administrative Agencies and State Officials from the Administrative Court's Precedents” emphasises training on related knowledge for people in the area within the Nakhon Sawan Administrative Court's jurisdiction. There will be 200 target participants in total. Training will be divided into four rounds, and

50 participants are expected in each round. The target participants consist of state officials, sub-district headmen, village headmen, students, press, and the general public.

1.3.5 Assisting Service Recipients: The following activities are implemented under a project titled “The Administrative Court for All”:

1) Court Premises:

- Designate a one-stop service centre for receiving all requests and assisting service recipients to follow-up on matters, provide computers to search for information and a space where service recipients can watch TV, read or take refreshments while waiting for services.

2) Providing Services for the General Public:

- Provide channels for submission of suggestions e.g. a suggestion box for receiving written suggestions and online portals for submitting suggestions electronically.

- Publicise comprehensible workflow diagrams describing administrative judicial proceedings.

1.4 Excellent Results and Achievements of the Court

Excellent results and achievements will be measured using the following efficiency improvements:

1.4.1 Information Technology (IT) is applied to judicial proceedings. For example, electronic submission of complaints and notification of court orders via various channels in order to provide alternatives for the parties.

1.4.2 Knowledge is disseminated related to court proceedings via radio broadcasts or other channels accessible to state officials and the general public in order to enhance better understanding about the Court and gain public trust.

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

3. During the period of project implementation in the Nakhon Sawan 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.



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