

Judiciary in Brazil: a Corporate View

Half Empty or Half Full?

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Background

1. Legal system:
 - values freedom of decision over predictability
 - does not favour case management
 - warrants full (and cheap) access to courts
 - Warrants full review of administrative acts by courts
2. Judiciary:
 - Historically averse to management in general
 - No pro-government bias
 - Activism?
3. Society
 - Latent contentiousness
 - Compliance attitude

Current Status

1. Backlog of cases

- Different stages
- Lack of tools for case management

2. Initiatives

- CNJ – National Council of Justice
- Reform of Civil Procedure (New Code, provisions for repetitive claims)

Corporate View and Forecast

1. The search for predictability
2. Pro “weak”, pro government or pro business bias?
 - Tax
 - Labour
 - Commercial
3. Local influence and activism. The tale of King John and Robin Hood
4. Focus on prevention