BAR Brazilian Administration Review

ANPAD

Research Article

Factors Associated with Innovation Capacity in Courts

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How to cite: Oliveira, L. F., & Guimaraes, T. A. (2024). Factors associated with innovation capacity in courts. *BAR-Brazilian Administration Review, 21*(3), e230061.

DOI: https://doi.org/10.1590/1807-7692bar2024230061

Keywords:
innovation capacity; courts; innovation in the judiciary; administration of justice; public administration

JEL Code:
H83, O31

ABSTRACT

Objective: the study analyzes the main factors associated with innovation capacity in courts. **Methods:** the research design involves a qualitative investigation based on in-depth interviews with 17 judges and 13 staff members of the Brazilian judiciary. Data analysis was conducted using content analysis. **Results:** the study corroborates previous research on innovation capacity in the public sector and demonstrates the prominence of certain factors in boosting this capacity, namely: leadership, team behavior, collaboration, organizational resources, knowledge management, and information technology. **Conclusions:** the findings show that having people who are skilled in innovation methods and techniques, with available time, engagement, and participation both as team members and in leadership positions, is important for the innovation capacity of courts. This should be aligned with the collaboration of key actors to promote innovation. Understanding the ideal alignment among the study's factors can assist in improving judicial services.

Received:
June 23, 2023.
This paper was with the authors for two revisions.

Accepted:
August 09, 2024.

Publication date:
September 13, 2024.

Funding:
The research had financial support from the National Council for Scientific and Technological Development (CNPq), process number 409937/2022-3.

Conflict of Interests:
The authors have stated that there is no conflict of interest.

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INTRODUCTION

Economic, social, and technological changes have altered court administration in different countries, driving actions to promote new ways to resolve disputes and provide higher quality judicial services. Although innovation has attracted growing interest from public managers, policymakers, and scholars, there are few studies addressing factors influencing innovation capacity in public sector organizations, especially those that explore how these factors interrelate and whether some predominate over others (De Vries et al., 2016; Gullmark & Clausen, 2023; Timeus & Gascó, 2018).

There are studies of the factors influencing innovation in courts and how it occurs (Castro & Guimarães, 2019; Castro & Guimarães, 2020), but there is still no consolidated knowledge on this topic. Studies in this field are extremely important, as the judiciary has a significant role in conflict resolution and the functioning of society. In addition, there is still a need for research related to the main objects, concepts, and paradigms in the field of justice administration (Guimarães et al., 2018).

Studies addressing innovation capacity in courts are important for understanding the conditions for innovation and the main aspects that can affect resources and organizational priorities related to judicial services. The objective of this article is to identify and describe the main factors associated with innovation capacity in courts. The importance of this research lies in its potential to contribute to an important social field, as well as to support improvements in public policies for judicial administration.

THEORETICAL FRAMEWORK

Innovation capacity and innovation are constructs strongly interconnected and can be analyzed according to the resource-based view (RBV) approach. From the perspective of the RBV, organizations are composed of a set of resources that represent valuable and strategic assets. These resources can ensure a sustainable competitive advantage, as the innovative use of a resource can trigger a lasting benefit for the organization's learning and growth, allowing it to advance to a better market position (Barney, 1991).

The dynamic capabilities approach complements the RBV, suggesting that the processes of sensing, adjusting, and transforming internal resources, in interaction with the external environment, can generate competitive advantage by re-configuring the organization and its environment (Teece et al., 1999). Dynamic capabilities pertain to how an organization coordinates its tasks and utilizes its tangible and intangible resources to achieve a specific positive outcome (Helfat & Peteraf, 2003).

Innovation capacity enables the organization to develop new services, products, or markets by aligning strategic guidelines with innovative processes (Wang & Ahmed, 2007). Innovation capacity can thus be understood as the integration of resources and the assimilation of new knowledge for the continuous transformation of ideas into new services, products, and processes for the benefit of the organization and its stakeholders (Lawson & Samson, 2001; Weber & Heidenreich, 2017).

Although a significant portion of the literature on innovation capacity focuses on private sector organizations (Mendoza-Silva, 2021), its premises can be applied to public sector organizations, particularly in understanding how these organizations change in response to their increasingly complex and multifaceted environments (Buchheim et al., 2020; Chen et al., 2020; Pablo et al., 2007; Piening, 2013). Innovation capacity in the public sector refers to the set of circumstances that sustain innovation, encompassing factors that allow it to occur or actively encourage it (Gullmark, 2021; Lewis et al., 2018).

Leadership is an important factor for innovation development and adoption processes. Different styles of leadership can promote innovation, through an emphasis on charisma, team motivation, and inspiration about visions of the future, or by focusing on strategic choices that modify routines of organizational behavior (Azamela et al., 2022; Lewis et al., 2018). It is the leader's responsibility to weigh the morality of different interests and values involved in the innovation process (Le & Nguyen, 2023), including risk identification, to choose the option that contributes most to the desired outcomes for society (Meijer, 2019; Palmi et al., 2021). Leadership must create an organizational environment conducive to innovation, encouraging its constant development (Gullmark, 2021; Lei et al., 2020; Nguyen et al., 2022).

In addition, activities related to managing the innovation process must be directed and coordinated. In managing the development and adoption of innovations, those in leadership positions must establish connections and representation across different interfaces in the various phases of innovation (Meijer, 2019; Nik Hashim et al., 2020). Leadership is responsible for the dissemination throughout the organization of innovations developed in certain organizational units, such as innovation labs (iLabs), contributing to their institutionalization (Timeus & Gascó, 2018).

Regarding leadership in courts, Gomes et al. (2016) highlight the significant role of judges as agents of judicial administration. Courts are highly institutionalized

organizations and can become resistant to change, because political and institutional subsystems can last for long periods (Castro & Guimarães, 2019). Indeed, given the various levels of institutionalization in judicial systems, some courts may advance more quickly than others, due to the environment and culture that influence them (Castro & Guimarães, 2020).

Team behavior is also fundamental to the promotion of innovations. Organizational commitment to change is important and can induce and maintain distinct behaviors oriented toward innovation (Alnuaimi & Khan, 2019; Callens & Verhoest, 2023). Empowering employees (Iliashenko et al., 2023), in an organizational environment characterized by encouragement to innovate, tolerance of failure, and recognition of effort, drives innovation (Clausen et al., 2020; Gullmark, 2021; Palmi et al., 2021).

Innovation-oriented teams possess the skills to generate new ideas, considering available resources, the structure of the organization, and collaboration with external actors (Callens & Verhoest, 2023; Torfing et al., 2019). Innovative teams are flexible in their organizational environment to allow for experimentation, which involves creating conditions for successful cases to secure the necessary resources for their success (Meijer, 2019; Sakalauskas et al., 2023). They also incorporate techniques to test the solution with their users (Nik Hashim et al., 2020; Torvinen & Haukipuro, 2018). Teams can be stimulated to have pro-innovation attitudes through constant training, encouragement of calculated risk-taking, learning from failure, and by hiring new employees who increase team heterogeneity, with participants from different profiles and fields of expertise (Timeus & Gascó, 2018; Torvinen & Jansson, 2022).

Another factor associated with innovation capacity is collaboration, understood as the sharing of knowledge and experiences, both within the team and externally. In internal relations, collaboration involves the development of innovations in teams composed of people from different organizational units and diverse professional expertise. It emphasizes the sharing of experiences and knowledge throughout the organization, using multiple digital tools, regular meetings, and central coordination of innovation processes (Gullmark, 2021). Externally, collaboration for innovation encompasses leveraging multiple sources of knowledge (Trivellato et al., 2021; Zyzak & Jacobsen, 2020). It involves professional organizations, suppliers, customers, users, and citizens (Clausen et al., 2020; Palmi et al., 2021). It also includes participation in local and national networks, and the systematic search for ideas from the external environment (Meričková & Muthová, 2021).

Collaboration contributes to the identification and consultation of end users for the development of products and solutions (Nik Hashim et al., 2020). In the development of informal social networks, collaboration enables the enhancement of trust relationships and social capital resulting from frequent interactions, repeated transactions, and the network density of a given community (Ma, 2017). Communication with diverse audiences is also important for innovation management (Magnusson et al., 2021). These aspects serve as an incentive for people to engage in innovation processes collaboratively (Meijer, 2019).

Courts have been seeking collaboration from citizens and voluntary, public, and private organizations, both local and national, aiming for innovations. Several innovation models have been applied to judicial services (Machado et al., 2018). Some judicial services — for example, Small Claims Courts proceedings — can be delivered without the intervention of lawyers (Gomes & Moura, 2018). The co-production of judicial services produces benefits (Rêgo et al., 2019; Teixeira et al., 2020). Models of participatory design can lead to significant innovations and deeper community engagement with the courts (Hagan, 2019).

Organizational resources are another prominent factor in the literature on innovation capacity, encompassing budget, flexible structure, and other material resources. Budget modifications can increase or decrease the financial resources available for innovation (Clausen et al., 2020; Lewis et al., 2018). Flat and flexible organizational structures allow for interactions conducive to team innovations (Gullmark, 2021; Lewis et al., 2018). The availability of means for generating new ideas, including the strategic use of human resources (Kim & Kim, 2022), along with the organization's structure, can affect innovation capacity (Pulkkinen et al., 2024; Timeus & Gascó, 2018). Investment in information technology (IT) can have a direct effect on court productivity (Gomes et al., 2018), as can investment in training (Sousa & Guimarães, 2018).

Knowledge management involves searching, organizing, and disseminating experiences, values, information, and knowledge, and can improve the process of innovation development and adoption. The development and maintenance of practices aimed at innovation, influenced by tacit and explicit knowledge, stand out (Boly et al., 2022). Associations among employees allow for the sharing of knowledge through practice and interaction (Kucharska & Erickson, 2023). Knowledge management is also important for the organization to acquire and use new information taken from existing documents, routines, processes, and management practices, as well as norms that shape the actions and

understanding of employees (Gullmark, 2021; Timeus & Gascó, 2018).

The accumulation of knowledge resulting from previous innovations is also important for innovation capacity (Favoreu et al., 2019; Meričková & Muthová, 2021). Knowledge sharing and engagement in inter-organizational learning are important for the development and adoption of innovations (Le & Lei, 2019; Trivellato et al., 2021). Studies focusing on courts have shown that knowledge management can increase the agility of the decision-making process (Paudel, 2020) and promote innovation (Mendonça et al., 2022).

Information technology can also affect innovation capacity by facilitating data and information analysis, as well as enabling the development of new platforms and digital communication channels. There is the potential for digitalization to increase performance and the exploitation of opportunities (Nik Hashim et al., 2020). Information technology allows organizations to access, store, and analyze big data, and create platforms on which new services can be generated and delivered (Timeus & Gascó, 2018).

Information technology presents a set of potentials and constraints for both the courts and the users of judicial services (Barysė, 2022), resulting in diverse outcomes depending on its multiple contexts (Magnusson et al., 2021). Studies focusing on the digitalization of judicial processes highlight its potential for increasing court efficiency (Hodson, 2019; Mahibha & Balasubramanian, 2020) and the quality of services provided (Arias & Maçada, 2021). Artificial intelligence has also advanced (Sousa et al., 2019), and can also be observed in the realm of justice (Barysė & Sarel, 2023; Oliveira et al., 2022). IT stands out in enabling alternative routes to access justice (Baldwin et al., 2020; Wallace & Laster, 2021).

The influence of the six factors described above — leadership, team behavior, collaboration, organizational resources, knowledge management, and information technology — on innovation in public organizations were described by Oliveira and Guimaraes (2023). The authors stated theoretical propositions and highlighted the interdependence between them in stimulating innovation capacity in courts. This research employs these factors, as shown in Table 1, using them as *a priori* analysis categories, with the aim of seeking evidence that contributes to a better understanding of the phenomena.

Table 1. Main factors associated with innovation capacity in courts.

Factors	Definition	Categories
Leadership	Technical and behavioral competencies of judges and court staff aimed at influencing an organizational culture focused on team commitment and motivation for innovation, agility in decision-making, systemic vision, consideration of stakeholder interests, commitment to good public ethics, and the coordination of actions and strategies that push innovation development and adoption.	(1) Influence on organizational culture (2) Team commitment and motivation toward innovation (3) Agile decision-making process (4) Systemic vision (5) Consideration of stakeholder interests (6) Commitment to good public ethics (7) Coordination of actions and strategies (sponsorship)
Team behavior	Set of individual and collective behaviors of judges and court staff relevant to the development and adoption of innovations, encompassing commitment to change, openness to bottom-up initiatives, flexibility of structure and work arrangements, risk management, employee empowerment, customer solution orientation, generation of new ideas, experimentation, and mobilization of pro-innovation attitudes.	(1) Commitment to change (2) Openness to bottom-up initiatives (3) Flexibility of structure and work arrangements (4) Risk management (5) Employee empowerment (6) Customer solution orientation (7) Generation of new ideas (8) Experimentation (9) Mobilization of pro-innovation attitudes
Collaboration	Sharing of formal and informal experiences and knowledge among judges and court staff, both internally and externally to the organization, encompassing the development of connections, participation in networks, the socio-cognitive process of meaning-making, increased trust, interdisciplinarity, and mobilization that support the development and adoption of innovations.	(1) Development of connections (2) Participation in networks (3) Socio-cognitive process of meaning-making (4) Increased trust (5) Interdisciplinarity (6) Mobilization (optimization)
Organizational resources	Financial, material, human, and technological resources necessary to support the development and adoption of innovations in courts.	(1) Financial (2) Material (3) Human (4) Technological
Knowledge management	Management of experiences, values, information, and knowledge (both tacit and explicit), encompassing the development and maintenance of organizational routines, processes, and practices, employee training, and the use of tools to acquire and utilize new ideas, information, and knowledge to support the development and adoption of innovations.	(1) Development and maintenance of organizational routines, processes, and practices (2) Employee training (3) Use of tools necessary for acquiring and utilizing new ideas, information, and knowledge
Information technology	Use of information and communication technologies in courts to support data-driven decision-making processes, including new platforms and communication channels for the development and adoption of innovations.	(1) Support for the decision-making process based on data and information (2) Introduction of new platforms and communication channels

Note. Developed by the authors based on Oliveira, L. F., & Guimaraes, T. A. (2023). Innovation capacity in courts: A theoretical framework and research agenda. *Business and Management Studies, 9*(2), 1-13. https://doi.org/10.11114/bms.v9i2.6251

METHOD

In this study, judges and judicial staff members involved with innovation in courts of justice across all Brazilian judicial branches were asked for their views on the innovation capacity in courts. The research methodology comprises an investigation based on 30 in-depth interviews, supported by a semi-structured schedule, embracing 17 judges and 13 judicial staff members. Interviews were conducted between November 2022 and January 2023. Participants were selected using a convenience sample and snowballing. The sample included members of the Judiciary Innovation Policy Management Committee of the National Justice Council (CNJ) and participants from innovation labs and judicial innovation centers distributed across Brazil's five regions: North, South, Northeast, Midwest, and Southeast. This group of respondents was chosen to align with the formal, institutional spaces that assign responsibilities to judges and staff, and monitor judicial innovation initiatives throughout Brazil.

The first interviewees, two members of the CNJ, identified judges and staff members recognized as innovators in different branches of the judiciary and covering Brazil's geographical regions. This is a process known as 'snowball sampling,' where each interviewee suggests new interviewees. This approach is justified by the fact that individuals with relevant profiles are distributed across a large geographical area throughout Brazil and are mostly linked to innovation committees and labs. This process made it possible to capture the most prominent individuals for the research.

Of the 30 interviewees, 17 (56.67%) are judges and 13 (43.33%) are judicial staff, with 15 (50%) being female and 15 (50%) male. All interviews were conducted using Microsoft Teams and recorded with the interviewees' permission. Eight interviewees (26.67%) are from the Midwest region, eight (26.67%) from the Southeast, seven (23.33%) from the Northeast, four (13.33%) from the South, and three (10%) from the North. Eleven interviewees (37.93%) are from the State Judiciary, seven (24.14%) from the Electoral Judiciary, six (20.69%) from the Federal Judiciary, and five (17.24%) from the Labor Judiciary. There were no participants from the Military Judiciary. The interviews lasted an average of 52 minutes, totaling 26 hours and five minutes of recording. The names of the interviewees are omitted and referred to as E1 to E30.

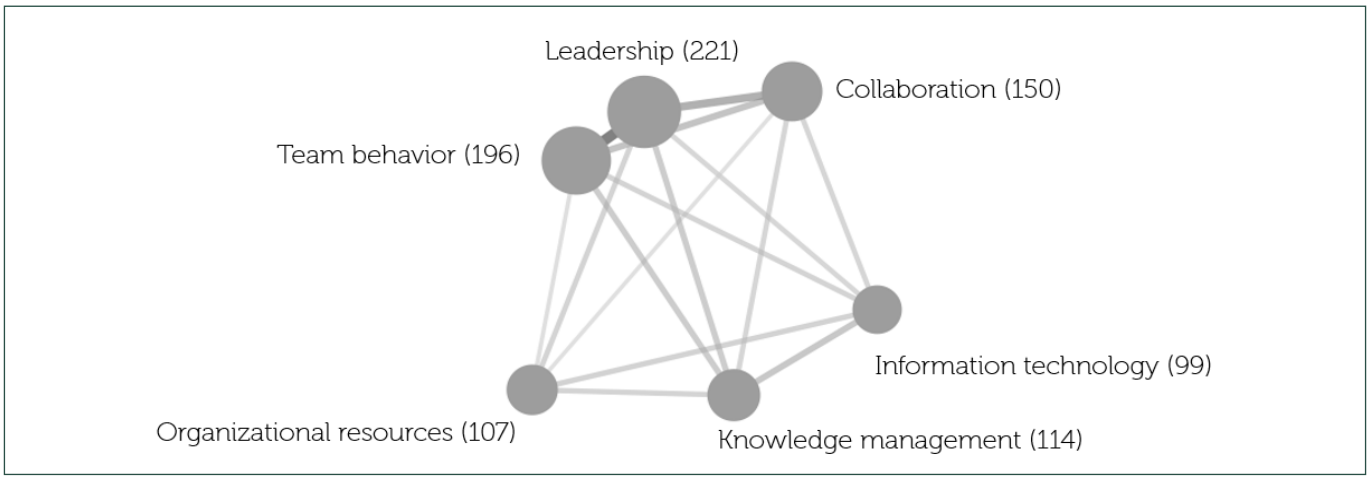
The number of interviewees was determined by theoretical saturation (Thiry-Cherques, 2009) together with inclusion criteria for their profiles to represent: (1) different judicial specialties; (2) judges and staff; (3) different genders; and (4) all Brazilian regions. Theoretical saturation was achieved at the 17th interview. Thirteen additional interviews were conducted, to ensure coverage of the other inclusion criteria, and theoretical saturation was confirmed. The combined use of theoretical saturation and 'snowball sampling,' together with the criteria for the profiles of the interviewees, provided adequate coverage of the study's subject. Prior to the interview, the interviewees agreed to the content of the Free and Informed Consent Form.

The semi-structured interview guide included questions about the development and adoption of innovations in the judiciary, covering: (1) the interviewee's experience in innovation work within the judiciary; (2) cases of innovations they had participated in, with descriptions of the main points of success and failure; (3) opinions on the role of leadership in creating an environment conducive to innovations; (4) team behaviors, both individual and collective; (5) forms of internal and external collaboration; (6) organizational resources; (7) management practices involving the transfer of knowledge between individuals, teams, and organizational units; (8) information technology; and (9) participation in innovation lab activities.

Data analysis was conducted using the content analysis technique as suggested by Bardin (2011), encompassing the stages of: (1) pre-analysis; (2) material exploration; and (3) treatment and interpretation of the obtained results. The completion of the first two stages resulted in 60 documents, 30 video recordings, and 30 transcripts, from which 887 quotations were highlighted, providing evidence of validity to the categories used in the research. Finally, the treatment and interpretation of the results gave meaning to the data through the synthesis and analysis of the material found. To assist with content analysis, the software Atlas.ti was used.

RESULTS AND DISCUSSION

Data analysis provides evidence regarding the following main factors associated with innovation capacity in courts: leadership, team behavior, collaboration, organizational resources, knowledge management, and information technology. These factors operate in an interdependent and recursive manner, as shown by Figure 1, which is a force-dimensioning graph. The leadership factor stands out as the most prominent (221 mentions), followed by team behavior (196 mentions) and collaboration (150 mentions), with a strong association among them. Slightly further away are the factors of organizational resources (107 mentions), knowledge management (114 mentions), and information technology (99 mentions), with interviewees describing statements connections among all six factors.



Source: Developed by the authors.

Figure 1. Force-dimensioning graph of the main factors associated with innovation capacity in courts.

Leadership

Leadership was identified as the most influential factor in innovation capacity in the judiciary, with particular emphasis on organizational culture; team commitment and motivation toward innovation; and the coordination of actions and strategies, as stated by 25, 23, and 21 out of the 30 interviewees, respectively.

Regarding organizational culture, there are divergent views, ranging from the perception of a kind of impermeable, traditional, and less innovative culture in the courts, while simultaneously groups are emerging to drive innovation. This contrast is evident in the words of a former court president (judge) (E28), who commented on the discontinuity of an innovation in which his court was a pioneer, and the resistance encountered among judges and staff: "The court was not prepared to receive [the innovation]. It is very difficult because it involves a change of culture. ... The judiciary is conservative. ... The culture in the court and in all courts is very averse to innovation." Another judge (E29) confirms the conservative nature of the judiciary by mentioning symbolic aspects present in the courts: "In the judiciary, pomp and circumstance, marble, robes, everything was made to distance, to make it more rigid, hard, and distant, so this cultural change may be the most difficult" (E29).

In contrast to these statements, other judges and staff members indicate that innovation initiatives and spaces such as intelligence centers and innovation labs are transforming the judiciary in various ways, advancing innovation in courts. These accounts underscore the importance of different types of leadership, including middle management and top administration, for the emergence of an innovation-oriented culture (Lei et al., 2020; Nguyen et al., 2022). Overall, the interviews support the literature on the importance of leadership in overcoming barriers and pushing innovation through influence on organizational behavior (Azamela et al., 2022; Lewis et al., 2018), suggesting that raising awareness among key actors in courts will have a significant impact on innovation capacity.

Occupants of top administrative positions in the courts, such as presidents, vice-presidents, and supervising judges, are seen by interviewees as influential in enabling or restricting an innovative environment. This finding aligns with Gullmark's (2021) assertion that leadership is responsible for facilitating an organizational environment conducive to innovation. Testimonies from two interviewees highlight this situation. Interviewee E25 reports: "The president is present at events. ... He speaks during workshops, talks with the staff, and genuinely supports the implementation of solutions. This has given validation to the movement, allowing innovation to happen." Interviewee E19 states: "This happened at the launch event [of the innovation lab] and in other projects. ... The ones speaking are the president, vice-president, and supervising judge. ... They have truly taken on this challenge themselves. ... Thus, you can raise awareness."

Regarding team commitment and motivation to innovate, the interviewees highlight aspects involving the consideration of different team perspectives and the values involved in the innovation process. They emphasize the importance of the manager having a position that allows for evaluating situations from a comprehensive and ethical perspective, helping teams to innovate with the least possible risk, in line with aspects found in the literature (Le & Nguyen, 2023; Meijer, 2019; Palmi et al., 2021).

Other strategies identified among leaders included assessing team members' commitment during recruitment and leading by example. These strategies can help overcome inherent difficulties in the public sector, particularly offering incentives to improve the imple-

mentation of innovations. These characteristics found in the testimonies reinforce the role of leadership in defining public value options through the evaluation of the organizational context (Meijer, 2019; Palmi et al., 2021).

Some interviewees highlight the need for support from top managers to coordinate actions and strategies, while other testimonies emphasize aspects such as planning, workflow, priority setting, budget allocation, political representation, and the standardization of institutional policies. These findings are consistent with the fundamental role of leadership in sustaining innovations (Nik Hashim et al., 2020; Timeus & Gascó, 2018).

Team behavior

According to the interviewees, team behavior is central in its ability to influence the capacity for innovation in the courts. The most prominent topics were commitment to change, bottom-up initiatives, and a focus on addressing citizen demands, mentioned by 21, 20, and 19 interviewees, respectively. In addition, the generation of new ideas and experimentation were noted, with 17 mentions each.

Several behaviors are related to the team's commitment to change. Interviewees highlight behaviors that seem to have a more individual origin, such as restlessness, engagement, resilience, and courage. Interviewee E01 comments: "The people I have met who have this more innovative profile are restless, they do not settle for what they are experiencing ... They know they can do better." According to interviewee E02: "These are the main [characteristics]: resilience and courage."

The organizational commitment to change, as advocated by Alnuaimi and Khan (2019) and Callens and Verhoest (2023), was evident in the interviews, particularly in shaping an organizational context conducive to engagement and reducing resistance to innovation in courts. Interviewees' testimonies highlight this situation: "It's no use for the president to order something to be done or say they are providing support without committed and engaged staff" (E11); "We need to experience an initial moment of engagement. ... A cultural change is necessary to allow innovation to reach the institution in an environment of psychological safety" (E13); "There is a certain resistance in the judiciary's reality to adopting tools and mindsets associated with management and a more modernized view of the judicial function" (E05).

Bottom-up initiatives were cited in the interviews as being of great importance, which is consistent with Iliashenko et al. (2023), who highlighted the empowerment of employees for advancing innovation capacity. Significant examples of innovations that emerged from the grassroots and later became judicial policies, such as the creation of intelligence centers and innovation labs in courts, confirm the literature on the importance of having spaces for action with minimal hierarchy, but with support from superiors (Clausen et al., 2020; Gullmark, 2021; Palmi et al., 2021). Some points highlighted by interviewees, judges who participated in the creation of the intelligence centers, demonstrate this: "It was grassroots-initiated work. It started and continued from the inspiration of some by others. ... There was a group of judges and staff who simply maintained this work. They held meetings, produced technical notes, and worked on persuasion" (E12); and "about two years later we managed to convince them. ... The intelligence centers became a national public policy and are now present in every court" (E13).

The focus on solving citizen problems was highlighted in the interviews and focusing on the people involved in the judicial process. On this aspect, interviewee E13 comments that there is "a very strong power of purpose re-signification [in courts]." Secondly, it arises from the use of active methodologies, particularly design thinking. The empathy phase, where the focus is on putting oneself in another's shoes and trying to see the world from the other person's perspective, supports the literature (Nik Hashim et al., 2020; Torvinen & Haukipuro, 2018). Interviewee E11 emphasizes that the main point is "the focus on the citizen user ... who receives the service delivered by the judiciary."

Regarding the idea generation and experimentation, innovation labs have contributed to the maturity of the imaginative and prototyping phases of innovation, in line with flexibility highlighted by Timeus and Gascó (2018) and Meijer (2019). Innovation labs are creative spaces for teams. The following testimonies confirm this finding. "[The innovation lab] provides comfort and tranquility; it is a safe space for people to bring their problems and ideas. ... The staff or judge may have an idea or a problem but often don't know where to direct it, ... or who to involve. This structure greatly helps to catalyze this innovation process" (E25). "It is a physical or virtual space, supported by methodologies, created by people. ... It is a space where we can experiment, engage in trial and error. The lab must also have this vision, bringing together innovation facilitators with a multidisciplinary perspective on the problem. ... It participates in idea generation, problem prospecting, and the incubation of pilot projects" (E11).

Collaboration

Collaboration ranked third in terms of centrality when assessing the strength of factors associated with inno-

vation capacity in courts. Its main topics address optimization for sustaining innovations, the development of connections, and interdisciplinarity, as indicated by 23, 21, and 20 interviewees, respectively.

Optimization involves using collaboration to maximize the work of individuals and the use of resources distributed across different units. As noted by interviewee E03: "Internal collaboration helps solve [problems] within the [court's] culture." One example of this was the development time required by two teams, one starting from scratch and the other leveraging previous work through collaboration. This collaboration among different units, through the sharing of experiences and knowledge aimed at better management of organizational resources, was highlighted by several interviewees, supporting the studies of Clausen et al. (2020) and Gullmark (2021).

The development of connections has a role in leveraging lessons learned to better utilize resources. Participation in informal networks and diverse groups was also noted by the interviewees, aligning with the works of Ma (2017) and Magnusson et al. (2021). In the words of interviewee E01: "This network is fundamental for innovation to happen, for us to see mistakes and not repeat them, for us to see models and adapt what suits our reality." Other testimonies suggest collaboration as a bridge to access collective knowledge, as suggested by Palmi et al. (2021) and Meričková and Muthová (2021). As interviewee E01 recalls, the judiciary is composed of "different areas, different regions, and collaboration is not only internal among its members but also with people from the executive branches, other areas, and other bodies."

Accounts from the interviewees reveal opportunities for collaboration among different organizations within the justice system, with measures and initiatives aimed at optimizing the judicial and administrative activities of the courts. This collaboration is sometimes voluntary and depends on the actions of other actors. As interviewee E05, a judge, states: "I worked with prosecutors and public defenders who were extremely collaborative, but I also worked with people who hindered the process." Interviewee E06, a staff member, comments that the justice system is changing significantly: "I see a shift toward first looking outward. ... I believe that collaboration is likely to increase, partly due to the innovation labs." These findings align with the literature, as highlighted by Gullmark (2021), indicating that teams composed of collaborators from different operational units and with diverse professional expertise potentially have superior execution capabilities. Furthermore, collaboration enables the utilization of multiple sources of knowledge for innovation (Trivellato et al., 2021; Zyzak & Jacobsen, 2020).

From the perspective of interdisciplinarity, it is emphasized that a judge's education in the field of law should be complemented with insights from other areas. As interviewee E22, a judge, mentions: "You need an IT professional, you need certain thinkers more focused on other knowledge fields beyond the law." Testimonies confirmed that innovation capacity requires interdisciplinary action, highlighting the importance of simplifying language so that law jargon does not hinder the understanding of participants from different backgrounds in initiatives.

Once again, intelligence centers and innovation labs stood out for facilitating the development of connections and interdisciplinarity. These spaces enable the identification of and consultation with end users to develop new products, processes, and services, in collaboration, as recommended by Nik Hashim et al. (2020). Interviewee E12, a judge, comments that the intelligence center is a center of collective intelligence, emphasizing the space's role as a foundation for cooperation and dialogue among various levels of the judiciary: "It is the work of conflict resolution, of trying to prevent and manage precedents through collective intelligence, which is much greater than individual intelligence. ... It is the work of cooperation among judges, among courts, and across various levels."

The lack of hierarchy in intelligence centers and innovation labs was also emphasized as improving discussions involving first-instance judges, higher court judges, and staff. These spaces are catalysts for innovation. Interviewee E13, a judge, states that the intelligence centers help in understanding the relevance and role of everyone within the judiciary, noting that "When innovating, there can be no hierarchy in the debate of ideas." Interviewee E04 states that "the lab can be this environment where different cultures connect," and Interviewee E19 comments that the cross-functionality of the innovation lab in her court is one of the key factors for its efficient operation.

Organizational resources

The main topics highlighted in this factor relate to human, technological, and financial resources, as indicated by 28, 18, and 16 interviewees, respectively. Organizational resources form a lower group in Figure 1, along with knowledge management and information technology, and they are less central than leadership, team behavior, and collaboration.

The findings highlight the importance of managing human resources, so that individuals are skilled in methods, techniques, and tools for innovation, with

available time to dedicate to innovation activities. Respondents' observations align with the research of Kim and Kim (2022) on the strategic use of human resources in innovation capacity. As interviewee E01 comments: "The greatest resource we need is people. So, [people] need to be better qualified and trained." Interviewee E02 concurs: "Human resources are one of the main, if not the most important, because it is people who think, collaborate, and propose." In innovation lab activities, human resources are also seen as crucial: "You can't make an [innovation] lab work without people. The most important thing is talent. The team who collaborates with the lab." (E18).

The testimonies indicate that many innovation projects in courts occur with the voluntary participation of judges and staff. This situation is paradoxical, as human resources are seen as central to innovation activities and require specific training, yet their utilization is sometimes limited. Interviewee E06 reinforces this point: "Sometimes the court wants innovation to happen, but the person is there working as a volunteer. ... First, they will handle their day-to-day activities, and then, if there is time left, they will work on innovation" (E06).

The time component, in terms of availability for conducting innovation-related activities, was highlighted by interviewees as crucial for achieving positive results, alongside human resources. These findings align with the literature (Gullmark, 2021; Lewis et al., 2018). Since the judiciary primarily deals with intellectual activities, time is viewed as a resource that can ensure quality. As interviewee E11 suggests, it is about "having more people with more available time" (E11).

Interviewee E21, a judge, speaks about the pressure of demands on judges: "[Judicial processes] come in all the time, and you have a deadline to meet. There is a backlog, a delay. Every judge has this backlog; he can't process today the case that came in yesterday" (E21). Moreover, more mature innovation projects require human resources more intensively, and thus the lack of personnel becomes an obstacle. Interviewee E25 describes her situation: "Teams are overwhelmed ... and end up not being able to contribute much [to innovation]. If they had more time available to participate, more mature solutions would emerge."

Regarding technological resources, the interviewees emphasized that most court activities are digitized, and thus technology underpins the very execution of the work. In addition, the COVID-19 pandemic altered work processes, strengthening initiatives for the virtualization of court work. The dynamics of innovation labs were also modified, with virtualization affecting design processes because of the use of virtual collaboration tools. New technologies involving data analysis and automation, big data, and artificial intelligence are prominently featured in attempts to improve work processes and judicial services. These findings reinforce previous studies on IT investments in courts (Gomes et al., 2018).

From the perspective of organizational resources, information technology requires technological infrastructure for its proper functioning. Interviewees add that technological resources have been increasingly deployed in the core areas of the judiciary. As highlighted by interviewee E20, a judge, "a good IT structure is a requisite for us to adequately provide jurisdiction." However, the use of technological resources must consider the particularities of certain judicial units, requiring both bottom-up and top-down interactions to bring about innovations in teams, as advocated by Lewis et al. (2018). There is evidence that such interaction sometimes does not occur, as noted by interviewee E15, a judge: "The technology department ... develops something based on what they were told would be interesting, but perhaps the people who provided that information did not have a comprehensive understanding of judicial services."

The interviewees also highlight the influence of financial resources in the innovation process, indicating that while these resources do not ensure innovation, their absence can restrict it. As interviewee E22 notes, "There's no point in having people with excellent ideas in terms of innovation if, at the same time, there are no economic and financial conditions for investment." However, the analysis of the interview responses also suggests that the role of finance is often secondary. Testimonies in this regard include: "Financial resources are not always necessary" (E11); "The issue of financial resources ... has not been the main obstacle at this moment" (E16); and "Financial resources are not the main factor" (E04).

At the same time, the lack of financial resources was also identified as a motivator for innovation. As interviewee E09 comments, "Innovation occurs in difficulty, in budgetary constraints." Legal restrictions related to the implementation of a new fiscal regime in Brazil were cited as a driving force for innovations in the courts. Interviewees also discuss the consequences of mandatory spending cuts and the pursuit of innovation. Judges E27 and E28 comment on fiscal constraints: "There was a significant spending restraint ... a change in the way contracts are managed as well" (E27); "We have budget difficulties. We won't be replenishing our staff anytime soon ... So now it's innovate or die" (E28). In summary, the findings from the interviews corroborate the literature that the increase or reduction of financial resources can, on one hand, inhibit innovations

and, on the other, foster their development and adoption (Clausen et al., 2020; Lewis et al., 2018).

Knowledge management

Knowledge management is also in the group of factors at the bottom of Figure 1. It mainly relates to employee training, development and maintenance of organizational routines, processes, and practices, and the use of tools for acquiring and utilizing new ideas, information, and knowledge, as indicated by 27, 21, and 20 of the interviewees, respectively.

The interviewees emphasize that employee training, involving sharing knowledge and experiences about the implementation of innovations, can be beneficial before, during, and after new initiatives. As noted by Favoreu et al. (2019), there is a process of organizational learning that, even with the exchange of persons, maintains the capacity for innovation. Interviewee E03 confirms this perspective by commenting on training in innovation methodologies: "We see that there is a whole methodology behind it; you don't innovate just for the sake of innovating. ... You must innovate with a concrete objective, expecting that innovation will address that problem." The interviews show the importance of having knowledge formalized in documents and norms. As interviewee E06 emphasizes: "You learn a lot from mistakes and successes. Knowledge management is entirely linked to innovation."

The development and maintenance of organizational routines, processes, and practices, and the exchange of experiences, often occur in an unstructured manner, as the interviewees indicate, but in contrast with the theory put forward by Timeus and Gascó (2018). Interviewee E05, a judge, highlights this issue by describing how she learned certain work practices from colleagues: "It was not institutionalized at all ... Many things could be mapped and conveyed more easily." Another judge notes, "Often [the judge] is not trained, not equipped, and lacks the skills to handle these innovation techniques" (E10).

Lastly, the use of tools necessary for acquiring and utilizing new ideas, information, and knowledge permeates work processes, and informs both problematization and the path taken in the search for solutions. This may include the documentation of the process, and actions derived from the entire process. Gullmark (2021) highlights the use of tools that, alongside the execution of routine tasks, allow for the recording, storing, and retrieving of information to support the development of innovation. Interviewees suggest the use of sharing tools and the dissemination of these tools and spaces for information retrieval. They also mention the mapping of workflows, as well as their redesign and broad availability within the court.

The use of checklists and task management tools emerged as relevant for knowledge management in the management of court activities. As reported by interviewees: "Information sharing tools and encouraging their use ... would be important for developing innovation" (E08); "The understanding was that to innovate, one must know. ... [We conducted] the mapping of workflows already incorporating innovation values" (E30); "Process management [is carried out using] checklists, with flow reviews ... these innovations are constant" (E26). These actions, which involve the management of both tacit and explicit knowledge through practice and interaction, align with studies found in the literature review (Boly et al., 2022; Le & Lei, 2019; Kucharska & Erickson, 2023; Trivellato et al., 2021).

Information technology

Information technology completes the set of factors associated with innovation capacity in courts, in the lower group in Figure 1. The related topics are the advent of new platforms and communication channels, as well as supporting the decision-making process based on data and information, as mentioned by 26 and 21 of the interviewees, respectively.

The omnipresence of information technology in court activities was reinforced as an irreversible path. Indeed, the judicial service is based on actions that are operationalized through a digital process. In this context, improvements in IT can directly impact the judiciary's main service. Several themes emerged, such as the use of platforms that facilitate communication and collaboration among teams, as well as applications of business intelligence (BI) and artificial intelligence (AI). The interviewees emphasize that innovation capacity will depend on the intensity of use and the way courts utilize IT to solve their specific problems, aligning with the assertions of Timeus and Gascó (2018).

With the advent of new platforms and communication channels, some IT solutions support collaboration while others foster discussion, allowing for greater flexibility and speed in communication, both internal and external to the court. Interviewees report that the use of applications like WhatsApp and Telegram enabled quick communication on emerging topics, such as best practices, or predatory and mass demands, as well as communication with the public. As interviewee E25 describes: "Several service centers were created ... so that parties could be attended to via WhatsApp ... then through video, they just narrate and then immediately file."

The pandemic amplified the judiciary's digitization efforts, transforming numerous work processes in the justice services. Initially, the goal was to adapt to the restrictive measures imposed on society by the pandemic. Subsequently, some of the solutions developed opened possibilities for improvements in service delivery and judicial services. These developments are evident in interviewee statements: "The judiciary turned the key [after the pandemic]. The process was already electronic, but hearings and trial sessions were in-person" (E09); "During the pandemic ... we dealt with hearings, addressing procedural issues of notification, and how to meet procedural needs and requirements in a digital context" (E30); "During the pandemic, we practically digitized the court ... This has enabled us today ... to truly consider innovation" (E20).

There are also criticisms of platforms used in courts, such as the Electronic Judicial Process. Some criticisms are directed at the lack of integration between databases of different instances and specialties of the judiciary, which hinders the implementation of new technological solutions and innovations. In addition, the importance of having an open channel or a committee was highlighted, allowing judges and staff, especially from first instance courts, to make contributions that enable the court to improve its management.

It is important to understand that although there has been a digital transformation of the judiciary, the advances have not met the initial expectations. The interviews show that the implementation of the Electronic Judicial Process reduced processing times, and judicial cases reached the judge's office more quickly. However, the time saved in the processing of cases often did not result in faster decisions, as it revealed other bottlenecks in the workflow, particularly in core activities such as the drafting of orders and judgments.

This situation leads to a modification in the work system, with a search for tools that directly assist the activities of staff and judges in their core areas. Support for the decision-making process based on data and information is seen as helpful for innovations that enhance court performance. The findings corroborate the suggestions of Nik Hashim et al. (2020) regarding the use of IT to capitalize on opportunities arising from digitalization.

The interviewees' statements reveal a phased approach to data management, initially focusing on data collection to better understand judicial and management workflows, with the potential for automating manual tasks. Business intelligence (BI) initiatives were stated, aimed at monitoring complex situations through graphs and visuals, thereby aiding decision-making. For example, interviewee E26, a judge, discusses the possibility of integrating BI with the Electronic Judicial Process, so that the judge's work is facilitated by information that includes not only pending cases, but also new email communications, numbers of hearings to be held, and other useful information.

Business intelligence can also function as an auxiliary tool for data analysis. BI applications emerge as important instruments that contribute to decision-making. The expansion of BI results from increased maturity in data management. As explained by interviewee E30: "When I left the court administration, we had more than 50 BI reports. We no longer had data issues like we did at the beginning" (E30).

Finally, AI applications have gained prominence especially in the 21st century. There are initiatives by the Brazilian judiciary on this subject. Interviewee E23 explains the Codex, which represents an effort to implement a data extractor in courts that transforms case documents "into text format, which effectively serves as data for AI models." The interviewee mentions that more than two million cases have already been extracted from courts of various sizes, alongside a platform called Sinapses, "to effectively host AI models for use by any system in any court with the judiciary's digital platform."

The interviewees describe some potential benefits and cautions regarding the use of AI. The possibility of decisions being 100% derived from artificial intelligence is seen as feasible, depending on the branch of justice. At the same time, it is necessary to emphasize the concern that AI should be auditable and free from biases that could compromise its algorithms and replicate discriminatory behaviors, which would undermine the functioning of justice. The importance of respecting fundamental rights and legal security was emphasized. Finally, given the current state of AI development and its prospects, its use in the judiciary appears to be paradigmatic in terms of transforming the handling of routine and repetitive tasks and aiding decision-making, including judicial decisions. As interviewee E23, a judge, reports: "Some activities that we would ordinarily consider as intelligence analysis and decision-making will receive formidable support from various AI models."

It is evident that some of the major issues affecting the judiciary will not be resolved solely with the help of IT or new technologies like AI. As interviewee E23, a judge, states: "To look at the global scenario of the Brazilian legal system in perspective ... The fact is that the main problems faced by clerks, judges, and especially the parties and their representatives or lawyers are not problems that can be solved by information technology." These are issues that require legal modifications and institutional changes, and are very complex.

Table 2 was developed to show the co-occurrence of codes among the main factors associated with the capacity for innovation in the judiciary. The table presents a compilation of the data collected on the key factors associated with innovation capacity in courts. Leadership, team behavior, collaboration, organizational resources, knowledge management, and information technology operate in an interdependent manner.

Table 2. Co-occurrence of codes among the main factors associated with innovation capacity in courts.

Factor	Leadership Gr = 221	Team Behavior Gr = 196	Collaboration Gr = 150	Organizational Resources Gr = 107	Knowledge Management Gr = 114	Information Technology Gr = 99
Leadership Gr = 221	-	75	43	19	24	17
Team Behavior Gr = 196	75	-	30	12	24	19
Collaboration Gr = 150	43	30	-	11	18	18
Organizational Resources Gr = 107	19	12	11	-	19	20
Knowledge Management Gr = 114	24	24	18	19	-	27
Information Technology Gr = 99	17	19	18	20	27	-

Note. Developed by the authors.

CONCLUSIONS AND RECOMMENDATIONS

By analyzing the main factors associated with the innovation capacity of courts, this research provides evidence of the prominence of certain factors in enabling innovation in courts, as well as the interdependence among them. These findings can be used both as a diagnostic tool and as a guide for the actions of courts, potentially contributing to the improvement of judicial management and the delivery of judicial services. The findings also contribute to theory, by providing empirical evidence on what influences innovation capacity in courts. Understanding that some factors have greater prominence than others represent a significant contribution of this work, allowing judicial policies aimed at innovation to be directed toward these main factors, given their greater potential to benefit the court and the citizens seeking judicial services.

The interviewees emphasized the role of leadership, which, together with team behavior, constitutes the two most central factors in the analysis of innovation capacity in courts. Collaboration emerges as a third highly representative factor, adding elements to the initial two factors, highlighting the importance of both internal and external cooperation in courts for innovation. Organizational resources are shown to be necessary for enabling innovation, while knowledge management and information technology provide a data-driven perspective on innovation capacity.

The findings show the complexity of innovation capacity in courts. They demonstrate the need for balancing individuals skilled in innovation methods and techniques with availability and engagement. Both judges and staff members should participate as team members and as leaders. In addition, organizational resources are required to enable innovation, alongside collaboration for the development and adoption of innovations. This means creating horizontal spaces where judges and staff can discuss judicial issues from complementary perspectives, encompassing the different roles these professionals play. From a managerial perspective, the study reveals that it may be beneficial for courts to prioritize actions that strengthen workforce leadership and team behavior, fostering a critical mass that is skilled and has the available time to dedicate to innovation.

It is also important to highlight the influence of the Brazilian National Council of Justice (CNJ) in various innovation-oriented initiatives, which facilitate the rise of this theme in the courts. This council has implemented national policies focused on innovation management, the sharing of best practices, and collaboration among courts. The CNJ also sets goals to encourage innovation and promote digital transformation. From an information technology perspective, national programs include initiatives for the virtualization of judicial services and the integration of databases, as well as standardizing data and statistical information across different courts, enabling new data analyses using artificial intelligence.

This study does have limitations. The first is that the results reflect the viewpoints of 30 respondents who, although representing different branches of the judiciary and regions of Brazil, do not necessarily indicate

what occurs in all courts. The second limitation is that the identified factors are internal to the courts, reflecting the research strategy, which did not address external factors, such as the strength of the institutional environment and the social, economic, and technological changes occurring in the country and worldwide.

In future work, it is recommended to deepen the findings of this research from a quantitative perspective, developing a scale of innovation capacity in courts to be applied to groups of respondents. There should also be further efforts to validate the factors found in this research and identify new factors. This approach will enable the use of quantitative data analysis, providing a diagnostic tool that can potentially contribute to the improvement of judicial administration and the delivery of court services. It is also suggested that research should identify how certain external factors, such as institutional, technological, social, and economic factors, influence the innovation capacity of courts.

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