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**SUBCOMMITTEE ON STATE, FOREIGN OPERATIONS,
AND RELATED PROGRAMS
COMMITTEE ON APPROPRIATIONS
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Thank you Madam Chairwoman and members of the Subcommittee for the opportunity to testify regarding judicial reform on behalf of the National Center for State Courts (NCSC). NCSC, in association with the Conference of Chief Justices (CCJ) and Conference of State Court Administrators (COSCA), is seeking your continued support for funding in fiscal year 2016 of judicial reform as part of rule of law programs implemented through the United States Department of State and the United States Agency for International Development (USAID). Such programs are critical to building and sustaining democracy abroad, promoting justice for marginalized and vulnerable groups, protecting vital U.S. national interests, and fighting corruption, organized crime and terrorism.

NCSC was founded more than 45 years ago at the urging of the late-Chief Justice Warren Burger to promote innovation and reform in state judiciaries across the United States. For the past two decades, NCSC has implemented more than 70 rule-of-law programs in developing countries and more recently around the globe. Our staff of attorneys and judicial reform specialists provide cutting edge research, education, consulting services that support the justice sector. In 1992, after more than 20 years of working to promote equal, efficient and effective justice in United States state courts, NCSC responded to requests from the international donor community and formed the International Programs Division. NCSC offers a comprehensive set of resources and technical expertise, and our multidisciplinary staff works collaboratively with justice system counterparts in developing countries on a variety of reform initiatives. NCSC provides technical assistance, educational programs, leadership/management training, applied research and technological innovation to help justice systems worldwide strengthen and improve the rule of law.

Let me acknowledge the difficult task before you in making what are clearly important decisions regarding budget priorities. The controlling question is: What will the United States gain from funding rule of law programs abroad? Simply put, countries that have stable justice

systems can become reliable democratic partners, not the source of costly conflicts and instability that impact America's global commitments.

Through a variety of programs and efforts, NCSC promotes the rule of law and government accountability, which is at the heart of our national system of values. NCSC International engages in strategically targeted justice sector reform programs in fragile states with weak or divided democratic institutions. These programs are part of an effort to promote political and social stability, to fight corruption, to protect the rights of individuals, and to create conditions that foster economic prosperity. NCSC's staff has worked around the world, engaging in comprehensive rule of law projects in Africa and the Middle East, Asia, Eastern Europe and Central Asia, Latin America and the Caribbean.

In addition to implementing rule of law and judicial reform programs, our International Visitors Education Program is an important part of our efforts to promote justice system reform and our values as a nation. Through this program we host more than 300 judges and justice system officials annually. We provide training through a combination of briefings and seminars on the U.S. justice system, continuing legal education, and special issues seminars such as judicial independence and relations with the other branches of government. NCSC's unique state-level perspective allows us to advise countries grappling with issues not only related to federalism and decentralization but virtually every aspect of our legal system.

Beyond the United States, NCSC is currently working in Sub-Saharan Africa (Uganda, Nigeria); in the Middle East (Iraq); in Latin America and the Caribbean (Colombia, Honduras, Guatemala, Panama, Costa Rica, El Salvador, Dominican Republic and Belize); in Eastern Europe (Serbia, Bosnia and Herzegovina, and Kosovo); and South Asia (Bangladesh). We have conducted sector-wide justice reform assessments, assisted with strategic planning and implementation, and provided institutional capacity building support to ministries, courts, prosecutors, legal defense institutions, elementary and secondary school systems, national assemblies, and law schools. In partnership with the U.S. donor agencies, we have developed sustainable continuing legal education programs for judges and lawyers; supplied infrastructure and software improvements to courts and prosecutors; harmonized criminal procedures and coordination between police, prosecutors, and courts; introduced small-claims courts and alternative dispute resolution services; trained court administrators, lawyers, and prosecutors; implemented multi-media public awareness and access to justice initiatives; and assisted national assemblies by improving their legislative drafting processes.

NCSC utilizes a number of tools customized to provide justice system agencies with quick assistance. For example, the Center has developed an integrated, automated court case management system that is sufficiently "generic" to allow for customization and implementation of case management functions on a variety of platforms. Our CourTools© performance management system has been adapted in other countries, such as Kosovo, to give local leaders a set of tools to assess performance of the court system. As a result, judges and court leaders are able to gain insight into the functioning of their courts and implement changes that improve access, timeliness, efficiency and ethics in light of objective data. Having maintained a continued presence in Kosovo since 2001, NCSC's efforts have helped Kosovo with the transition from international to local control; assisted in reforming and restructuring the courts and prosecutorial

system to promote effective and impartial justice; and improved the efficiency of court operations both administratively and jurisdictionally.

Examples of other initiatives NCSC has implemented on behalf of U.S. Government agencies and in furtherance of US government goals include:

- NCSC is also currently implementing a five-year USAID judicial reform and government accountability project in Serbia. The objectives of the project are to strengthen the rule of law, the independence of the judiciary and the administration of justice in Serbia such as improved case management practices in Serbia's administrative and misdemeanor courts; to strengthen the capacity of Serbia's anti-corruption agency, state audit institute, and other agencies to detect and prevent corruption; and to support the role of civil society organizations in raising public awareness through a grants program.
- In Bangladesh, NCSC is supporting citizens' access to justice by improving the legal framework for legal aid services, improving the legal aid services provided to the public, increasing the public's understanding of legal aid and legal services, and further developing their ability to evaluate the performance of judges.
- NCSC is working in Uganda to improve the systems for adjudication of land disputes and the systems that administer the records of lands and property. These disputes are a major driver of conflict in Uganda, and improving the administration of land dispute resolution systems will have a significant impact on the reduction of conflict in Uganda.
- In Nigeria, NCSC is working with the National Judicial Council of Nigeria to implement an electronic case management system, build institutional capacity to govern complicated projects, and improve communication software.
- In Colombia, NCSC is providing services for capacity building and training to support the Bureau of International Narcotics and Law Enforcement and host country efforts to respond to transnational and organized crime impacting the Colombia, the U.S. and neighboring countries.
- In Guatemala, El Salvador, Costa Rica and Panama, NCSC is working to advance systems for juvenile justice and rehabilitation as part of a comprehensive effort to improve justice and security in the region.
- In the Caribbean Basin, NCSC is managing training efforts to improve capacity of justice sector institutions, particularly in the area of juvenile justice.
- In Egypt, NCSC is working with the Bureau of Democracy, Human Rights and Labor to empower civil society to improve access to justice.
- In Iraq, NCSC is working with the National Judicial Council to improve training programs for judges and staff.

- In Bosnia and Herzegovina, NCSC is strengthening the capacity of prosecutors to investigate and prosecute government corruption; improving the system for enforcing civil judgments, and promoting integrity of public institutions through professional ethics and disciplinary reforms.

NCSC and our colleague organizations share one ambition: to improve the lives of people through justice system reform that is essential to ensuring political stability, social harmony, and economic prosperity. We bear witness to the impact U.S.-funded rule of law programs have had abroad in strengthening justice systems.

James Madison observed in the Federalist Papers #51 that justice is the end of government and the end of civil society – forever pursued until obtained or until liberty is lost in its pursuit. The rule of law, woven through the several branches of government and the people themselves, is the necessary fabric of justice. In the absence of rule of law, government is unaccountable to the people and inevitably becomes corrupt and unjust.

Today, in parts of the world, government corruption is a key source of financing for criminal and terrorist organizations that know no borders, posing grave threats to developing and developed countries alike. U.S.-funded democracy programs help governments and citizens in developing countries pursue justice and realize liberty – and in the process become America’s ally in the global fight against corruption, terrorism, and other threats to democracy.

Madam Chairwoman, on behalf of NCSC, I urge that this Committee in its fiscal year 2016 State, Foreign Operations bill continue to support and expand efforts by the Department of State and USAID to strengthen judicial reform programs as part of an overall emphasis on rule of law. Continued investments in judicial reform as part of rule of law programs abroad will save America from costly interventions in far-away places. Above all, U.S. support for rule of law programs abroad will demonstrate our nation’s on-going commitment to promoting the rights of all citizens and opening the opportunities of democracy to everyone.