

HIGHER EDUCATION IN PROGRAMME “JUDICIAL ADMINISTRATION”- A PREREQUISITE FOR EFFECTIVE JUSTICE

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Abstract

The development of the judicial system is related to the improvement of the judicial administration, which is directly dependent on the education of the judicial officers. The relevance of the topic stems from the need for judicial reform, which is inextricably related to the activities of the judicial administration in order to fully participate in the optimization of the administration of justice. The scientific objective of the present work is to examine some basic aspects of the training of students of the programme “Judicial Administration”. This publication examines issues and problems related to the acquisition of the profession of judicial officer in the light of the efficiency of justice. Anonymous surveys were conducted with students of the programme "Judicial Administration", studying at the University of Economics - Varna. For this purpose, questionnaires were constructed and the data obtained from them were summarized and analyzed. The possibilities for professional realization of the graduated students as employees in the judiciary system are also examined. The following scientific methods are used as the methodological basis of the study: logic-grammatical, systematic, structural, analytical, formal-legal, summary method. As a result of the analysis, conclusions and summaries are drawn, and solutions are proposed for improving the work of the administration of the judiciary. The present study was developed in the framework of the national scientific project NPI № 57 of 2022 on "Legal Relations and Status of Persons in the Judiciary in the Conditions of Digitalization".

Keywords: higher education, judicial administration, justice, administrative law.

1 INTRODUCTION

The development of the judiciary is linked not only to the work of the magistrates, but also to the improvement of the activities of the judicial administration, which is directly dependent on the educational training of the judicial officers. University of Economics - Varna is the first higher education institution in Bulgaria that has started to train students in the programme "Judicial Administration" - Bachelor's degree. The main aim of the training is to prepare highly qualified specialists. The necessity is dictated by the dynamic development of the judicial sector, the steady tendency for the increase in the number of all types of cases, the specificity of the provided services requiring certain competence. The training presents a complex

and profiled training oriented to the knowledge of the basic guidelines and activities of the administration of the judicial authorities, knowledge of the main branches of law and related legal institutes, forms and procedures of the different types of process, as well as ways of out-of-court settlement of disputes. As a result of their higher education, students acquire integrated knowledge, practical skills and professional competence. (Andreeva, A. et al. 2023, p. 12).

The **topicality of the chosen topic** for the training of the judicial officials is conditioned by the need for judicial reform, which is inextricably linked to the activities of the judicial administration in order to fully participate in the optimization of the justice process. Accordingly, the **aim of this paper** is to examine and analyse some basic aspects of the education in the field of Judicial Administration for the profession of judicial officer at the Bachelor's degree level with a view to enhancing the efficiency of the administration of justice. In connection with the identification of current trends in the educational needs of judicial administration, anonymous surveys were conducted with students of the programme "Judicial Administration" studying at the University of Economics - Varna. On the basis of the normative analysis, conclusions and summaries are drawn on the applicable legal framework and recommendations for its improvement are made.

In fulfillment of the aim the authors have set the following **research tasks**:

- Conducting a survey with students of the University of Economics - Varna, programme "Judicial Administration" on the need for higher education for their future professional realization;
- Outlining some basic parameters in the training and professional preparation of the students of this programme, as well as highlighting contemporary aspects and trends in their qualification to optimize the justice process;
- Formulation of conclusions, summaries and proposals for creating links between higher education and the practical realization of graduates.

The following scientific methods are used as the methodological basis of the study: logic-grammatical, systematic, structural, analytical, formal-legal, summary method.

The authors do not claim to be exhaustive of the issues discussed given the limited length of the paper. The present study was developed in the framework of the national scientific project NPI № 57 of 2022 on "Legal Relations and Status of Persons in the Judiciary in the Conditions of Digitalization"..

2 TRAINING IN THE PROGRAMME "JUDICIAL ADMINISTRATION", BACHELOR DEGREE AT THE UNIVERSITY OF ECONOMICS - VARNA

Pursuant to Article 340a, para. 3 of the Judiciary System Act, the Regulation on the Administration of the Courts and the Classifier of the Positions for judicial officers, a higher education requirement is laid down for the expert and managerial positions (court administrator, director, head of department, head of sector, head of the office of the President of the Supreme Court of Cassation /Supreme Administrative Court, chief accountant, administrative secretary, head of administrative office).

Since the academic year 2017/2018, the University of Economics - Varna offers higher education in the programme "Judicial Administration", the administration of which is entrusted to the Legal Studies Department. The training is conducted in the educational and qualification degree "Bachelor" and is carried out in full-time form. The curriculum aims to provide fundamental and specialised training for future Bachelors in a specific area of public administration, namely judicial administration. The curriculum is based on disciplines that provide legal and managerial knowledge in a ratio that implies a balance between the two professional fields - law and management (Andreeva, A. et al. 2023, p. 15).

This paper presents and analyses the results of a survey conducted among students studying in the Judicial Administration programme at the Bachelor's degree level. 35 students from 1st to 4th year responded to the survey.

When asked "Why did you choose to study Judicial Administration?", 43% of the students justified their choice with the fact that this is a new and interesting programme that provides a wide range of legal knowledge. The same number said that this programme offers great opportunities for professional realisation. One part (6%) of the students surveyed already works in the administration of the judiciary, but do not have a university degree and this is the reason why they enrol in the Bachelor's degree programme of the University of Economics - Varna. Only 8% of the students who responded to the survey did not give an answer to the question. This shows that the Judicial Administration programme at the University of

Economics - Varna is attractive to 92% of students.

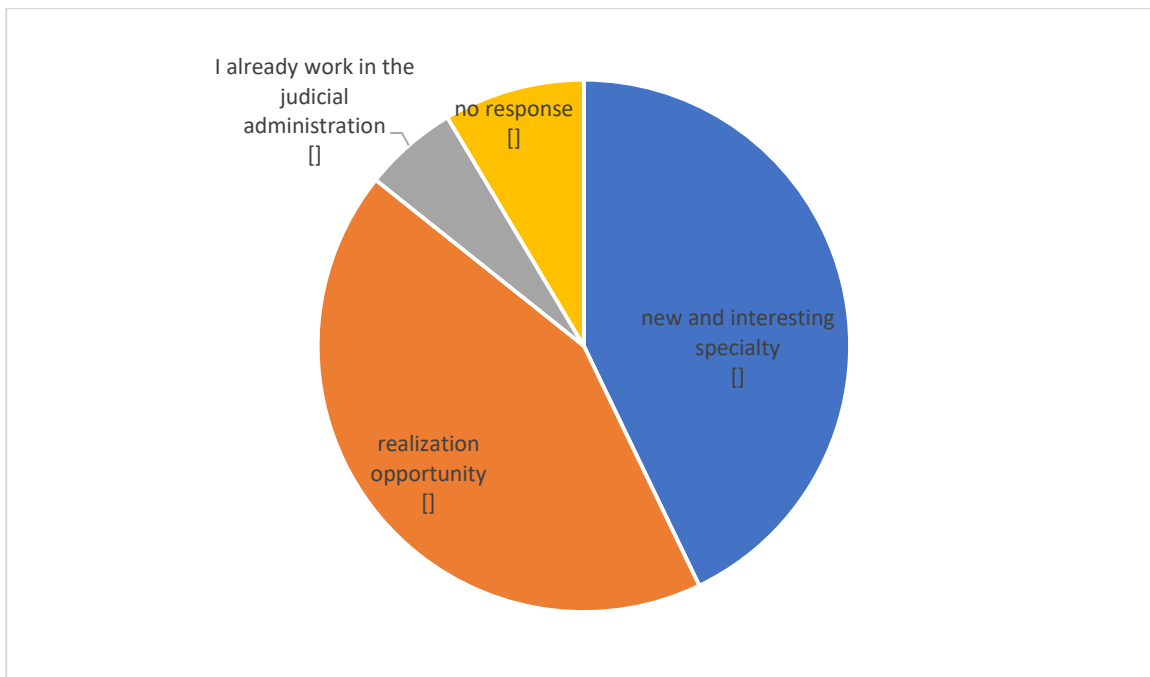


Fig. 1. Reason for choosing to study in the field of Judicial Administration. Source: Prepared by the author.

This corresponds perfectly with the answer to the question "Would you like to work in the judiciary after completing your higher education?" - almost all students surveyed (80%) answered positively and categorically "Yes". 17% answered "Can't decide" and only 3% answered "No". These answers show that students have an extremely positive attitude towards the profession of "Judicial Officer" and are highly motivated to work in the judiciary after graduation.

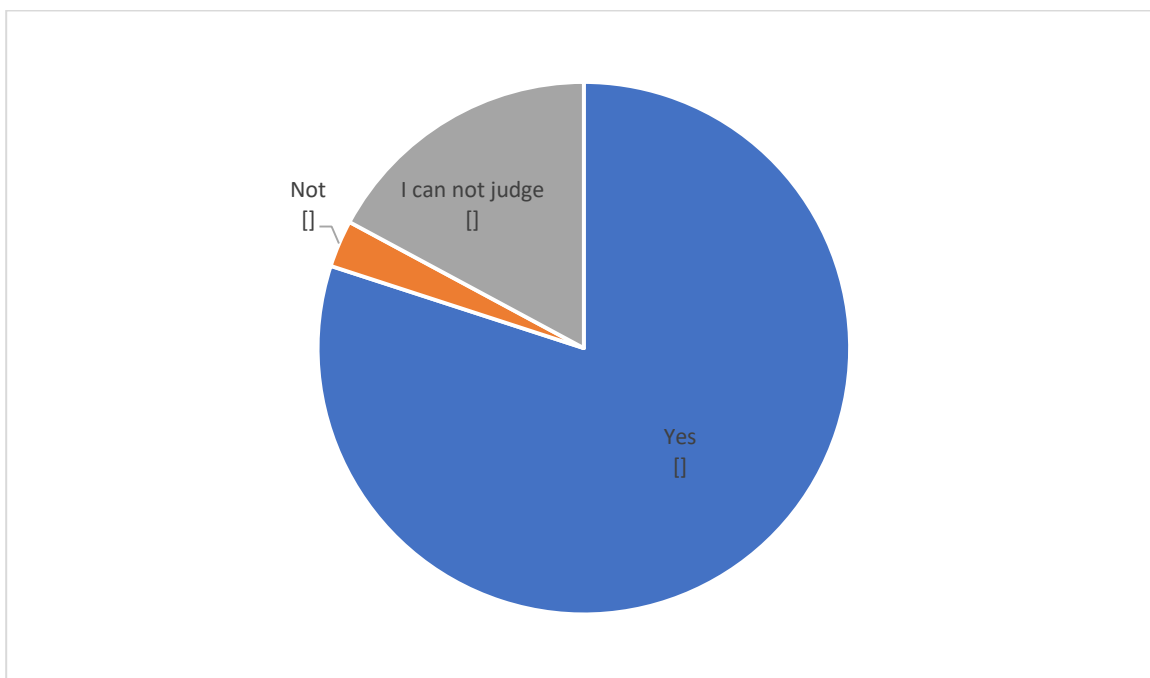


Fig. 2. Willingness to work in the judiciary after graduation. Source: Prepared by the author.

In line with the answers to the first two questions, the results of the third question - "Indicate the level of satisfaction with your training in "Judicial Administration" on a scale of 0 to 10", with 0 being the lowest and 10 the highest level - are not surprising. It is noteworthy that students' satisfaction with their training is very high. The relative share of students giving the maximum score (9 and 10) is almost half of all respondents (49%). The overall proportion of students giving high marks (7, 8, 9 and 10) to their satisfaction with their studies at the University of Economics - Varna is 83%. This shows that training in the programme "Judicial Administration", and especially the acquisition of higher education, is a necessary prerequisite for judicial officers to efficiently perform their assigned professional functions related to the implementation of judicial activities.

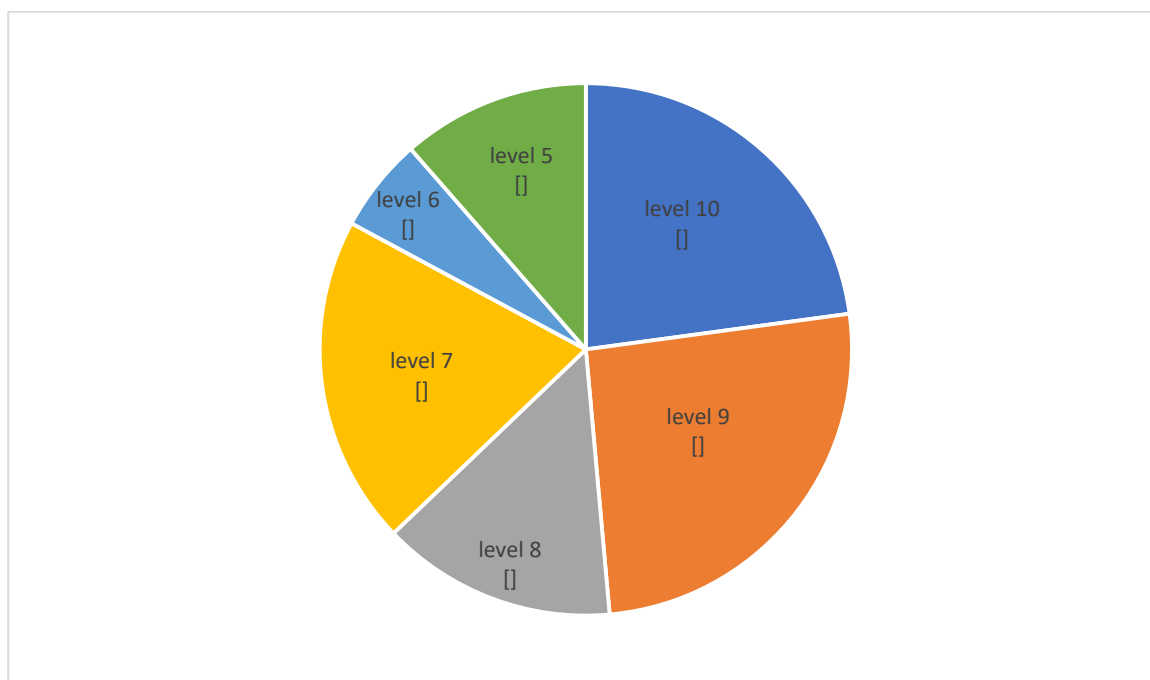


Fig. 3. Level of Satisfaction with Studies in the programme "Judicial Administration" at the University of Economics - Varna. Source: Prepared by the author.

Given this, the educational training of judicial officers is an element of the overall strategy for the development of the judiciary (Dimitrova, 2021). The training of judicial administration staff is at the basis of effective justice. Judicial officers are those who actively and invariably support the work of every judge, prosecutor, investigator and administrative manager in the judiciary (Tacheva, 2021).

For a large number of judicial officers (e.g. information security officer, head of office, secretary of a collegium at the Supreme Court of Cassation/Supreme Administrative Court, court clerk, court registrar, court archivist and summons officer), the current legal regulation requires secondary education to hold the relevant post. However, on the basis of the results of this study, a reasoned proposal can be made for changes in the legal framework to introduce a higher education requirement. Of course, it is not necessary to introduce excessive requirements for all judicial administration employees; after all they are not magistrates (judges, prosecutors, investigators). It would be sufficient to introduce a requirement for a bachelor's degree (e.g. in professional field 3.7 Administration and Management).

As a result of the introduction of higher educational requirements for judicial staff, the professional development of the judicial administration will be promoted in order to improve the administration of justice. Overcoming the imbalance and shortage of trained, knowledgeable, capable and competent staff to support the judiciary will lead to a strengthening of the rule of law. A good knowledge of the basic legal concepts and procedural rules is a factor for their adequate application, which in turn leads to citizen satisfaction and increased confidence in the judiciary.

3 PROFESSIONAL REALIZATION OF THE GRADUATES AS EMPLOYEES IN THE JUDICIARY SYSTEM

At European level, a number of measures have been adopted to enhance the competitiveness of higher education in the face of increasing global competition (Andreeva & Yolova, 2019). In the context of the issues under study, the educational needs of the employees in the judiciary are of interest. For the effective functioning of the justice process, including e-justice, they should all have some basic knowledge and also be able to work with the systems and digital tools. This determines the need for their training (Dimitrov, 2013) at different levels and different stages, as well as a general policy in the judiciary related to securing and controlling the level of competences. The high quality of the educational service offered should be ensured in order to achieve the objectives of judicial reform as well as the introduction of e-justice, namely, increasing efficiency. This calls for the provision of a solid basic knowledge of the activities of judicial administration, including digital training for judicial staff, which can be ensured by a high quality of the educational service offered in the programme “Judicial administration” (Andreeva & Dimitrova, 2023).

3.1 Educational needs

The training of students in the “Judicial Administration” programme at the University of Economics - Varna provides them with a solid basic knowledge of both the main legal branches and public administration, in particular judicial administration. The curriculum includes courses in a balanced ratio from both fields. Thus, in the foundation they study subjects such as "Informatics", "Microeconomics", "Macroeconomics", "Management", "Accounting Theory", "Introduction to Finance", "Principles of Law", language training and a number of elective subjects such as "Career Development", "Philosophical Culture", "Business Correspondence". This provides the basis for the profiled training. The specialised subjects are aimed at acquiring theoretical knowledge and practical skills for court administration. They include both legal, economic and administrative subjects such as “Civil Law and Procedure”, “Criminal Law and Procedure”, “Administrative Law and Procedure”, “Property Law”, “Labour Law and Social Security Law”, “Organisation of Judicial Administration”, “Legal Information Systems”, “Fundamentals of Public Administration”, “Human Resource Management in the Public Sector”, “Administrative Culture and Ethics”, etc. This ensures the training of qualified personnel with a focus on legal knowledge to ensure their successful professional realization.

The acquisition of digital knowledge and skills is important. Provisions on e-justice have been enacted by the Act for Amendment and Supplement of the Judiciary System Act of 2016 and are all now in force. These provisions follow strategies, concepts, roadmaps, recommendations from EU reports. Their application in practice shows a number of problems, some of them technical - lack of modern equipment, problems with the introduced Unified Information System of the Courts, delays in software development, etc. Equally important, however, is the issue of staff skills and training to work with these systems. This issue relates to updating job descriptions and staff training. Because even if the system functions smoothly, if the employees are not trained to work with it, the expected optimisation of work processes and increase in the efficiency of the judiciary's work cannot be achieved. User training would build appropriate capacity to work with the electronic system and ensure quality use of its capabilities in the future. The curriculum also includes courses providing digital knowledge and skills for students: "Informatics", "Legal Information Systems", "Digital Communications", "Access and Protection of Information" and "Electronic Justice".

Training in digital competences is foreseen and currently taking place at different levels. On the one hand, the National Institute of Justice (NIJ) conducts trainings for judges as well as for IT specialists and judicial administration staff. An IT Strategy of the Judiciary of the Republic of Bulgaria for the period 2011-2013 has been established, which identifies as objective 4 the improvement of the qualification of magistrates and judicial officers for the effective use of IT. In order to achieve this objective, it is foreseen to establish IT training standards specialised for magistrates and judicial officers. The standard created for judicial officers would set requirements for certain knowledge and practical skills to be mastered by judicial officers, taking into account the increasing automation and digitalisation in the judiciary, as well as the possibilities of using electronic documents and electronic signatures. An important point is also the development of training programmes for judicial officers and magistrates to acquire IT skills tailored to the individual profiles. It is also the role of the NIJ to certify training organisations to deliver training on the curricula so developed. These trainings build on the knowledge of employees in the system and help them to adapt to work in the digital environment. Both the NIJ Strategic Plan 2020-2022 (1), and the new Strategic Plan of the NIJ's Activity for the period 2023-2026 (2) recognise the importance of improving digital skills in the judiciary to work in a digital environment.

Training is also offered at secondary and university level. The Ministry of Education and Science has foreseen a curriculum for branch/specific vocational training in "Information and communication technologies in the judiciary" - theory for XII grade, vocational field: code: 346 "Secretarial and administrative office activities", profession: code: 346040 "Judicial officer", specialty: code: 3460401 "Judicial administration". Except the programme offered by the University of Economics – Varna, also the University of Library Studies and Information Technologies offers 8 semesters, 4 years, part-time studies in the field of "Information Technologies in Judicial Administration". It is important that these trainings be adapted to the dynamics of changing needs, given the rapid development and penetration of information and communication technologies. They can provide not only the basic knowledge base but also additional special knowledge if tailored to the needs of the practice. The university and the school should collaborate with employers to design curricula that prepare students with competences in demand by employers. Curricula aligned with the competency model, with the employer's requirements of necessary skills for a particular profession, will make students competitive, will give them the necessary knowledge and skills for realization in the given field (Mironova, 2019). It is for this reason that the "Legal Studies" Department at the University of Economics - Varna has concluded cooperation agreements with the courts in Varna, the Supreme Administrative Court, the National Institute of Justice, the Ombudsman of the Republic of Bulgaria, the Commission for Protection against Discrimination.

3.2. Professional realization

Graduates of Judicial Administration can work as court administrators as well as hold various managerial and administrative positions in judicial and prosecutorial administrations.

The positions they can hold are in the following groups:7

- Administrative secretary;
- Court secretary (Registrar-Recorder, Registrar in the Court Executive Office);
- Clerk in the Registrar's Office, Court Clerk's Office, Archive Office (Court Clerk, Archivist, Summons Clerk, Registry Clerk, Classified Information Clerk).

An important point in these professions is the opportunity for professional growth. On initial appointment, the judicial officer shall be given the minimum rank for the post concerned, which is determined by the job classification in the administration of the judicial authorities. A judicial officer may be promoted in rank after attestation on proof of good professional qualifications. In the event of promotion in rank, the judicial officer shall also receive a higher remuneration for rank in an amount determined by the Supreme Judicial Council.

Bachelors in "Judicial Administration" successfully adapt to the dynamics of changes in judicial and prosecutorial administrative practice and are able to perform at the required expert and educational level.

The practical training of the students of the programme "Judicial Administration" is part of the curriculum. It takes place during or after the third year in the administration of the judiciary. Its aim is to encourage students to put into practice the knowledge acquired during their studies. The contracts concluded by the "Legal Studies" Department with the courts and prosecutor's offices in Varna facilitate students in choosing, starting and conducting practical training. Practical training enables, on the one hand, students to put into practice what they have learned and to get acquainted with the work of court officials, and, on the other hand, court administrators or administrative secretaries to be acquainted with the way they work and their ability to cope with the tasks set, which can be an advantage when taking part in a competition for a position.

Organizing and conducting events with the practice during the study process, as well as practical training in the judiciary give students the opportunity to create the necessary contacts for successful professional realization during their studies.

A number of graduates from the "Judicial Administration" programme have already been successfully implemented in the Varna District Court and Varna Regional Court. This shows that the training offered is at the required level and meets the needs of employers. The lecturers of the "Legal Studies" Department at the University of Economics - Varna strive to provide knowledge, skills and competences at a high scientific level, but at the same time in line with the rapidly changing requirements of practice, given the entry of digitalization in all areas of our lives.

4 CONCLUSION

The quality of education should not only be the focus of the education system, it should be a priority for the whole of society. This paper presents good practices, trends and perspectives in the training of the "Judicial

Administration” programme, which can be summarized as follows.

In recent decades, there has been a need to rethink state policy in the field of education in order to link it to the needs of the labour market (Andreeva & Yolova, 2020). The requirements for improving the educational training of judicial officers are in line with European and national trends to introduce new educational policies aimed at increasing the competitiveness of employees in the labour market.

The need to undertake measures to improve the qualifications of judicial officers is recognised. The main objective of their training is to continuously update, improve and expand the knowledge and skills of the judicial administration in order to effectively carry out the activities of the judicial authorities and to strengthen their authority as institutions called upon to protect the rights, freedoms and legitimate interests of citizens and organisations. (3).

There is no doubt that there is a need to train qualified personnel for the judicial administration who are prepared to ensure the overall administration of justice. Judicial officers, along with magistrates, are responsible for the authority of the judiciary and this implies that they have the necessary education and that they continuously upgrade and update their qualifications.

The authors call for the necessary legal and managerial measures to be taken to enhance the professional qualifications of judicial officers in view of the challenges facing the judiciary, one of which is the establishment of a modern and efficient judicial administration. It is logical to have higher legal requirements for the educational background of judicial staff - especially for those in the specialised administration, as well as for those in expert and managerial positions. There must be a unified approach to training, and here the role of the National Institute of Justice is very important, as is the introduction of the profession of “judicial officer” and the programme “Judicial administration” in the Bachelor's degree.

The trend of increasing the professional competence of judicial officers must continue in order to ensure uniformity in the activities of the judicial authorities and their respective administrations, which is a guarantee for the quality of the administration of justice and for strengthening the principle of the rule of law. The development of the judicial system is inevitably linked to the improvement of the activities of the judicial administration, which is directly dependent on the educational training of judicial staff. Because the institutions are the basis of the state, represented by its bodies and officials.

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