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Judge's Managerial Competences: A Case Study of a High-Performance Court

*COMPETENCIAS GERENCIALES DEL JUEZ: UN ESTUDIO DE CASO EN UN JUZGADO DE ALTO DESEMPEÑO**COMPETÊNCIAS GERENCIAIS DO JUIZ: UM ESTUDO DE CASO EM UMA VARA DE ALTA PERFORMANCE**Livia Lúcia Oliveira Borba¹, Fabricio Castagna Lunardi² e Tomas Aquino Guimarães³***Abstract**

This article investigates the managerial competences that are most important for state trial court judges in the performance of their managerial tasks, and the relationship between these competences and management practice. This topic has not been fully explored in the scientific literature and the present study employed a qualitative approach supported by interviews, and document analysis. The research is a case study of the trial court of Espinosa City, of the Minas Gerais State Court, Brazil. The performance of this court is outstanding when compared with other similar trial courts. We interviewed 13 key actors in that judicial unit, including four judges, the court secretariat manager, five officials, a social worker, a prosecutor, and a lawyer. Each interview was conducted using a semi-structured interview schedule. The data was assessed using content analysis, with the support of ATLAS.ti and Iramuteq software. The results evidence eight judges' managerial competencies and one resource (support team expansion). The competences are the following: People Management and Team Leadership, Judicial Proceedings Management, Communication, Systemic Vision, Innovative Action, Information Management, Technical Managerial Competence, and Outcomes-Oriented Management. These results and their relationship with court performance are herein discussed. A research agenda, managerial implications and improvements in the Judiciary's management policies are also set out.

Keywords

Managerial competences; judge; Judiciary; judicial management; judicial proceedings.

Resumen

Este artículo investiga las habilidades directivas de los jueces relevantes para el desempeño judicial y la relación de estas competencias en la práctica de gestión. La investigación aborda un tema poco explorado en la literatura científica y se desarrolló desde un enfoque cualitativo apoyado en entrevistas y análisis de documentos. Este es un estudio de caso del Juzgado de la ciudad de Espinosa, del Tribunal de Justicia de Minas Gerais, que destacó en rendimiento en comparación con Juzgados similares. Fueron entrevistados 13 actores claves de esta unidad judicial, cuatro de los cuales son jueces, el gerente de secretaría, cinco empleados, un trabajador social, un fiscal y un abogado, con base en una guía de entrevista semiestructurada. El análisis de los datos se realizó con el apoyo de los softwares ATLAS.ti e Iramuteq. Los resultados muestran ocho habilidades gerenciales de los jueces y un recurso (expansión del equipo de soporte). Las competencias son las siguientes: Gestión de Personas y Liderazgo de Equipos, Gestión de Procesos Judiciales, Comunicación, Visión Sistémica, Acción Innovadora, Gestión de la Información, Competencia Técnica de Gestión y Gestión Orientada a

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Resultados. Estos resultados y sus relaciones con el desempeño judicial son discutidos, y son presentadas una agenda de investigación, implicaciones gerenciales y sugerencias para mejorar las políticas de gestión judicial.

Palabras clave

Competencias gerenciales; juez; Poder Judicial; administración judicial; proceso judicial.

Resumo

Este artigo investiga as competências gerenciais de juízes de primeiro grau mais relevantes para o desempenho judicial e a relação dessas competências na prática de gestão. A pesquisa aborda um tema pouco explorado na literatura científica e foi desenvolvida a partir de uma abordagem qualitativa apoiada em entrevistas e análise documental. Trata-se de um estudo de caso da vara judicial da cidade de Espinosa, do Tribunal de Justiça de Minas Gerais, a qual se destacou em desempenho, quando comparada com varas semelhantes. Foram entrevistados 13 atores-chave dessa unidade judicial, sendo quatro juízes, o gerente da secretaria, cinco funcionários, uma assistente social, um promotor e um advogado, com apoio de um roteiro semiestruturado de entrevistas. A técnica de análise de conteúdo, com suporte dos softwares ATLAS.ti e Iramuteq, foi utilizada na análise dos dados. Os resultados mostram oito competências gerenciais de juízes e um recurso (expansão da equipe de suporte). As competências são as seguintes: Gestão de Pessoas e Liderança da Equipe, Gestão do Processo Judicial, Comunicação, Visão Sistêmica, Ação Inovadora, Gestão da Informação, Competência Técnica Gerencial, e Gestão Orientada para Resultados. Esses resultados e suas relações com desempenho judicial são discutidos, e são apresentadas uma agenda de pesquisa, implicações gerenciais e sugestões de melhorias em políticas de gestão do Judiciário.

Palavras-chave

Competências gerenciais; juiz; Judiciário; administração judicial; processo judicial.

INTRODUCTION¹

The Brazilian Judiciary operates within a legal system that includes various forms of contesting decisions and successive re-examinations of legal claims, which lengthen the court disposition time. The courts were institutionalised as a state power, having assumed a leading role in the political, social and economic life of the country, due especially to the influence of the Federal Constitution of 1988. The Constitution ensured the independence and autonomy of the Judiciary. This institutionalization process, under the aegis of the Federal Supreme Court, is discussed by Sadek (2022), who describes a long history of clashes between that court and other powers of the Brazilian republic, especially the executive. Da Ros and Taylor (2019) state that Brazil has a complex set of norms that create significant redundancy in the decision-making of the Judiciary. According to these authors, the first redundancy occurs “when legally identical or similar cases are decided by several jurisdictional bodies, isolated and repetitively” and the second “occurs in relation to the same case, which is re-examined by several jurisdictional bodies until a final decision is reached” (Da Ros; Taylor, 2019, p. 10).

This institutional design tends to increase the judicialization of conflicts (Lunardi, 2021), which, alongside the redundancy, is enhanced by judicial intervention in areas of public policy (Desposato; Ingram; Lannes, 2015). These factors contribute to the overuse of litigation (Lunardi, 2022) and, consequently, the judicial system tends to perform ineffectively and take an excessive amount of time to adjudicate (Gico, 2020). Castelliano and Guimaraes (2023, p. 20-21) compare the court disposition time between Brazil and European countries in civil and commercial litigation. They further conclude that disposition time “in first-instance European courts consists of 232 days, and in Brazil, it is almost three times higher (632 days)”. They also conclude that “in Brazilian second-instance courts (320 days) is almost 50% higher than the European average days” (Castelliano; Guimaraes, 2023, p. 20-21).

Da Ros and Taylor (2019) analyse the main reforms of the Brazilian Judiciary over the last decade of the 20th and the first two decades of the 21st centuries, many of which focused on improving the performance of judicial provision. These authors suggest that, despite all the reform efforts, the effectiveness of the Judiciary has not improved much.

Despite criticism of the restricted focus on quantitative efficiency metrics (Oliveira; Cunha, 2020), the creation of the National Council of Justice (CNJ) in 2004 and its Justice in Numbers Seal in 2013 set the principles of Total Quality Management approach to the Brazilian Judiciary. For example, a symbiotic relationship is presumed to exist between measurement and management, as suggested by Deming (1992). At the same time, under the

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1 The authors thank Guilherme Viana Ferreira for his statistical assistance, as well as the anonymous reviewers, whose contributions significantly improved the text.

umbrella of the New Public Management approach in the justice system, judges assume a new role, each judge functioning as a more active professional and with management responsibilities in the courts (Pereira; Correia; Lunardi, 2022). Judges, as the main court professionals and managers, define the quantity, quality, and pace of judicial production; the essence of judicial performance lies in their activities (Gomes; Guimarães, 2013).

On the other hand, judges may be difficult to manage, as they are traditionally seen as independent, both in their decision-making and in their courts. Using performance evaluation techniques to assess their competences may raise questions about judges' independence (Ng, 2011). The competency-based management approach is used in the context of efforts to improve judicial management. Researching judges' managerial competences is important, because in several countries, such as Brazil and Portugal, these professionals have assumed managerial tasks and responsibilities, as evidenced in current research (Gomes; Guimarães; Souza, 2016; Guimarães *et al.*, 2017). The growth and importance of management in a judge's routine have caused conflicts and ambiguities in their performance. Conflict commonly occurs because judges divide their attention between their role in the trial court and administrative activities, as well as having to accommodate the demands and expectations of political parties, which are generally heterogeneous (Guimarães *et al.*, 2017).

This article investigates the following research problem: Considering the judges' management role and its influence on judicial effectiveness, what are the most important managerial competences for first instance judges, and what is the relationship between such competences and judicial management practices? The results discussed below identify eight managerial competences of judges and one resource (expansion of the support staff). The competences are the following, in order of importance: People Management and Team Leadership, Judicial Proceedings Management, Communication, Systemic Vision, Innovative Action, Information Management, Technical Managerial Competence, and Outcomes-Oriented Management.

The research occupies a theoretical gap left by the lack of previous studies on this topic. We conducted a search on the Scopus database, on March 31st, 2023, using the following search terms on the title, abstract and keywords of articles stored in that database: (“managerial competence*” OR “management competence*” OR “managerial skill*” OR “management skill*”) AND (“judge” OR “judges”). This search found no scientific articles. This paper is important for the judicial management field due to the evident lack of research on the first instance courts of the Brazilian State Justice System (Da Ros; Ingram, 2019). Considering the role of the judge-manager, this research is also important because of its potential to produce scientific evidence for improvements in judicial management. The use of the competence-based management approach stems from a broader process of institutionalization and reform of the Brazilian Judiciary.

I. MAPPING AND APPLYING A COMPETENCE FRAMEWORK TO THE JUDGE-MANAGER

The performance-competence framework, based on the behaviour of people at work, which had previously been applied to officials of the Minas Gerais State Court occupying managerial positions, was adopted because it was assumed that there would be a considerable similarity between the necessary competences of court managers and those of judge-managers. Judges are also assessed through a different performance evaluation process, focusing on goals and outputs measured by data aggregated at the level of the judicial unit, with characteristics defined by the CNJ.

As there is no official assessment of the managerial performance of judges, this research adopted the list of eight managerial competences used to evaluate Minas Gerais State Court managers as a starting point, as shown in Table 1 (TJMG, *s.d.*). In addition, the study considered that the result achieved by a state trial court is associated with the planning, monitoring, and control of the work undertaken by the judge. Common sense suggests that the welfare of a trial court depends on the engagement of leaders. However, it is not clear which competences compose such behaviour.

TABLE 1 – **MANAGERIAL COMPETENCES OF MINAS GERAIS STATE COURT OFFICIALS**

COMPETENCE	COMPONENTS
INNOVATIVE ACTION	CONTRIBUTES WITH SUGGESTIONS AND PRACTICAL ACTIONS FOR THE CONTINUOUS IMPROVEMENT OF THE SERVICES PROVIDED.
	FACILITATES THE IMPLEMENTATION OF INNOVATIVE PROJECTS AND INITIATIVES.
TECHNICAL MANAGERIAL COMPETENCE	APPLIES SPECIFIC TECHNICAL KNOWLEDGE TO THE WORK IN WHICH THE EXPERTISE IS APPLIED.
	SEEKS TO UPDATE KNOWLEDGE AND ACQUIRE NECESSARY INFORMATION THROUGH PROFESSIONAL AND PERSONAL DEVELOPMENT.
COMMUNICATION AND INSTITUTIONAL INTEGRATION	ACTS COLLABORATIVELY TO PROMOTE THE INTEGRATION OF OWN AREA WITH RELATED AREAS.
	COMMUNICATES EFFECTIVELY TO PROMOTE INSTITUTIONAL INTEGRATION.
INFORMATION MANAGEMENT	SHARES KNOWLEDGE AND INFORMATION REGARDING PROFESSIONAL AREA.
	KEEPS UP-TO-DATE INFORMATION REGARDING THE WORKING PROCESS WITHIN ONE'S PROFESSIONAL AREA.

(continues...)

COMPETENCE	COMPONENTS
PEOPLE MANAGEMENT AND TEAM LEADERSHIP	MONITORS, EVALUATES PERFORMANCE, AND PROMOTES THE DEVELOPMENT OF TEAM MEMBERS.
	MANAGES CONFLICT BETWEEN TEAM MEMBERS AND WITH THE INSTITUTION'S INTERNAL AND EXTERNAL AUDIENCES.
	SHARES INSTITUTIONAL OBJECTIVES, GOALS, PRIORITIES, AND VALUES WITH THE TEAM.
	DISTRIBUTES ACTIVITIES AND GUIDES THE TEAM ACCORDING TO CAPACITY, SKILLS AND EXPERIENCE OF TEAM MEMBERS.
WORK PROCESS MANAGEMENT	MANAGES THE WORK PROCESS WITH A FOCUS ON THE INSTITUTIONAL OBJECTIVE, CONSIDERING THE QUALITY AND DEADLINES SET.
	PROMOTES EFFECTIVE SERVICE TO INTERNAL AND EXTERNAL AUDIENCES, WITH SECURITY OF INFORMATION PROVIDED, PROMPT RESPONSE AND CORDIALITY.
OUTCOMES-ORIENTED MANAGEMENT	MONITORS THE EXECUTION OF THE WORK AND MAKES DECISIONS AIMED AT RESULTS DEFINED BY THE WORK AREA.
	CARRIES OUT PROFESSIONAL ACTIVITIES WITH A FOCUS ON ACHIEVING THE OBJECTIVES AND AREA/INSTITUTION GOALS.
SYSTEMIC VISION MANAGEMENT	DIRECTS PERFORMANCE CONSIDERING INTERNAL AND EXTERNAL CONTEXTS AND THE IMPACTS ON ITS WORKING FIELD AND THE COURT.
	PROMOTES THE SYSTEMIC UNDERSTANDING OF THE INSTITUTION, FAVOURING THE ALIGNMENT OF THE TEAM WITH INSTITUTIONAL OBJECTIVES.

Source: TJMG (*s.d.*).

Innovative Action Competence implies “doing things differently” and “doing better” (Baxter; Schoeman; Goffin, 2011, p. 14). Incremental innovation seems to fit better to the formal and hierarchical environment of the Judiciary, rather than radical or disruptive innovation. In a state-of-the-art review on judicial innovation and performance, Sousa and Guimarães (2014) identified 21 empirical articles that identified innovation in the judicial system as incremental. Three of them examined innovation at the organizational level, 12 at the political-legal level, and six in technological aspects.

Technical Managerial Competence is a kind of meta-competence that includes a set of other competences. In this specific case, Managerial Competence would be the set of eight competences described in Table 1. A manager achieves objectives by the intermediation of other people, performing in an appropriate way, and coordinating the team in the typical activities of the administrative cycle (planning, organization, coordination/monitoring, and control). Competent public managers are “creators of professional sense” who know how to

perceive political cues and stimuli, further triggering and relating them to new or existing issues (Horton, 2000).

Communication and Institutional Integration is the next competence evidenced in Table 1. In organizations, communication has five essential functions: management, feedback, emotional sharing, persuasion, and exchange of information. To perform better, managers need to have a certain control over their team members, give feedback, encourage people to engage, allow emotional sharing, monitor attempts at persuasion, and promote the exchange of information (Robbins; Judge, 2020).

Information Management, the fourth competence in Table 1, also known as Knowledge Management, is the process of applying a systematic approach to the collection, structuring, management, and dissemination of knowledge throughout the organization, to work faster, use best practices, and record lessons learned (Dalkyr, 2011).

The next competence, People Management and Team Leadership, is a competence that includes the set of policies and practices that reconcile the expectations of the organization and the people who work in it, so that both can be satisfied in the long term, as Dutra (2008) points out. For this author, the policies are the guidelines and principles that guide the organization's behaviour. Practices consist of procedures, methods, and techniques used to implement decisions (Trentin, 2021).

Work Process Management, the sixth competence in Table 1, is related to efficiency, or the ability of the judicial system to prosecute cases without excessive delay. Inefficiency refers to a situation in which there are "uncontrolled variations" in delays, arising from systemic distortions that are not inherent in the process itself and that can be identified but not eliminated (Prillaman, 2000). Combining the efficiency and effectiveness of working processes means performing the work with as few resources as possible, thus achieving results that meet the demands of users. In practical terms, the appropriate combination of effectiveness and efficiency determines the quality of the process (Macieira; Maranhão, 2010).

Amah, Nwuche and Chukuigwe (2013) describe Outcomes-Oriented Management, the seventh competence in Table 1, as a participatory process that involves the team discussing objectives and engaging everyone involved. According to these authors, strict and specific goals can motivate people to achieve high organizational performance under appropriate conditions (Amah, Nwuche and Chukuigwe, 2013).

Systemic Vision Management, the last competence evidenced in Table 1, is concerned with understanding the complex network of interactions between officials and identifying leverage points to solve the organization's problems (Vemuri; Bellinger, 2017).

2. RESEARCH METHODS AND TECHNIQUES

The research was carried out through a qualitative case study of first trial courts that comprise the Minas Gerais State Court, dealing with a broad set of judicial proceedings. This

methodology was chosen because the case study allows for the empirical testing and validation of data, as Eisenhardt (1989) points out. In addition, case study research is also suitable for generating new proposals and for testing elements of theories (Yin, 2009). The present investigation focuses on the former. The case study permits an investigation and assessment of the managerial competences, described in Table 1, in a real-life context.

In designating the case for study, we first selected, from among the trial courts that deal with a broad set of judicial cases, those that have completed the Strategic Planning Deployment Program of the Minas Gerais State Court. These judicial units share the following characteristics: broad jurisdiction, the quality of being generally overseen by judges in lifetime training and location in the smaller municipalities of the state. Usually, judges start their career in municipal districts.

The selected courts were ranked on the Judgment Index. This indicator represents the number of cases in which there has been a ruling in a given year, divided by the total of new cases in the same year. If the index is less than 1, the number of cases tried was less than the number of new ones. This indicator was chosen over the crude rate of closing because courts that have few pending cases can be very efficient, but cannot close more cases. The other two indicators measured by the state Court are the reduction in the number of on-going cases and the backlog. We did not use these indicators, as they may be influenced by other factors rather than the judge's managerial competences, which were the focus of the present study. Such extraneous factors might include the distribution of cases and stakeholder actions.

The highest-ranking trial court in Minas Gerais State Court was the Tombos City Court, with a judgment rate of 212.5% and a write-off rate of 370.66%, a reduction in paralyzed cases of -67.73%, and a reduction in the case collection of -47.16%. However, we did not use Tombos City Court for the case study because, besides being an extreme outlier, it records a remarkably high number of cases relating to constant energy outages. The region is located at the end of the line of the Minas Gerais Energy Company and such an extraordinary circumstance produces this local effect. For this reason, we selected the second ranked: the trial court of Espinosa City. It is hard to attract judges to work in this trial court, as it is located in the northern region of the state, about 900 km from the state capital, Belo Horizonte. Its economy is mainly based on public administration, and it is ranked 219th out of 853 municipalities in Minas Gerais in terms of Gross Domestic Product between 2010 and 2018.

The Espinosa City court is one of the 126 state trial courts that completed the Strategic Planning Deployment Program, carried out by the Internal Affairs General Office of the Minas Gerais State Court, by March 8th, 2021.² The program applies the PDCA (Plan, Do,

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2 According to the information provided by the Planning and Management Support Center of the First Instance (NUPLAN/CGJ/TJMG) (TJMG, *s.d.*).

Check, Act) methodology, and implements the following steps to be developed by the court and presented to Justice Internal Affairs: 1) Diagnosis of Trial Court; 2) Trial Court Strategy Plan; 3) Management Action Plan; and 4) Permanent Follow-Up.

Between July 1st, 2018, and July 1st, 2019, Espinosa Court had a judgment rate of 116%, a 29% dropping rate, a reduction in paralyzed processes of 93%, and a reduction in case submissions of 11.51%. To identify what produced this excellent performance, we studied the eight management competences set out in Table 1.

The main research data is comprised of video conference interviews with key actors in the justice system who could provide information about the performance achieved by Espinosa Court during the aforementioned period of time. The interviews were conducted between April 5th and 16th, 2021, and included a consent form recorded via the Google Meet platform. We selected people who worked in Espinosa between July 2018 and July 2019 and experienced the 116% increase in the judgment rate. They were made up of the judge responsible for the court, the court secretariat manager, five officials, a social worker, a prosecutor, and a lawyer. We also interviewed the current judge, the judge who accompanied the lifetime training of the judge responsible for the 116% increase in trial rate, and one who worked in the judicial district in 2008, to provide a historical overview of the court. The saturation point was reached with 13 interviews. To protect the interviewees' identity, we omitted their names and identified the interviews with the numbers 1 to 13. These inquiries generated a total of five hours and 40 minutes of recording.

We used a semi-structured script with three broad questions to carry out the interviews: 1) In your opinion, what generated the results of the Espinosa Court in the period from July 1st, 2018, to July 1st, 2019? 2) In your opinion, from the eight managerial competences [listed in Table 1], which had the most impact on the judge's conduct in that period? 3) In your opinion, did the context of the district influence the results? In what way? Initially, we asked the interviewees about the importance of each competence to the judge's performance, avoiding biases that would compromise the research. We considered a high-quality interview to be one in which the interviewee talks about what is truly important to them, and the researcher obtains detailed answers (Poupart *et al.*, 2014).

The data analysis was supported by content analysis advocated by Bardin (2010). We transcribed the interviews into text, and then we read the transcriptions. In a second phase, we used corpus coding techniques (transcription of interviews), which involved a thorough examination of the defining categories (coding systems) and identifying registration units in the documents. Units of meaning were coded, and these segments were the base for subsequent grouping and measurements of frequency (Vosgerau; Pocrifka; Simonian, 2016). Deductive logic was employed, since the categories of analysis were fixed before data collection (Nunes *et al.*, 2017), from the model of competences adopted.

After initial coding, manual categorisation was performed, generating codes found in the interviewees' speech. Eight codes were created, adapted from the competences described

in Table 1, namely: innovative action; managerial technical competence; communication; information management; people management and team leadership; judicial proceedings management; outcomes-oriented management; and systemic view. In addition, two other codes were derived from the interviewees' statements: 1) expansion of staff; and 2) cooperation between judges.

The analysis of the data obtained in the interviews was supported by ATLAS.ti, version 9 and IRAMUTEQ software. This software facilitates the analysis, through information technologies, by mapping and aggregating textual information. However, the software cannot perform analyses on its own. The methodological logic of data analysis, following Bardin's (2010) proposal, was provided through commands entered by the researchers.

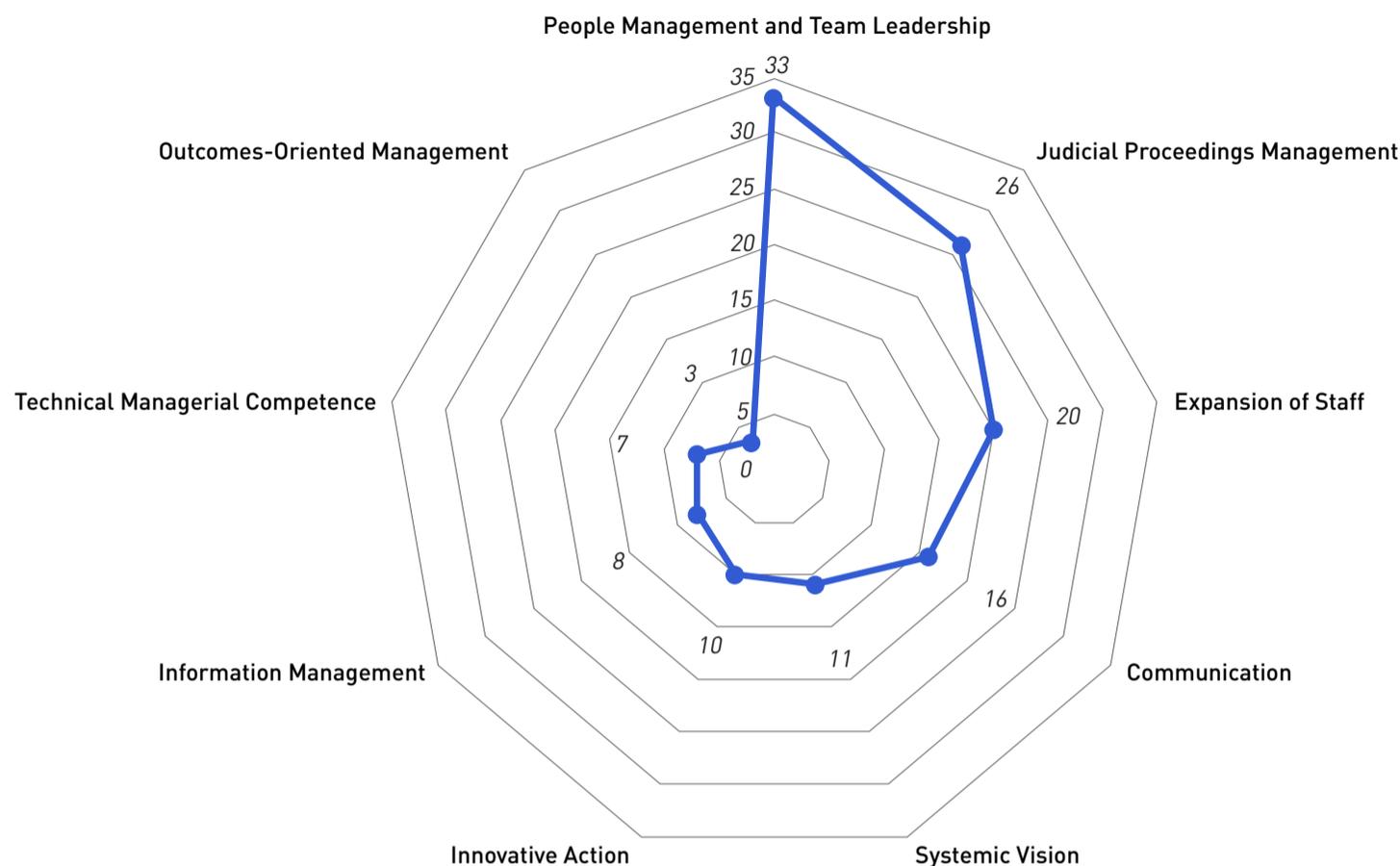
3. RESULTS AND DISCUSSION

After analysing the data, we selected and categorized excerpts from the interviews. Through the ten codes created, we identified the most important competences for the court performance studied and the relationship between them. These results are discussed below.

3.1. THE MOST IMPORTANT MANAGERIAL COMPETENCES FOR JUDGES

Figure 1, produced with ATLAS.ti software, shows the number of absolute occurrences (citations) of the managerial competences indicated in the interviews.

FIGURE 1 – COMPETENCES AND RESOURCES STATED IN THE INTERVIEWS



Source: Research data.

The most highlighted judge’s managerial competence revealed in the interviews was People Management and Team Leadership, referred to 33 times by nine out of the 13 interviewees. It was reported that, when the judge arrived in Espinosa, he met with the team and asked for everyone’s support. The judge’s leadership enhanced the integration and sense of belonging among the civil servants. His performance was noteworthy because he monitored, assessed the performance, and promoted the development of team members, seeking to ensure that everyone worked at a pace that would speed up cases.

Although the court officials observed that the work rate had changed completely, they also emphasized that the way in which the judge worked resulted in harmony, as he spoke to each team member and sought feedback. It was also reported that the judge always credited the best results to teamwork whenever he received praise for the management of the state trial court.

Furthermore, the judge set aside periods of the workday to work with the secretariat, which ensured more contact with the team. Encouraging closeness between team members and across the team as a whole was another point emphasized by the interviewees. We infer that the judge’s role as leader and manager influenced the numbers in the judgment rate. The testimony below reflects this result:

Now we're working at another rhythm, and he [the judge] walks into the office and checks tasks, and he is someone that calls everyone by name. I believe that the staff worked quietly and competently due to this deference. So, the workers had that pleasure of doing, working at his pace, working together [...] to give an outstanding result (Interview 6).

[The judge] did these regular meetings by placing them [workers] as protagonists also in the state trial court [...]. This question of order, do this, do that, I tried to take some of my manager ideas. We were co-participatory. And everyone was enthusiastic (Interview 8).

The behaviour of the leader resulted in more emphasis on the task (clarification, planning, monitoring of activities and problem solving), people (support, development, recognition, and empowerment), change (advocacy, vision, incentive to innovation, and facilitating collective learning) and being outwardly oriented (networking, market monitoring, external representation) (Yukl, 2012).

The most important competence of leadership primarily focuses on the leader, their relationships with people, some organizational impacts, and also, to a lesser extent, articulates with the four dimensions stated above, which would position the leader as the fundamental link in organizational alignment (Bianchi; Quishida; Foroni, 2017). The leader can also act as a filter between people management policies and practices, and the perception of such practices by professionals in the organization (Bianchi; Quishida; Foroni, 2017). The research results show that the judge was the link among the work someone would perform, officials within the decision-making team, the need for change, and the external stakeholders.

The second most frequently mentioned competence, referred to 26 times, was Judicial Proceedings Management, indicated by nine out of 13 interviewees. The investigation showed that, at breaks during the hearings, the judge went to the conciliation room to approve agreements made between the parties, allowing personal subpoena from the approval decision. Interviewee 6 emphasized that the judge substantially cared about reconciliation. It was also mentioned that, in cases in which the defendant had more than one criminal case, it was sent, at the same time, to the public prosecutor and then to the defence lawyer to accelerate the results. This conduct reduced unnecessary acts and interlocutions.

The respondents also highlighted, in addition to the judge's professional dedication and forensic working hours, the ability to manage the several areas of adjudication, avoiding so-called "case dead time". The judge set quantitative and qualitative goals, gradually reducing the court's backlog of cases from approximately 2,000 to zero. What's more, the management maps of the Computerized System of District Services followed the actions recommended by the judge. The need to reconcile personnel with process management was emphasized in the following terms: "one cannot speak in the judicial unit about personnel management dissociated from process management, because it is our work tool [...], if you do not process command, you will work hard and produce little" (Interview 3).

Expansion of Staff emerged in third position, with 20 references. It is a resource rather than a managerial competence, acquired through the judge's ability to collaborate with external entities to secure external cooperation. Because of agreements with the City Hall and City Council of both municipalities within the court's district, the number of officials increased from two to five. At the same time, the upper administration of the Minas Gerais State Court provided a legal expert to assist the judge. Thus, the composition of the team influenced the increase in the judgment rate according to seven of the 13 interviewees. This specific result, although not related to the judge's managerial competences, is important because the size and qualification of the support team in a trial court is an issue directly related to the court's performance. It is inferred, therefore, that the judge's managerial competences do not completely explain the unit's performance.

Communication was the next most important competence, mentioned 16 times by the interviewees. The process of communication is key for the efficiency and effectiveness of any organization. In the court studied, the communication strategies, coordinated by the judge, contributed to the integration of the internal team as well as toward helping with interaction with external stakeholders – mainly public prosecutors, lawyers and parties. At the same time, it positively affected the trial court performance. Interview 6 revealed that the judge visited the secretariat and to the Brazilian Bar Association room every day. It highlighted that the judge was open to dialogue and displayed a more receptive attitude. The interviewee stated this in the following terms:

I think he came fresh, full of things, with good thoughts. He encouraged everyone to look for studies; he was always close to workers in all sectors. Every day he passed by us and, [with] that attitude, I think he values us. It is crucial because he was willing to help, he asked us about difficulties: “Do you have any difficulties?”, “Got a problem?” So, he is always concerned about the whole court (Interview 6).

Before starting work, the judge and his colleagues made an effort to know the community. We categorized this behaviour as Systemic Vision competence, referred to 11 times by the interviewees. Making contact with the municipalities located in the northern region of the State of Minas Gerais served as a stimulus to expedite cases, in addition to encouraging action to assist families in need:

[The judge] first sought to know the community, the neediness, and everything, which led him to have this place of resolution. Why? He arrived in a county where no one believed, practically, everything of the staff is like this: [...] “I’m not going to go to court because it’s going to take so long that I’m going to die and it will be my grandchildren who will get paid.” So, there weren’t many people looking to assert their rights, and people did not believe in a quick result or a result in an average time frame. And then, as he arrived, he

verified this anxiety that society has here, and was quickly solving the cases [...], he made a task force every day to solve the issue (Interview 6).

The Innovative Action competence, mentioned 10 times in the research, was related to a new mode of operation inaugurated by the judge on assuming his first judicial district, represented by the a novel approach to work, the manner of interacting with people, and the search for alternatives, such as the agreements signed to increase the number of interns.

The competence of Information Management, the sixth most mentioned competence, indicated eight times by the interviewees, involves a process of identifying, collecting, storing and disseminating data and necessary information for organizational performance. In this court, this process could be evidenced in the incentives for new team members to prioritize their work, as stated by one interviewee: “[The judge] shared a lot of knowledge of his expertise with the staff mainly. So, he promoted [...] a kind of ‘classroom’ for the interns from time to time, and praised them often” (Interview 1).

The Technical Managerial Competence, also identified in the research through seven mentions by the interviewees, represents the managerial capacity demonstrated by the manager. This result shows that the judge was already well equipped with the managerial skills for his role as judge-manager. The judge who worked in Espinosa during the period under analysis pointed out that the Minas Gerais State Court judicial school provided all training in judicial management through theoretical classes and practical activities:

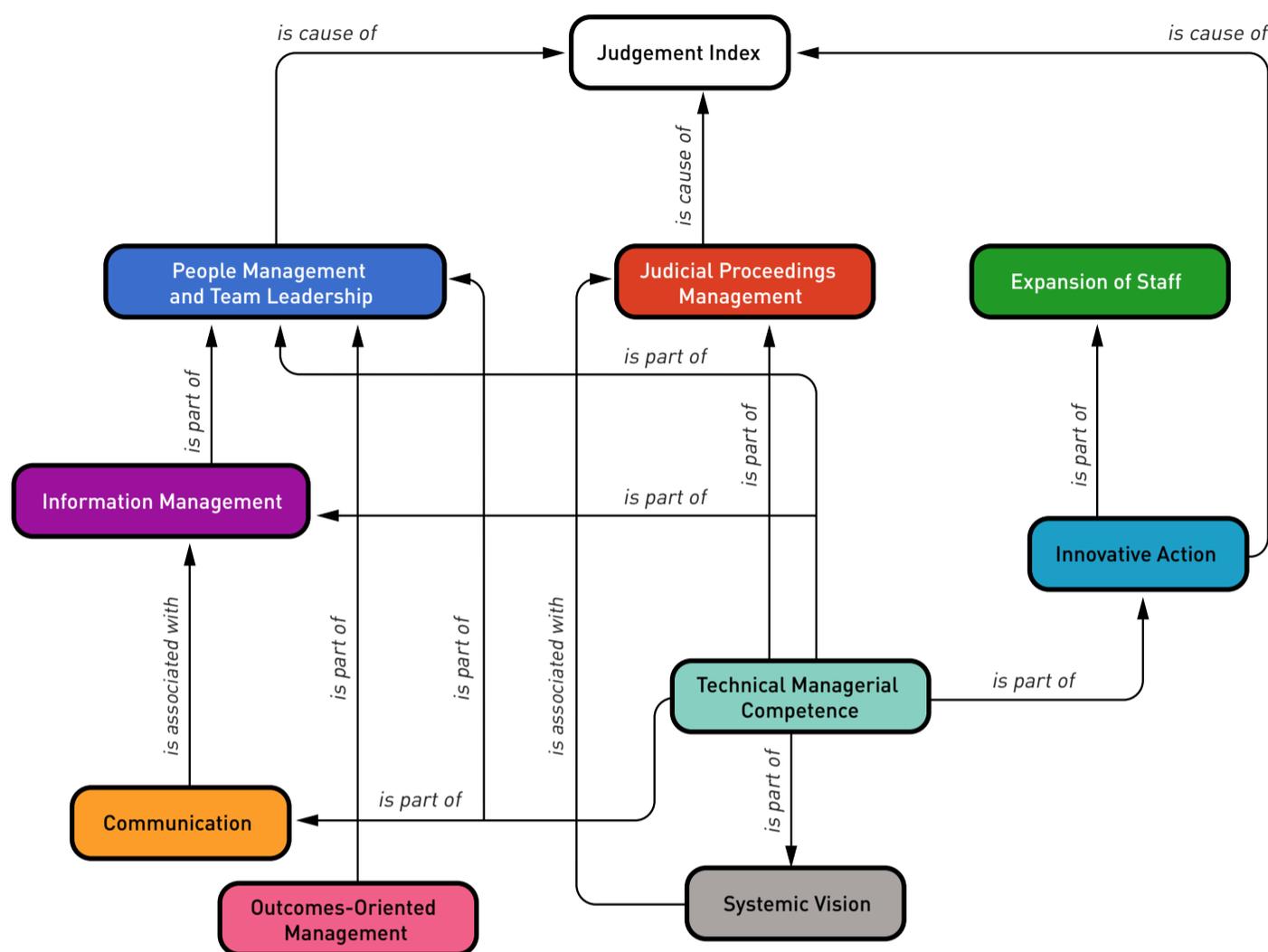
We went through many units [...]. I saw that what I was learning in theory at school was already being applied in practice, and it was working out. [...] And I saw how it flowed much more in these managers who had this mentality of planning goals, bringing the team, holding meetings (Interview 8).

Outcomes-Oriented Management, a competence mentioned only three times in the interviews, represents, in fact, a kind of mother competence of the judge responsible for this court. In this case, the frequency in which the code associated with that competence appears in the interviews is less important than its meaning. This competence was seen from the perspective of positive performance influencing society and the quality of life for the team itself, providing further meaning to the actions performed.

3.2. THE INTERRELATIONSHIP OF COMPETENCES AND PERFORMANCE

Figure 2, designed by ATLAS.ti software from the content of the interviews, shows the network of relationships between the competences and resources that influenced the increase in the judgment index in the Espinosa city court.

FIGURE 2 – RELATIONSHIPS NETWORK BETWEEN COMPETENCES, RESOURCES AND JUDGMENT INDEX



Source: Research data.

Figure 2 shows that the performance, characterized by the Judgement Index, which increased 116% in the period analysed, is “caused” by the competences of: People Management and Leadership, Judicial Proceedings Management, and the resource Expansion of Staff. Placed in a central position in the diagram, the Technical Managerial competence encompasses the other competencies closely related to each other, as well as that of Innovative Action.

Information Management and Communication are associated competences that integrate People Management and Leadership in the foreground, as well as Outcomes-orientation and Systemic Vision. The latter competence is also associated with Judicial Proceedings Management. In turn, Innovative Action is part of the Judicial Proceedings Management and the Expansion of Staff. That configuration also contributed to the increase in performance of the trial court in the study.

In addition, we used the software IRAMUTEQ to extract a linguistic analysis of the interviews undertaken. The Word Cloud tool was also used. It groups key words and graphically organizes them according to their frequency. Figure 3 shows the result.

leaders have a better communication repertoire than task-oriented ones, and an adequate process of communication ensures better results (Vries; Bakker-Pieper; Oostenveld, 2010). The opportunity for experience (understood as the ability to permeate the environment), involvement with the team and other stakeholders of the justice system, and willingness to change were also present in the judge's performance, as reported by the interviewees.

CONCLUSIONS AND RECOMMENDATIONS

We used the competence framework, applied by Minas Gerais State Court to officials occupying managerial positions, to identify the most critical managerial competences of judges. We interviewed 13 key actors involved in the work of the state trial court selected for this study, and we further analysed the data with the support of content analysis techniques.

People Management and Team Leadership was the competence identified as the most important for the role of the judge-manager. It was highlighted that the judge's leadership generated rapport and fostered a sense of belonging on the part of the officials, resulting in a higher work rate and, therefore, expedited handling of judicial cases. The judge's performance resulted in harmony among the team, as he talked to employees, sought feedback regarding the work, held get-togethers to reward the achievement of goals, and credited the trial court's performance to the team's work whenever there was praise for the trial court's performance.

Judicial Proceedings Management was the second most relevant competence, according to the interviewees. This competence involves the judges' role in valuing conciliation between parties and speed of an agreement's ratification. It also consists of judges' professional dedication; reduction of "dead time"; definition of goals to clear the backlog of sentences awaiting judgment; and various measures adopted to reduce unnecessary acts, concentrate activities and speed up processes.

In decreasing order of importance, the resource Expansion of Staff was ranked in third position, followed by the following competences: Communication, a competence that contributes to improving the integration of the team and stakeholders (prosecutors and lawyers) ranked fourth; Systemic Vision ranked fifth; Innovative Action, related to a new way of working inaugurated by the judge, ranked sixth; Technical Managerial Competence, associated with monitoring workflow and focusing on necessary adjustments, ranked seventh; and Outcomes-Oriented Management ranked eighth.

The research results enable us to infer that the judge's managerial competences that are important for the improvement of judicial performance can be measured through the judge's activity. The inclusion of a monitoring process for the competences of People Management and Judicial Proceedings Management could be a positive strategy for the improvement of the Judiciary. This process could be built with the active participation of the judges and takes into account the context of the judicial units, fitting into the routine of judges with increasing jurisdictional and administrative duties.

In addition, the survey indicates the need to map judges' core competences (People Management and Judicial Proceedings Management) and to focus on the necessary link between organizational strategy, management practices, and officials' behaviour. Assessing the judge's managerial skills as a team leader can support such alignment. The management policies of the Minas Gerais State Court could, for example, strengthen the training of judges in managerial competences, such as those identified in this research, which may influence the performance of the state trial courts. In addition, methods for monitoring People Management and Process Management throughout the career of judges should be evaluated.

As a research agenda, we suggest that the set of judges' managerial competences identified in this study could be used in future research, as well as applied to larger samples of respondents from other trial courts of the same courtroom and in other Brazilian law courts. This type of study could not only validate these competences and identify other competences relevant to the role of judge-manager, but could also generalize the scientific evidence related to court efficiency and efficacy. Further studies could also confirm possible correlations between these competences and their impact on the performance of trial courts in different states.

Finally, it is important to emphasize that this research has limitations, especially because it is a case study of a trial court in the countryside of a Brazilian state. However, this court, located in a state that represents the diversity of Brazil, which deals with all types of legal cases, can be representative of the reality of several other trial courts in the country. Although the results found in this study are not immediately generalizable, they may be very useful in generating salient insights for broader future research with generalizability. Considering that the topic studied is without precedent in the scientific literature, this research is important and constitutes a starting point for building knowledge about judges' managerial competences.

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