

TABLE OF CONTENTS

Session 1 Constitutional Vision of Justice

1	M. P. Singh, “ <i>Mapping the Constitutional Vision of Justice and its Realization</i> ”, 3 J. Nat'l L. U. Delhi 1, 16 (2015-2016).....	01
2	Nalin Kant Jha, “ <i>Realising the Constitutional Vision: Road Blocks and Road Ahead</i> ”, The Indian Journal of Political Science Vol. LXVI, No. 1, Jan. – March 2005.....	17
3	Justice K.P. Siva Subramaniam, “ <i>Indian Constitution- ‘Its Vision of Justice’</i> ” < http://www.tnsja.tn.nic.in/article/Vision%20of%20Jus%20by%20KPSJ.pdf > (last Accessed on 24.12.2017)	37

Session 2 Role of Courts in a Constitutional Democracy

1	Aharon Barak, “ <i>The Role of a Judge in a Democracy</i> ”, 88 Judicature 199 (2005).....	45
2	Prof (Dr.) N.R. Madhava Menon, “ <i>A Vision of Indian Judiciary 2015</i> ” < http://delhiinstituteoflaw.in/wp-content/uploads/2017/08/A-VISION-OF-INDIAN-JUDICIARY.pdf > Last Accessed on 24.12.2017.....	49
3	Maureen Callahan VanderMay, “ <i>The Role of the Judiciary in India's Constitutional Democracy</i> ”, 20 Hastings Int'l & Comp. L. Rev. 103, 134 (1996).....	55
4	Rt Hon The Lord Mackay of Clashfern, Lord Chancellor London, “ <i>The Role of the Judge in a Democracy</i> ”, 18 Commw. L. Bull. 1256 (1992).....	87

Session 3 Discovering Current Judicial Methods

1	Benjamin N. Cardozo , THE NATURE OF THE JUDICIAL PROCESS, JOURNAL OF LAW (1 CHAPTER ONE) 329.....	93
2	The Hon Susan Kiefel AC , Supreme Court Oration Banco Court, Supreme Court, 16 March 2017 “ <i>Judicial Methods in the 21st Century</i> ” http://www.hcourt.gov.au/assets/publications/speeches/current-justices/kiefelj/KiefelCJ16Mar2017.pdf Last Accessed on 24.12.2017.....	113
3	Vern R. Walker, <i>Discovering the Logic of Legal Reasoning</i> , 35 Hofstra L. Rev. 1687, 1708 (2007)	125
4	Justice Sunil Ambwani, <i>Ethical Reasoning in Judicial Process</i> http://hcraj.nic.in/Paper-Speech/03-ethhical_reasoning_in_judcl_process.pdf Last Accessed on 24.12.2017.....	147

Session 4
Adherence to Core Judicial Values

1	Restatement of values of judicial life (as adopted by full bench of supreme court on 7th may 1997)	157
2	The Bangalore Principles of Judicial Conduct 2002; (The Bangalore Draft Code of Judicial Conduct 2001 adopted by the Judicial Group on Strengthening Judicial Integrity, as revised at the Round Table Meeting of Chief Justices held at the Peace Palace, The Hague, November 25-26, 2002).....	159
3	The Universal Charter of The Judge approved in 2017 By the International Association of Judges.....	171
4	American Bar Association, “ <i>Canons of Judicial Ethics</i> ”; available at: https://www.americanbar.org/content/dam/aba/migrated/2011_build/professional_responsibility/1924_canons_jud_ethics.pdf .authcheckdam.pdf; last accessed on 28-10-2017..	181
5	Ladda Ner, “ <i>Good Judicial Practice: Principles and Issues</i> ”; available at: http://www.domstol.se/Publikationer/Rapporter/god_domarsed-grundsatter_och_fragor_eng.pdf ; last accessed on 12-11-2017	189

Session 5
Judging Skills: Art, Craft and Science of Drafting Judgment

1	Justice G. Raghuram, “ <i>Art of Judgment</i> ”	211
2	Justice Devendra Kumar Upadhyaya, “ <i>Skills Of Judgment Writing</i> ” http://ijtr.nic.in/SKILLS%20OF%20JUDGMENT%20WRITING.pdf Last Accessed on 28.12.2017	223
3	By Justice Sunil Ambwani, “ <i>The Art of Writing Judgment</i> ” http://ijtr.nic.in/SKILLS%20OF%20JUDGMENT%20WRITING.pdf Last Accessed on 28.12.2017	241
4	Justice Linda Dessau, “ <i>Seven Steps to Clearer Judgment Writing</i> ”, http://mja.gov.in/Site/Upload/GR/7Steps_2ClearerJudgmentWriting.pdf Last Accessed on 28.12.2017.....	251
5	S. I. Strong, “ <i>Writing Reasoned Decisions and Opinions: A Guide for Novice, Experienced, and Foreign Judges</i> ”, 2015 J. Disp. Resol. (2015) Available at: https://scholarship.law.missouri.edu/jdr/vol2015/iss1/7	263

Session 6
Managing the Docket: Court and Case Management

1	Justice Madan B. Lokur, “ <i>Case Management and Court Administration</i> ”,	299
2	Justice P. Sathasivam, “ <i>Effective District Administration and Court Management</i> “ Lecture delivered at Tamil Nadu State Judicial Academy during the Special Training Programme for all District Judges and Chief Judicial Magistrates on 15.06.2013	307
3	Justice Roshan Dalvi, <i>The " Business" of Court Management</i> , 13 / Nyaya Deep	321
4	Justice Sunil Ambwani, “ <i>Justice Administration: Case and Court Management</i> ”,	345

Session 7
Information Technology and Cyber Crimes

1	Maneela, “ <i>Cyber Crimes: The Indian Legal Scenario</i> ”, 11 US-China L. Rev. 570, 586 (2014).....	357
2	Mayank R. kothawade1 & Prof. Dr. Preeti Agarwal, “ <i>Cybercrimes: An Indian perspective</i> ”, Volume 6 Issue No. 4.....	375

Session 8
Electronic Evidence : Collection, Preservation and Appreciation

1	Justice Kurian Joseph, “ <i>Admissibility of Electronic Evidence</i> ”, (2016) 5 SCC (J)	383
2	Judgement: <i>Anvar P.V.v.P.K. Basheer</i> 2014(10) SCALE 660	391
3	Dr. Swarupa Dholam, <i>Electronic Evidence and its Challenges</i> , Available at https://mafiadoc.com/electronic-evidence-and-its-challenges-maharashtra-judicial-academy_598815bb1723ddce69c5a819.html ; (Visited on 29.12.2017).....	401
4	Justice P. Sathasivam, “ <i>Appreciation of Evidence including Evidence recorded through Electronic Media for Sessions Cases</i> ”, Lecture delivered at Tamil Nadu State Judicial Academy on 26.03.2011 on	415

Session 9
Forensic Evidence in Civil and Criminal Trials: DNA Profiling

1	Subhash Chandra Singh, “ <i>DNA Profiling and The Forensic Use of DNA Evidence in Criminal Proceedings</i> ”, Vol. 53Journal of The Indian Law Institute, No.2, April-June 2011.....	433
2	<i>Conclusions and Recommendation: 271st Law Commission of India Report on Human DNA Profiling – A draft Bill for the Use and Regulation of DNA Based Technology....</i>	465

Session 10
Understanding Stress and its Implications

1	The Hon. Justice Michael Kirby AC CMG, “ <i>Judicial Stress</i> ”; available at: http://www.lawfoundation.net.au/ljf/app/E812A4B4C60E3A26CA2571A8002344A5.html , visited on 24/12/2017.....	471
2	New Hampshire Lawyer’s Assistance Program, “ <i>Judges and Stress</i> ”; www.http://www.lapnh.org ; available at: www.lapnh.org/wp-content/uploads/2014/01/Judges-and-Stress-v2.pdf , last visited on: 24/12/2017.....	487
3	The Hon’ble Michael Kirby AC CMG, “ <i>Judicial Stress and Judicial Bullying</i> ”, QUT Law Review Volume 14, Number 1, 2014 Special Edition: Wellness for Law.....	499
4	Monica Silvia, Ciocoiu, Mirela Cojocaru & S. V. Ciocoiu, “ <i>Implications of Levels of Stress Factors in the Magistrate’s Activity</i> ”, Romanian Biotechnological Letters, Vol. 15, No.3, 2010, Supplement.....	513

Session 11
Managing Stress through Emotional Intelligence

1	Daphne M. Davis and Jeffrey A. Hayes, “ <i>What Are the Benefits of Mindfulness? A Practice Review of Psychotherapy-Related Research</i> ”, American Psychological Association 2011, Vol. 48, No. 2, 198–208.....	521
2	Lisa Gardener, “Emotional Intelligence and Occupational Stress”; available at: http://researchbank.swinburne.edu.au .; last accessed on 13-12-2018.....	533
3	Isaiah M. Zimmerman, “ <i>Isolation in Judicial Career</i> ”, 36 Ct. Rev. 1 (1999-2000)	553
4	Monica K. Miller; Edie Greene; Hannah Dietrich; Jared Chamberlain, “ <i>How Emotion Affects the Trial Process</i> ”, JUDICATURE Volume 92, Number 2 September-October 2008.....	557

Session 12
Dealing with Occupational Stress

1	Su Mon Kyaw-Myint and Lyndall Stradins, “ <i>Occupational Stress</i> ”, Excerpts;Book Title- Health of People, Places and Planet[Reflections based on Tony McMichael’s four decades of contribution to epidemiological understanding], ANU Press. (2015).....	567
2	Deborah Wood Smith, “ <i>Secondary or Vicarious Trauma among Judges and Court Personnel</i> ”, April 2017; Availableat: http://www.ncsc.org/sitecore/content/microsites/trends/home/MonthlyTrends-articles/2017/Secondary-or-Vicarious-Trauma-Among-Judges-andCourt-ersonnel.aspx	581
3	Anne Chambers, “ <i>Judges and Compassion Fatigue: What Is It and What to Do About It</i> ”, July 2014; available at: www.mobar.org/molap/personalgrowth/judges-and-compassion-fatigue.htm ; last accessed on 24-12-2017.....	585

Session 13
Role of Courts in Securing Gender Justice

1	Avani Mehta Sood, “ <i>Gender Justice through Public Interest Litigation: Case Studies from India</i> ”; 41 Vand. J. Transnat'l L. 833 (2008).....	593
2	Dr. Justice Shalini Phansalkar Joshi, “ <i>Gender Justice: Need to Remove Subtle Nuances of Gender Inequality</i> ”; XVI Nyaya Deep, 58-69 April (2015).....	667
3	Dr. Anju Tyagi, <i>Judicial Activism and Legal Reforms Relating to Women with Special Reference to Personal Law</i> , Journal of Indian Research, Vol.3, No.3, 115-128, July-September, 2015	679

Session 14 & 15 **ADR and Plea Bargaining**

1	Michal Alberstein “ <i>Judicial Conflict Resolution (JCR): A New Jurisprudence for an Emerging judicial practice</i> ”, Cardozo J. of Conflict Resolution [vol. 16:879] 2015.....	693
2	Saista Amin, “ <i>Plea Bargaining – An Indian Approach</i> ”, (2014) § GJLDP (April) 67.....	723
3	<i>Case Law:</i>	
	✓ <i>Salem Advocate Bar Association, Tamil Nadu v. Union of India; 2005 (6) SCC 344</i>	741
	✓ <i>Afcon Infrastructure Ltd. And Anr. v. Cherian Varkey Construction Co. (P) Ltd. And Ors. 2010 (8) SCC 24</i>	752
	✓ <i>K. Srinivas Rao v. D.A. Deepa; (2013) 5 SCC 226</i>	763

Session 16 **Law of Precedents**

1	Justice Sunil Ambwani, “ <i>Stare Decisis amongst High Courts</i> ”, in Articles & Speeches of Hon'ble Mr. Justice Sunil Ambwani (2008); available at: http://hcraj.nic.in/Paper-Speech/09-Doctrine_of_State_Decisis_and_the_High_Courts.pdf ; last accessed on 28-11-2017.....	771
2	Prof. M.P. Jain, “ <i>Law Reporting in India: Theory of Precedents</i> ”; Reprinted from <i>Outlines of Indian Legal History</i> 499-509 (4th ed. 1981), Vol. 24 : 2 & 3 Journal of ILI 560 (1982)	779

Session 17 **Challenges in Identifying & Applying Ratio Decidendi**

1	Julius Stone, “ <i>The Ratio of the Ratio Decidendi</i> ”, 22 Mod. L. Rev. 597, 620 (1959).....	795
2	Arthur L. Goodhart, “ <i>Determining the Ratio Decidendi of a Case</i> ”, 40 Yale L. J. 161, 183 (1930).....	819
3	H.K. Lücke, “ <i>Ratio Decidendi: Adjudicative Rational and Source of Law</i> ”, 1(2) 36 Bond LR (1989).....	843

Session 18 **Courtroom Technology: Use of ICT in Courts**

1	Dr. Justice G.C. Bharuka, “ <i>Technology and Timely Justice – Intelligent Use of ICT can Revamp the Indian Justice Delivery System</i> ”; www.commoncause.in; Vol. XXXV No. 1 January-March, 2016.....	861
2	Karim Benyekhlef, Emmanuelle Amar, and Valentin Callipel, “ <i>ICT-Driven Strategies for Reforming Access to Justice Mechanisms in Developing Countries</i> ” 6 The World Bank Legal Review 325, (2015).....	871
3	<i>E-Courts Mission Mode Project</i> , Ministry of Law and Justice Department of Justice, Available at: http://doj.gov.in/national-mission/ecourts/ecourts-mission-mode-project , last accessed on 12-12-2017.....	891

Session 19

Art of Hearing; and of Regulating Appropriate Decorum in the Court Room

1	Paula Lustbader, “ <i>Listening from the Bench Fosters Civility and Promotes Justice</i> ”; 13 Seattle J. Soc. Just. 903 (2015).....	895
2	Jonathan R. Cohen, “ <i>Open-Minded Listening</i> ”, 5 Charlotte L. Rev. 139 (2014).....	927
3	Gary F. Keller, Cardinal Stritch University, Milwaukee, WI USA, “ <i>The Listening Skills of Court Judges: Lessons for Managers and Leaders</i> ”, available at: http://www2.gsu.edu/~wwwaus/research/2007/english/53.doc . Last accessed 2-12-2017.....	953

Session 20

Perceptions and Prejudices

1	Justice J.A. Dowsett, Speech given in the “ <i>Conference, Judicial Reasoning: Art or Science?</i> ” (conducted by the National Judicial College of Australia) held at ANU. Available at: http://www.austlii.edu.au/au/journals/FedJSchol/2009/3.html ; Last accessed on 25-12-2017.....	963
2	Nicole E. Negowetti, “ <i>Judicial Decisionmaking, Empathy, and the Limits of Perception</i> ”, 47 Akron L. Rev. 693 (2014).....	981

Note: *The Cases in the Reference Material has been abridged and limited by editing in order to highlight some pertinent points for discussion. Please read the full judgment for conclusive opinion.*