

VISITING SCHOLAR PROGRAM

12TH TO 30TH JUNE 2023

National Judicial Academy is engaged in a collaboration with the Federal Judicial Centre, Washington D.C. and the CEELI Institute, Prague for promoting common areas of training for judges. The objective of this collaboration has been to create judicial expertise in specialized areas of law to enable effective adjudication of cases in these areas of law, and enable sharing of best practices and exchange of domain knowledge. In furtherance of this collaboration, the CEELI Institute invited two representatives from India as Visiting Scholars –

- Hon'ble Mr. Justice Joymalya Bagchi, Judge, High Court of Calcutta, and
- Ms. Shruti Jane Eusebius, Research Fellow, National Judicial Academy

The Visiting Scholars were hosted by Bolch Judicial Institute at Duke University Law School, Durham, North Carolina and the Federal Judicial Center, Washington D.C. The focus of the three-week Visiting Scholar program was the conceptualisation and development of a counterterrorism adjudication benchbook for judges that can be disseminated widely across the judiciary in India. The Visiting Scholars spent three weeks in USA meeting with judges and domain experts with experience in terrorism law and adjudication, as well as visiting judicial education institutes to discuss and exchange views on issues involved in adjudicating terrorism cases. Thereafter, the Visiting Scholars conceptualised a structure and approach for creating a benchbook on adjudicating terrorism cases.

WEEK 1

12th to 18th June 2023

Durham, North Carolina

The Visiting Scholars spent the week at the Bolch Judicial Institute at Duke University Law School, Durham, North Carolina. During this week, the Visiting Scholars interacted with the faculty at Duke University Law School viz. Paul Grimm, Sara Sun Beale, Brandon Garrett, Jonathan Petkun, Jack Knight, Shane Stansbury and Oleg Kobelev. The discussions in these interactions covered various aspects of terrorism law, case management and pendency, judicial decision making, prosecution of terrorism and evidentiary issues. The Visiting Scholars also audited the Judicial LLM course at Bolch Judicial Institute and interacted with the judges who

were attending the course. The Visiting Scholars also visited the US District Court, John Hervey Wheeler Courthouse at Durham and interacted with Judge Joe L. Webster.

WEEKS 2 & 3

19th to 30th June 2023

Washington D.C.

The visiting scholars spent two weeks in Washington, D.C. at the U.S. Federal Judicial Center. During the two weeks at the FJC, the scholars visited the courts at Washington D.C. and Virginia and interacted with judges who have dealt extensively with terrorism cases –

- Hon. Leonie Brinkema, District Judge, Eastern District of Virginia
- Hon. James Boasberg, Chief Circuit Judge, Court of Appeals for the D.C. Circuit
- Hon. Charles Breyer, Senior District Judge, Northern District of California

The Federal Judicial Center, which has experience publishing similar practical Benchbooks, guided the Visiting Scholars on the creation of their publication. The Visiting Scholars also met with researchers and officials of the Federal Judicial Center –

- Timothy Lau
- Jason Cantone
- Tim Reagan
- Loral Hooper
- Elizabeth C. Wiggins

The discussions provided the Visiting Scholars with an insight into the process of preparation of a Benchbook, and the methodology and skills necessary for the same. The Scholars also visited Georgetown University and interacted with the faculty and students to provide an insight into the Indian Judiciary and its novel achievements. In the course of the week, the Visiting Scholars in discussion with Mira Gur-Arie, Director, International Office, FJC and Cristobal Diaz, Assistant Director, International Programs identified a structure and methodology for developing the Benchbook on adjudicating terrorism cases.
