

Specialised judicial tribunals

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Define tomorrow.

Primary benefits of specialized judicial tribunals

- Fostering improved decision-making by having experts decide complex cases
- Reducing pending case backlogs in generalist
- Decreasing the number of judge hours required to process complex cases

Arguments in favour of specialized judicial tribunals

- Judicial system efficiency
- Legal system efficiency
- Uniformity
- Expertise
- Improved case management
- Eliminate conflicts and forum shopping

Arguments against specialized judicial tribunals

- Inefficiency
- Judicial isolation
- Captives of narrowly focused professional groups
- Public access
- Due process issues
- Quality of judges

Issues to be considered

- Exercise care in selecting the specialized subject matter
- Isolate the jurisdiction
- Define the jurisdiction to promote judicial interest
- Carefully consider the need for a specialized judicial tribunal
- Curb the tendency toward isolation
- Determine the appropriate organizational hierarchy

National case studies

- France
- Germany
- China
- South Africa

Thank you

Define tomorrow.

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