



**MARY C. MCQUEEN
PRESIDENT
NATIONAL CENTER FOR STATE COURTS**

**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 before the Subcommittee 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), urge that this Subcommittee in its fiscal year 2020 State, Foreign Operations bill expand efforts by the Department of State and U.S. Agency for International Development (USAID) to strengthen judicial reform programs as part of an overall emphasis on the rule of law.

Such programs are critical to building and sustaining democracy abroad; protecting vital U.S. national interests; fighting corruption, organized crime and terrorism; and promoting human rights and justice for marginalized and vulnerable groups.

NCSC was founded 47 years ago at the urging of the late Chief Justice Warren Burger to promote innovation and reform in state judiciaries across the United States. 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.

For the past two decades, NCSC has implemented more than 80 rule-of-law programs in developing countries around the globe. Our staff of attorneys and judicial reform specialists provide cutting edge research, education, and consulting services that support the justice sector. 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. A key 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, averting global conflicts and instability that inevitably require costly American military and foreign policy interventions. Investments in rule of law programs can help counter state-sponsored terrorism, build regional security, check government corruption, and reduce refugee migrations that affect American borders.

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 generally host more than 300 judges and justice system officials annually.

In 2018, we hosted delegations from Argentina, Brazil, Costa Rica, Myanmar, several North African countries, and Ukraine, offering valuable exchanges between U.S. and foreign jurists, as well as implementing long-standing judicial internship programs with the supreme courts of South Korea and Japan. 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, governance, 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 also virtually every aspect of our legal system.

Beyond the United States, NCSC is currently working in Sub-Saharan Africa (Nigeria); in North Africa (Morocco and Tunisia); in the Middle East (Lebanon); in the Caribbean Basin and Latin America (Barbados, Costa Rica, Colombia, Dominican Republic, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Peru, Trinidad and Tobago); in Eastern Europe (Bosnia and Herzegovina, Kosovo and Moldova); 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 and local counterparts, 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; established 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 continues to develop and utilize 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 measurement 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. We have designed and implemented pilot programs in foreign countries that help judges, prosecutors, court officials, and other professional implement reforms and become change agents within their own institutions.

In 2019, NCSC is implementing nearly 40 rule of law programs supported by U.S. donor agencies. Examples of recent initiatives NCSC has implemented on behalf of U.S. Government agencies and in furtherance of U.S. government goals include:

- In Bangladesh, NCSC recently concluded a six-year program 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.
- In Uganda, NCSC recently completed a five-year program improving 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 has had 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 communications software.
- From Colombia to Mexico, 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 that threatens regional security in Latin America, spurs illegal immigration, and impacts the U.S.

- In Costa Rica, El Salvador, Guatemala, Nicaragua and Panama, NCSC is working to advance rule of law and strengthen 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 has begun implementing a new five-year anti-crime program to strengthen criminal justice institutions, as well as providing on-going training efforts to improve capacity of justice sector institutions, particularly in the area of juvenile justice.
- In Trinidad and Tobago, NCSC is assisting with the design and implementation of case management software that will streamline court processes, promoting greater transparency and increasing access to justice.
- In Morocco, NCSC is supporting reforms to strengthen the independence of the judiciary and governance issues to strengthen judicial administration.
- In Bosnia and Herzegovina, NCSC continues to implement a partnership program with 19 prosecutor offices to strengthen their capacity to investigate and prosecute government corruption and economic crime cases. NCSC is also implementing clinical education programs at four law schools and mock trial competitions at four high schools, to mobilize youth to be agents of change and lead future justice reform efforts.
- In Moldova, NCSC is helping judicial ethics and disciplinary bodies strengthen professionalism and accountability, thereby increasing public confidence in the judiciary.

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. NCSC bears witness to the impact U.S.-funded rule of law programs have had abroad in strengthening justice systems and developing local professional capacity to sustain the reform process.

The rule of law programs that NCSC implements abroad touch all branches of government and engage numerous government and societal actors, who are trying to build stable civil societies rooted in law. In the absence of rule of law, government is unaccountable to the people and inevitably becomes corrupt and unjust – an outcome that the U.S.-funded rule of law projects help to avert every year in all regions of the world.

Today, in parts of the world, there is a resurgence of authoritarian rule. Threats of terrorism are on-going, and mass illegal immigration is affecting all regions 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.

The rule of law and functioning judicial systems are critical to the stability of democratic societies, as well as developing and post-conflict countries. U.S.-funded democracy programs help governments and citizens in developing countries pursue justice and fulfill democratic

principles – and in the process become America’s ally in the global fight against authoritarianism, corruption, terrorism, and other threats to democracy.

Madam Chairwoman, on behalf of NCSC, I urge that this Subcommittee in its fiscal year 2020 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 the 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 protecting and promoting the rights of all citizens and opening the opportunities of democracy to everyone.

Thank you for your consideration.