

# The Innovative Perspective of a judicial provision under the focus of celerity and transparency

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### ABSTRACT

This article is based on the Justice 4.0 Program, which proposes an incremental innovation in the Judiciary. It evaluates whether two of the strategic actions that are part of the program – ‘Juízo 100% Digital e Núcleos

de Justiça 4.0’, are capable of producing gains in terms of speed and transparency, which are two of the Program's result indicators. Following the worldwide movement of Revolution 4.0, the program, launched in the context of the Covid-19 pandemic, aims to increase the process of digital transformation of the Judiciary, through the most efficient, swift, and transparent judicial service. With specific procedural data from the TJMT, in the period from 04/02/2022 to 06/09/2022, the study uses deductive methodology and empirical research to investigate and conclude that such actions can produce the expected results, but it needs to establish transparent evaluation indicators and monitoring tools at a national level. It also suggests a research agenda to analyze whether the increase in the judgment capacity, in a shorter time, is able to fulfill the user's aspirations for social pacification.

**Keywords:** 4.0 Justice Program, digital, innovation, celerity, transparency.

## 1 INTRODUCTION

This article analyzes the creation and implementation of the Justice 4.0 Program, by the National Council of Justice in 2021, amid a pandemic scenario, based on its proposal to increase the process of digital transformation of the Judiciary, as well as investigates whether two of its strategic actions - Juízo 100% Digital and Núcleo de Justiça 4.0 - can achieve the expected purposes, about two of the result indicators: speed and transparency.

The Justice 4.0 Program is based on 04 strategic axes, which form a model of innovation and effectiveness in the realization of Justice, for all users (internal and external), with the main objective of promoting access to digital justice, guaranteeing an effective result of the process, in a reasonable period, through the management of new technologies and artificial intelligence (CNJ, 2022a).

The digital transformation previously initiated by the Judiciary, but profoundly accelerated by the scenario of the Covid-19 pandemic, intends to bring about structural changes in the way in which judicial provision is built and delivered. The Justice 4.0 Program aspires to increase the following attributes: innovation, modernization, governance, efficiency, speed, economy, productivity, transparency, and the fight against corruption (CNJ, 2021a, p. 5).

The question is then: does the program bring effective gains concerning the indicators of speed and transparency of judicial processes? How does this positively impact the institutional mission of the Judiciary to deliver justice?

Based on the program's 1-year balance sheet prepared by the CNJ itself (2022b) and the program's page on the CNJ's website (2022a), which features monitoring panels and implementation maps, a diagnosis of the pillars of transparency and speed in the implementation of two of the strategic actions that make up the program, which is Juízo 100% Digital and Núcleo de Justiça 4.0.

The methodology used was deductive, since it starts from the analysis of general regulations and doctrinal articles on the subject, to merge with the empirical research carried out from the specific cut of the Court of Justice of Mato Grosso, in the period of 04 /02/2022 to 09/06/2022, in the form of data collection. The choice of this judicial body was due to two factors: a) being classified as a medium-sized Court, among those who joined the Program, and is the State Court of Justice with the largest number of Justice Centers 4.0 installed<sup>1</sup>; b) have in its business intelligence panel - Omni system, a tool that allows internal users to monitor the average duration of processes included in the 4.0 Nuclei, made available for this work.

The study starts from the social context in which this structural change of the Judiciary is inserted, as an extension of the Fourth Industrial Revolution in which other sectors of society had already entered. Then, a theoretical framework of the fundamentals, purposes, and legal bases of the Justice 4.0 Program is presented, with a perspective of the actions already implemented in this first year of validity.

A more specific incursion is then made into two strategic actions inserted therein, which are Juízo 100% Digital and Núcleo 4.0, based on data extracted from the analytical panel made available by the CNJ itself. In this topic, specific data from the Court of Justice of Mato Grosso are analyzed, to identify the results obtained so far and relate them to the purposes of the program, specifically about speed and transparency indicators.

In the end, considerations are made about the reasons why it is believed that the Justice 4.0 Program represents an incremental innovation, not only because it changes the way the Judiciary is structured and organized, including concerning the territorial limits of action, but also because it implements the understanding of the importance of providing the judicial service with a focus on speed and efficiency of results. On the other hand, an observation is made about the course of the program, regarding the monitoring of data and the publicity of the results at the national level, through a panel made available by the CNJ.

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1 “Promote peaceful and inclusive societies for sustainable development.”

## 2 THE FOURTH REVOLUTION AND THE JUDICIARY

The Fourth Industrial Revolution, a concept brought up by Klaus Schwab (2016) at the World Economic Forum, marks a time when the physical, digital and biological universes are integrated to create previously unimaginable possibilities, ranging from technological advances themselves, such as nanotechnology, to scientific innovations such as genetic sequencing. It is a broad and complex transformation process, which is not only changing the production processes themselves but also introducing profound changes in all of humanity.

There is not a single sector in the spheres of public and private life that has not been significantly impacted by the well-known Revolution 4.0, which is rooted in the daily habits of each family and allows human beings to discover the universe from millions of kilometers away. Schwab (2016, p. 16) shows us that the "changes are so profound that, from the perspective of human history, there has never been such a potentially promising or dangerous moment".

The Fourth Revolution, albeit with a certain delay, also reached government organizations. The Judiciary also undergoes major transformations: from the pen to the typewriter, from the typewriter to the computer, from the stamp to the printer, from piles of lawsuits to virtual actions, from interconnection with each other and with the world, from physical presence to telecommuting. , from justice divided into territories to justice seen as a service without borders.

In the last two decades, there has been an explosion of changes, which begin with the very conception of the purpose of the Judiciary, as well as the needs of those under the jurisdiction, both in terms of their expectations and the result sought. It is no longer enough to grant the citizen the theoretical right to access justice but to supply contemporary society with the care of all the complexity of its needs, which are increasingly broader in terms of the dimensions of social life. Said complexity affects all fields of action of society, be it structural, economic, knowledge, "as well as the citizen in his various daily activities and his life of relationship presided over by the mass economy and by a cipoal of laws and guided by an unsystematic mass of information of all kinds" (WATANABE, 2019).

The technological revolution led society to experience a wave of expectations of speed and immediate results of its searches, desires, and ambitions. It is no different about the judicial search, which is why it became necessary to organize justice aimed at understanding and improving Brazilian judicial policy to meet social expectations. How, then, does the Judiciary fit into the context of the Fourth Revolution?

The Judiciary, on the other hand, has its limits drawn by norms that generate bureaucracy and rigidity, which, added to the number of existing processes under its responsibility, tend to cause overcrowding of actions without the delivery of the judicial provision in a reasonable period (according to the expectation of immediacy). As a consequence, Justice ends up being seen by society with distrust, due to its slowness and inefficiency. In this context, the path of innovation as a tool to change the direction of the Judiciary and bring it closer to society becomes inevitable.

Barriers to innovation in public service arise mainly within the organizations themselves and in the institutional environment of these organizations (TORUGSA; ARUNDEL, 2016). Public services are relatively complex, multifunctional, and based on norms that are difficult to change. Still, "the proliferation of performance indicators tends to prevent innovation, especially when these indicators focus on input and output measures" (SØRENSEN; TORFING, 2011).

The bureaucratic reforms built in the Brazilian judicial system were not enough to break out into an efficient service, which only happened from the opening of possibilities for innovations in management methods of the digital age. Lunardi (2019) assesses that "judicial management mechanisms, administration of justice, innovation management and technological innovations have brought hope that the judicial process can become faster and more effective". Therefore, it is understood that it is necessary to "foster creativity and organizational innovation as a way of facing this context of institutional inefficiency". (RODRIGUES; COSTA; BAPTISTA, 2019, p. 263).

The constitutional commandment inserted in its article 5, LXXVIII, directs the jurisdictional activity in the sense of standardizing that "all are assured the reasonable duration of the process and the means that guarantee the celerity of its processing", implying the need to obey the structural rule that the judicial provision must be delivered in an effective and timely manner, whatever the result (BRASIL, 1988).

Alongside all these social transformations, "from the 2000s onwards, new information and communication technologies have been adopted in Brazilian Justice to simplify procedures, increase speed and access to Justice." (GOMES; GUIMARÃES, 2013, p. 396). Organizational innovations have revolutionized the Judiciary's way of operating, structuring, and organizing, leaving behind its traditional structure and the analog era. In the digital era, opportunities for changes are created that go far beyond the technology itself and aim to simplify the relationship with society and its image with the external public.

Thus, the Fourth Revolution reaches more and more spaces, due to its systemic impacts (SCHWAB, 2016, p. 17) and reaches the legal world, strengthening the individual's relationship with fundamental principles, promoting effective and not just possible access to justice, with the guarantees of due process of law (BRITTO; CRUZ, 2021). Thus, in Brazil, the institution of the electronic process brought with it the undeniable aspect of the democratization of the Judiciary.

### **3 THE JUSTICE 4.0 PROGRAM**

Although with some delay, the Judiciary Power understood that it would have to insert itself as soon as possible in the process of technological innovation through which private organizations have already advanced, much as a result of their hierarchical structure, bureaucracy, and internal resistance (ZANONI, 2019).

Conceptualized in 2005 by the Organization for Economic Cooperation and Development in the Oslo Manual, innovation is understood as the implementation of a new or significantly improved product

(good or service), a process, a marketing method, or a new organizational model. in business practices, workplace organization or external relations (OECD, 2005).

Organizational innovation, according to the OECD, intends to make a key turnaround in the public sector, with a look to the future. It provides, at the same time, the valuation of the intellectual capital of the server (internal public), but with a focus on the user (external public), to improve their work processes, with the reduction of costs and optimization of the result, to offer a service more efficient, less costly and more satisfying (ZANONI, 2019).

This conceptualization perfectly fits the unique moment that humanity is experiencing, of transition from an analog era to an infinity of possibilities in the digital world. This causes a profound change not only in contemporary social dynamics, but also directly impacts the understanding of what Justice is, to achieve a much broader concept than "giving to each one what is his", preached by São Tomás de Aquino (2002), and how the State will provide one of its main services: judicial provision (PORTO, 2021).

The notion of a universal Judiciary, at the service of those subject to the jurisdiction, establishes a standard rule for institutionalizing the electronic process throughout the Brazilian Judiciary (ABRÃO, 2017). Indeed, this process was significantly boosted by the COVID-19 pandemic. The virtualization of judicial processes had already started in 2010, by the Labor Court, but only in 2013 did the CNJ adopt it as the official electronic judicial process system in the country, through Resolution nº 185/2013 (CNJ, 2013).

According to data from Justice in Numbers 2022, in 2021, 27 million new electronic processes were entered, including the various systems operated by the courts, with only 2.8% of the total cases entered physically (CNJ, 2022c, p. 186). The historical series from 2009-2021 shows that in the period from 2015 to 2020 there was the greatest increase in the collection in this format, given that the Federal, Electoral, and Labor Justice branches, in addition to the Superior Courts, already have 100% of the new processes virtualized (CNJ, 2022c, p. 187).

Innovation is not an end in itself and cannot be confused with the advancement of technology, but it is a true instrument to find new organizational formats so that the Judiciary can better position itself as a public institution that provides citizens with the best experience within Justice. (FERRAZ; MÜNCH, 2021). Aware of this need to change the organizational culture, and to comply with the constitutional mandate outlined in article 5, item LXXVIII, the current administration of Minister Luiz Fux, at the Federal Supreme Court and the National Council of Justice (2020/2022), presents the program as one of the 5 priorities of its administration.

In line with Sustainable Development Goal 16 of the United Nations 2030 Agenda<sup>2</sup>, As of January 2021, the CNJ, in partnership with the United Nations Development Program (UNDP) and the Federal Justice Council (CJF) launched the Justice 4.0 Program, which consists of a model of innovation and

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2 Article 1: Authorize, as of May 2, 2022, the adoption of the special procedure called "100% Digital Judgment" in all Judicial Units of the First Degree of Jurisdiction of the Judiciary of the State of Mato Grosso.

effectiveness in carrying out the Justice for all and has as its main objective, according to the booklet made available to users, “the promotion of access to justice, through actions and projects developed for the collaborative use of products that employ new technologies and artificial intelligence” (CNJ; CJF; UNDP, 2021a)

As mentioned, the virtual revolutions led society to experience a wave of expectation of a quick claim to the adjudication of its right as a consequence of access to justice. The sum of these factors has generated a significant increase in conflicts of interest that flow into the Judiciary.

This access has been measured nationally by the number of lawsuits pending in the Brazilian Judiciary, whose level reached, at the end of 2021, the expressive number of 77.3 million, of which 27.7 million were new cases, according to a Justice report in Numbers 2022, of the National Council of Justice (CNJ, 2022c, p. 104). Another relevant data from the report is that the number of cases filed grew by 10.4% compared to 2020, as well as the number of judged cases rose by 11.3%, revealing that the Judiciary has not measured efforts to generate effectiveness (CNJ, 2022c, p. 307).

Even so, the procedural stock grew by 1.5 million cases compared to 2020, returning to the level of 2019, which is probably due to the resumption of face-to-face services and the cooling of the pandemic (CNJ, 2022c, p. 307). The total congestion rate of the Judiciary in 2021 was 74.2% and the net rate was 69.7% (CNJ, 2022c, p. 126). And the historical series of average duration of lawsuits reveals a rate of decline that has remained stable, and in 2021 the overall average time from distribution to dismissal was 02 years and 03 months, the lowest since 2015 (CNJ, 2022c, p. 213).

Therefore, such data indicate that the biggest problem for the Judiciary is not in fulfilling the constitutional mandate of the right to access justice, but in guaranteeing the efficiency and effectiveness with which the judicial service is provided. Despite the justice system's effort to judge and dismiss more cases, the volume of cases pending resolution is still high, as well as the congestion rate.

To improve these data, several tools have been implemented so that the transformation and the adequacy of timing between social changes and jurisdictional delivery can occur respecting the principles of access to justice, a reasonable time for the process, and speed. This is because "Digital Justice provides a dialogue between the real and the digital to increase governance, transparency, and efficiency of the Judiciary, with an effective approximation with the citizen and reduction of expenses" (CNJ, 2021a).

Its performance is based on 04 axes: a) innovation and technology, with disruptive solutions to improve jurisdictional performance; b) evidence-based information management and judicial policies; c) prevention and fight against corruption and money laundering and recovery of assets, through the management of data and information; d) strengthening of the institutional capacities of the CNJ, with transparency of knowledge and solutions (CNJ, 2021a). Justice 4.0 includes actions and projects that bring benefits to the justice system, in addition to facilitated access, modernization, technological innovation, governance, efficiency, speed, economy, productivity, transparency, and assistance in the fight against corruption (CNJ, 2021a), making the national Judiciary closest to society.

The package of measures comprises the following innovations: Juízo 100% Digital (BRASIL, 2020c); Virtual Counter (BRASIL, 2021a), for customer service; Justice Center 4.0 (BRASIL, 2021b and 2021c); Digital Platform of the Judiciary (PDPJ) (BRASIL, 2020b), with the possibility of expanding the degree of automation of the electronic judicial process and the use of Artificial Intelligence (AI); Datajud, which is the National Database of the Judiciary, an important real-time business intelligence tool for monitoring data and transparency of the judicial service; Implementation of the Codex system, which feeds Datajud; Synapses Platform, which integrates the PDPJ, manages and stores Artificial Intelligence models; Projects to support judicial policies, such as Sniper (Research and Recovery of Assets), National System of Seized Goods, Social Security Module, Precatories and Small Claims, Unified Precedents and Jurisprudence System, National Adoption and Reception System and National Bank Prison Monitoring. (CNJ, 2021a).

The proposal, therefore, is to catalyze digital transformation within the scope of the Brazilian Judiciary, which aims to transform Justice into a service, following the concept of justice as a service by Richard Susskind (2020), bringing it even closer to the needs citizens and promoting increased access to justice (CNJ, 2021a). The strategic actions that make up the Justice 4.0 Program inaugurate a new work model, which changes the perception of Justice both internally (internal public) and externally (external public).

This is because the electronic process allows the concentration of the workforce in a single location or even its spatial dispersion and, even so, it is capable of speeding up the processing of facts, rationalizing the workforce, through automation. On the other end, external users gain in terms of easier access and speed of the judicial service. Added to this is the reduction of costs and expenses with physical structures and human resources, which can be rationalized and transferred to other initiatives.

In the perception of Porto (2021, p. 147), "the new Justice is the one that is in harmony with the new social reality and tune with contemporary dynamics, prepared to respond, with efficiency, speed, and creativity, to the expectations of society postmodern, anchored in technology."

Considering the size of the actions that comprise the program, this work intends to specifically analyze the tools related to the axis of judicial policies, to investigate to what extent the implementation of the Juízo 100% Digital and the Núcleos da Justiça 4.0 generated positive results for the purposes for which are intended, increasing governance, regarding the speed and transparency of the core activity of the judicial service.

### 3.1 JUÍZO 100% DIGITAL

The Juízo 100% Digital, instituted through Resolution No. 345, of 10/09/2020, offers citizens the option of having their case, at any instance of the Judiciary, processed completely virtually, with all procedural acts performed electronically and, even if it is necessary to perform a face-to-face act, this would not detract from the option (CNJ, 2020b).

It is interesting to note that any type of process can be processed in the form of the Juízo 100% Digital, including those already distributed, but it is necessary to have the agreement of the adverse party, who may express an opinion regarding the option until the contestation, admitting the retraction, a once. The service to parties and lawyers is done by virtual means (virtual counter, email, digital applications), and hearings and trial sessions are held through videoconferencing (CNJ, 2021b).

It is an option both for the Courts and jurisdictional bodies subject to it, as well as for the parties. In the case of the Courts, those who make the choice must inform the CNJ for monitoring purposes, as well as the judges in charge of the courts may be consulted about their interest in adhering to the digital format.

Although the electronic process was already a reality in the Judiciary, the innovation brought by the Juízo 100% Digital refers to the practice of all procedural acts by electronic means, including subpoenas, compliance with acts by the Bailiff, and hearings. This is the reason why the process in this situation, even the one that was already being processed virtually, has reduced its total duration. And compared to the physical process, the advantages are even greater in this regard.

As for the monitoring of this action, Resolution No. 345 establishes that it will be done by the courts, through the productivity and speed indicators informed by the CNJ, incumbent upon them to promote the identification of processes in the respective procedural monitoring systems. This is an indispensable requirement to enable transparency in the governance of the aforementioned project.

However, so far, the CNJ website does not contain the edition of a normative act after Resolution No. 345/2020 that established the aforementioned monitoring indicators (CNJ, 2021e). These indicators are essential to be able to measure the achievement of the purposes that the project proposes and the lack of transparency or uniformity regarding such criteria compromises the evaluation stage of this public policy.

Through the statistical panel provided by the CNJ (2021e), of the total 23,789 offices, 14,987 are already qualified to operate under the Juízo 100% Digital, which is equivalent to 63%, involving all types of jurisdiction. Some Courts, such as TJAM, TJAP, and TJRR, already have 100% adherence by their units, which shows a significant advance in just over 01 years of implementation.

Making a specific cut about the Court of Justice of Mato Grosso, according to data from the CNJ statistics panel, this State has 509 offices with adherence to the Juízo 100% Digital, out of a total of 702, representing 72.5% of the units.

On 04/12/2022, Provision nº 11/2022 was edited, which authorized, as of 05/02/2022, the adoption of the program procedure in all first-degree judicial units of Mato Grosso, which endorses the importance of expanding this tool (TJMT, 2022a).

Although it was the responsibility of each body to implement a monitoring tool, the CNJ panel should gather and centralize information from all courts in the country, so that it would also be accessible for consultation by the external public. It turns out that it does not contain specific results regarding the number of processes in progress in the form of the Juízo 100% Digital, nor does it bring the average duration



of the same. The 1-year Balance Sheet of the Justice 4.0 Program also does not provide information regarding speed indicators, referring only to the number of adherent services (CNJ, 2022b).

Thus, given the lack of information at the national level, it is not possible to infer how many processes are being processed under this new format, nor to measure the temporality of the respective facts, to assess the real advantages obtained so far. Transparency, in this regard, is compromised by the lack of data availability. This tool is essential for verifying whether the measure has contributed positively to achieving the purposes established when it was created.

### 3.2 NÚCLEO 4.0

The Núcleos 4.0 are another important innovation tool inaugurated by Resolution n° 385/2021, which comes to reduce the workload in the first degree, through the specialization of subjects. The centers work entirely remotely, through adherence to the 100% Digital Court, to act on specific matters delimited by the normative act of each Court.

The difference is that male and female magistrates can act in it disconnected from the traditional understanding of jurisdictional competence, insofar as the nucleus can cover the territorial area of one or more judicial units, as well as judges from other courts, can be designated to act in it, provided that the territorial limits of the court are respected.

The model introduced by Resolution No. 385/2021 is optional for the parties, and the defendant may object until the first manifestation in the process, with the distinction that retraction is not possible here. The appointment of magistrates, also occurs by their will, with observance of the criteria of merit and seniority, the similarity of the promotion, which may be cumulative or exclusive, with a time limit of 2 years, extendable, with rules to be defined by the respective Court.

In addition to the benefits of specialization by subject, the performance is entirely virtual, so that your institution does not generate new expenses with physical installations or human resources, as there is the use of existing structures. Likewise, there is an advantage for the court, lawyers, and other actors involved in the process, as they are exempt from traveling to the physical buildings of Justice, with the prospect of generating greater speed in the progress of the processes submitted to them.

It is worth mentioning that the CNJ created another model of Justice Nucleus 4.0, through Resolution No. 398/2021, which is nothing more than the consolidation of the usual joint efforts of the Judiciary. Establishes a working group that acts on a one-off basis in certain units, according to criteria chosen by the local Internal Affairs Department, as they present insufficient performance indicators.

This model is not the object of evaluation in this article, on the understanding that it is not configured as a typical instrument of innovation. This stems from the fact that *mutirões* were already a common practice before the edition of the resolution, with only the designation of Núcleo de Justiça 4.0. Furthermore, this type of nucleus has only a palliative role, as it intervenes temporarily and partially in the units, not generating any gain in terms of structural changes or definitive solutions.

At the national level, 100 (one hundred) Centers of Justice 4.0 were implemented throughout the national territory, distributed among State Courts (59), Regional Electoral Courts (3), Regional Labor Courts (18), and Regional Courts. Federals (20). The Federal Regional Court of the 2nd Region has the largest number of units, 16 in all, followed by the Court of Justice of Mato Grosso, with 08 units, and the Court of Justice of Rio de Janeiro, with 07 units (CNJ, 2021d).

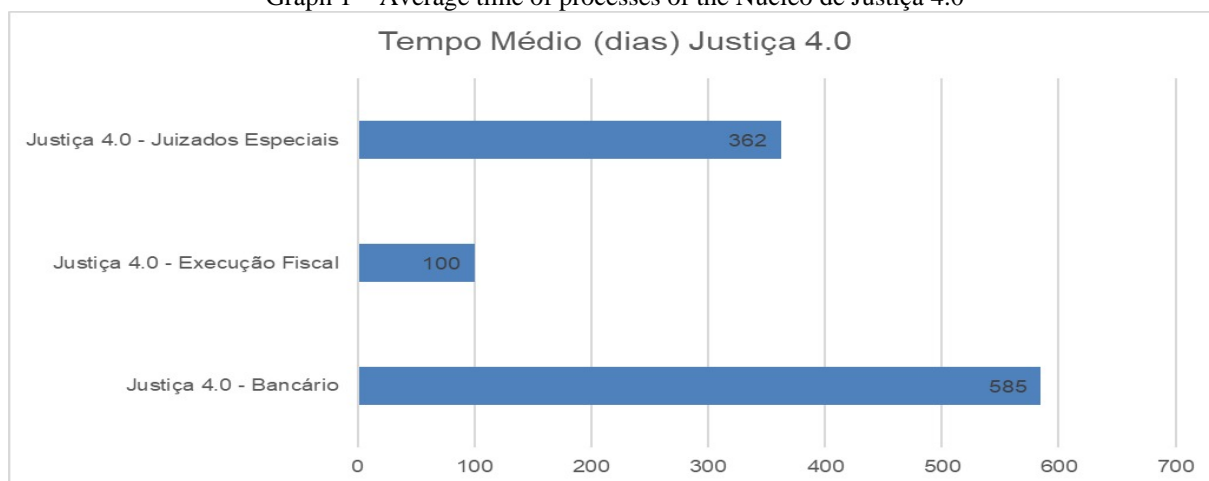
It is important to note that the Federal Court of the 4th Region had already instituted 2019 (TRF4, 2019) a model of regionalization and redistribution of competencies. It aimed to increase efficiency and speed, as well as distribute the workload of judges and civil servants more appropriately, which are the very foundations for the creation of Justice Center 4.0. Furthermore, this became possible because the judicial units of this Court already operated with 100% of electronic processes, including videoconferencing and video hearings.

Having the Court of Justice of Mato Grosso as an object of analysis (characterized as medium-sized), eight Núcleo de Justiça 4.0 were instituted: two for Banking Law (one for the state and one for the Capital), two for Tax Enforcement (one for State and one in the Capital), one of the Special Courts (Judicial District of the Capital), all referring to the model outlined in Resolution 385/2021, and also the one for strategic action (NAE), the latter relating to Resolution 398/2021 and two Nuclei of Police Inquiries - NIPO (being one of the Capital).

The analysis of the data obtained, in the period from 02/04/2022 to 09/06/2022, through the BI panel - TJMT's Omni platform, shows that the average duration of the tax enforcement processes that are processed in the common courts was 2,450 days, and since the implementation of the Núcleo de Justiça 4.0, the average time has dropped to 100 days. This drastic reduction leads to the inference that the initiative is quite advantageous from the point of view not only of speed but also of efficiency, as all acts are carried out digitally.

A similar result was verified about the subject of Banking Law, the second Nucleus implanted in the judicial organization of the Court of Justice of the State of Mato Grosso, whose average processing time of the 4 specialized courts (1st Court - 1,573 days; 2nd Court - 372 days; 3rd Rod - 1,814 days and 4th Rod - 1,893 days) fell from 1,413 to 585 days, as extracted from the Omni system, in the period from 02/04/2022 to 09/06/2022. In the case of the Special Courts, the duration of the process was reduced to 362 days, whereas, previously, the units installed in the Capital had an average of 483 days. This was the smallest reduction, but even so, the results allow us to conclude that there was an improvement in terms of the speed indicator.

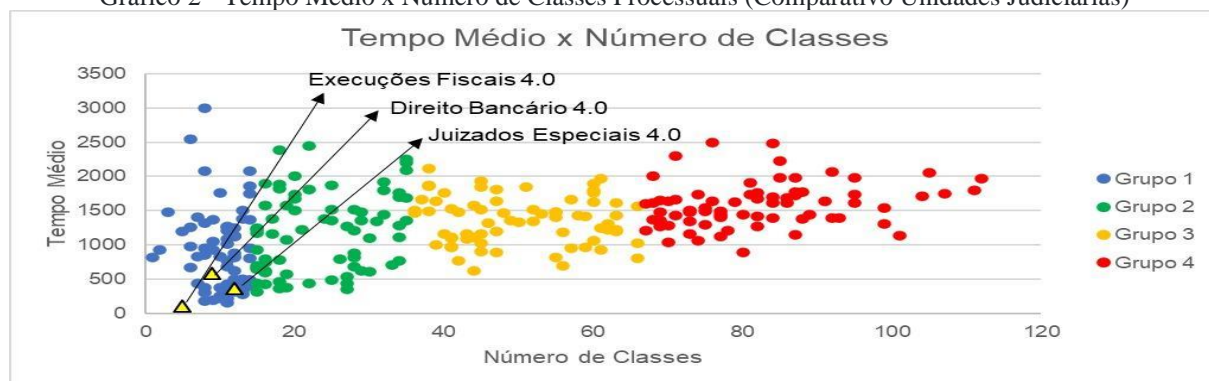
Graph 1 – Average time of processes of the Núcleo de Justiça 4.0



Source: TJMT, 2022

It is interesting to note that, from a comparison with all 288 units of the 1st degree, according to the Table of Competences issued by the General Judicial Administrative Office of the State of Mato Grosso (TJMT, 2022b), those with the implementation of the Núcleos de Justiça 4.0 (Tax Execution and Law Banking), have the highest degree of specialization, considering the small number of procedural classes included in Group 1, in addition to the best results of speedy delivery of the right to the jurisdiction. This is what graph 2 demonstrates.

Gráfico 2 - Tempo Médio x Número de Classes Processuais (Comparativo Unidades Judiciárias)



Fonte: TJMT, 2022 (OMNI)

However, as with Juízo 100% Digital, there is still no national tool to monitor the performance of these centers in all states where they have already been implemented. It is possible that such information is available in the internal system, but not accessible to the external user.

It is interesting to note, however, that Resolution n° 398/2021 established that the Courts must assess, at least annually, the procedural volume of Núcleo 4.0 and each physical jurisdictional unit, to assess the need to transform the physical unit into a nucleus or readjustment of its operating structure or area of coverage, denoting the need for a permanent evaluation and monitoring system so that its practice is perfected for the purposes envisaged when it was created.

## 4 CONCLUDING REMARKS

The Brazilian Judiciary has advanced a lot in just over two years, during the Covid-19 pandemic. The implementation of Digital Justice made possible and encouraged measures previously considered unimaginable concerning the provision of its service. This is why the Justice 4.0 Program represents an incremental innovation process, as it promotes significant changes, but without making the previous model obsolete, which continues to coexist with it, but with prospects of overcoming it shortly.

Núcleo de Justiça 4.0, in the model of Resolution nº 385/2021, has revolutionized the way of structuring and organizing the national Judiciary, from the perspective of a Justice not limited to a physical headquarters, which can be accessed from anywhere. In addition, there is the possibility of changing its internal judicial organization, no longer exclusively linked to the territorial limits of the jurisdictional units. Justice starts to be seen and understood under the systemic view of state power, as a service.

The data collected from the implementation map of Juízo 100% Digital and Núcleo de Justiça 4.0 demonstrate that the two actions are receiving full acceptance and adherence by all judicial branches, with an indication of the number of units. However, this panel does not provide information on how many cases are processed under these two models or whether there has been an effective gain in terms of procedural speed in the most diverse Courts, one of the objectives of its creation.

Despite the short time of experience of these artifacts, based on the empirical data collected from the Court of Justice of Mato Grosso, it is possible to perceive that the Justice Centers 4.0 have the potential to achieve their purposes of innovation and digital transformation, generating more value for the service through the delivery of more efficient and faster results. However, the performance indicators regarding these two markers - efficiency and speed - are still not clearly defined, for evaluation purposes.

Another relevant issue is that the monitoring of this information, when it exists, occurs only within the scope of each Court, aimed only at internal users, which undermines the transparency that the program intends to obtain. Such data should be made available, according to uniform criteria, on the CNJ panel, under penalty of generating misshapen or uncertain conclusions, depending on how each federative unit formats its indicators and collects data. It is also suggested that procedural monitoring systems make it possible to identify the nuclei as specific units so that the processes carried out therein can be observed and measured.

Thus, it is seen that the disruptive turn of the Judiciary, materialized through the Justice 4.0 Program, has room for technological innovations and tools regarding transparency and data publicity. It also has the potential to achieve positive results regarding the improvement of Brazilian judicial policy and the implementation of a new way of providing the judicial service, characterized as justice aimed at meeting the demands of contemporary society in terms of speed and effectiveness.

But is providing the Judiciary with an increasing capacity to deliver results (judgment of cases) and in a faster time (average duration of the process) enough to guarantee the social pacification that they expect so much for those under jurisdiction? Such conclusions suggest the relevance of a research agenda,

to investigate the aptitude of innovation as a tool to reach the peaceful solution of controversies, foreseen as a founding value of Brazilian society in the preamble of the 1988 Constitution.

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