

## Welcoming the ICCE's latest member...

### The Judiciary of the Republic of the Marshall Islands

Interview with Chief Judge of the High Court of the Marshall Islands, Carl Ingram



Photo: Chief Justice Carl Ingram.

#### 1. Please tell me a little about the Republic of the Marshall Islands and the courts of the Republic of the Marshall Islands.

The Republic of the Marshall Islands consists of two nearly parallel archipelagic island chains of 29 atolls and five separate islands—1,225 islands in all, located about half way between Hawaii and Australia.

The land area totals 70 square miles but is scattered over 750,000 square miles of the Western Pacific. As of July 2014, the estimated population of the Marshall Islands was 55,000.

The Marshall Islands' national courts include the following: the Supreme Court, the appellate court of last resort; the High Court, the highest trial court of general jurisdiction; the Traditional Rights Court, a special jurisdiction court for customary land disputes; and the District Court, a limited jurisdiction trial court.

#### 2. When did you join the ICCE?

The RMI Judiciary joined the ICCE in August 2014.

#### 3. Why was your jurisdiction interested to join the ICCE and implement the IFCE?

For many years we had been trying to figure out how, as a judiciary, to get better. Certain issues and solutions were clear to us, such as backlog reduction, strategic planning, and the like. And we had some success with this ad hoc approach. However, our efforts were neither systematic nor comprehensive. We were looking for something more.

In October 2010 we were introduced to the ICCE and the IFCE at a Singapore conference. We saw right away that the IFCE offered a systematic and comprehensive approach to court performance. However, we were not sure that, as a micro-jurisdiction, we could adapt the IFCE to our circumstances.

Fortunately, in 2011 the Pacific Judicial Development Programme (PJDP) (funded by the New Zealand Ministry of Foreign Affairs and Trade and administered by the Federal Court of Australia) assisted the 14 Pacific Island Countries that the PJDP serves in developing performance standards we call the 15 Cook Island Court Performance Indicators.

These 15 indicators were based, in part, on the IFCE. Having successfully implemented the 15 Cook Island Indicators for four years, we believed we were ready for the next step. The March 2013 revision of the IFCE and the guide 'Thinking of Implementing the IFCE' provides that next step.

#### 4. What has been the key lesson learnt from your experience implementing the IFCE?

Implementing the IFCE requires that judges and staff buy-in to the IFCE and involves creating a user-centric judiciary. This buy-in can be achieved through participation. All of our judges and staff participated in the self-assessment and all of our judges and staff (along with the bar) participated in the drafting of our court improvement plan.

At the end, everyone can see something of what they suggested in the final product. This may not be possible in larger jurisdictions, but it may work in smaller ones.



**Photo: RMI Judges, spouses and staff at the opening of the new ground floor courtroom.**

**5. What has been the biggest assistance in implementing the IFCE?**

The biggest assistance in implementing the IFCE has come from two sources.

Earlier, I mentioned that the PJDP helped develop the 15 Cook Island indicators, indicators adapted to the needs and resources of the small Pacific Island judiciaries. The PJDP also has helped the RMI Judiciary implement the IFCE.

The PJDP provided funds for Elizabeth Connolly, Manager of Policy and Planning for the Federal Court of Australia, to come to the Marshall Islands and assist us in conducting a critical self-analysis and in developing an IFCE court improvement plan. Having completed the self-analysis and having adopted the improvement plan, we felt ready to apply for ICCE membership.

In addition to assistance from the PJDP, the United States Ninth Circuit Judicial Counsel has provided funds for our judges to attend judicial performance workshops held by the State Courts of Singapore. The Singapore workshops and visits to their courts have given us an idea of what it means to implement the IFCE and to be an excellent court.

**6. What do you perceive to be the main benefits of implementing the IFCE in the Republic of the Marshall Islands?**

The main benefit of implementing the IFCE is knowing that as a judiciary we are doing our jobs: we are providing justice to the people of the Marshall Islands. The IFCE helps give meaning to phrases like 'fair, efficient, and effective' and 'accessible, accountable, and transparent.' Our efforts have been recognized by the people, the Cabinet, and the Parliament of the Marshall Islands.

**7. Do you have any tips for other jurisdictions that might be thinking of implementing the IFCE?**

To any court leader who is contemplating the IFCE, I would suggest reading 'Leading Change' by John P Kotter. At the end of the day, implementing the IFCE is about change. Many chief justices and other court leaders are not experts in management or human resources. Implementing the IFCE may require judicial leaders to acquire new skills.

Kotter's eight steps to transforming your organization make a lot of sense: establish a sense of urgency; form a powerful guiding coalition; create a vision; communicate the vision; empower others to act on the vision; plan for and create short-term wins; consolidate improvements and produce more change; and institutionalize new approaches.



**Photo: Majuro Courthouse, Republic Marshall Islands.**

**8. What are the plans for the future for the IFCE in the Republic of the Marshall Islands?**

We have a new IFCE court improvement plan, and we are in the process of implementing the plan. In the coming months we will review and reassess and update the plan as needed.

**9. Is there anything else you would like to add?**

We look forward to hearing from other jurisdictions, particularly other micro-jurisdictions, as to how they are implementing the IFCE - what works and what does not.