



Poder Judiciário

## *Conselho Nacional de Justiça*

### **RESOLUTION 411 OF AUGUST 23<sup>rd</sup> 2021**

Establishes the International Program  
“Global Vision of the Judiciary”.

**THE PRESIDENT OF THE NATIONAL COUNCIL OF JUSTICE (CNJ)**, in the use of his legal and regimental attributions,

**CONSIDERING** the need to encourage Brazilian courts in pursuit of excellence, especially by disseminating information and good practices that increase jurisdictional efficiency;

**CONSIDERING** that international cooperation encourages the exchange of information and legal debate in order to coordinate efforts and achieve common goals;

**CONSIDERING** that integration among members of the Judiciaries strengthens and promotes legal certainty as well as political, economic, and social stability;

**CONSIDERING** CNJ Plenary's decision in the case n. 0006174-20.2021.2.00.0000, at the 336<sup>th</sup> Ordinary Session, held on August 17<sup>th</sup>, 2021,

#### **RESOLVES:**

#### **CHAPTER I INITIAL PROVISIONS**

##### Article 1

Establishes the International Program "Global Vision of the Judiciary", on a national, permanent, and continuous flow basis, in accordance with the rules set forth in the present Resolution.



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### Article 2

The International Program “Global Vision of the Judiciary” is exclusively intended for foreign judges from all the nations with which Brazil maintain diplomatic relations that have an interest in getting to know the bodies of the Brazilian Judiciary Power for a minimum period of 1 (one) month. (ammendment made by Resolution no. 445, of 3.14.2022)

#### Paragraph 1

The foreign magistrate will not exercise jurisdiction in Brazilian territory.

#### Paragraph 2

The activities developed under the program constitute voluntary service, under the terms of Law 9.608/1998, and do not create employment relationships, nor social security or similar labor obligations.

#### Paragraph 3

All personal, accommodation, travel, and food expenses shall be afforded by the magistrates themselves or by their court of origin.

## **CHAPTER II OBJECTIVES**

### Article 3

The International Program "Global Vision of the Judiciary" has the following objectives:

- I – providing mutual knowledge of court activities, with a focus on sharing good practices and innovative solutions in administrative and judicial areas;
- II – sharing knowledge regarding the legal reality of other countries;
- III – developing lines of cooperation in judicial activity and management;
- IV – establishing and strengthening networks and partnerships with organizations and institutions of the global justice system;
- V – giving visibility to successful practices that contribute to the efficiency of the Brazilian Judiciary; and



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VI – providing the exchange of experiences and information between the bodies of the Brazilian and international Justice Systems, as well as promoting the improvement, modernization, and efficiency of the Judiciary.

Sole paragraph.

The achievement of the objectives indicated in this article will observe the management guidelines established by the host organ, which correspond to the court or body of the Judiciary in which the activities will be carried out.

### **CHAPTER III APPLICATIONS**

#### Article 4

In order to apply for the International Program "Global Vision of Judiciary", the foreign magistrate shall register, through an electronic form provided by the National Council of Justice, following the instructions published in Portuguese and in at least one foreign language, preferably English.

#### Article 5

It will be required that the foreign magistrate presents the following documents:

I – a copy of the mandatory document for entry into the country, accompanied by the respective original;

II – *curriculum vitae*, in Portuguese, with photo and description of the area(s) of interest at the host organ;

III – document that proves the status of magistrate for at least 3 (three) years or, even, that it is a retired magistrate for less than 3 (three) years;

IV – a reference letter from the court of origin;

V – proof of payment of mandatory health insurance for the entire program period;

VI – the signature of a Term of Commitment with the host organ, under the terms of the Annex to this Resolution;

VII – minimum knowledge of the Portuguese language, which can be affirmed through self-declaration and demonstrated in a possible interview; and



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VIII – certificate or related document attesting the inexistence of criminal convictions as well as attesting the inexistence of punishment in the disciplinary sphere in the last 3 (three) years.

### Article 6

The magistrate must indicate, in the application form, the body of the Judiciary in which they intend to carry out the program.

### Paragraph 1

The CNJ will contact the appointed court to verify the interest in participating in the program and receiving the qualified magistrate(s).

### Paragraph 2

After formal acceptance by the Brazilian host body, the candidate must present proof that has received authorization to participate in the program by the Judiciary of origin.

### Article 7

The application formore than one body of the Brazilian Judiciary is allowed, provided that registrations are made in separate and independent forms.

### Sole paragraph.

If more than one court accepts the application, the magistrate may choose to have experience in more than one organ, but the program period in each one can not last less than two months nor occur simultaneously, and all the courts and bodies involved must be aware of the situation and accept it.

### Article 8

The application confirmation will be sent to the email address indicated on the electronic form.

### Article 9

By carrying out the application, the candidate will accept all the rules of this Resolution.

### Article 10

The failure to comply with the requirements established in this Resolution will result in application refusal or in the program immediate interruption.



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### **CHAPTER IV SUPERVISION**

#### Article 11

The activities of the foreign magistrate will be monitored by the host organ's international affairs unit, or related unit, with the support of the personnel management unit.

Sole paragraph.

The Chair of the Brazilian host body shall designate a supervising magistrate, who will be responsible for:

I – receiving the magistrate and advising him on aspects of conduct and rules of the organ; and

II – organizing activities aimed at the magistrate's interaction with the Brazilian Judiciary, such as watching hearings and trial sessions, explanation on the operation of national justice, following the work routine of first and second instance judges, among other activities.

#### Art. 12

The journey of the magistrates participating in the program will follow the rules of the Brazilian host organ.

Sole paragraph.

Absences and delays may be compensated at the supervisor's discretion.

### **CHAPTER V RIGHTS**

#### Art. 13

The participants of the International Program "Global Vision of the Judiciary" have the following rights:

I – indicating units of interest within the host organ;

II – receiving an identification document, of mandatory use, to access the host organ;

III – receiving guidance for assigned activities and being accompanied by a supervisor, who will verify their frequency; and



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IV – obtaining, at the end of the program, a certificate of participation issued by the Presidency of the Brazilian host organ, subject to the requirements set forth in items I and II of the article 14.

### **CHAPTER VI DUTIES**

Art. 14

The participants of the International Program "Global Vision of the Judiciary" have the following duties:

I – observing the rules of the Brazilian host organ;

II – complying with at least 75% (seventy-five percent) of the program schedule as well as carrying out the activities assigned;

III – in case of withdrawal, the participant must notify immediately the Brazilian host working unit and the supervisor;

IV – looking after the property of the host body; and

V – returning the identification document by the end of the program.

Paragraph 1

The foreign magistrate must present a report on their activities after the completion of the program to the host's international affairs unit or similar unit.

Paragraph 2

Any academic-scientific production resulting from the program must explicitly mention the International Program "Global Vision of the Judiciary".

Paragraph 3

The duties and prohibitions provided for in the Complementary Law 35/1979 and in the Law 8112/1990 apply, as possibly, to the foreign magistrates.

### **CHAPTER VII DISMISSAL**

Art. 15

The termination of the participation in the program will occur:

I – at the end of the program's validity period;

II – by interest and convenience of the host body or the court of origin;



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III – at the request of the foreign magistrate;

IV – by abandonment, characterized by unjustified absence for two consecutive days or three interspersed days, during the program period;

V – for non-compliance, by the magistrate, with any clause of the Term of Commitment; and

VI – for conduct incompatible with that required by the host body.

Sole paragraph.

The host body will communicate the end of the participation in the program to the court of origin.

### **CHAPTER VIII FINAL PROVISIONS**

#### Article 16

Without detriment to the rules provided for in this Resolution, the Presidency of the CNJ may resolve doubts and fill gaps about its application and is authorized to edit ordinances and notices establishing new terms, conditions, and requirements for the participation in the International Program "Global Vision of the Judiciary", which will be available in Portuguese and in at least one foreign language, preferably English.

#### Article 17

This Resolution comes into force on the date of its publication.

A handwritten signature in blue ink, appearing to read 'Luiz Fux', is positioned above the name of the Minister.

Minister **LUIZ FUX**