

**TRANSFORMATIONAL LEADERSHIP OF THE JUDGES
OF THE JUVENILE AND FAMILY COURT**

Phangarat Marpraneet

**A Dissertation Submitted in Partial
Fulfillment of the Requirements for the Degree of
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**Phangarat Marpraneet
School of Public Administration**

Associate Professor Chindalak Vadhanasindhu Major Advisor
(Chindalak Vadhanasindhu, Ph.D.)

The Examining Committee Approved This Dissertation Submitted in Partial
Fulfillment of the Requirements for the Degree of Doctor of Public Administration.

Adjunct Professor Chiranit Havanond Committee Chairperson
(Chiranit Havanond, S.J.D.)

Associate Professor Chindalak Vadhanasindhu Committee
(Chindalak Vadhanasindhu, Ph.D.)

Professor Anchana NaRanong Committee
(Anchana NaRanong, Ph.D.)

Assistant Professor Pairote P. Nararakul Dean
(Pairote Pathranarakul, Ph.D.)

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ABSTRACT

Title of Dissertation	Transformational Leadership of the Judges of the Juvenile and Family Court
Author	Mrs. Phangarat Marpraneet
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The objectives of this research were to study and analyze the components of the transformational leadership of the judges of the Juvenile and Family Court and to explore the guidelines for developing the transformational leadership of the judges of the Juvenile and Family Court. The mixed-method research approach was adopted in this study. The qualitative techniques used were documentary research and in-depth interviews with 56 informants. In terms of the quantitative research, the confirmatory factor analysis and descriptive data analysis were carried out. The sample of the quantitative research was 209 juvenile and family judges. The quantitative research instruments used in this study were questionnaires. The results suggested that the transformational leadership of the juvenile and family judges were comprised of 5 main components, which could be ranked in descending order from the highest to lowest factor loadings as follows: 1) integrated thinking (0.94) consisting of 4 components, which were always learning new knowledge, being aware of changes, proactive working, and building collaboration and coordinating with external networks, 2) building inspiration (0.93) comprising 5 components, which included having ability to convince others to agree on common goals, applying appropriate communication methods, stimulating teamwork, having positive attitudes, and encouraging others to recognize the importance of working for the public interest, 3) intellectual stimulation (0.92) consisting of 4 components, which were having courage and creativity, making all parties recognize and understand problems, encouraging others to look at problems from a new angle, and giving others a chance to creatively

solve problems without blaming them, 4) individualized consideration (0.86) consisting of 5 components, which were understanding and paying attention to individual differences, listening to and respecting others, trusting and giving others a chance to shine, developing followers' abilities and giving advice to others, and encouraging others and appreciating their achievements, and 5) adhering to ideology (0.78) comprising 5 components, which included having vision, having morality and ethics and acting as a role model, having work commitment, dedication, and devotion, having reliability and trustworthiness, and having maturity and emotional control. The results of the confirmatory factor analysis indicated that the model of the components of the transformational leadership fit the empirical data well, considering that the chi-square = 4.76, $p = 0.31$, $df = 4$, $GFI = 0.99$, $AGFI = 0.97$, and $CFI = 1$.

Regarding the guidelines for developing the transformational leadership of the judges of the Juvenile and Family Court, the results revealed that all personnel management processes of the courts of justice, including personnel management policy, work design and analysis, recruitment and selection, appointment and transfer, personnel development, performance evaluation, and compensation and rewards, were found to have an effect on the development of transformational leadership. Therefore, the Office of the Judiciary should determine a clear, continuous, and long-term policy on personnel management in order to develop judges with specialized expertise and appropriate qualifications to work in each type of court, especially the Juvenile and Family Court, which requires judges with specific qualifications. The success of the juvenile justice system cannot happen in a short period of time; it takes a long time to prove that acquiring qualified personnel to work in the juvenile justice field is a worthwhile investment for long-term outcomes, which are successfully correcting and rehabilitating juvenile offenders into the good future of the nation.

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This research on the transformational leadership of the judges of the Juvenile and Family Court was originated from my prior work experiences in the juvenile and family justice system, which led to the question that what qualifications should juvenile and family judges have to effectively perform their duties. Finding the answer to this question could not have succeeded without partial scholarship funding from the Office of the Judiciary as well as generous support from fellow judges of the court of justice and many other experts, who are my teachers, supervisors, senior and junior colleagues, co-workers, and subordinates. I would like to thank them for always providing me opportunities, knowledge, suggestion, cooperation, and encouragement during my doctoral program and throughout the preparation of this study.

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CHAPTER 1

INTRODUCTION

1.1 Significance of the Study

The juvenile and family court is a special court that has jurisdiction to deal dynamically with the problems facing children, youths, and their families. The Juvenile and Family Court, which was initially called “Juvenile Court,” was first established in Bangkok according to the Act on the Establishment of Juvenile Court B.E. 2494 (Office of the Judiciary, 2013a, p. 15). It aimed to correct, treat, and rehabilitate juvenile delinquency offenders under the concept that “ the government, as a guardian, has authority to intervene in private family life, when the family is found to be in trouble or defective” (Aphiradee Phophrom, 2011, p. 33). Later, when it was found that juvenile problems and family problems were inseparably related, the jurisdictional scope of the Juvenile Court was extended to cover family issues according to the Act on the Establishment of and Procedure for Juvenile and Family Court B.E. 2534. The name “Juvenile and Family Court” has been used since then.

After the Act on the Establishment of Juvenile and Family Court B.E. 2534 was promulgated, there were two major changes occurring in the Thai juvenile justice system. First, the Juvenile and Family Courts were increasingly established in every province all over the country in order to provide Thai children, youths, and families with standards of equal protection in terms of human rights and freedom. Previously, there were only 11 Juvenile and Family Courts in Thailand, namely the Central Juvenile and Family Court in Bangkok, the Songkhla Provincial Juvenile and Family Court, the Nakhon Ratchasima Provincial Juvenile and Family Court, the Chiang Mai Provincial Juvenile and Family Court, the Ubon Ratchathani Provincial Juvenile and Family Court, the Rayong Provincial Juvenile and Family Court, the Surat Thani Provincial Juvenile and Family Court, the Nakhon Sawan Provincial Juvenile and Family Court, the Khonkaen Provincial Juvenile and Family Court, the Juvenile and

Family Division of Samut Prakarn Provincial Court, and the Juvenile and Family Division of Nonthaburi Provincial Court (Suwit Pornpanich, 2009, pp. 3-4). Second, international guidelines on how children should be treated while they are in the criminal justice system, including the UN Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules), the Convention on the Rights of the Child (in the aspects of correction, treatment, and rehabilitation), and the concept of alternative dispute resolution, were adopted to solve criminal cases involving children and youths instead of the mainstream justice procedure (Aphiradee Phophrom, 2011, p. 54). However, as there was no specific provision in the Act on the Establishment of and Procedure for Juvenile and Family Court B.E. 2534 supporting these international guidelines, the adoption was not clearly or practically implemented.

The major reform of the juvenile justice system occurred in Thailand after the Act on the Juvenile and Family Court and Its Procedure B.E. 2553 was officially introduced on May 22nd, 2011. The international legal principles and guidelines, such as the principle of maximum benefit for children, non-instituted rehabilitation, treating juvenile delinquency offenders with special measures according to the concept of restorative justice (Chiranit Havanond, 2013a, p. 51), juvenile delinquency diversion, public participation in the process of classification, correction, rehabilitation, and follow-ups, and the principle of professionalism (Office of the Judiciary, 2013c, p. 3), which could lead to the development of the therapeutic justice focusing on child-centered and holistic approaches as well as the cooperation of all sectors in society (Office of the Judiciary, 2013c, p. 5), were formally included in the law in order to raise the standards for the protection of children's rights and to make the Juvenile and Family Courts become the problem-solving courts (Office of the Judiciary, 2013a, p. 154). This was consistent with No. 1.8 in the Strategic Plan of the Courts of Justice 2014-2017, which stated that the Juvenile and Family Courts must strengthen the standards of the juvenile and family justice system and enhance the community involvement in juvenile and family rehabilitation (Office of the Judiciary, 2014, p. 17).

In a situation of change, the judges of the Juvenile and Family Courts as law enforcement officers play the most important role in fulfilling the missions of the

Juvenile and Family Courts (Edward, 1992, p. 33). The Office of the Judiciary has currently increased the number of juvenile and family judges in order to handle the growing number of juvenile delinquency cases, which have occurred throughout the country (Suwit Pornpanich, 2009, p. 8). Importantly, the juvenile and family judges must be able to perform their duties effectively and efficiently. They have to be aware that they are the judges of a judicial court with special judgment processes distinct from other adult civil and criminal courts. The juvenile and family judges do not have to be strict about the judgment procedures but have to provide juvenile offenders with opportunities to reform themselves by taking account of their individual personality traits, characteristics, health, and mental status. They also have to focus on creating family harmony and place importance on the maximum benefit of children. In addition, the juvenile and family judges have to learn the new juvenile case procedures and duties of the Juvenile and Family Courts described in the latest law, which are different from the older versions, especially in terms of juvenile delinquency cases. They have to work with multidisciplinary experts, who are specialized in both psychological and social aspects, such as psychiatrists and psychologists, in order to deal with the problems causing an offense and to solve the issues that may affect the children in the future according to the therapeutic approach. They also have to comply with restorative justice by developing a rehabilitation plan with the cooperation of all related parties, including juvenile offenders, injured persons, psychologists, social workers, communities, and relevant government agencies (Office of the Judiciary, 2013c, p. 12). However, during the first three years of the enactment of the Act on the Juvenile and Family Court and Its Procedure B.E. 2553, although the Juvenile and Family Courts carried out 70% of their judicial proceedings and judgments based on an open-judgment system in accordance with the principles of the Convention on the Rights of the Child and the Beijing Rules, it still did not meet the objective of the Strategic Plan of the Courts of Justice, which indicated that within fiscal year 2017 eighty percent of the juvenile offenders that go to trial in the Juvenile and Family Courts must be rehabilitated, receive alternative penalties to change their behaviors instead of getting regular criminal penalties, and not repeat the offense again (Central Juvenile and Family Court, n.d., p. 8). This was probably due to the limitations of law enforcement in terms of integrated cooperation

and psychosocial task forces, lack of juvenile justice models, and limited budgets (Central Juvenile and Family Court, n.d., p. 9-10). The lack of juvenile justice models for juvenile and family judges is considered a critical issue because the Juvenile and Family Courts have the responsibility to not only focus on the judgments but also to solve social problems using relevant mechanisms and tools. The juvenile and family judges need to have high-judgment and abilities to determine what problems children and youths are facing, what kind of society surrounds them, and how they should be rehabilitated. In terms of civil cases, they need to find solutions for family problems and suggest the best way to maintain family relationships that can benefit the future of the children. As for welfare protection cases, they have to find an appropriate way to take care of domestic violence victims. Moreover, they need to have management abilities to enhance the cooperation within the organization composed of people from various backgrounds and coordinate with external public and private agencies in order to solve the problems of juvenile delinquency (Chiranit Havanond, 2013b, p. 95-96). All of these are considered a new dimension of judicial work that significantly differentiates the juvenile and family judges from judges in other courts.

The juvenile and family judges can create a new paradigm of judicial work for the Juvenile and Family Courts and lead all relevant parties, including internal judicial service officers such as lay judges, court officers, and psychologists, and outsiders such as prosecutors, legal consultants, attorneys, probation officers, personnel of the Department of Juvenile Observation and Protection, private organizations, and related communities, to fulfill the duties of the Juvenile and Family Courts and achieve the goal of rehabilitation and a therapeutic approach. Judges need to have a leadership quality that has an effect on the behaviors of group members and that contributes to better organizational performance (MacKenzie, Podsakoff, & Rich, 2001, p. 68; Podsakoff, MacKenzie, & Bommer, 1996, p. 132). Leadership is a quality of an individual, including one's intellect, and his or her goodness and knowledge, which harmonizes people and leads them towards good destinations (Phrathamapidok, 2010, p. 4-5). This is similar to the concept of Steven Teske (Teske, 2013, pp. 1-2), who suggested that juvenile and family judges play a key role in ensuring the success of the juvenile justice system. They need to have leadership skills and not stick to traditional ways of judicial work in courtrooms that only focus on the legal trial

process regardless of the consequent outcomes, which can make the juvenile and family judges become the obstacles themselves. Therefore, the juvenile and family judges need to be reformers that can build integrated cooperation among all stakeholders involved in juvenile cases. In addition, the juvenile and family judges must have a clear working ideology of juvenile and family rehabilitation and proactively play their role as good coordinators (Edwards, 1992, p. 33) so that the missions of the Juvenile and Family Courts can be achieved in a holistic way.

During the change in the Juvenile and Family Courts' mission paradigms, transformational leadership is considered appropriate and effective leadership in times of uncertainty that can lead to sustainable organizational success in the long run (Shadraconi, 2013, p. 1). King and Batagol (2010, p. 411) stated that in terms of domestic violence cases judges need to have transformational leadership in order to make defendants comply with protection orders because transformational leadership is associated with in-depth motivation, places emphasis on the defendants' mind and thought, and encourages them to have higher expectations. In order for the Juvenile and Family Courts to move towards becoming problem-solving courts, King (2008, p. 155) suggested that judges in problem-solving courts not only sit in a courtroom and make a judgment but also solve problems for all related parties, including children, youths, and families, in a comprehensive manner. The judges need to have transformational leadership because they work in the emotional dimension and have to inspire all personnel involved in their work to accomplish the organizational goals.

The concept of transformational leadership is considered a new leadership paradigm that integrates trait leadership theories with behavioral and situational leadership theories so as to explain the influences and relationships between the leader and followers. Transformational leadership can lead to performance beyond expectations and make followers have higher demands for spiritual values, work in a more effective way, and feel satisfied with their leader. It is an important variable affecting organizational success (Bass & Avolio, 1994, p. 104). Leaders with a transformational leadership style can make colleagues and followers look at themselves and their work with a new perspective or paradigm, be aware of the visions and missions of their team and organization, go beyond self-interest, achieve higher maturity, and develop better ideologies about their achievement, self-

actualization, and the well-being of society, organization, and the people. Moreover, transformational leadership is likely to significantly enhance followers' meaning of work. It may be indicative of or involved in the development of moral demands (Bass & Avolio, 1994, p. 2; Bass, 1999b, pp. 9-10). The four main components of transformational leadership consist of the following: 1) idealized influence, which is a vision that can inspire followers and guide their behaviors; 2) inspirational motivation, which is the mental ability to convince people and to motivate trust; 3) intellectual stimulation, which focuses on supporting innovation and creativity; and 4) individualized consideration, which is associated with practicing something in order to achieve desired results (Judge & Piccolo, 2004, pp. 755-768). Over the past 25 years, there has been a lot of research suggesting that transformational leadership has a positive effect on followers' commitment, performance, job satisfaction, leader satisfaction, job motivation, and team effectiveness. It seems to be appropriate in the context of dynamic organizational and societal change. Further, the theory of transformational leadership also focuses on long-term outcomes. It not only places importance on current organizational problems and internal and external organizational factors but also pays attention to future needs based on a holistic approach (Dubinsky, Yammarino, & Jolson, 1995, pp. 313-335).

Considering the qualifications of juvenile and family judges, Section 16 of the Act on the Juvenile and Family Court and Its Procedure B.E. 2553 stated the following: "The appointment of a judge of the Juvenile and Family Courts must be graciously approved by the King and the Judiciary Officer of the Court of Justice under the law on judicial service. He or she must have good courtesy and appropriate behaviors to govern and educate children and youths and is knowledgeable about family problems." These were the qualifications previously defined in the Act on the Establishment of Juvenile Court B.E. 2494 (Aphiradee Phophrom, 2011, p. 25). However, it should be noted that the clause "is knowledgeable about family problems" was subsequently added in accordance with the additional duty to deal with family cases of the Juvenile and Family Courts, which was stated in the Act on the Establishment of and Procedure for Juvenile and Family Court B.E. 2534. It can be seen that the qualifications of the juvenile and family judges still lack emphasis on leadership, which is a fundamental quality essential for the judges with dynamic

missions and changing forms of work. Furthermore, the Act on the Establishment of Appeal Court for Specialized Cases B.E. 2558 also stated that the cases or orders appealed in the Juvenile and Family Courts are under the jurisdiction of the Appeal Courts for Specialized Cases, which reflects the importance of the Juvenile and Family Courts and the needs of capable juvenile and family judges with specialized knowledge and skills. Thus, this research sought to study the leadership qualities of the juvenile and family judges according to the transformational leadership framework. As the human resources management process of the court of justice, including relevant details such as hiring conditions, job qualifications, training, tenure, appointment and transferring of juvenile and family judges, was not conducive to putting “the right man” on the right job (Aphiradee Phophrom, 2012, p. 10; Central Juvenile and Family Court, n.d., p. 10), the researcher decided to also study the transformational leadership development practices of the juvenile and family judges based on the human resources management approach in order to obtain practical research results. The results of the present study will be helpful in building qualified juvenile and family judges with appropriate qualities to lead the Juvenile and Family Courts to become problem-solving courts for children, youths, and their families in Thailand according to the intent of the Act on the Juvenile and Family Court and Its Procedure B.E. 2553.

1.2 Objectives of the Study

1.2.1 To study the components of the transformational leadership of the judges of the Juvenile and Family Courts

1.2.2 To explore the guidelines for developing the transformational leadership of the judges of the Juvenile and Family Courts

1.3 Benefits of the Study

1.3.1 The expected roles of the judges of the Juvenile and Family Courts will be recognized.

1.3.2 The components of the transformational leadership of the judges of the

Juvenile and Family Courts are thoroughly investigated and explained.

1.3.3 The guidelines for developing the transformational leadership of the judges of the Juvenile and Family Courts will be established.

1.4 Scope of the Study

1.4.1 Content

The documentary research approach was applied to study the transformational leadership concepts and theories written in textbooks, documents, related research papers, and articles in both national and international academic journals in order to synthesize the components of transformational leadership as well as analyze the roles of the judges of the Juvenile and Family Courts, the human resources management style of Thai justice courts, and the current work practices of the judges of the Juvenile and Family Courts.

The data obtained from the documentary research were used as basic information for the in-depth interviews in order to ascertain the components of transformational leadership, the indicators of each component, and guidelines for the development of the transformational leadership of the judges of the Juvenile and Family Courts.

1.4.2 Population and Samples

1.4.2.1 Population and Samples for the In-Depth Interviews

The target population for the in-depth interviews applying personal communication method was composed of the following 4 main groups:

- 1) The management executives of the Central Juvenile and Family Court that provided information about their direct experience in managing the Central Juvenile and Family Court and that shared their attitudes, opinions, and thoughts on the roles of the juvenile and family judges as the executives and directors of the Central Juvenile and Family Court

- 2) The presiding judges and the judges of the Central Juvenile and Family Court that provided information about the roles, responsibilities, and components of the transformational leadership and guidelines for developing the

capabilities of the juvenile and family judges

3) The professionals whose jobs were associated with the duties of the juvenile and family judges, which included: 1) lay judges; 2) psychologists or social workers; 3) prosecutors responsible for juvenile and family cases; 4) legal consultants and attorneys; 5) employees of the Department of Juvenile Observation and Protection; and 6) employees of the Department of Probation that shared various work experience reflecting the transformational leadership of the juvenile and family judges in a clear and comprehensive way

4) Experts in the field of juvenile and family laws that provided theoretical and practical information, knowledge and that conveyed their experience regarding juvenile and family cases, which contributed to accurate and reliable conclusions

The samples for the in-depth interviews were selected using the purposive sampling technique. The selection criteria were determined to draw a sample size of 56 informants, which could be divided into the following 9 sub-groups: 1) four executives of the Central Juvenile and Family Court; 2) seven presiding judges and judges of the Central Juvenile and Family Court; 3) eight lay judges of the Central Juvenile and Family Court; 4) two psychologists of the Central Juvenile and Family Court; 5) five prosecutors responsible for juvenile and family cases; 6) eighteen legal consultants and attorneys registered with the Central Juvenile and Family Court; 7) two employees of the Department of Juvenile Observation and Protection; 8) two employees of the Department of Probation; and 8) eight legal experts.

1.4.2.2 Population and Samples for the Questionnaire Survey

The target population for the questionnaire survey on the components of transformational leadership and the guidelines for developing the transformational leadership of the juvenile and family judges was 387 judges of the Juvenile and Family Courts. The questionnaire was developed based on the in-depth interview data.

The sample size of 197 respondents was calculated using the Taro Yamane formula. The Central Juvenile and Family Court was asked to distribute the questionnaires to all Provincial Juvenile and Family Courts throughout Thailand. A

total of 209 questionnaires were returned, which exceeded the calculated number of samples.

1.5 Definition of Terms

Children refer to persons aged 15 years and under.

Youths refer to persons who are between 15 and 18 years of age.

Juvenile and family judges refer to judicial officers under the law on judicial service that were appointed by the King to work in the Juvenile and Family Courts.

Criminal case refers to a case where the offender is a child or youth, a criminal case where the offender is aged under 20 years, a case that is transferred to the Juvenile and Family Courts because the ordinary courts find that the intellect, traits, and mental and physical conditions of the offender are at the same level as children or youths, or a criminal case where the offender is an adult and is prescribed to be under the jurisdiction of the Juvenile and Family Courts.

Family case refers to a civil or judicial case associated with minors or families, which was prescribed in the civil and commercial code, the family registration law, and other family laws.

Welfare protection case refers to a judicial case associated with child and family welfare protection, which was prescribed in the child protection law, the domestic violence victim protection law, and other child and family welfare protection laws.

Special courts refer to courts of first instance that deal with a particular field of law with a specific jurisdiction such as the Juvenile and Family Court. They are separated from the specialized courts because the judges of the special courts make judgments using their general understanding, which is the same as judging ordinary cases.

Specialized courts refer to judicial courts with special judgment procedures distinct from those of other courts of first instance. The judges of the specialized courts must be knowledgeable experts in particular fields.

Juvenile and Family Courts refer to the Central Juvenile and Family Court, Provincial Juvenile and Family Courts, and the Juvenile and Family Division of

Provincial Courts that were established according to the Act on the Juvenile and Family Court and Its Procedure B.E. 2553.

Rehabilitation refers to the measures determined to change the behaviors of children and youths and to encourage them to harmoniously live with their family and other people in the community such as receiving consulting services and participating in therapeutic, alternative, educational, and vocational activities.

Restorative justice refers to a criminal justice process that encourages all parties involved in the crime, including juvenile offenders, victims, and family or community members, to jointly find ways to solve and repair the harm caused by the offense so that the victims are healed, and the juvenile offenders recognize and realize the harmful effects of their offense on the victims, their family members, and other people in the community. It also provides the juvenile offenders and victims with suitable ways to peacefully return to society (Office of the Judiciary, 2013a, pp. 10-11).

Problem-solving courts refer to judicial courts that focus on solving the underlying problems of the plaintiffs, victims, and communities and place importance on the individualized rehabilitation process under the cooperation of multidisciplinary teams and related communities, which reflects the shared responsibility of all sectors in society (Porter, Rampel, & Mansky, 2010, pp. iii-iv).

The transformational leadership of the judges of the Juvenile and Family Courts refers to the appropriate professional characteristics of the juvenile and family judges, which comprise idealized influence, inspirational motivation, intellectual stimulation, individualized consideration, and integrated thinking.

CHAPTER 2

LITERATURE REVIEW

The following review of the literature presents the concepts, theories, and research related to the transformational leadership of the judges of the Juvenile and Family Courts, which were used to analyze and synthesize the components of the transformational leadership and the guidelines for developing the transformational leadership of the judges of the Juvenile and Family Courts. The contents in this chapter are organized and presented as follows:

2.1 Transformational leadership theories

2.2 Concepts of the Juvenile and Family Court and the roles of the juvenile and family judges

2.3 Personnel management of the courts of justice

2.1 Transformational Leadership Theories

Many scholars have attempted to study for decades leadership styles that can lead to organizational efficiency. The term “leadership” is different from “leader.” A leader is a key person that has a significant effect on organizational success or failure, contributes to security and stability, and assists others in achieving their goals (Dubrin, 1998, p. 431), while leadership refers to an influential process that helps a group achieve its goals. Leaders can be executives or non-executives. The leadership of executives is an important element of organizational accomplishment. Knowledge, abilities, and skills to build and develop good leadership are essential for all executives (Lipham & Hoeh, 1974, as cited in Suphavadee Noprutjinda, 2010, p. 21). The concepts of leadership in each period are not completely different, however; there are similar parts that support and complement each other. From the 1930s to the 1940s, scholars paid attention to the trait leadership theories that aimed to find the traits differentiating leaders from other people. In the late 1940s, behavioral

leadership theories were widely studied in order to find appropriate behaviors for effective leaders. It was found that good leadership behaviors in one context could be perceived as bad in another. Thus, in the late 1960s, there emerged situational leadership theories, which took account of all situational factors, including personal traits and behaviors. In the mid-1970s, the leadership theories shifted towards an integrated paradigm that combined trait leadership theories, behavioral leadership theories, and situational leadership theories so as to study the influential relationships between an effective leader and followers (Viroj Sanrattana, 2014, pp. 22-24), which resulted in the emergence of important leadership theories, especially the concept of transformational leadership.

The concept of transformational leadership was initially introduced around the mid-1980s or about 30 years ago, but it is still referred as the new leadership theory (Bryman, 1992, as cited in Bass & Bass, 2008, p. 619). It was developed from the concept of charismatic leadership (Northouse, 2012, p. 2), which was proposed by Max Weber in the 1920s. Charismatic leadership was associated with the charm and personal characteristics of leaders that could motivate their followers to work beyond their limits and make them believe that they could be better. Weber applied the concept of charismatic leadership to explain the development and maintenance of complex organizations. Charismatic leaders were talented and respected by their subordinates or followers as God. Trice and Beyer (1986 as cited in Bass & Bass, 2008, p. 75) specified five main elements of charismatic leadership: 1) a leader with special gifts, 2) a crisis, 3) a radical solution to the crisis, 4) followers that are attracted to the leader because they believe that they are linked to transcendent powers through him, and 5) validation of the leader's gifts and transcendence by repeated experiences of success.

The scholars that developed the concept of charismatic leadership into the new leadership theory or transformational leadership were Burns (1978), Bass (1985), as well as other researchers studying and enhancing the knowledge about transformational leadership (Bass & Avolio, 1994; Avolio & Bass, 2004; Bennis & Nanus, 2007; Tichy & Devanna, 1990; Kouzes & Posner, 2012). Transformational leadership has been currently recognized as the best leadership style that can make followers' performance exceed expectations (Bass & Reggio, 2006, as cited in Tauber,

2012, p. 6) and lead organizations through the turbulence of the 21st century (Pierce & Newstrom, 2006, p. 377). Transformational leadership has been variously defined as follows.

Burns (1978, p. 20) defined transformational leadership as the process by which leaders and followers make each other achieve a higher level of morality and motivation. Leaders will motivate and communicate with followers in order to make them committed to the same goal and to be willing to do what the leaders want.

Robert (1985, as cited in Leithwood & Poplin, 1992, p. 9) stated that transformational leadership refers to the action of leaders that inspires and empowers followers with hope, optimism, and energy. Transformational leaders will define the new mission and vision of people by creating relationships and systems in order to achieve their goals.

Tichy and Devanna (1986, as cited in Crawford & Strohkirch, 2004, p. 42) suggested that transformational leadership is associated with changes, innovation, and executives.

Bennis and Nanus (2007, p. 217) defined transformational leadership as the ability of leaders to determine a direction in times of confusion, to manage changes and to continue to provide quality service, attract and use surrounding resources to build partnerships and create new things, to control global diversity, motivate followers to be optimistic, energetic, and engaged, and to become a leader of leaders. Particularly, transformational leaders must be knowledgeable.

Bass and Bass (2008, p. 619) specified that transformational leadership is the process by which leaders elevate followers' maturity and thought by paying attention to the well-being of people, the organization, and society. Transformational leaders will point out mutual interests and use integrity to make followers committed to achieving their goals without using force, which will eventually lead to transformation in people, organizational groups, and societies.

Daft (2008, p. 320) stated that transformational leadership is the ability of leaders to make significant changes in their followers and organizations in terms of organizational goals, strategies, and culture that are essential for creating innovations.

Northhouse (2013, p. 185) suggested that transformational leadership is a process that changes and transforms people; it deals with emotions, values, ethics,

standards, and long-term goals and includes assessing followers' motives, satisfying their needs, and treating them as full human beings. Transformational leadership drives followers to accomplish more than what is usually expected of them.

Yukl (2013, p. 313) defined transformational leadership as a form of leadership that makes followers believe, admire, and respect their leaders. The followers will be motivated to perform better than expected.

In summary, transformational leadership refers to the ability of leaders to make followers willing to change their behaviors in a way that exceeds expectations. It is concerned with elevating followers' minds to focus on the common good rather than their own interests, which will lead to the achievement of long-term organizational and societal goals.

2.1.1 Transformational Leadership Theory of Burns

Burns's transformational leadership theory (1978) was developed from research on political leaders, which explained the leadership process where leaders influence followers to perform any actions in order to achieve the shared goals of all parties. These shared goals could be related to basic human needs such as satisfaction, economic factors, safety, psychological matters, pleasures, and physical needs (Burns 1978, as cited in King, 2008, p. 156). Burns (1978) proposed two leadership styles: transactional leadership and transformational leadership. Transactional leadership focuses on an exchange of business interests, political benefits, and psychological needs between leaders and followers. It is associated with negotiations. Leaders and followers are on opposite sides with no strong relationship and do not develop higher shared goals (Burns, 1978, p. 19). This is different from transformational leadership where leaders always ask followers, "What will you do for the public or the nation?" (Bass, 1999b, p. 9). Transformational leaders try to elevate followers' perception, thoughts, motivation, social values, ethics, and intrinsic needs to a higher level (Burns, 1978, p. 20, Bass, 1999b, p. 9). Although leaders and followers may have different origins, they are connected and finally support each other to achieve their shared goals. This can consequently develop into ethical leadership. Burns (1978) stated that ethical leadership is the ultimate level of leadership where leaders and followers not only have authoritative relationships but also recognize their common

needs. Ethical leaders create inspiration, realize the value of followers, and are responsible for their commitment. In other words, ethical leadership can create changes in society and satisfy their followers on the basis of real needs (Burns, 1978, p. 20). Burns (1978) also suggested that transactional leadership is completely different from transformational leadership.

In conclusion, Burns's transformational leadership consists of the following elements: 1) elevating followers' consciousness about the importance and value of the intended outcome and how to achieve it; 2) making followers focus on the common good rather than personal interests; 3) raising followers' needs from the physiological and safety levels, which are at the bottom of the Maslow's hierarchy of needs, to a higher level in order to achieve self-actualization (Burns, 1978, as cited in Bass & Bass, 2008, p. 619). Therefore, transformational leadership is concerned with elevating followers' maturity and mental state and places importance on the well-being of followers, organizations, and societies.

2.1.2 Transformational Leadership Theory of Bass

Bass (1985) and his team studied Burns's transformational leadership theory and worked with House to carry out a study on charismatic leadership in order to propose a more insightful theory of transformational leadership (King, 2008, p. 157). Bass (1985) stated that transformational leadership can be achieved through elevating followers' awareness and consciousness of the importance and value of outcomes and ways to achieve outcomes as well as making followers go beyond personal interests and focus on the public interest and organizational benefit (Bass, 1985, pp. 16-20).

Bass's master research suggested that there are only three main components of transformational leadership: charismatic leadership, individualized consideration, and intellectual stimulation. Bass (1985) stated that charisma is a trait of transformational leaders according to the concept of Weber (1947, as cited in Bass, 1985, p. 40) and also suggested that although charisma is vital, transformational leadership also requires other components. Later, scholars argued that charismatic leadership contained advertising, exaggerated, and over-excited meaning and was also too closely related to dictatorship. In addition, charisma building was said to be the combination of all transformational leadership components such as intellectual

stimulation and individualized consideration. Thus, Bass and Avolio (1990) used the term “idealized influence” instead of charismatic leadership (Bass & Avolio, 1990, as cited in Bass & Bass, 2008, p. 620) and also added inspiration motivation as a new component. Therefore, Bass’s transformational leadership consisted of the following four main components.

1) Charismatic leadership or idealized influence is an emotional component. Leaders act as role models for followers while the followers respect and try to imitate the leaders. The leaders must have a high standard of morality and ethics and behave in the right way in order to obtain the followers’ respect and trust. Moreover, the leaders must create operational visions for the followers (Northhouse, 2013, p. 191). Idealized influence is related to charismatic leadership. Some scholars are concerned about charismatic leadership because it may involve manipulating or deceiving the followers for the benefit of the leaders and organizations which is the dark side of charismatic leadership. Bass (1985) confirmed that the leaders with that kind of manipulation or deception are not authentically charismatic or transformational leaders; they are considered merely pseudo-transformational leaders (Bass & Steidlmeuer, 1999a, p. 182).

2) Inspirational motivation is characterized by leaders that know what kinds of challenges are suitable for their followers and why those challenges are meaningful. The leaders will determine the goals of the group and encourage followers to accomplish those goals by combining the expectations, giving meaning to the action, and pointing out the reason for the success. They must stay calm during crisis situations and know how to fight with competitors and collaborate with partners. Moreover, they should drive the followers to achieve their goal, maintain future goals, and find ways to accomplish future goals by strengthening the confidence of the followers or group members, encouraging the sharing of goals, making the followers proud, enabling followers to predict potential risks, and motivating followers to think positively or to look at the bright side of things (Avolio & Bass, 1991, as cited in Bass & Bass, 2008, pp. 606-607). In addition, the leaders can make the followers go beyond personal interests and expectations through the use of language, symbols, imagery, and visions. The followers recognize that they share the same goals with their leaders (Bass & Bass, 2008, p. 608).

3) Intellectual stimulation refers to the ability of leaders to enhance followers' creativity and innovative ideas and to create new visions and working styles. The leaders with intellectual stimulation encourage followers to think "out of the box," ask questions, challenge old assumptions, find solutions from different perspectives, and apply a logical problem-solving approach (Bass & Steidlmeuer, 1999a, p. 188, Northhouse, 2013, p. 193).

4) Individualized consideration refers to leaders paying attention to each follower's growth and success and creating new learning opportunities in a supportive environment. The leaders will act as coaches, mentors, advisors that take care of the followers, listen to their problems, use the management-by-walking-around technique in a practical way, and assign tasks to each follower according to his or her interests (Bass & Bass, 2008, p. 623).

The major difference between Burns's and Bass's transformational leadership theories is that Burns (1978) thought that transactional leadership is completely separated from transformational leadership, while Bass (1985) suggested that although transactional leadership is quite different from transformational leadership, they are not completely separable (Yukl, 2013, pp. 312-313). A leader may use both transactional and transformational leadership styles depending on each organizational context. The full range model of leadership consists of transactional leadership and transformational leadership. In some contexts, the leader may have to use the transformational leadership style and is called a transformational leader. However, in some cases, the leader may need to show the transactional leadership's distinct behaviors, attitudes, beliefs, and values and is called a transactional leader. Therefore, the same leader can have both transactional and transformational leadership characteristics (Bass & Steidlmeuer, 1999a, p. 184). Bass (1985) carried out a quantitative study to examine the influential relationships between transactional leadership and transformational leadership and found that the followers' performances would increase once the leaders used a transformational leadership style rather than a transactional leadership style. Transformational leadership tends to encourage followers to make higher efforts, to be satisfied with their leaders, and to achieve beyond-expectation performance (Tauber, 2012, p. 7). In addition, it was found that the transactional leadership style is suitable for organizations with traditional

organizational cultures, whereas the transformational leadership style leads to changes in organizational cultures (Bass, 1985, p. 24).

2.1.3 Transformational Leadership Theory of Bennis and Nanus

Bennis and Nanus (2007) believe that charisma is not required for effective leaders but is the result of being an effective leader. Who one that obtains respect and trust from the followers (Bennis & Nanus, 2007, p. 208). According to the theoretical concept of Bennis and Nanus (2007), leaders should not only respond to the needs of followers but also need to focus on the progress of leaders, followers, and organizations and make the followers learn and grow together. Bennis and Nanus (2007) emphasized that, rather than using force, the key strategies should focus on attracting, encouraging, motivating, and persuading followers to share the same future visions. Moreover, Bennis and Nanus (2007) also agreed with Kotter (1988, pp. 33-35), that leadership is not something people are born with but is a learned skill (Bennis & Nanus, 2007, p. 1).

Bennis and Nanus (2007) summarized the strategies for transformational leaders as follows.

- 1) Focusing on visions. According to Bennis and Nanus (2007), vision is comprised of motivating, empowering, changing a target into an action, and achieving organizational goals. Leaders must attract followers and build a mental commitment to succeed. Bennis and Nanus (2007) stated that a good manager is someone that can manage everything at work in a timely manner and can control or reduce production costs, but a good leader gives meaning to each task and links all tasks with organizational goals and visions (Bennis & Nanus, 2007, pp. 26-31).

- 2) Giving meaningfulness through communication. A good leader must be able to communicate with followers at all levels, make the followers imagine and recognize the importance of organizational goals, and act as a social architect in an organization. First, the good leader must create a shared meaning and interpret that meaning to enhance cooperation. He or she has the important role of giving a meaning to followers through direct and indirect actions or symbols in order to emphasize the importance of organizational goals. Secondly, the good leader must communicate the

guidelines for actions to followers and play a role in asking “why” rather than “how.” The difference of these two questions also represents the difference between a “leader” and “manager” (Bennis & Nanus, 2007, pp. 31-40).

3) Building trust. Trust is a fundamental organizational component and a measure of the legitimacy of leadership. It is also the basis of the relationship between leaders and followers. Bennis and Nanus (2007) specified that trust depends on reliability and motivating followers to recognize an organizational vision. Leaders must have a clear vision that is aligned with the organization’s vision, standpoint, and environment. In addition, commitment to the organizational vision is closely and directly related to the followers’ trust in the leaders. Apart from knowledge and expertise, the words and actions of the leaders are important factors that can enhance the followers’ trust and engagement with the organizational vision (Bennis & Nanus, 2007, pp. 41-50).

4) Preparing for self-improvement. Leaders must maintain positive self-regard, learn new knowledge, and increase self-attention. They should be careful about strengths, weaknesses, and competitions. The weaknesses are concerned with skill development, which is required for organizational operations. Bennis and Nanus (2007) suggested that good leaders do not use criticism or punitive action towards others but use a communication approach, accept what others are instead of what the leaders want, treat others by focusing on their present life rather than their past, know that people can learn from mistakes, equally treat people with politeness, trust others, and have an ability to do things without constant approval and recognition from others. Moreover, they must have positive attitudes towards their goals, look towards success, and maintain an atmosphere of possibility and excellence (Bennis & Nanus, 2007, pp. 52-63). Leaders must create an environment of learning in the organizational context or build a “learning organization” in order to keep pace with current changes. Donald Michael introduced a new set of skills for modern leaders called “The New Competence,” which consisted of acknowledging uncertainty, understanding errors, responding to the future, becoming interpersonally competent, and gaining self-knowledge (Bennis & Nanus, 2007, pp. 176-177).

2.1.4 Transformational Leadership Theory of Kouzes and Posner

The transformational leadership theory of Kouzes and Posner (2012) was developed after more than 30 years of research on the key factors of successful leaders. The middle and top management executives of private and governmental organizations were interviewed regarding the characteristics of exemplary leaders. The obtained data were analyzed and they arrived at the following 5 components of the transformational leaders that can drive followers to go beyond organizational expectations.

1) Model the way. Leaders set clear values and reflect those values through their behaviors. The leaders' values and behaviors must comply with organizational values. Kouzes and Posner (2012) emphasized that the key to developing a shared corporate value and achieving higher goals and standards is that the leaders must behave the same way they encourage others to behave. Therefore, leaders must have clear values and make others recognize and adhere to their values. Furthermore, creating shared value cannot be accomplished by force. Leaders must cooperate in working with followers and take exemplary actions (Kouzes & Posner, 2012, pp. 16-17).

2) Inspire a shared vision. Kouzes and Posner (2012) suggested that transformational leaders do not need to be charismatic leaders and that transformational leadership is based on skills and actions, which can be developed. They emphasized that leaders must be open to new opportunities and make impossible things possible. Most importantly, the leaders must know their followers and encourage them to dream, hope, develop creative ideas, and adhere to the leaders' vision. Above all, leaders must make their dream become the followers' dream and encourage them to achieve it together. Once the leaders act proactively and challenge to fulfill the vision, it will inspire others to do so as well (Kouzes & Posner, 2012, pp. 19-21).

3) Challenge the process. Leaders must seek opportunities to promote creativity, create innovation, and build an organizational environment conducive to creativity and innovation development. Moreover, the leaders and followers must dare to face challenges and learn from mistakes. As creating innovation may be risky, the best way to deal with mistakes and failures is to create a small success first and learn

from it (Kouzes & Posner, 2012, pp. 19-21).

4) Enable others to act. Kouzes and Posner (2012) stated that leadership is the process of building and fostering collaboration, spirited teams, responsibility, confidence, and strong relationships. Followers cannot act in an effective way if their leader makes them look weak, that they are relying on others, or make them feel alienated. On the other hand, if the leader makes them feel that they are reliable and powerful and have wide discretion and more information, the followers will be able to create work that exceeds expectations. Interpersonal listening skills, trust building, relationship development, competence and confidence enhancement, and providing more choices and appropriate support are essential for helping others to act and work autonomously (Kouzes & Posner, 2012, pp. 21-23).

5) Encourage the heart. Kouzes and Posner (2012) suggested that leaders must recognize beyond-expectation achievements and the contributions that followers make. This will help to create a culture of celebrating and valuing all achievements and make followers confident and proud in themselves and recognize that they have done the right and valuable things and that they should be rewarded (Kouzes & Posner, 2012, pp. 23-25; Kouzes & Posner, 2002, as cited in King, 2008, pp. 159-160).

2.1.5 Transformational Leadership Theory of Tichy and Devanna

Tichy and Devanna (1990, p. xii) stated that transformational leadership is associated with changes, innovations, and executives. They proposed a three-stage process for dealing with changes. In the first stage, it is necessary to realize the need to restore the organization to its original state under the threat of a changing environment. The second stage is concerned with creating a new vision for the organization to move in the right direction. The third stage is conducting an organizational change for survival (Tichy & Devanna, 1990, pp. 5-6). Tichy and Devanna (1990) summarized the characteristics of transformational leaders as follows.

1) Transformational leaders identify themselves as change agents, who lead organizational change. They not only complete the duties assigned to them but also drive their organization to achieve higher goals. They act like athletic coaches

that solve the team's problems and find ways to inspire their team members to win competitions. This kind of leader is called a transformational leader.

2) They are courageous individuals. They are able to take risks and stand firm to protect the larger interests of their organization. This characteristic is composed of intellectual and emotional elements. The intellectual elements are involved with the ability to face unwanted truths. If they can effectively handle unfavorable situations, they will be admired and respected. In terms of the emotional element, they must be able to disclose undesirable information and make others understand and accept that information, which is considered very challenging. They must have good self-understanding and understand the nature of other people; they must not force anyone to make immediate changes in difficult situations.

3) They believe in people. Transformational leaders must not be autocratic. Although they have plenty of power, they must take into account the feelings of others and assign jobs suitable for the skill set of each follower. In addition, they must motivate others to make things happen and encourage followers to make decisions and take action under their guidance.

4) They are value-driven. Transformational leaders make followers recognize the value of shared goals. Importantly, their behaviors must support their values and shared-goals.

5) They are life-long learners. Transformational leaders learn from their mistakes and never stop learning, which results in their flexible attitudes, behaviors, and management and leading style. This characteristic is essential for playing new leadership roles in an appropriate way.

6) They have the ability to deal with complexity, ambiguity, and uncertainty. Transformational leaders have the ability to deal with problems in a complex world of change. They build theories, develop principles, and examine assumptions in order to find effective ways to solve organizational problems in a time of growing change and complexity.

7) They are visionaries. Transformational leaders have dreams, translate their dreams into reality, and also encourage others to share the same dreams (Tichy & Devanna, 1990, pp. 271-280).

2.1.6 Transformational Leadership Theory of Podsakoff, MacKenzie, Moorman, and Fetter

Podsakoff, MacKenzie, Moorman, and Fetter (1990) carried out a study entitled “Transformational Leader Behaviors and Their Effects on Followers’ Trust in Leaders, Satisfaction, and Organizational Citizenship Behaviors.” They reviewed the literature relevant to the transformational leadership theories and summarized that transformational leadership is composed of 6 main elements (Podsakoff, MacKenzie, Moorman & Fetter, 1990, p. 112) as follows.

- 1) Identifying and articulating a vision. Transformational leaders identify new opportunities for their unit, division, and company. They develop, articulate, and inspire others with their vision of the future.
- 2) Providing an appropriate model. Transformational leaders set examples, which are consistent with their values, for their followers to follow.
- 3) Fostering the acceptance of group goals. This is associated with building cooperation among followers and making them work together towards a common goal.
- 4) High performance expectations. Transformational leaders set expectations for their followers’ excellence, quality, and high performance.
- 5) Providing individualized support. Transformational leaders respect their followers and are concerned about the personal feelings and needs of each follower.
- 6) Intellectual stimulation. Transformational leaders challenge their followers to reexamine work assumptions and develop innovative practice.

2.1.7 Transformational Leadership Theory of Daft

Daft (2008, pp. 320-322) stated that transformational leadership can bring about significant change in both followers and the organization. It can change organizational visions, strategies, and cultures and increase innovative products and technologies. Daft (2008) also suggested that transformational leadership can be better understood through a comparison with transactional leadership.

Draft (2008) defined transactional leadership as an exchange process between a leader and followers. The leader knows what the followers need and offers to provide it, if the followers can do what the leader wants. Transactional leadership focuses on the current state of the organization and maintaining organizational performance in a smooth and effective way rather than making organizational change. However, today's world is constantly changing, and current organizations require transformational leaders instead of leaders that can control employees to comply with the rules and work merely for money. Transformational leadership places importance on tangible things such as visions, shared values, relationship building, holistic views, and individual change. It focuses on personal values, beliefs, and the quality of leaders rather than an exchange process between a leader and followers.

In summary, the 4 major differences between transformational and transactional leaderships consist of the following.

- 1) Transformational leadership develops followers to become leaders. Instead of using strict rules to control followers, transformational leaders make others recognize organizational visions and missions, suggest a wide scope, let the followers move towards organization goals by themselves, encourage them to aware of problems that may occur and related issues, and motivate them to find new approaches to change.

- 2) Transformational leadership raises the followers' expectations from the physical or material level (security and safety needs), such as compensation and occupational safety, to the mental level, such as pride and spiritual awakening. Transformational leaders focus on the followers' individual development and advancement. They assign tasks that can enhance the abilities of each follower and link those tasks to organizational missions. Transformational leaders also encourage followers to believe that they have power to change the organization.

- 3) Transformational leadership drives the followers to focus on the common good rather than their own interest.

- 4) Transformational leadership creates visions and future directions. Transformational leaders communicate to others that the outcome of the change will be worth the effort. They have a key role in seeking a better vision and encouraging everyone to share the same dream and achieve that vision together.

2.1.8 Transformational Leadership Theory of Yukl

Yukl (2013, pp. 323-326) studied transformational leadership theories, relevant theoretical concepts, and findings from numerous research studies and then proposed six constructive ways for leaders to increase followers' motivation, confidence, and engagement with organizational visions. The details are as follows.

1) Having clear visions. Transformational leaders must have clear visions and make followers adhere to the same visions. They must make everyone in the organization understand organizational goals and think of the organization first and also give importance or meaning to each task to create a sense of pride and shared-responsibility. Finally, the visions will become a guideline that determines the decisions and actions of every organizational member. In addition, organizational success also depends on communicating the visions to the organization's members. The leaders must try to use every communication channel and approach, especially using a two-way communication method that is more effective than one-way communication. The leaders should also apply colorful storytelling techniques and use intonation, facial expressions, gestures, physical communication, and appropriate rhythm to motivate the followers' emotions and make the visions more interesting and attractive.

2) Practically implementing the visions. Transformational leaders must convince others to see the possibility of the visions. They must be able to link the visions with implementation strategies. Good implementation strategies must be simple, clear, and easy to understand so that they will not make anyone confused or cause any problem. The leaders should not act in an all-knowing way but allow the followers to find their own way of doing things. Moreover, good strategies should not be traditional or conventional but should be straight to the point.

3) Being confident and optimistic. Followers will never have faith in the visions if there is no confidence and optimism. Optimism makes the followers focus on the possibility of success rather than obstacles or dangers that will arise in the future. The leaders' confidence must be expressed through tone and speech style.

4) Believing in the followers. The leaders must show that they have high expectations and believe in the abilities of followers. The leaders may need to point out that the followers have more potential, abilities, and advantages than others

and indicate that the followers' performance is better than that of others in order to promote their morale.

5) Using storytelling. The leaders should use storytelling or symbolic actions to emphasize important values. The leaders' behaviors, including the way they spend time, the language they use, and how they make a decision, make a better choice, and give rewards should be in line with the visions.

6) Performing exemplary actions. Actions are often louder than words so leaders should act as role models that behave the way they want the followers to behave.

2.1.9 Transformational Leadership Theory of Dubrin, Daglish, and Miller

Dubrin, Daglish, and Miller (2006, pp. 105) stated that transformational leaders can lead organizational change as follows.

Transformational leaders must attract followers and make them realize the value of achieving a higher goal. They must make it clear that everyone's opinion is important. In addition, they must make everyone understand what direction to move forward in and how changes will occur.

The leaders must do things in accordance with their vision and the followers' value. As changes are complicated, leaders must consider what the followers should do and ensure that their value is carefully taken into account.

Considering ethical and moral development, the leaders must be role models for followers and show them that what is right and what is wrong in order to prevent wrongdoings that may occur.

According to Dubrin, Daglish, and Miller (2006, p. 108), a transformational leader is characterized by the following 4 key qualities.

1) Charismatic leadership: charismatic and transformational leadership are closely related. Both charismatic and transformational leaders want to make organizational change without using force.

2) Inspirational motivation: transformational leaders motivate followers to work with inspiration and make followers willing to follow their lead.

3) Intellectual stimulation: transformational leaders want followers to solve problems with new approaches or innovative methods.

4) Individualized consideration: transformational leaders recognize the value of each follower. They spend time with followers and make everyone feel the sense of ownership of what they do together.

2.1.10 Transformational Leadership Theory of Hoy and Miskel

Hoy and Miskel (2005, as cited in Chevin Oonla-Or, 2010, pp. 64-65) suggested that a transformational leader is expected to have the following characteristics.

- 1) Able to clarify the need and demand for change
- 2) Create a new vision and embody the commitment to that vision
- 3) Inspire followers to think about organizational benefit rather than their personal interest
- 4) Make organizational change according to the new vision instead of working in the traditional context
- 5) Act as a consultant or mentor to followers so as to enhance their responsibility to develop themselves and others

2.1.11 Transformational Leadership Theory of Cook, Hunsaker, and Coffey

Cook, Hunsaker, and Coffey (1997, as cited in Samnao Muenjaem, 2012, p. 35) identified three key behaviors of transformational leaders as follows.

- 1) Creating a vision, which is concerned with giving a direction that is consistent with the leader's philosophy and principles, to the organization's members. Organizational environment and resources are taken into account because the best vision must focus on the organization and indicate the organization's sustainability.
- 2) Mobilizing relationships, which are involved with making others accept and successfully implement the new vision. Transformational leaders propose and present the vision to related groups on every possible occasion. They motivate and inspire their followers through internal communication and public relations channels rather than giving orders.

3) Making institutional change. Transformational leaders look at the whole system and elevate the processes of problem-solving and decision-making. They apply a new operational practice throughout the organization instead of confining it to senior executives only. The transformational leaders make employees adhere to the vision and have confidence to face challenges and improve perception, standards, and decision-making.

2.1.12 Transformational Leadership Theory of Fullan

Fullan (2006, as cited in Laongdao Proyrathok, 2014, p. 11) stated that a transformational leader should have the following characteristics.

1) Be inspirational. Transformational leaders inspire, direct, and make followers conform to an organizational vision or set a new goal and mission together.

2) Have influence. They are influential leaders that can attract followers to work and build a supportive network. Transformational leaders also have communication skills, and they can use persuasive words to convince the followers.

3) Develop others. Transformational leaders can develop the ability of others, understand others' goals, strengths, and weaknesses, and provide creative feedback.

4) Be a change catalyst. Transformational leaders are aware of the need for change. When facing problems, they know how to practically overcome obstacles and make a change in a faster way.

5) Conflict Management. Transformational leaders can effectively deal with conflicts. They have courage to face conflicts and have the ability to find mutual agreements.

6) Build bonds. Effective leaders should know how to build bonds and relationships, understand that individuals are different, and have the ability to build trust among followers and enhance unity in the organization.

7) Teamwork and collaboration. Transformational leaders excel in teamwork and collaboration building. They create a friendly atmosphere at work and build a team spirit.

2.1.13 Transformational Leadership Theory of Suthep Phongsiwat

Suthep Phongsiwat (2005, as cited in Phenphorn Thongkhamasuk, 2010, pp. 40-41) explained that transformational leadership consists of 4 components as follows.

1) Idealized influence and charisma. When a leader provides strong modelling, followers will perceive and imitate his or her behaviors. Normally, the leader that has good behaviors and strictly complies with ethical standards will be highly accepted, respected, and trusted. Therefore, he or she can provide a vision and make followers understand the objective of each mission.

2) Inspirational motivation. A leader communicates that he or she has high expectation towards followers. He or she motivates followers to comply with and embrace the organization's vision. In practice, the leader frequently uses symbols and emotional stimulation to encourage teamwork and group achievement rather than focusing on personal benefits. The leader fosters a team spirit and inspires followers to exceed organizational goals by making them aware that the organizational goals and performance should be constantly changed and developed in order for the organization to succeed.

3) Intellectual stimulation. A leader encourages creativity and innovation in the organization. He or she stimulates the followers to review their beliefs and to reconsider the values of the leader and the organization. The leader challenges and encourages followers to experiment with new methods, initiate organizational innovation, and find appropriate ways to solve problems on their own.

4) Individualized consideration. A leader places importance on creating a good atmosphere at work, pays attention and responds to the different needs of each follower, and act as a mentor and consultant that provides guidance for the followers on how to develop their abilities to a higher level.

Table 2.1 Key Characteristics of Leaders with Transformational Leadership Proposed by Scholars and Researchers

Characteristics of leaders with transformational leadership	Burn (1978)	Tichy and Devana (1990)	Podsakoff et al. (1990)	Cook, Hunsaker, and Coffey (1997, as cited in Sammao Muerjaem, 2012)	Hoy and Miskel (2005, as cited in Chevin Oonla-Or, 2010)	Dubrin, Daglish, and Miller (2006)	Fullan (2006, as cited in Laongdao, Proykrathok, 2014)	Bennis and Nanus (2007)	Bass & Bass (2008)	Daft (2008)	Kouzes and Posner (2012)	Yukl (2013)	Suthep Phongsriwat (2005, as cited in Phenphorn Thongkamsuk, 2010)
They have idealized influence.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
They are visionaries.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
They act as role models.	✓	✓	✓			✓	✓	✓	✓		✓	✓	✓
They have inspirational motivation.	✓	✓	✓			✓		✓	✓			✓	✓
They communicate visions.		✓	✓	✓	✓	✓	✓	✓	✓	✓		✓	✓
They elevate the minds of others.	✓	✓			✓	✓	✓		✓	✓		✓	✓
They focus on teamwork.			✓	✓			✓		✓	✓	✓	✓	✓
They have intellectual stimulation.		✓	✓	✓		✓			✓	✓	✓		✓
They encourage followers to change perspective.		✓	✓	✓		✓	✓		✓	✓	✓		✓

Table 2.1 (Continued)

Characteristics of leaders with transformational leadership	Burn (1978)	Tichy and Devana (1990)	Podsakoff et al. (1990)	Cook, Hunsaker, and Coffey (1997, as cited in Sammao Muerjaem, 2012)	Hoy and Miskel (2005, as cited in Chevin Oonla-Or, 2010)	Dubrin, Daglish, and Miller (2006)	Fullan (2006, as cited in Laongdao, Proykrathok, 2014)	Bennis and Nanus (2007)	Bass & Bass (2008)	Daft (2008)	Kouzes and Posner (2012)	Yukl (2013)	Suthep Phongsriwat (2005, as cited in Phenphorn Thongkhamsuk, 2010)
They have courage.		✓					✓				✓		
They have individualized consideration.	✓	✓	✓			✓	✓		✓	✓	✓		✓
They act as followers' mentors and coaches.		✓			✓		✓	✓	✓	✓	✓		✓
They listen to others' opinions.						✓		✓	✓		✓	✓	
They are life-long learners.		✓					✓	✓					
They encourage and appreciate others.						✓					✓	✓	
They have integrated thinking.										✓			
They understand the context and are aware of changes.		✓			✓								
They build networks.							✓						

2.1.14 Relevant Research on Transformational Leadership

Transformational leadership theories have received a lot of attention and have become one of the most popular research topics in the leadership field (Gardner et al., 2010, as cited in Tauber, 2012, p. 1). At the early stage, most research studies on transformational leadership aimed to investigate the effectiveness of transformational leadership. Many studies suggested that transformational leadership had a positive effect on followers' performance, job satisfaction, commitment, trust, belief in self-ability, and motivation. This was because transformational leaders were reported to have an influence on the positive behaviors of employees (Givens, 2008, p. 4) in the governmental agencies in the fields of education, military, public health, and politics, as well as non-governmental organizations and private firms (Bass & Bass, 2008, pp. 638-643). Similar results were also found in the studies that were carried out in different countries and cultures (Avolio & Bass, 2004; Goho, 2006, as cited in Tauber, 2012, p. 14).

Leithwood and Poplin (1992, pp. 8-12) studied transformational leadership for 21st century change in terms of teachers working in the areas of reforming schools. They found that the behaviors of the teachers in those schools were based on the following three main principles: 1) maintaining a culture of professional collaboration through discussing, observing, commenting, and collaborative planning; 2) maintaining continuous teacher development, which can enhance the teachers' intrinsic motivation and commitment to the school's mission; and 3) providing support and applying collaborative a problem-solving approach by encouraging teachers to take part in new activities with greater commitment and paying attention to the problems of each teacher.

Bruns and Shuman (1988, pp. 145-157) carried out a study on transformational leadership in organizations related to criminal justice and law enforcement in the United Kingdom, which included the police and prison organizations that had a military structure and preferred autocratic and transactional leadership to the participative leadership. The employees in those organizations began to agree that autocratic and transactional leadership was outdated and unsuitable for long-term organizational development and change. On the other hand, transformational leadership could motivate collaboration at work and open communication. The results

of the study suggested that collaboration between supervisors and subordinates could lead to better performance. The criminal justice organizations had to weigh between keeping the same state and making organizational change. In order to develop quality service, the leaders of the criminal justice organizations had to understand the changing context of the work environment because the criminal justice organizations were facing many changes, including an increase in crime cases, new forms of immigration, and cybercrimes associated with computers, the Internet, and social media. Thus, the leaders had to make a change in order to maintain effective performance standards. The leaders needed to provide employees with opportunities to create innovation, respect, trust, and authority for decision-making and problem solving. The National Police Leadership Faculty and the Police Leadership Development Board (PLDB), an organization established to emphasize the importance of the effective leadership of the police in the United Kingdom, stated that the police needed to have transformational leadership and that a system of police training and recruitment should be developed based on the principles of transformational leadership. Transformational leadership was also reported to be vital for the career advancement of the police.

Murphy and Drodge (2004, p. 1) observed and interviewed 28 police officers and then concluded that transformational leadership has a strong relationship with elevation of commitment, work satisfaction, and motivation. They further discussed the four dimensions of transformational leadership in a law enforcement environment. First, is individualized consideration, which is used by transformational leaders to work for personal and organizational goals. The case study revealed that the key component of individualized consideration was ensuring that the right people are placed in the right jobs with opportunities to shine (Murphy & Drodge, 2004, p. 8). Transformational leaders had to support, encourage, and inspire their followers to develop themselves as well as recognize and reward their achievements. Two is idealized influence, which is concerned with the fostering of trust and respect in the relationship between leaders and followers. It was found that the followers looked up to the leaders' lifestyle, ethics, and core values, and the leaders had to demonstrate personal traits and professionalism that complied with their values in order to be truly transformational (Murphy & Drodge, 2004, p. 10). Moreover, the followers were

found to value the knowledge and experience of both formal and informal leaders. Third is inspirational motivation, which is significantly related to communicating and reiterating the vision to all employees (Murphy & Drodge, 2004, p. 11) and also unifying the visions. The leaders encouraged and motivated each follower to achieve common goals that had value in society beyond their typical work. Four is intellectual motivation, which refers to mentally stimulating and encouraging followers to think “outside the box” and to find creative solutions. For example, in community policing, the leader’s intellectual motivation was reflected in training, coaching, and mentoring the followers to question assumptions and to find new approaches to solve fundamental problems. Therefore, transformational leadership theories are useful in enhancing the service quality of the police. Other criminal justice organizations can also apply these transformational leadership theories so as to succeed beyond expectations (Murphy & Drodge, 2004, p. 12).

Chevin Oonla-Or (2010), who carried out a research study entitled “The Development of Transformational Leadership Indicators of Private University in Thailand,” suggested that the 4 key factors affecting transformational leadership of private university administrators in Thailand consisted of the following: 1) idealized influence, 2) individual consideration, 3) intellectual stimulation, and 4) inspirational development. These 4 key factors have an effect on transformational leadership through 13 sub-factors. It was found that there are 66 indicators of transformational leadership in private universities, which are composed of 15 idealized influence indicators, 13 individual consideration indicators, 19 intellectual stimulation indicators, and 19 inspirational development indicators. Among the 4 key factors, intellectual stimulation was reported to have the highest factor loading (0.84), followed by the idealized influence (0.83), individualized consideration (0.80), and inspirational development (0.79).

Suphavadee Noprujchinda (2010) conducted a study entitled “Leadership Factors for Nursing College Administrators under the Jurisdiction of the Ministry of Public Health.” The results revealed that the 7 components of the leadership of nursing college administrators included visionary leadership, change leadership, professional leadership, ethical leadership, inspirational leadership, individualized consideration leadership, and technological leadership.

Niran Tanjoy (2010) carried out a study entitled “Transformational Leadership of Institutional Administrators Affiliated with the Office of Nakhon Nayok Primary Educational Service Area.” The results suggested that the total and individual transformational leadership levels of the institutional administrators were high. When comparing the transformational leadership levels of all institutional administrators, no significant difference was found. The transformational leadership of the institutional administrators can be summarized as follows: 1) in the aspect of idealized influence, institutional administrators created new visions, had self-confidence, and acted as role models; 2) in the aspect of inspirational motivation, the institutional administrators convinced, inspired, and motivated others to understand the new visions; 3) in the aspect of intellectual stimulation, the institutional administrators stimulated others to think of new approaches or solutions to problems and encouraged others to develop creative ideas; 4) in the aspect of individualized consideration, the institutional administrators paid special attention to their subordinates, analyzed their needs and abilities, and provided useful guidance.

Samnao Muenjaem (2012), who conducted a research study entitled “Transformational Leadership of Highland Basic School Administrators,” suggested that according to grounded theory development, the 5 components of transformational leadership of highland basic school administrators consisted of ideology, creative thinking, role modeling, inspiration, and participatory working culture.

Somkid Sakulsathapat (2009) carried out a study entitled “A Model of Effective Transformational Leadership for Sustainable Education Reform.” The results revealed that 1) the components of effective transformational leadership and sustainable education reform consisted of continuous learner-based change processes, synergized input, quality output, dynamic balanced outcome, and a suitable context conducive to learning; and 2) the model of effective transformational leadership for sustainable education reform was a multivariate causal relationship model that consisted of 11 principal components, namely potential mediation, emotional intelligence, inspirational motivation, individualized consideration, intellectual stimulation, idealized influence, synergized input, continuous learner-based change process, quality output, dynamic balanced outcome, and suitable context conducive to learning. The first six components significantly affected the last 5 components in both

direct and indirect ways. The developed model was found to be accurate, suitable, and valid.

Phra Kritsakorn Akkharaphopmethi and Chayaphim Usaho (2014) conducted a research study entitled “A Study of the Transformational Leadership of Primary School Administrators in the Bangkok Metropolitan Administration, Klong Toey District.” The samples were 92 school administrators, assistant administrators, and government teachers from four schools. The research instrument was the transformational leadership questionnaire, which was developed based on the theoretical concept of Bass and Avolio. The checklist questions and rating scale were used to examine the 4 aspects of transformational leadership: 1) idealized influence, 2) inspirational motivation, 3) intellectual stimulation, and 4) individualized consideration. The statistics used in the data analysis were frequency, percentage, mean, and standard deviation. The results suggested that the transformational leadership of primary school administrators in the Bangkok Metropolitan Administration, Klong Toey District, was at a moderate level (mean = 3.50, S.D. = 0.91). When considering each component, it was found that idealized influence (mean=3.53, S.D. = 0.92) and inspirational motivation (mean = 3.51, S.D. = 0.93) were at high levels, whereas the individualized consideration (mean = 3.50, S.D. = 0.92) and intellectual stimulation (mean = 3.46, S.D. = 0.90) were at moderate levels.

In conclusion, transformational leadership is a behavior and quality essential for the leaders in 21st century with a rapidly-changing environment. Organizational cultures tend to place importance on the flat organizational structure rather than a hierarchical structure. Leaders cannot use the authoritative management style to force the more knowledgeable followers to work for them anymore; they have to act as role models, make the followers respect and focus on ethics, morality, and public interest, encourage followers to work beyond expectations, and ensure that the followers feel committed to the same goals, which will lead to long-term mutual success.

2.2 Concepts of the Juvenile and Family Court and the Roles of the Juvenile and Family Judges

2.2.1 History, Spirit, and Policies of the Juvenile and Family Court

2.2.1.1 History

The Juvenile Court was initially established according to the Act on the Establishment of Juvenile Court B.E. 2494 and was formally opened on January, 1952 with the aims to correct, treat, and rehabilitate juvenile delinquency offenders. It had special procedures to handle juvenile delinquency cases, such as having lay judges assist in making judgments. The lay judges are responsible for providing knowledge and experience related to juveniles and the family as well as educating and training juvenile offenders. In 1991, the court's name was changed to the "Juvenile and Family Court" because after opening the court for a certain time, it was found that most juvenile cases were closely related to family matters. Therefore, in a criminal trial, family matters and environmental factors had to be taken into account in order to find the causes of problems and to understand the behaviors of juvenile offenders. If the juvenile offenders have the potential to begin anew, the Juvenile and Family Court will give them opportunities to change and to become rehabilitated by sending them to a reformatory training center instead of jail.

2.2.1.2 Spirit of the Juvenile and Family Courts

The evolution of law reflects the spirit and objectives of the establishment of the Juvenile and Family Court, which can be divided into 3 periods as follows.

- 1) Based on the Act on the Establishment of Juvenile Court B.E. 2494 and the Juvenile Procedure Act B.E. 2494, the objective of the Juvenile and Family Courts is to correct, treat, and rehabilitate juvenile offenders. As juveniles are less mature than adults, their criminal offenses are likely to be committed by mistake or misunderstanding rather than malicious intent. Therefore, the juvenile trial and adjudication procedure should not be the same as that of adults. If possible, juvenile offenders should be sent for reformatory training rather than sentencing them to jail.

- 2) Based on the Act on the Establishment of and Procedure for Juvenile and Family Court B.E. 2534, the Juvenile and Family Court is given more

jurisdiction to play an additional role in protecting family status. Family problems seem to be the root cause of juvenile problems. If a family is strong, the family members will live together in harmony. Once the family members have a problem living together, they should peacefully separate and take into account the best interests of a child. This can prevent and reduce the behavior deviation in children and youths due to family problems. Thus, the Act on the Establishment of and Procedure for Juvenile and Family Court B.E. 2534 specifies that civil cases related to family matters must be under the jurisdiction of the Juvenile and Family Court.

3) Based on the Act on the Juvenile and Family Court and Its Procedure B.E. 2553, which is a new law containing both innovative content and work processes, the new juvenile justice procedures are developed to be in line with international legal guidelines, including the Convention on the Rights of the Child 1989, the Universal Declaration of Human Rights, and the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules). For example, the criminal law and the protection of children's rights are more strictly enforced. The Juvenile and Family Courts have the procedures to examine the use of authority of other organizations in the juvenile justice system, such as investigating the police that arrest juvenile offenders and adhering to the best interests of the child (Aphiradee Phophrom, 2012, pp. 4-6). Special measures are designed to deal with criminal cases according to the concept of restorative justice, diversion, public participation in the process of classification, treatment, rehabilitation, and follow-up, and the principle of professionalization. This can be called the major reform of the juvenile justice system (Office of the Judiciary, 2013c, pp. 2-3). Specific procedures for handling civil cases are also determined. According to the Act on the Juvenile and Family Court and Its Procedure B.E. 2553, when there is a disputed case, the court must encourage both parties to enter into mediation before pursuing further legal action so that the two parties, who are close to each other, can negotiate and reach a settlement that satisfies everyone involved. If the disputed case cannot be resolved by mediation, it will be brought to trial. The Juvenile and Family Courts have to protect the family status and prevent serious feuds. Most importantly, if a minor is involved in a civil case, the Juvenile and Family Courts must take into account the rights, welfare, and best interests of the minor.

Thus, the juvenile and family judges must prepare themselves for new and different responsibilities, have clear visions, understand the new missions of the Juvenile and Family Courts, and intend to complete those missions. In this way, they can become effective personnel of the Juvenile and Family Courts that can deal with juvenile and family cases in a professional way (Suwit Pornpanich, 2009, p. 30).

2.2.1.3 Specific Characteristics of the Juvenile and Family Court

Due to its objectives and spirit, the Juvenile and Family Court has specific characteristics, which differentiate it from other judicial courts (Woravit Ritthirit, 2005, pp. 99-102). The details are as follows.

- 1) The court provides a separate courtroom for juvenile cases or holds separate hearings of juvenile cases in an ordinary courtroom.

- 2) Trials are held in private. Only the parties involved in the case and other persons permitted by the court are allowed to be present at the trial. If the court finds that an offender should not listen to some of the witness testimony, the court shall order the offender to leave the courtroom. When the offender is allowed to come back to the courtroom, the court shall inform him or her about that testimony as it deems appropriate.

- 3) The court does not need to strictly enforce the criminal procedure code on juvenile delinquency cases. The court must communicate with juvenile offenders with easy-to-understand language. The juvenile offenders, their parents, their guardians, the persons they live with, the persons providing them with jobs and education, and other related persons must be given opportunities to provide factual information, share feelings, give opinions, identify witnesses, and ask the witnesses questions at any time during the trial. The juvenile offenders' age, background, behaviors, intelligence, education, health, mental state, traits, occupation, and financial status, including the environment of the juvenile offenders, their parents, their guardians, the persons they live with, the persons providing them with jobs and education, must be taken into consideration.

- 4) In terms of trial and adjudication, the court takes account of each individual offender's personality, traits, health, and mental status, as well as his or her welfare and future. All juvenile offenders are given a chance to be trained and educated in order to return to society as good citizens.

5) No one may take and print photos of juvenile offenders, record and broadcast their pictures or voices, or expose their name and surname without receiving permission from the court.

6) An attorney shall not be appointed in the juvenile court, except as a legal advisor.

7) In case the court has issued a judgment or given a punishment order before finding out later that the fact or behaviors of the juvenile offender has changed, the court has the power to amend the judgment or juvenile punishment measure. If the amended judgment or punishment measure is heavier than the original one, the juvenile offender has the right to appeal to the supreme courts.

8) Two career judges and two lay judges, one of which must be a woman, constitute a quorum of the Juvenile and Family Courts.

9) During trials, the Juvenile Observation and Protections Center, an agency in the Department of Justice, is authorized to observe and investigate the background, behaviors, intelligence, education, health, mental state, personality, occupation, financial status, and overall environment of juvenile offenders, their parents, their guardians, and the persons they live with in order to find the causes of their offense. If the court finds that the report prepared by the Juvenile Observation and Protections Center does not cover some factual information, the director of the Juvenile Observation and Protections Center will be requested to seek further facts and submit the new report together with his recommendations to the court.

10) During detention, juvenile offenders will be provided with medical treatment, academic education, vocational training, social treatment service, and other training and services that are suitable for their physical and mental state and social environment. Moreover, they must be treated with special measures that take account of each juvenile's personality, traits, health, mental status, and specific behavior, which is in accordance with the international guidelines focusing on humanitarian practices and respect for human dignity and the Convention on the Rights of the Child. If a juvenile commits a crime together with someone else, the court may use different measures to handle the case.

In addition, the Act on the Juvenile and Family Court and Its Procedure B.E. 2553 specifies that the Juvenile and Family Court has the authority to correct and rehabilitate juveniles that are not detained after arresting and investigation because they are placed in the custody of their parents and guardians or under a temporary release. If deemed necessary, these juveniles are allowed to immediately receive counselling services and participate therapeutic activities according to the last paragraph of Section 73. The details will be discussed in the next section regarding the roles of the juvenile and family judges in criminal cases.

2.2.1.4 Judicial Policy on the Missions of the Juvenile and Family Court

As the Juvenile and Family Court is a part of the Court of Justice, its operation must be carried out under the Court of Justice's strategic plan. The vision of the Court of Justice, which is defined in the Strategic Plan 2014-2017, is as follows:

The Court of Justice shall exercise judicial power to maintain sovereignty and peace of society, by providing administration of justice under rules of law with promptness, fairness, and in accordance with international standard. In addition, the Court of Justice shall attempt to use appropriate advanced technology to enhance the case of public access to justice by the year 2017.

Moreover, Section 1.8 of the Strategic Plan of the Court of Justice 2014-2017 places emphasis on "Enhancing juvenile and family justice standards, promoting community involvement in juvenile rehabilitation, and moving towards productivity." Section 1.8.1 of the same plan also focuses on "Making the Juvenile and Family Court to be the center of juvenile correction and rehabilitation as prescribed by law according to the determined standards through the participation of community networks throughout the country" (Office of the Judiciary, 2014, p. 12).

2.2.2 Juvenile and Family Judges

Juvenile and family judges are the judges of the Court of Justice, who are appointed or transferred to work at the Juvenile and Family Courts. Currently, the juvenile and family judges and the judges of other courts have been appointed or transferred based on the same criteria. The judges of the Juvenile and Family Courts

can be divided into two groups, which are 1) judges that act as the court administrators, and 2) judges that responsible for the trial and adjudication. The first group includes Chief Justice of the Central Juvenile and Family Court, Deputy Chief Justice of the Central Juvenile and Family Court, Secretary of the Central Juvenile and Family Court, and Chief Judge of the Provincial Juvenile and Family Court. The second group consists of senior judges, presiding judges, and judges (Suwit Pornpanich, 2009, p. 29). In the present study the researcher aimed to focus on the role of the judges responsible for trials and adjudication. However, the judges that act as court administrators continue to play a role in making legal decisions as well.

2.2.2.1 Duties of Juvenile and Family Judges

Juvenile and family judges have similar responsibilities to other judges working at courts of first instance. They have to preside over court proceedings and make decisions according to the Statute of Courts of Justice, record witness testimony, carry out trials and adjudication, deal with inquiries, appeals, and investigations, give orders regarding safety and security, examine witnesses, be involved in mediation and conciliation, attend meetings so as to adjudicate a case as an assigned judge or part of the quorum, and perform other related tasks. In addition, as juvenile and family cases are under the jurisdiction of the specialized appeal courts according to the Act on the Establishment of Appeal Court for Specialized Cases B.E. 2558, it reflects that the adjudication of juvenile and family cases requires specialized judges that have insightful knowledge about the Act on the Juvenile and Family Court and Its Procedure B.E. 2553 and can apply this specific law in a practical way.

1) Criminal Cases

Juvenile and family judges have the responsibility to adjudicate criminal cases that are under the jurisdiction of the Juvenile and Family Courts, which include criminal cases where the offenders are children or youths and criminal cases that are transferred from other courts because the offenders are between 18 and 20 years of age and their intellect, traits, and mental and physical conditions are at the same level as children or youths (Act on the Juvenile and Family Court and Its Procedure B.E. 2553, 2010, Section 10(1)). The roles of the juvenile and family judges are as follows.

(1) Pre-Prosecution Process

After the Act on the Juvenile and Family Court and Its Procedure B.E. 2553 was enacted, a substandard juvenile justice system was modified to be more suitable for children and youths, who must be given special protection according to the Constitution and international standards. For example, when issuing a warrant of arrest, a judge needs to take account for both the alleged offense, the protection of children's rights, and the future of children. If it severely affects the children's mental state, the judge must avoid issuing a warrant and use other tracking methods instead (Act on the Juvenile and Family Court and Its Procedure B.E. 2553, 2010, Section 67).

Previously, after juvenile offenders were arrested, the police officer would directly send them to the Juvenile Observation and Protection Center. They would be detained there during the trial. At present, the juvenile offenders must be sent to the Juvenile and Family Court in order to investigate whether the arrest is lawful within 24 hours after arriving at the office of the inquiry official. If the arrest is unlawful, the next legal process cannot be conducted. The judge must order the release of the juvenile offenders (Act on the Juvenile and Family Court and Its Procedure B.E. 2553, 2010, Section 72). This is the a practice that is different from the older versions. In terms of remand and detention, in the past while waiting for their trial, the juvenile offenders had to be detained at the Juvenile Observation and Protection Center. They could return to the custody of their parents or guardians only when receiving temporary release permission from the director of the Juvenile Observation and Protection Center. Currently, the judge can hand over the juvenile offenders to their parents or guardians. If there is evidence that they have behaviors that can cause serious harm to other people or there are other reasonable causes, the judge shall give an order to keep them in custody (Act on the Juvenile and Family Court and Its Procedure B.E. 2553, 2010, Section 73). If the juvenile offenders come from a broken family, have no parents, or have parents that cannot take care of them, the judge can place them in the custody of appropriate persons or organizations. There is a mechanism for finding potential persons and organizations to take care of children through the collaboration between public and private organizations that are joining the working network of the Juvenile and Family Court (Act on the Juvenile and Family

Court and Its Procedure B.E. 2553, 2010, Section 33). The judge can use legal channels to protect the juvenile offenders by assigning relevant agencies to take care of them during the trial. This is because juveniles must be assisted while being in the custody of their parents, guardians, or the persons whom the court deems appropriate. If necessary, the judge has the power to determine a measure for the juveniles to receive treatment and counseling and attend therapeutic activities.

The change of law also enables the accused juveniles, who are not detained, to be rehabilitated after the investigation of the arrest. The last paragraph of Section 73 of the Act on the Juvenile and Family Court and Its Procedure B.E. 2553 states that after deciding to place juvenile offenders in the custody of their parents or to temporarily release them, if the court deems it is necessary for the juveniles to receive counselling and to participate in therapeutic activities, the court shall have the power to issue that kind of measure (Su Havanond, 2013a, p. 51). Currently, the last paragraph of Section 73 has been interpreted to create practical outcomes. The Juvenile and Family Courts plays a more active role in juvenile rehabilitation and helps fill the gap and helps to accelerate the rehabilitation of undetained juvenile delinquents. Although these juveniles can be bailed and sent to the custody of their parents, it does not mean that they do not have urgent problems to solve. In many cases, undetained juvenile delinquents were found to repeat an offense during the first trial because they were still in the same environment and faced the same unsolved problems. In order to intervene in this problematic cycle, the Juvenile and Family Court applies a preventive approach to take care of the juveniles from the early stage. The details will be further discussed in the next section about working with the multidisciplinary team and the network of juvenile and family judges. As for detained juvenile delinquents, they will be taken care of by the Juvenile Observation and Protection Center and provided with medical treatment, academic knowledge, vocational training, welfare services, and other treatment and training that suit their physical and mental conditions and social environment according to Section 36 and 41 of the Act on the Juvenile and Family Court and Its Procedure B.E. 2553. Thus, the Juvenile and Family Court must work in parallel with the Juvenile Observation and Protection Center in order to correct and rehabilitate juveniles on a wider scope.

(2) Prosecution Process

An inquiry official has the responsibility to promptly investigate witnesses, collect evidence, and submit an investigation report together with his or her opinions to a prosecutor. Then the prosecutor institutes a prosecution and files a lawsuit to the Juvenile and Family Court within 30 days after arrest (Act on the Juvenile and Family Court and Its Procedure B.E. 2553, Section 78). In case of a criminal offense with heavy punishment, the inquiry official or the prosecutor can defer a prosecution. A juvenile and family judge is responsible for protecting the children's rights and ensuring that a juvenile case is adjudicated in a prompt and fair way. The judge must use discretion to decide whether a deferred prosecution is reasonable by taking into account the underlying causes of the deferral. Moreover, the judge has to check whether the prosecutor files a lawsuit within the time limit. If not, the prosecutor will not be able to charge the child or young person unless permission is granted by the Attorney General (Act on the Juvenile and Family Court and Its Procedure B.E. 2553, Section 80).

(3) Trial Process

The Chief Justice of the Central Juvenile and Family Court, the Chief Judge of the Provincial Juvenile and Family Court, or any juvenile and family judge can be assigned to adjudicate a juvenile case. The assigned judge has to hear the proceedings of the juvenile case in the same way as hearing adult proceedings. The judge does not need to wear a robe so that the atmosphere in the courtroom is not too serious. There must be two lay judges, one of whom must be a woman, in a quorum of the Juvenile and Family Court, which is different from other courts. The judge has the role of ensuring that the court proceedings are carried out according to legal regulations and that the children's rights are not violated, including appointing a legal advisor for a juvenile offender, holding a private trial, not using chains and shackles on children, prohibiting pictures or voice recording and publishing that may make others recognize the children's name or surname, and not revealing the children's offense record, address, school, or place of work, which may lead to adverse outcomes. Most importantly, what makes juvenile and family judges distinct from the judges of other courts is that they have to place importance on the welfare and future of children and youths, who should receive training, education, and

rehabilitation rather than punishment. The juvenile and family judges have to take into account the age, background, behaviors, intelligence, education, health, mental state, occupation, status, and surrounding environment of juvenile offenders, their parents, their guardians, the persons they live with, and the persons providing them with jobs and education, and other related persons. During trials, the juvenile and family judge may call for a private hearing with a juvenile offender and ask the parents and involved persons for information about the offender.

(4) Adjudication Process

After the trial process, the juvenile and family judge has to discuss with the other judge and lay judges in the quorum about adjudication, punishment, and juvenile justice measures. The judge must use discretion and the information obtained from the investigation of a probation officer to make decisions. In order to prepare an investigation report, the probation officer has to contact the witnesses and their family, the victim, the police officers that arrest the offender, and the offender's friends and neighbors in order to obtain the most complete information. In some cases, the probation officer may need to contact the offender's school and other agencies working with children and youth so as to screen the information about the age, background, character, intellect, education, health, mental state, occupation, status, crime motive, and surrounding environment of the juvenile offenders, the parents, the guardians, the persons they live with, and the persons providing them with jobs and education, and other related persons, which can be called a social study of the juvenile. In addition, the content of the investigation report contains the result of a basic physical and mental examination, the juvenile rehabilitation plan, the probation officer's recommendation regarding the juvenile rehabilitation plan and whether or not the juvenile offender should continue to live in the same environment (Office of the Judiciary, 2013a, p. 19). If the juvenile is convicted of an offense, the juvenile and family judge needs to carefully assess the facts together with the juvenile offender's behaviors and circumstances before deciding whether to pass a prison sentence, use a juvenile justice measure (Act on the Juvenile and Family Court and Its Procedure B.E. 2553, Section 142), or order a suspension of imprisonment (Criminal Code, Section 56). However, even if it is found that the accused juvenile is not convicted of an offense and must be released, if there is reasonable cause concerning

the welfare of juveniles, the judge has the power to determine the conditions for controlling the behavior of that juvenile (Act on the Juvenile and Family Court and Its Procedure B.E. 2553, Section 138). This is the key difference between the adjudication of juvenile and adult offenders, which is distinct from the previous law. It indicates that the Juvenile and Family Court not only focuses on the juveniles' delinquent acts but also places importance on their future by empowering the juvenile and family judges to use legal tools to prevent the juveniles from doing wrongful things and to warn and give advice to their parents, guardians, or the persons they reside with.

During the trial and adjudication process, a juvenile and family judge's role is directly involved with juveniles. Every trial and adjudication procedure must be done in front of the judge. The law states that the judge has to treat juveniles as juveniles rather than adults. In terms of fact-finding, the judge must not only focus on whether they are convicted or not but also pay attention to their background in order to ascertain their motive. The judge has to decide whether their offense seriously affects the peace of society and also has to place importance on whether and how they can return to being good citizens in the future.

(5) Post-Adjudication Process

Various organizations are involved in the post-adjudication process, depending on the judge's adjudication. If the judge gives juvenile offenders a prison sentence, they will be sentenced to jail like other adult offenders by the Department of Corrections. If the judge uses a juvenile justice measure to change a prison sentence into corrective training, the training centers affiliated with the Juvenile Observation and Protection Center is responsible for providing the juveniles with corrective training (Act on the Juvenile and Family Court and Its Procedure B.E. 2553, Section 54 and 58). If the judge suspends a prison sentence and gives a probation order instead, a probation officer from the Department of Probation will be responsible for supervising the juvenile probation, provide advice, and act as a mediator that helps the juveniles to adapt to the community, return to their school, and smoothly go through the probation. If the juveniles are found to repeat an offense, the probation officer has to determine a new probation policy or plan for them. Moreover, an assistant probation staff member in the community may closely assist the juveniles

to peacefully return to society (Act on the Juvenile and Family Court and Its Procedure B.E. 2553, Section 48 and 49). The role of the juvenile and family judge is complete after the adjudication. If there are obstacles in the enforcement, the judge may change the adjudication according to the circumstances. For example, if the juveniles do not comply with the probation conditions or if they demonstrate inappropriate behaviors in living with others in the training center, they can be sent to prison instead. On the other hand, if the juveniles sentenced to the training center have changed in a better way, the judge can change the corrective training sentence into a juvenile probation order (Act on the Juvenile and Family Court and Its Procedure B.E. 2553, Section 137).

2) Special Measures in Lieu of Criminal Proceedings

The Act on the Juvenile and Family Court and Its Procedure B.E. 2553 has improved existing legal tools and initiated new justice measures to correct juveniles' behaviors in accordance with Section 40 (1) of the Convention on the Rights of the Child, which concentrates on creating legal tools to screen juveniles from the following 3 judicial processes: pre-prosecution, trial, and pre-adjudication.

Special measures for the pre-prosecution process are defined in Section 86 to 89 of the Act on the Juvenile and Family Court and Its Procedure B.E. 2553 in order to screen the juveniles with mild problems from the justice system and to give them opportunities to correct their behaviors and peacefully return to society as soon as possible. The special measures were designed to replace criminal proceedings based on the concept of restorative justice, which is associated with developing a juvenile rehabilitation plan through collaborative meetings between all involved parties, such as the juvenile offenders, victims, psychologists, social workers, and relevant communities and organizations. All parties have to collaborate in solving the problem. The juvenile offenders have to understand how their offense causes damage to other people. The victims should be healed and compensated, understand the problem of the juvenile offenders, forgive them, and give them a chance to return to society. All of these significantly affect the juvenile offenders' contrition and make them want to correct their behaviors. All relevant parties must support the implementation of the juvenile rehabilitation plan. These measures were designed to be an alternative justice procedure that can be used in parallel with the

ordinary justice process. During the pre-prosecution process, for the juveniles that are accused of committing an offense with a maximum penalty of up to 5 years of imprisonment and have never been sentenced to imprisonment before, the director of the Juvenile Observation and Protection Center will assess the facts and the juveniles' contrition and then decide whether they can return to society without entering the prosecution process. The director will call for a meeting between the juvenile offenders, victim, and related persons in order to develop a juvenile rehabilitation plan, which includes guidelines for correcting the juveniles' behaviors, providing compensation to the victim, and enhancing the safety in the community and society. If the prosecutor agrees with the plan and the plan is successfully implemented, he or she will issue a non-prosecution order. Thus, if the juveniles, who are accused of committing a minor offense, can change their behaviors according to the plan, they will be screened out from the judicial process with special measures in lieu of criminal proceedings and then return to society and be productive.

However, the law states that the juvenile and family judge must examine the lawfulness of the development process of the rehabilitation plan. Therefore, the judge has to carefully assess all facts, understand the concept of restorative justice, use psychological communication skills to make the juveniles understand the process and agree to join the rehabilitation plan in order to reach an achievement that is beneficial to them. If the judge has an opinion that the rehabilitation plan is not legitimate or the implementation is not successful, the juveniles must return to the ordinary judicial process.

Considering the special measures for the trial process, the juvenile and family judge plays a key role in deciding whether to use the special measures or not. This is different from the pre-prosecution process, where the judge only assesses whether the rehabilitation plan prepared and proposed by the director of the Juvenile Observation and Protection Center is legitimate or not.

The special measures in lieu of criminal proceedings can be immediately used to screen the juveniles from the judicial process as soon as possible, if the judge finds that the juvenile offenders feel truly contrite and their case fits the criteria for applying the special measures. The Juvenile and Family Court must take into account the criteria in Section 90 of the Act on the Juvenile and Family Court and

Its Procedure B.E. 2553 and the Regulations of the President of the Supreme Court B.E. 2556 regarding the rules, methods, and conditions of developing rehabilitation plans. The details are as follows.

(1) In the case where a juvenile offender is charged of committing a major crime with a maximum penalty of up to 20 years of imprisonment, with or without a fine, committing multiple distinct offenses, or committing an offense violating several provisions of the law, the severest punishment shall be applied to inflict the punishment upon the offender.

(2) The juvenile offender has committed a minor offense or committed an offense through negligence and has never been sentenced to imprisonment before.

(3) The juvenile offender feels remorseful for what he or she has done.

(4) The injured parties give consent to the rehabilitation plan.

(5) The plaintiff has no objection.

(6) The circumstance is not extremely harmful to the society.

(7) The juvenile offender can change his or her behaviors.

(8) There are possibilities that the victim will obtain reasonable compensation.

If multiple juvenile offenders are charged in the same case, each of them will be individually evaluated according to these criteria.

From the above criteria, it was found that the application of the special measures depends mainly on the following three elements.

The first element is the juveniles' contrition. The judge has to ensure that the juvenile offenders feel remorseful for their actions. Although the law does not clearly specify how to assess contrition, the judge has to examine whether the juveniles are aware that their actions cause damage to others, are regretful for what they have done, and are ready to improve themselves. No matter whether the juvenile offenders choose to plead guilty or not guilty, the judge has to carefully consider the facts appearing to the court, the investigation and recommendation report

proposed by the director of the Juvenile Observation and Protection Center, the observation report prepared by the advisory center (or the Special Measures in lieu of Criminal Proceedings Unit), and other related reports. If the juvenile offenders' behaviors can be changed, the victims seem to obtain reasonable compensation, and the rehabilitation tends to benefit the future of the juveniles and the victims, the court may initiate the process of ordering a rehabilitation plan.

The second element is the consent of the victims. According to the restorative justice concept, special measures can be used after receiving the consent of victims. The judge has to pay attention to the victims' damage that is the result of the juvenile offenders' actions. Apart from providing damage compensation, the judge must make the victims feel that they are important, are part of the process, and are truly healed. In addition, community representatives or those involved with the juveniles' actions may be invited to share their opinions.

The third element is the consent of the juveniles. The rectification and rehabilitation plan is concerned with the juveniles' readiness to improve themselves, which comes from the consent of the juveniles. Therefore, the judge has to take into account the consent of the juveniles before ordering a rehabilitation plan.

As the special measures in lieu of criminal proceedings were designed to be an alternative legal procedure, if a rehabilitation plan cannot be successfully created or implemented, the juvenile offenders have to return to the ordinary judicial process (Act on the Juvenile and Family Court and Its Procedure B.E. 2553, Section 90-93).

Section 95 of the Act on the Establishment of and Procedure for Juvenile and Family Court B.E. 2534 previously stated concerning juvenile rehabilitation measures instead of a trial that if the court finds that the circumstance of the case is not suitable for adjudication, the judge shall give a temporary release, send juvenile offenders to the Juvenile Observation and Protection Center, or temporarily use special measures. In practice, the Juvenile and Family Court has extensively interpreted this provision of law in order to establish effective juvenile rehabilitation measures for the trial process. After the Act on the Juvenile and Family Court and Its Procedure B.E. 2553 was introduced, the scope of juvenile rehabilitation has been

expanded in order to correct juvenile offenders' behaviors and to make them return to society in a productive way. If juvenile offenders successfully comply with these measures, they will be screened out from the judicial process and the judge will dispose the case without trial, and the right to file a criminal charge is suspended (Act on the Juvenile and Family Court and Its Procedure B.E. 2553, Section 132) (Office of the Judiciary, 2013a, p. 31).

3) Family Cases

Juvenile and family judges are responsible for hearing and adjudicating family cases the same as other normal civil cases. The juvenile and family judges differ from judges of other courts in the following respects. The quorum of the Juvenile and Family Court is different from that of other judicial courts. According to Section 23 of the Act on the Juvenile and Family Court and Its Procedure B.E. 2553, there must be at least two career judges and two lay judges, one of whom must be a woman, in a quorum of the Juvenile and Family Court unless there is no child or young person involved in the case. The court has to ask both parties whether they agree to have lay judges in the quorum. If there is a child or young person involved in the case, the judge has to inform the director of the Juvenile Observation and Protection Center and listen to his or her opinions before adjudicating the case. The key to handling family cases is that the judge has to use the comparison technique to make the two parties compromise or reach mutual agreement by taking into account peace and family cohabitation rather than entering a trial and adjudication process. Section 146 of the Act on the Juvenile and Family Court and Its Procedure B.E. 2553 states that juvenile and family judges must consider the following principles: 1) preserving and protecting marriage status as a center of a man and woman volunteering to live or cohabit together as husband and wife. If the marriage status cannot be maintained, a divorce must be fair and voluntary, cause a minimum damage to the woman, and with a focus on the welfare and future of a child; 2) protecting and assisting the family, especially the family that needs to take care of and provide education to a minor child; 3) protecting the rights and welfare of a child; and 4) finding measures to make husband and wife reconcile and improve the relationship between themselves and between themselves and their child. In order to use a compromise approach that focuses on peace and family cohabitation to solve

family disputes in a more effective way, a family conciliator system has been specifically developed. All family dispute cases must enter into mediation before issuing legal proceedings (Act on the Juvenile and Family Court and Its Procedure B.E. 2553, Section 148). In addition, there are also provisions for resolving alimony and child support issues, which include oral pleading (Act on the Juvenile and Family Court and Its Procedure B.E. 2553, Section 157), exemption of court fees (Act on the Juvenile and Family Court and Its Procedure B.E. 2553, Section 155), requesting a court-appointed lawyer (Act on the Juvenile and Family Court and Its Procedure B.E. 2553, Section 158), temporary protection measures (Act on the Juvenile and Family Court and Its Procedure B.E. 2553, Section 159), the court being given power to issue a summons or warrant for investigation and warning (Act on the Juvenile and Family Court and Its Procedure B.E. 2553, Section 162), and the application of forensic science in family cases (Act on the Juvenile and Family Court and Its Procedure B.E. 2553, Section 160).

4) Welfare Cases

Section 10 of the Act on the Juvenile and Family Court and Its Procedure B.E. 2553 stipulates that the Juvenile and Family Court has the power to adjudicate welfare cases according to the Child Protection Act B.E. 2546 and the Domestic Violence Victim Protection Act B.E. 2551. The government can exercise its power to intervene in the family, if parents improperly treat a child or if a victim is abused by family members. The government shall protect the welfare of more vulnerable persons. After a victim files a petition to the Juvenile and Family Court, a juvenile and family judge has to carry out an investigation in a prompt manner and does not need to strictly adhere to the criminal procedural law (Act on the Juvenile and Family Court and Its Procedure B.E. 2553, Section 173). In the case of domestic violence, the victim's relatives or relevant officials can request the court to order a measure of relief such as forbidding the alleged offender to drink alcohol or to use intoxicants, to get near the housing or workplace of the petitioner, or commit acts that may lead to domestic violence for 6 months. The assigned social worker, psychologist, police officer, or other relevant official must follow up and ensure that the alleged offender complies with the order and report it to the court (Act on the Juvenile and Family Court and Its Procedure B.E. 2553, Section 174). If the court has

the opinion that the petitioner also contributes to the violence and needs to be healed, the court may order the petitioner to receive treatment for a certain period of time (Act on the Juvenile and Family Court and Its Procedure B.E. 2553, Section 174). If an offender has improperly treated a child or violated the law on child protection, the child's parents or guardian can request the court to issue a welfare protection order.

Welfare cases are a new form of legal case that still has no clear operational guidelines so it is considered a challenge for juvenile and family judges. Moreover, the nature of welfare cases may be viewed as contrary to the Thai cultures; for example, outsiders should not intrude into one's family lives, a child is the property of parents, and parents are obliged to violently punish their child and others have no right to get involved. Thus, it is a difficult and challenging mission for the juvenile and family judges to exercise judicial power to protect vulnerable persons in society in an appropriate way.

5) Working with Multidisciplinary Teams and Networks

Collaboration with the multidisciplinary teams and networks of public agencies, private organizations, and communities has become increasingly important since the Act on the Establishment of and Procedure for Juvenile and Family Court B.E. 2534 was enacted. At that time the Central Juvenile and Family Court and several Provincial Juvenile and Family Courts, consisting of Nonthaburi Juvenile and Family Court, Samut Prakan Juvenile and Family Court, and Ubon Ratchathani Juvenile and Family Court, began to build a network of the private sector, civil society, and communities, to carry out educational programs for children and youths in many schools, proactively initiate useful activities for children and youths, and to apply a restorative justice approach. Many rehabilitation programs were conducted to correct, rehabilitate, and monitor the juveniles after leaving the judicial process. However, those programs still lacked practical implementation, supportive legal provisions, operational continuity, and unity (Office of the Judiciary, 2013a, p. 38). The development of innovative juvenile justice programs or measures depended mainly on the vision and opinion of the judges and administrators of each juvenile and family court.

After the Act on the Juvenile and Family Court and Its Procedure B.E. 2553 was formally introduced, additional legal provisions were developed to promote integral operation in terms of knowledge and coordination between internal organizations and external networks in a more practical and clearer way. This is also consistent with the missions of the Juvenile and Family Court in overseeing the juvenile rehabilitation process, including investigation of arrests and the application of special measures in lieu of criminal proceedings during the pre- and post-prosecution and adjudication periods. At present, a counseling center to coordinate meetings and support juvenile rehabilitation has been set up in every Juvenile and Family Courts throughout the country. It acts as the focal point of all tasks related to juvenile rehabilitation. Every provincial juvenile and family court has a psychiatrist appointed by the Office of the Judiciary. This is considered an important beginning step for collaboration between judicial officers and multidisciplinary staff, which is different from other courts. The Juvenile and Family Court also provides a counselor to give advice about juveniles' behaviors and to make juvenile offenders improve themselves since the initial stage. In some cases, the parents involved in juveniles' inappropriate behaviors may also need to be treated. Lay judges have to cooperate in providing guidance to juveniles and their parents. This is considered a new occupational dimension of lay judges that makes them have close relationships with the juveniles and know in greater detail about the juveniles' problems. Although these personnel are not legal experts, they are an important mechanism contributing to the progress of the juvenile and family judges' rehabilitation work. In addition, as the Juvenile and Family Court does not have systematic knowledge of social psychology, its counselling center requires support and cooperation from other specialized organizations. For example, the Department of Mental Health, the Ministry of Public Health, provides a center with necessary information for creating a juvenile interview form and also recommends topics and procedures for the interview. The information obtained from the interview will be used to evaluate juveniles' and parents' problems. If the juveniles have mental problems that cannot be solved by the court's psychologists, they will be referred to a psychiatrist at psychiatric hospitals or the Chalm Phra Kiat Hospital affiliated with the Central Juvenile and Family Court in order to analyze the problems and to find appropriate solutions. The court may order

the juveniles to immediately attend rectification and rehabilitation activities without having to wait for prosecution or adjudication. If the juveniles get better, a progress report will be submitted to the court so as to proceed to the next legal procedure (Chiranit Havanond, 2013a, p. 53).

Moreover, the Juvenile and Family Court has carried out a wide range of rehabilitation programs for children and youths, which cannot be completed without cooperation and support from other related organizations. Although their duties may not directly involve juvenile offenders, those organizations have a common goal to develop quality children and youths for the nation. Some of the court's rehabilitation programs include Military Camp activity, which has been carried out under an MOU between the Juvenile and Family Court and the Royal Thai Army, the Novice Ordination program and Moral Camp activity, which have been supported by the Department of Religious Affairs, Family Camp, which is a psychological rehabilitation activity that has been conducted by the court's trained psychologists with the aim to help children with family problems, EQ-MQ Camp, which intends to adjust juveniles' behaviors, and other vocational activities that send juveniles to be trained for future careers in various external organizations in the public, private, and business sectors (Chiranit Havanond, 2013b, pp. 92-94). Sometimes the rehabilitation process may continue even after juveniles have returned to the community in order to ensure that they will not commit inappropriate acts again. External networks that collaborate with the Juvenile and Family Court in taking care of the juveniles include the community in which the juveniles live, temples, schools, hospitals, and health centers.

In addition to collaborating with external networks, juvenile and family judges have to work with personnel and bodies in the juvenile justice system such as police officers, prosecutors, legal advisors, attorneys, the Juvenile Observation and Protection Center, the Department of Probation, and the Ministry of Social Development and Human Security, which have partnerships with the Juvenile and Family Court according to the Act on the Juvenile and Family Court and Its Procedure B.E. 2553, taking into account the best interests of juveniles. As juvenile offenders do not belong to any specific person or organization, all sectors must share responsibility in this matter, which will lead to a participatory juvenile justice system.

Authoritative barriers will no longer obstruct working because authorities merely reflect the duties and responsibilities of each organization in driving successful juvenile rehabilitation.

In another dimension, collaborating with multidisciplinary teams, external networks, and other bodies in the juvenile justice system can reduce legal limitations. Although the Act on the Juvenile and Family Court and Its Procedure B.E. 2553 contains additional provisions on children's rights protection and juvenile rehabilitation, new juvenile and family problems continue to emerge in the Thai society due to the rapidly-changing social and economic conditions, including behavioral problems resulting from using online social networks, violence problems, drugs problems, and especially teenage pregnancy problems. The Faculty of Medicine, Ramathibodi Hospital Mahidol University has proposed that teenage pregnancy should be included in the national agenda because it was found that in 2016 Thailand had the second highest teenage pregnancy rate among the ASEAN countries (Matichon Online, 2016, p. 1). As a result, the Prevention and Solution of the Adolescent Pregnancy Problem Act B.E. 2559 was introduced in 2016. The Juvenile and Family Court is not directly responsible for this problem. However, the problems of children and youths should be comprehensively taken care of because each problem has an effect on another one. When a teen is pregnant without family support, she may solve the problem with abortion, abandoning the baby, or committing a criminal offense in order to gain money for raising her child. It reflects that a teenage pregnancy problem can lead to another problem, which eventually leads a child or youth to the Juvenile and Family Court. During the adjudication process, juvenile and family judges have to take account of other governmental agencies that will take care of the problems related to teenage pregnancy in the future. This is a broader effect that the laws may not cover. Juvenile and family judges have to link related laws and ensure that the laws are effectively enforced. They have to change their working style and not only focus on adjudication but also use the laws in a constructive way. If there exists no provision provided for the problem, they must apply constructive interpretations and find ways to efficiently fulfill their tasks. Particularly, it is unavoidable for juvenile and family judges to formally and informally work with multidisciplinary teams, psychologists, social workers, and

relevant networks. Thus, they must act as reliable and friendly leaders and put their efforts into transforming the working style of juvenile-and-family-related organizations in public, private, and community sectors and make them aware of the importance and necessity of organizational change and an integrated working approach. The juvenile and family judges have to encourage the juvenile-and-family-related organizations to change from working separately under traditional limitations to integrating existing knowledge and resources to support holistic operations and achieve the goal of returning good juveniles to society and creating healthy families for the nation. In this way, the juvenile and family judges can be called problem-solving judges, which is in line with the concept of problem-solving court that can solve the problems related to juvenile delinquency and the family in a comprehensive way (Office of the Judiciary, 2013b, p. 20).

2.2.3 Qualifications of Juvenile and Family Judges

Considering the qualities and qualifications of juvenile and family judges, the Act on the Establishment of Juvenile Court B.E. 2494 has specifically stated that the administrators and judges of the Juvenile Court “must have good courtesy and appropriate behaviors to govern and educate children and youths.” Later, Section 17 of the Act on the Establishment of and Procedure for Juvenile and Family Court B.E. 2534 further indicated that the administrators and judges of the Juvenile and Family Court “must have knowledge and understanding of family problems” to support the jurisdiction of the Juvenile and Family Court, which needed to deal with family cases after the court name was changed from the Juvenile Court. Furthermore, the same qualifications of the administrators and judges of the Juvenile and Family Court have been consequently prescribed in Section 16 of the Act on the Juvenile and Family Court and Its Procedure B.E. 2553. Meanwhile, the qualifications of the lay judges of the Juvenile and Family Court in the new Act have changed from those in the previous laws. The lay judges are required to be trained and tested in terms of the intent and judicial procedures of the Juvenile and Family Court, psychology, social administration, counselling skills, juvenile and family welfare protection, and judicial duties before appointment. As for the juvenile and family judges, who are the key persons to enforce the law, the new Act does not define additional qualifications or

require them to receive training like the lay judges (Aphiradee Phophrom, 2011, p. 25).

Leonard Edwards, a former judge with more than 20 years of experience in the juvenile court in the United States, stated that the most important person in the operation of the juvenile and family court is the juvenile and family judge. He or she has a unique role to play, which is different from the judges of other courts. The juvenile and family judge must act as a judge, manager, coordinator, and supporter at the same time, which is distinct from the role of traditional judges (Edwards, 1992, p. 25).

Steven Teske, another professional judge, also suggested that working in the juvenile and family court, the judge must act as a reformer and especially focus on the integration of stakeholder engagement. He also said that the juvenile and family judge is like a traffic controller in juvenile-related work because all related organizations and stakeholders tend to converge on the juvenile and family court. Therefore, the juvenile and family judge must have leadership skills to play a very important role in making the court successfully achieve its missions. If the juvenile and family judge adheres to the traditional courtroom's working style and only focuses on the judicial process without paying attention to consequent results, he or she may become a barrier to the court's operation. In order to make the juvenile justice process successful, it is important to motivate the juvenile and family judge to have courage to escape from the traditional working style and become a leader of reform. Although the implementation of this concept may require a large investment and budget, it is considered necessary (Teske, 2013, pp. 1-2). This is consistent with Edwards (2013, pp. 1-2), who stated that the leadership of juvenile and family judges can create highly-productive outcomes for children and youths both inside and outside the court. The juvenile and family judges have a unique role and extensive power, distinct from those of judges in other courts that focus on resolving courtroom disputes. The juvenile and family judges must have leadership, administrative, collaborative, advocacy, and engagement skills to carry out various activities. As the juvenile and family court has been established separately from other judicial courts, it means that the government intends to pay special attention to vulnerable juveniles and their families. In order to achieve that goal, the juvenile and family judges must try to improve their standard of work to a higher level with a new working style and

innovative justice processes. They have to coordinate with and empower the community to understand the needs of children and youths and take care of them. The juvenile and family judges must play a leadership role both inside and outside the court. Inside the court, they have to establish the operational standard, monitor and control the process of litigation, determine a reliable work schedule, and ensure operational continuity. As promptness is very important for juvenile cases, the judges must manage the juvenile justice procedures in an effective way. Outside the court, they must also act as leaders, call for meetings with experts and community members regarding what children need, and propose projects that meet the needs of the children. Learning the role of judges from the best practices is the first step in making a difference. Importantly, the judges should remain in a position for a certain period of time. Transference of the judge makes it difficult to achieve organizational change. The leadership of the judges begins with turning ideas into action, which consequently contributes to the benefits of children and their families.

In Thailand, the qualifications of the juvenile and family judges have been continually taken into account. They are considered an important part affecting the performance of the Juvenile and Family Court. The juvenile and family judges must have a certain personality appropriate for handling juvenile cases so the qualifications of the juvenile and family judges have been defined in the law since the beginning. However, the current role and workload of the juvenile and family judges have increased. The qualifications defined in Section 16 of the Act on the Juvenile and Family Court and Its Procedure B.E. 2553 may not be enough to perform the current role and responsibilities in an effective and efficient way. Thus, the present research aimed to find out the appropriate qualifications of the juvenile and family judges in the present day.

2.3 Personnel Management of the Courts of Justice

2.3.1 Central Personnel Agency of the Courts of Justice

Regarding the personnel management system of governmental organizations, a central personnel agency must be established to be the center of personnel management tasks, ensure fair treatment, and protect the rights and welfare of organizational members. Klingner and Nalbandian (2009, as cited in Thammasat

University Research and Consultancy Institute, 2013, p. 8) suggested that the five main functions of governmental human resource management system consist of the following:

- 1) Procurement, which is the process of personnel recruitment and selection
- 2) Allocation, which comprises the missions to determine job description, promotion, and transfer
- 3) Development, which includes training, counselling, and motivating staff to improve personal abilities
- 4) Sanction, which is associated with discipline, negotiation, labor relations, complaints, and appeals
- 5) Control and adaptation, which include system identification, personnel management, information management, and predictions about personnel selection, allocation, development, and punishment

A central personal agency of the courts of justice is the Judicial Commission. The Act on Judicial Service of the Courts of Justice B.E. 2543 defines the roles and responsibilities of judiciary officers of the Court of Justice and also stipulates the personnel management practices, including instatement, appointment, promotion, selection, compensation, and the vacating of the office of all judiciary officers.

At present, the Judicial Commission consists of the following:

- 1) The President of the Supreme Court acts as a chairperson.
- 2) Twelve qualified Judicial Commissioners elected by judges, except judge-trainees, from the judges at each level of the courts of justice as follows:
 - (1) The Supreme Court: six judges holding a position in the Supreme Court at a level not lower than justice of the Supreme Court
 - (2) Courts of appeal: four judges holding a position in the Court of Appeal and regional courts of appeal at a level not lower than justice of the Court of Appeal or regional courts of appeal
 - (3) Courts of first instance: two judges holding a position in courts of first instance at a level not lower than chief judge

3) Two qualified Judicial Commissioners whom the Senate has elected from those that are not or have never been judiciary officers of the Courts of Justice and that possess qualifications without any prohibitions under Section 39 of the Act on Judicial Service of the Courts of Justice B.E. 2553

The power and duties of the Judicial Commissioners are as follows.

1) Carrying out any acts within the authority of the Judicial Commission and reporting back to the Judicial Commission

2) Carrying out any acts related to regular judicial service officers and acts designated by the Act on Judicial Service of the Courts of Justice to be the powers and duties of the Judicial Commission

3) Carrying out any acts related to the secretarial work of the Judicial Commission and the Sub-Judicial Commission appointed by the Judicial Commission

4) Studying, analyzing, and conducting research on relevant policy, regulations, systems, and standards; monitoring the evaluation of personnel management and the evaluation of judges, Datoh Yutithum, and lay judges; and reporting the evaluation results to the Judicial Administration Commission and the Judicial Commission

5) Recommending policy, system, principles, or guidelines for developing judges, Datoh Yutithum, and lay judges to the Judicial Commission

6) Carrying out acts related to judicial personnel management

The concept of central personnel agency was developed based on the merit system, which requires knowledge and ability assessment and provides a fair opportunity to every employee (Suphaphorn Phisarnbut, 2007, pp. 25-26) in order to secure the career advancement of government officials. Like other government officials that have to start their career from the lowest level, a judge has to start from a position of judge-trainee and then progresses through his/her career path according to the governmental process. As for the courts of justice, a judge can be promoted to a higher level, starting from the court of first stance to the court of appeal and the Supreme Court. The highest position in the courts of justice is the President of the Supreme Court. Currently, the concept of merit system has changed to focusing on government officials' performance development. Therefore, it is challenging for the organizations that have a central personnel agency to manage their personnel

(Thaweesak Suthakwathin, 2007, p. 37) to develop a personnel management system that is suitable for the changing work environment.

2.3.2 Recruitment and Selection of Judges

Recruitment and selection are very important tasks because if the department of human resource management has a good recruitment and selection method to obtain capable and appropriate personnel, it will contribute to the organizational achievement. Therefore, the department of human resource management must have clear and fair criteria to acquire the most appropriate personnel for the organization. The organization needs to start by developing an accurate conceptual framework because the personnel recruitment and selection should not be implemented without a clear vision, target, and planning (Choochai Smitthikrai, 2007, p. 15).

Recruitment policy is generally associated with “putting the right man on the right job” or trying to find the most qualified personnel for the organization. Those that are responsible for recruiting need to carry out job analysis in order to determine job descriptions and specifications and respond to both long-term and short-term organizational needs. The organization must not only seek personnel to fill vacancies but should focus on long-term manpower planning so as to obtain personnel that best fit the organizational needs. This is because the organization has to constantly expand and adapt to the economic, social, and technological environment (Suphaphorn Phisarnbut, 2007, pp. 51-52).

In general, recruitment and selection policy can be categorized into two approaches: the open career system and closed career system. The details of the open career system can be summarized as follows: 1) capable, knowledgeable, and qualified persons are given a fair opportunity to apply for vacant positions; 2) job applications are welcomed at all times during business hours no matter whether positions are available or not; 3) interested persons are allowed to apply for any positions if they have the required qualifications; and 4) experienced and skilled persons can apply for positions, even though their education does not meet standard criteria. As for closed career system, the details can be outlined as follows: 1) only some positions are open for applications—most of them are the lowest-level

positions; 2) applications for vacant positions must be done within a specific time limit; 3) those that meet educational criteria are eligible for the lowest position and get promoted later; 4) only educational qualifications are taken into account regardless of experience or expertise; and 5) job opportunities are provided on a vertical basis, starting from the lowest level. Applicants cannot directly apply for higher positions (Nigro, 1959, pp. 134-168).

The courts of justice apply the closed career system approach to acquire judges through job announcements, recruitment, and selection processes. According to Section 26-30 of the Act on Judicial Service of the Courts of Justice B.E. 2543, a judge must be recruited through examination, a knowledge test, and special selection. Selection procedures and rules to verify the qualifications of an applicant for examination, the knowledge test, and special selection are different depending on the decision of the Judicial Commission. These three kinds of selection methods are alternately carried out. Recruitment and selection of judges have been implemented based on the merit system. After the examination, the knowledge test and special selection scores of the examinees will be ranked from the highest to the lowest according to Section 31 of the Act on Judicial Service of the Courts of Justice B.E. 2543 in order to be used as a precedence hierarchy for promoting and transferring to a higher level in the future career path. This precedence hierarchy is also known as the “precedence principle,” where persons with higher precedence will get promoted first unless they commit serious misconduct. The precedence hierarchy will remain until retirement (Thanin Kraivichien, 2010, p. 80). The precedence principle is a core organizational value for the appointment and transference of judges that have been consistently adhered to in order to guarantee the independence of the judges. Thus, the recruitment and selection of judges is the most important process. Apart from being the first gateway for screening personnel into the organization, this process can indicate the future of the organization because the persons that are going to take the key positions in the organization are determined by the precedence principle from the early stage of instatement.

The process of recruitment and selection of juvenile and family judges is not different from that of other judges. There is no specific job description or specification for juvenile and family judges. After the recruitment and selection are

completed, instated judges will be appointed to work at the Juvenile and Family Court according to the order of the Judicial Commission.

The process of recruitment and selection, including the knowledge test, the determination of qualifications, recruiting, details of the application, and a written and oral examination are conducted with the aim to find personnel with exceptional legal knowledge and a good background. In practice, the role of judges in the trial and adjudication process is not only involved with legal knowledge. Juvenile and family judges need to have both legal knowledge and other essential qualifications in order to issue an order to protect petitioners; adjudicate on family, domestic violence, and juvenile cases, and mediate disputes in a professional manner. Therefore, it will be beneficial to improve this area of recruitment and selection in a more appropriate way.

2.3.3 Appointment, Transfer, and Promotion of Judges

The appointment and transfer of judges are considered important personnel management processes that help develop human resources and enhance organizational performance. If an organization can appoint personnel that are suitable for positions, it will help promote organizational effectiveness and efficiency. In addition, once the personnel feel that they are fairly appointed or transferred, it will contribute to higher morale and organizational engagement. The transfer of judges can be divided into 2 types as follows:

- 1) Horizontal transfer refers to appointment and transfer that allows judges to gain new experiences in new positions or new places. The annual transfer of judges consists of general transfers and special transfers. The general transfer of all judiciary officers is announced every August and will be effective on October 1st of that year or on April 1st of the next year, whereas the special transfer of additional positions is announced on February of the next year in order to resolve problems occurring from the general transfer (Act on Judicial Service of the Courts of Justice B.E. 2554, Section 15).

- 2) Vertical transfer or promotion refers to the appointment or promotion of judges to a higher position in their career path.

In the courts of justice, horizontal transfer includes rotating positions within a group of judges with the same level, transfer to other provinces/regions, and transfer

within courts of first instance, while vertical transfer includes promotions based on the precedence hierarchy and the judicial order. All judiciary officers of the courts of justice are transferred according to the “precedence principle” (Thammasat University Research and Consultancy Institute, 2013, pp. 71-72).

The appointment and transfer of juvenile and family judges also depends on the same judicial order, where the President of the Supreme Court is at the highest rank while a judge-trainee is at the lowest level (Thanin Kraivichien, 2010, p. 87). As for vertical transfer that does not affect the precedence order of judiciary officers, it can be done without having to take account of ability or specialized knowledge. This is considered a barrier to putting the right person to the right job (Thammasat University Research and Consultancy Institute, 2013, p. 79). Regarding the appointment of juvenile and family judges, the Act on the Juvenile and Family Court and Its Procedure B.E. 2553 states that the judges of the Juvenile and Family Court must have good courtesy and appropriate behaviors to govern and educate children and youths and also have knowledge and understanding of family matters. However, due to the current situation, it is hardly possible to find qualified judges appropriate for adjudicating such specific cases (Central Juvenile and Family Court, n.d., pp. 19-20). Juvenile and family cases have been currently included in other specialized courts such as the Bankruptcy Court, the Intellectual Property and International Trade Court, the Labor Court, and the Tax Court according to the Act on the Establishment of Appeal Court for Specialized Cases B.E. 2558 so that the cases appealed to the Juvenile and Family Court can be taken care of by specialized judges with exceptional knowledge in that field. Although Section 9 and 11 of the Act on Judicial Service of the Courts of Justice B.E. 2554 concerning the instatement, appointment, transfer, promotion, and salary of judiciary officers of the courts of justice states that the transfer of specialized judges must take account of specialized ability and knowledge rather than the precedence principle, there have been barriers to developing and transferring specialized judges with appropriate knowledge and ability because the transfer system of the courts of justice needs to adhere to the precedence principle instead of focusing on judges’ knowledge and ability (Thammasat University Research and Consultancy Institute, 2013, p. 79). In addition, the current transfer criteria do not allow specialized courts to maintain knowledgeable and experienced

personnel in the long run because they can be transferred to other courts according to Section 23 of the Act on Judicial Service of the Courts of Justice B.E. 2554 regarding the instatement, appointment, transfer, promotion, and salary of the judiciary officers of the courts of justice, which specifies that judiciary officers working at Kwaeng Court or Provincial Juvenile and Family Court for two years shall be transferred to available positions in Provincial Courts. This seems to affect work continuity and investment in personnel development (Faculty of Economics, Chulalongkorn University, 2009, p. 15).

2.3.4 Training and Development of Judges

Recruitment, written and oral examination, interviews, and other selection methods cannot guarantee that an organization will be able to obtain capable personnel with knowledge and qualifications that truly suit the organizational needs. Training is another strategy essential for organizational personnel management (Dessler, 2003, as cited in Sanchai Phonchai et al., 2005, p. 127). It is a process of enhancing employees' capacity in the aspects of ideas, actions, knowledge, expertise, and duties (Uthai Hiranto, 1988, p. 108), which will lead to higher performance, increased productivity, and achievement of organizational goals (Thongchai Santiwong, 1996, p. 187). Development is a process that has a linkage with training but it focuses more on generality. In other words, it is involved with putting efforts into developing employees to have abilities that meet the future needs of the organization (Kriangsak Kheawying, 2007, p. 157).

There are many forms of training that can be implemented together such as on-the-job training, coaching, advising, observing how supervisors and experts work, task assigning, internship training, and job rotation.

The training of judges of the courts of justice starts at the judge-trainee level. Every training has been under the supervision of the Judicial Training Institute, previously known as the Judge Training Institute before 2000, since 1987. A judge-trainee has to be trained for a certain period determined by the President of the Supreme Court with approval of the Judicial Commission. The training period shall not be less than one year. Both academic and practical trainings are provided.

Academic training includes orientation training, knowledge training on general knowledge, law and regulations, and operational guidelines, and field trips. Trainers and guest speakers are internal and external experts provide academic and practical insights.

Practical training refers to sending a judge-trainee to work at courts of first instance in Bangkok that have the power to adjudicate both civil and criminal cases in order to practice working with a tutor. Each judge-trainee will learn differently depending on the number of cases under the responsibility of the tutor, the difficulty of content, the actual situation of each case, and the period of training.

After the training is completed, evaluation of the training will be carried out through performance monitoring, a knowledge test regarding order issuing, summons for the settlement of issues, and others, and an ethical test based on the Code of Judicial Conduct. The evaluation must comply with the standards of the Judicial Administration Commission. The training results, whether pass or fail, have no effect on the precedence order (Sanchai Phonchai et al., 2005, pp. 36-39). In addition to the judge-trainee training, the Judicial Training Institute also prepares an annual training plan for all judges. Most training programs aim to educate and enhance the readiness to fulfill judicial tasks such as an orientation program for new or promoted judges, a junior judge training program, a judge training program, a training program for administrators of courts of first instance, a training program for justices of the Court of Appeal, and a training program for the justices of the Supreme Court.

Judge development places importance on on-the-job training and rotation. Judges can request to be transferred to other courts in order to increase their work experience and professional skills. Currently, the Office of the Judiciary has provided scholarships for the judges of the courts of justice that want to pursue graduate and doctoral studies both in Thailand and abroad, and has carried out a joint project between Thai courts and international universities in order to provide short-term training for judges under the regulations on attending educational courses, training, workshops, and field trips abroad determined by the Judicial Commission in 2006. The Office of the Judiciary has also provided scholarships for short-term training regarding critical topics and innovative technologies.

There is no specific training or development program for juvenile and family judges. They are required to attend the judge-trainee training program that provides academic training on general legal knowledge without providing juvenile or family insight. In terms of practical training, only few judge-trainees have been sent to work at the Central Juvenile and Family Court. The Office of the Judiciary used to conduct a short-term training for judges that had never worked at the Juvenile and Family Court but were appointed to work there; however, as the training period was quite short (about 2-3 days), attendees might not have been able to receive full information.

2.3.5 Performance Evaluation

Performance evaluation is the process by which the organization evaluates employees' performance using various criteria and methods in order to examine, diagnose, improve, enhance, and develop the ability of employees and give them opportunities to grow (Kriangsak Kheawying, 2007, p. 193). The evaluation results can be used in other aspects of personnel management, including manpower planning, recruitment and selection, human resource development, and career development and planning.

Good performance evaluation must take into account the following five key principles (Dipboye, Smith, & Howell, 1994; Schmitt & Klimoski, 1991, as cited in Choochai Smitthikrai, 2007, p. 369).

- 1) Reliability means that the evaluation must be consistent. Supervisors should use the same standards to evaluate personnel in the same position.
- 2) Validity or relevance means that criteria or performance standards used in the evaluation must be directly related to work. Each job may have different criteria for evaluation.
- 3) Discriminative means that the evaluation must accurately distinguish good and bad employees from each other.
- 4) Fair means that the evaluation process, treatment, and results of the evaluation must be free from bias arising from non-work factors.
- 5) Practicality means that the evaluation must be able to collect operational information in a timely manner without using too much budget and

manpower.

Dresler and Tan (2005, pp. 166-167) discussed the problems of performance evaluation, indicating that evaluation failures are involved with the clarity of the task, the evaluation procedure, and giving feedback. Employees may be not aware of the expected performance so a supervisor must clearly inform employees about their role and responsibilities and work standards. Moreover, a compromising supervisor may evaluate that all of his or her subordinates have good performance, although some of them seem to perform below standards. Sometimes poor communication and giving insufficient feedback to employees to improve themselves may cause evaluation problems.

The performance evaluation of judges has been carried out based on Section 14 of the Regulations of the Judicial Commission B.E.2554 regarding the instatement, appointment, transfer, promotion, and salary of the judiciary officers of the courts of justice. The Secretary of the Judicial Commission is appointed to conduct a performance evaluation according to the personnel assessment sheet and judicial task report on a yearly basis. Those responsible for an evaluation must submit the evaluation results to the Office of the Judiciary by April of each year. The personnel assessment sheet and judicial task report (Regulations of the Judicial Commission (No.6) B.E.2559 regarding the instatement, appointment, transfer, promotion, and salary of judiciary officers of the courts of justice) contain the following details:

- 1) Basic information includes general information about annual performance such as current position, salary, leaves, temporary duty, disciplinary action, and case reports. In this part, information must be provided by a judge.

- 2) Performance evaluation consists of the following:

Knowledge assessment, which aims to evaluate knowledge about rules, regulations, notifications, recommendations, ordinances, judicial principles about the adjudication and judgment of the Supreme Court, and other academic knowledge essential for carrying out judicial work

Adjudication assessment (for positions that are responsible for adjudicating cases, reviewing cases, and drafting decisions)

Responsibility assessment (for the court's administrators, secretaries, and academic positions)

Management competency assessment, which evaluates the performance of the court's administrator according to his/her fulfillment of duties and evaluates the performance of judges based on similar criteria and their general actions)

In this part, each personnel will be scored according to evaluation criteria. A rating scale with 5 possible responses (excellent, good, average, fair, poor) is applied to measure the performance.

Excellent means that the performance is higher than standards or continuously exceeds expectations.

Good means that the performance meets standards faster than usual.

Average means that the performance meets standards as expected.

Fair means that the performance nearly passes standards but there are few shortcomings.

Poor means that the performance is lower than standards and there are always shortcomings.

3) Behavior assessment, which is associated with perseverance, honesty, morality, and integrity. A 5-level rating scale is applied as in the second part.

4) Evaluation summary, which contains the opinions of assessors towards each person. The assessors can be divided into 1) junior assessors that will decide whether a personnel "passes" or "fails" and then provide supportive reasons; and 2) senior assessors that will "agree" or "disagree" with the evaluation of the junior assessors and provide reasons.

The juvenile and family judges and judges of other courts use the same performance evaluation principle, a personnel assessment sheet, and a judicial task report. Although juvenile and family judges have roles, duties, and responsibilities that are distinct from other judges, there is still no specific job description determined. This may have an effect on the accuracy of performance evaluation. In addition, Thanin Kraivichien (2010, pp. 83-85) discussed the judge's performance evaluation, indicating that the Judicial Commission seemed to pay no attention to the judicial task report and did not take into account the results of the judicial task evaluation submitted by supervisors when making decisions on the appointment and transfer of judges. Moreover, the supervisors did not evaluate their subordinates based on facts; They tended to give equal scores to every subordinator. Therefore, the results of the

evaluation could not be used to determine the promotion or punishment of judges in a reasonable way.

2.3.6 Compensation

Compensation is the remuneration that employees receive in return for their contribution to the organization. It can satisfy the employees' basic needs and represent their power and status in society. Compensation also reflects the employees' value and achievement in the organization (Harvey & Bowin, 1996, as cited in Kriangsak Kheawying, 2007, pp. 241-242). In addition, compensation is associated with employees' morale. Frederrick Herzberg, who proposed the two-factor theory of motivation, stated that hygiene factors, consisting of organizational policy, the management system, supervision, salary, interpersonal relations, and the work environment, and motivating factors, comprising growth, achievement, reputation, recognition, interest, and the meaningfulness of work, can enhance employees' performance once these factors are responded to. Even if they are not responded to, it has no negative effect on the employees' performance. Herzberg suggested that the importance of motivation lies in responding to the higher-level needs of human beings because once employees are proud of their ability or have a chance to develop themselves and grow in their career path, the organization will definitely receive full benefits from the employee (Herzberg, 1959, as cited in the Thammasat University Research and Consultancy Institute, 2013, p. 13). This is consistent with Mondy and Noe (1996, p. 359), who suggested that compensation refers to all types of rewards that individuals receive in return for their labor, which can be divided into direct financial compensation such as one's wage, salary, bonus, and commission and indirect financial compensation or non-monetary benefits such as satisfaction with challenging and interesting jobs, opportunity to grow, and a good environment in terms of policies, supervisors, and co-workers.

The criteria for compensation, including salary, a professional allowance, a car allowance, and other fringe benefits of the judges of the Juvenile and Family Court and other courts, are the same. In terms of salary, the courts of justice use the broadbanding salary structure so that judges of courts of first instance, courts of appeal, and the Supreme Court can easily and flexibly rotate to work at the same-level

courts. According to the Royal Decree on Salary Adjustment of Judiciary Officers and Datoh Yutithum (No.2) B.E. 2554, the salary and professional allowance of judges, except for judge-trainees, can be categorized into 5 levels as be seen in figure 2.1. The salary of judge-trainees can be divided into 2 scales. In the first year, the judge-trainees receive the lowest amount of salary, 17,560 baht, before getting promoted to receive the higher salary of 18,950 baht in the second year.

Table 2.2 List of Salaries and Professional Allowances of Judiciary Officers

Types of Court	Salary Levels	Positions	Salary (baht)	Professional Allowance
Supreme Court	5	President of the Supreme Court	75,590	50,000
	4	Vice-President of the Supreme Court	73,240	42,500
Courts of Appeal		Presiding Justice of the Supreme Court		
		Justice of the Supreme Court		
		President of the Court of Appeal		
		President of regional court of appeal		
		Vice-President of the Court of Appeal		
		Vice-President of regional court of appeal		
		Presiding Justice of the Court of Appeal		
		Presiding justice of regional court of appeal		
		Justice of the Court of Appeal		
		Justice of regional court of appeal		
	3	Vice-President of the Court of Appeal	69,810	41,500
		Vice-President of regional court of appeal		
		Presiding Justice of the Court of Appeal		

Table 2.2 (Continued)

Types of Court	Salary Levels	Positions	Salary (baht)	Professional Allowance
Courts of first instance		Presiding justice of regional court of appeal		
		Justice of the Court of Appeal		
		Justice of regional court of appeal		
		Chief justice of court of first instance	67,560	30,000
		Chief justice of region		
		Deputy chief justice of court of first instance		
		Chief judges		
		Presiding judge of court of first instance		
		Judge of court of first instance		
Courts of first instance	2	Judge of court of first instance	53,020	23,300
			48,200	
			40,890	
			32,410	
			32,110	
	1	Junior judges	29,980	7,900
			27,850	
			25,770	

Source: The Royal Decree on Salary Adjustment of Judiciary Officers and Datoth Yutithum, 2011.

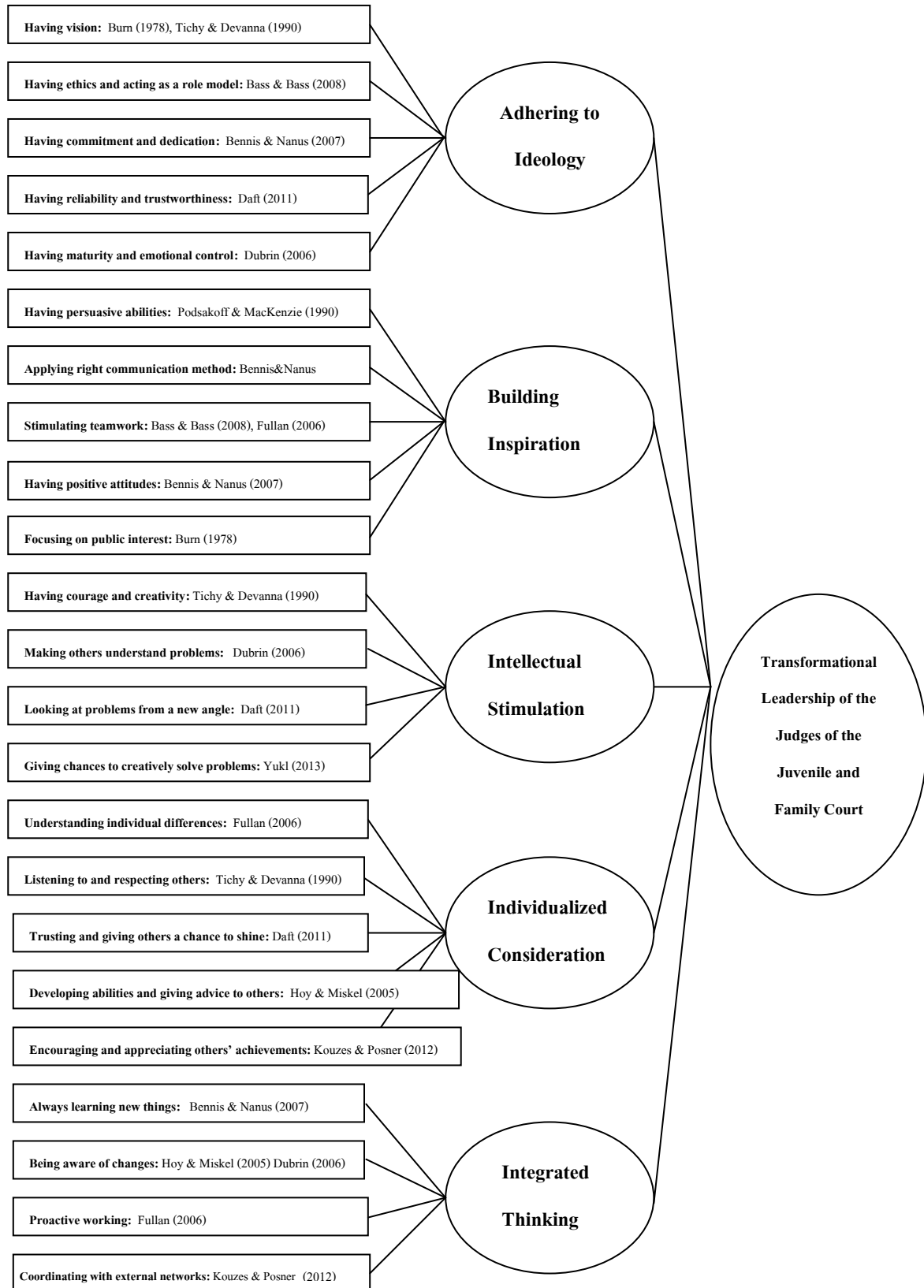
According to the above list of salaries, there are linkages between courts. In terms of the level-3 salary, the judges of the court of first instance can receive up to 67,560 baht. They will receive 69,810 baht, which is the highest scale for level 3, when they get promoted to be judges of the court of appeal with an approval of the Judicial Commission. Section 13 of the Regulations of the Judicial Commission

B.E.2554 regarding the instatement, appointment, transfer, promotion, and salary of judiciary officers of the courts of justice stipulates that when there are judiciary officers nominated to hold a position of presiding judge of the court of first instance, the chief judge, the judges of court of appeal that are not lower than the justice of regional court of appeal or the Justice of the Court of Appeal, the judges of the Supreme Court that are not lower than Justice of the Supreme Court, and other positions that are equivalent to all the above positions, the Secretary of the Judicial Commission must prepare a performance summary report about their ability in case-report writing and the results of judicial task evaluation of the last 3 years in order to be used in the decision-making. Once the judges of courts of first instance want to receive higher salary, they need to get promoted to be judges of the courts of appeal, although they prefer hearing case proceedings and trial-related tasks (judges of courts of appeal have the duty to review the facts and case reports submitted by the judges of courts of first instance and then give an order or adjudication. They occasionally take part in court proceedings such as hearing oral presentations).

In conclusion, the personnel management of the courts of justice is a unique task. Due to the organizational role, mission, and value that aim to bring justice to the people, the personnel management of the courts of justice has to focus on recruiting and retaining talented and good people. Thus, developing moral and ethical personnel with spiritual awareness of justice and promoting good role models for judiciary officers and other officials in the courts of justice are considered the main goal of the organization. However, in the current fast-changing environment the courts of justice need to adapt and keep pace with changes, especially in terms of personnel development, in order to bring justice to the people in an accurate and timely manner. The President of the Supreme Court has determined a personnel development policy that not only places importance on promoting professional solidarity or building a collective force to create good things and to resist wrongdoings (Weeraphon Tangsuwan, 2015, p. 16) but also pays attention to improving the research system structure concerning personnel development and training in order to develop the ability of personnel, build knowledge, and enhance the work efficiency of judiciary officers and other officials working in the courts of justice in a continuous and systematic way. Particularly, since the new justice system is developed and

specialized courts have been established, the President of the Supreme Court places more emphasis on the instatement and appointment of specialized judges (Office of the President of the Supreme Court, 2016, p. 1). Therefore, the development of juvenile and family judges responsible for adjudicating juvenile and family cases, which are defined as specialized cases according to the Act on the Establishment of Appeal Court for Specialized Cases B.E. 2558, is considered an important issue that needs to be practically implemented in the future.

2.4 Research Framework



CHAPTER 3

RESEARCH METHODOLOGY

The present study applied the mixed-method research approach. The qualitative research method was initially employed to collect data from the informants using in-depth interviews based on personal communication method. Then the quantitative research method was applied to collect further data from the predetermined samples using the questionnaire in order to ensure data completeness (Nitra Kijtheerawuttiphong, 2016, p. 135). The details of the qualitative research, which is the main research design of this study, is described below.

3.1 Qualitative Research

3.1.1 Documentary Research

The researcher applied the documentary research technique to study the transformational leadership concepts and theories written in textbooks, documents, research papers, and articles in both national and international academic journals. These concepts and theories were essential for synthesizing the components of the transformational leadership and analyzing the roles of the judges of the Juvenile and Family Courts, the human resource management style of the Thai courts, and the current work practices of the judges of the Juvenile and Family Courts.

3.1.2 In-Depth Interviews

The data obtained from the documentary research were used as basic information for the in-depth interview in order to find the components of transformational leadership, the indicator of each component, and guidelines for the development of the transformational leadership of the judges of the Juvenile and Family Courts. The sample selection criteria were determined according to the purposive sampling approach in order to select 56 informants from 4 main

professional groups and 9 sub-groups for the in-depth interviews. The personnel of the Central Juvenile and Family Court were selected to interview because the Central Juvenile and Family Court was the first Juvenile and Family Court in Thailand and also the source of academic information and operational guidelines that the Provincial Juvenile and Family Courts and the Provincial Courts' Juvenile and Family Division could rely on. The researcher intended to interview various groups of informants in order to obtain information from diverse sources with different experiences and perspectives that could be used to properly figure out the components of the transformational leadership of the juvenile and family judges. The four main groups of informants consisted of the following.

- 1) Four executives of the Central Juvenile and Family Court that provided information regarding their direct experience in managing the Central Juvenile and Family Court and shared their attitudes, opinions, and thoughts on the qualifications and characteristics of the juvenile and family judges.

- 2) Seven presiding judges and judges of the Central Juvenile and Family Court that provided information about the components of transformational leadership suitable for the roles of the juvenile and family judges. The presiding judges of the Central Juvenile and Family Court were considered an important source of information because they had expertise and experience in juvenile and family cases and could provide information from the perspectives of both general judges and presiding judges.

- 3) Thirty-seven professionals whose jobs were associated with the duties of the juvenile and family judges, which were composed of the following: 1) eight lay judges of the Central Juvenile and Family Court; 2) two psychologists or social workers of the Central Juvenile and Family Court; 3) five prosecutors responsible for juvenile and family cases; 4) eighteen legal consultants and attorneys; 5) two employees of the Department of Juvenile Observation and Protection; and 6) two employees of the Department of Probation.

- 4) Eight experts in the field of juvenile and family laws that had occupational background and experience in the juvenile and family justice system and had contributed to the development of the Juvenile and Family Courts in various aspects from past to present.

3.1.3 Research Instruments

The in-depth semi-structured interviews were used to collect the data. The qualitative research instruments were developed and evaluated according to the following process.

- 1) Study and collect information from related textbooks, documents, articles, and research papers
- 2) Use the obtained information to develop an interview structure and determine the scope of the content, covering the research objectives and research framework
- 3) Develop a series of questions and then ask the dissertation advisor to evaluate the content validity and accuracy of the questions in order to ensure that they were consistent with and covered all of the research objectives
- 4) Develop an in-depth interview form concerning the roles and transformational leadership of the judges of the Juvenile and Family Courts, which was divided into 3 parts as follows.

Part 1 aimed to elicit general information about the informants.

Part 2 were questions about the components of the transformational leadership of the judges of the Juvenile and Family Courts.

Part 3 intended to find useful suggestions for developing the transformational leadership of the judges of the Juvenile and Family Courts.

3.1.4 Data Collection

1) The researcher asked for permission to meet and interview the informants working in the Central Juvenile and Family Court from the director of the Central Juvenile and Family Court. For other informants, the researcher directly contacted them and asked for their cooperation *via* phone.

2) The key informants were interviewed using the in-depth interview technique. The data were recorded by taking notes and voice recording. Some of the informants, who were from several different professional groups, were concerned about providing straightforward information. Therefore, in order to make the informants answer the questions freely and accurately, they were ensured that the researcher would not disclose their names when quoting their statements in this study. Only the group number of the informants was identified in the appendix.

3) The data obtained from the in-depth interview were used to analyze and summarize the results.

3.1.5 Data Analysis

The researcher thoroughly transcribed the audio data and grouped them based on key interview topics. The content analysis technique was applied to identify similar data or statements, which was helpful in analyzing the data and meeting the research objectives.

3.2 Quantitative Research

Considering the qualitative research, the researcher developed the questionnaire in order to survey the opinions on transformational leadership of the judges working in the Juvenile and Family Courts and the Juvenile and Family Division of the Provincial Courts. The details are as follows.

3.2.1 Population and Samples for the Questionnaire Survey

The target population of this research was 387 chief judges, senior judges, and judges working in the Juvenile and Family Courts nationwide. The number of the target population was based on the Judicial Commission's manpower statistics 2016.

Samples for the Quantitative Research

The Yamane (1973) formula was applied in calculating the sample size of 197 chief judges, senior judges, and judges working in the Juvenile and Family Courts, as shown below.

$$n = \frac{N}{1 + Ne^2}$$

where n = Sample size

N = Target population size

Ne^2 = Allowable sampling error (0.05)

3.2.2 Research Instruments

The quantitative research instruments used in this study were questionnaires. The process of developing the research instruments can be explained as follows.

- 1) Use the data obtained from the first part of the study to develop questionnaires under the guidance of the dissertation advisor, then present the drafted questionnaires to the dissertation advisor

- 2) Submit the drafted questionnaires to 4 experts in order to examine and correct theoretical content validity, objectivity, language, and explanations

- 3) Use the content validity form of the experts to calculate the Index of Item Objective Congruence (IOC). It was found that the IOC value of every item was greater than 0.50.

- 4) Modify the research tool according to the advice of the experts

- 5) Try out the modified questionnaires on 66 judges working in other judicial courts. It was found that the Cronbach's alpha values of idealized influence, inspirational motivation, intellectual stimulation, individualized consideration, and integrated thinking were .898, .913, .889, .926, and .897. The total Cronbach's alpha value was .971.

- 6) Print out the final questionnaires and use them to collect data from the respondents. The questionnaires were separated into 3 parts as follows.

Part 1 consisted of checklist questions about personal information such as gender, age, educational level, and marital status.

Part 2 included questions about the components of the transformational leadership of the juvenile and family judges. A rating scale with five possible responses was used to survey the opinions of the respondents. The meaning of the scores is as follows.

5 indicates the highest level of performance.

4 indicates a high level of performance.

3 indicates a moderate level of performance.

2 indicates a low level of performance.

1 indicates the lowest level of performance.

Part 3 comprised 43 questions regarding the guidelines for developing transformational leadership. The rating scale with five possible responses was also applied to gather information.

3.2.3 Data Collection

The data were collected according to the following steps.

- 1) In order to gain access to the respondents of the study, letters asking for permission to distribute the questionnaires issued by the Graduate School of Public Administration, National Institute of Development Administration were sent to the Secretary-General of the Office of the Judiciary and the Chief Justice of the Central Juvenile and Family Court. After receiving approval, the questionnaires were distributed to the judges working in the Juvenile and Family Courts nationwide.
- 2) After one month, the researcher collected the completed questionnaires and found that 209 questionnaires were returned, which exceeded the calculated number of samples.
- 3) The researcher examined the validity and completeness of the questionnaires before analyzing the data.

3.2.4 Data Analysis

- 1) After examining the validity and completeness of all the returned questionnaires, the researcher filled in the scores given by each respondent on the coding form.
- 2) The quantitative analysis was conducted as follows.
 - Stage 1: the general information about the respondents was analyzed using descriptive statistics such as frequency, mean, and standard deviation.
 - Stage 2: The components of transformational leadership were analyzed by a computer program through the use of the confirmatory factor analysis method.
 - Stage 3: The guidelines for developing transformational leadership were analyzed using descriptive statistics, such as frequency, mean, and standard deviation, in order to find the degree of opinion on the guidelines for developing the transformational leadership of the juvenile and family judges that were obtained from the in-depth interviews.

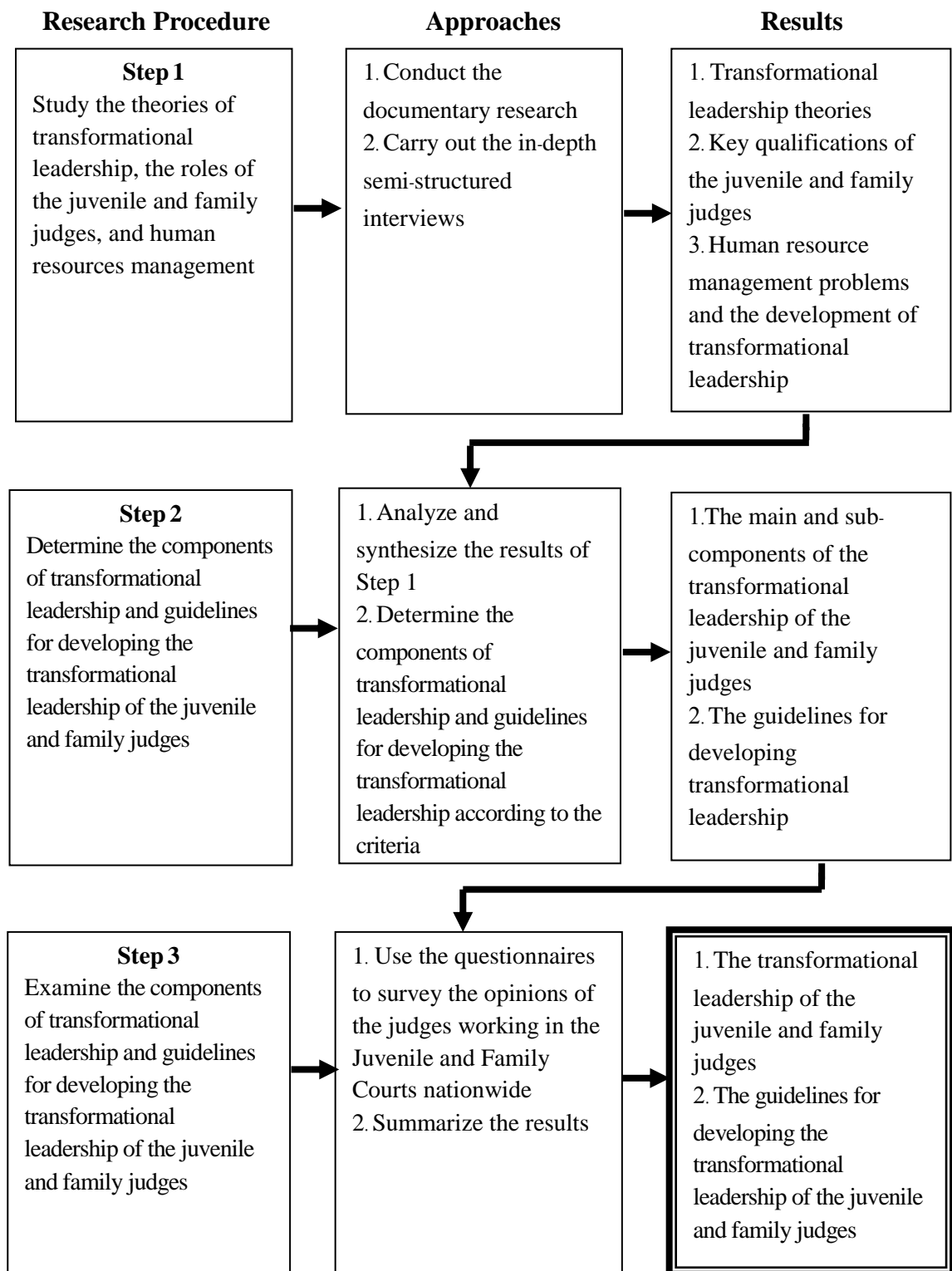


Figure 3.1 Summarized Research Procedure Based on the Research Objectives

CHAPTER 4

RESEARCH RESULTS

The present research aimed to study the components of the transformational leadership of the judges of the Juvenile and Family Court and to explore the guidelines for developing their transformational leadership. The research results can be categorized into two main parts as follows.

4.1 The Results of the Qualitative Research

The information concerning the transformational leadership of the judges of the Juvenile and Family Court, which was obtained from the in-depth interviews with 56 informant in 4 main groups and 9 sub-groups, is as follows.

4.1.1 Components of the Transformational Leadership of the Judges of the Juvenile and Family Court

The overall image of judges is like the scales of justice. They must live with integrity and bring justice to society (Phra Phromkunaporn, 2013, p. 6). At present, bringing justice to society has various implications. Apart from adjudicating cases according to legal provisions, judges may need to play other roles in order to create fairness based on the environment and context of each specific case, especially in the aspect of juvenile and family matters. Juvenile and family judges must have leadership skills to determine the organizational direction and to create changes in society, which is consistent with the following information obtained from an personal communication with an informant from group 9 (legal experts).

His Majesty King Bhumibol Adulyadej said that judges should go down to community levels to help and educate community members. When asked if that exceeds judges' duties, He stated that the judges generally have two roles.

First, they must act as authorized judges. Second, they are experts with more legal knowledge than the general public. Thus, they have to lead society and become the leaders of social change.

Although the Juvenile and Family Court has existed since 1952, it still has not been able to achieve the goals of its establishment or to create any social change. This is partially due to problems of personnel management. One of the informant from group 9 (legal experts) provided further information as follows:

The Juvenile and Family Court was established over 60 years but it has not developed as it should have because juvenile and family cases, which are specialized cases, have not been clearly separated from general courts. Most of the judges temporarily work at the Juvenile and Family Court for a short period of time before moving to other courts. Only those regularly working at the Juvenile and Family Court can understand that dealing with juvenile and family cases is not ordinary tasks and that the Juvenile and Family Court is the pride of the courts of justice. Lay judges of the Provincial Juvenile and Family Courts have exceptional qualifications, including knowledge, expertise, and experiences, which are rare to find in other organizations. However, those qualifications and knowledge have not been used to drive a social change in a practical way. Juvenile and family judges should be able to make a difference in society.

Therefore, in order to help the Juvenile and Family Court achieve the goals of its establishment and the intent of the law, seeking and recruiting juvenile and family judges with appropriate qualifications to become effective law enforcers should be taken into account. From the information obtained from the in-depth interviews, the qualifications of juvenile and family judges that are considered the components of transformational leadership can be described as follows.

- 1) Adhering to Work Ideology

Ideology refers to principal ideas or principles that are determined as a guideline to achieve a set goal (Royal Institute of Thailand, 2011, p. 1422). The duties

of the Juvenile and Family Court, defined by the Act on the Juvenile and Family Court and Its Procedure B.E. 2553, are considered new tasks with no specific guidelines. Since there was no clear operational guideline for these kinds of tasks in the Thai context before, in order to perform those tasks in accordance with the intent of the law, juvenile and family judges must have a work ideology that focuses on the best interests of children and behave according to that ideology. This is consistent with the following information obtained from an informant from group 9 (legal experts).

The most important element is that they must have commitment and sense of responsibility. If we are executives, we have to lead the organization with a clear goal and try to achieve that goal (a legal expert from group 9 of the informant).

Juvenile and family judges must recognize the value of work and develop themselves and others to achieve that value. In this way, they can be called leaders. If they only perform their regular work and rotate jobs according to the precedence principle, they will not be able to achieve the value of this position (a legal expert from group 9 of the informant).

Juvenile and family judges should have the following qualifications: 1) having knowledge about legal principles and law enforcement process essential for fulfilling their duties, and 2) being committed to their work and having work ideology. In addition to initiating a change, they must set a clear goal for the change, which should be public interest rather than personal benefit. They must have abilities to foresee the organizational direction, commit to their work, build collaboration, and focus on common interest (a legal expert from group 9 of the informant).

The informant also placed importance on the following five components of adhering to work ideology.

(1) Vision - Not only do those playing the role of court administrators need to have sharp visions, but due to the nature of their work, all juvenile and family judges have to be all-round visionaries that focus especially on the future of children

and youths. This is consistent with the following information obtained from the interviews, as seen in the following statements.

Juvenile and family judges must have broad perspectives because they have to deal with a number of criminal laws associated with juvenile and family cases, including criminal justice process, diversion, and special measures, which requires cooperation from other organizations. Since this is very different from the previous practice, if they do not have the idea of building relationships among relevant organizations and only adhere to the traditional practice, it will result in a problem. The judges must understand the work of their own organization, law and legislation, and the work of other organizations (an executive of the Central Juvenile and Family Court from group 1 of the informant).

If they have no vision, their work will progress in the wrong direction and the problems will never be accurately solved. Without a clear vision they will never move towards the right direction, even though they have good intentions (a judge from group 2 of the informant).

Juvenile and family judges have duties to solve the problems regarding interactions of people in society, especially small society like a family. Many criminal cases are related to interactions in a family so those responsible for this job must be visionary (a judge from group 2 of the informant).

Juvenile and family judges must have a broad vision to deal with and understand various kinds of juvenile offenders such as drug-addicted children and juvenile burglars that have different personality traits. They must be visionary and able to train and make children speak the truth, which will be beneficial for correcting and rehabilitating the children (a lay judge from group 3 of the informant).

They need to have visions. Currently, a rehabilitation approach is used to deal with juvenile cases rather than a punitive approach. If the judges have the visions that comply with the intent of the law, juvenile offenders can be corrected (a prosecutor from group 5 of the informant).

Having visions is important. As the current situations are rapidly changing, the judges should think outside the box. When a problem occurs, the context is very different from the past. In the IT era, the judges must look at the cause of juvenile delinquency in a wider and deeper way (a legal consultant from group 6 of the informant).

The judges must have a vision and prepare for the future. The world has changed from analog to digital, they have to keep pace with the change. Those that refuse to change will have only outdated knowledge (a legal consultant from group 6 of the informant).

Juvenile and family judges must not strictly comply with the laws and regulations alone. They need to have visions and open more to sub-organizational cultures. Those working at the Provincial Court may argue that they need to correct and develop offenders as well. Actually, the nature of work is very different. In terms of adult cases, it is quite late to correct the offenders' behaviors. As for juvenile cases, we can take care of the juvenile offenders and rehabilitate them (an employee of the Department of Juvenile Observation and Protection from group 7 of the informant).

Transformational leaders must be visionary, have creative ideas, and think outside the box. In each period, there are few people that have such qualifications (an employee of the Department of Probation from group 8 of the informant).

However, some informant were found to have different opinions regarding the sub-components of adhering to work ideology. The details are as follows.

During the trial process, having visions may not be as important as creating inspiration for others (a judge from group 2 of the informant).

Having visions is essential for court's administrators. It is not required for general judges unless they want to develop themselves and become the court's administrators (a lay judge from group 3 of the informant).

(2) Morality, ethics, and role model – Acting as a role model for juveniles and other related persons is vital because juvenile and family judges are the key persons leading the trial and adjudication. If they have morality and ethics and act as role models, it will result in followers' trust and readiness to achieve shared ideology. This is similar to the following information obtained from the in-depth interview.

Acting as a role model for subordinates, colleagues, and other organizations related to juvenile rehabilitation enables all parties to trust the court and the judges and shows that the judges have morality and ethics. Moral and ethical behaviors can be reflected when the judges provide support and counselling to juvenile offenders or interact with colleagues (an executive of the Central Juvenile and Family Court from group 1 of the informant).

Integrity and ethics enable us to understand the problems and solve them in an accurate way (a lay judge from group 3 of the informant).

Being ethical is the first qualification a judge must have because it can make him or her become a role model for colleagues and subordinates. Most judges seem to have this qualification (a lay judge from group 3 of the informant).

An organizational change cannot occur, if there are no good leaders. The leaders have to recognize that a change is important and must be accomplished. Once the leaders act as the role models, their subordinates will follow them. If we keep the problem to ourselves, it will burst out some days later (a lay judge from group 3 of the informant).

In my opinions I think that morality and ethics are the most important thing. Judges must have moral mind and behave according to the ethics. If the judges have morality and ethics, they will be able to effectively perform their duties, make a fair judgment, and understand all problems (a psychologist from group 4 of the informant).

The judges must act as role models and have integrity. They must behave the way they want their followers to behave in order to create trust and respect. Juvenile and family judges will have good ideology once they have

role models that strictly adhere to institutional and organizational values and their duties as much as possible. At present, it may be hard to find a good role model in the courts of justice like ancestral judges. However, there may be some tutor judges that are able to effectively solve problems and control situations in a courtroom, which can be regarded as good role models (an employee of the Department of Probation from group 8 of the informant).

Judges must have a good heart, exemplary behaviors, and give useful advice to juveniles, especially juvenile delinquent offenders. The judges have to give opportunities to the juvenile offenders according to the intent of the law so they must have good understanding of juvenile and family matters. Sometimes we only focus that lay judges must have experiences in child-raising and family care but let singles with no family-life experience to become juvenile and family judges. Although some of them can effectively fulfill their duties, in terms of academic perspective, one's life experience can indicate whether he or she truly understand juvenile and family problems or not (a legal expert from group 9 of the informant).

Juvenile and family judges must be kind-hearted and have love for humanity. They should not only love themselves and their family but their love should extend to other people, especially those who are suffering. Children facing crisis may cause troubles and headaches; however, the judges have to be kind and try to learn and understand their problems (a legal expert from group 9 of the informant).

(3) Work commitment, devotion, and dedication – Apart from doing their assigned duties, juvenile and family judges have to dedicate their physical and mental energy to solving the problems of juveniles in a comprehensive way. This is consistent with the following information obtained from the in-depth interview.

Juvenile and family judges basically have a heart to work and love to help juveniles and their family. They have to devote their time to work more than judge of other courts (an executive of the Central Juvenile and Family Court from group 1 of the Informant).

Juvenile and family judges that have a heart to solve the problems of juveniles will have internal work motivation to change juvenile offenders into good citizens. For example, they will find an interesting program or activity that is suitable for rehabilitating each juvenile. They know how to select and look for tools that can prevent juvenile offenders from committing an offense again and make the juvenile offenders return to being good members of society. They will think further about collaborating with other agencies and come up with other creative ideas. Judges that just perform their duties, adjudicate assigned cases, write a judgment, and merely focus on statistics do not actually want to correct or rehabilitate juveniles. Judges that truly want to help juveniles will look through all of their criminal cases and review whether juvenile offenders return to commit more crimes and how effective rehabilitation programs are. They will be interested in monitoring their previous cases and review their performance every year (an executive of the Central Juvenile and Family Court from group 1 of the informant).

Juvenile and family judges have to devote themselves and focus on juvenile rehabilitation rather than adjudication. They should understand that the context of each juvenile offender is different so there must special training provided according to contextual differences. Juvenile rehabilitation is an important task that requires personnel with work commitment (an executive of the Central Juvenile and Family Court from group 1 of the informant).

Juvenile and family judges should be more dedicated than judges of other courts and have strong work ideology. During a mediation process, in order to solve a dispute, the judges must not only wait for mediation results but also provide guidance to both parties on how to reach mutual agreement. The judges need to devote themselves to juvenile and family cases more than financial cases (a judge from group 2 of the informant).

Most people think that the duties and tasks of juvenile and family judges are not tough and not concerned with passing an imprisonment sentence. In fact, those that choose to work in this field must be devoted to their work and able to work with multiple parties. They should have interpersonal skills, strong communication abilities, and good personality.

Juvenile cases cannot be settled once and for all. Some juveniles may enter the court again. Therefore, we must plan a suitable guideline to rehabilitate juveniles and return them to society. Apart from committing to their work, juvenile and family judges must be willing to help others (a judge from group 2 of the informant).

All juveniles are different. Some can be corrected while some cannot be trained. There was a deputy director that had to deal with a juvenile committing 6 offenses. He treated that juvenile like a friend, provided scholarships, and even asked the juvenile to be ordained. Finally, that juvenile could return to society as a good citizen. He has been dedicated to rehabilitate juvenile offenders. He said that if my son also committed 6 offenses, what I would do. Having a child and a family affects his work and makes him attentive to children and youths (a lay judge from group 3 of the informant).

Juvenile and family judges may have doubts whether the facts in a report proposed by the Juvenile Observation and Protection Center are correct or not. Therefore, the judges must be the first ones to perceive the facts. If we want to solve a problem, we have to understand it. Some people provide help to juvenile offenders because they think that the juvenile offenders lack potential and have poor behaviors. Giving things to the juvenile offenders is good but spending time with them, doing something together, or finding them a job is better. In terms of children with family problems, we must focus on the problems and should not think that those children are underprivileged. If we really want to correct or rehabilitate them, we have to get close to them. I think that only people can change people. If you want to change iron into magnet, you will need to wrap it with a wire and pass electricity to the wrapped iron. Once you remove the wire, the magnet will change back to normal iron. I am trying to explain that in order to change juveniles' behaviors the judges must get close to them and make them become genuine magnet even when the judges are not around them (an employee of the Department of Juvenile Observation and Protection from group 7 of the informant).

Juvenile justice knowledge can be learnt but judge qualifications and attitudes towards future are varied according to each individual. Particularly,

juvenile and family judges have to learn about integrity. Living with integrity has a broad meaning. I think that all juvenile and family judges must view the suffering of others as their own suffering and try to find appropriate solutions. They should not think that the problems of others are not their business or else they should not be juvenile and family judges. Unlike judges of other courts that adjudicate cases based on law and legislation, juvenile and family judges must focus on solving the problem and not only adhere to legal provisions. The law is just a tool leading us to find solutions. We need to use accumulated knowledge, abilities, feelings, and experiences to solve a family problem rather than applying specific theories because this kind of problem is quite abstract and each family has different problems. Juvenile and family judges must have a special and unique qualification that is perceiving the problems of others as their own problems, which will contribute to finding solutions to difficult problems. If they think that the problems of others are not their concern, they should work at other courts instead (a legal expert from group 9 of the informant).

I have encouraged the Juvenile and Family Court to reduce violence in society. Although the child protection legislation and the domestic violence prevention law have been enacted, people are unlikely to understand those laws due to lacks of knowledge. We only look at the arising problems without taking account of a preventive approach, which can significantly minimize a number of juvenile and family cases. At present, we deal with each juvenile and family case like a routine job (a legal expert from group 9 of the informant).

(4) Reliability and trustworthiness – Juvenile and family judges that can effectively work with other parties must have reliability and trustworthiness and make their followers believe that they can achieve goals without losing direction. This is in line with the information obtained from the in-depth interview. Examples follow.

Judges are the persons that other agencies believe and obey. Therefore, they must be good leaders and lead their followers to a better change (a prosecutor from group 5 of the informant).

Juvenile and family judges must have the ability to find faults. There is no fixed formula for juvenile rehabilitation. The judges must develop their knowledge and understand children's minds. Sometimes if the judges can understand their feeling and win their heart, it will result in big changes (a legal expert from group 9 of the informant).

Juvenile and family judges may be young and have not many experiences but they need to play a leading role for lay judges. Recently, lay judges have been further developed. Some of them are retired government officials. If the judges do not have leadership, some of the lay judges may not have trust in them (a legal expert from group 9 of the informant).

At present, juvenile and family judges understand the operation of the Juvenile and Family Court differently. Some chief judges have a policy while some have none and let judges do things as they want. Therefore, the juvenile law has not been seriously enforced. Some judges may proactively apply the juvenile law without knowing the objective of the application, which is not the appropriate approach. Juvenile and family judges must understand the reasons why juvenile offenders are temporarily released and why special measures in lieu of prosecution Section 90 and measure of rehabilitation Section 132 are used. They must have insightful knowledge on the use of special measures Section 90 and 132 on specific cases (a legal expert from group 9 of the informant).

(5) Maturity and emotional control – When facing difficult situations in a courtroom or during cooperation with other agencies, juvenile and family judges must show their maturity and emotional control in order to ensure that they have mental readiness to deal with juvenile and family problems, which can lead to more complicated problems. This is consistent with the following information obtained from the in-depth interviews.

Judges have to be careful about their personality while meeting a lot of people. They need to have good personality and should be trained on how to control their emotions. This is because sometimes they may be provoked. If they cannot control their emotions, it may cause a problem (an executive of the Central Juvenile and Family Court from group 1 of the informant).

Juvenile and family judges have to control emotions. As juvenile offenders are young and may have annoying behaviors, the judges must control themselves but should not treat the offenders too gently (a judge from group 2 of the informant).

Apart from having exceptional knowledge, it is important for judges to be mature (a lay judge from group 3 of the informant).

In terms of emotional control, if judges treat children with poor behaviors, the children will have bad attitudes towards them and the justice system (a prosecutor from group 5 of the informant).

Maturity and emotional control are important. Leaders must be calm. They do not need to react or respond to every question (a legal consultant from group 6 of the informant).

Judges must be able to control their emotions, because sometimes mistakes can occur during communication or trial process. For example, the offender may miss the court hearing because the appointment ticket stated the wrong date. The judges need to give them a chance as mistakes can always occur. They should not use emotions to make decisions (a legal consultant from group 6 of the informant).

Juvenile and family judges must be able to read people. For example, the law states that special measures in lieu of criminal proceedings can be used once juvenile offenders feel contrite for their actions. However, the law does not specify the levels of contrition. If the juvenile offenders wear polite clothes and make an apology, is it enough to use the special measures? The judges must be able to explain why they think those juvenile offenders are contrite and should receive special measures (an employee of the Department of Juvenile Observation and Protection from group 7 of the informant).

Juvenile and family judges must understand the nature of life that there are all kinds of people in society. If they do not have many experiences, they will know only people in the same level and do not understand other people's way of life" (a legal expert from group 9 of the informant).

In addition, most informant related the last sub-component, maturity and emotional control, to having life and family experiences. Some of them also emphasized that judges that had a child could understand juvenile and family problems better. The details are as follows.

Juvenile and family judges should be married and have a family because they have to mediate family cases (a judge from group 2 of the informant).

In terms of judge selection, those that have their own family, with or without a child, should be selected because they can understand civil or criminal cases related to family better than those that are single (a judge from group 2 of the informant).

The judges should have a family and children so that they can deeply understand juvenile problems (a judges from group 2 of the informant).

I have a child so I tend to understand juvenile offenders more. Having a child and family makes juvenile and family judges become better at work (a judge from group 2 of the informant).

One judge is very dedicated. He said that he also had a son and that what he would do, if his son made a mistake. It shows that having a family and children has an effect on this field of work and also make judges concerned for other people's children (a lay judge from group 3 of the informant).

Juvenile and family judges must understand children's behaviors and minds. Those with their own family and children can understand these things better (a prosecutor from group 5 of the informant).

Juvenile and family judges should be 35 years old or over so that they can deal with juvenile and family cases, which are very complicated. Some judges that are young and have no family experience will view each problem differently from judges that are already married or have their own family.

Unlike adult cases, the judges cannot treat juveniles with aggressive manners because some juveniles may be scared and do not dare to speak the truth when threatened (a legal consultant from group 6 of the informant).

Judges can learn legal knowledge but cannot easily obtain life experiences. I disagree that newly appointed judges are sent to work at the Juvenile and Family Court (a legal expert from group 9 of the informant).

Some judges only know how to act as a demanding child. Those that are parents seem to have better understanding of children. The juvenile justice system must take into account the nature of children and generously provide children with opportunities (a legal expert from group 9 of the informant).

However, there were some informant that did not mention life or family experiences. Some even argued that having a family and children is not a critical issue for judges. The details are as follows.

Having a family and children is only a minor factor for juvenile and family judges. The judges that are single can be good at work, if they have good attitudes. Importantly, they need to have passion, which is associated with job dedication (a legal expert from group 9 of the informant).

Those that are kind-hearted and love and understand children should be selected as juvenile and family judges. Age does not matter. Juvenile offenders' personality may be annoying. If the judges are not old, they can understand the juvenile offenders better like speaking the same language (a legal consultant from group 6 of the informant).

2) Building Inspiration

In order to complete new tasks and difficult work, juvenile and family judges must inspire and motivate other related parties. For juvenile offenders, getting rid of guilt and changing into a better person are difficult because they are young. They need someone to inspire them along the way so that they can move towards the future and achieve the expected goal. Moreover, juvenile and family judges must be a motivating inspiration to colleagues and people having the same ideology and

encourage them to not stop before reaching the intended goal. This is in line with the information obtained from the in-depth interviews. The details are as follows.

Building inspiration is important. In addition to making juvenile offenders realize what they did is wrong, the judges have to motivate them to set a goal or what should be done in the future and ensure that they understand the reason behind the goal. Some parents do not try their best to find information or methods to help their children achieve the goal. Sometimes the children have the goal but do not know how to achieve it. It is important that the judges give a guidance to both the children and their parents because in some families the children and parents do not understand each other (a judge from group 2 of the informant).

Than Wor, a highly respectable judge, heartily works with kindness and shows exemplary behaviors in order to inspire us. When the Domestic Violence Protection Act was firstly introduced, police officers still ignored domestic violence issues and viewed that they were private matters of husband and wife. Therefore, Than Wor called for a meeting with the superintendents of all police stations and ask why the police did not enforce the law. He seriously takes account of domestic violence issues. Most importantly, he always monitors and follows up the consequences of each case. For example, after adjudication, both dispute parties are ordered to report the progress to the court on a regular basis. Relevant information has been continually updated. The Case Conference, a meeting where judges select an interesting case to be analyzed by experts, has been held every month (a lay judge from group 3 of the informant).

Inspiration is crucial, especially for children. It will be beneficial, if we provide them with a role model or idol. A good teacher can entirely change someone's or children's life forever (a legal expert from group 9 of the informant).

Considering the components of building inspiration, the informant were found to place importance on the following 5 components.

(1) Ability to convince others to agree on a common goal. Convincing others to do something requires both scientific and artistic techniques. All related parties seemed to agree that the tasks of the Juvenile and Family Court are carried out with good intentions. However, they may have different opinions on the operational style and work method. Juvenile and family judges must be able to persuade people with different perspectives to work together based on common goals. This is consistent with the information obtained from the in-depth interviews. The details are as follows.

During work, we should not just order other people around. Although we have answers in mind, we should also ask for opinions of other related persons. In terms of network building, we should convince and persuade others to work together rather than ordering them (an executive of the Central Juvenile and Family Court from group 1 of the informant).

Convincing others to adhere to shared visions is one of leadership techniques. Leaders should know how to persuade their followers to conform to the visions. If leaders understand the meaning of work, they can easily convince their followers (a lay judge from group 3 of the informant).

If you can make the subordinates agree with the objective of the establishment of the Juvenile and Family Court, the ethical conduct, and the concept of juvenile punishment system that is different from other courts, the tasks of the Juvenile and Family Court can be thoroughly accomplished (a lay judge from group 3 of the informant).

In a courtroom, juvenile and family judges have duties to communicate with juvenile offenders, their parents, and victims and convince them to let the juvenile offenders join a rehabilitation program, especially the victims that want the juvenile offenders to get punished. If the judges can convince the victims, involved persons, prosecutors, and attorneys to realize the importance of special measures in lieu of criminal proceedings, the juvenile offenders will be able to enter the rehabilitation process” (a prosecutor from group 5 of the informant).

Although a leader acts as a role model, some followers may refuse to adhere to his or her exemplary conduct. The leader must convince them to accept the shared vision. It is because there are many kinds of people with different opinions in a workplace” (a legal consultant from group 6 of the informant).

(2) Applying appropriate communication methods. Juvenile and family judges with good communication skills can make their followers clearly understand the intended message, which can be communicated through words and gestures. This is considered an important element of building inspiration. The informant provided further information about communication skills in the following.

Rhetoric must be used to convince family members to get back together. If they cannot live together, the judges must find way to make parents jointly take care of their children. If the parents separately take care of their children, they must try to make the children respect the other side (an executive of the Central Juvenile and Family Court from group 1 of the informant).

Communicating a vision is vital. The vision must be transferred to promote understanding of relevant organizations, which will subsequently motivate cooperative teamwork. This is because juvenile-related works are public matters (an executive of the Central Juvenile and Family Court from group 1 of the informant).

Judges have to give advice, use gentle speech, and sometimes apply a threatening approach. In other words, they must be able to use both strict and soft methods (a judge from group 2 of the informant).

Juvenile and family judges must use gentle words when asking juvenile offenders questions and talking to adults in family cases. Psychology of persuasion should be applied (a judge from group 2 of the informant).

The judges must be able to give explanation, convince children on what is right and what is wrong, and make them understand their duties. Quite a lot of judges only focus on legal processes but do not explain them to the children. Communication skill is a key qualification that every judge must have. They must be able to compare the pros and cons of each issue. This

qualification is varied. Some judges may only concentrate on the justice process without taking account of juvenile rehabilitation (a judge from group 2 of the informant).

The Juvenile and Family Court requires judges with specialized knowledge and high experiences. The judges need more than legal knowledge to solve a dispute between multiple parties. In terms of civil cases, they have to find solutions, which may be against the law but not-yet illegal, for related parties. The judges have to deal with a lot of situational problems. They not only talk to children but also communicate with adults, who may be older than them. Therefore, the judges must have communication skills to make other people trust and listen to them (a judge from group 2 of the informant).

Communicating a vision is very important because some villagers that have to face judicial officers may not have legal knowledge and understanding. The judges must be aware of this point and find ways to communicate with them such as adjusting the use of words and using psychological speech or gestures (a judge from group 2 of the informant).

How do leaders communicate with their followers? How will they motivate their followers to have the same goals? If they want to accomplish their tasks and win the heart of followers, they must use both top-down and bottom-up communication approaches (a psychologist from group 4 of the informant).

Juvenile and family judges have to understand behavioral and mental states of children and have techniques to ask questions and find answers. This is because juvenile cases are different from other criminal cases in the Criminal Court that do not need to use psychological questioning. In dealing with children, a psychological approach must be used as much as possible (a prosecutor from group 5 of the informant).

When handling juvenile cases, the judges have to talk to children about the causes of their offense. When asked with direct questions, the children may not respond. The judges must use psychological principles to make the children talk and analyze their behaviors in order to find whether they commit an offense because of their family, society, friends, or themselves. In this way,

the judges can determine an appropriate approach to correct and rehabilitate the children (a prosecutor from group 5 of the informant).

From my experiences of working with juvenile offenders, most of them were found guilty of the charged crime. However, when they were in the court, they were likely to feel scared and sometimes did not speak the truth. If a judge kindly talk to them and ask them not to lie, they will realize what they have done is wrong. Civil cases like divorce disputes are very complicated because they are associated with property and children. While parents are arguing about property ownership, children may feel that they are not as important as the property. In some cases, parents that only focus on the property may refuse to take care of their children and ask them to live with relatives. There are also cases about acknowledgement of a child. For example, a government official having a child with a non-wife woman may be sued to take responsibility of the child without prior intention to do so. Although the child is innocent, no one wants to take care of him or her. If judges are able to use both the law, ethics, and morality to persuade parents, this kind of cases can be successfully solved. The judges that can do this job well must use their experience, knowledge, and maturity to convince related parties so they need to have communication skills (a legal consultant from group 6 of the informant).

There was one case on Bench No.2 that took 3-4 hours for mediation. Firstly, the defendant did not want to appear at the court. We waited for him for a while before contacting and persuading him to come. The judge had patiently waited for the defendant since the morning. When the defendant arrived at the court, the judge did not complain anything. He talked to both sides without any bias and made them understand each other by giving an example about his own family. This made the stubborn defendant started to listen to him. The judge did not try to teach them but shared his own family experiences like talking with friends during a meal. The listeners felt relaxed and paid attention to what he said (a legal consultant from group 6 of the informant).

(3) Stimulating teamwork. In the current operational context of the Juvenile and Family Court, the trial and adjudication process cannot be completed only by judges. It requires support from a collaborative team consisting of lay judges, prosecutors, legal advisors, attorneys, court officers, and external networks, which is considered the key mechanism of the juvenile justice system. This is in line with the information provided by the informant. The details are as follows.

We cannot work alone but need to work as a team. Although each team member has different responsibilities, all of them coordinate with each other and carry out activities that are beneficial for children. Currently, the Central Juvenile and Family Court have to take care of many cases. Juvenile and family judges may not have enough time to take a deep look at all cases. At this point, psychologists can recommend the judges on how to handle each juvenile because the psychologists are closer to juvenile offenders than anyone else. Lay judges are also close to the juvenile offenders. After talking to and spending time with them, the lay judges can tell if they can be corrected and rehabilitated in the future or not (an executive of the Central Juvenile and Family Court from group 1 of the informant).

Stimulating teamwork is considered a new approach. Previously, everybody in the justice system from the bottom to top level separately worked according to the duties and responsibilities. However, the advantage of teamwork is that it can broaden perspectives and world view of team members. In the court, a teamwork has been presented in form of quorum of judges. In the Juvenile and Family Court, a teamwork consists of both judges and lay judges. Some lay judges may feel that the judges do not listen to their opinions as much. Sometimes we need to explain that there are some legal issues that the lay judges may not excel at. In terms of teamwork, expressions and gestures have an effect on collaboration. If all team members accept and treat each other with kindness and generosity, it means that they are ready to work together (a judge from group 2 of the informant).

Work cannot be done without collaboration between judges, lay judges, and court officers. Most lay judges seem to understand the objective of

the establishment of the Juvenile and Family Court because they have worked there for a long time. The court also cultivates the organizational values and trains them until they understand all related information. If all court members listen to the opinions of each other, it will be beneficial because each of them has different experiences (a lay judge from group 3 of the informant).

Judges have to motivate the multidisciplinary team. There should be a meeting every 3 months or 6 months in order to summarize what we have done so far, discuss the problems and obstacles, and plan a direction and overall image of the court together. All of the court members should share ideas and find an agreement together before taking actions according to their role. In addition, a follow-up meeting should be carried out to monitor, evaluate, and summarize the results. At present, the court applies a hierarchical management approach and does not pay much attention on cooperative discussion among the team members (a prosecutor from group 5 of the informant).

Judges alone cannot successfully correct and rehabilitate a juvenile. They must carry out a meeting with the multidisciplinary team and encourage the community, parents, victims, and other legal agencies, including prosecutors and legal advisors, to take part in juvenile rehabilitation (a prosecutor from group 5 of the informant).

Juvenile and family judges should not only adhere to the traditional practice that focuses on sitting behind the bench. They should talk to involved parties and set up a meeting with the prosecutor and legal advisor in order to summarize each juvenile case and jointly solve a problem in an appropriate way. For juvenile cases, the judges do not need to worry about fairness or conflict of interest issues when associating with related parties, because the laws promulgated on 1951, 1991, and 2010 confirm the same principle that the juvenile adjudication system does not need to strictly comply with the Criminal Procedural Act. The laws also specify what the juvenile and family judges can do, including carrying out a meeting to obtain suggestions and opinions on juvenile rehabilitation from all related parties like talking to family members. Nowadays, we tend to place importance on the Criminal

Procedural Act rather than the Act on the Juvenile and Family Court and Its Procedure (a prosecutor from group 5 of the informant).

There should be collaboration between the court, prosecutor, and legal consultants. Sometimes the legal consultants may better understand the problem of juveniles and can share insightful information. Particularly, some legal consultants may be familiar with the community and can suggest effective ways to solve the problem (a legal consultant from group 6 of the informant).

In addition to listening to opinions of the members of the quorum, juvenile and family judges should discuss the pros and cons of the imprisonment punishment and possibilities of juvenile rehabilitation with the prosecutors and legal consultants. Brainstorming ideas from the team members is better than thinking alone because in terms of juvenile rehabilitation we should not solely focus on whether children are guilty of the offense or not. We should think about how to rehabilitate them as well (a legal consultant from group 6 of the informant).

Regarding inspiration building, as juvenile-related works are complicated and there are limited number of juvenile and family judges, a cooperative teamwork is required. The judges must be united and collaborate with the police officers, prosecutors, the Juvenile Observation and Protection Center, lay judges, and probation officers. Currently, the related organizations have also encouraged community sector to take part in juvenile rehabilitation (an employee of the Department of Probation from group 8 of the informant).

Teamwork is very important. Each judge has different life experience. It is better to combine all of judge's experiences and opinions and then select the best approach to solve a problem. This is a reason why a quorum of judges and lay judges is required. Teamwork is more important to juvenile cases rather than others. This is because other cases such as civil or criminal cases depend solely on the legal provisions while juvenile cases are associated with the way of life and family protection. Thus, lay judges are required to fill the gap in this area (a legal expert from group 9 of the informant).

In terms of teamwork, some people may not understand that all involved parties, including the judges, prosecutors, lay judges, and legal advisors, are a part of the team and have a joint role in the juvenile justice process (a legal expert from group 9 of the informant).

We should encourage all related persons to heartily work together as a team without ordering them. Leaders must have abilities to read people, utilize resources, put the right man on the right job, enhance team members' potential, and promote collaboration in order to achieve the best outcome. They should not dominate others in an unpleasant way or else they will never be successful. In the meeting, the leaders should give the team members opportunities to shine rather than being in the spotlight alone (a legal expert from group 9 of the informant).

(4) Using a positive attitude to solve problems. In general, children and youth can be rehabilitated. The most important thing is that those working with children and youths must look at juvenile problems with appropriate attitudes. This is consistent with the following information obtained from in-depth interviews.

Juvenile and family judges must have positive attitudes towards juvenile offenders and believe that they can be rehabilitated with a corrective rehabilitation approach rather than punishment (a judge from group 2 of the informant).

Attitude is important. There is no right or wrong perspectives. Everything can be used to solve problems. We should not judge different perspectives as inaccurate (a judge from group 2 of the informant).

Juvenile and family judges must have positive thinking and believe that juvenile problems can be solved and that previously bad behavior can be corrected. The judges should have good attitude. They should not stop giving guidance to juvenile offenders, who are difficult to handle, and use the law to punish them. In that way, we will not be able to correct them. If we can make the juvenile offenders realize what is right and wrong and change their perspectives, it will transform their lives forever. During their troubles we

have to support them. When the juvenile offenders have family and jobs, most of them tend to automatically become better persons (a judge from group 2 of the informant).

Those that can give opportunities to others must have positive attitudes. If we think children are not good, we may do nothing. On the other hand, if we think the children can be improved, we will give them opportunities. When I started working here, I had limited knowledge. However, I have continually learned new things from existing lay judges with juvenile-related experiences and developed positive attitudes towards juveniles. Previously, I tended to have negative attitudes and ask negative questions. After working here, I become more positive in thinking and speaking and be able to control myself better. We can use what we teach children to improve ourselves (a lay Judge from group 3 of the informant).

Many judges have positive attitudes and understand the juvenile justice process. However, some judges that have never dealt with juvenile cases may only focus on punishment because they think that offenders must be punished, which is not correct (a prosecutor from group 5 of the informant).

Juvenile problems can be viewed from various perspectives. If we solely focus on negative side, the problems cannot be solved (a legal consultant from group 6 of the informant).

Firstly, juvenile and family judges must have appropriate attitudes towards juvenile and family cases in the legal, psychological, and social dimensions. They need to have more than legal knowledge. Those that have only legal expertise tend to deal with problems with a harsh and aggressive approach, which is not appropriate for handling juvenile and family cases. Therefore, we should find ways to make juvenile and family judges have positive attitudes towards every problem. Judges that are used to ordering others around and have high ego and smooth-talking skills, can make a sharp decision about legal disputes but cannot solve social issues (a legal expert from group 9 of the informant).

Judges should have positive attitudes and believe that juvenile offenders can be rehabilitated. If they only think about punishment and

revenging, they are likely to apply the criminal procedure, which is considered inappropriate. The judges must pay attention to social welfare and place importance on individuality because each juvenile offender has different characteristics and background. In order to successfully achieve satisfied results in rehabilitating juvenile offenders, the judges must have positive thinking and believe in juvenile rehabilitation (a legal expert from group 9 of the informant).

(5) Encouraging others to recognize the importance of working for the public interest. Public interest is different from personal interest in many aspects according to the perspective of viewers. In fact, personal interest is a part of public interest. Public interest has an inevitable effect on personal interest. Thus, juvenile and family judges have to indicate the needs for all parties to collaborate in working for the public interest. The informant of the in-depth interviews also provided similar information. The details are as follows.

The tasks of the Juvenile and Family Court are complicated. They must be carried out by the personnel that have the heart to help people (an executive of the Central Juvenile and family Court from group 1 of the informant).

Juvenile-related works are aimed at public interest. Community sector should be encouraged to take part in this field of works by raising awareness that juvenile delinquencies can possibly affect someone's children in the community. For example, if you ignore drug trafficking in the community, a juvenile selling drugs may urge your children to try them some day. Therefore, we should build public consciousness and make people aware of the importance of juvenile-related work (an executive of the Central Juvenile and family Court from group 1 of the informant).

Building awareness of followers may refer to motivating co-workers to work and solve the problem with sincerity. Moreover, every co-worker should be provided with essential information so that they can participate in problem-solving and decision-making (a judge from group 2 of the informant).

The main problem in enhancing service mind of the court officers is that the judges do not create understanding with the court officers before so they do not know how to behave and perform. Thus, the judges should always provide a clear guideline to the court officers (a judge from group 2 of the informant).

Juvenile and family judges must raise public consciousness of their followers. They have to dedicate themselves first in order to make the followers comply with their exemplary behaviors (a legal consultant from group 6 of the informant).

The Juvenile and Family Court is a special court that focuses on children and encourages all related parties to take part in juvenile works. However, its current operational practice has not met the intent of the law. Although there is an attempt to drive the court into the right direction, sometimes the organs of the court cannot keep pace with the change. Apart from routine job, they need to perform additional tasks, which can eventually cause disruptions. Some of them may stay calm and do not complain anything while some may be opposed to the change. This is because there is a lack of communication and understanding of working for the common good (an employee of the Department of Probation from group 8 of the informant).

3) Intellectual Stimulation

Thinking “outside the box” and creating innovative work based on decency will succeed when leaders give team members opportunities and motivate them to look for new ways to solve problems without adhering to traditional frames of thought. Some team members may feel opposed, disagree with the leaders, or not understand their ideas but the outcome and achievement will be the answer to all questions. Regarding the components of the intellectual stimulation, the informant of this study placed importance on the following 4 components.

(1) Having courage and creativity. Courage can be reflected not only in one’s external personality and but also in the person’s decision-making, especially in situations where there is uncertainty and no clear direction. This is in line with the information obtained from the informant. The details are as follows.

Judges must have courage and creativity and dare to take actions. There was a case where a juvenile offender was convicted of trying to kill a victim and sentenced to a training center. Later, the factual report submitted by the Juvenile Observation and Protection Center reported that the juvenile offender had better behaviors. However, the judgment initially stated that after he turns 24, he must be imprisoned for 3 years. Although the assigned judge believed that the juvenile offender was improved and reduced the imprisonment punishment from 3 to 2 years, he still needed to spend time in jail. After reviewing this case, I found that the Home for the Destitute that kept the juvenile offender in custody requested that his penalty should be reduced to probation and asked the court to let him work as a chef assistant there. Therefore, I discussed this issue with the assigned judge and agreed that during probation the juvenile offender could stay in the training center or other places. Then the judgment was accordingly changed. This case shows that the juvenile and family judges must have courage to make decisions. If they are not confident whether juvenile offenders develop better behaviors, they have the power to investigate the facts (an executive of the Central Juvenile and Family Court from group 1 of the informant).

Specifying all judges' duties and responsibilities in the law is not an appropriate solution. Most importantly, they must have courage to exercise discretion. But, how many judges that have enough courage (a judge from group 2 of the informant).

Although we are not the court's executives, we should do whatever beneficial for children. I always coordinate with the Ban Phob Phorn, a foundation providing shelter and educational support to children, in order to send juvenile offenders there without bothering the executives. I do not merely focus on routine tasks. I usually come up with the new ideas and propose them to the executives (a judge from group 2 of the Informant).

Having courage means daring to make decisions and take responsibilities. Juvenile cases are not only involved with adjudication. There may be obstacles but we are ready to deal with those obstacles based on our mutual agreements (a judge from group 2 of the informant).

The Juvenile Observation and Protection Center set up a pilot project that closely monitor juvenile offenders. One social worker is set to follow up 15 juvenile offenders that are difficult to handle and have many problems. The social worker must manage an activity with psychologists and teachers and regularly monitor the results until the juvenile offenders can adjust themselves. As a lawyer, I want to know what they will do with those juveniles. Related staffs must understand the insight of all 15 juveniles that have different family background and psychological conditions. A judge will have to work with the social worker and understand psychological process and rehabilitation plan development. Thus, those working in the legal field must be open-minded, know how to change people, and have a sense of flexibility. Although a judgment was already rendered, if juveniles have better behaviors after receiving reformatory treatment, the judgment should be changed. In general, people tend to adhere to what they already decided. Some judges may not have courage to change judgment that was rendered 1-2 years ago. As one year of juvenile offenders seems to be longer than ordinary people, the judges should dare to change (an employee of the Department of Juvenile Observation and Protection from group 7 of the informant).

If we do not dare to initiate something new or are afraid to start a new project due to strict rules and regulations, we will never obtain achievements (an employee of the Department of Probation from group 8 of the informant).

Juvenile and family judges must focus on children and know how to develop them into the right direction, who should be involved, and how the development process is working. They must have in-depth knowledge and abilities to analyze the problems and find appropriate solutions. These knowledge and abilities do not result from repeating traditional practice or using checklist method but they are the result of accumulated learning process. The judges have to determine strategies and approaches for developing each child and should not only concentrate on the provisions of law. Importantly, the judges must have courage to change a judgment, if juvenile offenders can improve their behaviors. They have to place importance on the best interest of children, which is the main objective of juvenile work (an employee of the

Department of Probation from group 8 of the informant).

Working in this field, the judges must be familiar with and understand children. Family is important. We have to always connect children with their family. If parents do not visit children, they will never see the children's development so we must arrange a meeting for them. The period of adjustment before returning to society is vital. I used to carry out the Half Way House program that provides a temporary shelter for released juvenile offenders before returning home in order to let them experience the love and care of volunteer caregivers and examine whether they can return to social life. We called it "Half Way House" because it is between the processes of release and return. When living in this house, the children will receive love and education before returning to society. Other countries have this kind of caring houses but there is none in Thailand. The children selected to live here are juvenile offenders that are released on parole, which is in line with the parole mechanism of the Department of Correction (a legal expert from group 9 of the informant).

(2) Ensuring that all related parties recognize and understand emerging problems. Understanding the juvenile and family issues occurring during changing circumstances can lead to effective problem solving. Juvenile and family judges must help to make all related parties aware of and understand juvenile and family issues, including problems that may arise during the work process so that all of them have common understanding and work together in the right direction. This is consistent with the information obtained from the in-depth interviews, as seen in the following.

In terms of juvenile cases, we must know the present situation of children. Children from each generation are different. If we stick to the old practice, we cannot win the children's heart. They may think that we do not understand them and will not comply with our corrective suggestion (a judge from group 2 of the informant).

In order to make the followers understand the problems, the judges have to describe the problems that may occur during the trial and clarify the issues that are unclear (a lay judge from group 3 of the Informant).

Punishment cannot truly solve juvenile problems. Judges that focus on juvenile punishment, parole, and report cannot change juvenile offenders. If their parents understand the objectives of juvenile rehabilitation, the juvenile offenders can return to society in a smoother way (a prosecutor from group 5 of the informant).

Judges have to make their followers recognize and understand the problems. Sometimes the general service officers may not understand judges' order. Therefore, the judges must ensure that all co-workers understand what the real problems are (a legal consultant from group 6 of the informant).

(3) Encouraging others to look at problems from a new angle. An existing problem may be no longer a problem or can be solved when it is viewed from different perspectives. Focusing on the result of an offense and issuing a punishment order may not be suitable for dealing with juvenile cases. This is because there are many factors affecting juvenile offenders' actions and the family is sometimes found to be the key driver of juvenile delinquency. The informant of this study also provided similar information as follows.

Judges should encourage followers to use new perspectives. It means that in some cases although juveniles have committed serious offenses, they may have other good background and family to support them. We should not focus on their wrongdoings but try to view the problem from different perspectives. If they are willing to adjust themselves and have someone to support them, we should give them a chance (a judge from group 2 of the informant).

Judges must be aware that each juvenile offender is different and cannot be handled with the same standard, which is distinct from adult cases. In a case that juvenile offenders commit an offense together, the one that has a record of mental problem and inability to make decisions may be excluded from punishment. Currently, there are Facebook and Line applications that

make us look at things differently from before (a psychologist from group 4 of the informant).

Judges should understand the intent of the juvenile law, which is specific and different from other laws. It places emphasis on correcting, rehabilitating, and making juvenile offenders turn to be good citizens of society rather than punishment. Juvenile rehabilitation must take account of family background (a prosecutor from group 5 of the informant).

Circumstances are changing. Social media have a rapid and serious effect on children's behaviors. New perspectives should be used to deal with juvenile cases and find the root cause of juvenile offenses (an employee of the Department of Probation from group 8 of the informant).

Children are our descendants and the nation's descendants. In the future some of them may become judges, police officers, or even prime minister. How can we make them the nation's good descendants? We should taking account of transforming ignored children into valuable citizens. If juvenile and family judges adhere to this idea, the work process will be changed. How can we rehabilitate a juvenile offender like recycling an old bottle into a beautiful vase? The judges that are able to find appropriate ways to rectify and rehabilitate children can be called Change Agents (an employee of the Department of Probation from group 8 of the informant).

Juvenile and family judges must bear in mind and point out that they will not only place importance on the acts of crime and wrongdoing when dealing with juvenile cases. They need to take account of juveniles' future. If the judges apply a future-based approach, the court's operational practice will be changed. The judges must look forward to the future and not obsess about wrongdoing, misbehavior, and punishment. They should not only pay attention to the facts and a few provisions of law and then render a judgment. The discretionary approach are unlikely to be suitable for solving the problems in the future (a legal expert from group 9 of the informant).

Punishment is a way of showing power. Those that have the power may easily misunderstand that the power can solve every problem. Judges may issue a punishment order, if someone violate the court's jurisdiction.

However, in addition to exercising the authorized power, juvenile and family judges must use kindness, mercy, compassion, and other relevant processes to solve the problem. Punishment should not be used, unless there is no other choice (a legal expert from group 9 of the informant).

Juvenile offenders tend to have problems for a long time before committing an offense. Those that entering the court are like being at the top of the iceberg where the problems are exposed. The problem is that how far juvenile and family judge can look back and solve the root cause of each offense. The judges that have leadership skills will find ways to solve the root. The judges that only focus on issuing a fine, rendering an imprisonment order, and waiting the case to be closed without doing anything are not suitable for working at the Juvenile and Family Court and cannot fairly heal all involved parties (a legal expert from group 9 of the informant).

(4) Giving everyone opportunities to creatively solve problems without blaming anyone. When working together, leaders should sometimes overlook the mistakes that result from ignorance, incompetence, and inexperience but focus on good intentions and cooperative teamwork. For misguided juveniles, giving opportunities to correct themselves and not using unpleasant blaming remarks may help them to start over again. This is in line with the following information obtained from the in-depth interviews.

Human abilities are limitless. It's important to know how to pull them out. In order to create capable children, we should not use blaming words but encourage them to use their abilities and give guidance on how to optimize those abilities (an executive of the Central Juvenile and Family Court from group 1 of the informant).

If we found their mistakes during work, we should not blame them in front of other people. We should privately talk to them and not rebuke them for making mistakes. We should suggest what can be improved to obtain a better result and give them a chance to develop themselves (a lay judge from group 3 of the informant).

Understanding a problem is important. If followers do not understand a problem, they cannot respond to or creatively solve the problem. A leader may let the followers participate in a workshop meeting where they can identify problems and freely express opinions regardless of their positions. The leader should not show emotion or object when the followers share different opinions so that they can develop creative problem-solving abilities (a lay judge from group 3 of the informant).

Judges must view a problem from a new angle or apply a new approach to rehabilitate children. They should use creative problem-solving techniques rather than punitive approach (a prosecutor from group 5 of the informant).

I believe that a judge's words can motivate and inspire his or her followers, especially juvenile offenders, to change and develop themselves. On the other hand, if the judge makes inappropriate comments or uses blaming remarks, it will worsen the situation between both dispute parties. If one of the parties is a government officer, he or she may feel embarrassed and disrespected when being blamed (a legal consultant from group 6 of the informant).

We must let them think and solve problems as much as they can. We should just give them a broad direction. This approach will be beneficial to the organization (a legal consultant from group 6 of the informant).

4) Individualized Consideration

Juvenile and family judges must place importance on juveniles and determine a rehabilitation plan that is suitable for each juvenile. It is essential for the judges to thoroughly understand the problems of juvenile offenders and find appropriate solutions for them. This is in line with the following information obtained from the in-depth interviews.

Juvenile and family judges have to pay attention to juvenile offenders and their parents. They should not act like the judges of Provincial Court or Kwaeng Court that sit behind the bench and return home after work (an

executive of the Central Juvenile and Family Court from Group 1 of the Informant).

The judges play a key role in determining juvenile rehabilitation plan and training course and encouraging juveniles to attend vocational training such as air conditioning technician, handyman, and automotive mechanic so that they can earn a living. The judges must make the juveniles know that their lives are not at a dead end, the society do not turn against them, and they can adjust themselves (a prosecutor from group 5 of the informant).

Judges have to understand the concept of individual differences. Each juvenile has different problems depending on their family background and age. The judges that have a child are experienced enough to understand the behaviors of juveniles in different age ranges and know how to handle them. For example, juveniles tend to face a turning point and change their behaviors when they are in Matthayom 2 or 3. Thus, we should treat them with a moderate approach. From my investigation experiences, I found that many juveniles seemed to commit an offense when they are in this age range (a legal consultant from group 6 of the informant).

As for the components of individualized consideration, the informant placed emphasis on the following 5 components.

(1) Understanding and paying attention to individual differences. After closely working with juveniles, judges will understand that each juvenile has different fundamental problems. Therefore, the judges have to specifically select special measures in lieu of criminal proceedings, rehabilitation plans, and relevant methods that are suitable for each individual juvenile. This is consistent with the information obtained from the in-depth interviews. The details are as follows.

Juvenile and family judges must understand that lay judges are not professional judges, as they have been molded differently. Instead of wanting others to behave as we expected, we should understand and accept the differences (an executive of the Central Juvenile and Family Court from group 1 of the informant).

Previously, the punitive approach was used to correct and rehabilitate juvenile offenders. These day there are many attention-deficit-disordered children that are easily tempted to commit wrong. More than half of all juvenile cases are involved with attention-deficit-disordered children that have mental and emotional problems. Juvenile and family judges must have strong intention to solve the problems of each child (a judge from group 2 of the informant).

Judges must focus on individuality, family background, environmental factors, and other relevant conditions that enable them to understand the problems, thought, and actions of each juvenile offender. Once the judges understand the situation of juvenile offenders, they will be able to solve the problems and provides appropriate assistance (a judge from group 2 of the informant).

In order to truly understand the problems of juvenile offenders, we must ask for information from the juveniles and their family, read a fact report prepared by the Juvenile Observation and Protection Center, and observe the juveniles' behaviors. After that, we should determine a plan and solution to solve the problems in a timely manner (a judge from group 2 of the informant).

Children have different problems. Each of them perceive problems differently. Sometimes children do not understand whether what they did is right or wrong. Therefore, parents may need to accompany their children during rehabilitation process (a legal consultant from group 6 of the informant).

Juvenile and family judges must be open-minded and view the problems from children's perspectives. They should ask themselves if they were juveniles, why they would not want to study or why they would skip a class to ride a motorcycle. The reasons can be associated with environment, friends, or personality traits. Some juveniles are not good at studying and always scolded by teachers so they often skip classes. This reflects that the problems of each juvenile are not the same (a legal consultant from group 6 of the informant).

People have different standards and diverse problems and needs. We cannot use the same law to solve every problem, especially juvenile and family problems that are very complicated (a legal consultant from group 6 of the informant).

The judges have to understand the difference of each person. If 100 baht is given to 10 persons, the value of 100 baht to each person is not the same. For some persons the given 100 baht is worth less than one-quarter of a baht while some may think that 100 baht is like 10,000 baht to them (a legal consultant from group 6 of the informant).

Nowadays, each juvenile case requires different problem-solving measures. A ready-to-use plan cannot solve all the problems. We have to determine a specific plan for each juvenile offender. Juvenile rehabilitation should be comprehensively carried out in order to thoroughly solve all the problems without only focusing on probation like before (a legal expert from group 9 of the informant).

Juvenile justice system is associated with individualism. We cannot use the same judgment principle to punish all juveniles committing the same offense because each juvenile was born and raised differently (a legal expert from group 9 of the informant).

(2) Listening to and respecting others. People have different knowledge, strengths, and weaknesses. Listening to others can make us know something that we initially ignored or did not carefully consider. Listening to others can contribute to more complete work and make those that share opinions feel valuable and honored to make their ideas come true. The informant of this study also provided similar information as follows.

Listening to others, especially lay judges, is helpful. The lay judges tend to have good problem-solving skills because they are mostly high-level executives from various organizations such as a school director that have high experiences in solving organizational problems. Thus, they can help give

useful advice for juvenile cases (a judge from group 2 of the informant).

We should act as a consultant and listen to their opinions. They should be given more opportunities to speak without worrying about our positions and status. Importantly, we should not interrupt them or set a time limit to control them. As our work is associated with individualism, we have to be flexible. The more they speak, the more we understand their thought and problems (a lay judge from group 3 of the informant).

Considering the qualifications of good judges that I want to work with, they must respect co-workers, give co-workers chances to work and grow, listen to others, and share their ideas or else the court's operation will not function well (a lay judge from group 3 of the informant).

There was one judge that highly respected his colleagues. After a trial, he invited all quorum members to his room to discuss a case. He let me as a new lay judge share opinions first, followed by existing lay judge and the other two quorum members. We felt very impressed because although we did not have a legal degree, he gave us a chance to share what we thought. When he had different opinions from the lay judges, he would clearly explain his perspective (a lay judge from group 3 of the informant).

Judges normally have good qualifications. However, respecting other people, including lay judges and related parties, is a qualification that the judges should not lack. If the judges do not have respect of others, it will downgrade their other qualifications (a lay judge from group 3 of the informant).

Most judges are capable. However, they should listen to others as well. As lay judges have good intentions to help society, sometimes the judges may think that the lay judges are too kind to offenders. Therefore, both of them should talk and listen to each other in order to build better understanding (a lay judge from group 3 of the informant).

When a problem occurs, the judge should also listen to others. The judge should not think that it is his problem alone or insist that only his idea is right. He should listen to his colleagues as well (a lay judge from group 3 of the informant).

Judges have to develop followers, enhance learning, and build followers' confidence. However, they do not need to know everything. They have to be open-minded and learn from their juniors or other knowledgeable people (a psychologist from group 4 of the informant).

If judges listen to legal consultants' opinions, they may obtain more insightful information because the legal consultants have a chance to talk to juveniles and their parents. Sometimes the legal consultants even help the juveniles and their parent better understand each other (a legal consultant from group 6 of the informant).

In dealing with juvenile and family cases it is important to take into account the best interest of children. Judges that have never adjudicated juvenile and family cases before may act like judges of the criminal court. Therefore, it will be beneficial for all parties, if the judges are open to opinions and ideas of legal consultants (a legal consultant from group 6 of the informant).

Regarding the coordination between the judges and the Juvenile Observation and Protection Center, we should not listen to only our subordinates. The court should integrate the tasks of all related parties together. Nowadays, the Juvenile Observation and Protection Center does not have its own power to do anything, the power comes from the court. If it cannot make the court understand its tasks, a problem may arise. Traditional ideology is also a problem. Every staff is performing some tasks. All of them must have trust in each other. The judges should focus on assigned cases and trust involved organizations to handle other related issues (an employee of the Department of Juvenile Observation and Protection from group 7 of the informant).

Those that have leadership skills must be not too arrogant, when dealing with juvenile rehabilitation. They should listen to other professionals and build collaboration. Juvenile and family judges must have the ability to lead multidisciplinary teams. Normally, other professionals tend to respect the judges (a legal expert from group 9 of the informant).

The judges must not be egoistic or easily annoyed and have interpersonal skills, humility, and politeness. Lay judges are mostly in the same generation as their parents. They should not wait for the lay judges to greet them first. The judges should also participate in every activity. Moreover, new judges should learn things from the experienced lay judges. If the new judges do not know how to train juveniles, they should let the lay judges teach them so that they can use what they learnt in the future (a legal expert from group 9 of the informant).

(3) Trusting and giving other people opportunities to shine. Juvenile and family judges must be aware that juvenile and family tasks cannot be accomplished by the judges alone. In addition, the judges may not have expertise or experience in some fields of work. Therefore, the judges should give followers opportunities to appropriately show abilities according to their role in order to complete the tasks in a more effective way. This is in line with the information obtained from the in-depth interviews. The details are as follows.

In terms of working together, the judges may have exceptional legal knowledge but the lay judges seem to have skills in real-life problem-solving because most of them have marriage, family, parenting experiences. However, the lay judges are rarely given a chance to share their opinions (a lay judge from group 3 of the informant).

The judges should trust their followers. If they do not believe in the followers, the burdens will be given back to the judges (a prosecutor from group 5 of the informant).

I once investigated a case where 2 juveniles were attacked by a group of 10 juveniles. The parents of 2 offenders insisted that their children were in the group but did not touch the victims and refused to accept a special measure in lieu of criminal proceedings. The judge, lay judges, and senior judge tried to convince them but they did not agree. I decided to reinvestigate the witnesses and offenders and then asked the judge permission to talk to the offenders and their parents in order to persuade them to accept the special

measure in lieu of criminal proceedings. After the judge gave me a chance, I explained the reasons and specify the pros and cons until the offenders and their parents understood and accepted the special measure in lieu of criminal proceedings. I also talked to the victims to understand the situation. This incident represents cooperative working for the best interest of the children. I thought that those 2 accused juveniles could be corrected and should not be punished so I tried to help them, even though I already finished investigating the witnesses (a prosecutor from group 5 of the informant).

(4) Developing followers' abilities and giving advice to others. In addition to excelling at their jobs, juvenile and family judges must give guidance and advice to other people in order to make them work in a proper way. The informant of this study also provided similar information as follows.

I make the juvenile and family judges understand that as the society is changing, the court should rectify and rehabilitate juveniles in accordance to the intent of the law and that the judges should be aware of their role in returning juvenile offenders to society rather than punishing them. Most judges have never worked at the Juvenile and Family Court before. They tend to be familiar with adjudication process focusing on imprisonment, fine, and suspension. Moreover, the courts of justice also determine that all cases must be finished in a timely manner so the judges want to close their cases as quickly as possible, which sometimes does not meet the intent of the law. In terms of juvenile cases, if we trust juvenile offenders and make them believe that they can adjust themselves with the support from their family, the juvenile offenders have a tendency to change themselves (an executive of the Central Juvenile and Family Court from group 1 of the informant).

Children really need a consultant because they are not fully matured. We should look at the problems of each child in all dimensions, including mental, physical, social, and relationship aspects. Many children were reported to receive bad influences from their friends. If we can accurately solve the negative influences, the children will have a bright future or can even become

an engineer (a judge from group 2 of the informant).

The judges must be dedicated to giving suggestion and following up the results. If the suggestion does not work, they have to find new methods (a lay judge from group 3 of the informant).

A new generation of government officers tend to demand their rights and demonstrate what they want. We should understand them. However, the old generation may sometimes doubt the behaviors of the new generation. We should view this issue with a new perspective and understand that the new generation have knowledge and technological skills that can be used to develop our work. We should have the psychological management ability to enhance strengths, correct weaknesses, and encourage them to exercise their abilities (a psychologist from group 4 of the informant).

The judges have to guide juvenile offenders to realize the results of their actions and raise their basic awareness. As family is also important, the judges should also advise their parents (a legal consultant from group 6 of the informant).

I feel impressed with the judge that gives advice to children like a teacher talks to students. When the judge shares his life experiences to the children, it can positively motivate them (a legal consultant from group 6 of the informant).

I talk to the judges about the philosophy of the Juvenile and Family Court and determine a working guideline with understanding. The heart of juvenile and family works is understanding the philosophy of the Juvenile and Family Court. We should know why there must be the investigation of arrest and what the investigation of arrest is. Once we understand its concept, we may think that the investigation of arrest should be implemented in the provincial court as well (a legal expert from group 9 of the informant).

(5) Encouraging others and appreciating their achievements. Encouragement is important for employees. Showing appreciation when others properly behave, effectively perform their duties, and develop themselves in the right direction will make them proud and willing to achieve better performance. The

informant of this study provided further information about encouraging and appreciating others in the following.

The judges should occasionally compliment others because a compliment can inspire them to work well (a judge from group 2 of the informant).

All of juvenile offenders want to be good persons. It is important to empower them with compliment and encouragement. Good environment and accepting society can make them change (a lay judge from group 3 of the informant).

I used to work as a criminal case mediator. There was one case that I needed to work with the senior judge that had never mediated a criminal case before. He respectfully introduced me as the lay judge and gave me a chance to talk to both dispute parties. The case could be successfully mediated with all related parties' consent. After the mediation, the judge said that today's criminal case mediation was very fun and useful. His words helped enhance my work morale (a lay judge from group 3 of the informant).

Rewarding and encouragement can be done through giving praise. The judges should thoroughly pay attention to everyone involved (a psychologist from group 4 of the informant).

For juvenile offenders, reward and compliment are very valuable because they have a problem in realizing their own value and tend to create superiority in a wrong way. If they receive a compliment, it can change their life from bad to good (an employee of the Department of Probation from group 8 of the informant).

5) Integrated Thinking

According to the Act on the Juvenile and Family Court and Its Procedure B.E. 2553, the Juvenile and Family Court has to facilitate integrated operations between the government, private agencies, and civil society organizations in order to solve juvenile and family problems. Thus, juvenile and family judges must have the ability to collect and combine knowledge from different sources and utilize it to optimize the operation of the Juvenile and Family Court. Further information obtained from the interviews is as follows.

The judges must look for ways to practically implement an abstract statement written in the law. They must find current legal provisions to support juvenile rehabilitation, including special measures in lieu of criminal proceedings during the pre- and post-prosecution process and other related laws such as the Child Protection Act 2003 and the Domestic Violence Protection Act 2007. Apart from having clear visions, the leaders need to have comprehensive legal knowledge (an executive of the Central Juvenile and Family Court from group 1 of the informant).

Juvenile and family works do not focus on judgment. In order to solve the problem, we should not only adhere to legal provisions. Cultural, social, and religious knowledge and other related ideas should be integrated to analyze the problem and clarify the solution to all parties (a judge from group 2 of the informant).

A judge alone cannot make a judgment. Making a judgment is easy but rehabilitating a juvenile is difficult. There is not a single way or a ready-to-use-plan to change people because they have diversities of attitudes. Somebody suggests we should win their heart, use disciplines, or even conduct vocational training. After working at the Department of Juvenile Observation and Protection for a while, I realize that we need to set a specific plan for each juvenile. As we have different background and limited knowledge, some may only concentrate on strictness while some may always give chances. From my point of view, a mixed method is required. The new law clearly specifies that a multidisciplinary approach must be implemented. Judges need to find other professionals to help them because they do not have insightful knowledge in the fields of psychology, social science, or healthcare. Juvenile and family judges must be open-minded and do not judge others with their own standard. They must understand relevant sciences and have the ability to assess those sciences (an employee of the Department of Juvenile Observation and Protection from Group 7 of the Informant).

Every time I read a juvenile case file, especially civil case, I will pretend like I was really facing that situation in order to clearly understand the facts and find an appropriate solution before looking at the law. Sometimes

judges cannot make a judgment as they want because of legal limitation. However, juvenile and family judges have to place importance on juvenile and family rather than the law so they must integrate this condition with the law. This is not an easy task and requires outside-the-box thinking, as they need to effectively enforce the law as well (a legal expert from group 9 of the informant).

Nowadays, judges have higher knowledge and tend to view problems with broader perspectives. There are cases about homosexual couples that are worrisome, if the judges decide to render an adjudication based on the laws. In fact, we should not focus on the civil and criminal laws alone, but must take into account other non-legal factors and the best interest of children. The laws are actually issued to protect people. The judges must have interpretation skills (a legal expert from group 9 of the informant).

The problem must be explored with a holistic approach. We need to know the position of the problem in the system and try to solve it accordingly with the law enforcement. Once we find a weakness, we must invite relevant agencies to discuss solution and develop an integral plan (a legal expert from group 9 of the informant).

Transformational leaders of the Juvenile and Family Court must recognize and understand the concept of the best interest of children. The true leaders should find ways to implement this concept. If they do not understand this concept, they cannot be the leaders. They need to clearly understand whether deviating children from the legal case, the juvenile justice system, and the training center can contribute to the best interest of the children or not. The leaders have a duty to interpret what the best interest of the children is. If children are not prosecuted, they may be released on parole or sent back to home, the judges must decide whether which one is the best interest of the children. If juvenile offenders commit serious offenses, they need to receive intensive rehabilitation. We should not forget that we need to deal with both juvenile offenders and juvenile victims. If we only focus on releasing juvenile offenders and do not make a balance, the society may turn against the juvenile offenders. This is not acceptable assistance. The judges must holistically

explore the problem, have knowledge and understanding, and focus on fairness instead of strictly adhering to the law (a legal expert from group 9 of the informant).

As for the components of integrated thinking, the informant placed emphasis on the following 4 components.

(1) Learning new knowledge to improve their work. Juvenile and family problems cannot be solved by legal knowledge alone. Thus, juvenile and family judges need to learn additional knowledge from other fields so that they are knowledgeable enough to know what the children need and send them to an appropriate treatment program. The informant provided further information about this topic as follows.

Judges must always learn new things. They may have excellent legal knowledge but still need to learn about psychology. This is because each juvenile entering the justice system has different problems. They do not need to have in-depth knowledge like psychologists but they should know basic knowledge in order to read a psychological report and understand the problems of each juvenile better. The judges need to have psychological knowledge so that they can adjudicate juvenile cases in the right direction and can decide whether or not juveniles with economic problems always commit an offense and juveniles with family problems can be good and succeed in life as a doctor (an executive of the Central Juvenile and Family Court from group 1 of the informant).

Everything has a dynamic movement. If there is no intellectual development, the problems cannot be solved. Currently, the society is changing, the problem of juvenile thieves do not occur due to poverty alone. In order to understand why at some point there are many marijuana drug cases and why at the other period of time juveniles change to use heroin or tranquillizer, it is important for us to learn about juveniles' values and thought. When there are a lot of news about juvenile gangsters, it may challenge juveniles that see the news to do the same. Therefore, the judges need to have

social knowledge and understand psychological theories, including the iceberg theory and other relevant concepts, so that they can view problems from different perspectives. The judges also need to encourage self-development in order to enhance knowledge, attitude, and good performance (a psychologist from group 4 of the informant).

Juvenile and family judges should have knowledge in the fields of criminology, psychology, and penology in order to find the cause of juvenile offenses such as poverty and indulgent parenting style, understand the characteristics of juvenile offenses, and determine academic solutions. This is because the judges must make a decision whether to order a juvenile rehabilitation or render other punishment orders (a legal consultant from group 6 of the informant).

Juvenile and family judges must understand child psychology. Most juvenile offenders are teenagers that believe their friends more than their parents, live with their relatives instead of their parents, and have low education levels (a legal consultant from group 6 of the informant).

Juvenile and family judges must have multidisciplinary knowledge, covering the fields of psychology, education, and occupation. The juvenile justice system should not have the fixed criteria of punishment. Some juveniles in the training center can rapidly change while some may take time to adjust. The lawyers need to be open-minded, understand human adjustment, and have a sense of flexibility (an employee of the Department of Juvenile Observation and Protection from group 7 of the informant).

The judges that are the decision makers must know the children's development, the factors affecting children's positive and negative behaviors, brain development, and the rehabilitation program that works best based on academic criteria (an employee of Department of Juvenile Observation and Protection from group 7 of the informant).

A change can be implemented, if the judges intend to learn about the problem and find the solution. The judges must have readiness to coordinate with public and private agencies in order to seriously develop the work system of the Juvenile and Family Court in terms of operation and personnel

development. These two parts should be developed in parallel (a legal expert from group 9 of the informant).

The problem is that how to make the judges gain additional knowledge apart from law and legal procedures. In addition to having a legal degree, juvenile and family judges should have other relevant knowledge in the fields of social science, psychology, and management so that they can deal with juvenile and family cases with positive attitudes. They should not strictly use the law to adjudicate juvenile cases, which will cause more problems to juveniles and society (a legal expert from group 9 of the informant).

The judges must be willing to learn new things beyond their field of expertise. They need to have both legal and multidisciplinary knowledge, covering the fields of psychology, education, training, human behavior, and behavioral science. They should have extensive knowledge, open to new academic information, read the background and autobiographies of important people, and study the cultures, traditions, anthropological insights, and behaviors of each tribe in order to effectively manage and deal with problematic people (a legal expert from group 9 of the informant).

(2) Being aware of changes. As the current circumstance is rapidly changing, the juvenile and family judges responsible for solving juvenile and family cases must be knowledgeable and have up-to-date information so that they can keep pace with new things. The informant also provided further information as follows in this connection.

The justice systems are connected at the national and international levels. Sometimes a law is issued according to the international conventions such as the civil public law called the International Civil Cooperation regarding Breach of the Rights of Control and Custody of Children Act B.E. 2555. For the cases involved with the rights of control and custody of children, we need to comply with the international law (Hague Convention on the Civil Aspect of International Child Abduction, 1980) instead of the domestic law. The judges must learn to accurately enforce the laws, develop themselves, and

coordinate with the convention's member countries around the world. Thus, it is essential for the judges to keep pace with changes (an executive of the Central Juvenile and Family Court from group 1 of the informant).

Judges must be omniscient, always get updated news and information, and monitor interesting topics on websites so as to find materials to talk to children and convince them (a judge from group 2 of the informant).

There are so many changes in the Juvenile and Family Courts, including new laws. The society is also changing because we entered the AEC. We need to adapt to the new laws and make others understand the change. I also learn new languages like Chinese and English and always keep myself up to date with the new laws. Generally, a law becomes outdated almost as soon as it is introduced, especially a juvenile law. This is because it takes a very long time to write a law while problems are growing every day. It is like we create a norm to solve the problem after it has already happened. Currently, we have no agency to monitor negative social movements. We wait for a problem to occur first and then determine a law so the problem cannot be effectively solved. Therefore, in addition to having legal knowledge, the judges need to understand the changing society, develop problem-solving skills, and enforce the laws in a more updated way (a judge from group 2 of the informant).

The courts of justice have no effective statistics system. Do we have any records about the number of juveniles rehabilitated by the lay judges and other organizations, the date and duration of the rehabilitation, the characteristics of juvenile cases, and the reasons why some types of cases tend to occur at a certain period of time? As we have no data and statistical analysis, when we sign a memorandum of cooperation with other organizations, we cannot specify what kind of supports we want from them (a judge from group 2 of the informant).

We have to learn new knowledge so as to keep pace with the change, attend the training course to get a certificate, and update existing knowledge every year (an employee of the Department of Juvenile Observation and Protection from group 7 of the informant).

Juvenile and family judges must have technological knowledge so that they can view and manage relevant data such as the statistical records of serious offenses, an increase of violence cases, and a decrease of crimes. At present, there is no organization responsible for this task. The Juvenile Observation and Protection Center collects the information from only one group of children. If the court can gather information itself and has the judge act as the supervisor, we will be able to record and monitor statistical results and predict a situation in advance, which is considered very important. A lack of up-to-date information slows us down from solving the problem. Thus, the court should pay more attention to the database system. These days we are working without supporting data (an employee of the Department of Probation from group 8 of the informant).

The main component is working based on actual information and real situations. We have to know and recheck the statistics of the problems and situations. The obtained information will be used to determine a plan that is suitable of each situation. All the information must be linked (a legal expert from group 9 of the informant).

Child offense situations are constantly evolving. You have to learn and find a therapeutic program that can help game-addicted children and solve violence issues. The judges also have to understand legal principles and effective law enforcement (a legal expert from group 9 of the informant)."

(3) Proactive working. As the court is the last resort for people, its operation must be carried out with reliability. The court must apply a preventive approach in educating people even before they enter the justice system. The informant of the present study also provided further information in this regard as follows.

Proactive working is very important. I previously asked for the funding from the UNICEF to carry out a program that aimed to educate communities on how to solve the root causes of juvenile offenses. The academic basis suggests that more than half of current juvenile offenders do not know what they have done is wrong. Before committing an offense if an offender knows that what

he or she is going to do is wrong, he or she may avoid doing it. This program helps protect the communities from bad influences (a judge from group 2 of the informant).

It will be beneficial for the public, if the judges that good at speaking go to educate people in communities and various organizations on the legal processes associated with domestic violence and welfare protection cases (a judge from group 2 of the informant).

The Office of the Judiciary should establish a proactive policy towards juvenile-related works and regard the juvenile problems as the national issues. Nowadays, we focus quantity rather than quality. The budget has been quantitatively allocated, even though each case has different complications. The cause of each juvenile case is also different. Some juveniles can be easily corrected because they committed the offense due to ignorance. Some of them may be difficult to correct since they committed the offense because they were forced by the environment. For example, some juveniles sell drugs because all of their family members are drug traffickers (a judge from group 2 of the informant).

It is not a problem, if the judges are eager to do proactive work. The lay judges have carried out many training activities for children such as the Think First, Act Later program, where the judges were invited to be the project consultant. When organizing a training courses for the students at Apsornsawan School and Wat Benjamaborphit School, the judges with legal expertise were also invited to be the guest speakers. The judges were also invited to join the Dharma Camp in order to provide legal knowledge, whereas the lay judges provided religious knowledge (a lay judge from group 3 of the informant).

It is important for the judges to play their role with proactive behaviors. Currently, the legal consultants have applied the preventive approach and set a plan to visit schools in order to give legal advice to students so that they can avoid violating the laws or enter the juvenile justice system. In addition, there is a project of the Ministry of Education that sends the psychologists to work at schools in upcountry areas such as Nakhon

Ratchasima Province (a legal consultant from group 6 of the informant).

It is better to use a proactive approach rather than reactive one. If judges proactively work and go out to educate society, people will be willing to listen to them. If the juvenile and family judges dare to change and proactively provide essential knowledge to the communities facing many social problems such as school sexual assaults, the villagers will welcome and pay special attention to them. This is considered another role of the judges apart from sitting and adjudicating a case behind the bench. The judges need to hold a monthly meeting to discuss the trend of juvenile delinquency and how to prevent juveniles from entering to the juvenile justice system. Working and building good relationship with communities is important so the judges should have interpersonal skills. If the communities help to follow up the results and the judges proactively mediate a dispute, the number of juvenile and family cases can be reduced (an employee of the Department of Probation from group 8 of the informant).

Juvenile-related works have an effect on society. Troubled juveniles may fall deeper into the criminal world if their problems are not solved. Approximately 70-80% of drug offenders in prisons began from delivering drugs to buyers and then started using drugs themselves. Consequently, they would become retailers and wholesalers or even form a gang. Juvenile delinquents tend to do wrong things in order to get attention. When they get older and have no job due to a lack of education, they are likely to enter the drug cycle. If the judges proactively solve juvenile problems, it can subsequently reduce the number of adult offenders because most adult offenders in prisons used to be juvenile offenders in the training center before (an employee of the Department of Probation from group 8 of the informant).

The concept of proactive work can be applied to many dimensions. One dimension is educating children, youths, and families at schools. When I was the Secretary-General of the Office of the Judiciary, I regularly went to give lectures at Suankularb Wittayalai School, Debsirin School, and Satriwithaya School and regarded it as one of my duty. When asked why I did that, I answered that the court must be the last resort for both defendants and

ordinary people. As the reliable last resort, we should go out to educate people before they come to the court. This is my definition of “being the last resort for people.” Particularly, the Juvenile and Family Courts nationwide should go out to educate the communities the most (a legal expert from group 9 of the informant).

Proactive working is important. We should not only focus on the adjudication in courtrooms but also take account of the communities. We have to visit and cooperate with the communities, provide knowledge, give advice, create understanding on juvenile problems, and encourage the communities to monitor juvenile delinquents in order to minimize the number of juvenile cases (a legal expert from group 9 of the informant).

However, some informant argued that the juvenile and family judges might not need to work proactively. The details are as follows.

Proactive working is not a direct duty of the juvenile and family judges. Normally, the court’s administrators are responsible for implementing a preventive practice. The juvenile and family judges must focus on juvenile rehabilitation. However, we proactively cooperate with each other at work (a legal expert from group 9 of the informant).

It is good that the judges perform some proactive works but they should not regard them as their main responsibility. The justice system is generally associated with a reactive approach. When the judge have a case, they must try to solve the dispute, correct juvenile offenders, follow up the results, and prevent the juveniles from committing a crime again. If they can do all of these, it is considered a success. In terms of preventive measures, useful information should be disseminated. However, it is not the main responsibility of the court (a legal expert from group 9 of the informant).

(4) Building collaboration and coordinating with external networks for the sake of the operation. As the Juvenile and Family Court has limited personnel and resources to implement an integrated operation that can comprehensively solve

juvenile and family problems, the court needs to cooperate with other relevant organizations with direct or indirect responsibilities to take care of juvenile and family issues in order to achieve shared goals together. The informant of the present study provided further information as follows.

In terms of collaboration, other agencies normally respect the court and are willing to collaborate with us. We just need to show that we respect them as well. It is important for the judges to be able to link the collaboration with their tasks (an executive of the Central Juvenile and Family Court from group 1 of the informant).

Coordinating with other organizations is essential. We may possibly have multiple diseases at the same time and need to rely on more than one specialized doctors. Problem-solving requires collaboration between multiple parties. At work, if we do not have interactions with other organizations, all the tasks cannot be easily solved (an executive of the Central Juvenile and Family Court from group 1 of the informant).

The juvenile and family judges do not only work in the court. They also need to coordinate with academic personnel, universities, the Lawyers Council, the press, and children-related organizations such as the UNICEF and the UN. Thus, they must have outstanding personality and abilities to develop the juvenile justice system at all levels (an executive of the Central Juvenile and Family Court from group 1 of the informant).

The Central Juvenile and Family Court have signed the MOU with about 50 organizations. Now, there are five cases that we cannot handle and will be transferred to other related agencies. We encourage the child, the parents, and the agencies responsible for the area where the child committed the offense to solve the problem together. For example, if the child commits an offense in Huai Khwang, we will invite the Huai Khwang District Office, the Huai Khwang Public Health Office, the police, and the child's teacher to join a meeting and find solutions together. Sometimes we visit the child's house so as to prepare the progress report for the case owner. If the child is improved, the case can be closed (a judge from group 2 of the informant).

Working with the network can minimize the workload. We need to use a new set of skills in dealing with the network. In terms of communication, we cannot use force. We must use an informal approach to communicate with the network members in a friendly and sincere manner. We should not only ask for help from them but also give something to them in return. Importantly, network building should be practically implemented (a psychologist from group 4 of the informant).

The Juvenile and Family Court cannot walk alone. It requires support from people. The activities carried out at the court may leave no impression to the children. However, if we proactively conduct an activity in their community, it will better suit the nature of the children. Community engagement can lead to more sustainable results (a psychologist from group 4 of the informant).

There are many parties involved with juvenile rehabilitation, including family, community, school, temple, and local administrative agencies such as the Sub-district Administrative Organizations, sub-district headman, and village headman. The local parties seem to be closer to the children than the organizations in the justice system. It will be beneficial to let them take part in juvenile monitoring (a prosecutor from group 5 of the informant).

In order to obtain achievement, we should not think that juvenile rehabilitation can be done by us alone. We should build a network and implement an integrated operation. If we want a child to be successfully corrected and rehabilitated, the court should send that child to receive appropriate treatment from related organizations. The court does not need to carry out the treatment itself. The assigned organizations should understand why the court selected them and effectively fulfill their role. The community is also important. Currently, the children released from the judicial process have not been monitored and followed up. We may ask the community leader to report the progress of those children to the court in order to know how they improve after being released (a persecutor from group 5 of the informant).

Having worked in this field for a long time, we found that children will change their behavior and lifestyle, if we can solve their problems in a

comprehensive way. The relevant organizations should collaborate in analyzing the problems and determining a corrective plan. After that, they should play their role in encouraging the children to comply with the plan. This practice is considered an effective mechanism for correcting the children after the judicial process (a legal expert from group 9 of the informant).

Judges in the court of first instance should build a cooperative network. Although the judges are the team leader, they cannot solve all problems alone. Therefore, they must build collaboration among all juvenile-related organizations (a legal expert from group 9 of the informant).

In international courts, a judge must know how to utilize existing resources, behave with humility, and have abilities to coordinate with and ask for cooperation from other agencies. All related parties equally sit at the meeting table and the judge plays the leader role. In terms of problem-solving process, all involved parties will discuss rehabilitation methods together. They use the word 'patient' instead of 'defendant.' The court has been supported by doctors, psychologists, communities, and alumni, referring to those that have gone through the judicial process before. Juveniles feeling discouraged during the rehabilitation will be helped and cheered up by the alumni. For a drug case, all legal processes must be carried out by the same judge. If the initially assigned judge is transferred, one of the quorum member must continue to take care of the case (a legal expert from group 9 of the informant).

As for integrated working, we must know all of the involved organizations so we may need to collect information and develop a database of the involved organizations, including their addresses and duties. The judges must synthesize the problems, encourage all parties share visions and work together, and assign tasks to each involved organization. Although many schools may hesitate to cooperate with the court because they have been asked to take good care of children by various parties for several times, we need to convince them. Nowadays teachers are not allowed to hit the children but the court can manage to control the children. We should make the schools understand that they will never be able to correct the children's behaviors, if they do not work with the court. The judges must have a high level of

leadership to persuade related parties to work for the same goal (a legal expert from group 9 of the informant).

We must admit that we cannot work alone. We need to work and coordinate with others for the best interest of a child rather than our personal interest. If the case was closed but the child still has the problem, it is not considered a success. We should coordinate and ask for helps from other agencies. There should be various activities for the society to take part in juvenile rehabilitation. Sending juvenile offenders to the training center is a narrow solution. We need more variety of solutions. Therefore, we must have good relationships with all related parties that can help us deal with juvenile works. If we have many helpers and networks, we will have more solutions. In addition to coordinating with the community, we should encourage the schools and families to participate in child-related activities in order to make them better understand the children. Moreover, the judges, lay judges, and relevant experts should collaborate with the community in determining a rehabilitation program. The community committee should be established (a legal expert from group 9 of the informant).

Based on the results of the qualitative research, the researcher obtained information about the main components and subcomponents of the transformational leadership of the judges of the Juvenile and Family Court, which was consistent with the transformational leadership theories that were described in the literature review. In the next step, the researcher conducted quantitative research in order to confirm the components of the transformational leadership resulting from the qualitative research.

4.2 Results of the Quantitative Research

Quantitative research was carried out in order to confirm the components of the transformational leadership obtained from the qualitative research and to ascertain guidelines for developing transformational leadership. A set of 43 findings resulting from the in-depth interviews was used to examine the opinions of 209 respondents.

The research analyses consisted of the following 3 parts.

- 1) A basic data analysis using descriptive statistics, namely frequency, mean, and standard deviation
- 2) Confirmatory factor analysis
- 3) Analysis of guidelines for developing transformational leadership using descriptive statistics, namely frequency, mean, and standard deviation

4.2.1 The Basic Data Analysis

This sections analyzes the general information of the sample.

Table 4.1 The Number and Percentage of the Sample

Bio-social characteristics and background	N	%
1. Gender	209	100.00
1.1 Male	133	63.6
1.2 Female	76	36.4
2. Age	209	100.00
2.1 31-40 years	57	27.3
2.2 41-50 years	91	43.5
2.3 51-60 years	52	24.9
2.4 60 years and over	9	4.3
3. Educational level	209	100.00
3.1 Bachelor's degree/ Barrister-at-Law	82	39.2
3.2 Master's degree	124	59.3
3.3 Doctoral degree	3	1.4
4. Job experience	209	100.00
4.1 1-5 years	35	16.7
4.2 6-10 years	36	17.2
4.3 11-15 years	52	24.9

Table 4.1 (Continued)

Bio-social characteristics and background	N	%
4.4 16-19 years	72	34.4
4.5 More than 20 years	14	6.8
5. Current position	209	100.00
5.1 Judge	75	35.9
5.2 Presiding Judge	78	37.3
5.3 Chief Judge	44	21.1
5.4 Senior Judge	2	1.0
5.5 Others	10	4.7

1) Gender

The sample consisted of 133 males (63.60%) and 76 females (36.40%).

2) Age

The majority of the sample was in the age group of 41-50 years (n=91, 43.5%), followed by 31-40 years (n=57, 27.3%), 51-60 years (n=52, 24.9%), and 60 years and over (n=9, 4.3%).

3) Educational level

Most of the sample had obtained a master's degree (n=124, 59.3%), followed by a bachelor's degree/barrister-at-law (n=82, 39.2%), and a doctoral degree (n=3, 1.4%).

4) Job experience

Most of the sample had job experience of 16-20 years (n=72, 34.4%), followed by 11-15 years (n=52, 27.3%), 6-10 years (n=36, 24.9%), 1-5 years (n=35, 16.7%), and more than 20 years (n=14, 6.8%).

5) Current position

The majority of the sample held the position of presiding judge (n=78, 37.3%), followed by judge, (n=75, 35.9%), chief judge (n=44, 21.1%), senior judge (n=2, 1%), and other positions (n=10, 4.7%).

4.2.2 The Confirmatory Factor Analysis

In order to clearly present and interpret the analysis results, the following abbreviations were used to represent the statistical values.

- S.E. refers to standard error.
- t refers to statistical test.
- R² refers to coefficient of determination.
- Chi-Square (χ^2) refers to chi-square statistic.
- df refers to degree of freedom.
- p refers to statistical probability.
- RMSEA refers to root mean squared error of approximation.
- RMR refers to root mean squared residual.
- GFI refers to goodness of fit index.
- AGFI refers to adjusted goodness of fit index.
- CFI refers to comparative fit index.

Table 4.2 Criteria for Evaluating the Fit between the Model and the Empirical Data

Fit Index	Criteria	Acceptable Values
χ^2	$0.05 < p \leq 1.00$	$0.01 < p \leq 0.05$
χ^2/df	$0 < \chi^2/\text{df} \leq 2$	$2 < \chi^2/\text{df} \leq 3$
RMR	$0 \leq \text{RMR} \leq 0.5$	$.05 < \text{RMR} \leq .08$
RMSEA	$0 \leq \text{RMSEA} \leq 0.5$	$.05 < \text{RMSEA} \leq .08$
CFI	$.97 \leq \text{CFI} \leq 1.00$	$.95 < \text{CFI} \leq .97$
GFI	$.95 \leq \text{GFI} \leq 1.00$	$.90 < \text{GFI} \leq .95$
AGFI	$.90 \leq \text{AGFI} \leq 1.00$	$.85 < \text{AGFI} \leq .90$

Source: Suwimol Tirakanan, 2010, p. 249.

Table 4.3 The Components of Adhering to Work Ideology

Adhering to Work Ideology (aa)	Standardized Factor Loading	Factor Loading	S.E.	t	R²
Having vision (a1)	0.79	0.61	0.05	13.21	0.63
Having morality and ethics and acting as a role model (a2)	0.85	0.47	0.03	14.59	0.72
Having work commitment, dedication, and devotion (a3)	0.95	0.63	0.04	17.59	0.91
Having reliability and trustworthiness (a4)	0.69	0.35	0.03	11.10	0.48
Having maturity and emotional control (a5)	0.78	0.42	0.03	13.00	0.60

The model fit results: chi-square = 0.66, df = 2, p = 0.72, RMSEA = 0.00,
RMR = 0.001, CFI=1, GFI =1.00, AGFI = 0.99

Table 4.3 presents the results of the confirmatory factor analysis of adhering to work ideology. It was found that the model fit the empirical data well, considering that the chi-square = 0.66, df = 2, p = 0.72, RMSEA = 0.00, RMR = 0.001, CFI=1, GFI =1.00, and AGFI = 0.99. Regarding the factor loadings, it was found that all of them were positive with a statistical significance level of 0.05. The component with the highest factor loading was having work commitment, dedication, and devotion with a standardized factor loading of 0.95, followed by having morality and ethics and acting as role model with a standardized factor loading of 0.85, having visions with a standardized factor loading of 0.79, having maturity and emotional control with a standardized factor loading of 0.78, and having reliability and trustworthiness with a standardized factor loading of 0.69. The results are summarized in Figure 4.1.

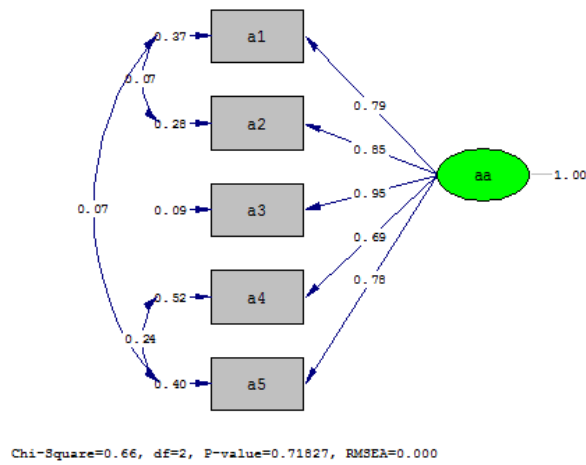


Figure 4.1 The Components of Adhering to Ideology

Table 4.4 The Components of Building Inspiration

Building Inspiration (bb)	Standardized Factor Loading	Factor Loading	S.E.	t	R ²
Having ability to convince others to agree on common goals (b1)	0.88	0.72	0.05	15.97	0.78
Applying appropriate communication methods (b2)	0.84	0.67	0.05	14.86	0.71
Stimulating teamwork (b3)	0.88	0.82	0.05	15.77	0.77
Having positive attitudes (b4)	0.83	0.71	0.05	14.46	0.69
Encouraging others to recognize the importance of working for the public interest (b5)	0.89	0.77	0.05	16.37	0.80
The model fit results: chi-square = 7.57, df =5, p = 0.18, RMSEA = 0.05, RMR = 0.008, CFI=1, GFI = 0.99, AGFI = 0.96					

According to the results of the confirmatory factor analysis of building inspiration shown in Table 4.4, it was found that the model fit the empirical data well, considering that the chi-square = 7.57, df = 5, $p = 0.18$, RMSEA = 0.05, RMR = 0.008, CFI=1, GFI = 0.99, and AGFI = 0.96. As for the factor loadings, it was found that all of them were positive with a statistical significance level of 0.05. The component with the highest factor loading was encouraging others to recognize the importance of working for the public interest with a standardized factor loading of 0.89, followed by convincing others to agree on common goals and stimulating teamwork with a standardized factor loading of 0.88, applying appropriate communication methods with a standardized factor loading of 0.84, and having positive attitudes with a standardized factor loading of 0.83. The results are illustrated as follows.

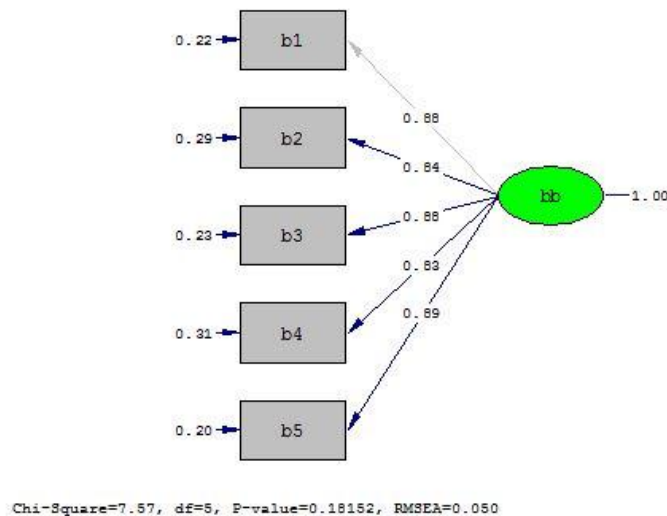


Figure 4.2 The Components of Building Inspiration

Table 4.5 The Components of Intellectual Stimulation

Intellectual Stimulation (cc)	Standardized Factor Loading	Factor Loading	S.E.	t	R²
Having courage and creativity (c1)	0.81	0.73	0.05	13.93	0.66
Making all parties recognize and understand problems (c2)	0.91	0.73	0.04	16.73	0.83
Encouraging others to look at problems from a new angle (c3)	0.91	0.79	0.05	16.73	0.83
Giving others a chance to creatively solve problems without blaming them (c4)	0.71	0.56	0.05	11.53	0.51
The model fit results: chi-square = 1.29, df =2 p = 0.52, RMSEA = 0.00, RMR = 0.005, CFI=1, GFI = 1.00, AGFI = 0.98					

Table 4.5 demonstrates the results of the confirmatory factor analysis of intellectual stimulation. The model was found to fit the empirical data, considering that the chi-square = 1.29, df = 2, p = 0.52, RMSEA = 0.00, RMR = 0.005, CFI=1, GFI = 1.00, and AGFI = 0.98. In terms of the factor loadings, it was found that all of them were positive with a statistical significance level of 0.05. The component with the highest factor loading was making all parties recognize and understand problems and encouraging others to look at problems from a new angle with a standardized factor loading of 0.91, followed by having courage and creativity with a standardized factor loading of 0.81, and giving others a chance to creatively solve problems without blaming them with a standardized factor loading of 0.71. The results are illustrated as follows.

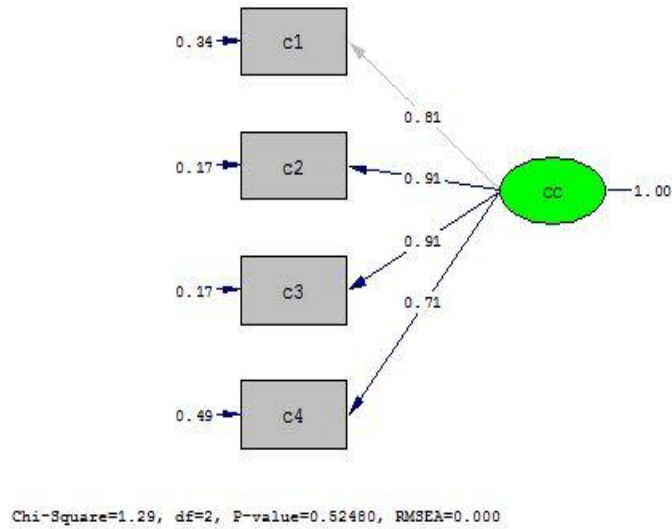


Figure 4.3 The Components of Intellectual Stimulation

Table 4.6 The Components of Individualized Consideration

Individualized Consideration (dd)	Standardized Factor Loading	Factor Loading	S.E.	t	R ²
Understanding and paying attention to individual differences (d1)	0.83	0.62	0.04	13.92	0.69
Listening to and respecting others (d2)	0.79	0.57	0.04	12.99	0.63
Trusting and giving others a chance to shine (d3)	0.91	0.65	0.04	16.13	0.83
Developing followers' abilities and giving advice to others (d4)	0.73	0.61	0.05	11.76	0.53

Table 4.6 (Continued)

Individualized Consideration (dd)	Standardized Factor Loading	Factor Loading	S.E.	t	R²
Encouraging others and appreciating their achievements (d5)	0.72	0.56	0.05	11.54	0.52

The model fit results: chi-square = 2.88, df = 2, p = 0.24, RMSEA = 0.046,
RMR = 0.007, CFI = 1, GFI = 0.99, AGFI = 0.96

According to the results of the confirmatory factor analysis of individualized consideration shown in Table 4.6, it was found that the model fit the empirical data, considering that the chi-square = 2.88, df = 2, p = 0.24, RMSEA = 0.046, RMR = 0.007, CFI = 1, GFI = 0.99, and AGFI = 0.96. Regarding the factor loadings, all of them were found to be positive with a statistical significance level of 0.05. The component with the highest factor loading was trusting and giving others a chance to shine with a standardized factor loading of 0.91, followed by understanding and paying attention to individual differences with a standardized factor loading of 0.83, listening to and respecting others with a standardized factor loading of 0.79, developing followers' abilities and giving advice to others with a standardized factor loading of 0.73, and encouraging others and appreciating their achievements with a standardized factor loading of 0.72. The results are illustrated as follows.

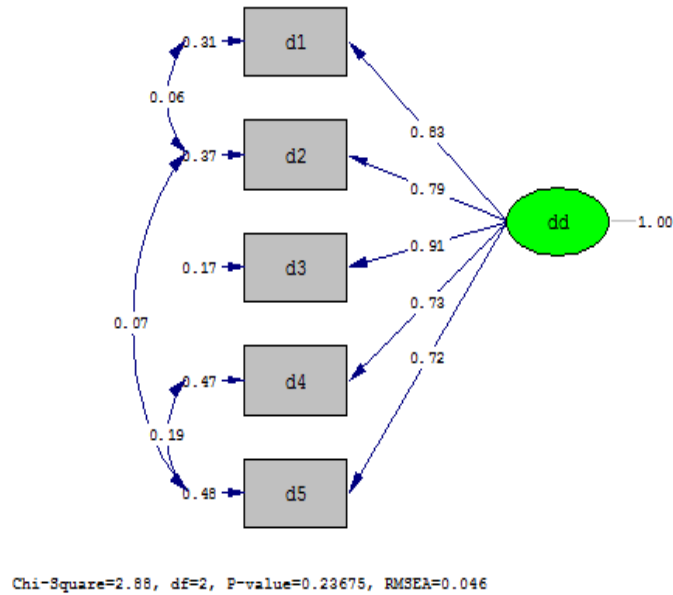


Figure 4.4 The Components of Individualized Consideration

Table 4.7 The Components of Integrated Thinking

Integrated Thinking (ee)	Standardized Factor Loading	Factor Loading	S.E.	T	R²
Always learning new knowledge (e1)	0.78	0.66	0.05	12.19	0.62
Being aware of changes (e2)	0.72	0.61	0.05	11.51	0.51
Proactive working (e3)	0.96	0.92	0.05	17.59	0.93
Coordinating with external networks (e4)	0.80	0.78	0.06	13.43	0.63

The model fit results: chi-square = 0.75, df = 1, p = 0.39, RMSEA = 0.00,

RMR = 0.008, CFI = 1.00, GFI = 0.998, AGFI = 0.98

According to the results of the confirmatory factor analysis of integrated thinking shown in Table 4.7, it was found that the model fit the empirical data well, considering that the chi-square = 0.75, df=1, p = 0.39, RMSEA = 0.00, RMR = 0.008, CFI= 1.00, GFI = 0.998, and AGFI = 0.98. As for the factor loadings, all of them were found to be positive with a statistical significance level of 0.05. The component with the highest factor loading was proactive working with a standardized factor loading of 0.96, followed by coordinating with external networks with a standardized factor loading of 0.80, always learning new knowledge with a standardized factor loading of 0.78, and being aware of changes with a standardized factor loading of 0.72. The results are illustrated in the following picture.

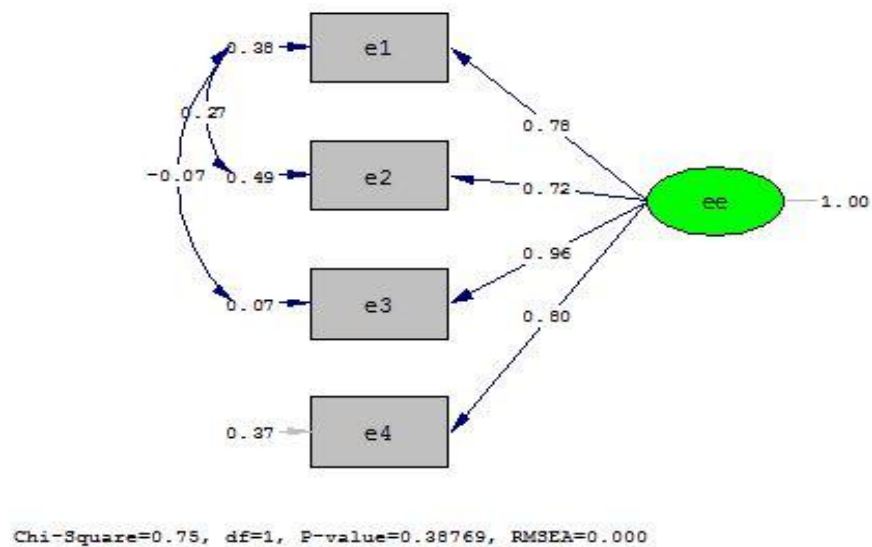


Figure 4.5 The Components of Integrated Thinking

Table 4.8 The Components of the Transformational Leadership of the Juvenile and Family Judges

Transformational Leadership	Standardized Factor Loading	Factor Loading	S.E.	t	R²
Adhering to ideology: aa	0.78	0.41	0.03	13.17	0.60
Building inspiration: bb	0.93	0.71	0.04	17.50	0.86
Intellectual stimulation: cc	0.92	0.68	0.04	17.03	0.84
Individualized consideration: dd	0.86	0.56	0.04	15.33	0.73
Integrated thinking: ee	0.94	0.75	0.04	17.88	0.88

The model fit results: chi-square = 4.76, df = 4, p = 0.31, RMSEA = 0.030,

RMR = 0.004, CFI=1, GFI = 0.99, AGFI = 0.97

Table 4.8 shows the results of the confirmatory factor analysis of the transformational leadership of the juvenile and family judges. It was found that the model fit the empirical data well, considering that the chi-square = 4.76, df = 4, p = 0.31, RMSEA = 0.030, RMR = 0.004, CFI=1, GFI = 0.99, and AGFI = 0.97. In terms of the factor loadings, all components were found to be positive with a statistical significance level of 0.05. The component with the highest factor loading was integrated thinking with a standardized factor loading of 0.94, followed by building inspiration with a standardized factor loading of 0.93, intellectual stimulation with a standardized factor loading of 0.92, individualized consideration with a standardized factor loading of 0.86, and adhering to ideology with a standardized factor loading of 0.78. The results are illustrated as follows.

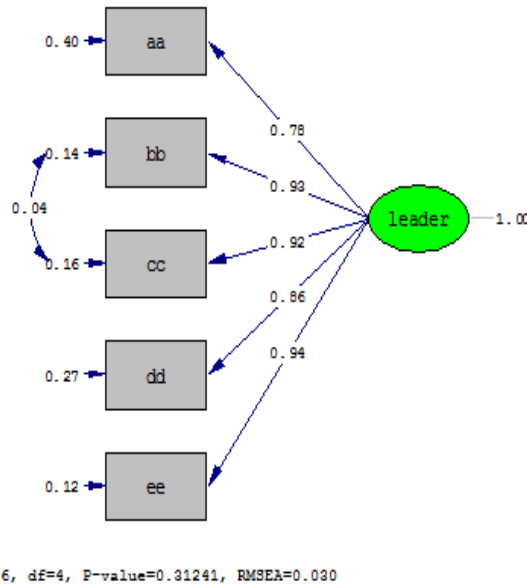


Figure 4.6 The Components of the Transformational Leadership

4.2.3 Guidelines for Developing the Transformational Leadership of the Judges of the Juvenile and Family Court

In this part of the study the data were analyzed in order to find the mean and standard deviation of seven variables: personnel management policy, work analysis and design, recruitment and selection, appointment and transfer, personnel development, performance evaluation and ,compensation. The interpretations of the measurement were as follows.

Mean = 0.00-0.99 means that the statement was given the least importance.

Mean = 1.00-1.99 means that the statement was given low importance.

Mean = 2.00-2.99 means that the statement was given moderate importance.

Mean = 3.00-3.99 means that the statement was given high importance.

Mean = 4.00-5.00 means that the statement was given the highest importance.

Table 4.9 Guidelines for Developing the Transformational Leadership of the Juvenile and Family Judges

Guidelines for developing the transformational leadership of the juvenile and family judges	\bar{X}	SD	Levels of importance
1. Personal management policy			
1.1 The Judicial Commission should have a clear and continuous personnel management policy.	4.77	.57	Highest
1.2 The Judicial Commission should plan and determine guidelines for developing judges' professional expertise.	4.74	.64	Highest
1.3 The Judicial Commission should have accurate understanding and attitude towards the Juvenile and Family Court's missions and judges' tasks.	4.72	.67	Highest
1.4 The Judicial Commission should place emphasis on putting the right man in the right job.	4.68	.73	Highest
1.5 Representatives from the Juvenile and Family Court and other specialized courts should be included in the Judicial Commission.	4.09	1.17	Highest
2. Work analysis and design			
2.1 The tasks and duties of juvenile and family judges should be clearly specified so that the judges can accurately understand their role.	4.53	.71	Highest
2.2 The qualifications of the juvenile and family judges should be appropriately determined in a more specific way.	4.39	.90	Highest
2.3 The duties and tasks of juvenile and family judges should be specified separately from those of the judges of other courts.	4.17	1.00	Highest

Table 4.9 (Continued)

Guidelines for developing the transformational leadership of the juvenile and family judges	\bar{X}	SD	Levels of importance
3. Recruitment and selection			
3.1 Psychological, attitude, and personality tests should be given more importance.	4.47	.73	Highest
3.2 The oral examination should apply an interview technique in order to focus on candidates' attitudes, resourcefulness, problem-solving skills, and integrated thinking instead of legal knowledge.	4.32	.84	Highest
3.3 Information on the examinees' Judge-Trainee Examination should be collected for personnel management purposes.	4.07	1.12	Highest
3.4 The Judge-Trainee Examination should focus on both legal knowledge and other related expertise.	3.83	1.13	High
4. Appointment and transfer			
4.1 The conditions of transfer and the qualifications of juvenile and family judges should be clearly determined; for example, the candidates must have passed a training course related to juvenile cases.	3.81	1.35	High
4.2 The appointment and transfer of juvenile and family judges should take account qualifications and knowledge rather than seniority.	3.75	1.36	High
4.3 The juvenile and family judges should be encouraged to grow in their career path or be promoted to continuously work at the Supreme Court or the Court of Appeal for Specialized Cases without being frequently transferred.	3.72	1.34	High

Table 4.9 (Continued)

Guidelines for developing the transformational leadership of the juvenile and family judges	— X	SD	Levels of importance
4.4 A sub-committee should be specifically established to deal with the transfer of juvenile and family judges.	3.57	1.38	High
4.5 The judges that want to be transferred to the Juvenile and Family Court must indicate their vision on juvenile and family matters through a written document.	3.29	1.37	High
4.6 There should be an examination to test the theoretical and practical knowledge of the judges that want to be transferred to the Juvenile and Family Court.	3.22	1.39	High
4.7 A precedence hierarchy of the juvenile and family judges should be additionally created.	3.00	1.45	High
5. Personnel development			
5.1 The training courses for judge-trainees and judges should not only focus on academic knowledge but also take account of ethics, morality, and public interest.	4.74	.60	Highest
5.2 There should be practical and up-to-date operational guides on how to work with communities and external networks.	4.67	.64	Highest
5.3 Additional knowledge in related fields such as psychology and social science should be provided to juvenile and family judges.	4.55	.73	Highest
5.4 The selection of trainers should focus on knowledge, proficiency, and communication skills rather than seniority.	4.51	.80	Highest

Table 4.9 (Continued)

Guidelines for developing the transformational leadership of the juvenile and family judges	\bar{X}	SD	Levels of importance
5.5 External guest speakers that are highly experienced should be selected to provide knowledge from different perspectives.	4.49	.76	Highest
5.6 The training course for judge-trainees should pay more attention to juvenile work and related theories in order to provide basic preparation and to make the personnel ready to work at the Juvenile and Family Courts nationwide.	4.44	.82	Highest
5.7 There should be a meeting between organizations in the juvenile and family justice system in order to perceive problems, find solutions, and to develop work practices together.	4.41	.80	Highest
5.8 The training courses should have various formats not limited to lecturing.	4.36	.86	Highest
5.9 During the practical part of the training, judge-trainees should be assigned to work at the Juvenile and Family Court.	4.34	.92	Highest
5.10 Senior judges should give advice and guidance to junior judges.	4.33	.81	Highest
5.11 A central agency should be established to give advice on research and development and to disseminate information about the juvenile and family justice on a continuous basis.	4.32	.84	Highest
5.12 There should be a channel for the juvenile and family judges to exchange judicial experiences and innovative practices.	4.28	.89	Highest

Table 4.9 (Continued)

Guidelines for developing the transformational leadership of the juvenile and family judges	\bar{X}	SD	Levels of importance
5.13 Modern technologies should be applied at work such as e-learning techniques.	4.25	.85	Highest
5.14 The training programs should be regularly provided to juvenile and family judges, the judges of other courts, personnel from interested organizations, and the public.	4.20	.99	Highest
5.15 There should be knowledge assessment before training.	4.17	.99	Highest
5.16 Apart from adjudication tasks, the chief judges should assign additional juvenile-related work to the judges in order to enhance their professional skills.	4.01	1.02	Highest
6. Performance evaluation			
6.1 The evaluation indicators should not focus only on the number of closed cases or unsolved cases.	4.54	.84	Highest
6.2 The evaluation should pay more attention to judges' qualitative performance such as giving explanations for using special measures in lieu of prosecution Section 90 and measures for rehabilitation Section 132, case follow-ups and clarification, and solving problems at work.	4.30	.89	Highest
6.3 There should be an assessment of the personality and attitude of the judges in order to see if they are suitable to work at the Juvenile and Family Court.	4.12	1.11	Highest

Table 4.9 (Continued)

Guidelines for developing the transformational leadership of the juvenile and family judges	\bar{X}	SD	Levels of importance
6.4 Additional scores should be given to the juvenile and family judges that are dedicated to their work such as providing knowledge to communities and participating in community activities so as to rehabilitate children.	3.87	1.28	High
6.5 An evaluation form of the juvenile and family judges should be prepared separately from that of the judges of other courts.	3.77	1.25	High
7. Compensation and rewards			
7.1 Juvenile and family work should be valued and given importance so as to enhance the morale of the judges that are dedicated to their work.	4.23	.97	Highest
7.2 The salary of judges should not rely on the levels of courts so that highly-experienced judges can continue to work at the courts of first instance without having to move to courts of appeal.	3.75	1.38	High

Note: (n=209)

4.2.3.1 Personnel Management Policy

All statements about the personnel management policy were given the highest importance by the respondents. They can be ranked in descending order from the highest to lowest mean as follows.

1) The Judicial Commission should have a clear and continuous personnel management policy (mean = 4.77). The informants provided further information about this statement in the following statements.

The Judicial Commission should have a clear and unwavering policy on the appointment and transfer of judges (an executive of the Central Juvenile and Family Court from group 1 of the informants)

An announcement should be made that judges that are appointed or transferred to the Juvenile and Family Court have to work there at least 5 years in order to gain expertise in juvenile and family laws and juvenile rehabilitation methods. In order to keep pace with a changing society and develop learning, the Judicial Commission must have unambiguous and unchanging criteria for the appointment and transfer of judges (an executive of the Central Juvenile and Family Court from group 1 of the informants).

The key is the continuity of work. If the judges work at the Juvenile and Family Court for only 1 or 2 years, it may be difficult to develop their abilities (an employee of the Department of Juvenile Observation and Protection from group 7 of the informants).

The current criteria for transfer of judges have been determined, focusing on compensation. Judges can work at the Juvenile and Family Court for only two years, which is considered a too short period of time. Thus, juvenile and family judges do not have enough time to develop themselves (a legal expert from group 9 of the informants).

2) The Judicial Commission should plan and determine the guidelines for developing judges' professional expertise (mean = 4.74). The informants provided further information about this topic in the following.

In terms of the duration of work, no matter it is 2 years, 7 years, or until retirement, the juvenile and family judges should remain at the same Juvenile and Family Court or alternatively move to the Juvenile and Family Court in other provinces. If they want to have specialized expertise, they should stay long, accumulate knowledge, and adjudicate more cases so as to gain more skills (a judge from group 2 of the informants).

The executives must have a clear policy. If they want to develop professional judges, they must be aware of required qualifications and

determine appropriate selection process. Seniority should be used for decision-making only when candidates have equal qualifications (a judge from group 2 of the informants).

The purpose of a transfer is giving judges a chance to learn new things. However, the judges are currently transferred too often. In order to advance in the career path, the judges need to understand every law and legal knowledge, including the labor law and the intellectual property law. Should the judges know all of that? Isn't it better to let the judges excel in one field and become a core function of the organization? If the judges can be transferred to the courts with similar tasks and duties, they can grow in their career path in a more effective ways. Those that are on top of the precedence hierarchy may change over time. We should encourage the judges to grow in their field of interest. The judges that are good at academic tasks should be promoted to a higher position in the academic field. Those that are specialized in management should be encouraged to become the court's administrators. Those that are interested in adjudication should be given chances to accumulate more adjudication experiences because specialization is associated with accumulation (a lay judge from group 3 of the informants).

A transfer of judges frequently occurs. Some judges need to be transferred, although they have suitable personality to work with children and are about to deeply understand the juvenile law (a legal consultant from group 6 of the informants).

The executives have to pay attention to the Juvenile and Family Court and provide the judges with rewards, training, and personnel development programs (an employee of the Department of Juvenile Observation and Protection from group 7 of the informants).

Regarding the promotion of judges, the courts of justice adhere to the precedence principle, which has both strength and weakness. In terms of the strength, it makes the judges aware of their career path and their position in the future. As for the weakness, if there is an argument or scandal at work, the judges may not reach their expected position. Thus, the judges have to be careful and maintain their order in the precedence hierarchy or else they may

be overtaken. The judges of the Juvenile and Family Court unable to continually work at the same court for a long time because they may lose their precedence. This also affects the court's operation because the judges will not have a chance to gain insightful knowledge to perform their duties in specialized courts (an employee of the Department of Probation from group 8 of the informants).

There are specific strategies about the tasks of the Juvenile and Family Court specified in the vision and strategic plan of the courts of justice. However, the Juvenile and Family Court and the other court still uses the same appointment and transfer criteria. Ideally, there should be separate and clear strategies on the appointment and transfer of judges of the specialized courts (a legal expert from group 9 of the informants).

The Juvenile and Family Court should be given importance as a specialized court. It will be beneficial, if the judges are encouraged to develop specialized expertise in dealing with rape cases, drug cases, juvenile-bikers cases, or other specific violence cases. The juvenile and family judges should have more specialized knowledge and be able to find solutions for each specific case (a legal expert from group 9 of the informants).

The judges of the specialized courts should hold their position for at least 5 years so that they can gain insightful knowledge. The system should allow them to stay for 5 years or move to other provincial juvenile courts in order to achieve sustainability in terms of knowledge and thinking development (a legal expert from group 9 of the informants).

3) The Judicial Commission should have accurate understanding of and attitudes towards the Juvenile and Family Court's missions and the judges' tasks (mean = 4.72). The informants provided further information about this topic in the following.

The overall organizational policies must focus on the same process. It is essential to recognize that the Juvenile and Family Court require highly skilled judges with specialized knowledge, including children's right and child

development. Juvenile work is associated with rehabilitation rather than punishment. Juvenile delinquents should be corrected and rehabilitated so that they can return to a society as good human resources. Most people do not understand this concept and still think that the Juvenile and Family Court only has a role in adjudication. The top leaders must understand this issue and place importance on recruitment and selection. The Chief Justice of the Central Juvenile and Family Court, chief judges, judges, and lay judges should be able to look at a broader picture and recognize whether the selection system is conducive to creating specialized experts. It is involved with many factors, including organizational visions and policies, and requires understanding of the role of the Juvenile and Family Court. The performance indicators used in the evaluation process, judge appointment and transfer, and judge training should be determined and developed in the same direction. The courts of justice should recognize the objectives of the establishment of the Juvenile and Family Court and then establish a strategic plan to reach that objective. If the appointment, training, and evaluation are not carried out in the same direction, the work will never be productively accomplished (a legal expert from group 9 of the informants).

The executives may think that the Juvenile and Family Court is just a small-sized court with a small number of cases and limited budget, which is quite inaccurate. Those working at the Juvenile and Family Court must understand its nature and not let others ignore its importance (a legal expert from group 9 of the informants).

4) The Judicial Commission should place emphasis on putting the right man in the right job (mean = 4.68), as the informants indicated in the following.

If the courts of justice can recruit the juvenile and family judges that like being with children, have patience with complicated problems, and want to rehabilitate children, the juvenile-related work can be successfully accomplished. If the judges only perform their duties without having compassion for children, the children

cannot be rehabilitated due to lack of guidance (an executive of the Central Juvenile and Family Court from group 1 of the informants).

The recruitment and selection should strictly focus on specific qualifications. If we only pay attention to the precedence hierarchy, the personnel problems cannot be solved. Importantly, the selection committee must be able to give reasons for each selection. However, this is sometimes difficult in practice. For some positions, we take account of the suitability first but end up making a decision based on the precedence hierarchy (an executive of the Central Juvenile and Family Court from group 1 of the informants).

Personally, I think the selection should adhere to the principle of putting the right man in the right place rather than focusing on the types of courts whether it is a Provincial Court, Kwaeng Court, or Juvenile and Family Court (an employee of the Department of Juvenile Observation and Protection from group 7 of the informants).

The Judicial Commission must determine specific qualifications of juvenile and family judges. It will be helpful if those that have experiences in working with the communities and coordinating with cooperative networks in solving juvenile problems can be recruited. The executives of the Office of the Judiciary must perceive the importance of judges and the needs for specialized judges. Some probation officers have a degree in multidisciplinary studies. Some of them are psychologists, social workers, and lawyers. They work together in the field of probation in order to correct people. However, most of the probation officers think that they should be assigned according to their field of expertise. The lawyers should deal with law enforcement while the psychologists and social workers are responsible for correction and rectification (an employee of the Department of Probation from group 8 of the informants).

5) There should be representatives from the Juvenile and Family Court and other specialized courts included in the Judicial Commission (mean = 4.09). The informants provided further information in the following.

The Judicial Commission responsible for judge recruitment must have good understanding of their role. Experts should be sent to set up selection guidelines and criteria and provide related suggestion. Moreover, among 10 members of the Judicial Commission, there should be at least 1 or 2 representatives from the special courts or specialized courts” (a legal expert from group 9 of the informants).

4.2.3.2 Work Analysis and Design

All of the statements about the work analysis and design were given the highest importance by the informants. They can be ranked in descending order from the highest to lowest mean as follows.

1) The tasks and duties of the juvenile and family judges should be clearly specified so that the judges can accurately understand their role (mean = 4.53). The informants provided more information in the following.

It must be emphasized that their role is not limited to adjudication. They also have a duty to correct juveniles’ misbehaviors and prevent them from committing an offense again. All duties and responsibilities should be clearly specified in the job description (an executive of the Central Juvenile and Family Court from group 1 of the informants).

In the evaluation, job description and characteristics of each judge must be clearly defined (a psychologist from group 5 of the informants).

A quantitative evaluation only focusing on statistical records is not suitable for the Juvenile and Family Court. One of the problems is that there is no clear job description and responsibilities specified (a legal expert from group 9 of the informants).

Job description should be clearly defined. Judges have main responsibilities to adjudicate cases, conduct family therapy, and solve social problems. Not many people know and understand how to carry out a case conference or family conference. It is a process that requires specialized knowledge and understanding of the restorative justice process, which is considered an innovative concept that can lead to a major change (a legal

expert from group 9 of the informants).

The key point is that we have to determine a new job description and review the duties of the juvenile and family judges. It should be clearly specified that they need to work with and visit the Juvenile Observation and Protection Center once a month. If the judges do not pay attention to other people and the work system, they cannot work at the Juvenile and Family Court and need to move to other adult courts. This may be used to solve the problem of unequal compensation in an effective way (a legal expert from group 9 of the informants).

2) The qualifications of juvenile and family judges should be appropriately determined in a more specific way (mean = 4.39). The informants provided more information in the following.

Recruitment of juvenile and family judges is important. However, we have never seriously discussed the qualifications of juvenile and family judges that we really want. Importantly, they must like juvenile-related work (a lay judge from group 3 of the informants).

In terms of recruitment, we should find juvenile and family judges that have interpersonal skills, a sense of humility, and job suitability. If the Juvenile and Family Court does not adjust, in the next 50 years it may not be able to deal with juvenile cases due to a lack of cooperation from other parties (a legal expert from group 9 of the informants).

3) The duties and tasks of juvenile and family judges should be specified separately from those of the judges of other courts (mean = 4.17). The informants provided more information in the following.

The judges of the Provincial Court and the Juvenile and Family Court have the same job description, although their duties are different. There should be a further action on this issue (a legal expert from group 9 of the informants).

An issue about the job description is hard to explain. We have to look back and consider how good the persons determining the job description understand the role of the juvenile and family judges. Apart from adjudicating assigned cases, it should be clearly specified that the judges must have good understanding of special measures in lieu of criminal proceedings and juvenile rehabilitation. This issue should be reconsidered (a legal expert from group 9 of the informants).

4.2.3.3 Recruitment and Selection

In this part of the study, three statements about recruitment and selection were given the highest importance by the respondents, while the other one was given high importance. The statements can be ranked in descending order from the highest to lowest mean as follows.

1) Psychological, attitude, and personality tests should be given more emphasis (mean = 4.47). The informants provided further information as follows.

There should be an interview prior to making an employment decision in order to evaluate the candidates' thinking, attitudes, and readiness to work in this field (a legal expert from group 9 of the informants).

2) During the oral examination, an interview technique should be applied in order to assess candidates' attitudes, resourcefulness, problem-solving skills, and integrated thinking instead of focusing on legal knowledge (mean = 4.32). The informants provided more information in the following.

In the process of selection, an interview method can be used to investigate attitudes, visions, and problem-solving abilities (a legal consultant from group 6 of the informants).

In terms of judge selection, we select only talented candidates that passed the examination. During the interview session, we only look at their personality, which is not enough" (a legal expert from group 9 of the informants).

3) The information of examinees taking the Judge-Trainee Examination should be collected for personnel management purposes (mean = 4.07). The informants provided further information in the following.

Everyone has different aptitudes. The information about the examinees should be collected for the benefit of the organization. During the Judge-Trainee Examination, the aptitude of each examinee should be asked and collected. The information about those receiving training scholarships should also be collected (an executive of the Central Juvenile and Family Court from group 1 of the informants).

4) The Judge-Trainee Examination should focus on both legal knowledge and other related expertise (mean = 3.83). The informants provided further information as follows.

Developing a qualified judge starts from recruitment. At present, every court uses the same recruitment and selection process. We select only those with good legal knowledge. The mental check-up is carried out to make sure that the candidates are normal but it does not examine their tenderness and compassion. In other countries, juvenile and family judges are separately recruited and selected. Thus, the selection system requires additional criteria or else we will not have quality raw materials” (an employee of the Department of Juvenile Observation and Protection from group 7 of the informants).

4.2.3.4 Appointment and Transfer

All 7 statements about the appointment and transfer of judges were given high importance by the respondents. The statements can be ranked in descending order from the highest to lowest mean as follows.

1) The conditions of transfer and the qualifications of juvenile and family judges should be clearly determined; for example, the candidates must have passed a training course related to juvenile cases (mean = 3.81). The informants provided further information in the following.

There must be a special selection condition, for example, the judges that want to work at the Juvenile and family Court must be trained to understand the intent of the law before performing their duty (an executive of the Central Juvenile and Family Court from group 1 of the informants).

All juvenile and family judges should pass a special certificate course with strict knowledge test like that of Indonesia's Environmental Court. If you do not pass the test and obtain the certificate, you are not qualified to adjudicate environmental cases. There should be a special system for the selection of juvenile and family judges. For example, the judges must receive the training on the spirit of the juvenile law before working at the Juvenile and family Court (a legal expert from group 9 of the informants).

The selection should be effectively carried out, starting from the policy determined by the Judicial Commission. There should be academic test and attitude interview in order to examine the candidates' theoretical knowledge beyond the law, including the main concept of the Act on the Juvenile and Family Court that is not written in the law, and evaluate their personality traits and attitudes towards juvenile delinquency (a legal expert from group 9 of the informants).

2) The appointment and transfer of juvenile and family judges should take account of qualifications, abilities, and knowledge rather than seniority (mean = 3.75). The informants provided further information as follows.

For the specialized courts, it is essential to select the candidates with suitable qualifications to work in specific field. Those that have no suitable qualifications can do the job but it will not benefit children (a prosecutor from group 5 of the informants).

The selection must take into account a volunteer mind and job suitability. The candidates must be really interested in this field of work and should not want to work at this court because they think that juvenile work is easy (a judge from group 2 of the informants).

In the selection process, the seniority should be taken into account only

when the candidates have equal specialized expertise. The specialized courts cannot accomplish their goal if there is no specialized judges. The courts of first instance are considered the special courts but the selection of judges with special knowledge has not been seriously carried out. As for the Court of Appeal for Specialized Cases, the selection of judges should be done properly based on appropriate qualifications rather than focusing on voluntary application because some qualified candidate do not dare to apply for the position. The background of each candidate should be taken into consideration. Previously, the Judicial Commission could select an appropriate judge to become a highly recognized Chief Justice of the Central Juvenile and Family Court based on his knowledge and abilities. We need to use strategic thinking in selection. If we only open to voluntary application, we will inevitably focus on the seniority instead of other qualifications (a legal expert from group 9 of the informants).

3) The juvenile and family judges should be encouraged to grow in their career path or be continuously promoted to work at the Supreme Court or the Court of Appeal for Specialized Cases without being frequently transferred (mean = 3.72). The informants provided further information as follows.

It is essential to select the juvenile and family judges based on abilities, knowledge, and specialized expertise. Although the Court of Appeal for Specialized Cases has limited positions to support all juvenile and family judges in the courts of first instance, the establishment of the Court of Appeal for Specialized Cases is beneficial because the juvenile and family judges have a chance to grow in their career path, starting from the court of first instance. The juvenile and family judges should be allowed to hold their position for 3-4 years before moving to other courts. When they are back to the Juvenile and Family Court again, they will feel like they have a certificate proving that they are experienced in juvenile and family work (a legal expert from group 9 of the informants).

Actually, the establishment of the Court of Appeal for Specialized Cases is helpful for the juvenile and family judges in terms of career path. However, there are still some barriers. The judges that are specialized in intellectual property, international trade, and tax seem to have a clear career path because they can be continually promoted to work at the Court of Appeal for Specialized Cases and the Intellectual Property and International Trade Division of the Supreme Court respectively. On the other hand, there are the Provincial Juvenile and Family Courts established throughout the country so the number of juvenile and family judges is larger than the number of positions available in the Court of Appeal for Specialized Cases. Thus, it is difficult for the juvenile and family judges to grow in this career path (a legal expert from group 9 of the informants).

Specialized judges can be developed and maintained in the courts of justice, if there is a clear career path for them. In the beginning, judges can go to work at any court. After 5 years, when they realize their aptitude, they should move to work in their field of interest. Every career path should lead to the President of the Supreme Court or at least the President of the Juvenile and Family Division of the Supreme Court so that all judges can maintain their rank in the precedence hierarchy and have chances to accumulate experiences. If they want to move to the criminal court, they must be good enough to pass the examination. Although they have never worked at the criminal court, they have the right to change their field of work, if they have readiness and can prove themselves. Those that fail the examination have to accept the result. This is just my rough idea. It may lack precise details (an employee of the Department of Probation from group 8 of the informants).

4) A sub-committee should be specifically established to deal with the transfer of juvenile and family judges (mean = 3.57). The informants provided further information in the following.

There should be a sub-committee to take care of the selection and determine special selection criteria. The sub-committee should focus on the nature work that is distinct from other courts and submit the matter to the Judicial Commission (an executive of the Central Juvenile and Family Court from group 1 of the informants).

The selection criteria and qualifications of juvenile and family judges should be clearly specified. Therefore, a committee should be separately established to responsible for the selection of juvenile and family judges. In my point of view, the juvenile and family judges need to have both legal knowledge and understanding of life, family problems, and juvenile issues, which is considered a special science. This is different from the judges of other courts that need to have only specialized legal knowledge. The judges can learn new knowledge but it is difficult to gain life experiences. Regarding the judge selection, the committee must brainstorm the ideas and determine the requirements to screen the candidates like the requirements of the Supreme Court. The committee can set a sub-committee to prepare the relevant information before proposing it to the committee (a legal expert from group 9 of the informants).

5) The judges that want to work at the Juvenile and Family Court must show their vision of juvenile and family matters through a written document when submitting a transfer request (mean = 3.29). The informants also provided further information in the following.

If the judges want to work at the specialized courts, including the Juvenile and Family Court, when submitting a transfer request, they should attach a written document of approximately one A4 page length describing their vision about juvenile and family work (an executive of the Central Juvenile and Family Court from group 1 of the informants).

When the Court of Appeal for Specialized Cases was established, I was very glad because it was the first time that juvenile and family judges were recruited and selected based on prior experiences in juvenile work. It will be

better, if there are additional questions about vision of work (a legal expert from group 9 of the informants).

6) There should be an examination to test the theoretical and practical knowledge of the judges that want to be transferred to the Juvenile and Family Court (mean = 3.22). The informants also provided more information as follows.

The judges that want to work at the Juvenile and Family Court need to pass the test that examines both legal knowledge and understanding of relevant theories in order to ensure that they can work in the right direction. This is a system that help to find the right candidates (a legal expert form group 9 of the informants).

7) A precedence hierarchy of the juvenile and family judges should be additionally created (mean = 3.00). The informants also provided further information as follows.

About 20-30 years ago when I just started working, judges did not really have specialized knowledge. Although the time has passed and the salary system has changed, the current judges still lack specialized expertise. They cannot continue to work at the Juvenile and Family Court due to the limitation of precedence system and need to move to other courts for 7-8 years, which makes their juvenile knowledge begin to fade away. It takes a long time for them to return to the career path towards the Chief Justice of the Central Juvenile and Family Court. Thus, they turn to focus on their routine tasks so as to secure their job. This is not beneficial for juveniles. Focusing on routine tasks is not a bad thing but it does not lead to improvement. There are many judges facing this problem but they still cannot find a solution (an employee of the Department of Probation from group 8 of the informants).

The Juvenile and Family Court should be separated from the main

system. It should have its own procedures. A separation will not affect the existing precedence system. We must clearly specify the rules and conditions. If there is a clear policy, we can find ways to implement it (a legal expert from group 9 of the informants).

If the specialized courts are separated from the existing system, the problems about judges' specialized knowledge can be solved and the organizational structure can be modified (a legal expert from group 9 of the informants).

4.2.3.5 Personnel Development

All 16 statements about personnel development were given the highest importance by the respondents. They can be ranked in descending order from the highest to lowest mean as follows.

1) The training courses for judge-trainees and judges must not only focus on academic knowledge but should also take account of ethics, morality, and public interest (mean = 4.74). The informants provided more details as follows.

Before starting their duties, the judges should be raised awareness and trained on how to deal with and prepare for juvenile and family work, which is beyond academic development training (a legal expert from group 9 of the informants).

Leadership can be built and developed. The problem is that the training system of the Judicial Training Institute does not help the judges understand the core principle and systematic application (a legal expert from group 9 of the informants).

2) There should be practical and up-to-date operational guides on how to work with communities and external networks (mean = 4.67). This is in line with the following information obtained from the informants.

At work, we cannot consult anyone. There are a lot of legal tools and provisions but most of us do not truly know how to use them because there is no clear information. It will be helpful, if there is a practical operational guide (a judge from group 2 of the informants).

There should be operational guides or tips on how to collaborate with communities. The information about the communities, including address and contact details, should be provided. In terms of adjudication, the fixed punishments should not be used in the Juvenile and Family Court but we can look at them as a rough guideline. For juvenile drug cases, apart from issuing an imprisonment, fine, or suspension order, the judges should also think of other correction approaches. For children with school problems, the judges may put them on probation under the supervision a school principal instead of a probation officer (a legal expert from group 9 of the informants).

3) Additional knowledge in related fields such as psychology and social science should be provided to the juvenile and family judges (mean = 4.55). The informants provided more details as follows.

The judges generally have good legal knowledge. However, the juvenile and family judges should further receive training about psychology, maturity, emotional intelligence, and basic understanding of a child (a prosecutor from group 5 of the informants).

They do not need to be trained about legal knowledge. They just need to learn more about international conventions and standards. Importantly, they must have knowledge in the fields of psychology, social science, and education. The juvenile and family judges should be trained to act as teachers and parents of a child. If they only play a role of parents, they may not accept that their child is wrong. If they act as teachers, they may strictly adhere to the rules and punishment and will never be able to change the child (an employee of the Department of Juvenile Observation and Protection from group 7 of the informants).

4) Selection of speakers should focus on knowledge, proficiency, and communication skills rather than seniority (mean = 4.51). The informants provided more details as follows.

We should focus on the content of the training and the appropriateness of the speakers. If the speaker of every training course is the same person and the content is not up-to-date, it is considered inappropriate (a legal expert from group 9 of the informants).

Although training is useful, at present it cannot generate productive results. This is probably because a robust training has not been provided. The robust training makes the attendees deeply understand juvenile work. A speaker is an important factor. Those that can be good speakers must understand the fundamental concept of the juvenile laws. They do not need to have high seniority (a legal expert from group 9 of the informants).

5) External guest speakers that are highly experienced should be selected to provide knowledge from different perspectives (mean = 4.49). The informants provided further information in the following.

Currently, all training courses are carried out and trained by internal judiciary officers. External guest speakers should be allowed to join the training in order to provide a variety of knowledge apart from law and legislation. The judges have to perceive actual problems occurring in society. For example, they should know that Thailand has the highest teenage pregnancy rate in the world (a legal expert from group 9 of the informants).

6) The training course for judge-trainees should pay more attention to juvenile work and related theories in order to provide basic preparation and to make the judge-trainees ready to work at the Juvenile and Family Courts nationwide (mean = 4.44). The informants provided further information in the following.

They should be trained at the Juvenile and Family Court, while they are still judge-trainees. It may be difficult to start learning juvenile work after they become the quorum members or assigned judges. It may take 6 to 12 months to learn all related work. They need a coach to give them guidance and advice (a Judge from group 2 of the informants).

The lay judges have been continually provided with training courses. However, there are only a few training programs on new legal concepts, including the restorative justice, mediation, and special measures in lieu of criminal proceedings, provided to the judges. When the new Act was introduced, there were many training courses for the lay judges but none for the judges. As a result, it was found that the operational direction of the judges was different from what the lay judges learned from the training. In fact, the judges should be trained on the same set of knowledge so that the juvenile work can be successfully completed (a legal expert from group 9 of the informants).

Actually, the legal knowledge about the juvenile law should be provided by the university and the Thai Bar Association. The training course for judge-trainees should also give information about criminological principles, deviation, restorative justice, community justice, and community engagement with juvenile justice system. The Juvenile and Family Court is not only responsible for criminal cases but also takes care of women's right and other juvenile-related cases, which are associated with multidimensional knowledge (a legal expert from group 9 of the informants).

7) There should be a meeting between organizations in the juvenile and family justice system in order to perceive problems, find solutions, and to develop work practices together (mean = 4.41). The informants provided further information in the following.

The Central Juvenile and Family Court should carry out a meeting with relevant organizations in the juvenile and family justice system in order to discuss work and collaboration problems. A forum should be set to share the facts and problems so that all parties can perceive the actual problems and cooperate in finding solutions together (a legal consultant from group 6 of the informants).

His Majesty King Bhumibol Adulyadej once said that juvenile work cannot be accomplished by one person or one organization alone. We should always adhere to what he said. Collaborating with external organizations is vital. We have to look at an overall process. When using the special measures in lieu of criminal proceedings, all related parties need to discuss problems and obstacles together. Nowadays, we tend to work separately and try to modify the law based on our opinions without knowing whether the modified law will be able to solve the problem and whether it may lead to a problem of inequality in law enforcement (a legal expert from group 9 of the informants).

Personnel development is not only limited to training but also includes on-the-job training, delegation, advising, coaching, and meeting with other related parties in order to share and solve problems and continuously improve work efficiency. All juvenile and family judges must be able to see the overall picture of the Juvenile and Family Court's operation. They should understand the role of psychologists in juvenile rehabilitation and the role of parents in rehabilitation activities such as family therapy. If the judges participate in those activities, they will realize that many family problems are associated with a lack of correct communication (a legal expert from group 9 of the informants).

8) The training courses should have various formats, including case study, and not be limited to lecturing (mean = 4.36). The informants provided further information as follows.

Training formats should be changed, for example, changing from giving a lecture into asking questions and discussing the answers regarding work

improvement. Speakers have to keep pace with the current change. They may conduct a group discussion to explore solutions to drug-addicted children and juvenile-biker gang. Learning is created, when judges in each group share possible solutions with each other. These solutions can be used as a guideline to deal with similar cases (an executive of the Central Juvenile and Family Court form group 1 of the informants).

Training and development programs are basically provided. I think other related knowledge such as child psychology and special laws should be added. A small group discussion format should be used rather than giving a lecture. The participated judges should be given questions and asked to respond to them in form of a case study. Each case should accurately link with facts and actual legal provisions so that it can be further developed into a judicial manual.

Personnel training and development is useful, especially, a case study technique. Training can help new and passionate judges adjust to juvenile work (a prosecutor from group 5 of the informants).

Previously, when there was only the Central Juvenile and Family Court, we carried out a meeting once a month in order to discuss and analyze a case study with experts in the fields of psychology, social science, and medicine. Every court should set up a discussion forum in order to share lesson learning to various organizations such as hospitals, universities, schools, teachers, and community leaders. Judges must participate and share their opinions in this activity so as to develop themselves (a legal expert from group 9 of the informants).

In terms of training formats, a lecture method should not be used. Most speakers focus on what they want to share, which may not match with what the listeners want to know. Therefore, the speakers should spare time for Q&A session in order to discuss and exchange ideas (a legal expert from group 9 of the informants).

9) During the practical part of the training, judge-trainees should be assigned to work at the Juvenile and Family Court (mean = 4.34). The informants provided further information as follows.

Judge-trainees should be trained at the Juvenile and Family Court in order to build attitudes from the beginning. The advisor coaching the judge-trainees should consider who is suitable to be a juvenile and family judge. After training, some judge-trainees may change their attitude and no longer think that juvenile work is easy. In fact, although the judicial process of the Juvenile and Family Court is not strict, its tasks are not easy. The juvenile and family judges should give advice about juvenile trials and adjudication to the judge-trainees (a judge from group 2 of the informants).

10) Senior judges should give advice and guidance to junior judges (mean = 4.32). The informants provided further information as follows.

Experienced juvenile and family judges should be a mentor giving advice to new judges (an executive of the Central Juvenile and Family Court from group 1 of the informants).

Coaching and mentoring such as looking at previously adjudicated cases together are useful (a prosecutor from group 5 of the informants).

Senior and junior coaching can contribute to judge development (a legal consultant from group 6 of the informants).

Personnel development, training, and mentoring are helpful. When I was a newbie, I also consulted my seniors. Importantly, juniors must diligently ask questions and pay attention to work. The mentoring system is very useful (a legal consultant from group 6 of the informants).

11) A central agency should be established to give advice on research and development and to disseminate information about juvenile and family justice on a continuous basis (mean = 4.31). The informants provided further information as follows.

The Office of the Judiciary must constantly research and develop juvenile and family knowledge or find other agencies to carry out the research and development (an employee of the Department of Juvenile Observation and Protection from group 7 of the informants).

The Office of the Judiciary should establish an institute similar to the Thailand Criminal Law Institute of the Office of the Attorney General to be responsible for the development of juvenile and family judges. This institute should have a role in researching and developing personnel development system and procedures. The staff members of the courts of justice and multidisciplinary teams involved with juvenile work should be allowed to share ideas for the development (a legal expert from group 9 of the informants).

Knowledgeable and experienced specialists should be gathered to solve legal problems and determine organizational vision, direction, and continuous policy. An agency, which can be called the Institute of Juvenile Justice System Development, should be established and the involved specialists should be appointed as the committee. Alternatively, there should be a research and development institute established under the Juvenile and Family Court or the Office of the Judiciary. If a policy is determined by those that are not directly involved with juvenile work, it may lead juvenile work in the wrong direction (a legal expert from group 9 of the informants).

12) There should be a channel for the juvenile and family judges to exchange judicial experiences and innovative practices (mean = 4.27). The informants provided further information as follows.

The executives should work to build knowledge and experience sharing such as organizing a Court Expo to showcase the achievements of each court throughout Thailand. At least the judges may get some useful ideas from the Expo and adapt them to develop their own work (a judge from group 2 of the informants).

Most importantly, the judges should be eager to learn new things and develop themselves. A knowledge sharing method can help the judges that are newly appointed to work at the Juvenile and Family Court understand juvenile work faster. A seminar should be carried out to enhance understanding and opinion exchanging among the judges (a lay judge from group 3 of the informants).

In other countries such as the United States, there are the associations of juvenile and family judges that help to transfer related knowledge to fellow judges. Normally, one chief judge can transfer the knowledge to only 5-10 judges. If there is an informal club or a shared space for the juvenile and family judges to meet and share their ideas, they will be able to effectively increase their knowledge (a legal expert from group 9 of the informants).

13) Modern technologies such as e-learning techniques should be applied to work (mean = 4.25). The informants provided further information in the following.

Nowadays, learning is open. If you are interested, you can find information from the Internet without solely waiting for the training carried out by the Office of the Judiciary (a lay judge from group 3 of the informants).

Knowledge management system should be provided at work. Technological channels can be used to enhance learning of the personnel with leadership skills so as to create a stronger organization (an employee of the Department of Probation from group 8 of the informants).

14) Training programs should be constantly provided to the juvenile and family judges, the judges of other courts, the personnel from interested organizations, and to the public (mean = 4.20). The informants provided further information as follows.

The training and development programs about the juvenile justice system are useful and essential. The training courses about psychology and social science

should be additionally provided. The judges should be open-minded and ready to deal with juvenile work. Juvenile and family judges are different from judges of the other courts that may focus on whether an offender is guilty but not pay attention to correction and rehabilitation (a lay judge from group 3 of the informants).

Training should be provided in order for the judges to gain more knowledge. For example, every 2 years the judges should be required to be trained on legal and other relevant knowledge at least 30 hours before receiving a certificate. There should also be a joint training program between the agencies in the juvenile justice system (an employee of the Department of Juvenile Observation and Protection from group 7 of the informants).

There should be specific training courses for the juvenile and family judges. In the past, there were a few number of juvenile and family judges attend the training while lay judges were found to be mostly interested in the training. If the judges have a clear career path towards the Chief Justice of the Central Juvenile and Family Court, they will need to obtain knowledge in the beginning, intermediate, and advanced levels (a legal expert from group 9 of the informants).

15) There should be knowledge assessment before training (mean = 4.17). The informants provided further information as follows.

The Juvenile and Family Court has not conducted a judicial training for quite a while. Good training management must take in to account the success percentage of the training (an executive of the Central Juvenile and Family Court from group 1 of the informants).

If a training method is applied to the personnel development, there should be both pre- and post-tests to examine the results (a legal consultant from group 6 of the informants).

16) Apart from adjudication tasks, the chief judges should assign additional juvenile-related work to the judges in order to enhance their

professional skills (mean = 4.01). The informants provided further information in the following.

The judges should participate in relevant activities and visit the places where juvenile offenders will be sent to. They should visit all Juvenile Observation and Protection Centers in order to know whether each center and its activities suit the nature of juvenile offenders. They should understand why parents should accompany their child to a 3-day moral camp or a 15-day military camp. They should know different rehabilitation methods and how to implement them (a lay judge from group 3 of the informants).

The judge should informally visit the Juvenile Observation and Protection Center's Ban Kanjanaphisek in order to observe actual situations and gain information to decide whether sending juvenile offenders to the Juvenile Observation and Protection Center or other training centers are truly beneficial to them (a legal consultant from group 6 of the informants).

The chief judge should appoint the judges to chair various advisory committees in order to develop their leadership skills (a legal expert from group 9 of the informants).

Delegation is also included in the training system. The chief judge should assign the judges to do a fieldwork with him so that they can understand the real circumstances. Some judges have worked at the Juvenile and Family Court for several years but never visited the training centers" (a legal expert from group 9 of the informants).

4.2.3.6 Performance Evaluation

In terms of performance evaluation, three statements under this topic were given the highest importance by the respondents while the other two statements were given high importance. The statements can be ranked in descending order from the highest to lowest mean as follows.

1) The evaluation indicators should not only focus on the number of closed cases or pending cases (mean = 4.54). The informants provided more details as follows.

Regarding performance evaluation, the number of closed cases is given more importance than judges' dedication. The top executives should consider if this is reasonable and dare to change the direction. This problem has been embedded for so long. Who will bother to solve it? Everyone knows that it is unfair. Therefore, a fair standard should be determined. Some judges think that it is alright because they will work here only a short period of time. In fact, this issue will affect the next generation of judges. If the top executives have courage to change it, the next generation will recognize and respect their contribution. During the transition period, they may be criticized by colleagues and co-workers but it is worth it. If it is not solved, it will become a chronic problem causing the organizational members unwilling to work hard. Thus, a judge's performance should be evaluated based on a scoring approach. In addition, the assessors should use an evaluation sheet to thoroughly evaluate the performance without any bias (a judge from group 2 of the informants).

The evaluation should not only focus on the number of solved cases because each case will truly solved after an adjudication when the juvenile offender is successfully rehabilitated and does not commit an offense again (a judge from group 2 of the informants).

The performance evaluation should pay attention to the quality of work and how a judge deal with juveniles and their family instead of the number of closed cases (a judge from group 2 of the informants).

In terms of evaluation, we should not only concentrate on the statistics. From my experience, it may took 2 or 3 years for the juveniles to change their behaviors. Some judge may have the highest number of adjudication appointments but not the highest number of closed cases (a lay judge from group 3 of the informants).

I do not think the number of disposed cases is important. Making a judgment is simple but the tasks of the Juvenile and Family Court are more complicated (an employee of the Department of Probation from Group 8 of the Informants).

The number of closed case does not reflect the number of corrected and rehabilitated juveniles. It is easy to evaluate the number of cases because

it is the empirical data. What is difficult is how to evaluate judge's dedication to juvenile rehabilitation (an employee of the Department of Probation from group 8 of the informants).

2) The evaluation should pay more attention to judges' qualitative performance such as giving explanations for using special measures in lieu of prosecution Section 90 and measure for rehabilitation Section 132, case follow-up and clarification, and solving problems at work (mean = 4.30). The informants provided further details as follows.

Regarding the evaluation, we should concentrate on the statistics and the appropriateness of law enforcement. A judge is given one point for every solved case. However, if a special measure in lieu of criminal proceedings is used in the case, that case will take longer time to adjudicate than a normal case (a legal consultant from group 6 of the informants).

Achievements of juvenile rehabilitation should be used to evaluate judges' performance rather than the statistics of cases. Some judges adjudicate many cases but do not know whether the juvenile offenders can finally adjust themselves. I think the number of cases is not important (a legal consultant from group 6 of the informants).

The format of evaluation should be changed. At present, the statistics of juvenile and family cases are differently recorded. The number of cases and the use of special measures in lieu of Section 90 and 132 are thoroughly collected after the new Act was introduced. However, no one seem to take into account the format of evaluation so it still remain the same (a legal expert from group 9 of the informants).

The format should be changed to qualitative assessment. It may be difficult to find performance indicators. Apart from the number of closed cases, the performance associated with juvenile rehabilitation should also be taken into account. In the United States, there is a database system with clear indicators of repeating a crime that collects the statistics of the corrected

juveniles and evaluates the probability of committing a crime again. The assessment should focus on both organizational and individual performance. I think that the number of solved cases is not important thing. Making a judgment is easy. The Juvenile and Family Court has complicated tasks beyond adjudication (a legal expert from group 9 of the informants).

Those that are responsible for determining the key performance indicators must understand the philosophy and principles of the Juvenile and Family Court. They should not only focus on the statistics or interpret every task into the number such as calculating the percentage of using the special measures in lieu of Section 90 of the Criminal Law and counting the number of closed cases. Actually, discretion should be used in assessing why a judge chooses to use or not use the special measures. If they thoroughly understand the spirit of the Juvenile and Family Court, they will be able to design effective evaluation criteria and procedures. A detailed and efficient evaluation tool can make all juvenile and family judges in Thailand accurately comply with the policy (a legal expert from group 9 of the informants).

3) There should be an assessment of the personality and attitudes of the judges in order to check if they are suitable to work at the Juvenile and Family Court (mean = 4.12). The informants provided further details in the following.

The executives, who act as the assessors must evaluate the personality of each judge whether he or she is suitable to work at the Juvenile and Family Court (a judge from group 2 of the informants).

An evaluation form of the juvenile and family judges should be different from that of the judges of other courts. The juvenile and family judges must be able to coordinate with the lay judges, think positively, and convince others to appreciate the value of their job. These personalities and characteristics should be used as the indicators in performance evaluation (a lay judge from group 3 of the informants).

In terms of psychological test, if a judge's mental state is affected before taking the test, it will be reflected in the test results. However, that

results is not indicative of life-long mental health. The levels of EQ and problem-solving skills may decrease over time. Therefore, the performance evaluation should take into account a judge's personality traits and working habits such as a sense of teamwork, responsibility, and dedication. Moreover, the evaluation results should be utilized in a practical way (a psychologist from group 4 of the informants).

4) Additional scores should be given to the juvenile and family judges that are dedicated to their work such as providing knowledge to communities and participating in community activities so as to rehabilitate children (mean = 3.87). The informants provided further details as follows.

In addition to the number of disposed and pending cases, the evaluation should also place importance on judges' innovation and participation in additional activities. For example, Judge A must specify that he has been assigned a total of xx case, xx of them were closed while xx are pending, and has carried out xx activities for children. Participating in the activities held by the Juvenile and Family Court can be considered as one of a judge's achievements (an executive of the Central Juvenile and Family Court from group 1 of the informants).

The evaluation of the juvenile and family judges must pay attention to the hard-working ability and dedication. If a judge pays a visit to educate people in communities, he or she should receive additional scores. A university faculty member must obtain the university engagement scores before being able to request for an academic position. Similarly, the court should give the court engagement scores for the judges that assist the communities in rehabilitating juvenile delinquents (a legal expert from group 9 of the Informants).

The performance evaluation should not solely focus on the number of closed cases alone. It will be helpful, if the chief judge gives additional positive or negative comments about each juvenile and family judge. Those that do more special activities should receive additional scores (a legal expert

from group 9 of the informants).

The evaluation system must take account of participation in relevant activities such as visiting the Juvenile Observation and Protection Center, collaborating in designing development programs, attending special activities, carrying out youth camps, lecturing on law and legislation, and working with the communities and schools. New performance indicators should be identified. As the juvenile and family judges have to coordinate with other parties all the time, the evaluation must covers all aspects of judges' tasks and should be conducted on a fair basis. Important, the assessors must be knowledgeable (a legal expert from group 9 of the informants).

5) An evaluation form for the juvenile and family judges should be prepared separately from that of the judges of other courts (mean = 3.77). The informants provided further details as follows.

There should be a separate evaluation form for the juvenile and family judges, which is different from that of the other judges, because they have different missions. The evaluation of judges may not be as intense as that of chief judge, which focus on complying with the intent of the law, dealing with juvenile correction and rehabilitation, mediation, giving the public information, and building good relationships with the lay judges. The evaluation form of juvenile and family judges should be appropriately adapted from the evaluation form of chief judges (an executive of the Central Juvenile and Family Court from group 1 of the informants).

It is helpful to develop a specific evaluation form for the Juvenile and Family Court so that the chief judge can accurately evaluate the juvenile and family judges (a judge from group 2 of the informants).

At present, every court uses the same evaluation form. However, there should be a specific evaluation form provided to the Juvenile and Family Court because its missions and duties are associated with family, protection of freedom, domestic violence, and civil dispute mediation, which are distinct from those of other courts (a judge from group 2 of the informants).

Currently, the performance indicators of the Juvenile and Family Court and other courts are not clearly separated and seem to focus on the number of closed cases. The juvenile and family judges tend to have a higher number of pending cases because the cases applying the special measures usually take a long time to complete (a legal expert from group 9 of the informants).

4.2.3.7 Compensation and Rewards

Regarding compensation and rewards, one statement under this topic was given the highest importance by the respondents while another statement was given high importance. The statements can be ranked in descending order from the highest to lowest mean as follows.

1) Juvenile and family work should be valued and given importance so as to enhance the morale of the judges that are dedicated to their work (mean = 4.23). The informants provided more details in the following.

It is important to make the juvenile and family judges proud of themselves. The senior judiciary officers should not think that the judges working at the Juvenile and Family Court want to receive compensation without intending to work hard. The juvenile and family judges need to use psychological principles and life experiences in adjudicating and making decisions so they may need more time to deal with each case. Actually, their mental state can be worsened, as they need to listen to many problems, talk about relationships, feelings, and benefits, and focus on welfare protection and violence prevention without relying on the adjudication standards alone. Moreover, welfare protection cases tend to depend mainly on the court's investigation, which is difficult and involved with other organizations (an executive of the Central Juvenile and Family Court from group 1 of the informants).

Those believing that the cases under the responsibility of the Juvenile and Family Court are simple, not scary, and associated with a sentence with no imprisonment and mild punishment do not understand the heart of juvenile work, which is juvenile rehabilitation. The Juvenile and Family Court has more complicated judicial processes than the Court of Appeal and the

Supreme Court. We must create and promote an understanding that children is our future (an executive of the Central Juvenile and Family Court from group 1 of the informants).

When I was a new judge, I perceived that juvenile and family judges had low prestige and power to punish culprits and were not as powerful as the judges of the Provincial Court. I previously even thought that the Chief Justice of the Central Juvenile and Family Court was smaller than the Chief Judge of the Provincial Court. After I moved to work at the Juvenile and Family Court, I have different attitude because I can use my knowledge and abilities to help many children and youths (a judge from group 2 of the informants).

There is a belief that the Juvenile and Family Court is a small court with simple tasks, although it actually has a lot of complicated duties to accomplish. I do not know why some people think like that. They only look at the end result without paying attention to juvenile and family judges' efforts, the objective of adjudication, and why a juvenile offender must be sent to a training center. Those that are single may not understand family issues and the needs of both dispute parties. Therefore, the judges should have some life experiences (a judge from group 2 of the informants).

People may think that the Juvenile and Family Court seems to have nothing much to do. In fact, the juvenile and family judges must have specialized knowledge, understand children, and be able to solve children's problems in an effective way (a prosecutor from group 5 of the informants).

Being good juvenile and family judges are harder than being good provincial judges. The juvenile and family judges need to have public consciousness and emotional control in order to deal with every related issue (a legal consultant from group 6 of the informants).

Some personnel in the organization believe that the Juvenile and Family Court is not different from other courts because they do not understand the background and intention of the Juvenile and Family Court (a legal expert from group 9 of the informants).

Some people think that the juvenile and family judges are selfish and intend to avoid hard work, which is a rather insulting idea (a legal expert from

group 9 of the informants).

Those that have never worked at the Juvenile and Family Court and do not understand the juvenile law may think that juvenile cases are simple. From my experience in working at this court, I think the Juvenile and Family Court is more important than the courts responsible for adult cases because if juvenile offenders can be corrected, they will not become adult offenders in other courts. In addition, the Juvenile and Family Court has more legal tools than other adult courts, including sending juvenile offenders to receive corrective, vocational, and other trainings based on different rehabilitation methods, so the juvenile and family judges need to use discretion in applying them. For adult courts, the judges do not need to use much discretion because there are the list of fixed punishments such as imprisonment, fine, and suspension. Thus, working at the Juvenile and Family Court is harder than working at adult courts because the judge need to use more discretion. The juvenile and family saying that working at the Juvenile and Family Court is easy seem to be inattentive to their job. Those thinking that imprisonment is the answer of every case should not work at the Juvenile and Family Court (a legal expert from group 9 of the informants).

2) The salary rate of judges should not rely on the levels of courts so that highly-experienced judges can continue to work at the Court of First Instance without having to move to the Court of Appeal (mean = 3.75). The informants provided more details as follows.

Thai judges are different from judges in other countries. The judges in other countries do not care about executive positions. Some of them only want to work as judges until they retire. As for Thai judges, they will receive higher salary only when they get promoted to a higher court. In fact, there are the judges that prefer hearing the case and do not want to be promoted to work at the Court of Appeal due to their work preference (an employee of the Department of Probation from group 8 of the informants).

The salary system of the judges of the specialized courts should be separately developed and supervised by the President of the Supreme Court like the juvenile courts in foreign countries. The salary rate should be clearly specified. The judges with high seniority and specialized knowledge can choose to work at the Court of First Instance and receive the salary they deserve without having to move to the Court of Appeal. Salary increasing should not rely on the levels of courts. The salary of judges can be categorized into 5 levels. The judges receiving level-4 salary can either work at the Court of First Instance or the Court of Appeal. In the future, the number of judges in the Supreme Court may decrease. It is possible that the salary of the judges of the Court of Appeal can be the same as that of the judges of the Supreme Court. However, only qualified and capable judges should be selected to work at the Supreme Court. The salary system should be modified so that senior judges can work at the Court of First Instance and understand overall organizational problems (a legal expert from group 9 of the informants).

In the Court of Appeal for Specialized Cases, a petition to a higher court is not allowed. Therefore, the judges of the Court of First Instance should have the same seniority as the judges of the Court of Appeal while the judges of the Court of Appeal for Specialized Cases must have the same seniority as the judges of the Supreme Court. Similarly, the Administrative Court is also categorized into the Administrative Court of First Instance and the Supreme Administrative Court (a legal expert from group 9 of the informants).

According to the results of the study, it was found that personnel management had an effect on the development of the transformational leadership of the juvenile and family judges. Thus, in order to develop the juvenile and family judges with appropriate qualifications, the Office of the Judiciary should review and examine all personnel management processes as to whether they are conducive to developing good and talented personnel with job suitability or not. At the beginning stage, the Office of the Judiciary should begin by carrying out human resource strategic planning and determining a clear and continuous policy on personnel management for long-term achievements.

CHAPTER 5

CONCLUSION, DISCUSSION, AND RECOMMENDATIONS

5.1 Conclusion and Discussion

5.1.1 Components of the Transformational Leadership of the Judges of the Juvenile and Family Court

The results of the present research suggested that the 5 main components of the transformational leadership of the judges of the Juvenile and Family Court consist of adhering to ideology, building inspiration, intellectual stimulation, individualized consideration, and integrated thinking. This is consistent with the transformational leadership concepts of many scholars, which was already specified in the literature review, including the work of Burn (1978); Tichy and Devana (1990); Podsakoff, MacKenzie, Moorman, and Fetter (1990); Cook, Hunsaker, and Coffey (1997, as cited in Samnao Muenjaem, 2012); Hoy & Miskel (2005, as cited in Chevin Oonla-Or, 2010); Dubrin, Dalglish, and Miller (2006); Fullan (2006); Bennis and Nanus (2007); Bass and Bass (2008); Daft (2008); Kouzes and Posner (2012); Yukl (2013); and Suthep Phongsriwat (2005, as cited in Phenphorn Thongkhamsuk, 2010). This reflects that transformational leadership is one of the qualifications that the juvenile and family judges should have in order to perform their duties, which are distinct from those of the judges of other judicial courts, according to the spirit of the Juvenile and Family Court and the legal requirements.

1) Adhering to ideology is comprised of 5 components, which are 1) having vision, 2) having morality and ethics and acting as a role model, 3) having work commitment, dedication, and devotion, 4) having reliability and trustworthiness, and 5) having maturity and emotional control.

Adhering to ideology is the first main component that juvenile and family judges should have. According to the Bangalore Principles of Judicial Conduct 2002, every lawyer must adhere to “INTEGRITY,” which is also the key ideology of

Thai judges (Thanin Kraivichien, 2010, pp. 1-3). Integrity refers not only to honesty, fairness, legality, and complying with legal traditions but also all kinds of goodnesses. Those adhering to integrity always legitimately behave with virtue and morality. This is in line with the transformational leadership theories of Burns (1978, p. 20); Bass, (1999a, p. 9), which suggest that a leader must try to raise followers' perception, awareness, motivation, social values, morality, and internal needs to a higher level. The moral leadership will be developed once the leader and followers support each other until they achieve their shared goals together. Burns (1978) indicated that moral leadership is the highest level of leadership. Bass and Bass (2008) also suggested that a transformational leader must act as a role model for followers and inspire them to imitate his or her exemplary actions. Thus, the transformational leader needs to have a high standard of morality and ethics and always behave with uprightness so as to make followers have great respect and trust in him or her. In addition, juvenile and family judges should have work commitment, dedication, devotion, and tolerance in order solve problems for others. King (2008, p. 162) stated that the judges working at the Problem Solving Court should truly pay attention to all involved parties and patiently listen to them with understanding and kindness so that they feel impressed, have respect, and regard the judges as their role model. Moreover, the juvenile and family judges must be visionary and able to communicate their vision and make others have confidence to follow them. Most importantly, the juvenile and family judges must have maturity and emotional control when facing complicated situations. For example, when applying restorative justice practice, the judges must work with both juvenile offenders and victims to find ways to heal the victims from the adverse effects of the action of the juvenile offenders. Meanwhile, they need to determine a measure to correct and rehabilitate the juvenile offenders. The judges must have emotional intelligence, emotional management, interpersonal skills, and problem-solving abilities, which can be developed by professional training programs (King, 2008, p. 1096). According to the results of the in-depth interviews, one interesting finding was that most informants agreed that the juvenile and family judges should be experienced enough to understand the life problems of other people. This is consistent with the survey data of the Committee on the Impact of Restructuring and Revision of the Judicial System, which indicated that 95.79% of the judges, 93.52% of the

prosecutors, 95.22 % of the police officers, and 86.6% of the lawyers agreed that judges' adjudication experience has an effect on the fairness and accuracy of judgment making (Committee on the Impact of Restructuring and Revision of the Judicial System, 2005, p. 8). Moreover, some informants of the present study emphasized the importance of having children because it seemed to have an effect on juvenile and family judges' understanding of the nature of children and family issues, while some of them argued that judges' dedication was more important than having children or a family. Although many scholars suggested that having vision is an important qualification of transformational leaders, the results of the present research revealed that it was not as important as having work commitment, dedication, and devotion. This is probably because most people think that having vision is a qualification of organizational executives and some informants of this research also thought that the judges have different tasks than the court's executives. However, the informants believed that having vision was a necessary qualification. The juvenile and family judges must be visionary and foresee the long-term future of juveniles and their family in order to determine effective rehabilitation plans, revive the happiness of the smallest social unit, and then extend that happiness to the overall society.

2) Building inspiration consists of 5 components, which are 1) having the ability to convince others to agree on a common goal, 2) applying appropriate communication methods, 3) stimulating teamwork, 4) having positive attitudes, and 5) encouraging others to recognize the importance of working for the public interest.

According to the new Act, the Juvenile and Family Court is responsible for the ideal work of practically creating new missions in the context of Thai laws. Traditional law enforcement may not be enough to drive all involved parties to reach the achievements. Thus, the juvenile and family judges must make all related parties recognize the importance of this ideal work and create a powerful work group with effective communication. Leaders must know how to make their dream become everyone's dream and how to achieve the goal (Kouzes & Posner 2012, pp. 17-19). This is in line with Tichy and Devanna (1990, pp. 271-280), who suggested that transformational leaders are value-driven, as they need to make their followers aware of the value of shared goals and show exemplary behaviors complying with those goals. Steven Teske, a judge of the Juvenile Court in the United States, stated that the

judges must be reformers. He invited all involved parties to share ideas and create a strong juvenile justice system, beginning at the bottom level (Teske, 2013, p. 1). Further, the juvenile and family judges must have positive attitudes to solve problems in the changing work context. They must take part in establishing the direction, goal, and operational process of the organizations in the justice system, make relevant parties understand the shared goals, and work with other agencies in determining work processes (King, 2008, p. 165). In dealing with domestic violence cases, it was found that the juvenile and family judges had to use persuasive skills to make offenders change their behaviors, as many domestic violence cases were committed by the offenders with mental disorders. Apart from making the offenders realize their wrongdoing, the judges must provide them with support if the offenders are required to undergo a lengthy treatment process (King & Batagol, 2010, p. 411). Importantly, the juvenile and family judges must place importance on teamwork, which is a new concept in the context of the Juvenile and Family Court. The judges, quorum members, lay judges, prosecutors, legal consultants, attorneys, probation officers, the Juvenile Observation and Protection Center's staff, multidisciplinary teams, the family, community, and related organizations are all included on the same team. According to the Act on the Juvenile and Family Court and Its Procedure B.E. 2553, the Juvenile and Family Court has a duty to receive notifications from the government agencies and other juvenile-related organizations that want to conduct rehabilitation activities, carry out social work, and cooperate with the Juvenile and Family Court in providing consulting services to local communities. The intent of the Juvenile and Family Court places importance on juvenile rehabilitation and family protection rather than making judgments. Similarly, the National Council of Juvenile and Family Court Judges in the United States initiated the Model Court Protocol in order to develop the juvenile justice system in every state throughout the country, especially in terms of child abuse and neglect. During the implementation of the protocol, the judges had to lead the prosecutors, legal teachers, lawyers, health agencies, social workers, community leaders, and the court's staff to create best practices for the Juvenile and Family Courts nationwide. It was found that apart from having outstanding abilities and being committed to juvenile and family development both inside and outside the workplace, the judges must have leadership skills to drive smooth collaboration

between multidisciplinary teams (Barnes, 2010, pp. 4-8).

3) Intellectual stimulation is comprised of 4 components, which are 1) having courage and creativity, 2) making all parties recognize and understand problems, 3) encouraging others to look at problems from a new angle, and 4) giving others a chance to creatively solve problems without blaming them.

The new juvenile and family law allows the judges to use a wide variety of methods to solve juvenile problems, which can be called a new paradigm of Thai juvenile justice in “an era of innovation” (Aphiradee Phophrom, 2012, p. 3). Thus, it is important for the judges, who enforce the law, to have courage and creativity in finding and developing new choices. Tichy and Devanna (1990, pp. 5-6) suggested that transformational leaders must be courageous individuals, who dare to insist, take challenges, and protect the higher interests of the organization. When using special measures in lieu of criminal proceedings in the cases where juvenile offenders are contrite for their actions, the judges may be criticized for not punishing the offenders. If the judges stick to traditional practices and refuse to use the special measures due to being afraid of favoritism accusations and work conflicts, although the juvenile offenders show a strong tendency to change their behaviors, it will be a barrier to juvenile rehabilitation and community development (Teske, 2013, p. 1). Therefore, the juvenile and family judges must have courage to break free from adhering to existing judicial practices and find ways to make other people understand the actual situation and look at the problems from a new angle. The judicial processes of adult courts that focus on the seriousness and consequences of the offense and punishment measures should not be used in the Juvenile and Family Court. For juvenile and family cases, the judges must take into account both the seriousness of the offense and the juvenile offenders’ family background, environment, friends, society, and other related factors affecting their behaviors. The judges also need to foresee the future if the juvenile offenders are to adjust themselves. This is consistent with a study carried out in the Niger Delta, which suggested that leaders with intellectual stimulation could make their followers find problem-solving methods to solve social, economic, environmental, and political problems in a creative way (Nwagbara, 2010, as cited in Shibru, 2011, p. 688). In addition, the judges must give a chance to other people, including juvenile offenders and co-workers. If there are mistakes during work, the

judges should give their co-workers a chance to creatively solve the problems without using blaming language, which can reduce other people's value. Intellectual stimulation is aimed at making the followers develop the ultimate innovation (Avolio, 2005, as cited in Shibru, 2011, p. 688), which is important for enforcing the new laws. The current problem is a lack of collaboration between the organizations in the juvenile justice system, including the court, prosecutors, police officers, the Department of Juvenile Observation and Protection, the Department of Probation, and the Ministry of Social Development and Human Security in the aspects of attitude, know-how, personnel, and the system problems associated with the organizational structure affecting government policy (Aphiradee Phophrom, 2012, p. 27).

4) Individualized consideration consists of 5 components, which are 1) understanding and paying attention to individual differences, 2) listening to and respecting others, 3) trusting and giving others a chance to shine, 4) developing followers' abilities and giving advice to others, and 5) encouraging others and appreciating their achievements.

Each juvenile and family case is different. Each individual has different problems caused by diverse fundamental factors. Therefore, the same measure cannot be used to solve all cases and create the same results. Bass and Bass (2008) stated that each follower has different needs so the transformational leaders must perceive this fact and place importance on individuality. They must act as a coach and a good listener for every follower (Bass & Bass, 2008, p. 622). Steven Teske, a judge of the Juvenile Court in the United States as mentioned, suggested that in the juvenile justice system it does not matter how many juvenile rehabilitation programs there are. Those rehabilitation programs mean nothing until there is someone that truly pays attention to juvenile problems. In terms of listening to and respecting others, the judges must listen to offenders, lay judges, victims, the multidisciplinary team, and other involved persons. Tichy and Devanna (1990, pp. 5-6) stated that the transformational leaders must believe in people and not behave like autocratic leaders. Although the leaders are powerful, they must take into account the feelings of others and assign tasks to each follower according to his or her aptitude. In addition, the judges must encourage others to have confidence in doing things, allow them to make decisions and complete their tasks, and be there for them during the process. This is in line with Porter,

Rampel, and Mansky (2010), who studied the performance indicators of the Problem-Solving Court, which is a court handling domestic violence cases, and found that the court placed importance on reviewing the role of judges. Unlike the judges of other courts that must remain neutral, the judges of the Problem-Solving Court have to treat everyone in the courtroom with care, talk to all parties, and pay attention to their values (Porter, Rampel, & Mansky, 2010, p. 22). Moreover, the judges should give compliments to the juveniles that have improved their behaviors and praise the co-workers that effectively perform their duties. Appreciating others' achievements is important because it makes the followers confident and proud of themselves (Kouzes & Posner, 2012, pp. 23-25). Particularly, some juvenile offenders may commit an offense due to a lack of self-confidence and the need for acceptance. If the judges express appreciation when the juvenile offenders do the right thing, it will be very valuable for them.

5) Integrated thinking consists of 4 components, which include 1) always learning new knowledge, 2) being aware of changes, 3) proactive working, and 4) coordinating with external networks.

Integrated thinking is an important component that is in line with the operational process of the Juvenile and Family Court. His Majesty King Bhumibol Adulyadej gave a speech when he opened the Central Juvenile and Family Court, stating that the Juvenile and Family Court has tasks that are new, cumbersome, and complicated. These tasks are not only related to judicial issues but also are associated with educational, economic, and welfare problems (Vicha Mahakun, 1998, p. 45). The importance of integrated thinking was clearly evident when the Act on the Juvenile and Family Court and Its Procedure B.E. 2553 stated that the multidisciplinary team must be practically involved in solving juvenile problems rather than only taking part in the implementation process or the judicial interpretation as in the past. The judges that can work well with the multidisciplinary team should have basic knowledge related to juvenile cases, such as psychology and social science knowledge, and be able to combine two or more knowledge bases in a systematic manner (Royal Institute of Thailand, 2011, p. 681). Similarly, Suntreeya Meunphawong (2010, p. 12) suggested that in order to achieve holistic development, the judges should not only have legal knowledge but also understand related disciplines and know how to develop an

integrated knowledge management model to solve the problems in various court cases. For example, the judges that work in the field of therapeutic jurisprudence need to understand psychological mechanisms, physical behaviors, and non-verbal communication expressed through facial expressions, gestures, and tone of voice because all of these can make the judges understand the feelings of the accused offenders. The judges should also have appropriate interaction with other people and know how to make the offenders understand their actions and be responsible for them and make them aware of their own problems and be willing to adjust themselves. This is involved with the psychological knowledge that is essential for the judges working in this field (Winick, 2002, p. 1071). Apart from that, in the age of rapid changes the judges must keep pace with these changes even more than in the past. Donald Michael stated that modern leaders must have a set of skills called “the New Competence,” which consist of awareness of uncertainty, understanding of mistakes, response to the future change, interpersonal skills, and always learning new knowledge (Bennis & Nanus, 2007, pp. 176-177). In addition, in order to develop a complete justice system, the ecology of justice needs to be taken into account because not only the government but also the civil society, private sector, communities, and academic organizations can contribute to a fairer and more accurate justice system. Kouzes and Posner (2012) suggested that transformational leaders must create a sense of community, mutual empathy, collaborative teamwork, confidence, and strong relationships. Followers will not be able to perform well if the leaders make them feel weak, alienated, and distant. If the leaders make the followers feel that they are trustworthy and have wide discretion, more power, and more information, they will be able to create work that exceeds expectations (Kouzes & Posner, 2012, pp. 21-23). Similarly, if judges can coordinate with all parties involved with juvenile and family problems, it will bring about the advancement of the Juvenile and Family Court in another dimension, which is not limited to judicial adjudication. His Majesty King Bhumibol Adulyadej gave a royal speech about judges and communities, indicating that the judges must also work outside the court so as to acquire general knowledge. In order to acquire general knowledge, the judges may need to play a role other than their normal one, such as giving advice to people in the community, which can consequently reduce the court’s tasks (Suntreeya Meunphawong 2010, pp. 31-32). This shows that another duty that

the juvenile and family judges should not ignore is coordinating the community in a proactive manner in order to prevent problems that may arise, although it is opposite the receptive approach that the court has normally applied. Some informants of the present study thought that proactive working was not the main duty of the court but it could not be denied that it has become more important. Proactive working with educational institutes and communities is very helpful in terms of preventive practices. A strong relationship between the Juvenile and Family Court, schools, and communities is beneficial for monitoring and preventing juvenile offenders from entering the juvenile justice system again. This is considered coordination work, which is one of the components of integrated thinking.

Moreover, when analyzing the 5 components of the transformational leadership of the juvenile and family judges, it was found that integrated thinking was a component with the highest factor loading, followed by building inspiration, intellectual stimulation, individualized consideration, and adhering to ideology. This shows that in the current work environment the juvenile and family judges should have a thought process that is different from the past and use other disciplines such as psychology and social science to comprehensively solve juvenile and family problems. The judges must also be aware of global changes and able to enforce the law in accordance with changing situations. They must be able to perform proactive work and coordinate with external networks, which are the new tasks stipulated by the Act on the Juvenile and Family Court and Its Procedure B.E. 2553 in the form of participatory justice. This is in line with Clause 1.8 of the Strategic Plan of the Court of Justice 2014-2017, which states that the Juvenile and Family Court must strengthen the standard of juvenile and family justice, promote community involvement in juvenile correction and rehabilitation, and move towards productivity. In addition, Clause 1.8.1 of the Act also specifies that the Juvenile and Family Court must be a center of juvenile protection, correction, and rehabilitation as prescribed by the law. The court's operations must be done according to the required standards and supported by community networks nationwide (Office of the Judiciary, 2014, p. 12). Adhering to ideology might have the lowest factor loading because its components, including morality, ethics, being a role model, work commitment, dedication, devotion, maturity, and emotional control, were general qualifications that not only

the juvenile and family judges but all judges in the courts of justice must possess, as Section 1 of the Code of Judicial Conduct indicates that “[t]he essential duty of judges is to administer justice to parties with honesty, just, legitimacy, and customary practice. Judges are entrusted to explicitly express to the public their strict and complete implementation to such principles...” (Office of the Judiciary, 2009, p. 2). Moreover, Section 4 of the Code of Judicial Conduct also specifies that “[a] judge shall proceed the trial with discretion, deliberation, and diligence” (Office of the Judiciary, 2009, p. 14). Therefore, adhering to ideology was not a specific qualification of the juvenile and family judges and thus had the lowest factor loading, while other components, including building inspiration, intellectual stimulation, individualized consideration, and integrated thinking, had a higher factor loading because they were specifically associated with the tasks and context of the Juvenile and Family Court. However, the juvenile and family judges with complete transformational leadership must possess all 5 components to be able to properly work in accordance with the intention of the Juvenile and Family Court.

5.1.2 Guidelines for Developing the Transformational Leadership of the Judges of the Juvenile and Family Court

People are the most important resource and should be well taken care of and continuously developed in order to gain more knowledge and abilities. People development is a form of investment. People are not the cost but the most valuable asset of the organization (Sakphan Tanwimolrat, 2014, p. 846). Thus, it is essential to carry out people development in order for an organization to have employees that are truly suitable for their roles and positions. The qualitative method was used in order to ascertain the components of the transformational leadership of the juvenile and family judges in the first part of the present research. The second part of the research focused on exploring the guidelines for developing the transformational leadership by using personnel management processes as variables. The results are summarized as follows.

5.1.2.1 Personnel Management Policy

The formulation of personnel management policies and activities is an

important task, which mainly depends on the vision of organizational executives. For the personnel management of Thai courts, the Judicial Commission is the key body responsible for determining policy and identifying the operational direction. The results of the study showed that all statements about the personnel management policy were given the highest importance by the respondents, especially in terms of having a clear and continuous personnel management policy. This is in line with the study of Chotiwat Leungprasert (2005, p. 86), which revealed that the judges feel that the rules and procedures of judges transfer change too often. Most of the judges want clear rules and procedures to be announced in advance so that they can prepare themselves for the maximum benefit of the organization. In addition, the research study of Kreurattana Kingsakul, Suphin Kechakup, Thanandonsak Bovornnanthakul, and Intira Chiwaram (2013, p. 68) suggested that in other countries the policy on judicial appointment and transfer does not frequently change and the criteria are usually adjusted to suit each change. Frequent changes in policy may cause discontinuity in the management system and affect the development and continuity of work (Senee Chaiwut, 2012, p. 29). They may also have an effect on the judges' professional expertise development. Most importantly, the Judicial Commission must have accurate understanding and attitudes towards the missions of the Juvenile and Family Court and the duties of the judges so that reliable appointment and transfer criteria can be developed based on the benefit of the juvenile justice system. Moreover, the Judicial Commission should place importance on putting the right man in the right job. Anocha Chevitsophon (2016, p. 75) suggested that juvenile and family judges should be selected based on suitability because qualified judges that have appropriate knowledge and understand the intent and spirit of the law will be able to enforce the law in a proper way. Although Section 16 of the Act on the Juvenile and Family Court and Its Procedure B.E. 2553 stipulates that the judges must have good courtesy and appropriate behaviors to govern and educate children and youths and be knowledgeable about family problems, the juvenile and family judges are still appointed and transferred based on the precedence principle. In addition, the informants highly agreed that there should be representatives from the Juvenile and Family Court and other specialized courts included in the Judicial Commission because it will make the top management better understand the problems of the

juvenile and family judges, at least determine a plan to develop their specialized knowledge, and focus on the continuity of a policy. However, it could be seen that the concept of building specialized expertise for the judges of the specialized courts was clearly specified in the policy of the President of the Supreme Court and Chairman of the Judicial Commission for the fiscal year 2016-2017. It was stated that the judicial system development should focus on the development of the specialized courts' work system, the appointment and transfer of specialized judges, and the establishment of the Court of Appeal for Specialized Cases so that the judges working at the Specialized Court of First Instance can get promoted to hold a position in the Court of Appeal for Specialized Cases. Currently, there are still arguments whether the Juvenile and Family Court is a special court or a specialized court. As was stipulated that juvenile and family cases are under jurisdiction of the Court of Appeal for Specialized Cases, the judges working at the Juvenile and Family Court must have specialized knowledge in accordance with the definition of "specialized court," which refers to a judicial court with special judgment procedures distinct from those of other courts of first instance. The judges of the specialized courts must have specialized expertise in particular fields. However, the results of the present research clearly showed that the juvenile and family judges had to have a set of specific qualifications that was different from that of other judges and that the juvenile and family judges should be developed to possess the required qualifications. The executives of the courts of justice should give importance to determining policy to develop the juvenile and family judges. Although it may take a long time, the juvenile and family judges can be successfully developed if there is clear policy, practical implementation, systematic planning, and compliance with the predetermined goals in an appropriate direction.

5.1.2.2 Work Analysis and Design

According to the results of the study, the respondents gave the highest importance to analyzing the tasks of the juvenile and family judges separately from those of other judges, specifying the job description of the juveniles and family judges in detail so that they accurately understand their role and duties, and determining the qualifications of the juvenile and family judges in a more specific way. From the past to the present, some juvenile and family judges may have thought that their duties

were not different than those of other judges. The Act on Judicial Service of the Courts of Justice B.E. 2543 states that judges are officials that have the power and duty to try and adjudicate cases. They have the responsibility to perform one or multiple tasks such as adjudicating the assigned cases as prescribed by the Constitution of the Courts of Justice, recording witness testimony, investigating and determining petitions, ordering investigations or safety measures, examining witnesses, mediating and reconciling disputes, attending a consulting meeting in order to make decisions as a judge assigned to adjudicate the case or a judge in a quorum, and fulfilling other related duties. This is like the job description of general judges, excluding the specific tasks and duties of the juvenile and family judges defined in the Act on the Juvenile and Family Court and Its Procedure B.E. 2553. The role of the juvenile and family judges in juvenile correction and rehabilitation, which is the heart of the juvenile justice system, has not been given importance. This may make the juvenile and family judges incorrectly understand their role and duties and unwilling to work outside the court, perform proactive work, collaborate with multidisciplinary teams, or coordinate with governmental agencies, the private sector, and communities, which are a part of the work process. Chiranit Havanond (2013b, p. 90) stated that the Juvenile and Family Court is not only a court of justice but also a problem-solving court. It needs to solve the problems of all involved parties rather than paying attention to adjudication, punishment, and sentencing juvenile offenders to training centers without caring about their future. When the job description fails to cover all of the main duties of the juvenile and family judges, the required qualifications of the juvenile and family judges tend to focus on legal knowledge. In fact, the Juvenile and Family Court does not place emphasis on making a judgment while dealing with juveniles cases. As for family cases, the Juvenile and Family Court aims to mediate and reconcile disputes by taking account of peaceful family cohabitation according to Section 146 and 148 of the Act on the Juvenile and Family Court and Its Procedure B.E. 2553. Therefore, legal knowledge is not as important as psychological principles, persuasive skills, or leadership, which can be used to solve disputes and make the involved parties satisfied with the settlement based on legal standards.

5.1.2.3 Recruitment and Selection

The respondents gave the highest importance to psychological, attitude,

and personality test. This is consistent with the current issue that the Judge-Trainee Examination organized by the Judicial Commission seems to excessively focus on legal proficiency and does not pay attention to mental health or the attitudes of the examinees. The respondents also gave the highest importance to using an interview technique during the oral examination in order to focus on candidates' attitudes, resourcefulness, problem-solving skills, and integrated thinking instead of legal knowledge. Other related knowledge and skills should also be tested. The oral examination should be used to measure the abilities that are not examined by the written examination. At present, both oral and written examinations seem to measure the same thing, which is the legal knowledge provided at the university level (Sanchai Phonchai et al., 2005, p. 145). The candidates' attitudes, interests, behavioral adaptation, background, and personality are not examined (Suphol Phanthumano, 1998, as cited in Boonchu Thatsanapraphan, 2011, p. 75). The executive of the court of first instance, who studied the development of the judicial administration system, similarly stated that the Judge Examination should also measure the attitude of the examinees because it can strongly affect the way they adjudicate cases (Charatsri Jariyakul et al., 2007, p. 12). Particularly, juvenile and family judges must be the persons giving opportunities to others, including offenders, victims, and colleagues. Having exceptional legal knowledge alone may not prove that they have suitable attitudes to work at judicial courts, especially the Juvenile and Family Court. The information obtained from the in-depth interviews also indicated that having maturity is one of the components of adhering to ideology. Moreover, the respondents gave the highest importance to collecting the data of examinees taking the Judge-Trainee Examination for personnel management purposes. This is in line with the research entitled "Knowledge Management and Capacity Building Project for the Judges of the Specialized Court," which suggested that there should be a selection system that places more emphasis on the judges' qualifications and less emphasis on the precedence principle. For example, those with required qualifications or specific qualifications in specialized laws and those with prior judicial experience in relevant agencies should be considered first (Faculty of Economics, Chulalongkorn University, 2009, p. 18). The respondents also gave high importance to measuring both legal knowledge and other related expertise during the Judge Examination because juvenile

and family judges should have multidimensional knowledge beyond legal expertise. Sanchai Phonchai et al. (2005, pp. 238-239) suggested concerning the Judge Examination that in order to find qualified judges, apart from a test measuring proficiency in Thai and foreign languages and general knowledge, there should be another test to examine the specialized expertise of each examinee.

5.1.2.4 Appointment and Transfer

Appointment and transfer are personnel management processes that mostly affect the judges in the courts of justice. They reflect manpower planning and work efficiency management and are also involved with an important organizational culture, which is the precedence principle. Apart from the precedence principle, which is a key transfer criterion, the place and time criteria indicating that judges are not allowed to work at the court in their or their spouse's hometown and that judges cannot hold their position in any court for too long, are also taken into account. In addition, there are criteria about necessity and individual needs, exclusion criteria, and special criteria, which may be annually added before the transfer. Although the precedence principle was clearly determined from the first day of work, strictly adhering to the precedence principle alone can be a barrier to putting the right man in the right job because the judges are likely to be transferred without taking account of their knowledge, abilities, or specialized expertise (Thammasat University Research and Consultancy Institute, 2013, pp. 75-79). This is different from the transfer of judges in other countries, which has been carried out based on personal characteristics, knowledge, experience, awareness of social dimension, and the relevant limitations of each judge. An inventory of transfer criteria is developed and clear indicators for each criterion are defined in order to be used in the selection process. In Thailand, there should be a meeting among the chief judges in order to develop inventory of transfer criteria and clear indicators. Judge supervisors can use the inventory transfer criteria and indicators to effectively evaluate the performance of each judge. Meanwhile the members of the Judicial Commission can also use them as an operational guideline. Considering the transfer of juvenile and family judges, it depends mainly on the Judicial Commission's vision and policy on personnel management regarding the specialized expertise of judges. If there is a clear policy, the transfer criteria can be accordingly determined in an appropriate way. The

respondents of the present research gave high importance to clearly determining the transfer criteria and the qualifications of juvenile and family judges; for example, the candidates must have taken a training course related to juvenile cases before and have carried the appointment and transfer of juvenile and family judges based on qualifications and knowledge rather than the precedence hierarchy. This is consistent with the study entitled “Knowledge Management and Capacity Building Project for the Judges of the Specialized Court,” cited above, which indicated that there should be a set of criteria that places greater emphasis on the qualifications of judges and less emphasis on the precedence system (Faculty of Economics, Chulalongkorn University, 2009, p. 18). In addition, the transfer criteria should take into account both job suitability and precedence hierarchy. The score ratio should be clearly defined as follows: precedence hierarchy accounts for 75%, knowledge, abilities, suitability, and travel expenses account for 20%, and other factors such as family account for 5%. The Office of the Judiciary is responsible for giving the scores and then submits the results to the Sub-Judicial Commission and the Judicial Commission for approval (Charatsri Jariyakul et al., 2007, p. 15). Moreover, juvenile and family judges should be encouraged to develop their expertise and grow in their career path, starting from the Court of First Instance, the Court of Appeal for Specialized Cases, and the Supreme Court, without having to be frequently transferred. In Australia, there is a career advancement system for judges and the job promotion criteria and indicators are clearly determined. The career path chart of each judge is created in order to provide details about his or her career journey, promotion period, promotion criteria, and work performance. As for the idea of establishing the subcommittee to deal with the transfer of juvenile and family judges, it is in line with the study mentioned above, “Knowledge Management and Capacity Building Project for the Judges of the Specialized Court,” which suggested that the Judicial Commission should establish a Specialized Court Administration Subcommittee and determine its composition and duties by virtue of Section 47 of the Act on Judicial Service of the Courts of Justice B.E. 2543. The subcommittee should work under the supervision of the Judicial Commission (Faculty of Economics, Chulalongkorn University, 2009, p. 34). The clear pattern of the subcommittee should be appropriately determined in the future. Furthermore, the respondents also gave high importance to requiring that the judges

that want to work at the Juvenile and Family Court demonstrate a committed vision to juvenile and family work through a written document when requesting a transfer and holding an examination to test the theoretical and practical knowledge of the judges that want to be transferred to the Juvenile and Family Court. This is probably because these requirements are new and have not been included in the judicial personnel management process, which strictly adhered to the precedence principle before. Furthermore, specifically creating a precedence hierarchy for the juvenile and family judges helps to develop a clear and specific career path for the juvenile and family judges; they can continually work in this field and gradually accumulate knowledge, experience, and abilities until they achieve in-depth knowledge and have specialized expertise. This is in line with Thanin Kraivichien (2010, p. 88), who suggested that in the future, there will be a need to modify the precedence system so that it becomes more flexible. The precedence hierarchy should be divided into multiple branches according to types of specialized courts. This will be very beneficial, as the courts of justice can acquire qualified judges that suit organizational needs while the judges have an opportunity to show their ability in the field of their interest. The research entitled “Judicial Transfer System Development” also suggested that there should be another precedence list for specialized courts (Thammasat University Research and Consultancy Institute, 2013, p. 174). However, it should be noted that although all statements under the appointment and transfer topic were given high importance by the respondents, this topic had the lowest average (mean) score among all topics in the third part of the questionnaire. This may be because appointment and transfer have an effect on the whole judicial system and the precedence principle, which is a strong organizational culture of the courts of justice from the past. Many research studies have indicated the weaknesses of adhering to the precedence principle in the appointment and transfer of judges rather than focusing on specialized knowledge and expertise. It makes the qualifications of judges mismatch the complexity of cases in specialized courts (Faculty of Economics, Chulalongkorn University, 2009). Charatsri Jariyakul et al. (2007, p. 14) conducted a study, “Development Concepts of Judicial Personnel Management System,” and found that the transfer of judges should not strictly adhere to the precedence system but should pay attention to suitability as well. However, the important highlight of the precedence principle is that it can guarantee

the independence of the judges as well as prevent the intervention of external factors and an unfair patronage system within the organization, which can reduce the morale of attentive judges. Therefore, in order to obtain a balance between the precedence principle and job suitability, the courts of justice must clearly determine transfer criteria and standards. Other relevant systems such as assessment systems and job competency tests should also be applied. If there is a robust assessment system, the performance of each judge can be effectively measured and the results can be used for transfer consideration.

5.1.2.5 Personnel Development

Personnel development is an important factor driving the juvenile and family judges to develop themselves to achieve transformational leadership. In order to systematically summarize the key personnel development elements that had an effect on the development of the transformational leadership of the juvenile and family judges, the researcher intended to discuss related elements together without relying on the descending order of importance. The details are as follows. The respondents of the present research agreed that the training courses for judge-trainees and judges should not only focus on academic knowledge but also take account of ethics, morality, and public interest, which are considered the philosophy of judicial training. Additional hours of training on professional ethics should be provided to judge-trainees because this is not measured during the examination (Sanchai Phonchai et al., 2005, p. 224). This is consistent with the qualifications of the juvenile and family judges that will become transformational leaders in the future. Enhancing ethics, morality, and public consciousness is one of the components of adhering to the ideology and building inspiration that the juvenile and family judges should possess. In addition, the training courses for judge-trainees should pay more attention to juvenile work and related theories in order to provide basic preparation and to make the personnel ready to work at the Juvenile and Family Courts nationwide. This is because in reality the juvenile and family judges are mainly provided with knowledge about judicial processes rather than juvenile and family matters. Thus, when performing their duties, sometimes they cannot accurately play their role. They may even think that juvenile rehabilitation is not one of their main responsibilities, which is considered an inappropriate line of thought. In fact, the judges should properly

perform their role according to the court's missions and must pay attention to every task, even if it is not related to adjudication. Therefore, during the practical part of the training, judge-trainees should be assigned to attend on-the-job training at the Juvenile and Family Court in order to develop appropriate attitudes towards judicial work at an early stage.

Enhancing the work performance and credibility of followers is part of the components of the transformational leadership of the juvenile and family judges. In order to respond to the duties of the juvenile and family judges, which are different from those of other judges, the Office of the Judiciary should provide additional knowledge in related fields such as psychology and social science to the juvenile and family judges. The respondents of the present study also paid attention to the trainers and guest speakers of each training. They agreed that the selection of trainers should focus on knowledge, proficiency, and communication skills rather than seniority and that external guest speakers that are highly experienced should be selected to provide knowledge from different perspectives. As the juvenile and family judges need to work with multidisciplinary teams, there should be a meeting among the organizations in the juvenile and family justice system in order to perceive problems, find solutions, and develop work practices together. Moreover, the training courses should have various formats, including case study, and not be limited to lecturing. Interesting training programs should be constantly provided to the juvenile and family judges, the judges of other courts, the personnel from interested organizations, and the public. In addition, there should be both pre- and post-tests to examine the outcome and appropriateness of the training. Letting senior judges give advice to junior judges is another way to enhance the judges' reliability and trustworthiness, which is one of the components of adhering to ideology given the highest importance by the respondents.

The Office of the Judiciary respondents responsible for determining the overall policy of the organization should establish a central agency to give advice on research and development and disseminate information about juvenile and family justice on a continuous basis and provide a channel for the juvenile and family judges to exchange judicial experiences and innovative practices. In other countries, many assemblies of judges have been established and there is an annual judge conference that has been carried out on a regular basis. In the United States, the National Council

of Juvenile and Family Court Judges was established to hold an annual conference that allows juvenile and family judges to get together and share new knowledge and experiences (Suntreeya Meunphawong, 2010, p. 37). In terms of knowledge management, modern technologies such as e-learning techniques should be applied to work and there should be practical and up-to-date operational guides on how to work with communities and external networks. This is consistent with the research entitled “Knowledge Management and Capacity Building Project for the Judges of the Specialized Court,” mentioned above, which placed importance on systematic knowledge management, including developing a database system, collecting information and knowledge about the laws and related disciplines in the specialized courts, developing appropriate information retrieval system, and establishing an academic service center for the judges of the specialized courts (Faculty of Economics, Chulalongkorn University, 2009, p. 21). In addition, apart from adjudication tasks, the chief judges should assign additional juvenile-related work to the judges in order to enhance their professional skills. This is a channel for the juvenile and family judges to develop themselves and achieve transformational leadership skills. However, although the idea of giving additional assignments on juvenile-related work was given the highest importance by the respondents, it was found to have the lowest average (mean) score among all statements in the personnel management topic. This is probably because the juvenile and family judges normally have a heavy workload. Some people may think that this additional work is not the direct responsibility of the juvenile and family judges. This issue goes back to the work analysis and design process and whether the job description of the juvenile and family judges is clearly specified and covers all duties or not.

5.1.2.6 Performance Evaluation

The main task of the Juvenile and Family Court is involved with the special measures in lieu of criminal proceedings that send juvenile offenders to receive rehabilitation program. As each juvenile has different problems, and some juveniles may take 6 months to adjust themselves while some may take 2-3 years to change their behavior. Thus, juvenile cases cannot be closed within a short period of time. A quantitative evaluation that focuses on time and the number of closed cases is not appropriate for measuring qualitative performance. Thus, the respondents highly

agreed that performance indicators should not only focus on the number of closed cases or unsolved cases. Moreover, the respondents thought that the evaluation should pay more attention to judges' qualitative performance such as giving explanations for using special measures in lieu of criminal proceedings, case follow-ups and clarification, and solving problems at work. The judges must give orders in a precise and careful manner, especially when the use of special measures in lieu of prosecution has an effect on the future of juveniles. The judges need to be able to properly explain their reasons and make all parties and overall society understand their decisions. Although the Juvenile and Family Court does not focus on making judgments, the juvenile and family judges still need to transparently perform their duties by adhering to the intent of the law without any prejudice. Nowadays, people are more aware of and place importance on their rights and freedom. As the use of governmental authority must be examined, the judges can enhance their reliability by proving to the public that they always exercise their authority in a transparent and accurate manner (Thanin Kraivichien, 2010, p. 116). Carrying out an assessment of personality and the attitudes of judges in order to see if they are suitable to work at the Juvenile and Family Court was another statement that was given the highest importance by the respondents. This is in line with the qualitative results of the present study, which suggested that the juvenile and family must have specific qualifications suitable for working at the Juvenile and Family Court. The personal characteristics of the juvenile and family judges should be examined so that the court's work can be driven forward and the judges can improve themselves or evaluate if they are suitable for the Juvenile and Family Court. In terms of giving additional scores to the juvenile and family judges that are dedicated to their work, such as providing knowledge to communities and participating in community activities so as to rehabilitate children, the mean score of this statement was high but not the highest. This was probably because the judges' existing workload was not conducive to working outside the court or the judges might not have the aptitude to do those tasks. Some judges may think that those tasks are not their responsibility, although the Act on the Juvenile and Family Court and Its Procedure B.E. 2553 and the Policy of the Office of the Judiciary 2014-2017 stipulate that the Juvenile and Family Court must be the center of juvenile rehabilitation together with government agencies, the private sector, and civil society. Apart from

conducting work analyses and determining job descriptions and the specific qualifications of the juvenile and family judges, the performance evaluation should also be modified in order for the juvenile and family judges to better understand their roles and duties. Moreover, a specific evaluation form for the juvenile and family judges should be developed separately from that for other judges. This statement was also given high importance by the respondents.

5.1.2.7 Compensation and Rewards

In order to obtain the achievements of tasks, the juvenile and family judges should not only sit behind the bench and render an adjudication like the judges of adult courts. Adult offenders are mature and aware of the outcome of their actions while most juvenile offenders seem to unintentionally commit an offense due to a lack of maturity and contrition. The juvenile and family judges must find ways to correct and rehabilitate the juvenile offenders and coordinate with external organizations. They need to play a unique role as a traffic cop that facilitates collaboration between all organizations involved with juvenile rehabilitation. The juvenile and family judges should no longer stick to their traditional role (Teske, 2011, p. 1). The Juvenile and Family Court does not focus on forceful law enforcement, using its power to solve problems, or ordering imprisonment. From the perspectives of some lawyers, juvenile and family work is easy to deal with. In fact, juvenile and family cases are complicated and associated with multiple sciences and cannot be solved by legal knowledge alone. Apart from legal provisions, the juvenile and family judges must find other tools to solve the problems and achieve successful juvenile correction and rehabilitation. This role is considered tougher than law enforcement. Therefore, receiving compliments and encouragement from the executives of the courts of justice and co-workers and getting recognized for their dedication can effectively enhance the commitment and morale of the juvenile and family judges. This is in line with Abraham Maslow's hierarchy of needs, which ranks human needs from the most basic level to the most advanced, beginning with physiological needs and extending to safety needs, social belongingness needs, esteem needs, and self-actualization. The research study of Hay (1999, as cited Dessler & Tan, 2005, pp. 69-74) suggested that employee recognition has a positive effect on both individual and group performance. It was also found that, in the service industry, giving monetary and non-monetary rewards can cause a 30% increase in performance compared to using monetary

rewards alone (Dessler & Tan, 2005, pp. 241-244). In addition, the juvenile and family judges need to constantly develop their skills and continually accumulate specialized knowledge so as to perform their duties in an effective way. However, the list of salaries of the juvenile and family judges is the same as that of other judges. It is categorized into multiple levels based on the classes of courts. Highly-skilled judges cannot continue working at the same court, even if they prefer working at the court of first instance, meeting dispute parties, and solving situational problems for all involved parties. They will get a higher salary only when they are promoted to work at the court of appeal, where they have to deal with different tasks such as reviewing case reports and assessing related evidence. The respondents highly agreed that the salary rate of judges should not rely on the classes of courts so that highly-experienced judges can continue to work at the court of first instance without having to move to the court of appeal. This is consistent with the Report on the Impact of Restructuring and Revision of the Law on the Judicial System and Corrective Approach of the Supreme Court, which stated concerning the adjudication efficiency in the specialized courts that the current transfer system makes the judges of the specialized courts unable to develop their knowledge of specialized laws. The committee decided that a new system should be established in order to increase the specialized expertise of the judges of the specialized courts. The procedures of judge selection, training, and promotion should also be modified. The specialized judges should be promoted within the specialized courts without having to move to other courts. When they reach the position of the Justice of the Supreme Court, they will work at the Special Division Unit of the Supreme Court. This report also suggested that Section 13 of the Act on Judicial Service of the Courts of Justice B.E. 2543 should be revised so that the judges of the specialized courts can receive a level-4 salary (Committee on the Impact of Restructuring and Revision of the Judicial System, 2005, pp. 5-6).

In conclusion, the results of the present study suggested that all personnel management processes of the courts of justice, including personnel management policy, work design and analysis, recruitment and selection, appointment and transfer, personnel development, performance evaluation, and compensation and rewards, were found to have an effect on the development of transformational leadership. Therefore, the Office of the Judiciary should determine a clear,

continuous, and long-term policy on personnel management in order to develop judges with specialized expertise and appropriate qualifications to work in each type of court, especially the Juvenile and Family Court, which requires judges with specific qualifications. The success of the juvenile justice system cannot happen in a short period of time; it takes a long time to prove that acquiring qualified personnel to work in the juvenile justice field is a worthwhile investment for long-term outcomes, which is the future of the nation.

5.2 Recommendations

1) The present study was based on gathering information about the components of the transformational leadership of the juvenile and family judges from the various parties involved in or having experiences in the juvenile justice system. The juvenile and family judges should apply the results of the research to their work in order to create a work atmosphere in which all parties are committed to juvenile and family rehabilitation according to the intent of the law.

2) The Office of the Judiciary should review the current personnel policy as to whether it can develop the judges to have ethics, morality, and appropriate qualifications for their job, especially the judges of the special and specialized courts that need to have specialized knowledge in law and legislation, judicial procedures, characteristics of the case, and legal traditions in order to be able to fairly adjudicate cases based on the facts and contexts of the changing society. In order to obtain reliable results, a review should be done in the form of research study that allows all judges of the courts of justice to participate in and share their comments and suggestions. The results of the review will reflect the actual situations and can be used to identify effective solutions in the future.

3) The Office of the Judiciary can use the findings about the guidelines for developing the transformational leadership of the juvenile and family judges in planning the development of the judges as follows.

The guidelines for developing the transformational leadership of the juvenile and family judges resulting from the present research can be applied to judicial development planning as follows.

(1) Personnel Management Policy

The Office of the Judiciary should determine a long-term personnel management plan in the form of a 10-year strategic plan that all courts must comply with. There should also be clear implementation strategies and constant evaluation.

At least one representative from the special and specialized courts should be included in the Judicial Commission so that he or she can reflect problems and appropriate approaches to developing the special and specialized courts.

A special and specialized courts subcommittee should be established to select qualified judges to work at the Juvenile and Family Court in the same way as the selection of the personnel of the Research Justice Division of the Court of Appeal, the Regional Court of Appeal, and the Supreme Court. The list of qualified judges must be submitted to the Judicial Commission for approval.

An academic data warehouse should be developed to record data on every judge. All information about aptitude, interest in, and experience with juvenile work, scholarship programs, juvenile-related training courses, and on-the-job training at the Juvenile and Family Court should be thoroughly collected. This academic data warehouse should be updated every year. As all judges have access to the database system of the courts of justice, where they can log in to do online tasks such as printing salary slips, they can use the same username and password to enter the academic data warehouse and update their own information about training programs or other additional experiences. The Office of the Judiciary can also use the obtained data for personnel management purposes.

(2) Work Analysis and Design

A committee consisting of judges with a lot of experience in the juvenile justice system and current juvenile and family judges should be established to set a standard for the juvenile and family judges. The committee should analyze and summarize the nature of the work, specific qualifications, and required abilities of the juvenile and family judges and then specifically include the summary in the Act on Judicial Service of the Courts of Justice about Instatement, Appointment, Transfer, Promotion, and Salary of Judiciary Officers of the Courts of Justice B.E.2554. The committee should focus on the leadership skills of the judges, even if they are not court administrators.

(3) Recruitment and Selection

The Judge-Trainee Examination should be modified in order to acquire personnel with legal knowledge and expertise. The selection should place more emphasis on their maturity, attitude, emotional control, and knowledge of other disciplines. The details are as follows.

The written exam used in an examination, a test of knowledge, or a special selection, should be divided into two parts: a legal knowledge test (80%) and a general knowledge test including attitude and psychological measurement (20%). The total score would be the sum of the two parts.

An oral exam should not pay attention to legal knowledge alone. The questions should be designed by focusing on integrated thinking skills. Mental health, attitudes, communication skills, and problem-solving abilities should also be measured. The examinee may be asked what he/she will do if he/she faces a tough situation like that occurring in the courtroom.

(4) Appointment and Transfer

Appointment and transfer procedures and criteria should be set according to the strategic personnel management plan and should not change too often.

The term of a judge and a presiding judge of the Juvenile and Family Court should be revised to not less than 3-5 years in order for him or her to create specialized expertise.

The appointment and transfer of juvenile and family judges should place more importance on knowledge and abilities, and the selection criteria and qualifications of the juvenile and family judges should be clearly specified. For example, the judges that want to move to the Juvenile and Family Court must write down their vision and submit it together with a transfer request, must be trained in juvenile and family justice, or must pass an examination about juvenile delinquency and juvenile laws. This is to ensure the transparency of the selection process and to allow the judges to prepare themselves.

A research study should be conducted to examine the pros and cons, opportunities, and obstacles to creating a specific precedence hierarchy for the juvenile and family judges separately from other judges. A SWOT analysis should also be carried out so as to obtain insightful information for decision making. The

research should be done on a long-term basis so as to analyze the change of results over time until obtaining clear conclusions accepted by most organizational members.

(5) Personnel Development

Additional hours of training on juvenile and family justice should be provided to the judge-trainees. Moreover, the judge-trainees should be further assigned to attend on-the-job training at the Juvenile and Family Court.

There should be a training program to promote ethics, morality, and proper courtesy of judges in maintaining justice. The content must be up-to-date and consistent with current situations and social contexts.

The Office of the Judiciary should cooperate with the Central Juvenile and Family Court and the Judicial Training Institute in carrying out academic training courses on juvenile and family justice. Those responsible for designing the curriculum must be knowledgeable and aware of the needs of the trainees. Trainers and speakers should be selected based on their expertise and ability to transfer knowledge. They should have beyond-legal knowledge and use a wide variety of communication methods. The curriculum of training courses can be divided as follows.

The basic course for the juvenile and family judges should focus on theoretical knowledge, relevant law, and the rules and regulations of the President of the Supreme Court regarding judicial work.

The intermediate course for the juvenile and family judges should concentrate on practical problem solving, working with external networks, and other relevant knowledge such as psychology, criminology, and penology.

The judges of other courts should be allowed to attend the basic and intermediate courses so that they can understand the work of the Juvenile and Family Court. Their participation in these training courses will be recorded in the academic data warehouse, which will be beneficial for their future transfer.

The advanced course would be joint training among the organizations in the juvenile justice system, which aims to create understanding and collaboration among related organizations. This course would also be developed to emphasize the role of the Juvenile and Family Court as the center of juvenile rehabilitation.

There should be pre- and post-tests to systematically examine the trainees' knowledge both before and after they participate in the training courses held by the Office of the Judiciary.

The juvenile and family judges should be required to attend a training course, which would be useful for their job, at least once a year, and training hours of each judge should be recorded in the academic data warehouse.

The executives of the Juvenile should create an atmosphere of learning by encouraging the judges to exchange work experience with each other in an informal manner, such as sitting and chatting together or inviting a guest speaker to analyze a case study. The Central Juvenile and Family Court used to carry out an afternoon tea meeting in order to analyze case studies regarding juvenile and family issues and enhance systematic knowledge management. Long-standing judges, who deeply understand both theoretical and actual problems, tend to be specialized in conveying their direct experience or tacit knowledge, which is rare and truly useful for the Juvenile and Family Court both at present and for the future.

The Office of the Judiciary should establish a knowledge center in the Central Juvenile and Family Court to be a hub of information and statistics on juveniles and families in Thailand in order to monitor the movement of the juvenile justice system in other countries and to carry out research studies on work system development. The Chief Justice of the Central Juvenile and family Court or other qualified persons should be appointed to oversee the operational continuity of this center.

(6) Performance Evaluation

A performance evaluation form for the juvenile and family judges should be created separately from that of other judges.

The topics in the performance evaluation form should be in line with the duties and qualifications of the juvenile and family judges. The evaluation should not only focus on the number of closed cases but also pay attention to the dedication, devotion, participation in juvenile rehabilitation and community activities, and achievements in correcting and preventing juvenile offenders from committing an offense again.

(7) Compensation and Rewards

The executives of the courts of justice should determine a clear and continuous policy to promote, emphasize, and support the work of the juvenile and family judges. This policy should be in line with the selection method in the process

of the appointment and transfer and specific job descriptions and qualifications of the juvenile and family judges, which are distinct from other judges.

The salary rate and professional allowance of judges should not be determined by classes of courts. Other criteria such as length of service should be used instead.

A research study should be conducted to examine the feasibility of allowing senior judges to continue working in the court of first instance while still receiving a salary based on their precedence rank and the possibility of creating a specific precedence hierarchy for the judges of the special and specialized courts. This is to solve the problem of the Juvenile and Family Division of the Court of Appeal for Specialized Cases not having enough positions to accommodate the judges from the Juvenile and Family Courts nationwide.

Recommendations for Further Research

1) Future studies should investigate the causal relationships between the transformational leadership of the juvenile and family judges and the performance of the juvenile and family judges.

2) Future studies should also be conducted to specifically create a model or a curriculum for the transformational leadership development of the juvenile and family judges.

3) The components of the transformational leadership, which were obtained from the present study, should be used to develop a measurement tool to measure the levels of the transformational leadership of the juvenile and family judges and to examine which of their qualifications should be improved.

4) Future studies on the leadership and the role of the judges of the courts of justice, including the specialized courts, should be carried out by using the research framework of the present study in order to enhance the personnel development of the courts of justice.

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APPENDICES

APPENDIX A

IN-DEPTH INTERVIEW FORM

Part 1 General information

(Please mark ✓ and fill in the answer in each blank provided below).

1. Title (1) Mr. (2) Mrs. (3) Miss
2. Name.....Surname..... (Asking for the informant's consent first.)
3. Age as of 2016 Years Old
4. Current job position
..... (1) The Central Juvenile and Family Court's administrator)
..... (2) Presiding judge/ judge
..... (3) Lay judge
..... (4) Psychologist
..... (5) Prosecutor
..... (6) Legal consultant/ attorney
..... (7) Employee of the Department of Juvenile Observation and Protection
..... (8) Employee of the Department of Probation
..... (9) Legal expert
5. Work experience (in current job position) Years
6. Work experience in the field of juvenile and family justice Years
7. Marital status
..... (1) Single (never married) (2) Married (registered)
..... (3) Married (not registered)..... (4) Legally divorced
..... (5) Widowed (spouse died) (6) Separated (without legal divorce)
..... (7) Others (please specify)
8. Number of children
9. Number of family members

10. Educational level

- (1) Bachelor's degree in
- (2) Barrister-at-law
- (3) Master's degree in
- (4) Others (please specify)

**Part 2 Questions Responding to the First Objective of the Present Research,
Which is to Study the Components of the Transformational Leadership
of the Judges of the Juvenile and Family Court.**

According to the concept of transformational leadership, it is a qualification of leaders that makes followers voluntarily improve their behaviors, achieve beyond-expectation performance, and focus on the public interest rather than personal benefits, which will finally lead to achievements of long-term goals of the organization and society.

1) What are the key components of the transformational leadership that the juvenile and family judges should have in order to appropriately perform their duties according to the objectives of establishment of the Juvenile and Family Court and the Act on the Juvenile and Family Court and Its Procedure B.E. 2553? Why do you think so?

2) In what way should the juvenile and family judges express those key components? Why?

**Part 3 Questions Responding to the Second Objective of the Study, Which is to
Explore the Guidelines for Developing the Transformational Leadership
of the Juvenile and Family Judges.**

1) Do you think the courts of justice's personnel management practice is suitable for the development of transformational leadership of the juvenile and family judges? Why?

2) What are the solutions to the problems of the development of transformational leadership of the juvenile and family judges? Why?

3) How to support and promote those solutions. Please provide clear and concrete examples.

APPENDIX B

QUESTIONNAIRE

Part 1 General information

(Please mark ✓ and fill in the answer in each blank provided below).

1. Gender Male Female
2. Age 30 years old or younger 31-40 years old
 41-50 years old 51-60 years old
 60 years old and over
3. Work experience (starting from a judge-trainee) Years
4. Current workplace
5. Work experience in the Juvenile and Family Courts, during which the Act on the Establishment of and Procedure for Juvenile and Family Court B.E. 2534 are enacted..... Years (If there is none, please skip to the next question).
6. Highest educational level
 (1) Bachelor's degree (2) Master's degree
 (3) Doctoral degree (4) Others (please specify)

Part 2 Components of the Transformational Leadership of the Juvenile and Family Judges

Instruction Please consider the appropriateness of each component of the transformational leadership and then mark ✓ in the space that best describes your answer.

- 5 indicates the highest level of agreement that judges should have that qualification.
4 indicates a high level of agreement that judges should have that qualification.
3 indicates a moderate level of agreement that judges should have that qualification.
2 indicates a low level of agreement that judges should have that qualification.
1 indicates the lowest level of agreement that judges should have that qualification.

Note This questionnaire aims to survey your opinions on the qualifications that are suitable for the duties of the juvenile and family judges and the intent of the law.

Details	Levels of Appropriateness				
	5	4	3	2	1
	Highest	High	Moderate	Low	Lowest
1. Adhering to ideology					
1.1 Having vision.					
1.2 Having ethics and morality and acting as a role model.					
1.3 Having work commitment, dedication, and devotion.					
1.4 Having reliability and trustworthiness.					
1.5 Having maturity and emotional control.					
2. Building inspiration					
2.1 Having ability to convince others to agree on common goals.					
2.2 Applying appropriate communication methods.					
2.3 Stimulating teamwork.					
2.4 Having positive attitudes.					
2.5 Encouraging others to recognize the importance of working for the public interest.					
3. Intellectual stimulation					
3.1 Having courage and creativity.					
3.2 Making all parties recognize and understand problems.					
3.3 Encouraging others to look at problems from a new angle.					
3.4 Giving others a chance to creatively solve problems without blaming them.					

Details	Levels of Appropriateness				
	5	4	3	2	1
	Highest	High	Moderate	Low	Lowest
4. Individualized consideration					
4.1 Understanding and paying attention to individual differences.					
4.2 Listening to and respecting others.					
4.3 Trusting and giving others a chance to shine.					
4.4 Developing followers' abilities and giving advice to others.					
4.5 Encouraging others and appreciating their achievements.					
5. Integrated thinking					
5.1 Always learning new knowledge.					
5.2 Being aware of changes.					
5.3 Proactive working.					
5.4 Coordinating with external networks.					

Part 3 Guidelines for Developing the Transformational Leadership of the Juvenile and Family Judges.

Instruction Please mark √ in the space that best describes your answer.

Details	Levels of Appropriateness				
	5	4	3	2	1
	Highest	High	Moderate	Low	Lowest
1. Personnel management policy					
1.1 The Judicial Commission should plan and determine guidelines for developing judges' professional expertise.					

Details	Levels of Appropriateness				
	5	4	3	2	1
	Highest	High	Moderate	Low	Lowest
1.2 The Judicial Commission should place emphasis on putting the right man in the right job.					
1.3 The Judicial Commission should plan and determine guidelines for developing judges' professional expertise.					
1.4 The Judicial Commission should have accurate understanding and attitude towards the Juvenile and Family Court's missions and judges' tasks.					
1.5 Representatives from the Juvenile and Family Court and other specialized courts should be included in the Judicial Commission.					
2. Work analysis and design					
2.1 The duties and tasks of juvenile and family judges should be specified separately from those of the judges of other courts.					
2.2 The tasks and duties of juvenile and family judges should be clearly specified so that the judges can accurately understand their role.					
2.3 The qualifications of the juvenile and family judges should be appropriately determined in a more specific way.					
3. Recruitment and selection					
3.1 Information on the examinees' Judge-Trainee Examination should be collected for personnel management purposes.					

Details	Levels of Appropriateness				
	5	4	3	2	1
	Highest	High	Moderate	Low	Lowest
3.2 The Judge-Trainee Examination should focus on both legal knowledge and other related expertise.					
3.3 Psychological, attitude, and personality tests should be given more importance.					
3.4 The oral examination should apply an interview technique in order to focus on candidates' attitudes, resourcefulness, problem-solving skills, and integrated thinking instead of legal knowledge.					
4. Appointment and transfer					
4.1 The appointment and transfer of juvenile and family judges should take account of qualifications and knowledge rather than seniority.					
4.2 A sub-committee should be specifically established to deal with the transfer of juvenile and family judges.					
4.3 The conditions of transfer and the qualifications of juvenile and family judges should be clearly determined; for example, the candidates must have passed a training course related to juvenile cases.					
4.4 The judges that want to be transferred to the Juvenile and Family Court must indicate their vision on juvenile and family matters through a written document.					

Details	Levels of Appropriateness				
	5	4	3	2	1
	Highest	High	Moderate	Low	Lowest
4.5 There should be an examination to test the theoretical and practical knowledge of the judges that want to be transferred to the Juvenile and Family Court.					
4.6 A precedence hierarchy of the juvenile and family judges should be additionally created.					
4.7 The juvenile and family judges should be encouraged to grow in their career path or be promoted to continuously work at the Supreme Court or the Court of Appeal for Specialized Cases without being frequently transferred.					
5. Personnel development					
5.1 The training courses for judge-trainees and judges should not only focus on academic knowledge but also take account of ethics, morality, and public interest.					
5.2 The training course for judge-trainees should pay more attention to juvenile work and related theories in order to provide basic preparation and to make the personnel ready to work at the Juvenile and Family Courts nationwide.					
5.3 During the practical part of the training, judge-trainees should be assigned to work at the Juvenile and Family Court.					

Details	Levels of Appropriateness				
	5	4	3	2	1
	Highest	High	Moderate	Low	Lowest
5.4 The training programs should be regularly provided to juvenile and family judges, the judges of other courts, personnel from interested organizations, and the public.					
5.5 The training courses should have various formats not limited to lecturing.					
5.6 The selection of trainers should focus on knowledge, proficiency, and communication skills rather than seniority.					
5.7 External guest speakers that are highly experienced should be selected to provide knowledge from different perspectives.					
5.8 Additional knowledge in related fields such as psychology and social science should be provided to juvenile and family judges.					
5.9 There should be knowledge assessment before and after training.					
5.10 Senior judges should give advice and guidance to junior judges.					
5.11 Apart from adjudication tasks, the chief judges should assign additional juvenile-related work to the judges in order to enhance their professional skills.					
5.12 There should be a channel for the juvenile and family judges to exchange judicial experiences and innovative practices.					

Details	Levels of Appropriateness				
	5	4	3	2	1
	Highest	High	Moderate	Low	Lowest
5.13 There should be practical and up-to-date operational guides on how to work with communities and external networks.					
5.14 There should be a meeting between organizations in the juvenile and family justice system in order to perceive problems, find solutions, and to develop work practices together.					
5. A central agency should be established to give advice on research and development and to disseminate information about the juvenile and family justice on a continuous basis.					
5.16 Modern technologies should be applied at work such as e-learning techniques					
6. Performance evaluation					
6.1 An evaluation form of the juvenile and family judges should be prepared separately from that of the judges of other courts.					
6.2 The evaluation indicators should not focus only on the number of closed cases or unsolved cases.					
6.3 Additional scores should be given to the juvenile and family judges that are dedicated to their work such as providing knowledge to communities and participating in community activities so as to rehabilitate children.					

Details	Levels of Appropriateness				
	5	4	3	2	1
	Highest	High	Moderate	Low	Lowest
6.4 There should be an assessment of the personality and attitude of the judges in order to see if they are suitable to work at the Juvenile and Family Court.					
6.5 The evaluation should pay more attention to judges' qualitative performance such as giving explanations for using special measures in lieu of prosecution Section 90 and measures for rehabilitation Section 132, case follow-ups and clarification, and solving problems at work.					
7. Compensation and rewards					
7.1 Juvenile and family work should be valued and given importance so as to enhance the morale of the judges that are dedicated to their work.					
7.2 The salary of judges should not rely on the levels of courts so that highly-experienced judges can continue to work at the courts of first instance without having to move to courts of appeal.					

APPENDIX C

LIST OF INFORMANTS

Group 1 Executive of the Central Juvenile and Family Court

- | | |
|-----------------------------|---|
| 1.1 Mr. Arlek Janyasabkij | Chief Justice of the Central Juvenile and Family Court |
| 1.2 Mrs. Chariya Denninnart | Deputy Chief Justice of the Central Juvenile and Family Court |
| 1.3 Mr. Khanchai Sunthorn | Deputy Chief Justice of the Central Juvenile and Family Court |
| 1.4 Miss Anongkit Ophaschat | Director of the Central Juvenile and Family Court |

Group 2 Presiding judges and judges of the Central Juvenile and Family Court

- | | |
|----------------------------------|-----------------|
| 2.1 Mr. Narin Nilthongkham | Presiding Judge |
| 2.2 Mr. Wichian Sriphawattana | Presiding Judge |
| 2.3 Mr. Phattarasak Sirisin | Presiding Judge |
| 2.4 Mr. Suphian Cheungkriangkrai | Presiding Judge |
| 2.5 Mrs. Surangrat Olarnsakul | Presiding Judge |
| 2.6 Mr. Nitinan Siriwatphakorn | Presiding Judge |
| 2.7 Mrs. Suphatcha Jamnongjit | Judge |

Group 3 Lay judges of the Central Juvenile and Family Court

- | |
|---|
| 3.1 Mrs. Pathum Chidwaree |
| 3.2 Acting Sub-Lieutenant Sanan Phokaiyarak |
| 3.3 Mrs. Bunnag Khlangsuphawiphak |
| 3.4 Mrs. Orasa Jaemweha |
| 3.5 Mrs. Jithathai Cha-oom |
| 3.6 Mrs. Ladda Chalermkanjana |
| 3.7 Mrs. Phetcharat Premyothin |
| 3.8 Mrs. Pongjai Aeunorakankij |

Group 4 Psychologists of the Central Juvenile and Family Court

- 4.1 Miss Rungrat Suwanakhakul
- 4.2 Miss Suphaphorn Thongnim

Group 5 Prosecutors responsible for juvenile and family cases

- 5.1 Mr. Chavalit Auarat
- 5.2 Mrs. Theeraphorn Surasihasathien
- 5.3 Miss Veeraphorn Tangphakdee
- 5.4 Mrs. Pilasinee Jintapanyasakul
- 5.5 Mr. Watcharaphol Suwannjutha

Group 6 Legal consultants of the Central Juvenile and Family Court and lawyers

- 6.1 Mr. Phallop Rungmitcharatsaeng
- 6.2 Mr. Somkiat Sripratchyakul
- 6.3 Mr. Chamnan Siriphaiboon
- 6.4 Mrs. Jirawan Puangthip
- 6.5 Mrs. La-iad Munriya
- 6.6 Mr. Suphachai Maenphikul
- 6.7 Mr. Natthanant Artarin
- 6.8 Mr. Somchoke Boonmee
- 6.9 Miss Ladda Yotha
- 6.10 Mrs. Jutiset Boonmee
- 6.11 Miss Phusanisa Thabthimthong
- 6.12 Miss Nareerat Khlaysuwan
- 6.13 Mr. Chakraphong Kaoroptham
- 6.14 Mrs. Dajaree Koocharoenprasit
- 6.15 Mr. Rangsit Jarat
- 6.16 Mr. Noosen Phromwong
- 6.17 Mr. Nopphornphong Kaewborarn
- 6.18 Mr. Somnuek (anonymous surname)

Group 7 the Department of Juvenile Observation and Protection

- 7.1 Professor Wisit Wisitsora-At Former Director - General of the Department of Juvenile Observation and Protection

7.2 Dr. Kattiya Rattanadilok Director of Research and Development Institute

Group 8 the Department of Probation

8.1 Mr. Payont Sinthunava Director of Probation Development Bureau

8.2 Mrs. Chalalai Rittirat Director of Chachoengsao Probation Office

Group 9 Legal experts in juvenile and family law

9.1 Professor Vicha Mahakun Dean of the Faculty of Law, Rangsit University

9.2 Mr. Wirat Chinvinijkul Vice-President of the Supreme Court

9.3 Mr. Watcharin Patjekwinyusakul Senior Judge of Taling Chan Provincial Court

9.4 Mrs. Anocha Chevitsophon Research Justice of the Supreme Court

9.5 Mr. Suwit Pornpanich Vice-President of the Narcotics Division of the
Court of Appeal

9.6 Mrs. Aphiradee Phophrom Research Justice of the Supreme Court

9.7 Mrs. Suntreeya Meunphawong Research Justice of the Supreme Court

9.8 Mr. Don Bunnag Chief Judge of the Sakon Nakhon Provincial
Juvenile and Family Court

APPENDIX D

LIST OF EXPERTS

EXAMINING CONTENT VALIDITY OF THE QUESTIONNAIRE

- | | |
|---------------------------------------|---|
| 1. Mr. Watcharin Patjekwinyusakul | Senior Judge of Taling Chan Provincial
Court |
| 2. Dr. Suntimeya Meunphawong | Research Justice of the Supreme Court |
| 3. Assoc. Prof. Dr. Pongthep Santikul | Thammasat University |
| 4. Dr. Phetcharat Saisombat | Srinakharinwirot University |

BIOGRAPHY

NAME

Mrs. Phangarat Marpraneet

ACADEMIC BACKGROUND

Bachelor of Law

Thammasat University, 1996

Thai Barrister-at-Law

Institute of Legal Education of Thai Bar
Association, 1997

Master of Law

Ramkhamhaeng University, 2003

Mini LL.M.

Chicago Kent College of Law, 2009

EXPERIENCE

2001 Judge-Trainee

2004-2005 Judge of the Thoeng Provincial
Court

2005-2006 Judge of the Surin Provincial Court,
Juvenile and Family Court Division

2006-2015 Judge in the Research Justice
Division of the Supreme

2015-2017 Presiding Judge of the Sa Kaeo
Provincial Court

2017–present Presiding Judge of the
Samutprakarn Kwaeng Court