

PERFORMANCE ENHANCEMENT TOOL

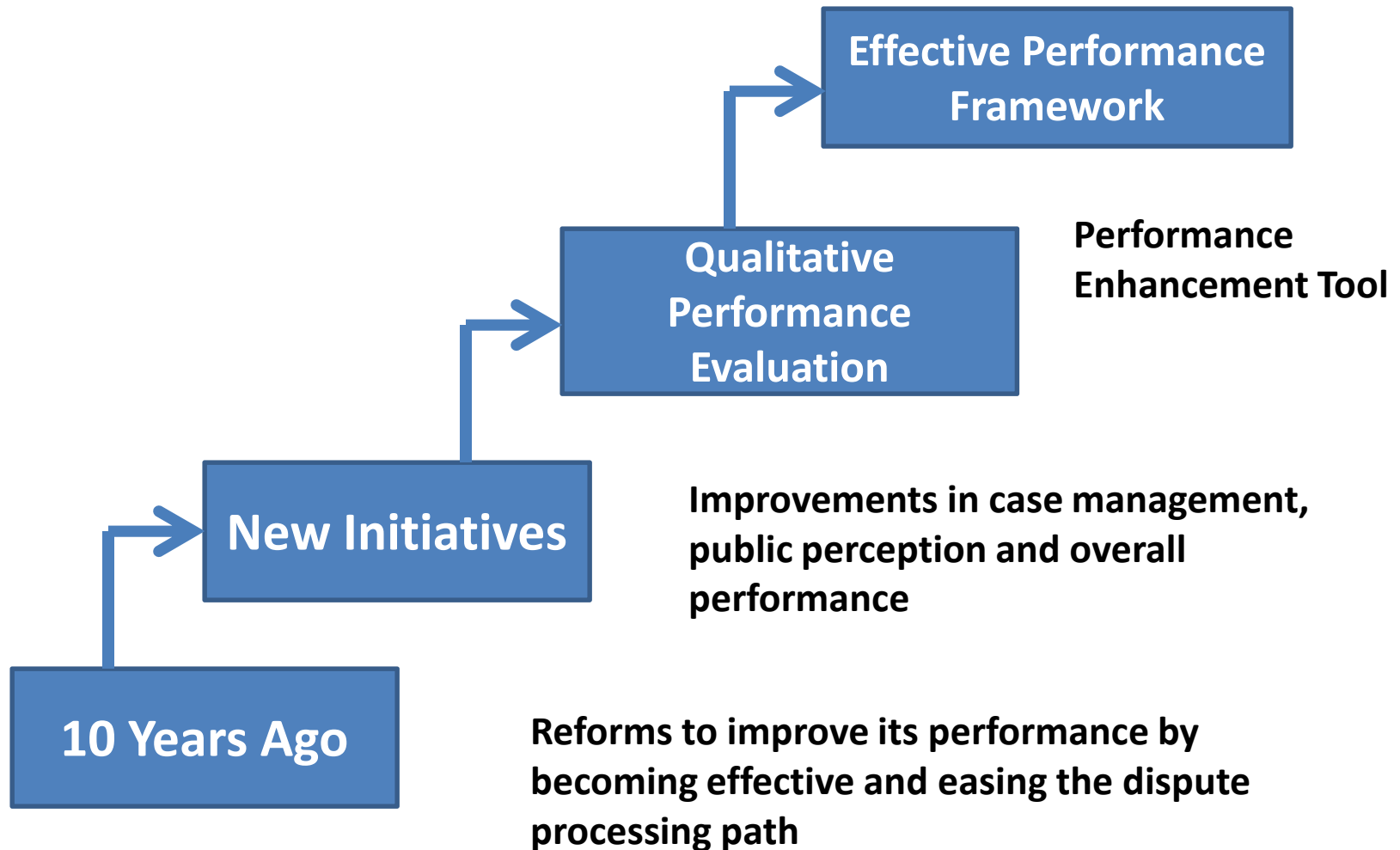
**Role of the judiciary in the transformation
of the Ugandan economy through effective
performance enhancement management:**

By Hon. Justice Elizabeth Jane Alividza

Outline

- The Transformation Journey
- Performance Management & Evaluation
- The Uganda Judiciary Way
- The Model
- Performance Enhancement Tool
- Utilization of Performance Results
- Next Steps

THE TRANSFORMATION JOURNEY



PERFORMANCE MANAGEMENT & EVALUATION

- Ingredients
 - Performance Management System – in which performance planning and measurement is embedded (**“Unless you measure what you are doing, you are just exercising!”**)
 - setting of performance targets
 - Evaluating actual outcomes (evaluating results)
 - Discussing ways in which to improve on the next performance management cycle
- This system ensures that everyone knows what is expected from them right from the leadership to the last individual within the judiciary.

PERFORMANCE MANAGEMENT & EVALUATION

- Traditionally...
 - Court performance evaluated through appeals, integrity and other surveys, revisions, complaints, inspection reports and M& E reports
 - The non-judges are also appraised using the public service appraisal system which is a “one size fits all” and is not customized to suit the unique role of the judiciary

PERFORMANCE MANAGEMENT & EVALUATION

- Modern Way...
 - Focus on strategic plans, policies, key performance indicators and performance measures, rules and codes of conduct in a one track system that will be used to improve accountability in all areas of judiciary
 - Creates a “ performance philosophy” of continuous self learning and improvement. Emphasis is on enhancement and not appraisal.

PERFORMANCE MANAGEMENT & EVALUATION

- Modern Way...
 - Establishes Performance targets at institutional level (by the senior management) on an annual basis.
 - Creates clear responsibility centers for who should be held accountable for the achievement of these targets.
 - Cascades Institutional targets to courts and departments and finally to individual level

UGANDA JUDICIARY...

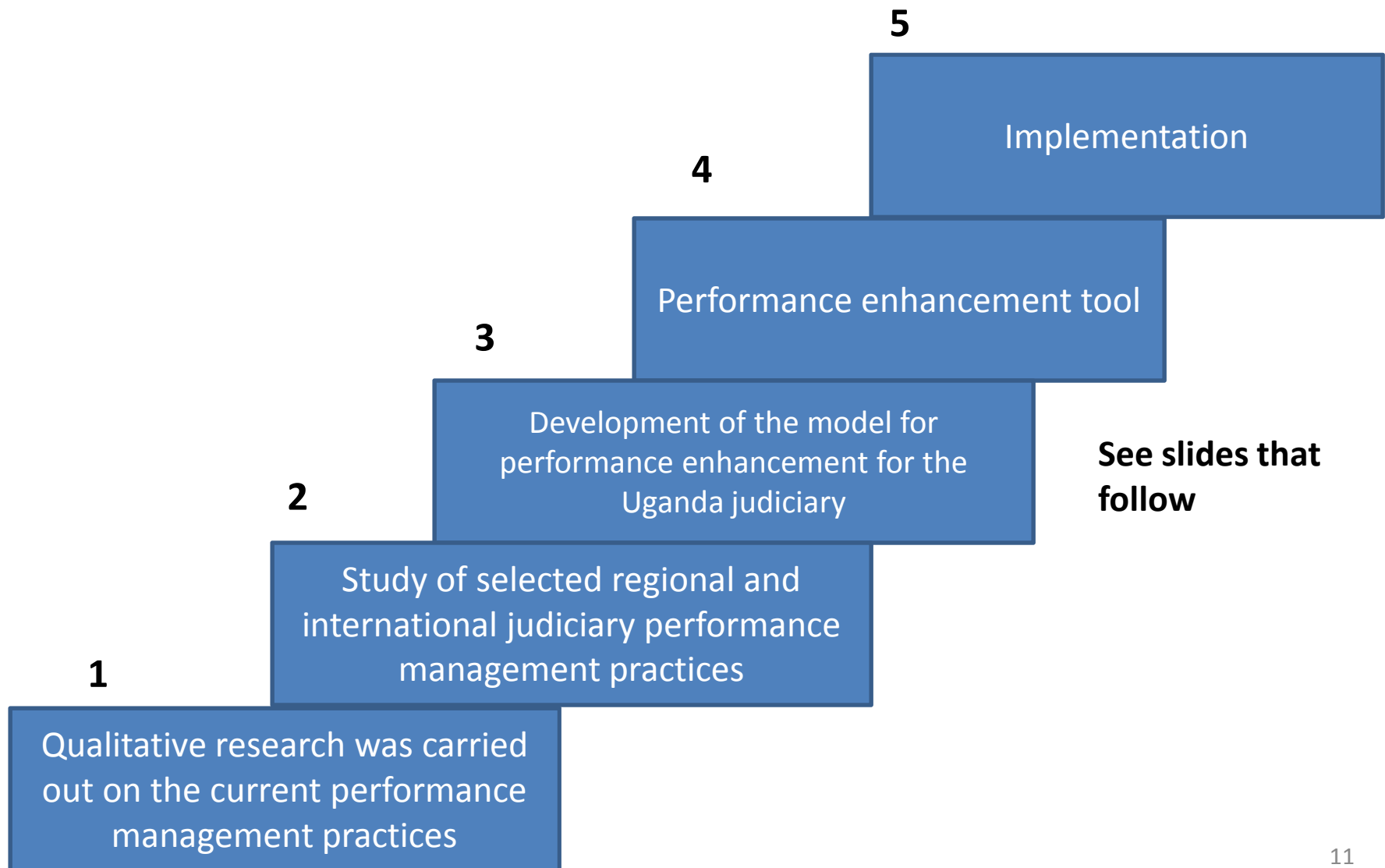
- Has chosen the Modern Way
- The Judiciary is globally leading the way in defining the best practice to manage and evaluate performance in the Judiciary

PERFORMANCE MANAGEMENT - THE UGANDA JUDICIARY WAY

MILESTONES IN DEVELOPING THE PERFORMANCE ENHANCEMENT FRAMEWORK

- 2010
 - A consultancy by ESAMI was commissioned to design an appropriate performance enhancement tool which balances judicial independence with judicial accountability
 - Performance Enhancement Committee (PEC) was established to work closely with the consultants
 - Counterpart Team (CPT) was also created within PEC to work more closely with the consultants in designing the performance enhancement framework.

MILESTONES



DEVELOPMENT OF THE MODEL

- Institutional performance framework established with performance standards and measures. (these are based on 3 key outcomes: accessibility, timelines and staff quality and integrity) key processes involved in judicial business have been identified (see attached documents)

DEVELOPMENT OF THE MODEL

- Performance measures for judicial officers in superior courts established
- Performance measures for registrars established
- Performance measures for judicial officers for magistrates established
- Performance measures for administrative departments established
- Establishment of weights to each of the measures
- These measures have been developed in consultation with judiciary, stakeholders and also benchmarking from other jurisdictions)

PERFORMANCE ENHANCEMENT TOOL: HIGHLIGHTS

- Special software was procured
- Users' manual developed.
- The tool is largely an automated web based and is password driven.
- The tool is linked to other systems which include Court Case Administration System (CCAS), Integrated Personnel and Payroll System (IPPS), Electronic Document Management System (EDMS) as well as other systems that may be added in the future like Judicial Service Commission (JSC).

PERFORMANCE ENHANCEMENT TOOL: HIGHLIGHTS

- 360 degree evaluation approach adopted
- The main actors include:
 - Supervisor: 50%
 - Peers: 20%
 - Subordinates: 20%
 - Court Users (State Attorney, Advocates and other court users including the public): 10%

PERFORMANCE ENHANCEMENT TOOL: HIGHLIGHTS

- Specific period of assessment of performance (November – December each year).
- At the beginning of the evaluation period, an email prompt/alert will be sent to all officers informing them of the beginning of the evaluation exercise.
- The prompt will inform the officer of his/her role which could be supervisor, peer assessor, subordinate. It should be noted that an officer can select a given number of people who will assess him/her as peers or subordinates.

UTILIZATION OF PERFORMANCE RESULTS

UTILIZATION OF PERFORMANCE RESULTS

- Performance results generated will be used to;
 - Inform the training planning process
 - Stimulate merit-based¹⁸ promotion
 - Aid in recognising and rewarding good performance of both judicial and non-judicial staff.
 - Justify how public funds are used and create grounds for mobilising more funding.
 - Assist in complying a state of the judiciary annual report to be presented to the nation thus putting judiciary issues on the forefront of national agenda.
 - Determine the impact of court performance on transformation of the economy.

NEXT STEPS - IMPLEMENTATION

IMPLEMENTATION

- It is proposed that the justices, judges, registrars and administrators who form the hierarchy of the judiciary start using the tool and after one year, it be rolled out to the rest of the Judiciary.
- The tool will be tested in selected magistrates' courts around the country.
- March to May 2015: Training and populating the tool with the relevant information.
- July 2015: Go live

GOING FORWARD

- It is proposed that AJC should be used to:-
 - Discuss whether performance targets at all these three levels of institutional, court and individual level have been met
 - For planning the next year's targets.

CRITICAL SUCCESS FACTORS

- Development of a performance culture within the Judiciary
- Commitment by the leadership to spearhead this new initiative.
- Resources be availed to the human resource department to coordinate and ensure the smooth running of this performance enhancement framework
- Funds should be used to support the set performance targets at all levels.
- Effective use of information generated from the PMS should be used to inform decision making by the judiciary leadership at the different levels.

CONCLUSION

- Uganda's model of an effective performance enhancement tool is the first of its kind not only in Africa but in the world.
- It is not a legal transplant but is home grown and is responsive to the special needs of the Uganda judiciary.
- Ensures citizenry participation in the discussions on how to improve judicial performance.
- Creates formal systems and procedures for the management of the judiciary thus reducing reliance on personalities and informalities that are unpredictable.

CONCLUSION

- *The ancient Romans had a tradition: whenever one of their engineers constructed an arch, as the capstone was hoisted into place, the engineer assumed accountability for his work in the most profound way possible: he stood under the arch.* Michel Armstrong
- Judicial accountability is the cornerstone of a strong judiciary and ensures the legitimacy of the judiciary. Therefore this new performance enhancement framework will improve public confidence and trust and should be embraced and not feared.

CONCLUSION

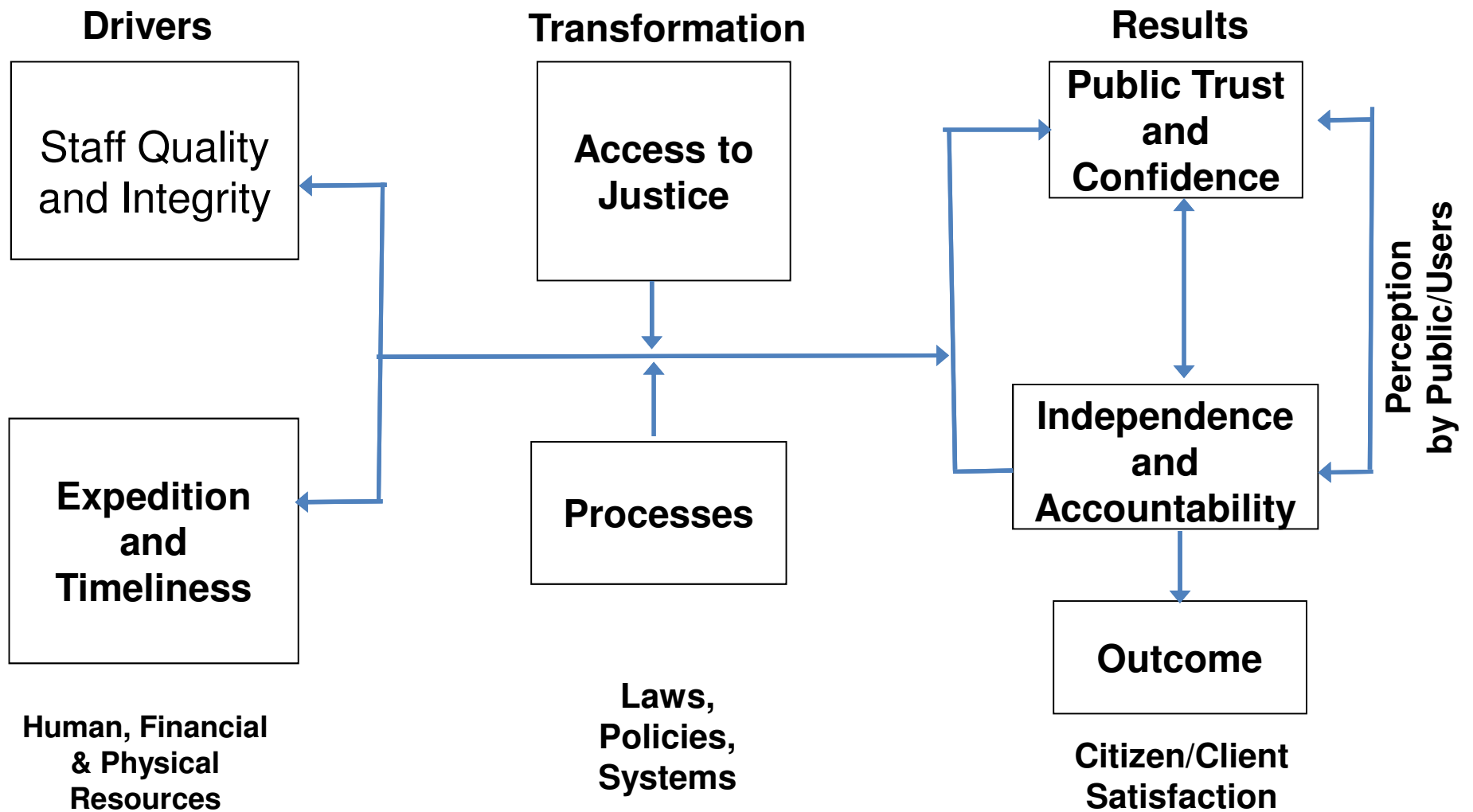
A live demonstration of how the performance tool works is hereby presented by the consultants who are available to answer any questions you may have.

THANK YOU AND GOD BLESS YOU

**PART II - MODEL FOR
PERFORMANCE ENHANCEMENT FOR
UGANDA JUDICIARY**

By

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Source: Adaptation Kiuluku, P. Waruhiu, H and other sources

PART III – LIVE DEMO

By

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