

## EISENHOWER FELLOWSHIPS – 2009 Multi Nation Program

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Judge Sarawut Benjakul is Deputy Secretary-General of Thailand's Office of the Judiciary, where his responsibilities include directing the Judicial Training Institute and providing administrative support to courts within Thailand's judicial system. He also serves as an advisor to the President of the Supreme Court and the Office of the Judiciary's Secretary-General, and as a high-ranking executive member of the Court of Justice is responsible for creating new policies to foster a more accessible and user-friendly judicial system.

Momentous changes to Thailand's politics, society and economy in recent years have highlighted the Court of Justice's crucial stabilizing role of reforming and reinforcing the country's judicial functions. Judge Sarawut came to the fellowship against this backdrop with the goal of understanding the U.S. approach to court administration and management to gain fresh ideas to apply to his work at home. Through meetings with judges, executive members of U.S. courts, academics and nonprofit organizations, he was able to receive the hands-on, on-site experience that could not be found in textbooks or on the internet but which he expected from his fellowship. Judge Sarawut divided his fellowship interests into six categories:

**Court management:** Judge Sarawut's professional responsibilities in Thailand include improving the country's judicial administration and providing education and training to judges and staff to improve public access to the courts. Visits to places such as the U.S. Court of Appeals for the Ninth Circuit in California, and Administrative Offices of the Courts in California, Colorado and Nevada gave Judge Sarawut new ideas about policies to be implemented.

**Alternative Dispute Resolution:** Judge Sarawut was impressed during visits to organizations like the Office of Alternative Dispute Resolution Program in New York by how extensively and effectively ADR is used in the U.S. to resolve disputes and reduce caseloads before the courts. In Thailand mediation at the appellate level is not as successful because of what he referred to as a "there's already a winner and a loser" approach.

**Judicial training:** Visits to the National Judicial College, University of Nevada, and other institutions impressed Judge Sarawut with the wide variety of courses offered, including many online. Online classes could address the current problem in Thailand of judges in rural areas having difficulty travelling to Bangkok to attend training programs there.

**Electronic case filing system:** Thailand's Court of Justice is currently adopting an electronic case filing system to save time, space and money. Observing how the system operates in U.S. courts gave Judge Sarawut ideas about its pros and cons that can be applied in Thailand.

**Court law enforcement agency:** Thailand's recent political tensions have contributed to concerns about security for judges and staff and suggestions that the Court of Justice maintain its own independent law enforcement agency. Judge Sarawut's visit to the New York State Court's Academy for Training Court Security Officers gave him insights into how this might work in Thailand.

**Judicial clerkship:** Judicial clerks in the U.S. provide assistance to judges researching issues before the courts and writing decisions, whereas in Thailand they only serve as administrative staff. The U.S. concept of clerkship could be applied to Thailand to help reduce caseloads in the Thai Appeals Courts and Supreme Court.