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## **From the Executive Editor**

By Markus Zimmer



On 16 February 2004, then-Transitional Chief Justice Harry Cooper of the Liberian Supreme Court dispatched a letter to then-U.S. Supreme Court Chief Justice William Rehnquist. Cooper described The Republic of Liberia as "...emerging from an extended civil upheaval that has taken its toll on all facets of our society and governmental institutions. The Judiciary was not spared. We need assistance in the rebuilding process." The letter requested assistance to "...provide needed capacity building." Later that year, the U.S. Departments of Justice and State jointly dispatched a small team of federal officials to travel to Liberia to assess the status of its beleaguered justice and law enforcement systems. I was asked to serve on the team. Oversight would be exercised by the U.S. Embassy, which directed the investigation be confined to Monrovia for our security. I objected, arguing that would result in a skewed assessment. Eventually we negotiated travel aboard UN choppers to Buchanan, Zwedru, Gbranga, and Voinjama, deep in Liberia's Hinterland.

We arrived in January 2005, slightly more than a year after fighting had been suspended. As we traveled throughout the country and met with UN and Transitional Government officials at the highest levels, it became clear that the small country, on the verge of political and economic collapse, was held together by a large contingent of UN peacekeeping troops, experts, and international police supporting a weak transitional government. We visited torched police stations, fire-scorched prisons, and plundered courthouses, including the Temple of Justice, home of Cooper's Supreme Court. We met with judges, prosecutors, and court officials who had not been paid for two years or longer. Liberia was reeling from the devastation of prolonged and sequential civil wars, a succession of failed governments, widespread corruption, shattered communities, and thousands of orphaned children, many forcibly conscripted as soldiers, servants, and sexual slaves by rebel forces during the extended conflict.

Of those responsible for the widespread allegations of atrocities, war crimes, and crimes against humanity, the most prominent was Charles Ghankay Taylor, a native Liberian educated in the U.S., trained in Libyan terrorism camps, and eventually elected as Liberia's President. In August 2003, following his indictment on 17 counts, later reduced to 11 -- including terrorism, murder, sexual violence, use of child soldiers, and abduction and forced labor -- by the UN-supported Special Court for Sierra Leone (SCSL), Taylor resigned the presidency and slipped into luxurious exile with his retinue in Nigeria under the personal protection of President Olusegun Obasanjo. Nearly three years later, following intense international diplomatic pressure, Taylor's exile was terminated. His attempt to escape thwarted, he was extradited first to Liberia, then Sierra Leone, and eventually to the UN Detention Center in The Hague where, while serving as UNICTY's Court Management Chief, I saw him in his cell in early 2007 as he awaited trial on the criminal charges. His trial began in June 2007 and concluded in March 2011.

On 26 April 2012, Trial Chamber II of the SCSL issued its judgment, pronouncing Taylor guilty on all 11 counts. Taylor's convictions are for crimes he aided, abetted, planned and profited from not in Liberia but in neighboring Sierra Leone. The SCSL's jurisdiction does not extend to Liberia. It appears unlikely that (i) the International Criminal Court will prosecute widespread allegations of war crimes and crimes against humanity there, or (ii) the Liberian government will petition the UN to establish a special court, notwithstanding the recommendation of its Truth and Reconciliation Commission, hence none complicit in the atrocities there will be brought to justice. Indeed, prominent leaders of the rebel groups, all of which engaged in horrific crimes pursuant to international criminal law, occupy leadership positions in Liberia's government, including its Supreme Court. Our team interviewed several.

All of this notwithstanding, the conviction of Charles Ghankay Taylor is a victory for the cause of justice. Although the wheels of justice sometimes grind exceedingly slowly, it is reassuring that in this case, they have ground. He was sentenced on 30 May 2012 to a prison term of 50 years. Counsel for the defense and the prosecution are expected to submit petitions for review to the SCSL Appeals Chamber. If the laborious appeals process affirms his conviction and sentence, Taylor is expected to be incarcerated in a British prison.