Re-structuring of the judicial map
Quality through collaboration

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The restructuring of the network of courts has been the focus of years of discussions within the judicial system with regard to the need to intensify collaboration between courts. The restructuring is a necessary pre-condition to realisation of the vision for the Judiciary and to guarantee the quality of justice in the future. However, this requires more than a new network of courts. The benefits from the re-structuring must, in practice, be achieved through a different organisation and working method of the courts. The advantages of scale, such as specialisation and continuity, can then be combined with work performed on a small scale.

1. Introduction

Over the coming years the network of courts in the Netherlands are in line for a dramatic reorganisation. The draft legislation 'Re-structuring of the judicial map' (*Herziening gerechtelijke kaart*) has been drawn up and is now being led through the usual advisory stages. The courts are preparing themselves for reorganisation in the nationwide programme 'Re-structuring of the judicial map' and have now formulated their own regional visions. In this way the contours of the new map are slowly becoming clear. The re-structuring of the network of courts aims at guaranteeing the quality of the judicial system in the long term. The core themes here are 'expertise' and 'continuity'. This process is not without its opponents. A frequently aired criticism is that the goal of guaranteeing quality is not in itself enough to justify this re-structuring of the judicial map. Whilst opponents do subscribe to the goal and acknowledge the need for courts to collaborate, they regard the re-drawing of the map as a disproportionate measure to achieve such goal. They assert that the benefits of scale do not outweigh the disadvantages, which are frequently cited as greater client satisfaction with smaller courts, the impersonal nature of a large work organisation as far as its employees are concerned and the negligible effect on the productivity of the organisation.[1] In other public sectors the issue of benefits of scale are being looked at again. They argue that the courts could address developments through voluntary cooperation – something that the Council for the Judiciary has long believed in. However, history teaches us something different. In this article we will therefore first look back in time (why is this re-structuring necessary?). We will then examine the detail of the proposals (what does this re-structuring involve and what opportunities does it offer?). Finally, we will gaze a little into the future (what will the courts of the future actually look like?).

2. Lead-up to the re-structuring of the judicial map

For many years now the issue of collaboration between courts has been a point of focus within the judicial system, as evidenced by the attention given it in successive strategic plans of the judicial system. The need for greater collaboration is tied to concern for expertise and the need for greater specialisation. The Agenda 2002-2005 frames this need as a question: is greater specialisation within the judicial system necessary and desirable?[2] The succeeding Agenda 2005-2008 formulated this specialisation as a goal, to be achieved through mutual agreements to collaborate.[3] The Van der Winkel Committee was asked to investigate what forms of collaboration were needed to guarantee continuity in the quality of the judicial system.[4] The committee found that a number of courts seemed

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1 See recent article 'Groter is beter? Pleidooi van Nancy van Spronssen', *Novum* 2010, nr. 5, p. 26.

2 Council for the Judiciary, Agenda for the Judicial System 2002-2005: *Continuity en vernieuwing*.

3 Council for the Judiciary, Agenda for the Judicial system 2005-2008: *Continuity en vernieuwing*.

4 Final Report of the Van der Winkel Committee: *Goede judicial system door sterke regio's*, October 2006.

to be too small to be able to provide a full range of courts at a reasonable price as an independent unit. The smaller courts were also vulnerable in terms of management. The committee recognised the need for increased collaboration over the years ahead and advised the creation of compulsory collaboration between courts within regions. It identified the sore point by asserting that this collaboration only had a chance of succeeding if the court administrators were to allow the interests of an effective judicial system within their region to outweigh the interests of their own individual court. In other words, the court administrators had to be prepared to sacrifice some of their autonomy. If they were not prepared to do so then, according to the Committee, a formal regional board of management was unavoidable.

Following on from the Van der Winkel Committee, the Committee for the Evaluation of Modernisation of the Organisation of the Courts (the Deetman Committee) found that a formal collaborative structure between courts was necessary with regard to quality and continuity.[5] The Committee argued in favour of the collaboration between courts being enshrined in law. Both the Van der Winkel Committee and the Deetman Committee believed that no structural changes were needed if there were a formal collaborative structure between the courts. In 2008 some form of collaboration had developed from the ground up in many places, but the intended goals had not been achieved.[6] There was little feeling of urgency to achieve degrees of specialisation as between the courts (although there was specialisation within the courts). Any collaboration was usually to cover temporary lack of capacity in win-win situations (where one court had a lack of capacity and another a surplus capacity), but no structured 'exchange' of cases to ensure they were dealt with by specialists. In the absence of any win-win situation, the temporary problems remained unsolved. The personal chemistry that existed between administrators was a further significant factor in the creation of collaborations.

In practice, nothing has come of the recommendations made by the Van der Winkel Committee. Accordingly, the Agenda 2008-2011 again included "collaboration and specialisation within the judicial system" as a goal.[7] A new committee was appointed to achieve this goal in the Agenda – the Committee for the Allocation of Case Categories (the Van Dijk Committee).[8] This committee was assigned to draw up a policy framework for collaboration between courts of first instance. The Committee found, inter alia, that the number of cases brought before the administrative law divisions had dropped off so significantly that some administrative law divisions had become unjustifiably small. It recommended therefore that the administrative law divisions be concentrated in eleven locations.

Meanwhile, in 2007, the prospect of re-structuring of the judicial map was already in sight and external pressure was increasing. In response to the Deetman Committee report the Minister proposed combining the court districts of Zwolle and Almelo and creating an independent district of Flevoland. The Dutch Lower House adopted a motion not to work towards a partial re-distribution of court districts and instead to aim for a complete re-structuring of the network of courts. This aim was partly the result of a sense that a high-quality judicial system required greater organisational inter-connection. There was also a need to include "new" centres of population more specifically on the judicial map. It was difficult to justify, for example, Eindhoven and Almere (the fifth and seventh largest towns in the Netherlands, respectively) not having their "own" courts. Ultimately, at the end of 2007, the Minister promised the Lower House that the judicial map would be re-drawn in the short term.[9]

From the developments over the last ten years a clear picture materialises of those courts that had failed to collaborate together. Solutions were found by the appointment of committees and the

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5 Committee for the Evaluation of Modernisation of the Organisation of the Courts: *Rechtspraak is kwaliteit*, December 2006, p. 43.

6 Council for the Judiciary, Agenda for the Judicial System 2008-2011: *Onafhankelijk en betrokken*, p. 8.

7 Council for the Judiciary, Agenda for the Judicial System 2008-2011: *Onafhankelijk en betrokken*, p. 22.

8 Committee for the Allocation of Case Categories: *Specialisatie, concentratie en quality van judicial system*, June 2008.

9 Parliamentary Papers: *Handelingen II* 2007/08, 29 279, no. 31.

formulation of objectives within strategic plans. A voluntary system of collaboration between court administrators failed to develop from the ground up and the judicial system as a whole appeared unable to offer a structural solution to the problems it was itself experiencing. One can only conclude, therefore, that the re-structuring of the judicial map is a necessary step to force the courts to face the developments affecting the judicial system.

3. The new network of courts

3.1 The courts

The most important aspect of the re-structuring is the reduction in the number of district courts from nineteen to eleven, and the number of courts of appeal from five to four. The principle here was that the new courts would be able to hear all cases themselves. National and regional concentration is limited to very specialised judicial fields and is an exception. Tables 1 and 3 represent the situations before and after the re-structuring regarding the district courts and appeal courts, respectively, using the current and new terminology. The total number of employees in the new courts does not take into account a reduction in the formations as a result, for example, of the anticipated closure of satellite courts and the combining and partial centralisation at a national level of administration. The average number of employees in the courts, measured in terms of full-time employees, is virtually doubled. Furthermore, the courts will become more homogenous in size. Under the current system the biggest court is six times larger than the smallest court. After the re-structuring, this factor is reduced to around two. The administrative tasks and responsibilities thereby become significantly equal to each other. It is notable that the district court in the Eastern part of the Netherlands will be larger than the current three largest courts. One can only comment that the Council's advice was different from Parliament's decision. Furthermore, the courts will remain relatively small organisations in comparison, to, for example, hospitals.

To get an idea of the options for organising expertise and the vulnerability of courts before and after the re-drawing of the map, we will look at a number of judges per sector (see Table 2). It will significantly reduce the sensitivity to unavailability of judges due, for example, to sickness or mobility issues. The opportunities for specialisation within the court by, for example, creating specialist courts and differentiating between the training requirements for judicial functions in accordance with the report entitled *De strafrechter en profil* increased significantly. The rate of flow of cases into the courts will be such that judges will be able to specialise in one area. The re-structuring of the network of courts thereby contributes not only to the quality of the judicial system, but also to making the job specifications of judges and other court employees more attractive, as well as offering greater opportunity for career development.

Whereas in the current situation it is difficult to create a court with a panel of judges, after the re-structuring this will be easier given the larger number of specialised judges. The smallest new courts will be slightly bigger than the current courts of Utrecht and Arnhem, which have proved able to provide a good quality of judicial service.[10] As further illustration: in the north of the country the relevant court administrators found the administrative sectors to be too small. Following the re-structuring, the administrative division of the new court is of the same size as the administrative division of the current Court of Rotterdam. Having greater options doesn't necessarily mean that such options will be used. What is required here is an administrative vision and the implementation of such a vision, especially in the situation where there are several locations within a court district. With regard to appeal courts, problems relating to scale are confined to the Appeal Court of Leeuwarden. By combining the courts of Leeuwarden and Arnhem the average number of personnel increases and the differences between the largest and smallest courts of appeal become smaller.

[10] See Council for the Judiciary: *Rapport visitatie gerechten 2010*, The Hague, 2010

Table 1. District courts and their numbers of personnel measured in fte, before and after the re-structuring, disregarding any reduction of formation (figures 2010)

Is now			**Will become**		
Region	District	fte	Region	District	fte
Leeuwarden	Leeuwarden	230	Arnhem-Leeuwarden	Noord-Nederland	630
	Groningen	228			
	Assen	172			
Arnhem	Zwolle	371	Oost-Nederland		1081
	Zutphen	240			
	Almelo	212			
	Arnhem	444			
Amsterdam	Utrecht	456		Midden-Nederland	712
	Amsterdam	886	Amsterdam	Amsterdam	815
	Alkmaar	244		Noord-Holland	712
	Haarlem	468			
The Hague	The Hague	885	The Hague	The Hague	885
	Rotterdam	686		Rotterdam	875
	Dordrecht	189			
	Middelburg	145	’s-Hertogenbosch	Zeeland-West-Brabant	579
’s-Hertogenbosch	Breda	434			
’s-Hertogenbosch	477			Oost-Brabant	477
Roermond	207			Limburg	507
Maastricht	300				
Totaal		*7272*			*7272*
Average		383			727
Median		300			712

Tabel 2. Number of judges per division of district measured in fte, before and after the re-structuring (figures 2010)

Is now					**Will become**				
District	Sub-district	Civil	Criminal	Admin.	District	Sub-district	Civil	Criminal	Admin.
Leeuwarden	5	14	16	8	Noord-Nederland	18	44	42	26
Groningen	8	18	16	9					
Assen	5	12	10	9					
Zwolle	14	28	24	13	Oost-Nederland	38	89	72	53
Zutphen	6	19	16	13					
Almelo	7	18	17	9					
Arnhem	18	39	27	25					
Utrecht	15	40	34	17	Midden-Nederland	24	59	52	26
Amsterdam	32	58	79	39	Amsterdam	29	53	72	36
Alkmaar	7	21	14	14	Noord-Holland	24	50	56	38
Haarlem	17	29	42	24					
The Hague	26	60	72	33	The Hague	26	60	72	33
Rotterdam	23	46	51	21	Rotterdam	29	59	65	30
Dordrecht	6	13	13	9					
Middelburg	4	11	11	6	Zeeland-West-Brabant	20	53	39	18
Breda	16	43	29	12					
’s-Hertogenbosch	20	36	36	22	Oost-Brabant	20	36	36	22
Roermond	6	15	13	9	Limburg	18	37	42	21
Maastricht	12	21	29	12					
Total	*247*	*540*	*549*	*304*		*247*	*540*	*549*	*304*
Average	13	28	29	16		25	54	55	30
Median	12	21	24	13		24	53	54	28

Table 3. Courts of Appeal and their numbers of personnel measured in fte, before and after the re-structuring, disregarding any reduction of formation (figures 2010)

Is now		**Will become**	
Region	fte	Region	fte
Leeuwarden	136	Arnhem-Leeuwarden	401
Arnhem	252		
Amsterdam	324	Amsterdam	311
The Hague	268	The Hague	268
's-Hertogenbosch	261	's-Hertogenbosch	261
Total	*1241*	*Total*	*1241*
Average	248	Average	310

3.2 Locations for hearings

Another important element of the re-structuring is the locations of court hearings. The draft legislation specifies 32 court locations, namely 19 current principal locations for the court districts plus Lelystad and another 12 locations (see Table 1). These twelve locations are selected as being within large concentrations of population. The other existing subsidiary locations will be shut down over time. The choice for 32 locations relies on the balancing of interests. In debates within the Lower House about the re-structuring the local presence of the courts played a significant role. The term often used to illustrate the approach was "local judge" modelled after the idea of a "travelling judge" borrowed from a Dutch television show of the same name. In addition, local incidences of criminality, such as in Gouda or the Bijlmer district of Amsterdam, required the presence of a local court/judge. It was considered important for the judicial system to have a visible presence, working in a standardised way. Status and employment opportunities were also taken into consideration. Ultimately, in deciding on the locations of the courts, the concept of a local judge carried little weight. In reality, it is difficult to see how the outcome could have been any different. It is not physically possible to put a court in every populated area of the Netherlands. There is a reason for the choice of name "travelling judge". Apart from this practical objection, there were also objections of principle raised by the Council.[11] The introduction of a local judge leads to disputes being unnecessarily brought before the court. A very low threshold for instituting court proceedings would even undermine the resolution of disputes. Furthermore, dealing with criminal cases "on the street corner" undermines the authority of the judge and contributes nothing to safety in the local area. A striking finding from an experiment in Maastricht in the 1990s with a "local judge" was that many defendants chose to be tried in their local community centre rather than go to the court (less stress and pressure) and victims of crime felt that their case was being treated less seriously. That cannot be the intention. There is a reason for the severe character of the courts. The court structure has greater need of a distance and sobriety than it does of convenience, since it is essential that the judge is independent and impartial and considers not only the rights of the defendant but also guarantees those of the victim. One may expect the judge to have proper regard to local circumstances, but he needn't operate in the area to be able to do so.

For the party seeking justice it isn't only important where the courts are located, but also what cases can be tried at such locations. The draft legislation makes no distinction between the 32 locations. In practice, such distinctions will exist. The guiding criteria for the allocation of cases are quality, accessibility and effective administration. An application of these criteria leads to the principle that at all twenty existing principal locations the party seeking justice can institute a wide range of cases. The further allocation of cases between locations for hearings is primarily down to the courts administrators. Where any particular type of case is heard depends on the justifiable needs and wishes of the interested parties. In addition, case volume and distance between locations play a role. For the purposes of transparency within the system it is important that the allocation of cases is clear to parties seeking justice, parties in the chain and other interested parties. To enable this, the court administrators set out the allocation of cases in a case allocation schedule. Whilst interested parties

11 See also F. van den Emster and E. Bauw, 'Iudex Populi? Drie stellingen over de wenselijkheid van de invoering van de buurtrechter', in E. von Bóné (ed.), *De vrederechter alias de buurtrechter?* (bundel EUR), Rotterdam: Erasmus University, Rotterdam 2010, p. 41-52.

are consulted on case allocation, the decision is ultimately taken by the court administrators. Given the importance of adequate uniformity throughout the country, it is desirable that the Council approves this case allocation schedule.

3.3 Administration

Where administrative functions are not tied to the locations, they will be combined within the new court districts. The scale of the new courts will be large enough to establish a high-quality administration by staff. At the same time, various functions will be concentrated nationally. It has already been decided that the collection of court fees, the financial administration, purchasing, HRM advice and advice on public-private collaboration be centralised. It has been demonstrated that a national organisation serves both the quality and effectiveness of these functions. It is still being investigated whether centralisation would also benefit a number of other administrative functions. The national concentration will focus on combining forces at district level.

3.4 Administrative structure

In accordance with the consultation version of the draft legislation the courts will in the future be administered by a board of three persons – two members of the judiciary and one lay person. The benefits of scale mean that most administrators will be in control of more people and resources than is currently the case. There will be more choice, for example in the area of quality. A distinction is made between administration and management. The number of administrators will be significantly reduced. The management will correspondingly grow. Overall, administration and management together should not be more burdensome. Since small courts up to and sometimes including mid-sized or even large courts will be combined, then team chairmen can be appointed across the new network, thereby enabling a large-scale court to work on a small scale.

4. Overlap with the vision for the Judiciary

In 2010, based on a broad projection, a vision for the Judiciary for 2020 was drawn up by the Council and Presidents.[12] The vision was developed at the same time as the re-structuring of the network of courts. The vision concerns the substantive focus of the judicial system and the requirements for organisation and administration arising therefrom. The substantive strategy can at the same time inspire the new organisation. The vision is based on two principles:
1. to strengthen the continuing values of independence, impartiality, integrity and professionalism;
2. to identify and connect to the needs and problems in society.
In light of these principles, the new agenda was given the title *gericht op de samenleving* (focus on society). We have extracted from this vision a few elements that are especially relevant to the organisation of the judicial system. An important aspect of professionalism (principle 1) is expertise. The demands for expertise are constantly increasing. The vision requires that a judge of first instance has a broad range of knowledge that can be applied to different areas of law and that can be channelled into areas of specialism over the course of his or her career. Such specialism is necessary for the provision of sufficiently- specific knowledge and will focus much more than today on particular aspects of law, including aspects that cross over specific legal fields. The judge will be supported in this process by broadly-educated legal assistants, but he or she will also need more specialised assistance – both legal specialism and specialism in areas other than the law. Professionalism also requires that the judge recognise the limits of his or her own knowledge and that he or she avail himself of the knowledge of others and share this knowledge with others. Courts will become less the province of an individual and much more – under the leadership of a judge – a collaboration between various experts. The thematic approach identified above is particularly necessary for the courts to become more effective in society (principle 2). What is meant here is a

12 Council for the Judiciary, *Visie op de rechtspraak*, The Hague 2010.

court structure that contributes to resolving the underlying problems of the parties: it is not the particular legal field which is the starting point, but the conflict between the parties. To give substance to the principle of a theme-based approach it is necessary to have flexibility, since what is required here is a swift response to the changing wishes and needs of parties seeking justice and society as a whole.

It is easier to achieve the said vision within larger, rather than smaller, organisations. As regards effectiveness, the judge, too, will be expected to have knowledge of local circumstances within the community, but also in the context of commerce. Stated more broadly, he or she must be connected with society. The Council represents the judicial system and debates these matters with other branches of the state, media and the community as a whole. Court administrators have a vision of the way in which, within the local community, they can give substance to the core values of the judicial system and to the goals of achieving and maintaining a time-efficient, high-quality and effective judicial system. They have a central task in managing contacts with the communities in which they are located, and in contacts with the media with regard to court cases for which they are responsible. These interests require a professional level of administration and local participation.

Another very important aspect of the organisation of the judicial system is digital accessibility. By 2020, externally-directed digitisation must be complete. By then, and in many sections much sooner, it will be possible to initiate and follow proceedings, and file documents, by digital means. Court judgments will be available digitally. However, applying the vision, digital accessibility must not prejudice the oral hearing of a case: the essence of a court case will remain the hearing at which the party seeking justice appears in person. It is only with the consent of the parties that a case can be dealt with digitally. This digitisation will reduce the number of times that a party seeking justice appears in person. It will no longer be necessary to turn up at the court registry. However, such physical presence will not disappear entirely. Were it to do so, the network of courts would be organised entirely independently of consideration of location and, indeed, courts could be concentrated at a national level. If parties only have to attend the court hearing, then distance will become less of an objection. Furthermore, digital accessibility will have a significant effect on the work of the court registries. We must take account of the fact that the courts will become smaller, but the centralised administration of the ICT infrastructure and systems greater.

Another element of this vision is that the Judiciary must meet the high standards required as to time-efficiency and the supply of a service in general terms. We are not talking about abstract average figures here, but more about limiting the spread of these figures. The argument that a judgment of the court is not yet available because of sickness or some other reason for lack of personnel – if it happens too often – is not acceptable to parties seeking justice. Small organisations are vulnerable to problems related to continuity.

Maps 1 and 2. Network of court locations

5. External developments

The Judiciary has a lot of power to effect changes regarding all kinds of issues, but not regarding changes to legislation. The full implementation of Cabinet proposals for the judicial system to be budgeted by those who use its services will lead to a significant decrease in the number of court cases.[13] Specific legislation can also have significant effects. For example, if the draft legislation "*Normalisering rechtspositie Ambtenaren*" (Standardisation of the legal position of civil servants) is passed by Parliament, this will cause a strong shift away from administrative law towards civil law. More generally, the government is stepping back as a result of the economic crisis, and this can lead to the same kind of shift. The drop

13 E. Bauw, F. van Dijk and F. van Tulder, 'Een stille revolutie? De gevolgen van de invoering van kostendekkende griffierechten', *NJB* 2010, p. 2528-2536

in crime figures combined with the growth in scope of the “OM-afdoening” (settlement of criminal cases by the Public Prosecutions Department outside court) has further led to a drop in the number of criminal cases. There are many uncertainties, but at present we should assume a significant drop in court cases, especially in the area of administrative law. Without a re-structuring of the network of courts, these external developments would seriously threaten the viability of small courts.

6. The court of the future

The court administrators are formulating a vision of how a court will embody the principles underlying the national vision for the Judiciary at its own, local level. They are doing this in close consultation with the interested parties at local level and with their own staff. On the basis of this vision, the administrators will draw up a local strategy that will be coherent with the national Agenda for the Judiciay. A significant aspect of this strategy is how cases will be allocated between the various court locations. The court administrators base such an allocation on three criteria: accessibility, quality and effective administration. Through consultation with municipal government, the legal profession and public prosecutions department a court may, for example, decide not to hear any sub-district cases at a subsidiary location, but to allocate to such a court cases that are more locally relevant, such as nuisance cases and smaller criminal cases. Furthermore, consultation with interested parties in the region may result in the creation of certain specialised teams. Due to their bigger scale, the courts will be better able to meet such requests and thus better contribute to the needs and wishes of society as a whole.

In making these allocations of cases, the courts will work within the nationally-set framework drawn up by the Council on the basis of advice from working groups within the Re-structuring of the judicial map programme and the Presidents Assembly. An important principle here is that the party seeking justice will be able to find a wide range of case handling at all twenty current principal locations (social security and smaller criminal cases, criminal cases before a panel of judges, etc.). More specialist cases will be offered in one location within the district (e.g. complex commercial cases or environmental law cases) – in other words, cases where it is not objectionable for the party seeking justice to have to travel further. The principle here is that after the re-structuring all courts will generally be large enough to deal with all kinds of cases. However, a number of case types will be so specialised and will present themselves so infrequently that their concentration at district level (people smuggling, cyber crime) or national level (alongside the current national-level specialisations such as patent law, areas such as mercantile/ shipping and aviation law) is necessary to make sure the cases are heard at a high-level of quality.

The organisation will be divided into teams and clusters, and no longer into sectors. Teams may be organised according to field of law (civil team, criminal team), but also by theme (youth team, domestic violence team) or according to type of work (interlocutory relief). The court administrators will decide on these matters in a way that contributes most to achieving the goals of the strategy. An essential characteristic of the structure of the organisation must be its flexibility. By dividing staff into teams the needs of the community can be swiftly responded to. The re-structuring of the judicial map is based on the desire for quality. The new courts will therefore give special attention to guaranteeing quality. Court administrators are assigned the task within the court of aiming for quality of the court process and uniform application of the law. In the future, consultations regarding quality and uniformity in the application of law will take place within the teams and clusters. The court administrators will specify in their administrative rules the ways in which quality and uniform application of the law are guaranteed within the court and the way in which the administrators thereby flesh out the leading role of the judiciary so that this is made transparent for all interested parties. The focus for attention here will be how a uniformity of law will be guaranteed across the teams. An important substantive role in this task may be assigned to a specific senior judge of the court. At national level, agreements will be made regarding quality and uniformity of law in sector-specific nationwide consultative bodies. The court administrators won’t take part in these consultations, but the experts in the substance of these subjects, such as team and cluster managers, will.

7. Conclusion

The re-structuring of the judicial map of courts has a long pre-history. Quality, specialisation and a reduction in vulnerability are generally shared, and increasingly urgently required, goals. It is also a generally shared view that not only are these goals achievable; they are necessary. They have not been achieved on a voluntary basis. Therefore the criticism, that such a restructuring was disproportionate as set out in the introduction of this article, and that the goals could be achieved voluntarily, holds no ground.
The second criticism we mentioned - that other sectors of society are stepping back from making economies of scale - is also irrelevant, especially when one realises that these sectors face the same problems regarding quality, specialisation and vulnerability. It is not for nothing that hospitals have drawn up standards for the necessary minimum number of operations. Given the unavoidable re-structuring of the judicial map, there is a wonderful opportunity to organise the judicial system in a way that is secure for the future. The opportunities to achieve the said goals have been created; now they must be deployed. There is also the encouraging perspective of the vision for the judicial system which, based on two principles – the reinforcing of the continuing values of independence, impartiality, integrity and professionalism, *and* the close identification with the needs and problems of society – requires substantial measures that are only possible within bigger organisations. Specialisation within a court, a theme-based approach to the administration of justice and the differentiation of function-requirements, can be implemented. In addition, it is important to have regard to external developments. In particular, the adoption of Cabinet proposals to bring about cost-effective court registries will see a significant drop in court cases, especially in the field of administrative law. These external changes can be absorbed within the new network of courts. Against this background the re-structuring of the judicial map must be regarded as a necessary step forward. However, higher quality and greater specialisation won't be achieved automatically. Furthermore, the disadvantages of economy of scale, such as a more impersonal organisation, will also require attention. These disadvantages can be overcome: the structuring of the organisation into teams provides the opportunity to combine the large-scale with small-scale working communities. The re-structuring will therefore only lead to the intended guaranteeing of quality if the organisation and the working methods of the courts are drastically revised. However, as we have outlined, the ideas for achieving this are now available.

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