



Pre-Service Training Program -2018

Handbook

for

Civil Judges-cum-Magistrates

Punjab Judicial Academy
15-Fane Road, Lahore

Education is the training of body, mind and soul.
-Aristotle

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1. Director General's Message:

The Punjab Judicial Academy (PJA) is mandated, under its governing law, to impart training to judicial officers and court staff with a view to enhance their professional competence and ethical standards. The Academy has conducted various Pre-Service and In-service Training Programs. Recently, however, under the guidance of Hon'ble Chief Justice, Lahore High Court Lahore, the Academy has revised its training curricula and methodology to bring its teaching methods and programs at par with international standards.

It is the vision of the Hon'ble Chief Justice that the judiciary must consist of judicial officers having reasonable competence, efficiency, effectiveness and integrity which is beyond doubt. An extensive **six-month** Pre-Service Training Program, including periodical attachment with courts, has been prepared for newly inducted Civil Judges/Magistrates. This extensive training is expected to bring-in real transformation of new judges into competent judicial officers. This will help them to complete the transition from Bar to Bench and will sensitize the judges with their new responsibilities and duties. Topics extending from law to ethics and conduct have been covered in this Pre-Service Training Program. It is hoped that after attending this Pre-Service Training Program, new judges will be able to conduct their courts confidently and to the best satisfaction of the litigant public.

As the objectives of this program have been redefined keeping in view the knowledge, skills and attitude (KSA) required to be inculcated in the judicial officers, the performance of the program as well as of the trainers and trainees will be evaluated to make the whole activity meaningful and result oriented. The trainees' evaluation will be shared with the Lahore High Court, the administrative department of all the judicial officers in Punjab.

I wish every success to the new judicial officers in their training and future life.

Fakhar Hayat
Director-General

2. Introduction:

The Punjab Judicial Academy was established through enactment of the Punjab Judicial Academy Act, 2007. The main objective of the Academy is to impart pre-service and in-service training to the judicial officers and court staff. The Act provides that the Academy shall use all modern techniques for imparting judicial training and that the teaching methods and evaluation system shall be at par with international standards.

The Academy has carried out several induction and continuing judicial education /training programs after its inception. Most of these training programs focused on in-service judges. A few induction trainings of short durations were conducted by the Academy. For the first time, the Academy is arranging a properly planned long Pre-Service Training Program for newly inducted judges. The Academy started developing on modern lines in 2016 when, with the support from EU Access to Justice Project, an institutional assessment of PJA was conducted. A comprehensive program for training of in-service judges was chalked out. The General Training Program for all the in-service judges was, therefore, conducted successfully in the year 2016-17.

In 2018, the Academy has entered into a new era by blending tradition and modernity. Apart from conventional face to face training, synchronous and asynchronous distance learning programs have been introduced and the new General Training Program - 2018 includes live webinars and pre-recorded e-learning sessions.

The Academy is planning to conduct this pre-service training program on the pattern of Pre-service Common Training Program of Civil Services Academy and would like to acknowledge it. The main focus of the program will be development of personality, knowledge, skills and attitudes. It has, however, focused on judicial values and practical aspects of their job description. It is hoped that after attending this program, new judges will be able to resolve the disputes more confidently and will thereby enhance public trust in the judicial system.

3. Pre-Service Training Program-2018:

This Program has been prepared after extensive discussions, surveys and consultations from various stakeholders. Feedback from all the judicial officers in Punjab was invited; the District and Sessions Judges of all the 36 districts were particularly taken on board. All the other serving D&SJs were also requested to give their input. Some of the Hon'ble Judges of Lahore High Court also provided their valuable advice in preparation of this curriculum for newly inducted civil judges.

It was decided that the duration of the Pre service program should be at least six months which must include attachment and field visits. This program has been therefore structured keeping in view all the requirements of the new entrants in service.

4. Training Strategy and Techniques:

The training methodology and techniques include lectures, mock trials, role play, judgment writing exercises, panel discussions, case studies, workshops, class presentations, practice sessions etc.

- 4.1 **Workshop** method is one of the methods of learning skills by interactive discussions, encouraging greater participation by establishing an effective two-way communication between the resource person and the trainees. The focus will be learning by doing in the exercises drafted by the Academy. Presentations by trainees on topics assigned by the Instructors will also form an integral part of class room sessions. The trainees will be evaluated in communication/presentation skills as well as their active participation during the sessions.
- 4.2 **Lectures** are the conventional mode of imparting instructions. These are, in fact discussions, encouraging greater participation by the trainees. The trainee officers will be assigned topics by the instructors; the presentations by them will be an important part of classroom session. Presentations by probationers on topics assigned by Instructors form and integral part of classroom sessions.
- 4.3 **Syndicate Research:** The participants/trainees will be assigned topics in smaller groups and required to prepare research papers on the topic assigned to them. They will present the report/paper in the syndicate discussion.
- 4.4 **Extension Lectures** will be delivered on selected topics by experienced judges, advocates, technical experts, members of the academia and distinguished speakers who have achieved eminence in their respective fields of specialization.
- 4.5 **Seminars/Panel Discussion** may be conducted on different social and legal issues. Distinguished scholars and professionals will be invited to participate.
- 4.6 **Case Studies.-** The Instructors at the Academy as also visiting faculty effectively will use this important method of teaching. The trainees will be given important cases decided by the Superior Courts and then discussions will be opened for critical thinking and developing logic and reason about the conclusion so that same are applied in like situations which the

trainees/participants may face in a real court room environment. The trainees will be asked to submit their report in writing also.

- 4.7 **Research.-** To ensure that trainees contribute towards the aims and objectives of the training programme, they will be required to prepare research articles either individually or in groups. Their work will be evaluated.
- 4.8 **Field Work** is aimed at providing an opportunity to trainees to observe the ground realities and analyze problems in order to search for the best possible solution in the courtrooms and for improving court environment.
- 4.9 **Study Tour** is an important feature of the Pre-Service Training Program. This study tour is aimed at providing trainees with an opportunity to familiarize them with working of different Government Departments such as Police, Revenue. On their return, each group is required to give a report and presentation based on their observations and experiences.
- 4.10 **Attachment.-** All trainees undergo an attachment with the Courts during which they are exposed to the working and functioning of the Courts as well as share their own knowledge and perspective with other judges.

5. Physical Training & Sports

To cater to the physical well-being of trainees the Academy shall make all possible arrangements to provide sufficient facilities for sports and physical training. In this regard, the main objective is to provide an environment for maintaining good health, inculcating team spirit and character building.

Evening Games are Mandatory. The Academy will arrange facilities for the evening games for male and female trainees.

6. Club Activities

- 6.1 **Co-Curricular Activities** play a very important role in personality development. The Academy will ensure that the trainees participate in them. To carry out these activities in a systematic the Academy will introduce various clubs. In order to ensure that these activities are carried out in a systematic manner, various clubs will be constituted. These will be managed by a President, a Secretary and club members. The President and the Secretary will be selected/elected through mutual consensus from probationary officers.
- 6.2 **I.T Club.-** The club is responsible of maintenance of PJA website and collection of updated information of the members. The club will organize literacy events and will also responsible for bringing out the PJA magazine, comprising research articles, poems etc. of trainees.

6.3 **Environmental Club.-** The club is responsible for creating awareness about environment, cleanliness, preservation and plantation of trees in the Academy as well as amongst the judicial officers regarding their role in cases relating to environmental laws.

6.4 **Other Social Functions** held by the Academy include:-

6.4.1 **Guest Night:** People of eminence and guests from different walks of life are invited for interaction with trainees.

6.4.2 **Cultural Nights:** These are arranged by trainees in which food, dress and cultural heritage of various regions of Punjab is presented. It is desired that the cultural aspects of different regions should be highlighted by trainee officers themselves and hence no paid artist(s)/performers are allowed to be engaged for these functions. These cultural nights are primarily funded by trainee officers.

7. Official Website of the Academy

The Academy has developed an official website which can be accessed at <http://www.pja.gov.pk>. Many sources, reading materials and other information is available at the website. Participants are required to visit it regularly to keep their information updated.

8. Lunch/Dinner with Guest

During training programs, Hon'ble Judges of the Superior Courts may be invited to join the trainees either at lunch or at dinner, as the case may be, for informal discussions and developing interaction between the Superior Courts and District Courts. Participation in these programs is compulsory.

9. Reading Materials

The reading materials for the Pre-Service Training Program are part of the compulsory readings prescribed by the Academy in this syllabus and the participants have to go through them during the training program. This will help the trainers and the trainees to use the classroom time effectively. It will also provide time for practical skills training and role play sessions during class activity. This material may be substantiated by handouts, PowerPoint presentations and other notes to be shared by the resource persons. The assessments, tests, MCQs etc. will be prepared from this reading material.

10. Assessment Policy:

10.1 The overall activities in the eight-month Pre-Service Training Program carry **500 marks** in total. Of these, 220 marks are for academic subjects which are assessed through formal examinations. The remaining 280 marks are adjudged by the faculty.

10.2 Academic Assessment:

The examinees are required to obtain at least 50% marks for passing each subject and must also obtain an overall aggregate of 60% of the total marks. Examinations will be conducted in the following categories:-

First Term – Foundation (150 Marks)	Marks
a) Punctuality	10
b) Observation field trip Report	10
c) Book Review/Essays /Research Articles	20
d) Communication Skills (Written/Verbal)	20
e) I.T Skills	10
f) Trainer’s Observer Report	10
g) Academic Assessment	60
Total	150

Second Term – Civil (150 Marks)	Marks
a) Punctuality	10
b) Observation field trip/Court Attachment	20
c) Communication Skills (Written/Verbal)	10
d) I.T Skills	10
e) Trainer’s Observer Report	10
f) Academic Assessment (Civil, Rent & Family Laws)	30
g) Book Review/Essays /Research Articles	10
h) Judgment Writing skills	30
i) Order Writing skills	20
Total	150

Third Term – Criminal (200 Marks)	Marks
a) Punctuality	10
b) Observation field trip/Court Attachment	20
c) Communication Skills (Written/Verbal)	20
d) I.T Skills	10
e) Trainer’s Observer Report	10
f) Academic Assessment (Civil, Criminal, Rent & Family laws)	30
g) Book Review/Essays /Research Articles	20
h) Judgment Writing skills	30
i) Order Writing skills	30
j) Sports/Study Tour	20
Total	200

Distributions of marks for each subject/activity are given below:-

Subjects	Marks
A. Core Subjects	
• Criminal laws	= 40
• Civil laws	= 40
• Family laws	= 20
• Rent Laws	= 20
B. Skills	
• Judgment writing skills	= 30
• Orders writing skills	= 20
• I.T Skills	= 10
• Communication skills	= 20
C. Co-Curricular Activities	
The following aspects of training are adjudged by the Faculty:	
<u>Activity:</u>	
• Research Methodology & Syndicate Research Work	= 40
• Club Activities	= 15
<u>Tours & Visits:</u>	
• Field Work/Court Attachment	= 40
• Study Tour	= 20
• Sports & Physical Training	= 20
• Assessment by Academic Group In-charge	= 40
• Assessment by Director	= 20
<u>Tours & Visits:</u>	
• Book Review & report writing	= 30
• Vocabulary (to be assessed by Group In-charge)	= 10
• Professional & Social Etiquette (to be assessed by Group-In-charge)	= 15
• Personality Development (To be assessed by Group In-charge)	= 15
• Public Speaking	= 30
Total	= 500

10.3 Assessment by Faculty:

10.3.1 All aspects of training i.e. attendance, punctuality, conduct, discipline and grooming of each trainee will be personally supervised by the coordinators and faculty.

10.3.2 At the end of each term, the performance of every trainee officer will be assessed on the basis of following:-

- a) General conduct, behavior and discipline as specified in the Code of Conduct including attendance, punctuality, adherence to notified seating plan, dress code, and adherence to policy instructions and norms of professional & social etiquette.
- b) Quality of participation during discussions in lecture sessions, presentations, syndicate research assignment, group activities, attachments, visits and tours.
- c) Performance in Academy examinations, assignments and tests.
- d) Judicial qualities including impartiality, fairness, equality, propriety, sense of responsibility, initiative and drive, analytical ability and decision making capability.

10.3.3 Assessments made by the PJA Faculty will be reviewed by the Director (Program/Academic) and the Director General, PJA, during terms at regular intervals.

10.3.4 The Final Evaluation Report of the trainee officer(s) whose conduct/performance is not up to the desired standards shall be sent to the Lahore High Court for appropriate action.

11. Awards:

11.1 At the end of Pre-Service Training Program, the following awards may be given:-

- (i) Chairperson's Gold Medal for all round performance;
- (ii) Director General's Shield for best performance in academics;
- (iii) Top position in judgment writing skill;
- (iv) Certificates to winning teams in inter-group competitions;
- (v) Award for the best Syndicate Research Report;

11.2 The trainee officers who will be issued warning(s) by the Director General or Director (Program/Academic) shall not be considered for any of the above awards.

11.3 Names of trainee officers to be granted these Awards shall be finalized by a Committee, headed by the Director General, PJA on the basis of their grades/results in all training activities in the Pre-Service Training. The Best All Round Trainee Officer's Award will be determined on the basis of criteria which shall be notified separately.

12. Code of Conduct

Trainees are required to abide by the Code of Conduct as laid down by the Academy. Deviations from and non-adherence to the Code of Conduct and prescribed

policies, procedures and instructions are liable to be dealt with in accordance with the prescribed procedure.

13. Attendance & Punctuality

- a) The Academy has zero tolerance for absence from training sessions. The trainees are required to be present and attentive in all academic, social and sports activities during the Pre-Service Training Program. Absence from these activities without due permission will be reflected in their assessment report under Assessment Policy.
- b) Leave is allowed in specific cases and in accordance with leave granting rules applicable to the trainees.
- c) The trainees are not allowed to leave the campus during academic and training activity without showing authorization signed by the competent authority.
- d) The trainees are required to be present and punctual in all appointments, engagements and programs. The attendance and punctuality of trainees is marked through bio-metric devices. Trainee officers must mark their bio-metric attendance in time. **Forgetting to mark** will be treated as **absent** and no representation shall be entertained, except in case a trainee officer has marked bio-metric attendance and has still been treated as “Absent” as per his/her report due to some technical issue, then, upon timely representation by such a trainee and after confirming his/her presence from CCTV footage, attendance will be considered.

14. Discipline & Conduct

- a) Courteous behavior is expected during all training activities both inside and outside classes. Trainees are expected to show due courtesy to the permanent and visiting faculty, their colleagues and the staff working at the Academy.
- b) Smoking is not permitted in class rooms, library, auditorium, mess, lounges and official public transport.
- c) Trainees are required to abide by the seating plan as notified from time to time. Violation results in negative assessment by the faculty.
- d) Trainees are not allowed to receive visitors, messages or to receive or make telephone calls during working hours.
- e) No training session may be missed except in an emergency, and that too, after due authorization.
- f) Mobile phones are not allowed in the class.

- g) Trainees are issued name tags during registration with the PJA. The name tags are to be worn at all times during classes. In case of loss of name tag, a new one can be procured on payment with the approval of Director (Admin) PJA.
- h) The Academy has zero tolerance for incidents of moral turpitude, including cheating in examinations. Such cases are liable to attract disciplinary proceedings.

15. Dress Requirements

Trainees are expected to be properly dressed on all occasions as prescribed by the Hon'ble High Court.

Dress code for specific occasions like mess night etc. will be notified by the Academy separately.

16. Objectives of the Pre-Service Training Program (2018)

Objectives of the Pre-Service Training Program-2018 are to:-

1. explain and refresh the fundamental substantive and procedural laws to the new entrants in judicial service.
2. impart judicial skills for conducting trials and court work.
3. inculcate judicial attitude, values and complete their transformation from Bar to Bench.

17. Program Structure

Total Duration of the course: 6 months

Instructional sessions at PJA: 4 months

Attachment with courts and visits: 2 months

Phase – I: Foundation Course	
Duration: One Month	Contents
Sessions at PJA: 96	Judicial Conduct
	Professional Ethics, I.T. Skills, Social Etiquettes, Communication skills

Phase – II: Conducting the Civil Trial	
Duration: Two Months	Contents
Sessions at PJA: 144	All Civil Laws and procedures
Regular Sessions: 60	All Family Laws and procedures
Mock Trial: 84	All Rent Laws and procedures
Attachment with Civil Courts: 3-Weeks	Interim orders and judgment writing

Phase – III: Conducting the Criminal Trial	
Duration: Two Months Sessions at PJA: 144 Regular Sessions: 60 Mock Trial: 84 Attachment with Criminal Courts & visits: 3-Weeks	Contents Pre-trial proceedings: Remand, Bail, Identification Parade etc. Trial Proceedings Interim orders and Judgment writing.

Phase – IV: Reinforcement and Evaluation	
Duration: One Month Sessions at PJA: 96	Contents Practice in civil and criminal trials and judgment writing Assessment

18. Curriculum:

Knowledge (K) = 30 %, Skills (S) = 35%, Attitude (A) = 35%

Knowledge

Civil Laws	Criminal Laws
a. Code of Civil Procedure b. Specific Relief Act c. Limitation Act d. Transfer of Property Act e. Court-fee & Suits Valuation Act f. Pre-emption Act g. Law of Inheritance h. Registration Act i. Qanun-shahadat Order 1984	a. Code of Criminal Procedure b. Pakistan Penal Code c. Juvenile Justice System Ordinance d. Control of Narcotic Substances Act e. Small Claims & Minor Offences Courts Ordinance f. Police Order g. Prison Rules
Family Laws	Rent and Special Laws
a. Muslim Family Laws Ordinance b. Family Courts Act (and Rules) c. Guardians & Wards Act	a. Punjab Rented Premises Act b. Punjab Partition of Immovable Property Act c. Punjab Land Revenue Act d. Punjab Revenue Authority Act e. Prevention of Electronic Crimes Act

Skills

Decision-making & Judgment writing	How to conduct trials (Civil & Criminal)
<ul style="list-style-type: none"> a. Decision Making b. Structure and Sequence c. Appraisal of Evidence d. How to Write Interim Orders e. International Best Practices f. Sentencing Skills 	<ul style="list-style-type: none"> a. Conducting Civil Trials b. Conducting Criminal Trials c. Controlling the Courtroom d. Admissibility & Relevance of evidence e. Dealing with objections while recording evidence
Court & Case Management	IT Skills
<ul style="list-style-type: none"> a. Court Management b. Inspection of Court c. Case Flow Management d. How to apply LHC Rules & Orders e. Delay Reduction 	<ul style="list-style-type: none"> a. Judicial Research b. Legal Research c. New Laws Update d. Introduction to MS Office e. Use of I.T for recording of Evidence
Language & Communication Skills	ADR-Mediation Skills
<ul style="list-style-type: none"> a. Correspondence with High Court & other Departments b. Use of Language in Writing Judgments c. Writing Interim Orders in Urdu & English d. Writing Orders in Misc. Applications e. Effecting Courtroom Communication 	<ul style="list-style-type: none"> a. Use of ADR Techniques b. Compounding of Offences in Criminal Cases c. Conflict Management d. Bench & Bar Relationships e. Understanding Mediation

Attitude & Values

Judicial conduct	Efficiency & Discipline
<ul style="list-style-type: none"> a. Integrity and Character Building b. Independence and Impartiality c. Code of Conduct for District Judiciary d. International Best Practices on Judicial Ethics e. Use of Social Media and Ethics 	<ul style="list-style-type: none"> a. Time Management b. Service Rules c. Judges as Tax Payers d. Courtroom Control
Personal Management	Character Building
<ul style="list-style-type: none"> a. Personal Grooming & Wellbeing b. Stress Management c. Manners & Etiquettes d. Dressing & Appearance e. Dining Etiquettes 	<ul style="list-style-type: none"> a. Islamic Concept of Judging b. Gender Sensitization c. Exercising Empathy d. Protection of Vulnerable Court Users