

TERMS OF REFERENCE FOR CONSULTANTS

The consultants will be responsible for producing the technical assistance (TA) outputs and deliverables effectively and on time, consistent with the design and monitoring framework for the TA, and for organizing and carrying out all TA activities including workshops and the symposium. The consultants will be recruited using the individual selection method in accordance with the Asian Development Bank's Procurement Policy (2017, as amended from time to time) and the associated project administration instructions and/or TA staff instructions.

The Supreme People's Court (SPC) will provide overall coordination of the TA, including coordination with government authorities and other stakeholders, and will assign counterpart staff to assist the consultants, and will assume administrative responsibility for meetings and symposiums.

The consultants will maintain close working relations with SPC and ADB, and will regularly discuss project progress. Meetings involving the consultants, SPC and ADB staff, will be held to provide guidance to the consultants and to review their work outputs. The consultants will help ensure that knowledge work products are disseminated, and that both electronic and hard copies are made available to stakeholders. For each output, the consultants will agree with SPC and ADB on, and will adhere to, a timetable that provides for the delivery of one or more draft or interim versions of the output and the receipt and incorporation of comments from SPC, ADB and other consultants or the team leader, as appropriate, before the date for submission of the final work product. As agreed between SPC and ADB, SPC will fund the translation into Chinese or English, as needed, of deliverables except as otherwise mentioned in the Memorandum of Understanding during TA fact-finding.

A. National Consultants

1. **Team Leader, Chief Domestic Judicial Governance Expert and Editor in Chief (6 person-months, national, intermittent).** The team leader will have strong expertise, extensive experience, and in-depth knowledge of courts and court management systems. Understanding and experience of foreign legal and judicial systems is highly desirable. The team leader must have at least 15 years of relevant experience, and a master's degree or higher qualification in law or public administration and governance. Proficiency in written and spoken English is essential as is a demonstrated record in producing research papers of international standard. The team leader will report on progress on all outputs to SPC and ADB no less than quarterly and will make herself or himself available for meetings in Beijing on reasonable notice. The team leader will be responsible for ensuring all TA reports meet a high professional standard. Detailed responsibilities will include:

- (i) assist SPC to organize an international symposium including foreign and domestic judges and other experts to address key problems and initiatives in using judicial data to improve court systems;
- (ii) deliver a paper at the international symposium on the use of judicial data for improving court services in the PRC;
- (iii) assist SPC to identify and contact relevant people and organizations to be visited on its international field research;
- (iv) assist SPC to convene and organize research group(s) and manage and participate in their field research;
- (v) work with the research group(s) and the SPC, and in consultation with the international expert, compile a joint set of recommendations on the design and

- features of the judicial data and reporting system into a report that reflects the results of the symposium, the international research, the domestic field research, input from the international expert and the team leader's own expertise;
- (vi) deliver the joint recommendations report in Chinese, with an executive summary provided in English;
 - (vii) manage the services of the coordinator and editor and coordinate closely with the international expert and resource persons; and
 - (viii) compile and edit the handbook and prepare it for publication in Chinese and English.

2. Symposium Reporter and Handbook Editor (3 person-months, national or international, intermittent). The editor will have a university degree in law, Chinese, English, public administration or a related field and must have excellent spoken and written Chinese and English skills and not less than 5 years experience in publishing or preparing Chinese and English language materials for publication. The editor will act as recording secretary of the symposium held under Output 1, and will be responsible, in close coordination with the team leader and ADB's publishing unit, for editing the symposium record to SPC's satisfaction and arranging for its publication. The editor will also assist in editing and publication of the Chinese and English handbook provided for under Output 4. The coordinator and editor may be the same person.

3. Coordinator (3 person-months, national, intermittent). The Coordinator will have a degree in law, public policy, international development or a related field, as well as at least 5 years experience in a business or government environment. The coordinator must have demonstrated experience in event management. Proficiency in spoken and written English and Chinese is required. Reporting to the team leader, the coordinator will have day-to-day responsibility for the timely administration of meetings and events, including the identification and mobilization of required resources. Detailed tasks will include, under the supervision of the team leader:

- (i) assist SPC and the team leader as liaison with participants and the arrangements for events and meetings;
- (ii) handle all logistic requirements of meeting venues; coordinate with external suppliers or service providers;
- (iii) coordinate and consolidate of the inputs of resource persons so as to ensure a smooth participation in the international symposium and timely delivery of papers;
- (iv) manage pre-event planning and onsite administration of the symposium, the international and domestic field research and related activities, from registration to departure of participants, receipt of invoices/billings and payment, and liquidation of expenses; and
- (v) manage and supervise translation work and undertake other related tasks assigned by the team leader.

B. International Consultant

1. International Judicial Governance Expert (4 person-months, international, intermittent). The consultant will have strong expertise, extensive experience, and in-depth knowledge of courts and court management systems in Europe, North America and/or Asian countries with advanced judicial data systems. The consultant must have a degree in law or public administration and governance and at least 15 years of relevant post-qualification

experience. Experience in multiple jurisdictions – particularly understanding of both common and civil law judicial systems – is desirable. A demonstrated record in producing international standard research and policy papers is essential. Reporting to the team leader, the consultant will provide the team's key source of information on international practices and experience in judicial system data management. In close consultation with the team leader and ADB, the consultant will:

- (i) assist the SPC to identify speakers and topics for the international symposium and assist the team leader to coordinate with such resource persons;
- (ii) attend the international symposium and present a research paper on current thinking and initiatives, and lessons learned, in the development of selected foreign judicial data systems;
- (iii) assist the SPC and the team leader to plan the international field research and to contact people and organizations to be visited;
- (iv) answer questions from the research groups and the team leader as they compile their research, develop their recommendations, and provide international input and commentary for the joint recommendations report; and
- (v) work with the team leader and the editor, in close consultation with ADB and the SPC, to edit and compile the non-Chinese papers and speeches presented at the symposium to create the handbook and prepare it for publication.

2. Resource Persons (up to 5 international and up to 6 national, up to 6 days each, intermittent). The resource persons will be judges or other professionals engaged in court management or have a degree in law, public policy, public administration and governance, or a closely related field, as well as at least 10 years experience in development of judicial systems. Reporting to the team leader, the resource persons will attend the symposium to present leading international and domestic best practices in using online court system data and statistics to improve the delivery of justice. Each resource person will submit a paper for inclusion in the symposium publication.