

“মুজিব বর্ষের অঙ্গীকার
প্রশিক্ষণের লক্ষ্য হবে ন্যায়বিচার”



Course Brochure

42nd Special Foundation Training Course for the Assistant Judges and Judicial Magistrates

(24 October, 2021 to 22 December, 2021)



Judicial Administration Training Institute (JATI)

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Course Management Team

The Course Management Team of the 42nd Special Foundation Training Courses, hereinafter referred to as the 42nd SFTC, is comprised of one Course Director, two Course Coordinators and three Assistant Course Coordinators. The detail is listed below:

Course Director:	Mr. Md. Golam Kibria Director (Training) Cell phone: 01720676375
Course Coordinators:	1) Dr. Md. Alamgir Deputy Director (Training) Cellphone: 01739706050 2) Md. Abu Hasan Kharullah Deputy Director (Research & Publication) Cell phone: 01749161514
Assistant Course Coordinators:	1) Ms. Mehnaz Siddiqui Assistant Director (Training) Cell phone: 01712519592 2) Ms. Nahid Niazi Assistant Director (Training) Cell phone: 01723353490 3) Ms. Nazmoon Nahar Neepu Research Officer Cell phone: 01717379390

The Course Director is the in-charge of the overall responsibility of the course. He, on the direction and advice of the Director General, conducts and makes course arrangements with the assistance of the Course Coordinators and Assistant Course Coordinators.

Message of the Director General

The Judicial Administration Training Institute is the only training institute in the country that provides intensive training to the judicial officers of the Subordinate Judiciary along with other stakeholders. The Foundation Training Course is one of the key training programmes offered by the Institute. This training programme has been designed for the newly appointed Assistant Judges and Judicial Magistrates to help them acquire basic understanding and skills required for discharging their duties efficiently. Assistant Judges and Judicial Magistrates play vital roles in the Judiciary and act as the Courts of First Instance in civil and criminal jurisdiction respectively. Thus, the newly appointed judicial officers need to be well-informed about the general and special substantive and procedural laws, judicial pronouncements in leading cases, judicial skills for court administration and case management, judicial ethics, code of conduct, and other related matters necessary for performing their duties and responsibilities diligently.

The usual duration of the Foundation Training Course is four months. It is an extremely important course because until and unless a judicial officer has received the foundation training, his/her employment cannot be confirmed. Therefore, participating in the Foundation Training Program is mandatory. However, due to the ongoing global and national pandemic caused by the deadly COVID-19 virus, we had to postpone all in-person training programmes in compliance with the government mandate to control spreading of the COVID-19 virus. As a result, a vacuum was created and the Foundation Training of a large number of newly appointed judicial officers is pending at the moment. To deal with this massive backlog, it was decided to reduce the duration of the Foundation Training Course to provide training to the concerned judicial officers and complete their courses within a shorter span of time. The Ministry of Law, Justice and Parliamentary Affairs in consultation with the Supreme Court of Bangladesh approved the duration of the Special Foundation Training Course (SFTC) to be two months instead of the usual four months temporarily and under special consideration. Hence, the duration of the SFTC is going to be two months long and the Institute aims to provide the most effective training within this period.

Given the duties and responsibilities of the judicial officers in the changing circumstances, this 42nd SFTC has been specially designed with a focus on both the academic and practical applications of the main branches of law. This training will offer the participants with an opportunity to learn from the vast knowledge and experience of the highly valued resource persons including the former and present Chief Justices of Bangladesh and the Hon'ble Judges of the Supreme Court of Bangladesh. This programme will also enable the trainee judicial officers to learn about the interpretation of the Constitution and administrative guidelines. It will also facilitate the trainees to know elaborately about the glorious history of the Liberation War of Bangladesh. This programme will also include contemporary topics such as human rights, juvenile justice, refugee crisis etc. Alternative Dispute Resolution (ADR) mechanism will be another important lesson for the trainees. Sessions on Medico-Legal Report and DNA Technology will be an added advantage and extremely beneficial as well. To equip the trainees with modern information technology, they will be provided with basic training in information & communication technologies, different aspects of good governance and e-judiciary.

As the Director General of the Judicial Administration Training Institute, I warmly welcome the participants of the 42nd Special Foundation Training Course. It is my firm belief that the newly appointed Assistant Judges and Judicial Magistrates will be immensely benefited from this course and I hope the participants will be fully invested in learning from this training program. I expect nothing short of excellence from the participants and I believe their conduct and commitment to the training course will reflect the important positions they hold. As we are living in a difficult time caused by the COVID-19 pandemic, I also believe that the participants will follow the government mandated COVID-19 safety guidelines in order to reduce the risk caused by this infectious virus. I wish the participants of the 42nd Special Foundation Training Course the very best and I hope they will have a fruitful and satisfying experience during this programme.

Justice Nazmun Ara Sultana
Director General
Judicial Administration Training Institute

Message of the Course Director

It is my great pleasure to welcome the Assistant Judges and Judicial Magistrates as participants of the 42nd Special Foundation Training Course to be held at the Judicial Administration Training Institute (JATI). This Institute was established in 1996 as a statutory organization with the objective to provide an all-encompassing training to the judicial officers of the Subordinate Judiciary, court-support staff and government lawyers which would enhance their judicial knowledge and skill. The Foundation Training Course (FTC) for the newly appointed Assistant Judges and Judicial Magistrates is one of the finest training courses offered by JATI. As successful completion of the FTC is mandatory for every judicial officer, JATI always aims to provide a comprehensive training to the participants. Generally, the duration of the FTC is four months but due to the global and national crisis caused by the COVID-19 virus pandemic, under special circumstances the duration of the FTC has been condensed into two months and it has been named as ‘Special Foundation Training Course’.

Upholding rule of law and ensuring justice for mass population was one of the crucial aspects of our liberation war. Our father of the nation Bangabandhu Sheikh Mujibur Rahman believed in a country where equality, justice and fairness would prevail. Judicial knowledge and skills are essential to safeguard the rights and to maintain rule of law. There is no alternative to systematic training programmes to increase legal knowledge and skills of the judicial officers. JATI aspires to provide methodical training to the newly appointed judicial officers and help them become efficient, competent and resourceful while discharging their duties. The course curriculum of the SFTC will concentrate on all the core laws and legislations necessary for judicial officers. It will also include sessions on gender and law, alternative dispute resolution, legal aid, cybercrimes and many more evolving subject matters. Furthermore, this course will provide practical problem-oriented sessions based on up-to-date case laws and training on hearing and disposal of the civil and criminal cases. There will be sessions on language and communications as well as review sessions will be held to peruse and assess the judgments of the participants which will greatly help them improve their judgment writing skills.

Due to the ongoing pandemic, we are having to adapt to a new normal and restricted lifestyle as a measure to limit the spread of the deadly COVID-19 virus. JATI aims to provide a safe and risk-free environment for all the participants of this training programme, the staff and officers of the Institute and other affiliates. We are keen to adopt and implement the health and safety protocol provided by the experts. Therefore, I urge the participants to strictly follow the health and safety measures in order to control the spreading of the deadly COVID-19 virus.

As the Course Director of the 42nd Special Foundation Training Course, I expect maximum efforts from the participants to learn from this course to the best of their abilities. I believe this is going to be an extremely valuable training course for the participants and the knowledge as well as experience they will gather from this Special Foundation Training Course will have a long-term impact on their judicial knowledge, skills and temperament. I once again welcome all the participants of the 42nd Special Foundation Training Course and wish them the very best.

Md. Golam Kibria
Senior District Judge
Director (Training)
&
Course Director
Judicial Administration Training Institute

Prelude

The key spirit of the liberation war in 1971 was democracy, justice, equality, human dignity and social justice. The visionaries behind our liberation war dreamt that independent Bangladesh would be free of oppression in the economic, political, social and cultural sectors and justice would prevail through a strong judicial system. This vision was reflected in the Constitution of Bangladesh which has a mandate for an independent judiciary. In order to uphold justice under the rule of law and to discharge the duties efficiently, methodical training for the judges, prosecutors, court support staff and other relevant professionals is fundamental. From this understanding, to garner momentum into enrichment of judicial performance, as a statutory organization, Judicial Administration Training Institute (henceforth referred as JATI) was established in 1996. JATI believes that legal knowledge is essential for ensuring justice and providing relief to the litigants. Presently, JATI is the only organization of its kind that provides legal training for the relevant professionals within the justice system of the country. In its 24 years of operation, JATI has played a crucial role into shaping up the legal minds within the judicial system of Bangladesh by providing training to the Judges of the Subordinate Judiciary and other stakeholders. The 42nd Special Foundation Training Course (henceforth referred as SFTC) is a two month long intensive training programme. The participants are entry level judicial officers. They are to carry out the important task to provide fair, efficient and judicious delivery of justice in the root level. They form the bedrock of our justice system by extending direct and first hand judicial service at the door steps. Moreover, they are to develop legal, judicial and administrative skills to mitigate backlog of cases and other constraints arising from inadequate resources. JATI sincerely desires that the participants of FTC will realize how crucial their legal knowledge and aptitude for the betterment of the judicial system of the country. The Institute further hopes that the participants of this FTC will utilize their time in the best possible manner to create positive impact and tangible effect of the training throughout their performance at the Institute and at their respective work station. This Course brochure aims at providing basic outline of the 42nd Foundation Training Course and its spirit of cultivating and embracing creativity, innovation and integration.

JATI at a Glance

- The Judicial Administration Training Institute was established in accordance with section 3 of the Judicial Administration Training Institute Act of 1995. The Institute was inaugurated by the then Hon'ble Prime Minister Sheikh Hasina in 1997,
- JATI is located in the heart of the capital city Dhaka at 15 College Road, under the Shahbagh Police Station (opposite to the Fazlul Haque Hall of the University of Dhaka).
- A sixteen-member Management Board chaired by the Hon'ble Chief Justice of Bangladesh provides necessary advice and direction to run the Institute smoothly. The Minister of the Law, Justice and Parliamentary Affairs is the Advisor to the Management Board,
- JATI is headed by the Director General who is a retired Judge of the Appellate Division of the Supreme Court of Bangladesh. The Director General is the Chief Executive Officer of the Institute, responsible for implementation of the decisions of the Management Board;
- The Institute has three different wings, namely, 1. Training, 2. Administration, and 3. Research & Publication. Each wing is headed by a Director and under them there are Deputy Directors and Assistant Directors,
- JATI conducts Foundation Training Courses, Refreshers Training Courses, Special Courses, Orientation Training Courses and In-service Training Courses along with various short courses, workshops and seminars,
- JATI publishes a yearly research journal on contemporary judicial issues both theoretical and practical, interpretation of laws and their applications, and on issues that the Editorial Board deems relevant.

JATI's Vision Statement

To become an Institute of Excellence for developing efficient, competent and judicious legal minds who would serve the justice seekers and litigants of Bangladesh with utmost professionalism and sincerity.

JATI's Mission Statement

To conduct training program that would develop greater knowledge and skills, efficiency and fairness within the judicial officers in the subordinate judiciary, lawyers and court support staff leading to effective and quick disposal of cases.

Functions of JATI

The general activities and functions of JATI are as follows:

- Train the Judges of the Subordinate Judiciary, Government Pleaders, Public Prosecutors and Court Support staff,
- Holding national and international conferences, workshops, seminars and symposiums targeted at developing the quality of judicial work;
- Conducting analytical research and publishing the same in journals, books etc.,
- Publishing periodicals and reports on relevant legal and court issues,
- Advising the government on matters relating to court management and/or judicial system, and
- Finally any activity deemed necessary and relevant under the Judicial Administration Training Institute Act, 1995.

Training Courses offered by JATI

At present, JATI provides following types of training courses to its various target groups:

SL. No	Name of the Courses	Target Group	Duration of the Courses (Tentative)
1.	Special Foundation Training Course	Newly appointed Assistant Judges and equivalent Judicial Officers	Two months
2.	Orientation Course	Newly promoted Senior Assistant Judges/Joint District Judges/Additional District Judges and equivalent Judicial Officers	Two weeks
3.	Refresher Course	All other Assistant Judges/Senior Assistant Judges/Joint District Judges/Additional District Judges	Two/Three weeks
4.	Judicial Administration Training Course	District Judges/Judges of the same level	One week or less
5.	Orientation Course	Special Judges/Judges of the Nari O Shishu Nirajatan Daman Tribunal/Judges of the same level	One week or less
6.	In- Service Training Course	Officials and Support Staff of the Court	One week or less
7.	Special Course	Government Pleaders (GP) and Public Prosecutors (PP)	One week or less
8.	Case Management and Court Administration Course	Judges of all tiers, Court Officers and Support Staff	One week or less
9.	Train the Trainers (ToT) Course	Judges discharging their duties as trainers and other relevant officials	One week or less
10.	Training Courses on ADR	Judges, Lawyers and relevant officials	One week or less

N.B. The Length/duration of the Courses are subject to change.

42nd Special Foundation Training Course (SFTC)

According to the Training Evaluation Guideline of the Judicial Administration Training Institute, Foundation Training Course refers to the basic training course held for newly appointed Assistant Judges and equivalent Judicial Officers. FTC is the first base training for the newly appointed judges who receive training on court procedures and management, and it is a mandatory course for every newly appointed judges of the subordinate judiciary. Generally, the duration of the FTC is four months long. However, due to the global and national pandemic caused by the COVID-19 virus, the in-persons training programmes at JATI had to remain postponed in compliance with the government guidelines to control the spreading and risk caused by this virus. Such postponement led to a major backlog and at the moment FTC of a large number of judicial officers is pending. In order to manage this backlog, JATI decided to reduce the length of the FTC to two months. Subsequently, the Ministry of Law, Justice and Parliamentary Affairs in consultation with the Supreme Court of Bangladesh reduced the duration of the FTC to two months temporarily in view of memo no. 10.00.0000.125.25.003.17.184, Dated: 04.04.2021. As a result, the duration of this SFTC is going to be two months long. The contents and methods of this course are so designed that the participants can augment their knowledge on court administration and case management, judicial conduct and ethics, various theories, concepts and issues on proper and speedy disposal of cases, familiarise themselves with the rules, regulations, processes, procedures relevant to the justice system. Along with imparting judicial knowledge, this course aims at building a fair and judicious mind and creating leadership qualities amongst the trainee Judges. The course also provides an opportunity to the judges to learn more about the history and heritage of Bangladesh, together with various dimensions of socio-economic and legal development of the country.

Course Objectives

The fundamental objective of the Special Foundation Training Course is to develop efficiency and ethical standard of the judges of the subordinate judiciary by providing the newly appointed Judicial Officers training on substantive and procedural laws and on techniques of court administration and case management which would help them run their court administration smoothly. The course also aims to equip the trainee judges with relevant knowledge and skill to mitigate the cost of litigation and case backlog.

Course Curriculum

As the SFTC is designed for the newly appointed judges of the subordinate judiciary, the Course curriculum includes all the main branches of laws i.e., Civil Laws, Criminal Laws, Family and Personal Laws, Law of Evidence, Law of Limitation, Constitutional Laws, Administrative, Labour Laws etc. In addition to that, emerging as well as cross-cutting issues of human rights, women's rights, gender justice, ADR, Legal Aid, cybercrime and techniques of Case Management and Court Administration are also addressed. Participants are also given in site training on DNA profiling & other forensic investigation mechanisms, prison administration & management, law making process of the parliament and internal administration of the Supreme Court and Ministry of Law, Justice & Parliamentary affairs.

In order to improve the communication in English, a module on English proficiency and communicative skills is also going to be held in the course.

Module based Evaluation Method

The core curriculums of this 42nd Special Foundation Training Course will be presented in the following modules and the trainees will be assessed in each module on the marks shown in the table below. Each participant is required to obtain at least 50% marks in each module for the successful completion of the Course.

Module No.	Name of the Module	Marks for the Module:
1-2	Written Examination (2 Monthly Exams.)	200
3	Oral Presentation	50
4	Statute Review	25
5	Discipline, Punctuality & Attendance	50
6	ICT, E-Governance & E-Judiciary	50
7	Review & Assessment of Judgments submitted by the participants	25
8	Preparation and Presentation of the Field Attachment Report	25
9	Language & Communication Skills	25
10	Book Review (on the Liberation War of Bangladesh)	25
11	Physical Exercise, Yoga & Sports	25
	Total	500

The total acquired marks of a Trainee shall be converted into a percentage and the percentage of acquired marks shall be graded in the following method:

Marks	Grade
a) 80% and Above	- A+
b) 70% to 79%	- A
c) 60% to 69%	- A-
d) 50% to 59%	- B
e) Below 50%	- F

Tentative Schedule of Daily Activities

Course Timeline

The duration of the Special Foundation Training Course is 2 months (60 days). Usually, no leave is granted during the course.

Time	Activities
06:30-07:30	Physical Exercise*
07:30-08:15	Breakfast*
08:30-10:00	Classroom Session
10:00-10:30	Tea Break
10:30-12:00	Class Room Session
12:00-1:30	Classroom Session
13:30-14:30	Prayer and Lunch
14:30-16:00	Classroom Session/library work/ Com. Lab
16:30-17.30	Games & Sports
20:00-21:00	*Dinner

*Subject to change according to sunrise and sunset.

Training Methods

The SFTC includes different training methods such as lecture and discussion, group work, reading assignment, library work, case study, film show, extension lecture, role play etc.

Classes are held to enable acquiring skills of writing judgments and orders, framing of issues, framing of charge, examination of witnesses, and examination of the accused under section 342 of Code of Criminal Procedure and for appreciation of

evidence crucial for proper disposition of justice. Judgments prepared by the trainees would be discussed during the classes to review errors found in such judgments and thereby to enhance their judgment writing skill.

During the SFTC, the trainee judges will be participating in a good number of individual and group presentations, particularly during the oral presentation and statutory review sessions, and during the language and communications sessions.

To assist the trainees more effectively, JATI offers the privilege of access to BDLex anywhere within the compound using any device connected to the Internet Protocol (IP) of the Institute. BDLex is a comprehensive database and research tool for legal professionals in Bangladesh enabling faster and better legal research, offering not only domestic case law and legislation, but also a vast International (India and Pakistan) repository. The database provides a depth and breadth to any legal research that is simply not achievable with physical libraries. A digital resource such as BDLex is an ideal solution which takes no shelf space to store.

Resource Persons

JATI prides on having a pool of highly valued resource persons including the Hon'ble Chief Justice of Bangladesh, Hon'ble Minister for the Ministry of Law, Justice and Parliamentary Affairs, Judges of the Appellate Division and High Court Division of the Supreme Court, Former Chief Justices and Justices of the Supreme Court, high officials of the Supreme Court and the Ministry, Senior Judges of the subordinate Judiciary and experts of various fields relevant to the course.

Other Terms & Conditions for Successful Completion

For successful completion of the course the participants are required to fulfil the following conditions:

- Maintaining discipline, ethics, norms and formalities inside and outside the classroom,
- Attending all instructional sessions and other training activities punctually,
- Entering the classrooms at least five minutes before the scheduled time,

- Completing assignments within time,
- Staying mandatorily in the dormitory of the Institute.
- Maintaining stringent discipline, the rules & instructions of the Institute and code of conduct for the dormitory, cafeteria etc.
- Participating in all co-curricular activities such as physical exercise, debate, extempore speech etc.,

Success or failure in meeting the above requirements will be reflected in the final evaluation by the course management team.

The evaluation sheets of the trainee judges are sent to the Law and Justice Division, Ministry of Law, Justice& Parliamentary Affairs and the Supreme Court of Bangladesh for preserving in the dossiers of the respective trainees.

Discipline

A strict conformity with the rules of the Institute is important for successful completion of the course. Any violation of any rules, activities subversive of discipline or code of conduct, adopting unfair means in the examinations or unauthorized absence in any event by any participant will render him/her liable to disciplinary action. JATI has no other option than to release a participant from the training in case of any misconduct. The course authority and the evaluation authority may visit the dormitory at any time and inspect the presence of the participants. All participants must wear name badges in all occasions except sports activities.

Dress Code

All participants must wear formal dresses in all training sessions and formal occasions.

Formal Sessions: Male participants shall wear neck tie, full-sleeved shirts with black suit and formal shoes. It is advisable that male participants shall wear suits during mess nights, guest nights and at official dinner.

Female participants shall wear sari/salwar-kameez with a black coat in classroom sessions.

Sports and PT/Yoga Session: For everyday PT/Yoga and games, male officers shall wear white track suits, white T-shirts (with collar), trousers and sports shoes.

All female participants shall wear white salwar-kameez, orna and white sports shoes during PT and games.

Table Manners

Judges have to attend banquettes with guests at home and abroad in different stages of their tenure. Besides, depending on the positions they are holding, they have to arrange and attend formal dinners on various occasions. Thus, to acquaint the participants with table manners and etiquettes, several dinners with formal etiquette are arranged. Participants are encouraged to eat with fork and knife following proper table manner and etiquette.

Facilities at JATI

The Institute has a dormitory for the residential accommodation of the trainees with AC facilities. The SFTC is residential. Therefore, the participants must stay in the room allocated to them at the JATI dormitory. During their stay in the dormitory, participants must wear decent clothing. Leaving the dormitory and staying outside without permission is treated as indiscipline. At 10 pm, the dormitory gate will be closed. Hence, it is advised that all participants must enter dormitory building before 10 pm. Smoking is strictly prohibited inside the JATI Complex. Gambling, playing cards, taking drugs and alcohol are strictly prohibited in the dormitory or inside the complex. Participants are not allowed to take any guest in the dormitory. They cannot keep any arms and sharp materials with them during their stay in the dormitory. In case of any deviation, disciplinary action will be taken against concerned trainee. Depending on the severity of the deviation, participants may be released from the training and the concerned authorities to be informed recommending disciplinary actions if necessary.

Classroom

Usually the classes are held in the classrooms located in 3rd and 4th floors.

Indoor Games

The Institute has a spacious indoor game room located at the 1st floor where the trainee judges are encouraged to take part in different indoor games including Table Tennis, Carom, Chess etc. Badminton and volleyball may be played in the ground floor of the Institution. During the duration of the SFTC, JATI arranges competition of aforementioned indoor games where every participant takes part. Also, there is provision for physical exercise and sports.

Library

JATI has a library on the 4th floor of the Institute Building. The total number of Books, Gazettes and Periodicals already exceeds twenty thousands (20,000) which make the Institute one of the most resourceful legal institutions. JATI Library is frequently visited by the legal researchers. Each year JATI purchases newly published law books, Gazettes, Periodicals etc. considering the growing demand and necessity of its target groups. The trainee judges can use the library for training purposes and research work during 8:00 a.m. to 9:00 PM. The Institute has taken initiatives to develop the automation process of the library and therefore, the work of building an e-library is in progress.

E-Corner

The Institute has E-corner that provides computer, internet and printing facility to all the participants. It is located in the 2nd floor (room no. 313). The E-corner will remain open and accessible up to 9:00 PM and the participants will afford all the internet browsing, computer composing and printing facilities from there.

Wi-Fi

The premises of JATI is covered by a high speed Wi-Fi network which can be used by the participants for their educational and training purposes. However, it is strictly forbidden to use Wi-Fi in the smart phones during the training sessions and in the class room.

Other Facilities available at JATI

- **Television Room**

The Institute has a well-equipped television room on the 5th Floor of the Institute.

- **Prayer Room**

There is a prayer room on the 1st floor of the Institute.

- **Cafeteria**

JATI has a well-maintained cafeteria at the ground floor which is used by the participants/officers.

- **Hall Room**

There is a Hall Room located at the 1st floor equipped with all modern amenities. JATI has the capacity to arrange Seminars, Symposia, Inaugural and closing Ceremonies and other functions of the institute at this Hall Room.

Further Inquiries

For further inquiry, you may contact with:

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