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Judicial policies in Brazil: a systematic literature review

*Políticas judiciárias no Brasil: uma revisão sistemática de literatura**Políticas judiciales en Brasil: una revisión sistemática de la literatura*Luciano Athayde Chaves* <https://orcid.org/0000-0002-5174-9527>, Federal University of Rio Grande do Norte, Natal, Rio Grande do Norte, Brazil.Ressú Ferreira Pires** <https://orcid.org/0000-0002-1515-1819>, Federal University of Rio Grande do Norte, Natal, Rio Grande do Norte, Brazil.Francisco Solano de Freitas Suassuna Segundo*** <https://orcid.org/0009-0002-3974-7489>, Federal University of Rio Grande do Norte, Natal, Rio Grande do Norte, Brazil.

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Abstract

Improving judicial governance is a central concern in contemporary constitutional states and is embedded in the United Nations (UN) 2030 Agenda Sustainable Development Goal 16, which seeks to promote effective institutions. Within this context, judicial public policy plays a strategic role in the organization and functioning of the Judiciary. Given the lack of conceptual consensus in the literature and the relevance of this topic to the interdisciplinary field of Law and Public Policy, this study aims to identify the characteristics of Brazilian judicial public policy as reflected in the national scientific literature. Methodologically, a qualitative Systematic Literature Review (SLR) was conducted in accordance with the PRISMA protocol. The search was performed in the CAPES Journal Portal, covering the period from 2014 to 2024, using the combined descriptors “Public Policy,” “Judiciary,” and “CNJ,” with Boolean operators. Initially, 19 studies were identified, of which 11 comprised the final corpus after the application of the inclusion and exclusion criteria. The findings reveal a predominance of qualitative research, including theoretical (4) and empirical (7) approaches, primarily focused on judicial policies formulated by the Conselho Nacional de Justiça (CNJ), particularly in the areas of appropriate dispute resolution and the digital transformation of the justice system. The review also identified conceptual fragility regarding the definition of judicial policy and limited methodological diversity in the literature. It is concluded that the field of judicial public policy in Brazil is still in the process of consolidation and requires greater theoretical depth, broader empirical approaches, and the development of analytical and evaluative models capable of supporting evidence-based policymaking.

Keywords: public policy; Judiciary; Conselho Nacional de Justiça; judicial policy; judicial governance.

Resumo

O aperfeiçoamento da governança judicial é um tema central nos Estados Constitucionais contemporâneos e integra o Objetivo de Desenvolvimento Sustentável nº 16, da Agenda 2030, da Organização das Nações Unidas (ONU), voltado à promoção de instituições eficazes. Nesse contexto, a política pública judiciária assume papel estratégico na organização e no funcionamento do Poder Judiciário. Diante da ausência de consenso conceitual na literatura e da relevância do tema para o campo interdisciplinar entre Direito e Políticas Públicas, o presente estudo tem por objetivo identificar as características da política pública judiciária brasileira na produção científica nacional. Metodologicamente, adotou-se a Revisão Sistemática de Literatura (RSL), de natureza qualitativa, conduzida conforme o protocolo PRISMA. A busca foi realizada no Portal de Periódicos CAPES, abrangendo o período de 2014 a 2024, por meio da combinação dos descritores “Política Pública”, “Poder Judiciário” e “CNJ”, com uso de operadores booleanos. Inicialmente, foram identificados 19 estudos, dos quais 11 compuseram o corpus final, após a aplicação dos critérios de inclusão e exclusão. Os resultados evidenciam a predominância de pesquisas qualitativas, com abordagens teóricas (4) e empíricas (7), concentradas na análise de políticas judiciárias formuladas pelo Conselho Nacional de Justiça (CNJ), especialmente nas áreas de tratamento adequado de conflitos e de transformação digital do sistema de justiça. Verificou-se, ainda, fragilidade conceitual quanto à definição de política judiciária e diversificação metodológica limitada na literatura. Conclui-se que o campo das políticas públicas judiciárias no Brasil encontra-se em processo de consolidação, demandando maior densidade teórica, ampliação de abordagens empíricas e desenvolvimento de modelos analíticos e avaliativos capazes de subsidiar a formulação de políticas baseadas em evidências.

Palavras-chave: políticas públicas; Poder Judiciário; Conselho Nacional de Justiça; política judiciária; governança judicial.

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Resumen

El perfeccionamiento de la gobernanza judicial constituye un tema central en los Estados Constitucionales contemporáneos y forma parte del Objetivo de Desarrollo Sostenible n.º 16 de la Agenda 2030 de la Organización de las Naciones Unidas (ONU), orientado a la promoción de instituciones eficaces. En este contexto, la política pública judicial asume un papel estratégico en la organización y el funcionamiento del Poder Judicial. Ante la ausencia de consenso conceptual en la literatura y la relevancia del tema para el campo interdisciplinario entre el Derecho y las Políticas Públicas, el presente estudio tiene como objetivo identificar las características de la política pública judicial brasileña en la producción científica nacional. Metodológicamente, se adoptó una Revisión Sistemática de la Literatura (RSL), de naturaleza cualitativa, realizada conforme al protocolo PRISMA. La búsqueda se llevó a cabo en el Portal de Periódicos CAPES, abarcando el período de 2014 a 2024, mediante la combinación de los descriptores «Política Pública», «Poder Judicial» y «CNJ», utilizando operadores booleanos. Inicialmente se identificaron 19 estudios, de los cuales 11 integraron el corpus final tras la aplicación de los criterios de inclusión y exclusión. Los resultados evidencian el predominio de investigaciones cualitativas, con enfoques teóricos (4) y empíricos (7), concentradas en el análisis de las políticas judiciales formuladas por el Consejo Nacional de Justicia (CNJ), especialmente en las áreas de tratamiento adecuado de conflictos y de transformación digital del sistema de justicia. Asimismo, se constató una fragilidad conceptual en cuanto a la definición de política judicial y una limitada diversificación metodológica en la literatura. Se concluye que el campo de las políticas públicas judiciales en Brasil se encuentra en proceso de consolidación y requiere una mayor densidad teórica, la ampliación de los enfoques empíricos y el desarrollo de modelos analíticos y evaluativos capaces de respaldar la formulación de políticas basadas en evidencia.

Palabras clave: políticas públicas; Poder Judicial; Consejo Nacional de Justicia; política judicial; gobernanza judicial.

1 Introduction

The traditional understanding of public policy as a matter falling exclusively within the sphere of governmental discretion, immune from judicial intervention under the principle of the separation of powers, has been progressively reconsidered in contemporary constitutionalism. As noted by Grando (2015), the evolution of the constitutional state and the expansion of the Constitution's normative force have made it acceptable for courts to play a more active role in matters previously regarded as reserved for political deliberation.

This shift stems from the consolidation of a new interpretative paradigm in which the legal system, private relationships, political activity, and the institutional actions of the State itself must all be guided by the realization of constitutional values (Guastini, 2009). Within this framework, the Judiciary has emerged as a strategic actor in promoting sustainable economic and social development. In addition to providing legal certainty through the protection of property rights and the enforcement of contractual obligations, its role also extends to promoting social justice and ensuring the effective protection of fundamental rights (Lino, 2013).

The importance of strengthening the Judiciary as an institution is also recognized at the international level. The United Nations (UN) 2030 Agenda, through Sustainable Development Goal 16 (Peace, Justice, and Strong Institutions), acknowledges that building strong, accessible, transparent, and effective institutions is an essential prerequisite for sustainable development. This objective underscores the need to formulate institutional strategies aimed at addressing structural challenges such as judicial delays, inefficiency, and governance deficits within the justice system.

Within this context, the Judiciary has become part of the analytical field of public policy. More specifically, it has assumed responsibility for developing institutional mechanisms designed to improve judicial service delivery and implement sound judicial governance practices (Gomes, 2013).

In Brazil, this institutional transformation became more clearly defined with the enactment of Constitutional Amendment No. 45/2004, which introduced a comprehensive reform of the justice system and established the Conselho Nacional de Justiça (CNJ). As the highest administrative body of the Judiciary, the CNJ is responsible for overseeing the administrative and financial activities of the Judiciary, as well as supervising compliance with judges' professional duties, pursuant to Article 103-B, §4, of the Constitution of the Republic. Beyond these responsibilities, the CNJ has established itself as a key institution for formulating and coordinating national judicial policies of a general and abstract nature (Pomjé; Fleischmann, 2020).

Over approximately two decades of operation, the CNJ has issued hundreds of normative acts and established programs, initiatives, and guidelines that reflect its role as a policymaker responsible for developing public policies aimed at organizing and improving judicial activity. Nevertheless, the theoretical understanding of the nature of these initiatives remains insufficiently developed, and there is still some doctrinal resistance to recognizing courts as public policymakers.

This gap may be associated with the theoretical complexity surrounding related phenomena, such as the constitutionalization of politics, the judicialization of politics¹, the politicization of justice (lawfare)², and the concept of judicial governance³. Although these categories are frequently invoked, they still lack greater analytical systematization when applied to the understanding of judicial public policy.

It is within this context that the present study is situated. This research is justified by the institutional relevance of judicial governance in constitutional states, its alignment with the global institutional strengthening goals established by the UN 2030 Agenda, and the absence of conceptual consensus regarding judicial public policy in Brazil. This is compounded by the scarcity of systematic investigations on the subject, revealing an important academic and practical gap.

Against this backdrop, the following research question was formulated: How is Brazilian judicial public policy characterized in the national scientific literature? To address this question, the general objective is to identify the characteristics of Brazilian judicial public policy. The specific objectives are to: (i) define the concept of judicial public policy; and (ii) describe the types of studies conducted in Brazil on this topic and indexed in the CAPES Journal Portal database.

Methodologically, a qualitative Systematic Literature Review (SLR) was conducted through a bibliographic and documentary survey. With respect to its objectives, the study is classified as exploratory-descriptive (Severino, 2007). The review followed the Preferred Reporting Items for Systematic Reviews and Meta-Analyses (PRISMA) protocol to ensure methodological rigor in the identification, selection, and analysis of the relevant scientific literature.

Finally, this article is organized into two sections. The first presents the methodological framework of the study, with particular emphasis on the systematic review protocol. The second reports the findings and critically discusses the results, seeking to provide a theoretical systematization that contributes to advancing the debate on judicial public policy in Brazil.

The drafting, writing, and revision of this manuscript were carried out entirely by the authors without the use of generative Artificial Intelligence (AI) tools for text generation or revision. AI was used exclusively to produce the graphical representation shown in Figure 1 (article screening flowchart).

2 Methodological procedures

This study is characterized as a qualitative, descriptive SLR aimed at identifying the characteristics of Brazilian judicial public policy based on the national scientific literature. Specifically, it seeks to define the concept of judicial public policy adopted in the literature and to describe the types of studies conducted on the subject. This methodological design was chosen because of the need to critically systematize the body of knowledge produced on a complex institutional phenomenon directly related to the structure and functioning of the Brazilian Judiciary.

To this end, a SLR was adopted as the methodological procedure, as it provides an appropriate strategy for identifying, organizing, and critically analyzing the available evidence on a given research topic. The review was conducted in accordance with the PRISMA guidelines, as proposed by Page et al. (2022), because they ensure greater methodological rigor, transparency, traceability of the review process, and reproducibility of the findings. Although originally developed for the health sciences, these guidelines have been adapted for qualitative and interdisciplinary research when appropriately tailored to the specific characteristics of the research object (Galvão; Ricarte, 2019).

The review was guided by the following research question: How is Brazilian judicial public policy characterized in the national scientific literature?

The methodological strategy deliberately focused on the exclusive analysis of the Brazilian literature. Accordingly, the CAPES Journal Portal was used as the sole database because it encompasses a substantial portion of the scholarly output produced by Brazilian universities and research centers while providing broad access to legal journals.

The decision to restrict the search to this database was based on the inherently national nature of the research object, which is directly associated with the institutional organization of the Brazilian Judiciary and, more specifically,

¹ "In the strict sense, the term judicialization of politics has been used to refer to the exercise by courts of law, always at the request of society, of judicial review over statutes and acts of the Executive Branch [...]. In a broader sense, judicialization has become widespread as both a language and a means of communication across the branches of public administration. (In the Legislative Branch), minority caucuses have resorted to judicial bodies when the congressional majority refuses to establish them" (Vianna, 2013, p. 207-209 [for the purposes of this article, all direct quotations from the original sources have been translated into English]).

² "Political justice," according to Kirchheimer, is an inescapable expression of political conflicts incorporated into law within contemporary democratic states governed by the rule of law, rather than an isolated pathological phenomenon (Bonifácio; Miranda, 2024, p. 185).

³ "Judicial governance is a set of policies, processes, customs, attitudes, actions, behaviors, and decisions necessary for the administration of justice. This concept is based on the assumption that judicial governance is grounded in [...] the practices, actions, and behaviors of the various actors within the Judiciary" (Akutsu; Guimarães, 2015, p. 942).

with the activities of the Conselho Nacional de Justiça (CNJ). Nevertheless, this delimitation is recognized as a methodological limitation, as it may have excluded studies indexed in complementary databases such as Scopus, Web of Science, SciELO, or Google Scholar.

The search was conducted in the CAPES Journal Portal on October 20 and 21, 2025, covering publications from 2014 to 2024. This time frame was selected because of the substantial increase in normative and institutional developments related to judicial policies over the past decade, particularly as a result of the CNJ's expanding administrative role in formulating, coordinating, and monitoring these policies.

The search strategy was developed using a keyword-based approach, given the absence of a consolidated controlled vocabulary for the specific field of judicial public policy. The descriptors were selected following a preliminary review of the literature to achieve an appropriate balance between comprehensiveness and specificity. The Boolean operators AND and OR were used to maximize the retrieval of semantically related studies while simultaneously restricting the results to the intended thematic scope.

The final search string was constructed as follows: ("Public Policy" OR "Public Policies") AND ("Judiciary") AND (CNJ OR "Conselho Nacional de Justiça"). To ensure methodological transparency and facilitate replication, the research protocol was prospectively registered in the Open Science Framework (OSF)^{4 5} under DOI No. 10.17605/OSF.IO/3MC2D.

The search strategy initially identified 19 articles. During the screening phase, three duplicate records were removed. Subsequently, titles and abstracts were reviewed, resulting in the exclusion of five studies because they lacked thematic relevance to the research topic. Ultimately, 11 articles met all inclusion criteria and comprised the final corpus of the systematic review.

The inclusion criteria comprised studies that: (i) were published between 2014 and 2024; (ii) were available in full text; (iii) were written in Portuguese; and (iv) addressed judicial public policy within the Brazilian context. Studies were excluded if they lacked direct thematic relevance to the research topic, were duplicates, or discussed the Judiciary in general terms without examining specific judicial policies.

Regarding the methodological quality assessment of the included studies, a rigorous qualitative appraisal was conducted. The evaluation considered the clarity of the research objectives, methodological consistency, analytical relevance, and the theoretical contribution of each study to understanding the phenomenon under investigation.

The analytical stage was conducted using predefined categories, including the concept of judicial public policy, the empirical object of investigation, the methodology employed, the institutional role attributed to the CNJ, and the principal findings of each study. This systematic approach enabled the identification of patterns, convergences, gaps, and emerging trends in the Brazilian scientific literature on the subject.

The article selection process is summarized in the flowchart presented in Figure 1.

Figure 1 – Article screening flowchart

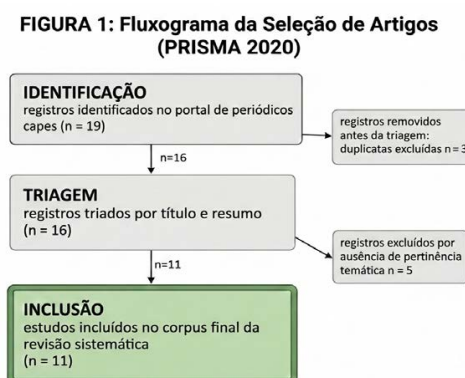


Diagrama de fluxo da seleção de estudos para revisão sistemática, seguindo as diretrizes prisma 2020.

Source: Prepared by the authors⁶

⁴ <https://osf.io/3mc2d>

⁵ RESEARCH PROTOCOL BRAZIL'S JUDICIAL POLICIES_ A SYSTEMATIC LITERATURE REVIEW.pdf

⁶ cf.: Page MJ, et al. BMJ 2021; 372:n71. doi: 10.1136/bmj.n71. This work is licensed under CC BY 4.0. To view a copy of this license, visit <https://creativecommons.org/licenses/by/4.0/>. https://www-prisma-statement-org.translate.goog/s/PRISMA_2020_flow_diagram_new_SRs_v1-lml8.docx?_x_tr_sl=en&_x_tr_tl=pt&_x_tr_hl=pt&_x_tr_pto=tc

As an additional limitation, it should be noted that the small number of studies identified reflects both the specificity of the topic and the still-emerging nature of this field of research. Although this characteristic limits broader generalizations, it also underscores the academic relevance of the present review by highlighting important gaps and opportunities for future research.

Following the selection stage, the final corpus was summarized and critically analyzed, with the results systematically presented in a table. This approach facilitated the characterization of the identified studies and provided the foundation for the analytical discussion presented in the following section.

3 Results and Discussion

Application of the methodological protocol resulted in the selection of 11 scientific articles, whose systematic analysis indicates that the Brazilian scholarly literature on judicial public policy remains at an early stage of theoretical and methodological development. The limited number of studies identified reflects both the specificity of the topic and the absence of standardized descriptors within the legal field, creating additional challenges for accurately locating relevant studies and reinforcing the conceptual fragmentation that characterizes this area of research.

All selected studies employed qualitative approaches, comprising four theoretical investigations and seven empirical studies examining specific judicial policies implemented within the Brazilian Judiciary. The existing body of research is therefore heavily concentrated on descriptive analyses and case studies, with relatively few evaluative studies based on systematic measures of institutional effectiveness. The characteristics of the analyzed corpus are summarized in Figure 2.

Figure 2. Comparative table of the analyzed articles

Study (ABNT style)	Methodology	Topic	Findings
GOULART, L. C.; PIETRAFESA, P. A. Gestão ambiental e a política pública de sustentabilidade do Poder Judiciário de Goiás. <i>Latin American Journal of Business Management</i> , [s.l.], v. 10, n. 2, p. 1-13, 2020. Disponível em: https://www.lajbm.com.br/index.php/journal/article/view/576 . Acesso em: 16 fev. 2024.	Qualitative, empirical, case study.	Environmental management judicial policy at the TJ/GO.	Highlights the need for the TJGO to invest in environmental and sustainability management across judicial and administrative units through staff awareness and training initiatives.
BATISTA, J. V. da S.; THOMASI, T. Z. Depoimento especial de crianças e adolescentes vítimas de violência sexual: aplicação no Poder Judiciário de Sergipe. <i>Revista Direitos Sociais e Políticas Públicas (UNIFAFIBE)</i> , [s.l.], v. 10, n. 2, p. 436-454, 2022. DOI: https://doi.org/10.25245/rdsp.v10i2.1273 . Disponível em: https://portal.unifafibe.com.br:443/revista/index.php/direitos-sociais-politicas-pub/article/view/1273 . Acesso em: 16 fev. 2024.	Qualitative, empirical, case study.	Judicial policy on the special hearing of children and adolescents at the TJ/SE.	Finds that the implementation of the special hearing procedure is limited to the judicial district of Aracaju, Sergipe, underscoring the urgent need to expand the practice to the state's interior regions.
OLIVEIRA FILHO, S. D. de. Política judiciária nacional de tratamento adequado dos conflitos de interesses no âmbito do poder judiciário: entre os escopos e a realidade. <i>Revista Eletrônica de Direito Processual</i> , [s.l.], v. 24, n. 1, p. 1-27, 2022. DOI: https://doi.org/10.12957/redp.2023.66959 . Disponível em: https://www.e-publicacoes.uerj.br/redp/article/view/66959 . Acesso em: 16 fev. 2024.	Qualitative, empirical.	CNJ judicial policy on appropriate dispute resolution.	Based on Justice in Numbers data, finds that appropriate dispute resolution has been relegated to a secondary role, with priority instead given to judicial case backlog management.
JESUS, M. G. M. de; SILVESTRE, G. Os limites das audiências de custódia: reflexões sobre encarceramento, política criminal e gestão política do judiciário. <i>O Público e o Privado</i> , Fortaleza, v. 19, n. 39, p. 1-30, 2021. DOI: https://doi.org/10.52521/19.4436 . Disponível em: https://revistas.uece.br/index.php/opublicoeoprivado/article/view/4436 . Acesso em: 16 fev. 2024.	Qualitative, empirical, case study.	Judicial policy on custody hearings in the judicial district of São Paulo, São Paulo.	Identifies a local institutional and political arrangement within the Judiciary that enables politically driven management based on aligned institutional perspectives within a branch that should remain independent and safeguard individual rights above any particular orientation.
PORTO, R. T. C.; DIEHL, R. C. Justiça Restaurativa uma proposta de atendimento multidisciplinar na política judiciária nacional de enfrentamento à violência contra mulheres. <i>Revista Jurídica</i> , [s.l.], v. 1, n. 68, p. 348-377, 2022. DOI: http://dx.doi.org/10.26668/revistajur.2316-753X.v1i68.2756 . Disponível em: https://revista.unicuritiba.edu.br/index.php/RevJur/article/view/2756 . Acesso em: 16 fev. 2024.	Qualitative, empirical, case study.	CNJ judicial policy on appropriate dispute resolution.	The findings demonstrate that, following CNJ Resolution No. 225/2016, Restorative Justice was institutionalized, becoming a public policy within the Judiciary as a mechanism for access to justice and for addressing domestic and intrafamilial violence. Contribution: The study's principal contribution is to present Restorative Justice as a national policy within the Judiciary and as a mechanism for the appropriate management and resolution of disputes. This approach is particularly important in the Brazilian legal culture, which continues to follow a punitive logic by responding to deviant behavior through the proliferation of legislation, thereby reducing law to mere statutory violation.

CACHAPUZ, M. C. M.; CARELLO, C. P. O Direito chinês e a mediação: como o Brasil chegará lá? Revista de formas consensuais de solução de conflitos , Florianópolis, v. 2, n. 1, p. 1-17, 2016. DOI: https://doi.org/10.26668/IndexLawJournals/2525-9679/2016.v2i1.1131 . Disponível em: https://indexlaw.org/index.php/revistasolucoesconflitos/article/view/1131 . Acesso em: 16 fev. 2024.	Qualitative, theoretical, comparative law.	CNJ judicial policy on appropriate dispute resolution.	Warns against the risk of distorting appropriate dispute resolution methods and emphasizes the need to train both mediators and the public in conflict resolution.
MENDES, A. G. de C.; MENDES, C. P. de C. O acesso à justiça (digital) na jurisdição contemporânea. Revista Eletrônica de Direito Processual , [s.l.], v. 24, n. 2, p. 1-16, 2023. DOI: https://doi.org/10.12957/redp.2023.76132 . Disponível em: https://www.e-publicacoes.uerj.br/redp/article/view/76132 . Acesso em: 16 fev. 2024.	Qualitative, theoretical.	Judicial policy on digital access to justice.	Highlights the need to establish the contours of a judicial public policy that promotes equality in digital access to justice by recognizing digitally excluded and digitally vulnerable individuals as equivalent to economically disadvantaged persons receiving assistance from the Defensoria Pública, while also adopting notary offices as support structures to enable digitally excluded individuals to perform procedural acts.
SILVA, J. A. da; FLORÊNCIO, P. de A. e L. Políticas judiciárias no Brasil: o judiciário como autor de políticas públicas. Revista do Serviço Público , [s.l.], v. 62, n. 2, p. 119-136, 2014. DOI: https://doi.org/10.21874/rsp.v62i2.65 . Disponível em: https://revista.enap.gov.br/index.php/RSP/article/view/65 . Acesso em: 19 jan. 2024.	Qualitative, theoretical.	Judicial public policy.	Defines the concept of judicial public policy.
OLIVEIRA, L. G. L. Dez anos de CNJ: reflexões do envolvimento com a melhoria da eficiência do Judiciário brasileiro. Revista do Serviço Público , [s.l.], v. 68, n. 3, p. 631-656, 2017. DOI: https://doi.org/10.21874/rsp.v68i3.1364 . Disponível em: https://revista.enap.gov.br/index.php/RSP/article/view/1364 . Acesso em: 19 jan. 2024.	Qualitative, theoretical.	Judiciary management.	The essay discusses and identifies gaps while proposing future research on Judiciary management. The theoretical and methodological reflections may be incorporated into models and practices aimed at promoting a more efficient and effective Judiciary.
GOUVEIA, A. J. da S.; SMITH, A. do S. P. de O. Acesso à justiça, justiça do trabalho e a implementação do juízo 100% digital na Amazônia paraense. Revista Cidadania e Acesso à Justiça , [s.l.], v. 9, n. 1, p. 36-53, 2023. Disponível em: https://www.indexlaw.org/index.php/acessoajustica/article/view/9691/pdf . Acesso em: 16 fev. 2024.	Qualitative, empirical, case study.	Judicial policy on digital access to justice at the TRT8.	Given the widespread digital exclusion experienced by much of the population in the Amazon region, the findings indicate that the region is not yet prepared for the exclusive implementation of the 100% Digital Court model in the Labor Courts, highlighting the need for public policies promoting digital literacy.
WATANABE, C. Y. V.; CARVALHO, S. D. Metas do Conselho Nacional de Justiça e o direito responsivo: uma análise no tribunal de justiça do estado de Rondônia. Revista Quaestio Iuris , [s.l.], v. 11, n. 04, p. 3193-3210, 2018. DOI: https://doi.org/10.12957/rqi.2018.38145 . Disponível em: https://www.e-publicacoes.uerj.br/quaestioiuris/article/view/38145 . Acesso em: 16 fev. 2024.	Qualitative, empirical, case study.	Judiciary management at the TJ/RO.	The findings indicate that the implementation of CNJ performance targets is rooted in the concept of responsive law, representing a movement that affords only limited public participation. The TJ/RO demonstrated strong performance in achieving the most frequently adopted targets.

Source: Prepared by the authors.

One of the principal findings of the review concerns the conceptual fragility of the field. Among the studies examined, only Silva and Florêncio (2014, p. 126) provide an explicit definition of judicial policy, describing it as the set of actions formulated and implemented by the Judiciary, within its own institutional sphere, to improve its performance and ensure the effective exercise of its constitutional responsibilities.

The limited presence of systematic definitions reveals a significant theoretical deficit, which hinders both the consolidation of the field and the comparability of findings across studies. In light of this gap, and consistent with the empirical findings of the present review, this study proposes understanding judicial policy as an endogenous institutional public policy, developed within the administrative function of the Judiciary and aimed at the strategic design of structures, procedures, and judicial governance practices to enhance systemic efficiency, ensure meaningful access to justice, and promote the effectiveness of judicial functions in accordance with constitutional values.

Despite this conceptual insufficiency, the literature demonstrates convergence regarding the role of the CNJ as the principal formulator of national judicial policies, pursuant to Article 103-B, §4, of the Federal Constitution of 1988. This consensus reflects the strengthening of a more structured and centralized model of judicial governance, in which the CNJ functions as the coordinating authority for institutional guidelines.

Understanding this phenomenon can be enriched through dialogue with the international literature on judicial governance. According to Castillo-Ortiz (2023), judicial governance encompasses dimensions such as judicial recruitment, discipline, administrative management, funding, and mechanisms designed to safeguard judicial independence and efficiency. From this perspective, the author identifies three ideal models in the European experience: the Ministry of Justice model, the judicial service model, and the judicial council model. The Brazilian case, through the institutional role of the CNJ, most closely resembles the latter, although it exhibits particular characteristics arising from Brazil's federal structure and the institutional heterogeneity of its courts.

At this point, an important tension emerges from the analyzed literature. On the one hand, the centralization promoted by the CNJ contributes to national standardization and coordination; on the other, it may reduce the

responsiveness of judicial policies to local institutional specificities. Oliveira (2017) emphasizes the need to develop judicial policies grounded in institutional micropolitics, capable of reflecting the particularities of individual judicial units and court segments. This argument gains further support when considered alongside the diagnosis offered by Chaves (2022), according to whom the Brazilian Judiciary is characterized by considerable organizational complexity, fragmentation, and structural asymmetries.

Moreover, this discussion is situated within the broader context of the expanding role of the Judiciary in contemporary democracies. As Barroso (2013, p. 870) argues, the growing institutional prominence of the Judiciary stems both from the increasing value placed on judicial independence and from the crisis of representativeness affecting traditional political institutions. Within this context, judicial policies assume a strategic role in reorganizing the justice system internally and enhancing its capacity to respond effectively to social demands.

From an empirical perspective, the analysis of the selected articles reveals a concentration around two principal policy agendas. The first concerns the judicial policy on appropriate dispute resolution, established by CNJ Resolution No. 125/2010. This was the most frequently examined policy among the selected studies and is recognized as a landmark in expanding access to justice through the incorporation of the multi-door courthouse approach, based on diversifying mechanisms for dispute resolution (Crespo, 2012). This policy seeks to rationalize judicial workflows, encourage consensual dispute resolution, and reduce litigation.

However, the literature also identifies important limitations of this policy. Oliveira Filho (2022) and Cachapuz and Carello (2016) highlight criticisms concerning the excessive emphasis placed on quantitative indicators, such as the number of settlements reached, at the expense of evaluating the quality of the outcomes achieved. In addition, structural challenges are identified, including insufficient training of legal professionals in consensual dispute resolution techniques and the incomplete institutionalization of the judicial mediator profession.

The second emerging agenda concerns the digital transformation of the Judiciary, particularly within the framework of the Justice 4.0 Program. Studies by Mendes and Mendes (2023) and Gouveia and Smith (2023) argue that, although these initiatives expand access and improve efficiency, they also create new challenges, especially those associated with digital exclusion and insufficient digital literacy. According to these findings, although digitalization offers considerable promise, it requires complementary public policies aimed at promoting inclusion and equity in access to justice.

Another important aspect identified in the review is the scarcity of studies examining judicial policies formulated directly by individual courts, beyond the national guidelines established by the CNJ. This gap reveals a tendency toward analytical centralization that does not necessarily reflect the diversity of institutional practices across the Brazilian justice system and underscores the need for future research that is more sensitive to local and regional dynamics.

Accordingly, the limited number of identified studies reinforces the still-emerging nature of this field while simultaneously highlighting the relevance of the present review. The methodological decision to restrict the analysis to the Brazilian literature is consistent with the research object, which is centered on the institutional, normative, and historical particularities of the Brazilian Judiciary. Nevertheless, this delimitation limits the incorporation of comparative perspectives, an issue that future research should address.

In summary, the findings indicate that the field of judicial public policy in Brazil remains in the process of consolidation and is characterized by three principal features: (i) conceptual fragility, reflected in the limited number of explicit definitions; (ii) the predominance of qualitative studies employing theoretical and exploratory empirical approaches; and (iii) thematic concentration on specific policy agendas, particularly appropriate dispute resolution and digital transformation.

Based on these findings, it is possible to propose a preliminary analytical framework for evaluating judicial policies, structured around three dimensions: (i) institutional adequacy, referring to the compatibility between national guidelines and local organizational capacities; (ii) implementation quality, emphasizing qualitative indicators of effectiveness, participation, and user satisfaction; and (iii) social impact, focusing on the assessment of concrete outcomes related to expanding access to justice and reducing inequalities.

Additionally, the development of typologies of judicial policies distinguishing between structural and procedural policies is recommended as a means of improving implementation and monitoring strategies. Such an approach may contribute to a more responsive, evidence-based model of judicial governance that is better equipped to accommodate the institutional heterogeneity of the Brazilian justice system.

4 Conclusion

This study aimed to identify the characteristics of Brazilian judicial public policy based on the national scientific literature, seeking to understand how this field has been conceptualized and investigated by specialized scholarship. The findings suggest that judicial policy has become a strategic dimension of judicial governance in contemporary constitutional states, particularly within institutional contexts that seek greater efficiency, administrative rationality, and effectiveness in judicial service delivery.

In the Brazilian context, this process is directly associated with the institutional strengthening of the CNJ, whose activities, since the enactment of Constitutional Amendment No. 45/2004, have redefined the administrative organization of the Judiciary through the formulation, coordination, and monitoring of nationwide judicial policies. The literature reviewed demonstrates a relative consensus regarding the CNJ's leading role in this process, indicating the progressive consolidation of a national model of judicial governance guided by centralized institutional directives.

Nevertheless, the systematic review also revealed that this field of inquiry remains at an early stage of theoretical and methodological development. The limited number of studies identified within the selected time frame, together with the predominance of exploratory qualitative research, indicates that the scholarly literature on judicial public policy still requires greater analytical depth, methodological diversification, and conceptual refinement.

One of the principal findings of this study concerns the conceptual fragility observed in the Brazilian literature. Few studies provide explicit definitions of judicial policy, indicating that a sufficiently consolidated theoretical category to guide the systematic analysis of this phenomenon has yet to emerge. In this regard, the present study advances the debate by proposing a conceptually grounded definition of judicial public policy as an endogenous institutional public policy, formulated within the exercise of the administrative function of the Judiciary and directed toward the strategic design of structures, procedures, and practices intended to strengthen judicial governance.

The findings also reveal a thematic concentration around specific judicial policies, particularly the National Policy on Appropriate Dispute Resolution, established by CNJ Resolution No. 125/2010, and, more recently, initiatives promoting digital access to justice under the Justice 4.0 Program. These results indicate that the academic agenda has largely followed the Judiciary's contemporary institutional priorities, albeit in a relatively limited and predominantly descriptive manner.

Another important finding concerns the tension between normative centralization and institutional diversity. Although the coordinating role of the CNJ has contributed to the establishment of national standards for judicial governance, the reviewed studies highlight the need for greater sensitivity to the organizational, regional, and functional specificities of individual courts. This finding underscores the importance of judicial policies capable of combining strategic uniformity with adaptive flexibility.

This study has limitations that should be acknowledged. These include the exclusive use of the CAPES Journal Portal as the source database and the absence of consolidated descriptors for the topic, both of which may have limited the retrieval of potentially relevant studies. These limitations, however, do not compromise the validity of the findings; rather, they point to opportunities for future systematic reviews employing additional databases and more refined search strategies.

As a future research agenda, the findings support the development of comparative empirical studies across courts, geographic regions, and branches of the justice system, as well as investigations employing mixed-methods designs and evaluative indicators capable of assessing the effectiveness, quality, and social impact of implemented judicial policies. The development of more robust analytical typologies and evaluation frameworks is likewise needed to support evidence-based judicial policymaking.

In conclusion, judicial public policy constitutes an emerging and promising field of interdisciplinary research situated at the intersection of Law, Public Administration, and Public Policy. Furthermore, its theoretical and methodological consolidation is essential for advancing Brazilian judicial governance and strengthening institutions that are more effective, accessible, and committed to the realization of fundamental rights.

References

AKUTSU, L.; GUIMARÃES, T. de A. Governança judicial: proposta de modelo teórico-metodológico. **Revista de Administração Pública**, Rio de Janeiro, v. 49, n. 4, p. 937-958, jul./ago. 2015. DOI: <https://doi.org/10.1590/0034-7612116774>. Disponível em: <https://www.scielo.br/j/rap/a/rPJFNtFDfCkVNTVBpCK5zvL/?lang=pt>. Acesso em: 17. 01. 2023.

- BARROSO, L. R. Constituição, democracia e supremacia judicial: direito e política no Brasil contemporâneo. **Revista Pensar**, Fortaleza, v. 18, n. 3, p. 864-939, dez. 2013. DOI: <https://doi.org/10.5020/23172150.2012.866-941>. Disponível em: <https://ojs.unifor.br/rpen/article/view/2813>. Acesso em: 19 fev. 2026.
- BONIFÁCIO, A. C.; MIRANDA, G. M. de. A justiça política de Otto Kirchheimer. **REI - Revista Estudos Institucionais**, [s.l.], n. 10, v. 1, p. 166–189, 2022. DOI: <https://doi.org/10.21783/rei.v10i1.749>. Disponível em: <https://www.estudosinstitucionais.com/REI/article/view/749>. Acesso em: 17 jan. 2024.
- CACHAPUZ, M. C. M.; CARELLO, C. P. O Direito chinês e a mediação: como o Brasil chegará lá? **Revista de formas consensuais de solução de conflitos**, Florianópolis, v. 2, n. 1, p. 1-17, 2016. DOI: <https://doi.org/10.26668/IndexLawJournals/2525-9679/2016.v2i1.1131>. Disponível em: <https://indexlaw.org/index.php/revistasolucoesconflitos/article/view/1131>. Acesso em: 16 fev. 2024.
- CASTILLO-ORTIZ, P. **Judicial Governance and Democracy in Europe**. [s.l.]: SpringerBriefs in Law, 2023. *E-book*. Disponível em: <http://dx.doi.org/10.1007/978-3-031-20190-5>. Acesso em: 16 fev. 2024.
- CHAVES, L. A. **O arquipélago da Justiça**: o modelo do governo judicial no Brasil e o controle do estatuto da magistratura. São Paulo: Dialética, 2022.
- CRESPO, M. H. Diálogos entre os professores Frank Sander e Mariana Hernandez Crespo: explorando a evolução do Tribunal Multiportas. In: ALMEIDA, R. A. de; ALMEIDA, T.; CRESPO, M. H. (org.). **Tribunal Multiportas**: Investindo no capital social para maximizar o sistema de solução de conflitos no Brasil. Rio de Janeiro: Editora FGV, 2012.
- CRUZ, R. M. *et al.* A avaliação por pares em periódicos científicos. **Revista Psicologia Organizações e Trabalho**, Brasília, v. 22, n. 2, p. 1-4, jun.2022. DOI: <https://doi.org/10.5935/rpot/2022.2.editorial>. Disponível em: http://pepsic.bvsalud.org/scielo.php?script=sci_arttext&pid=S1984-66572022000200001&lng=pt&nrm=iso. Acesso em: 03 jul. 2024
- GALVÃO, M. C. B.; RICARTE, I. L. M. Revisão Sistemática da Literatura: Conceituação, Produção e Publicação. **Logeion: Filosofia da Informação**, Rio de Janeiro, v. 6, n. 1, p. 57–73, 2019. DOI: <https://doi.org/10.21728/logeion.2019v6n1.p57-73>. Disponível em: <https://revista.ibict.br/fiinf/article/view/4835>. Acesso em: 18 jan. 2024.
- GOMES, C. Administração da justiça. In: STARLING, H.; GUIMARÃES, J.; FILGUEIRAS, F.; BIGNOTTO, N.; AVRITZER, L. (org.). **Dimensões políticas da justiça**. Rio de Janeiro: Civilização Brasileira, 2013.
- GOUVEIA, A. J. da S.; SMITH, A. do S. P. de O. Acesso à justiça, justiça do trabalho e a implementação do juízo 100% digital na Amazônia paraense. **Revista Cidadania e Acesso à Justiça**, [s.l.], v. 9, n. 1, p. 36-53, 2023. Disponível em: <https://www.indexlaw.org/index.php/acessoajustica/article/view/9691/pdf>. Acesso em: 16 fev. 2024.
- GRANDO, F. O controle judicial das políticas públicas. **Revista Internacional Consinter de Direito**, Porto, v. 2, n. 1, p. 499-516, 2015. DOI: <https://doi.org/10.19135/revista.consinter.00001.24>. Disponível em: <https://revistaconsinter.com/index.php/ojs/article/view/397/775>. Acesso em: 20 dez. 2025.
- GUASTINI, R. La constitucionalización del ordenamiento jurídico: el caso italiano. In: CARBONELL, M. **Neoconstitucionalismo(s)**. Madrid: Editora Trotta, 2009.
- LINO, E. N. da S. **A tutela jurisdicional como garantia do Direito ao Desenvolvimento**. São Paulo: Letras Jurídicas, 2013.
- MENDES, A. G. de C.; MENDES, C. P. de C. O acesso à justiça (digital) na jurisdição contemporânea. **Revista Eletrônica de Direito Processual**, [s.l.], v. 24, n. 2, p. 1-16, 2023. DOI: <https://doi.org/10.12957/redp.2023.76132>. Disponível em: <https://www.e-publicacoes.uerj.br/redp/article/view/76132>. Acesso em: 16 fev. 2024.
- OLIVEIRA FILHO, S. D. de. Política judiciária nacional de tratamento adequado dos conflitos de interesses no âmbito do poder judiciário: entre os escopos e a realidade. **Revista Eletrônica de Direito Processual**,

[s.l.], v. 24, n. 1, p. 1-27, 2022. DOI: <https://doi.org/10.12957/redp.2023.66959>. Disponível em: <https://www.e-publicacoes.uerj.br/redp/article/view/66959>. Acesso em: 16 fev. 2024.

OLIVEIRA, L. G. L. Dez anos de CNJ: reflexões do envolvimento com a melhoria da eficiência do Judiciário brasileiro. **Revista do Serviço Público**, [s.l.], v. 68, n. 3, p. 631-656, 2017. DOI: <https://doi.org/10.21874/rsp.v68i3.1364>. Disponível em: <https://revista.enap.gov.br/index.php/RSP/article/view/1364>. Acesso em: 19 jan. 2024.

PAGE, M. J. *et al.* A declaração PRISMA 2020: diretriz atualizada para relatar revisões sistemáticas. **Epidemiologia e Serviços de Saúde**, Brasília, v. 31, n. 2, e2022107, 2022. Disponível em http://scielo.iec.gov.br/scielo.php?script=sci_arttext&pid=S1679-49742022000201700&Ing=pt&nrm=iso. Acesso em: 07 jun. 2024.

POMJÉ, C.; FLEISCHMANN, S. T. C. Critérios de legalidade constitucional para a função normativa do Conselho Nacional de Justiça: o exemplo do direito de família. **Pensar - Revista de Ciências Jurídicas**, [s.l.], v. 25, n. 2, p. 1-14, 2020. DOI: <http://dx.doi.org/10.5020/2317-2150.2020.10067>. Disponível em: <https://ojs.unifor.br/rpen/article/view/10067>. Acesso em: 30 dez. 2025.

PORTO, R. T. C.; DIEHL, R. C. Justiça Restaurativa uma proposta de atendimento multidisciplinar na política judiciária nacional de enfrentamento à violência contra mulheres. **Revista Jurídica**, [s.l.], v. 1, n. 68, p. 348-377, 2022. DOI: <http://dx.doi.org/10.26668/revistajur.2316-753X.v1i68.2756>. Disponível em: <https://revista.unicuritiba.edu.br/index.php/RevJur/article/view/2756>. Acesso em: 16 fev. 2024.

SEVERINO, A. J. **Metodologia do trabalho científico**. São Paulo: Cortez, 2007.

SILVA, J. A. da; FLORÊNCIO, P. de A. e L. Políticas judiciárias no Brasil: o judiciário como autor de políticas públicas. **Revista do Serviço Público**, [s.l.], v. 62, n. 2, p. 119-136, 2014. DOI: <https://doi.org/10.21874/rsp.v62i2.65>. Disponível em: <https://revista.enap.gov.br/index.php/RSP/article/view/65>. Acesso em: 19 jan. 2024.

VIANNA, L. W. A judicialização da política. In: STARLING, H.; GUIMARÃES, J.; FILGUEIRAS, F.; BIGNOTTO, N.; AVRITZER, L. (Org.). **Dimensões Políticas da Justiça**. Rio de Janeiro: Civilização Brasileira, 2013.