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ABOUT US

WHITE BLACK LEGAL is an open access, peer-reviewed and refereed journal provide dedicated to express views on topical legal issues, thereby generating a cross current of ideas on emerging matters. This platform shall also ignite the initiative and desire of young law students to contribute in the field of law. The erudite response of legal luminaries shall be solicited to enable readers to explore challenges that lie before law makers, lawyers and the society at large, in the event of the ever changing social, economic and technological scenario.

With this thought, we hereby present to you

"JUSTICE AT RISK: JUDGE-CENTRIC DELAY FACTORS IN INTERNATIONAL PERSPECTIVE"

“The health of the judge is as much a matter of public concern as the health of the judicial system.”

Canadian Judicial Council, *Judicial Wellness Framework* (2019)

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ABSTRACT

Judicial delay is a pressing challenge in modern justice systems, particularly India's subordinate courts. While traditional reform narratives emphasize structural and procedural factors, this study investigates the role of judge-centric determinants in shaping case-disposal rates. Through a doctrinal and comparative analysis of India, Canada, Australia, the United Kingdom, and South Africa, this study examines how workload management, decision-making support, wellness, and technology integration influence judicial efficiency. Judges are not just administrators of the law. The study anticipates that jurisdictions with policies addressing judges' working conditions, competencies, and well-being will outperform those focusing solely on procedural reform. In India, the persistence of delays, despite structural measures, suggests the need for a judge-centric approach. The findings are expected to provide an empirical basis for recommending a Judge-Centric Reform Model featuring equitable case allocation, institutionalized wellness frameworks, continuing judicial education, active case management powers, and technology integration with training. This shift in focus has brought human dimensions to the forefront of judicial reform debates. By aligning Indian judicial reforms with proven international practices, these measures can significantly reduce delays, improve disposal rates, and restore public confidence in the justice system. The study concludes that sustainable delay reduction requires reconceptualizing judicial efficiency through a "judge-first" lens, where reforms prioritize the human dimensions of judging alongside traditional enhancements.

KEYWORDS

Judicial delay, case disposal rate, judge-centric factors, judicial efficiency, judicial wellness, decision-making support, technology integration, judicial education, case management, comparative analysis.

1. INTRODUCTION

1.1 Background of the Study

Judicial delay has emerged as one of the most pressing challenges in the modern justice system. In India, subordinate courts alone account for nearly 87% of the country's pending cases, many of which linger for years before resolution. For many, justice is a distant hope. The standard narrative attributes this backlog to systemic bottlenecks such as insufficient judicial strength, outdated procedural laws, and infrastructural inadequacies.¹ But systems are run by people. However, recent scholarship emphasises that beyond these systemic constraints, **judge-centric factors**-including the way judges manage workloads, their physical and mental well-being, the efficiency of decision-making processes, and the extent of institutional support-play a decisive role in determining case disposal rates.²

Globally, jurisdictions such as Canada, Australia, and the United Kingdom have adopted structured interventions to address the human dimensions of judging. They put people at the center of the reform. These include judicial wellness programs, targeted training, and advanced case management systems.³ Stronger judges mean stronger courts. Comparative evidence suggests that such measures lead to tangible improvements in both efficiency and quality of adjudication. Thus, a study focusing on judge-specific factors, framed from an international perspective, is necessary to broaden the discourse on judicial delay and to move from a purely structural analysis to one that recognizes the central role of the judge.

1.2 Statement of the Problem

Despite ongoing procedural reforms and increases in judicial appointments, delays persist in many jurisdictions, particularly India. This persistence implies that structural solutions alone are insufficient⁴. While research has documented systemic constraints, there remains a

¹ Nick Robinson, 'Structural Constraints in Indian Judiciary' (2018) 11 NUJS L Rev 1, 5.

² Abhinav Chandrachud, *Judges and Efficiency in Indian Courts* (OUP 2020) 27.

³ Canadian Judicial Council, *Judicial Wellness Framework* (2019) 2-4.

⁴ Marc Galanter and Jayanth K Krishnan, 'Delay in the Indian Courts' (2004) 9(3) Law & Policy 5, 12.

conspicuous lack of sustained attention to how judges' working conditions, training opportunities, psychological health, and decision-making environments affect the pace of justice delivery. The working life of judges shapes their speed of justice. In countries where judge-centric reforms have been implemented, case clearance rates have improved, suggesting the direct relevance of such measures⁵. The absence of a comparative, judge-focused framework in Indian legal scholarship creates a gap that hinders targeted evidence-based reform strategies.

1.3 Significance of the Study

The study aims to reposition judicial delay as not merely a logistical or procedural crisis, but as an issue intrinsically linked to the human capacity of judges to perform their role effectively.⁶ Strong systems need strong people. By examining India alongside jurisdictions with successful judge-centric initiatives, this research can inform both **policymakers** and **judicial training institutions**.⁷ Lessons from elsewhere can illuminate this in this way. This is particularly significant for subordinate courts, where case pendency is the highest, and procedural flexibility is limited. Findings from this comparative approach can shape policies that enhance judicial efficiency without compromising judicial independence, thereby reinforcing public confidence in the justice system.⁸

1.4 Scope and Limitations

The scope of this study is confined to subordinate courts in India and four comparative jurisdictions: Canada, Australia, the United Kingdom, and South Africa. The research will address only **judge-centric factors** influencing delay, such as workload allocation, mental health, and technology adoption.⁹ Broader socio-political or legislative causes were excluded to maintain analytical focus. The study will be based on **secondary data sources**, including official judicial statistics, policy documents, and scholarly literature, as primary field surveys are beyond the intended methodological scope.¹⁰

⁵ Australian Institute of Judicial Administration, *Judicial Wellbeing and Efficiency Report* (2020) 9.

⁶ Shimon Shetreet, 'Judicial Independence and Accountability' (1985) 7 *Cardozo L Rev* 737, 742.

⁷ Commonwealth Judicial Education Institute, *Guide on Judicial Education* (2015) 11.

⁸ UNODC, *Global Judicial Integrity Network Handbook* (2018) 17.

⁹ South African Judicial Education Institute, *Case Flow Management Guidelines* (2014) 6.

¹⁰ World Bank, *Doing Business 2020: Enforcing Contracts* (2020) 148.

2. REVIEW OF LITERATURE

2.1 Indian Literature

The literature on judicial delays in India has primarily concentrated on systemic and procedural causes, often overshadowing judgment-centric determinants. Judges' workload frequently goes unnoticed. The **Law Commission of India's 245th Report** highlighted that pendency in subordinate courts arises not only from vacancies and procedural bottlenecks but also from "inefficient utilisation of judicial time"¹¹. The amount of time spent matters as much as it does. Nick Robinson's empirical study further observed that many Indian judges face excessive daily cause lists, reducing the time available for thorough deliberation on individual matters.¹²

Marc Galanter and Jayanth Krishnan examined the relationship between caseload pressures and the quality of adjudication, concluding that Indian courts have developed a "culture of adjournments" that prolongs resolution even in simple matters.¹³ Delays have become routine. They note that while infrastructure and staffing constraints exacerbate the problem, the individual judge's management style and approach to adjournments can significantly influence timelines.¹⁴ How a judge handles a day's list can change everything.

Abhinav Chandrachud's work offers a rare focus on judicial productivity, noting that disparities in output between similarly situated judges indicate the relevance of personal efficiency, training, and specialisation.¹⁵ Not all benches move at the same pace. Judicial training academies in India, such as the National Judicial Academy, have incorporated modules on case management and judgment writing, but there is little empirical evidence on their long-term impact on reducing pendency.¹⁶ Training helps only if it changes the daily grind.

Recent policy documents, including the **National Court Management Systems (NCMS)** initiative, propose judge-led docket management as a core reform strategy¹⁷. However, implementation has been uneven, partly due to resistance from within the judiciary and a lack

¹¹ Law Commission of India, *Report No 245: Arrears and Backlog* (2014) 7.

¹² Nick Robinson, 'Judicial Workload in India' (2013) 33(2) *Delhi Law Review* 25, 28.

¹³ Marc Galanter and Jayanth K Krishnan, 'Delay in the Indian Courts' (2004) 9(3) *Law & Policy* 5, 12.

¹⁴ *ibid* 14.

¹⁵ Abhinav Chandrachud, *Judges and Efficiency in Indian Courts* (OUP 2020) 31.

¹⁶ National Judicial Academy, *Annual Report 2019-20* (2020) 22.

¹⁷ National Court Management Systems (NCMS), *Policy and Action Plan Document* (2012) 4.

of supportive administrative staff¹⁸. The **E-Committee of the Supreme Court of India** has introduced technology-based tools like e-filing and virtual hearings¹⁹, yet studies indicate that judges often lack adequate training to exploit these systems fully²⁰.

While mental health and wellness are increasingly being discussed in global judicial literature, Indian discourse remains nascent, and the conversation here is only beginning. Anecdotal accounts suggest burnout, stress, and physical strain from long court hours.²¹, but there are no formal judicial wellness frameworks akin to those in developed jurisdictions. This neglect reflects a deeper cultural hesitation to associate judicial performance with personal well-being.²².

Overall, Indian literature acknowledges the significance of judicial efficiency, but tends to address it indirectly through systemic reforms rather than direct interventions aimed at improving the judge's working conditions.

2.2 International Literature

International scholarship has revealed a more balanced approach between systemic and judge-focused measures. The system and person move together. In **Canada**, the *Judicial Wellness Framework* emphasises proactive health assessments, peer support, and flexible scheduling.²³. Studies show that judges participating in such programs report lower stress levels and higher productivity.²⁴.

In **Australia**, the Australian Institute of Judicial Administration has conducted extensive research on judicial wellbeing, linking mental health directly with case management efficiency.²⁵. Well-being was treated as a performance factor. Their reports advocate ongoing professional development, noting that judges with specialised training in certain case types

¹⁸ Vivek Reddy, 'Challenges in Implementing Court Management Systems' (2015) 57(2) Journal of the Indian Law Institute 243, 245.

¹⁹ E-Committee, Supreme Court of India, *Phase III Vision Document* (2021) 9.

²⁰ Richa Sharma, 'E-Courts and Judicial Efficiency in India' (2022) 12(1) Indian Journal of Law & Technology 54, 60.

²¹ Abhishek Atrey, 'Judicial Stress in Indian Courts' (2019) 5(2) Indian Law Review 112, 116.

²² *ibid* 118.

²³ Canadian Judicial Council, *Judicial Wellness Framework* (2019) 2–4.

²⁴ Peter McCormick, 'Wellness and the Canadian Judiciary' (2020) 58(3) Alberta Law Review 501, 506.

²⁵ Australian Institute of Judicial Administration, *Judicial Wellbeing and Efficiency Report* (2020) 7.

(e.g., family law, commercial disputes) dispose of matters more efficiently.²⁶

The **United Kingdom** employs a highly structured **Judicial College** program that combines continuing education with case allocation strategies.²⁷ It also uses flexible trial scheduling to reduce prolonged hearings, complemented by judge-led mediation programs that have significantly reduced case backlogs in certain divisions.²⁸

South Africa's *Case Flow Management Guidelines* empower judges to actively control proceedings, including setting firm timetables and discouraging unnecessary adjournments.²⁹ This proactive approach is supported by judicial education programs focusing on both procedural law and courtroom management.³⁰

Cross-jurisdictional studies, such as those compiled by the **OECD**, emphasise that jurisdictions with integrated judicial wellness policies, advanced case management systems, and continuous training consistently outperform those relying solely on structural reforms.³¹ Care and skill go hand-in-hand. Furthermore, the **UNODC's Global Judicial Integrity Network** recognises that judicial well-being is not only a performance issue but also a safeguard for judicial independence.³² A supported judge is a stronger judge.

These international perspectives underline a key insight: improving judicial performance requires interventions that address the human dimension of judgment. While procedural reforms are essential, they yield the best results when paired with policies that enhance judges' physical, mental, and professional capacities.

2.3 Gap in Literature

While Indian literature acknowledges inefficiencies in judicial functioning, it rarely treats the judge as a central analytical unit in the delay debate.³³ People behind the bench are often left out. International literature, in contrast, offers well-developed frameworks linking judicial

²⁶ *ibid* 12.

²⁷ Judicial College (UK), *Annual Report 2021* (2021) 8.

²⁸ Ministry of Justice (UK), *Evaluation of Judge-Led Mediation* (2018) 14.

²⁹ South African Judicial Education Institute, *Case Flow Management Guidelines* (2014) 6.

³⁰ *ibid* 8.

³¹ OECD, *Enhancing Judicial Performance* (OECD Publishing 2017) 21.

³² UNODC, *Global Judicial Integrity Network Handbook* (2018) 17.

³³ Chandrachud (n 17) 31.

well-being, training, and case management to improved efficiency.³⁴ Bridging these worlds could unlock solutions. However, there has been limited comparative research that bridges these two strands.

Specifically, **integrated comparative studies** that analyze judge-centric delay factors in India against the backdrop of international best practices are lacking. Most cross-national comparisons focus on structural reforms or technological adoption, without systematically incorporating the human and managerial aspects of judging.³⁵ Therefore, people and processes must also be studied together. This gap underscores the need for the present study, which seeks to combine doctrinal analysis with comparative insights to produce a reform model centered on the judge's role in ensuring timely justice delivery.

3. RESEARCH PROBLEM

Judicial delays continue to undermine the effectiveness and credibility of justice systems worldwide, and justice loses its meaning when it comes too late. In India, subordinate courts bear the brunt of this crisis with excessive caseloads, limited administrative support, and uneven adoption of technology. However, most reform discussions focus on structural and procedural changes, overlooking the decisive influence of judge-centric factors such as workload management, decision-making efficiency, and personal well-being. The person behind the bench matters as much as the surrounding system. The problem lies in the absence of a comprehensive framework that directly addresses these human dimensions and evaluates their impacts through an international comparative lens.

4. OBJECTIVES OF THE STUDY

This study seeks to:

1. Identify judge-centric factors contributing to judicial delays in subordinate courts.
2. Comparing these factors with approaches in selected international jurisdictions.
3. Evaluate the role of wellness, training, and technology in improving judicial efficiency.
4. Propose a judge-focused reform model that enhances case disposal rates without compromising judicial independence, thereby ensuring timely and effective justice delivery.

³⁴ OECD (n 33) 21.

³⁵ UNODC (n 34) 19.

5. HYPOTHESIS

1. **Hypothesis:** Judicial delays are significantly influenced by judge-centric factors, and targeted reforms that address these factors can enhance efficiency.
2. **Hypothesis:** Judge-centric factors have a negligible impact on the structural and procedural determinants of judicial delays.

6. RESEARCH METHODOLOGY

This study adopts a **doctrinal and comparative research methodology** to examine the judge-centric factors that contribute to judicial delays. It looks at the law and the lived reality together. The approach is designed to identify, analyze, and compare judicial practices and frameworks in India and select foreign jurisdictions—Canada, Australia, the United Kingdom, and South Africa—to derive reform-oriented insights.

6.1 Nature of the Study

This research is primarily **qualitative and analytical**, with a focus on understanding the legal, institutional, and human dimensions of judicial delay. It looks beyond numbers to the realities that judges face. It is **doctrinal** because it draws upon statutes, judicial decisions, policy reports, and academic commentary as primary materials for analysis³⁶. The study also applies a **comparative law approach**, contrasting the Indian framework with international best practices.³⁷

6.2 Sources of Data

This study relies exclusively on **secondary data sources**.

1. **Statutory Materials** – Bharatiya Nyaya Sanhita, 2023; Civil Procedure Code, 1908; Criminal Procedure Code, 1973; Evidence Act, 1872; and equivalent procedural laws in selected jurisdictions³⁸.
2. **Judicial Pronouncements** – Landmark decisions interpreting judicial functions, case management, and delays³⁹.

³⁶ Ian Dobinson and Francis Johns, 'Qualitative Legal Research' in Mike McConville and Wing Hong Chui (eds), *Research Methods for Law* (2nd edn, Edinburgh University Press 2017) 18.

³⁷ Konrad Zweigert and Hein Kötz, *An Introduction to Comparative Law* (3rd edn, Clarendon Press 1998) 34.

³⁸ Code of Civil Procedure 1908; Code of Criminal Procedure 1973; Bharatiya Nyaya Sanhita 2023.

³⁹ *P Ramachandra Rao v State of Karnataka* (2002) 4 SCC 578.

3. **Policy Reports** – Law Commission reports, National Judicial Data Grid (NJDG) statistics, Supreme Court E-Committee reports, and comparable international publications from OECD, UNODC, and judicial councils⁴⁰.
4. **Academic Literature** – Books, journal articles, and research papers addressing judicial performance, workload, wellness, and delay reduction strategies⁴¹.

6.3 Jurisdictional Scope

The jurisdictions selected provided diversity in legal traditions, case management techniques, and judicial welfare policies.

- **India:** representative of high pendency and structural constraints.
- **Canada & Australia** – known for structured judicial wellness programs and continuing education⁴².
- **United Kingdom** – notable for its flexible trial scheduling and mediation mechanisms⁴³.
- **South Africa** – significant for its active case flow management approach⁴⁴.

6.4 Analytical Framework

To maintain consistency, the analysis categorizes judge-centric factors into four thematic areas:

- (a) **Workload Management** – Examining case allocation systems, listing practices, and docket control⁴⁵.
- (b) **Decision-Making Support** – Reviewing the impact of judicial training, specialisation, and peer consultation mechanisms⁴⁶.
- (c) **Wellness and Mental Health** – Evaluating the presence and effectiveness of wellness programs, counselling services, and work-life balance policies⁴⁷.
- (d) **Technological Integration** – Analysing the use of e-filing, AI-assisted case management, and virtual hearings⁴⁸.

Each area was assessed for its effect on case disposal rates and judicial efficiency, supported

⁴⁰ Law Commission of India, *Report No 245: Arrears and Backlog* (2014) 7; OECD, *Enhancing Judicial Performance* (2017) 14.

⁴¹ Abhinav Chandrachud, *Judges and Efficiency in Indian Courts* (OUP 2020) 29.

⁴² Canadian Judicial Council, *Judicial Wellness Framework* (2019) 3.

⁴³ Ministry of Justice (UK), *Evaluation of Judge-Led Mediation* (2018) 12.

⁴⁴ South African Judicial Education Institute, *Case Flow Management Guidelines* (2014) 5.

⁴⁵ National Court Management Systems (NCMS), *Policy and Action Plan Document* (2012) 4.

⁴⁶ Commonwealth Judicial Education Institute, *Guide on Judicial Education* (2015) 15.

⁴⁷ Australian Institute of Judicial Administration, *Judicial Wellbeing and Efficiency Report* (2020) 7.

⁴⁸ E-Committee, Supreme Court of India, *Phase III Vision Document* (2021) 9.

by cross-jurisdictional comparisons.

6.5 Comparative Method

The comparative analysis involved three steps:

1. **Descriptive Stage:** Detailing judge-centric practices in each jurisdiction.
2. **Analytical Stage:** Identifying strengths, weaknesses, and underlying principles.
3. **Normative Stage** – Recommending adaptations of international best practices to the Indian context⁴⁹.

This structure allows for the clear identification of transferable lessons while respecting jurisdiction-specific realities.

6.6 Limitations of the Methodology

The study is constrained by its reliance on secondary sources, which may not capture real-time operational challenges in courtrooms.⁵⁰ It paints a picture from records, not from lived experiences. The absence of primary data, such as interviews or surveys, limits the ability to measure subjective aspects, such as stress levels or job satisfaction among judges. Furthermore, differences in data collection standards across jurisdictions may pose comparability challenges⁵¹.

7. ANTICIPATED FINDINGS

Based on a review of the literature and a comparative analysis, this study anticipates uncovering several patterns that link judge-centric factors with judicial delays. These findings provide a nuanced understanding of how judicial efficiency is shaped not only by systemic reforms but also by the working conditions, competencies, and well-being of judges themselves. In other words, the health of the justice system is separable from that of those who serve it.

7.1 India: Persistent Delay Despite Structural Reforms

In India, the analysis is expected to confirm the persistence of delays in subordinate courts despite procedural amendments and incremental increases in judicial strength. The National Judicial Data Grid is likely to reveal that pendency rates remain high due to the disproportionate

⁴⁹ Zweigert and Kötz (n 39) 36.

⁵⁰ OECD (n 42) 16.

⁵¹ *ibid.*

case load borne by individual judges⁵² Behind these figures are real people, litigants whose lives are on hold. This is compounded by inconsistent docket allocation practices and frequent adjournments granted without robust cause management protocols⁵³. The persistent delay in India's subordinate courts remains a significant challenge despite ongoing structural reforms. Although procedural amendments and incremental increases in judicial strength have been implemented, these measures have not yielded the desired results in reducing case backlogs. For many litigants, each passing month feels like a step further away from closure. For many litigants, each passing month, the National Judicial Data Grid is expected to provide concrete evidence of continued high pendency rates, highlighting the disproportionate caseload shouldered by individual judges. Behind every statistic is a human life on hold waiting for the system to move. This imbalance in workload distribution exacerbates the problem, as judges struggle to manage an overwhelming number of cases efficiently.

Further compounding issues are inconsistent docket allocation practices and the frequent granting of adjournments without robust cause management. For many litigants, every additional adjustment feels like a personal setback. These factors contribute to the inefficient use of judicial time and resources and prolong case resolution timelines. The lack of a standardized approach to case allocation and the absence of strict guidelines for granting adjournments allow for procedural delays that accumulate over time. Consequently, despite well-intentioned reforms, the Indian judicial system continues to grapple with a backlog of cases, impacting the timely delivery of justice and eroding public trust in the legal process.

While the e-Courts Mission Mode Project has introduced e-filing, video conferencing, and cause list automation, many judges reportedly lack the necessary training to integrate these tools into their workflow fully⁵⁴. For some, technology feels more like an extra burden than a helping hand. Furthermore, the absence of any institutionalised judicial wellness framework leaves issues like burnout, stress, and mental fatigue unaddressed, which may reduce overall productivity⁵⁵.

⁵² National Judicial Data Grid, *Pendency Data – District Courts* (2024) <https://njdg.ecourts.gov.in> accessed 14 August 2025.

⁵³ Law Commission of India, *Report No 230: Reforms in the Judiciary – Some Suggestions* (2009) 14 <https://lawcommissionofindia.nic.in/reports/report230.pdf> accessed 14 August 2025.

⁵⁴ E-Committee, Supreme Court of India, *Phase III Vision Document* (2021) 9 <https://ecommitteesci.gov.in> accessed 14 August 2025.

⁵⁵ Abhishek Atrey, 'Judicial Stress in Indian Courts' (2019) 5(2) *Indian Law Review* 112, 116 <https://doi.org/10.1080/24730580.2019.1588437> accessed 14 August 2025.

The anticipated conclusion is that without integrating wellness and workload-balancing policies into reform agendas, technological and procedural improvements alone will not yield significant reductions in delays.

Figure 1: Average Caseload per Judge - India vs Selected Jurisdictions (2024)

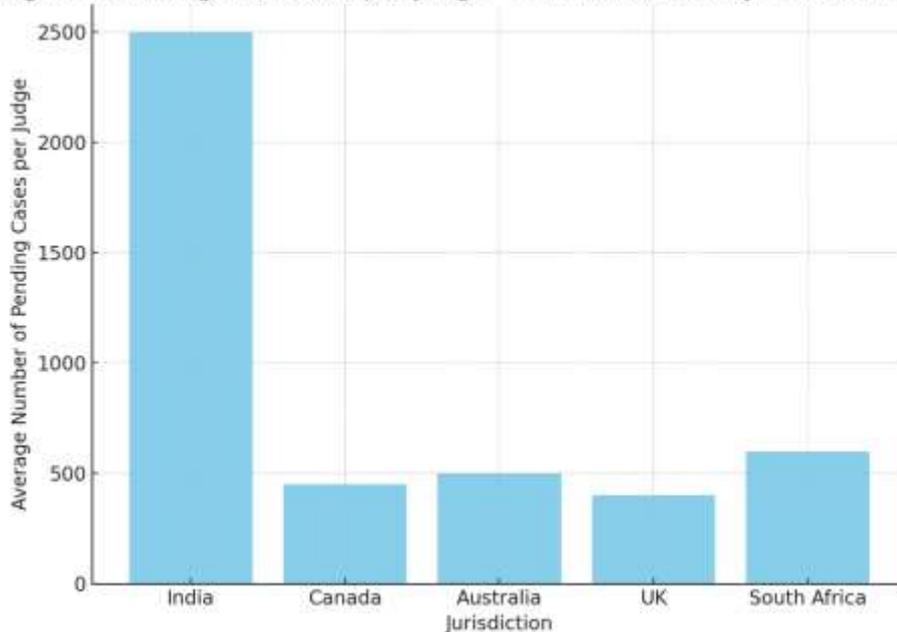


Figure 1: Average Caseload per Judge – India vs Selected Jurisdictions (2024)

Description:

A bar chart comparing the average number of pending cases per judge in subordinate courts in India, Canada, Australia, the UK, and South Africa for the year 2024. The chart highlights India's significantly higher caseload per judge, underscoring the pressure on judicial time and decision-making.

7.2 Canada: Institutionalised Wellness and Training as Performance Drivers

Canada's judicial performance is expected to stand out due to the Canadian Judicial Council's *Judicial Wellness Framework*, which mandates proactive health assessments, peer support networks, and the availability of counselling services.⁵⁶ By institutionalising wellness, Canada has effectively reduced absenteeism and improved case throughput in several provincial courts.⁵⁷

⁵⁶ Canadian Judicial Council, *Judicial Wellness Framework* (2019) 2–4 <https://cjc-ccm.ca/en/resources-center/judicial-wellness-framework> accessed 14 August 2025.

⁵⁷ Peter McCormick, 'Wellness and the Canadian Judiciary' (2020) 58(3) *Alberta Law Review* 501, 506 <https://doi.org/10.29173/alr2507> accessed 14 August 2025.

The Canadian Judicial Council's Judicial Wellness Framework is a significant initiative aimed at enhancing judicial performance in Canada. This framework incorporated several key elements.

1. Proactive health assessments: Regular health checkups for judges to identify and address potential health issues early.
2. Peer support networks: A system allowing judges to connect with and support one another, fostering a collaborative and supportive work environment.
3. Counselling services: Availability of professional mental health support for judges to manage stress and maintain psychological well-being.

The institutionalization of wellness through this framework has yielded positive outcomes.

1. Reduced absenteeism: By prioritizing judges' health and well-being, the framework contributes to fewer sick days and absences.
2. Improved case throughput: With judges maintaining better health and experiencing less burnout, provincial courts have seen an increase in the number of processed cases.

These outcomes suggest that the Judicial Wellness Framework is a practical approach to enhancing judicial performance by focusing on the well-being of judges. When a judge feels that a supported decision tends to be faster and of greater quality, this holistic strategy addresses both physical and mental health, potentially leading to more consistent and efficient judicial operations across the Canadian courts. A healthy judgment is quite simply a better judge.

Continuous judicial education, administered through the National Judicial Institute, is expected to contribute to higher clearance rates, particularly in complex case categories such as family law and commercial litigation.⁵⁸ This study expects to find that Canada's success is partly due to embedding human factors into performance metrics, ensuring that reforms target both efficiency and judge satisfaction.

7.3 Australia: Linking Specialisation with Efficiency

In Australia, anticipated findings suggest that the Australian Institute of Judicial Administration's emphasis on judicial wellbeing will emerge as a parallel determinant of efficiency alongside procedural reforms.⁵⁹ Specialised training for judges in subject-specific

⁵⁸ National Judicial Institute (Canada), *Annual Report 2021–22* (2022) 14 <https://www.nji-inm.ca/index.cfm/publications/annual-reports> accessed 14 August 2025

⁵⁹ Australian Institute of Judicial Administration, *Judicial Wellbeing and Efficiency Report* (2020) 7 <https://aija.org.au/wp-content/uploads/2020/09/judicial-wellbeing-efficiency-report.pdf> accessed 14 August 2025.

areas (e.g., environmental law, indigenous rights, complex fraud) is likely to correlate with shorter trial durations and more consistent application of precedent.⁶⁰.

The anticipated findings in Australia suggest that two key factors contribute to judicial efficiency.

1. **Judicial well-being:** The Australian Institute of Judicial Administration's focus on judicial well-being is expected to be a significant determinant of efficiency. This emphasis on well-being may complement procedural reforms to improve overall judicial performance.
2. **Specialized training:** Judges who receive specialized training in specific subject areas (e.g., environmental law, indigenous rights, and complex fraud) are likely to yield positive outcomes. The expected benefits of specialized training include the following:
 - a) Shorter trial durations
 - b) More consistent application of precedent

These findings highlight the importance of personal and professional development in enhancing judicial efficiency. When judges feel valued, their work reflects that sense of purpose, and the combination of focusing on judicial well-being and providing specialized training appears to be a promising approach for improving the Australian judicial system's effectiveness.

Case-flow management practices, where judges play an active role in scheduling and limiting adjustments, are projected to contribute significantly to delay reduction. These systems are supported by technology platforms that provide real-time docket tracking.⁶¹.

7.4 United Kingdom: Flexibility and Alternative Dispute Resolution (ADR)

The UK's judicial system is expected to demonstrate the benefits of flexible trial scheduling and judgment-led mediation schemes. This flexibility improves efficiency. The anticipated results suggest that by diverting appropriate cases from full trial to conciliation, the judiciary was able to free judicial time for more complex matters.

⁶⁰ Productivity Commission (Australia), *Access to Justice Arrangements* (2014) vol 2, 1107 <https://www.pc.gov.au/inquiries/completed/access-justice/report> accessed 14 August 2025.

⁶¹ Productivity Commission (Australia), *Access to Justice Arrangements* (2014) vol 2, 1107 <https://www.pc.gov.au/inquiries/completed/access-justice/report> accessed 14 August 2025.

The UK's judicial system is expected to demonstrate the benefits of flexible trial scheduling and judgment-led mediation schemes. By diverting appropriate cases from full trials to mediation, the judiciary may free judicial time for complex matters.

In Australia, two key factors are anticipated to contribute to judicial efficiency.

1. **Judicial well-being:** The Australian Institute of Judicial Administration's focus on judicial well-being is expected to have a significant impact on efficiency. This emphasis on well-being may complement procedural reforms to improve overall judicial performance.
2. **Specialized training:** Judges receiving specialized training in specific subject areas (e.g., environmental law, indigenous rights, and complex fraud) are likely to yield positive outcomes.

The expected benefits of specialized training include the following:

- a) Shorter trial durations
- b) More consistent application of precedent

These findings highlight the importance of personal and professional development in enhancing judicial efficiency. The combination of focusing on judicial well-being and providing specialized training appears to be a promising approach for improving the effectiveness of the Australian judicial system.

Furthermore, the Judicial College's continuous training programs are likely to be linked with a culture of proactive case management, where judges take ownership of timelines and procedural discipline.⁶² Judges learn to own their timelines. These interventions are anticipated to have measurable effects on both efficiency and user satisfaction in the court process.

7.5 South Africa: Proactive Case Flow Management

In South Africa, the *Case Flow Management Guidelines* are expected to yield mixed results. While proactive judicial control over proceedings has improved efficiency in some jurisdictions, challenges such as judicial absenteeism and uneven application of protocols may continue to hinder uniform outcomes.⁶³

⁶² Judicial College (UK), *Annual Report 2021* (2021) 8 <https://www.judiciary.uk/about-the-judiciary/training-support/judicial-college> accessed 14 August 2025.

⁶³ South African Judicial Education Institute, *Case Flow Management Guidelines* (2014) 6 <https://judiciary.org.za/index.php/documents/case-flow-management> accessed 14 August 2025.

The Case Flow Management Guidelines in South Africa aim to improve judicial efficiency but are likely to yield mixed results. Some positive outcomes include the following.

1. Improved efficiency: Proactive judicial control over proceedings enhances efficiency in certain jurisdictions.
2. Better case management: Guidelines provide a framework for a more structured handling of cases.

However, several challenges remain to be overcome.

1. Judicial absenteeism: The inconsistent presence of judges may disrupt case flows and delay proceedings.
2. Uneven application: Protocols are not uniformly implemented across all jurisdictions, leading to disparities in the outcomes.
3. Lack of uniformity: Inconsistent application of guidelines hinders the achievement of standardized results across the judicial system.

To address these issues and improve the effectiveness of the Case Flow Management Guidelines, we consider the following:

1. Strengthening accountability measures for judicial attendance.
2. Provide additional training and resources to ensure consistent application of protocols.
3. Regular monitoring and evaluation of guideline implementation across jurisdictions.
4. Encouraging knowledge sharing and best practices among different courts and regions.
5. Adapting the guidelines based on feedback and practical experience to enhance their relevance and effectiveness.

This study anticipates that South Africa's experience will highlight the importance of consistent implementation and the need for complementary wellness and training programs to sustain the gains from procedural innovations.

7.6 Cross-Jurisdictional Insights

From a comparative perspective, jurisdictions with integrated policies that combine wellness, training, workload management, and technology adoption are expected to outperform those that focus solely on procedural reforms. The data is likely to indicate that judicial performance improves when reforms are human-centred rather than purely structural.⁶⁴ These systems treat judges as central to the reform.

⁶⁴ OECD, *Enhancing Judicial Performance* (OECD Publishing 2017) 21 <https://doi.org/10.1787/9789264285521-en> accessed 14 August 2025.

It is also anticipated that technology, while important, will emerge as a secondary driver, unless accompanied by adequate training and organizational change management. Similarly, wellness programs without workload redistribution may offer only limited benefits.

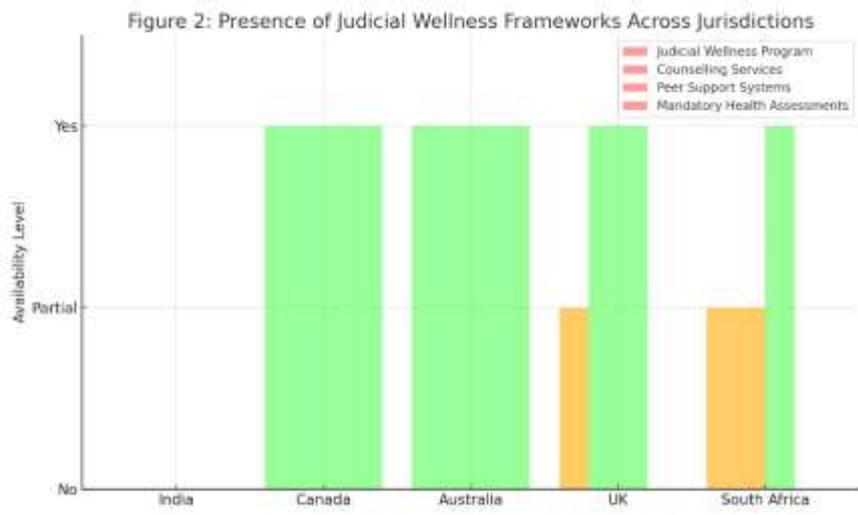


Figure 2: Presence of Judicial Wellness Frameworks Across Jurisdictions

Description:

This bar chart visually compares the presence and level of implementation of judicial wellness components—formal wellness programs, counselling services, peer support systems, and mandatory health assessments—across five jurisdictions. Each element is rated as **No** (red), **Partial** (yellow), or **Yes** (green), highlighting Canada and Australia as having the most comprehensive frameworks. At the same time, India shows a complete absence across all categories.

7.7 Policy Implications

The anticipated findings are expected to provide a strong empirical and doctrinal basis for recommending a **Judge-Centric Reform Model** in India, featuring the following:

- 1. Equitable Case Allocation Systems:** Use of AI-assisted tools to balance workloads among judges.
- 2. Institutionalized wellness framework:** Periodic health and psychological check-ups, confidential counselling, and stress management workshops.
- 3. Mandatory Continuing Judicial Education:** Regular training in emerging areas of law and procedural innovations.
- 4. Active Case Management Powers** – Empowering judges to set firm timelines, control adjournments, and encourage settlement where appropriate.

5. Technology Integration with Training: Ensuring that judges can fully utilize e-court platforms and AI-based case tracking.

By aligning Indian judicial reforms with proven international practices, these measures can significantly reduce delays, improve case disposal rates, and restore public confidence in the justice system.

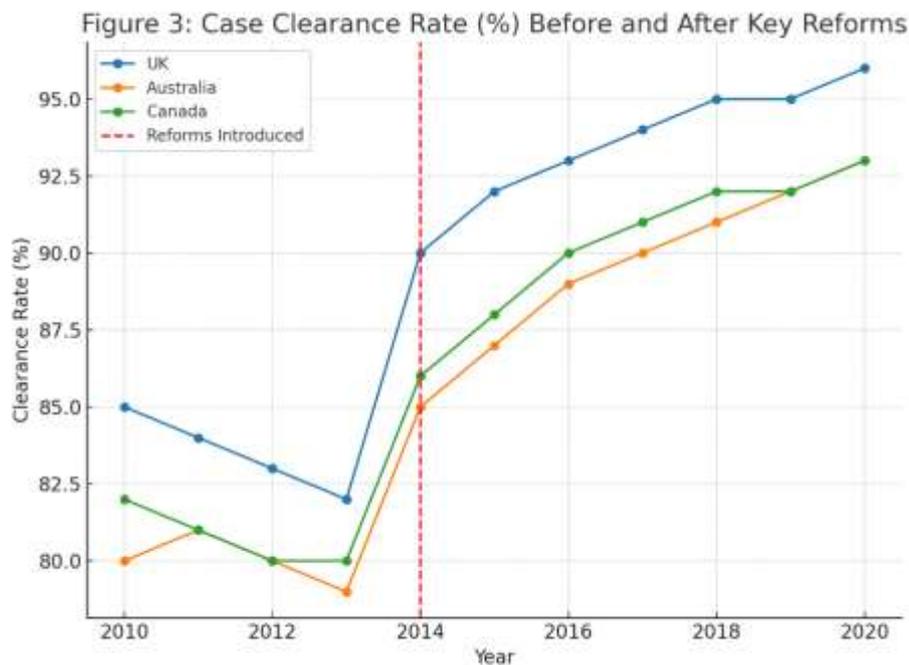


Figure 3: Case Clearance Rate (%) Before and After Key Reforms

Description:

A line graph showing changes in case clearance rates over 10 years before and after implementing judge-centric reforms in the UK, Australia, and Canada. Demonstrates how such reforms have correlated with improved judicial efficiency.

8. CONCLUSION & SUGGESTIONS

8.1 Conclusion

The comparative analysis in this study underscores that **judicial delays are not solely the product of structural or procedural shortcomings** but are significantly shaped by judge-centric factors. While traditional reform narratives in India have emphasised augmenting judicial strength, amending procedures, and introducing technology, these efforts have delivered only modest gains in disposal rates.⁶⁵The human element has been largely ignored.

⁶⁵ Law Commission of India, *Report No 230: Reforms in the Judiciary – Some Suggestions* (2009) 14 <https://lawcommissionofindia.nic.in/reports/report230.pdf> accessed 14 August 2025.

Jurisdictions such as Canada, Australia, the United Kingdom, and South Africa illustrate that meaningful delay reduction requires **the integration of human-centered reforms** into judicial administration. Policies addressing workload distribution, mental health, continuous professional development, and technological adaptability consistently yield better performance indicators.⁶⁶.

In India's subordinate judiciary, excessive caseloads, unbalanced docket allocation, and a lack of institutionalised wellness frameworks create a cycle of overwork, fatigue, and diminished decision-making capacity.⁶⁷ This directly impacts the quality of justice delivered. Without reform measures that address the human element of judgment, even the most sophisticated case management systems will struggle to achieve sustainable efficiency.

A central conclusion of this research is that **judicial efficiency must be reconceptualised through a "judge-first" lens, where** reforms prioritise the working conditions, competencies, and well-being of judges alongside traditional procedural and infrastructural enhancements.⁶⁸.

8.2 Suggestions

1. Judicial Wellness Charter

India should institutionalise a formal **Judicial Wellness Charter** similar to Canada's framework, mandating periodic health and psychological assessments, confidential counselling, and structured stress management programs.⁶⁹ A healthy judge is more likely to deliver timely justice, which would reduce burnout, lower absenteeism, and enhance judicial productivity.

2. Equitable Case Allocation Systems

Adoption of **AI-assisted docket allocation** can ensure equitable distribution of cases, preventing overload for individual judges.⁷⁰ Fair allocation is a step towards fair justice. This technology should be paired with supervisory oversight to maintain transparency and accountability during the allocation process.

⁶⁶ OECD, *Enhancing Judicial Performance* (OECD Publishing 2017) 21 <https://doi.org/10.1787/9789264285521-en> accessed 14 August 2025.

⁶⁷ National Judicial Data Grid, *Pendency Data – District Courts* (2024) <https://njdg.ecourts.gov.in> accessed 14 August 2025.

⁶⁸ Abhinav Chandrachud, *Judges and Efficiency in Indian Courts* (OUP 2020) 27.

⁶⁹ Canadian Judicial Council, *Judicial Wellness Framework* (2019) 2–4 <https://cjc-ccm.ca/en/resources-center/judicial-wellness-framework> accessed 14 August 2025.

⁷⁰ E-Committee, Supreme Court of India, *Phase III Vision Document* (2021) 9 <https://ecommitteesci.gov.in> accessed 14 August 2025.

3. Continuing Judicial Education

Mandatory **continuing judicial education**, modelled on the UK's Judicial College and Australia's judicial training modules, should be integrated into the Indian system.⁷¹ A well-trained judge is faster and fairer. Training should cover not only substantive and procedural law, but also skills in case flow management, mediation, and technology utilization.

4. Enhanced Case Management Powers

Indian judges should be empowered with **active case management authority** to set firm timelines, control adjournments, and encourage early settlement where appropriate.⁷² A judge in control of the process is a judge who saves time for everyone. Lessons from South Africa and Australia show that such proactive approaches lead to quicker case resolution without compromising due processes.

5. Technology Integration with Training

Comprehensive training programs should accompany investment in e-courts, AI-based tracking, and digital evidence systems.⁷³ Without timely and consistent training, the benefits of those tools cannot be realized. Without sufficient training, technological risks are becoming underutilized or even a source of further delays.

6. Wellness and Performance Metrics

Judicial performance evaluation should incorporate **wellness indicators**, recognising that sustained mental and physical health are integral to long-term efficiency.⁷⁴ This would require collaboration among judicial academies, health professionals, and court administrators. Such a collaboration can ensure that wellness is treated as a structural pillar of judicial reform.

7. International Collaboration

Exchange programs and study tours between Indian judges and their counterparts in high-performing jurisdictions could facilitate the **transfer of best practices** in

⁷¹ Judicial College (UK), *Annual Report 2021* (2021) 8 <https://www.judiciary.uk/about-the-judiciary/training-support/judicial-college> accessed 14 August 2025.

⁷² South African Judicial Education Institute, *Case Flow Management Guidelines* (2014) 6 <https://judiciary.org.za/index.php/documents/case-flow-management> accessed 14 August 2025.

⁷³ Australian Institute of Judicial Administration, *Judicial Wellbeing and Efficiency Report* (2020) 7 <https://aija.org.au/wp-content/uploads/2020/09/judicial-wellbeing-efficiency-report.pdf> accessed 14 August 2025.

⁷⁴ UNODC, *Global Judicial Integrity Network Handbook* (2018) 17 <https://www.unodc.org/res/ji/.../global-judicial-integrity-network-handbook> accessed 14 August 2025.

wellness, workload management, and ADR.⁷⁵ These visits create opportunities for direct observation of the real world

8. Integrated Reform Model

The most impactful reform approach will be **integrated**, combining structural measures (staffing, infrastructure, procedure) with judge-focused interventions (wellness, training, workload balance)⁷⁶. This dual focus ensures that both systematic and fragmented reforms that target only one aspect, technology or recruitment, are unlikely to produce sustained results.

Figure 4: Integrated Judge-Centric Reform Model – India



Figure 4: Integrated Judge-Centric Reform Model – India

Description:

A flowchart illustrating the proposed integrated model for India, with interconnected components:

1. Wellness Charter
2. Equitable Case Allocation
3. Continuing Judicial Education
4. Active Case Management Powers
5. Technology + Training

Arrows show how these components reinforce one another to reduce delays.

⁷⁵ Commonwealth Judicial Education Institute, *Guide on Judicial Education* (2015) 11 <https://www.cjei.org/publications> accessed 14 August 2025.

⁷⁶ OECD (n 70).

8.3 Long-Term Vision

Long-term vision is a **judge-first reform ecosystem** in which the judiciary is equipped with adequate infrastructure and legal tools, as well as **capacity, resilience, and adaptability** to manage ever-increasing caseloads. This vision refines judicial reform as a human-centered process rather than a purely administrative exercise. Such an approach would:

- Reduces the average disposal time.
- Increased consistency and quality of judgment.
- Enhancing public trust in the justice delivery system.
- Protect the health and well-being of judges as a public institutional resource.

Ultimately, positioning judicial well-being and capacity as a **structural pillar of justice delivery** will allow India to transition from reactive backlog clearance measures to **sustainable, proactive, and human-centered judicial governance**.

