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GUIDELINES FOR
CURRICULUM DEVELOPMENT
IN THE JUDICIAL EDUCATION



GUIDELINES FOR CURRICULUM DEVELOPMENT IN THE JUDICIAL EDUCATION

GENERAL FRAMEWORK

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Guidelines for curriculum development in the judicial education – general framework

Foundations of guidelines for curriculum development in the judicial education can be found in the general principles for curriculum development in vocational adult education on the one hand and in the different needs that exist in the judiciary which, among others dictate educational needs, but also impose requirements in respect of the planning, organization, implementation and evaluation of education. What can be observed through the analysis of both, it seems that they largely overlap in some important elements.

Bearing in mind that the understanding of the curriculum shifted from those in which curriculum is experienced somewhat narrower - as a synonym for the plan and program, we can say that today predominant opinion is that the curriculum is something much broader, the entire description of the educational process through the answers to the questions why we are learning something, what is the subject of learning, who is learning, who is teaching, what are the expected learning outcomes, how they will be checked and monitored, where and when learning occurs etc.

No matter how big are the similarities or differences regarding the main questions we are trying to answer through tailoring the curriculum, agreement can be found in the fact that the curriculum is seen as a significant landmark and founder of educational activities or institutions that implement these activities. Also, it is an instrument for the realization of the concept of quality assurance, quality of educational activities, their efficiency and effectiveness, which are concepts which become increasingly important in the judicial education.

In this regard, in addition to the question how a certain education is provided, concern for the quality of how and on what basis it is conceived, is equally important for any institution that implements education in this field. Curriculum development in vocational adult education

which is the mainstay of judicial education is equally important and complex task for all those who are engaged in its implementation.

The complexity of curriculum development, is largely conditioned by the fact that it is also a reflection of the general social context in which it is realized and other elements of different, more specific context. This complexity, especially when it comes to vocational education, is enhanced in situations when it comes to curriculum development in dynamic professions such as professions that exist in the judicial field. In these professions, the change is happening very quickly, affecting the various aspects and elements of the world of work and require a curriculum that will respond quickly to a different set of emerging needs and development trends in this area. Three large groups of challenges that affect the development of the curriculum in the judicial education are:

- Dynamism of career in the judiciary
- The dynamism of the judiciary itself
- Global trends related to the modern world of work characterized by turbulent changes in the way we do things, changes in how, where and with whom we work, are constantly seeking improvement and change desirable skills of the employees, especially the position of generic skills.

It seems that in the judicial education, a great challenge for those who are developing curriculum in the area of continuous education is understanding of how each element of the changes can be projected through the curriculum.

Trends in judicial education as wider context of curriculum development

Though we speak of not so long history of institutionalized continuous education in the judiciary, it can be said that there is a good sum of knowledge about how this education should take place, which are to a greater or lesser extent, accepted and realized in the institutions responsible for their implementation, such as Judicial Academy. These findings are not organized in a coherent framework, and it seems that this is not possible bearing in mind the specificity and diversity of the different judicial systems, different models of continuing education in the judiciary, but also of educational systems in different countries, and relations that are realized between its elements - formal and nonformal education. However, it seems to us that we can talk about certain principles, and trends in education in the judiciary which can be observed as additional tasks in curriculum development.

When considering the objectives and tasks of education in the judiciary (especially continuous education), they can be viewed in at least in two levels – level of the society (focus on the improvement of the judicial system of the country, in accordance with certain strategic decisions); and level of the individuals - professionals in the field, and who are also mediators of change - both deliver certain requirements for curriculum design.

It is not an exaggeration if it is said that education, especially continuous education in the judiciary is seen as an aggregate of the judicial system as a key element of its changes, and the institutions responsible for the organization and implementation receive qualitatively new features.

It is recognized at the level of society as a bearer of a sustainable reform of the judicial system, and on the individual level as a key factor of professional growth and development, as a factor of improvement of professional expertise, and finally as a factor in improving the judicial system through the members of the profession.

When we talk about the first group of goals, there has been a trend not only of recognition of the role of continuous education in the judiciary, but also experiencing it as a key factor for improving the judicial system. It pushes the boundaries of the convenient framework for „compensation” concept and of something that we can name as the element of supplement for some other form of education. It becomes an instrument of change and development not only of the judicial system itself, but also the judicial system as an important mediator of social change. In this regard, the fact that influences the need assessment is that the curriculum is reflection of the desirable system, and not just the reflection of the compensatory concept.

When it comes to goals related to the professionals in this field, they are also twofold, on the one hand, they are always a reflection of the broader goals, and on the other hand, they are seen as support of professional development of employees in the judiciary field.

Recognizing once again the fact that the curriculum is always a reflection of the context and trends in the field, certain trends that greatly influence the design of the curriculum are selected.

Changes in the concept of competencies in judicial education

The key question in curriculum development is the question of the concept of competence in the judicial education. Speaking about the objectives related to the individual, or professionals in a given area, "regardless of what system we speak, judicial training is focused on only one

goal: to make a student or professional in a competent, independent and impartial prosecutor or judge".¹ Precisely the principles of independence and impartiality are those principles that go beyond the features of any national system. Considerations are aimed towards questions how these principles can be supported through learning and through which learning they can be supported, which is important for the design of educational activities.

While the impartiality and independence remain the core of the different systems, it can be seen that the concept of competencies in the judiciary is viewed in several directions. It seems that the issues of competence are experiencing several changes:

- 1) Set of core, hard, professional competencies, which are the core of a profession are considered as the "default" matter. This does not mean that they are not changing and improving. Professional competencies are still very important and under impact of changes in the world of work. Therefore, educational intervention in the field of strengthening the professional competencies remain an important part of education in the judiciary. They naturally have a qualitatively different role when it comes to initial education and continuous education.
- 2) In addition to specific competences immense attention has been given to the additional set of competences of judges and prosecutor and it refers, in simplest terms, to the strengthening of different field of their expertise. Additional skills and knowledge that stems from the requirement that judges and prosecutors face in their daily work are being increasingly highlighted. This goes beyond of what is typically seen as part of the judicial profession and it implies the knowledge and skills in the entire field of different sciences, e.g. social sciences and humanities. It is notable that judicial education should not be limited to the support and development of hard, core skills, but it should be enriched with the development of additional (soft) skills that will support judges and prosecutors in their daily work.
- 3) In parallel with these processes, the change in the direction professionalization-specialization is happening. While this first is not brought under question (given the fact that in the professions in the judiciary there is a sufficient sum of knowledge and a valid monopoly on technical expertise, which distinguish member of these professions, the story of specialization begins to take an important place in debates in judicial education and in the organization of education in this field². Complexity of the entire sphere of

¹ Ronsin, X. 2016

² Ronsin, X. 2016

judiciary requires specialized professionals. It goes towards the adoption of a narrow (and deeper) package of knowledge and skills, that is, very specific and specified set of competencies that maps the complexity and diversity of tasks performed by different professionals.

Appreciation of a multidisciplinary approach to education in the judiciary

The need for a multidisciplinary approach is highly correlated with a change in the concept of competencies in the judiciary. This need is not so new and unrecognized, but is it actualized and further enhanced when it comes to designing of curriculum. It can be said that it is now more recognized at the level of the everyday work of judges and prosecutors, in the sense that the judges and prosecutors in their daily work are facing challenges that require them not only superficial knowledge, but deeper understanding of certain phenomena that come from closer or further scientific spheres. In addition, not only an understanding of these phenomena for themselves is important, but their understanding in the judicial context. In this regard, the main task becomes integration of this knowledge into the curriculum as a coherent framework, especially in the phase of educational needs examination and in programming of the content of educational activities.

Partnership in designing of the curriculum

Given the complexity of the changes in the judiciary, it seems that no institution can independently respond to the new changes. Also, it is not just about meeting the educational needs, but even in their cognition, understanding and formulating the current and relevant educational programs whose effects can be monitored and evaluated. It is impossible to unilaterally keep track of all the changes that occur in the workplace. The education system cannot evaluate and investigate all the challenges that employees of the judiciary face in their daily work. In this sense, there is almost no subsystems in education or justice who would not be involved in the whole process of designing the curriculum.

Thus, another important guideline, the premise in the development of the program is participation of a variety of interested parties (the elements of the system) at various stages of conceptualization of a program. This is not only specific education in the judiciary, but also one of the characteristics of modern vocational education system, which can be explained as follows: "Organization of vocational education and curriculum in vocational education are the product of a partnership and joint action of different groups (groups that control different phases

of the process curriculum development and implementation, and groups concerned with the effects of the education). Partnership is present at different levels (national, regional, local, institutional) and in different domains (planning, implementation, and evaluation)".³

The inclusion of representatives of the academic community, professional and vocational associations, and other relevant actors from the world of work is an important framework for the realization of the curriculum.

The methodology of adult learning

Another important trend that delivers specific requirements particularly in the implementation phase, the delivery of the curriculum refers to the respect of adult learning methodology. Extremely great attention is paid to the study of the theory of learning that can have the greatest applicative value for judicial education. What remains the major problem of many institutions responsible for training of judges and prosecutors, is orientation towards the concepts of transmission of knowledge, the dominance of traditional forms of work, the dominance of traditional lectures in the delivery of content, while there is a growing need for active methods of adult education.

Bearing in mind that the high expectations of education are directed towards adopting a skill that will be directly and immediately applicable in the work of judges and prosecutors, there is a need for the use of modern learning theory, modern methods and techniques in adult education. This is especially important in consideration of elements of the curriculum that relates to the question: how does the process of learning unfolds? For designing of the curriculum, this means setting two of its elements; a) answer to the question of the expected outcomes, and b) the manner of implementation of activities; on the equal level.

Education of trainer in the judicial education

Great attention was paid to the issue of selection, preparation and empowerment of the trainers in judicial education. Of course, it is evident that their professional expertise is a necessary but not sufficient condition to perform educational work. In this regard, a clear set of criteria for the selection of trainers in the judiciary, as well as adding value to different sets of their tasks is an important part. Special attention is given to those who perform the role of trainers in

³ Despotovic, M., 2010., pp 92

judicial education bearing in mind that they are still responsible for the implementation of the curriculum, and often for its conception. In this regard, in addition to issues of immediate realization, trainers must be empowered in designing the curriculum at the level of specific educational activities.

While implementation of education implies only one stage of the education cycle that must occur taking into account a series of guidelines related to the comprehensive realization of adult education, all other stages of the educational cycle, starting with an examination of educational needs, planning educational activities, programming content, organization of education and direct preparation, evaluation (considered as an indicator of the current, but also a reflection of the future state and future needs), must be viewed in the context of a common understanding of what we want to achieve, and what changes we want to challenge in judicial education.

All these changes are reflected in the approach to the development of the curriculum, particularly in the following processes or phases: examination of educational needs, educational programming of educational content and evaluation.

Examination of educational needs - foundation of judicial education on the real needs

Generally speaking, adult education, the examination of educational needs is set as the "golden rule", presumption and the initial step in the development of the program. Two kinds of educational needs are important in the design of the program in the judiciary. One type refers to those needs perceived on the relation real-needed, and the second one based on the relation current-future, projected.

Indicators of first are differences in relation to those competencies that judges, prosecutors and other relevant groups possess and those competencies they need in order to perform their tasks.

The process of educational needs assessment can be realized on the basis of a number of ways (Functional analysis, DACUM analysis⁴), through a number of procedures and through various instruments (interviews, questionnaires, focus groups ...) that results in certain work standards, and competencies on which further curriculum development will be managed. Whichever approach is chosen, it must be a reflection of the strong demand that exists in this

⁴ DACUM *Developing a Curriculum – method of curriculum development*

field and it is the need for systematic and systematized educational needs examination. This is extremely important for the continuous training, bearing in mind that at this stage, the basic purpose of any program is being formulated. The starting point in the development of the curriculum should be the answer to the question of what we want to achieve.

When it comes to the second needs, relation real-desirable, they become equally important for dynamic areas such as the judiciary. When examining these needs, the special role is given to the partnership and the concept of partnership in vocational education and to greater cooperation with educational and professional institutions in the field.

Programming of educational content – outcomes based approach

Programming of educational content, in the simple terms, represents an attempt to respond to the identified educational needs. Determination of clear purpose and objective of the program represents a basis for the articulation of educational activities. Thus, the program should be directed to the identified educational needs, and should be aimed at reducing the gap between current and desired or required conditions.

Taking into account the changes in the concept of competencies in the judiciary, the fact that it emphasizes the set of additional skills that professionals should possess, in conditions where their core competencies are implied, and where the whole additional set of soft skills, is actualized through jobs and the functions they perform, it seems that there is three groups of tasks related to programming of the content which become extremely important:

- 1) Innovation of hard skills
- 2) The development of generic competencies through programs
- 3) The exercise of the specialization programs (specialization can be greatly facilitated through a modular program structure, which includes a special organization of content in specific learning packages).

Such tasks can be achieved using as starting point outcomes based approach. In the approach based on outcomes, outcomes are formulated in the form of certain knowledge, skills, attitudes and competencies that participants should have after a certain educational activity.

In order to achieve their purpose, the outcomes should be:

- Harmonized with developmental and professional characteristics of learners

- Verifiable
- Positively formulated
- Achievable (attainable)
- Complex and divisible
- Specific
- Concrete to provide adequate teaching organization and verification of achievement
- Precise and clearly formulated to prevent different interpretations⁵

Outcomes are formulated as an active verbs and they describe the participant of a particular educational activity in terms of what is supposed to know, is able to do and what attitudes should have. The tendency of education focusing on learning more and more present in professional adult education and continuing education in the judiciary.

Considering all the aforesaid requirements, but also requirements stemming from judicial education to justice, it seems that the minimal set of elements of the program are:

- a) The objective of the program - what is the intention of the program
- b) Learning outcomes - formulated at the level of knowledge, skills and attitudes
- v) The contents - the list of thematic areas
- g) Learning methodology - definition of methods and techniques
- d) The target group

Designing programs through these elements enables:

- Informative, clear and transparent program, readable by various stakeholders;
- A clear articulation of the program that allows the monitoring and improvement;
- Direction of trainers and implementers of educational activities towards achievement of key outcomes
- Check of the relevance of the set learning strategies

⁵ Despotovic, M., 2010.

- Possibility to check achievements
- Possibility for monitoring the quality of educational activities.

Programming based on outcomes allows monitoring of the efficiency and effectiveness of education, which becomes important concept in the judicial education.

Curriculum evaluation

Evaluation as the last stage of the education cycle and an indicator of new educational needs and starting point for the new cycle of education. Therefore, it must be seen as one element of improving the quality of education.

Great demands on the design of the curriculum in the judiciary, refer to shift towards concepts of efficiency and effectiveness. It can be said that this area is in this sense does not lag behind and it tracks trends in modern systems of vocational education of adults and the orientation towards effectiveness. Thus, "although the primary goal of vocational education is attainment of learning outcomes, effectiveness of the curriculum in vocational education is assessed not only on the basis of the degree of their accomplishments, but also on the effects of these achievements in the world of work. In other words, the ultimate judgment on the effectiveness of the curriculum shall be made not only on the basis of achievements in learning, but also on the basis of achievements ... in a real working environment."⁶

This restores requirements when it comes to designing of the curriculum, making as a task verifiability of results in practice through learning outcomes and towards the approach of designing curriculum based on learning outcomes.

What is often overlooked is the importance of the evaluation may have during the process of creating a curriculum, so all stages can undergo evaluation (evaluation of the completed process of educational needs assessment, designing of the program, preparation, organization of educational activities).

References:

- Alibabić, Š., Popović, K., Avdagić, E. (2012). *Naknadno sticanje osnovnog obrazovanja, Andragoški priručnik za nastavnike*, Sarajevo: Giz.

⁶ Despotovic, 2010., pp. 93

- Despotovic, M. (2010). *Razvoj kurikuluma u stručnom obrazovanju odraslih*. Beograd: Filozofski fakultet.
- EJTN (2016). *Handbook on Judicial Training Methodology in Europe*, European Judicial Training Network
- Kulić, R., Despotović, M. (2001). *Uvod u andragogiju*, Beograd: Svet knjige.
- Oljača, M. (2013). *Andragoška didaktika*, Novi Sad: Filozofski fakultet.
- Pastuović, N. (1978). *Obrazovni ciklus – Opća metodika obrazovanja zaposlenih*, Zagreb: Andragoški centar Zagreb
- Pavlović- Breneselović D., Pavlovski, T. (2000). *Interaktivna obuka: priručnik za obuku voditelja interaktivne obuke*, Beograd: Institut za pedagogiju i andragogiju Filozofskog fakulteta, Centar za interaktivnu pedagogiju.
- Reaves, R. (2016). Continuing education for judges. *Judicial Education and Training-Journal of the International organization for Judicial Training*, 5, (11-18)
- Ronsin, X. (2016). The principles of judicial training: towards international recognition?. *Judicial Education and Training-Journal of the International organization for Judicial Training*, 5, (11-18)
- Roeders, P. (2003), *Interaktivna nastava : dinamika efikasnog učenja i nastave*, Beograd: Društvo za obrazovanje odraslih.

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