**COURT’S GOOD GOVERNANCE AND ANTI-CORRUPTION IN VIETNAM: OPPORTUNITIES AND CHALLENGES**

**IN THE DIGITAL ERA**

Assoc. Dr. Nguyen Ngoc Chi - School of Law, Hanoi National University

Dr. Phi Thanh Chung - Hanoi People's Court

**Abstract:** It is seen that the digital era has a strong impact on national good governance, including that of the Court governance in terms of anti-corruption. The challenge of the digital era has put question to the court governance in Vietnam for innovation. The paper is thus to clarify the impacts as well as to propose the recommendations in the hope of improving the efficiency of court governance in the digital era in Vietnam.

**1. The impact of the digital era on court governance - anti-corruption in Vietnam**

*1.1. Court’s good governance - indispensable requirement of anti-corruption*

According to the National Association of Management of the U.S (Core)[[1]](#footnote-1), Court Governance is defined to create the framework under which the Court operates, manages daily activities and plans for long-term strategy. Governance is supposed to set the plan, direction, leadership and strategies of the Court and to focus on the "large picture" including activities of planning, building strategies and planning; establishing the organizational structure of the Court; deciding personnel policies for all Court staff; budget proposal and allocation; resolving on contractual arrangements with outside vendors, contractors and service providers.[[2]](#footnote-2)

Court governance includes not only the activities of managing the Court in terms of administration, management of the local Court, management of the Court organization but significantly also the construction and implementation of strategies and policy of the Court. It is worth distinguishing between the Court governance and Court management (with executive and operating relationship) since the internal and external relation is always characterized by the principle of the independence of the Court.

As stated by researchers of project: Completing the court governance mechanism to ensure the independence in the spirit of the Constitution of 2013, court governance is classified into following 05 groups: (1) human resource management; (2) ensuring the implementation of regimes and policies for judicial officers and titles of the Court; (3) ensuring the fundamental resources for the activities of the Court; (4) training, fostering and developing human resources for the Court; (5) internal administration of local Court[[3]](#footnote-3).

Court’s good governance is understood as the criteria for better governance, more development than the old management mechanism, ensuring the Court effectively and effectively operates, thereby impacting on anti-corruption in court activities. General elements of good governance include rule of law, transparency, accountability and public participation in State duty.[[4]](#footnote-4)

It is defined by a report of Judicial Council of Canada that effective and efficiency court governance consists of leadership and direction (for all court governance activities); organization, cooperation and responsibility (of internal and external parties of the Court); strategies, tactics, and procedures (including resource placement and adjudication and internal affairs management); human resources and infrastructure (containing administrative judicial resources, budgets and facilities); support systems (comprising information and systems).[[5]](#footnote-5)

It is noted that Court’s good governance is purposely designed to improve the transparency, accountability and efficiency of the Court's operations; to ensure the requirements of anti-corruption of the Court in terms of both internal affairs and its performance based on functions and duties.

*- Requirements for Court’s good governance:*

Firstly, to respect the jurisdiction of the Court.

The jurisdiction of the Court is the right to make decisions and settle disputes in society. In order to ensure the independence of the Court and the exercise of judicial rights, it is required that the legislature and executive bodies, within their functions and duties, be obliged to respect the jurisdiction of the Court and to ensure conditions for the Court to exercise its duties.

Secondly, to ensure conditions for the Court to exercise its duties.

Legislative bodies and executive ones are demanded to ensure the legal conditions and facilities foundations for the Court operation. An independent expenditure is required for the Court’s independence. A number of methods currently being applied by countries in terms of budget estimation and allocation to the Court can be named as: i) to empower the Court to self-plan and propose a budget plan to the National Assembly for decision; ii) The National Judicial Council to propose and the National Assembly to decide; iii) Courts to plan, executive agencies to review and submit to the National Assembly.

Thirdly, the mechanism of selection, appointment, regimes and policies for judges.

The selection and appointment of Judges must be notably based on an objective assessment of their competencies, qualities and ethics. It is believed that the judge must be qualified to both ethics and talent in the requirement of trial duty and justice defense while being out of temptation. Selection and appointment mechanism varies in different countries; however, two main types can be listed as: i) judge election through direct voters or indirect electors; ii) appointment regime.

It is also requested that responsibility and disciplinary sanctions of Judges must be strictly handled in accordance with judicial standards and legal regulations. It is intentionally aimed to deter, prevent and combat the Judge's violations. It, otherwise, could result in the Judge's dependence on individuals and organizations with authority or the Judge for fear of being handled but dare not decide on the case since sanctions have not promptly settled. Judges, thus, are demanding for a judicial waiver which is only impeached when incapable, convicted of a criminal offense or have behaved in such a way that the Judge no longer qualifies as a person on duty.

The sufficient salary regime, specific policies for judges are noted for requirement. It could help the Judge to cover his life, maintain integrity, avoid all temptation, and to attract qualified individuals to strive for professionals as well. The judge is said as a dangerous profession since the judges' decisions directly affect the interests of the parties including people's lives. A professional security policy is thus demanding to ensure the judges to safely perform the task of justice protection.

Fourthly, to clearly distinguish administrative authority and procedural authority in the Court.

The Chief Justice in his role of an executive can influence the independence of the Judge in different ways listed as assigning judgments; pointing the Judges and staff of the Court. As a result, the separation between administrative authority and procedural jurisdiction in the Court is calling for the independence of the Judge.

*- The role of Court’s good governance in anti-corruption:*

Firstly, the Court’s good governance provides the Court's operations more public and transparent, contributing to the prevention and fight against corruption.

Court’s good governance ensures that the Court's activities are more public, transparent, and predictable; contributes to limit personal discretion in the judicial system and prevent corruption within the Court. Wrongful cases in judicial activities are favorably accessed and easily detected at the same time. Given these conditions of transparency of Court’s operation, the people and the public are provided to supervise the court's adjudication and strengthen the liability of the juridical body before the law.

Secondly, Court’s good governance ensures the independence in which the Court only obeys the law in resolving cases under its jurisdiction without corruption.

Court’s good governance is nobly to create a mechanism for the Judge to be independent in the trial and settlement without any interference. The subjective independence of Judges and those participating in the Court adjudication process (people's jurors, juries) is respected and the objective independence of institutions detailing the relationship between the Court and political and social institutions is ensured as well.

If only the Judge is independent, the resolution of the case will be impartial and objective. The court rulings are provided in the perspective of justice protection, truth and fairness, contributing to anti-corruption. It is worth emphasizing the corruption case in which offenders are people with high positions and authority, Court’s good governance is to ensure the independence of judges who significantly impacts the effectiveness of anti-corruption.

Thirdly, Court’s good governance contributes to the anti-corruption within the Court.

Court’s good governance is to build an effective governance mechanism towards the scientific organization of the Court's affairs, to limit the negative in performing the tasks. It is aimed to prevent Judges from being intended into or being favorable with corruption. It means that the Court’s good governance are necessarily consisted of the regimes and policies for judges improved, the life of judges ensured without any intention of corruption and governance measures established to fail to create loopholes for the Judge in the chance of corruption.

*1.2. Opportunities and challenges of Court’s good governance in anti-corruption in the digital era*

- The digital technology era is seen the fourth industrial revolution which is taking place with a wide scope and increasingly strong impacts on all fields from economy, culture, society to politics, national defense, security and the environment. State governance and court governance are not the exception of its implications which are summarized as follows:

Firstly, to more flexibly, quickly adapt to the changes since challenges and risk of losing control in court governance activities are obviously mushroomed to disrupt the traditional relationship between the Court and people earlier set up.

The 4th Industrial Revolution is reported as the digital-based revolution of the 3rd one and integrates which converges all intelligent and high-tech technologies to create great technology trends such as hyperlink, intelligence and flexible automation, forming a new production method combining real - virtual systems. With the combination of many advanced technologies on devices and machines connected to the Internet at high speed, machines are coded to communicate, understand and do the same tasks as humans.[[6]](#footnote-6)

Advantages and disadvantages in court governance are both fingered out in the 4th Industrial Revolution. That is, creating more opportunities for entities to easily participate in court governance activities on digital technology platforms. Courts of countries around the world are making efforts to promote the application of information technology in the Court's activities to ensure the objectivity and independence of judges in the proceedings, ensuring the right to access, collecting information of agencies, organizations and individuals; simplifying procedures and proceedings; saving effort, time and costs for procedure-conducting persons and participants. In addition, there are also many new governance situations, requiring the Court to be flexible in resolving as well as challenges in increasing publicity and transparency of Court activities; strengthening democracy and supervision by people and social organizations; ensuring a high degree of independence of Judges and the Court's institutions.

In a digital platform, new lifestyles, conceptions and customs have emerged, changing the character of a community which emphasizes an individual-centered society. Changes are also found in the relationship between the litigants and the Court governance. The satisfaction of the people is considered the purpose of the Court. As a result, it is time to transform from the traditional relationship in which the Court is the managing entity and the people and litigants are the executors to the one in which the Court hosts activities for people playing in the subject of authority. It means the Court is the public service provider that resolves the people's disputes.

Court governance is also mentioned to the cooperative approach of partners in the public and private sectors in the implementation of the Court's tasks, in which the effectiveness of governance remains highlighted. Its idea is originated from a management model from the private sector in which citizens and litigants are customers. With a digital background, the trend of socializing serving and supporting judicial activities is increasingly strengthened since the demand for transparency of court activities is to create opportunities for many subjects to access court activities. On the other hand, with a high degree of professionalization when applying the achievements of science and technology, the Court governance is supposedly more effective if implemented with specialized agencies. It thus takes into account the scope of private subjects' participation in the Court activities in order not to impair the quality of public services and the participation of people; the Court's power to exercise jurisdiction.

Secondly, the subject of the court governance is requested to change the mindset, the way of building and implementing the governance methods. In which, the Court faces pressure to change the way of organizing modern adjudication on the basis of applying digital achievements, together with the increasing active participation of people in the process of solving cases under the effective support of technology.

The trend of simplifying proceedings and implementing the achievement of the digital revolution has been researched and applied quite effectively by countries. The digital application contributes to the improvement of the Court's executive management capacity, providing better service and creating advantages such as: cutting down on a number of proceedings and unnecessary costs for the litigants, especially the litigants in remote areas; assisting Judges in effectively performing their professional tasks; improving the efficiency of judicial administration activities in courts; contributing to meeting the people's demand to access justice and law. Digital application in court governance activities is seen as a means of implementation as well as a kick-start of pressure on the subjects involved in the process. A means of implementation is explained that through digital achievements, people have the opportunity to actively participate in the case resolution process, to supervise the Court's settlement process. Regarding the Court, all stages of the proceedings are monitored and supported during the effective implementation. The leadership of the Court, by that way, can commit to the independence of the judiciary while operating an efficient, fast, accurate and well controlled apparatus of all activities of the unit. Pressure, thus, is stated since any stagnation during the process shall be easily detected. The Court's activities, when carried out in an electronic environment, will be controlled according to the standards and discipline of the trial will thus be monitored. Furthermore, it is worth fingering out that boundaries between People's Courts at all levels shall disappear but only the types of services to be provided as court activities are provided through the information technology system. The subject to be known and paid attention to during the case of citizens and litigants is how the procedure is solved instead of who is in charge of carrying out. This approach requires coordination between the People's Courts at all levels in handling judicial administrative procedures as systems of information flow.

Thirdly, court governance is operated on a digital platform that changes the way relations between the Court and the people since technology allows people to access the Court more easily and the Court to get closer to the people in the process of case settlement.

To increase social participation in the activities of courts is seen as one of the characteristics of court governance. Individuals and organizations are reported to directly or indirectly participate in the proceeding through representative entities. Through the digital platform, the Court's operations are more public in processes, proceedings, documents and evidence so that people can easily access to exercise supervision and participation. Individuals and organizations have the conditions to directly express and present opinions; the procedural rights and obligations are therefore implemented in the prompt, fastest and most accurate manner. The use of modern machines and technology are supposed to gradually replace manual activities to increase work efficiency, shorten the time of proceedings, and ensure better access of the people to justice. On the other hand, the digitally-based court governance facilitates the collection and processing of large amounts of information and big data, simulation, forecasting and building scenarios based on the collected data. The accurate and timely processing of the data provides the Court with sufficient grounds to make right and appropriate decisions, thereby limiting mistakes in reality and improving the quality of solving cases.

- Experience in digital application and development for the Court has been learned through countries in the world. A number of typical court governance can be summarized as below[[7]](#footnote-7):

An online litigation system with online filing and receiving of petitions to resolve civil cases are applied. The court conducts electronic service, establishes and maintains electronic proceedings. The electronic case management system allows the management and monitoring of the acceptance process and resolution of all types of cases, specifically to electronicise all cases for better case management.

Online trial system with virtual courtroom (e-Courtroom) is applied by many countries to hear criminal, civil, and simple commercial cases. For the trial of criminal cases, the prisons have a fully equipped courtroom with electronic devices. If the victim or the witness cannot come to the court, the court will issue an account and password to attend online. In addition, in order to propagate and educate the law, some trials of criminal cases will be televised live on the website of the Court instead of the itinerant trial. For civil and commercial business cases, the Court organizes the trial online via video conference with an electronic courtroom connected to the internet.

The courts of the States have also implemented an effective system of judge surveillance. Judge monitoring software in China remains as a typical example. It is designed on the basis of a set of criteria for evaluating the quality of judges, linked with the data system of judgment management software and civil servant management software; the monitoring and evaluation of judges is hence performed without input required for this software. In every certain period, the software will give notice about the quality of the Judge as well as its rating. Each Judge has a separate account in which is provided with detailed information on the progress and outcome of the assigned cases.

The Court has also applied many softwares to assist judges in adjudication to improve the quality and quantity of resolution such as: a support system for introducing similar cases, applicable law; legal documents analysis system. Call center with switchboard serving proceedings to help people contact to search for documents, legal advice, to file online lawsuits, or directly contact the Judge for assistance with matters related to the case.

System of “randomly” assigning Judge to solve the case: The assignment of Judge to solve the case is done by computer software. It limits the influence on the settlement of the case, ensures the principle of independence, impartiality and objectivity of the Judge. In order to effectively process, the program is coded with criteria on the complexity of the case, the workload of the Judge, the type of case.

Some courts of countries have initially applied artificial intelligence to support the Court's activities. The Chinese Court encourages the use of artificial intelligence to provide litigation services and support people in drafting procedural documents; assist the Judge in minimizing the workload. The Xiao Fa robot is put into use in service rooms to facilitate public access to procedural instructions, as well as provide basic information about Judges and Court Clerks. Robot is supposedly capable of answering about 40,000 questions related to lawsuits and disputes, identifying about 30,000 legal issues; automatically composing petition for the petitioner; calculating and predicting the results of the case based on an analysis of more than 70,000 legal documents and judgments and decisions of the Court.[[8]](#footnote-8)

With the widespread application of scientific and technical achievements to the Court governance, significant results have been reported. It is stated as a popular trend of the world which brings favorable benefits, both facilitates the people and contributes to reducing the workload for the Court, improving the quality of settlement of the case. It remains a prominent experience for Vietnam in court governance.

**2. Current situation of applying achievements of the digital era to Court’s good governance - anti-corruption in Vietnam**

Over the past years, Vietnam has made progress in the strategy of building an e-court with the foundation of the application of scientific and technical achievements to court governance activities, contributing to enhancing the publicity and transparency, ensuring the principle of independence of Judges. It is identified as one of the important measures to prevent and fight corruption in activities of the People's Court.

However, the Vietnamese Court has just initially applied a number of digital achievements in court governance.

The Supreme People's Court has built and implemented the project of "Enhancing transparency and improving the quality of adjudication in Vietnamese courts" with two main objectives of "enhancing transparency" and "improving quality of adjudication". The project focuses on activities to enhance the application of information technology in project management activities, to build a random assignment mechanism, and to disclose information on the case resolution process for individuals and groups through the construction of software applications. This is one of the measures to implement the policy of promoting the application and development of information technology to build an Electronic Court and a Smart Court.

The Supreme People's Court develops a unified judgment management software system for all types of criminal, civil, marriage and family, business - commercial, labor and administrative cases. This software supports tracking and searching the process of solving cases from the time of acceptance in a quick and convenient manner.

The Supreme People's Court has developed the project of "Overall development and application of information technology in the People's Court in the period of 2011-2015". The project aims to build information infrastructure, initially implement a number of information systems and databases for the People's Courts (database on accounting, asset management, staff management); to train and raise the awareness and skills of officials and civil servants in the application of information technology to court operations.

From 2016 to now, the Supreme People's Court has been implementing a number of IT application development activities such as: organizing online conferences to deploy work; monthly online conference by theme; building websites on legal cases, websites announcing court judgments and decisions, and online registration system for issuance of judgment copies; public service of sending and receiving lawsuit petitions, documents, evidences and issuing, serving, announcing procedural documents online, judge monitoring software.

Limitations and difficulties are found in the application of the achievements of the digital era to court governance in Vietnam.

Vietnam is a developing country with many difficulties in technical infrastructure, although the court system is always interested in investing resources to implement judicial reform. Equipment and information technology infrastructure provided by People's Courts at all levels remains simple, failing to meet the demands of information technology application with high technical requirements. The Court's court management software can initially perform basic management functions on a technology platform, which is not suitable for developing into a new electronic proceedings system. The manual case management process leads to difficulties with the public, putting pressure on the Court to receive and handle large numbers of requests for information.

A number of reasons can be listed to explain the aforementioned situation as follow: the long-term information technology development strategy has not been built in a complete, detailed and feasible manner; the professional handling process has not been standardized for computerization of judicial activities; financial resources do not fully meet the needs of building, maintaining and upgrading the technical infrastructure system and application software of the court system; the human resources with experience and expertise in formulating judicial information strategies are limited in terms of quantity and capacity to cope with changing situations.[[9]](#footnote-9)

**3. Reform of court governance in Vietnam to meet the requirements of anti-corruption in the digital era**

Implementing the judicial reform strategy, applying the achievements of the digital era in court governance is one of the key tasks set out in the Communist Party's documents and legal documents. The Politburo's Resolution No. 08-NQ/TW dated January 2, 2002 on "Some key judicial tasks in the upcoming time" and Resolution No. 49-NQ/TW dated June 2nd, 2005 of the Politburo on "Strategy for judicial reform up to 2020", which emphasizes the task of enhancing the application of information technology to the activities of the Court, contributing to *"Building the transparent, strong, democratic, strict judiciary to protect justice, gradually modernizing the service to the people, and the Socialist Vietnam; judicial activities that focus on adjudicating activities are conducted with high efficiency and effectiveness"*. Clause 4, Article 96 of the Law on Organization of People's Courts in 2014 stipulates: "The State gives priority to investment in facilities and information technology development for People's Courts".

The application of scientific and technological achievements in procedural activities for the first time has been recognized in major laws such as Civil Procedure Code of 2015, Criminal Procedure Code of 2015, and Law on Administrative Procedures of 2015. Accordingly, the sending and receiving of the petition and accompanying documents and evidence by electronic means are stated; the issuance, delivery and notification of procedural documents in addition to the direct delivery and postal services, the method of delivery by electronic means shall be added; judgments and decisions in effect are stipulated to be publicized on the web portal of the Court.

The Supreme People's Court has also issued a number of implementing documents such as: Joint Resolution No. 01-NQLT/BCS on the online connection of the court session of the Party's Civil Affairs Committee of the Supreme People's Court and Party Committee of the Supreme People's Procuracy; Resolution dated April 20, 2016 of the Party Committee of the Supreme People's Court on the implementation of Directive No. 21-CT/TW dated December 21, 2012 of the Party Central Committee on "to limit the centralized conferences nationwide... to strengthen the application of information technology to organize online meetings in directing, administering and handling work"; Directive No. 04/2016/CT-CA dated May 30, 2016 of the Chief Justice of the Supreme People's Court on strengthening the development and announcement of case records, application of case records in the trial, including building the website of case records; Resolution No. 04/2016/NQ-HDTP dated December 30, 2016 of the Council of Judges of the Supreme People's Court guiding the implementation of sending and receiving petition, documents and evidence and issuing and serving, notifying procedural documents by electronic means with the scope of instructing the sending and receiving of lawsuit petitions, documents and evidences and the electronic issuance, delivery and notification of procedural documents between the initiators lawsuits, litigants and procedure participants in the procedures for settlement of civil cases or administrative cases; Article 23 of Resolution No. 04/2016/NQ-HDTP stipulates the implementation of electronic transactions at the Court as follows: “*1. The Supreme People's Court organizes electronic transactions in accordance with the Law on Electronic Transactions, the Civil Procedure Code and the Law on Administrative Procedures, this Resolution and other legal documents related to. 2. The application of electronic transactions at Supreme People's Court, Superior People's Court, People's Court of provinces and provincial cities, People's Court of district, urban district, town or city belonging to the province is done when all conditions are met”*.

Resolution No. 03/2017/NQ-HDTP dated March 16, 2017 of the Judicial Council of the Supreme People's Court announcing judgments and decisions on the Court's website. Resolution No. 03/2017/NQ-HDTP guiding the principles and procedures for announcing legally effective judgments and decisions of the Court; judgments and decisions published on the Portal, judgments and decisions not published on the Portal, responsibilities of the Court in announcing effective judgments or decisions Law of the Court on the Court's Web Portal ...

Implementing the Party's guidelines and policies and the State's laws, from the practical application of achievements of the digital era in court governance in Vietnam today, the requirements for reform of good governance are requested while facing opportunities and challenges from the impact of the digital century. Direction of Court’s good governance reform on the basis of effective application of the results of the digital revolution are key noted as follows:

*Firstly, to build an internal governance mechanism that is independent, autonomous, and free from interference.*

The first and foremost of Court’s good governance is to build an independent, autonomous, and interference-free mechanism. Under this management mechanism, the judge has room to implement the principle of independence, to ensure the implementation of the assigned functions and tasks. Studying the application of digital achievements to the internal governance of the Courts over the world, it can be seen that the Courts have built a mechanism to separate the management of court proceedings from the administration management. For Vietnam, some models that can be researched to apply to the Court's governance reform in the current period are:

- Judge monitoring mechanism based on information technology:

Judge is supposed to play a special position in the law-based state in which being deserved with independence and only obeying the law are the fundamental principles for their operation. In terms of governance, the Court is requested to focus on ensuring the independence of the judges since it is the right given. It is, however, worth emphasizing that considering this issue should be placed in the relation to the responsibility of the Judge to be objective. Any measure taken must both ensure the independence and the liability of the Judge. Therefore, a mechanism to supervise judges is demanding in Court governance, in which Judge monitoring software system are effectively applied by countries. Vietnam currently does not have specific software for monitoring judges.

 Monitoring software is designed on the basis of judges' quality assessment, compliance with codes of conduct, resolving complaints and denunciations and monitoring the performance of each judge's duties (including the quantity and quality of cases that have been resolved), the results of emulation and commendation. The leaders of the Court, by this way, can monitor the progress of the Judge's professional tasks, promptly urge the trial progress without interfering with the contents of the case. Evaluating and classifying Judges are thus provided with scientific and accurate grounds.

- To consolidate and develop a scientific, efficient and interconnected system of judgment management among courts at all levels:

Vietnam has now initially developed and operated software for judgment management in the People's Court system. Nevertheless, the software has not yet allowed the management and monitoring of the acceptance process, handling of all types of cases, and electronization of all cases for management. It has not yet connected with the internal court governance system.

It is, hence, necessary to continuously strengthen and develop project management software in Vietnam. In particular, a number of additional utilities are required such as: ensuring that information about the proceedings will be stored in the electronic file cabinet of each case; assisting judges in developing plans to resolve cases, draft procedural documents, coordinate with relevant units and divisions to organize the trial without overlapping; software with corresponding management decentralization which is the scope of information accessed so that the use of the software still ensures publicity, transparency, and can perform the task of administration without losing the independence of the Judge. .

- Court staff management software

Court staff management software is currently used in Vietnam. It supports a number of Court governance utilities in implementing regimes, policies, appointment, reappointment, and disciplinary monitoring for judges and court officials. With a relatively large number of Court staff up to now, the application of software helps reduce the human resources for internal administration, at the same time, increases the accuracy of statistics, data and policy implementation with Judges and Court officials. However, it is found out that the Court staff management software has not been linked with other court management software, Judge monitoring software to have a comprehensive and vivid picture of each Judge and Court staff in which the Court at all levels have favorable conditions in evaluating and recruiting judges and officials, contributing to improving the work quality of the Court.

*Secondly, to organize independent, open and transparent trials with the application of modern techniques such as “random” assignment, electronic evidence, online trial, building participation judiciary, ensuring judicial judgement anticipation with the help of digital technology supposed to replace the work of the Judge.*

Assignment of adjudication is one of the court governance activities that have a great impact on the independence, impartiality and objectivity of the Judge. Over the past years, Vietnam has made attemptions that the assignment of judges can be objectively completed, in which, taking into account the capacity and settlement capacity of each judge. Currently, the assignment of trial by computer has not been applied yet.

When performing the assignment of the Judge to solve the case in a "random" way by computer, it is seen to limit the impact on the settlement of the case. The computer program is based on the criteria to determine the complexity of the case, the judge's workload, and the type of case to perform the appropriate assignment of the Judge. This model has also been widely applied in several countries around the world and brought many remarkable results.

Applications to support online petition receipt and electronic evidence reception are nobly applied in Vietnam despite the fact that a complete online adjudication system remains blank. Through this system, the litigants can file their lawsuit online, providing the Court with electronic documents and evidence. However, opening online court hearings to resolve these types of judgments has not been approved. Along with the electronization of evidence, opening an online court hearing will significantly increase trial efficiency, save effort and money in organizing the trial. In addition, to serve law propaganda and education activities, key trials can be broadcast live on the Court's web portal for the public to follow.

In addition, it is demanding Vietnam to continuously research and apply digital technology in court adjudication activities, for the purpose of enhancing judicial judgment anticipation. It means effectively predicting trial results from the people and the Court through a judicial support system capable of analyzing and automatically collating similar decisions for judges to refer. The system is also to analyze legal documents and case records that can be applied to solve the case. In particular, some systems are provided with the ability to draft judgments and decisions for the judge and litigants to refer to in the resolution process. At that time, the Judge and the litigants jointly debate about the correctness of the draft judgment. If the Judge does not choose the option that the computer predicted (based on the logic of issue and applicable law provisions), they have to come up with convincing, appropriate, and reasonable arguments. This contributes to increasing the criticality of each Court's decision, thereby improving the quality of the Court's judgments and decisions.

*Thirdly, to establish a mechanism for people and litigants to easily access court information in order to inspect and supervise court operations to ensure openness and transparency in adjudication activities, and to exercise privacy law of the court*

Examining and supervising court activities is one of the important contents of court governance, ensuring the Court performs its functions and duties properly. For people and involved parties to effectively inspect and supervise the Court, it requires publicity and transparency of Court information. Through digital technology platforms, courts and citizens are provided with more conditions to interact, exchange information and exercise procedural authority. Judgments or proceedings being public remain prominent.

Vietnam has now published a number of judgments and decisions on the internet in order to provide information sources for the people to monitor, evaluate and comment on the Court's judgments and decisions. Incorrect judgments and decisions will be detected and promptly rectified and corrected, ensuring legitimate rights and interests of the involved parties. It is, however, noted that only a few types of final judgments, decisions with legal effect are currently made public. A comprehensive view of a case hence is not clearly drawn.

Vietnam has not made public the trial process of the case on the internet. Application of technology to publicize the trial process provides people with information of the procedural schedules, access to regularly check and supervise the implementation of court proceedings. Thereby, the Court is forced to pay high attention in the proceedings in order for all activities to be done correctly. On the other side, the litigant will also have an additional mechanism to exercise direct democracy, which is namely inspection and supervision.

To sum up, Court’s good governance is an objective requirement to enhance the publicity and transparency, to ensure the Court's adjudication activities operate independently. It is seen as the core values ​​of a democratic, fair, civilized justice system, and for justice. The digital era, which is so called the fourth industrial revolution, has a strong impact on court governance, creating both opportunities and challenges. The experiences from the application of scientific and technological achievements to the Court governance are such valuable lessons for Vietnam in its development process. Challenges from the danger of lagging behind or the downside of the digital era for court governance have questioned Vietnam to promptly solve the Court’s good governance with sufficient strategy. Court’s good governance thus poses a condition for the Court to prevent and fight internal corruption and perform the function of external anti-corruption.

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