

The Administration of Courts and the Independence of the Judiciary  
Subject of Enquiry of the 1st. Commission.

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Questions for consideration

1. Does there exist in each court a body responsible for the administration of the court ? Is it the judge himself ? Is a judge in this function independent of the executive ?

How is the independence achieved ? What recourse does he have (against the executive-trans)

2. Are judges assisted by administrative personnel ? (e.g. court clerks etc.)  
What are the judges' managerial and administrative powers over such personnel ?

Who appoints the personnel ?

Who pays the personnel ?

Who exercises discipline over the personnel ?

3. Do courts enjoy the resources necessary to the fulfillment of their mission ?  
If these resources are lacking, can judicial independence be in any way thereby compromised ?

In this respect, the following issues should be distinguished :

1°-Who takes decisions relating to the furnishing of the building, maintenance and repair thereof

-Who decides on and who provides supplies of material to the office

-Who decides on, and who supplies security devices.

2° Who determines the number of judges ? Are definitive criteria for appointment laid down by law ? Are such criteria sufficient ?

4. Who decides the internal deployment of labour within a court ?

When a court comprises several judges working in chambers or divisions, who decides on the allocation of judges to such chambers or divisions ?