

Public management and innovation: the implementation of Restorative Justice in the family court of Francisco Beltrão/Paraná/Brazil

Rafaela de Paula Guancin^a, Ester Eliane Jeunon^b, and José Edson Lara^c

^a Fundação Pedro Leopoldo, Brazil, rafaelaguancino@fpl.edu.br

^b Fundação Pedro Leopoldo, Brazil, esterjeunon@gmail.com

^c Fundação Pedro Leopoldo, Brazil, jedson.lara@hortmail.com¹

ABSTRACT

This article is based on the need to promote a debate on the relevance of adopting innovative tools by the judicial system, since research in this field is scarce. Furthermore, it is essential to disseminate the restorative model as an effective instrument for conflict resolution. The objective is to analyze how Restorative Justice is configured as an innovation in the Family Court of Francisco Beltrão – PR - Brazil. Specifically, the aim is to analyze the context of the need for the judiciary to adopt innovative practices; identify the reasons that led to the use of Restorative Justice by the Family and Probate Court and describe the results obtained with the use of the restorative model by the Family and Probate Court from the perspective of judges, judicial technicians, judicial interns and litigants. A descriptive qualitative research was conducted, using the case study method. Three civil servants and two interns from the Family and Succession Court of Francisco Beltrão - PR, and from the municipal CEJUSC were interviewed. As main results, it was observed that the adoption of Restorative Justice can be seen as a form of incremental innovation in the Brazilian judicial system. This interpretation is due to the fact that Restorative Justice does not completely replace the existing judicial system, but complements it. It offers alternatives that potentially lead to a more satisfactory and effective conflict resolution, through dialogue and consensus between the parties, without causing a significant disruption in the fundamental structure of the judiciary. The contextualization of innovation in general, in the public sector and specifically in the judiciary, was relevant to understanding the environment in which Restorative Justice is being implemented. This helped to understand how it can be seen as an innovative approach in terms of results and social impact. This work highlighted the need for the Family Court of Francisco Beltrão to encourage participation in parenting workshops through an awareness campaign targeted at lawyers, highlighting the benefits of these meetings for resolving family conflicts. The increase in the number of agreements reached through these workshops should also be communicated to the community in general. In addition, promoting alternative methods of conflict resolution among

¹ Corresponding author email address: jedson.lara@hortmail.com We, authors of the current research paper, certify that the paper is an outcome of our independent and original work. We have duly acknowledged all the sources from which the ideas and extracts have been taken and we are responsible for any errors that may be discovered.

law students could strengthen the implementation of these practices in the long term.

Keywords: Innovation. Restorative Justice. Family Court. Parenting Workshops.

INTRODUCTION

Although the public sector is traditionally perceived as less agile and adaptable in relation to innovation when compared to the private sector, there has been a global growth in the recognition of the importance of innovation to improve the efficiency, transparency and quality of public services.

In this context, the Judiciary, as an essential part of the state apparatus, has a fundamental role in protecting rights and promoting social justice. However, several deficiencies have been pointed out in the execution of services by jurisdictional bodies, such as slowness in the provision of jurisdiction.

It is in this scenario that this study arises, with the general objective of analyzing how Restorative Justice, adopted in the Family Court of Francisco is configured as an innovation in conflict resolution. This is a city located in the state of Paraná, Brazil, located in the southern region of the country, with a population of approximately 96,666 citizens, according to the last census carried out in 2022.

An in-depth evaluation of the results obtained with the implementation of these dynamics had not yet been carried out and this lack of systematization of the benefits of using restorative tools, as well as the need to disseminate these results to society, motivated the preparation of this work. In a world that is constantly evolving, understanding innovation processes and the ability to reinvent oneself have become essential tools for any individual or professional entity. Regardless of the area of activity, having an innovative vision can help adapt to a constantly changing business environment, allowing professionals and organizations to remain competitive and relevant.

In this sense, the Judiciary, as an essential part of the state apparatus, has a fundamental role in protecting rights and promoting social justice. However, despite its significant performance over the last few decades, acting in a conservative manner, several deficiencies have been pointed out in the execution of services by jurisdictional bodies. One example is the slowness in the provision of jurisdiction, being the main and most latent complaint. In this context, it is important to highlight the importance of rethinking and modernizing the processes and procedures adopted by the judiciary, making it necessary to invest in technology and training of professionals, in addition to promoting greater integration and cooperation between the various bodies and instances of the judicial system.

The research sought to answer the following question: In what way is Restorative Justice configured as an innovation in the Family Court of Francisco Beltrão, in Paraná?

The article is structured in five parts: introduction, theoretical framework, methodology, analysis of results, and final considerations, followed by research references.

THEORETICAL FRAMEWORK

This chapter addresses the theoretical foundations necessary for the development of this work: innovation in the judiciary, Restorative Justice, and implementation of restorative practices in the Family and Succession Court of the city.

Innovation in the Judiciary

The history of the judiciary is marked by a continuous trajectory of development and adaptation to social, political, and technological transformations over time.

In the early days of civilization, conflict resolution was carried out in a rudimentary manner, often through arbitrary decisions by rulers. With the establishment of the Rule of Law, the independence of the judiciary became a fundamental principle, aiming to guarantee impartiality and justice in judicial decisions.

Thus, the history of the judiciary witnesses the transition from elementary judicial systems to more complex and institutionalized structures. In this segment, it is clear that the judiciary has represented a fundamental pillar in the structure of the State, charged with the crucial task of administering justice and resolving conflicts. However, as society has become more dynamic and interconnected, the judicial system has faced a dilemma: the growing number of lawsuits in contrast to its processing capacity. The slowness of the proceedings, which arises from this impasse, has deleterious effects that are felt both individually and collectively, and has been identified as the most serious problem that the Judiciary faces today in Brazil and in many other countries (Stumpf, 2008). Individuals and companies seeking to resolve disputes often wait for long periods of time for the outcome of a case, harming their financial and emotional prospects. According to a survey conducted and published by the National Council of Justice - CNJ, in 2023, collecting responses from citizens with completed cases, 65.1% assessed that the processing time exceeded their expectations.

According to many scholars, the slowness of the judiciary is the most urgent issue to be addressed by the Brazilian judicial system. Duarte (2016) explains that people identify the Brazilian justice system as an instrument with many flaws; in particular, they see it as slow, expensive and exposed to external interference. Among the most common complaints that arise, both in the literature and in the media, the most recurrent concerns the time it takes for the courts to reach decisions. However, reforms are necessary and some changes are already underway, altering the profile of an institution that has always been conservative and resistant to change.

Silva (2013) states that the traditional model offered by the Judiciary to resolve conflicts is

insufficient given the complexity of the demands and the numerous expectations of the parties. The response to access to justice must be plural, especially resulting from the combination of several solutions that can be integrated with each other.

This highlights the need to introduce original innovations, both in terms of technology, processes and management, in the judicial system (Sigales-Gonçalves, 2020). Furthermore, trust in the judicial institution can be shaken when justice is delayed, since part of the distrust in the Judiciary stems precisely from the time it takes for a legal action to proceed (Ponciano, 2009).

In view of this scenario and in order for the Judiciary to be able to face the significant overload of processes resulting from the conflicts of contemporary society and to provide a proportional response to the disputes arising within this new concept, innovations are necessary, both those aimed at the use of technological equipment and those aimed at improving its management, in addition to more appropriate tools to provide faster jurisdiction (Bordoni & Tonet, 2020). Therefore, the concept of innovation aimed at this sector can be understood as the adoption of new technologies, practices and work processes that make jurisdictional bodies more efficient, accessible and fair.

According to Barnett and Treleaven (2018), it is possible to identify three contemporary trends that have the potential to bring about substantial changes in the justice system through innovation. The first concerns a notable growth in the adoption of LawTech or LegalTech technology, both within law firms and in judicial instances.

Following this, there is the growing use of Alternative Dispute Resolution (ARL), such as negotiation, mediation or arbitration, which have been increasingly applied. In addition, virtual platforms for online dispute resolution (ODR) are gaining prominence, especially in cases related to consumer rights. In this context, Serpa (1999) emphasizes the importance of understanding that the search for negotiated solutions is not only an effective and economical way to resolve disputes, but also plays a crucial role in the development of citizenship. This is because it allows the parties involved to become protagonists in the elaboration of the legal decision that governs their relationships.

The promotion of self-composition can be interpreted as a means of strengthening public participation in the dispute resolution process, making it more democratic. This approach also allows the parties involved to have greater control over the final outcome and provides greater social harmony. Thus, mediation, conciliation and Restorative Justice emerge as promising alternatives.

Although they share similarities, mediation, conciliation and Restorative Justice have distinct concepts. Mediation is preferred in cases where the parties have a previous relationship, while

conciliation is adopted in cases where there is no relationship between them.

Restorative Justice, in turn, goes further, involving not only the parties in conflict, but also the independent community, with the aim of understanding the roots of the conflict and restoring broken interpersonal relationships (Aguar, 2009).

These alternative methods of conflict resolution carry with them the potential to alleviate the overload of the courts, while providing faster and more lasting decisions. By empowering the parties to actively participate in the search for solutions, these methods reinforce the autonomy of the parties and can preserve interpersonal relationships, becoming a convenient path to achieving faster and more satisfactory justice (Grinover, 2013).

In short, the incorporation of these methods into the judicial system not only speeds up access to justice, but also strengthens citizens' trust in the judicial institution and promotes the construction of a more harmonious and fair society. Therefore, society clearly demands a faster, more transparent and more efficient judiciary, with innovation being the key to achieving these goals.

Restorative Justice

In the following section, a detailed historical investigation of the emergence of Restorative Justice will be carried out, covering the period from its inception to its introduction in the Brazilian context. The concept of Restorative Justice will also be examined.

Restorative Justice is an alternative model of conflict resolution that does not seek to compete with the various common forms of applying the Law. Its aspiration, in general terms, is to broaden the field of vision of the interested parties in order to initiate a more participatory and fair process, without eliminating or moving away from the traditional solution (Dias, 2010).

In this context, the restorative approach has its roots in indigenous practices and ancient cultures, which valued reconciliation and collective healing. This ancestral approach based on dialogue and the restoration of relationships played a fundamental role in the conception of modern Restorative Justice (Brancher, 2011).

Consequently, the effective use of restorative practices in the legal field occurred in the 1970s, in the region of Ontario, Canada (Zehr, 2015). At that time, restorative justice was introduced in prisons with the aim of providing more effective solutions for certain existing cases. The approach aimed not only to punish offenders, but also to promote reconciliation between victims and offenders, restoring the social fabric and reducing criminal recidivism. Since then, numerous programs and practices have emerged in various communities around the world, often being presented as complementary or integrated alternatives to the existing legal system (Zehr, 2012).

In Brazil, restorative practices were implemented in 1999, with the creation of the Jundiaí Project. Restorative chambers were therefore installed in 26 secondary education institutions with the aim of resolving incidents that occurred within school environments (Barroso, 2008). In this sense, Resolution No. 12 of 2002 was subsequently issued by the Economic and Social Council of the United Nations, in which this body sought to promote, on a universal level, adherence to restorative practices. In the Judiciary/Ministry of Justice, restorative practices effectively emerged in the legal field.

In this context, Felizardo (2017) emphasizes that the pilot district to use the tools brought by Restorative Justice was the city of Porto Alegre, RS, through Instituting Restorative Practices with a focus on resolving conflicts involving young people under a restorative lens. It is also important to clarify that in 2016, Resolution No. 225 of the National Council of Justice, in the body of its articles, proceeded to define the concept of Restorative Justice and established the principles that should guide its dynamics, in compliance with the recommendations of the United Nations, expressed in Resolutions 1999/26, 2000/14 and 2002/12.

With regard to the concept of Restorative Justice, it was initially conceived as an alternative approach to the criminal justice system. Its proposal was to provide a more humane and effective response to conflicts and crimes, emphasizing the accountability of offenders and the reparation of damages caused (Lamare; Costa & Cunha, 2018).

For Prudente and Sabadell (2008, p. 53), in the criminal sphere: “Restorative practices avoid stigmatizing the aggressor and promote conscious accountability for their actions. It allows the victim to recover a sense of personal power, and is also reintegrated into the community in a strengthened way, due to the active role in the discussion. And the community gains in social cohesion, by realizing its creative and participatory potential, in social restoration, in support of both the aggressor and the victim”.

However, over time, Restorative Justice has also demonstrated its relevance and effectiveness in family contexts. The increase in tensions and conflicts in relationships between relatives, child custody disputes and cases of domestic violence have led to the search for an approach that is not limited to the application of legal sanctions.

The use of restorative methods in the family sphere allows children to feel safer and more supported during the divorce process, avoiding possible emotional trauma. In addition, restorative techniques can also help parents establish healthy and respectful communication, facilitating the negotiation of issues related to child custody and visitation. It is essential that parents consider the emotional and psychological consequences that the dispute may cause to the child, such as stress, anxiety and possible conflicts of loyalty, so that they can seek solutions that meet the needs of all parties.

Thus, Restorative Justice works primarily based on the ability of plaintiffs to change their behavior patterns, proving useful in producing relevant reflections so that those under jurisdiction can enhance their abilities to voluntarily reach an agreement regarding the way in which the damage caused can be compensated, or even how one can act in order to prevent the extension of these losses to third parties involved in the lawsuit, offering an alternative structure for thinking about disputes.

Implementation of Restorative Justice in the Family and Succession Court of Francisco Beltrão – PR/Brazil

Regarding the powers of a Family Court, it is important to emphasize that this jurisdiction deals with issues related to family and succession relations in 3 municipalities in southwestern Paraná. These attributions include the resolution of conflicts related to divorce, child custody, alimony, division of assets and other matters related to Family Law. In this sense, understanding the delicate and sensitive nature of the issues dealt with by the Family Court in question, the local judge and her chief clerk, aware of the associated challenges, recognized the need to implement restorative practices.

Parents involved in actions related to custody, child support and visitation are invited to participate in these meetings, which are structured to last an average of four hours. Invitations to the workshops are sent through the system in which the case is being processed. In the case of the state of Paraná, the system used is Projudi.

These workshops are always scheduled before the mediation hearings. It is worth noting that this strategic scheduling aims to prepare the parties involved for the mediation session, offering them the opportunity to explore their options and encouraging them to seek an agreement in a more collaborative and constructive manner at the appropriate time. The dynamic in question seeks, mainly, to help families facing separation processes to deal with the situation in a healthier and more mature way, maintaining the bonds of both parents with their children without interference that could harm them, avoiding practices of parental alienation and providing fathers, mothers, children and adolescents with tools to deal with disagreements and their own feelings resulting from separation. The proposal of the dynamic is for the speakers to better understand family dynamics, especially in the post-divorce reorganization phase (TJMG, 2018).

These workshops aim to help parents develop healthy parenting skills and deal with issues related to custody, visitation and communication with their children after separation or divorce, at any stage of the process. The underlying concept is to provide a safe space guided by specialized professionals, in which parents or guardians involved in family issues can acquire skills and resources to better deal with the situation and, above all, to prioritize the interests and needs of their children. The central focus of these workshops is, therefore, the protection of the best interests

of the child (Silva et al., 2015). Recommendation No. 50/2014 of the National Council of Justice stipulates, among other measures, the inclusion of Parenting and Divorce Workshops as a public policy resource for the resolution and prevention of family conflicts, in response to any controversy. In the meetings, parents have the opportunity to learn strategies for cooperation and effective communication, in addition to receiving guidance on how to minimize conflicts and protect the emotional well-being of their children during the separation process. The professionals who specialize in these workshops provide information on child development, the impact of separation on children, and conflict resolution techniques.

These tools provide a neutral and safe environment for parents to discuss concerns, share experiences, and receive practical guidance. They can also provide an emotionally supportive environment where parents can share similar experiences, receive mutual support, and learn from each other. In this way, parenting workshops can play a significant role in supporting families and fostering healthy relationships.

METHODOLOGY

The methodology used in the development of the research adopted a descriptive approach, focusing on a case study of restorative practices used by the Family Court of the District of Francisco Beltrão – Paraná/Brazil. The study was conducted through interviews with employees and interns of the Family and Succession Court of Francisco Beltrão - PR and the CEJUSC of the city, as well as through the analysis of documents provided by the local Family Court.

Among the documents analyzed were questionnaires administered by the head of the Family Court's secretariat, who acted as a facilitator of the parenting workshops. These questionnaires were answered by the participants. In this survey, participants in parenting answered questions covering a variety of aspects related to parenting workshops, such as the participants' level of satisfaction with the meetings, what they learned, whether they would recommend them to others, and the possibility of leaving suggestions for improving the circles. After permission was granted, data collection was carried out in two stages: 1) Interview with members of the Family Court and CEJUSC, and 2) II. Collection of documents relevant to the research from the Family Court. This research used a semi-structured interview script, composed of open-ended questions to be answered freely by the interviewees.

The content analysis methodology was used to evaluate the data. First, the content of the interviews was converted into text and analyzed using a sequential procedure that included: a) recording the interviews; b) transcribing and typing the content obtained; and c) categorizing the information as 'possible', organizing the responses in tables according to the order in which the interviewees answered the questionnaires.

The content of the interviews was analyzed and categorized, and a thematic analysis was

performed to identify similarities, differences, and symbolic aspects in the speeches. The questionnaires were analyzed in a similar manner, with the creation of tables for the closed questions and identification of the most common responses to the subjective question. This methodology allowed an in-depth understanding of restorative practices and participants' perceptions.

RESULTS AND ANALYSIS

The first specific objective of this research analyzed the need for the judiciary to adopt innovative practices, revealing a consensus among respondents on the importance of optimizing conflict resolution and improving individuals' experience in the judicial system, mainly due to the delay in delivering decisions. Respondents highlighted the need to modernize the judiciary to meet the current demands of society.

This view is corroborated by Andrichi and Foley (2008), who associate the increase in court cases with significant delays in decisions, negatively impacting citizens' experience. Gregório et al. (2019) add that slowness can escalate disputes and reduce the relevance of judicial decisions, making innovation a necessity to increase the efficiency and quality of justice.

In addition, Gevartosky (2016) argues that innovations should not only speed up case processing, but also ensure fairer and more satisfactory solutions, including the use of new technologies and the promotion of alternative and collaborative methods of conflict resolution.

The interviewees' perception of novation within the judiciary is presented in Table 1.

Table 1: Respondents explain their views on innovation within the judiciary

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| Interviewee 1 | I see innovation in the judiciary as a growing effort to adapt and modernize. For example, the creation of the Judicial School is a clear indication of this recent trend. There is a shift in focus, with concepts not exclusively legal but also related to management, such as competency management and 5S, gaining prominence in the courses offered by the Judicial School. This shift suggests a greater consideration of management in relation to the legal aspect. However, it is important to highlight that there is still a lack of specific guidance in terms of management for the public sector. Therefore, the approach needs to be adapted to reflect this fundamental difference between the public and private sectors. |
| Interviewee 2 | Innovation within the judiciary, in my view, is related to the automation of repetitive routines, freeing up resources and time for essential human work. The appreciation of feelings and interpersonal relationships is increasingly gaining prominence in this context. I believe that the greatest innovation will occur by humanizing human relationships, making the judicial system more people-centered and adapted to the needs of society. |
| Interviewee 3 | In the judiciary, true innovation, is about focusing our energy not just on what people are looking for, but also on who they are as individuals and how they can best be served in their legal journey. This is a paradigm shift, where innovation is measured not just by the end result of a case, but by the quality of the experience each individual has when interacting with the justice system. I see progress being made in this regard, and there is increasing thought being given to mechanisms for how this can be done. |
| Interviewee 4 | I understand that innovation in the judiciary is limited to improving existing electronic |

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| | systems, aiming to increasingly better meet the needs of its users. This also involves the adoption and creation of tools, digital or otherwise, that accelerate judicial processes, contributing to greater efficiency and speed in the functioning of the judicial system. |
| Interviewee 5 | Over the years, I have observed a growing concern about the constant increase in the number of ongoing cases, even though most judges are meeting the targets set by the CNJ. This has caused great concern, leading us to seek alternative solutions. In this context, I believe that, for the Judiciary, innovation means making the trial process more efficient, without compromising the quality of legal services offered to citizens. |

Source: research data (2024).

Table 2 contains the content of the question to the respondents about the adoption of innovative practices by the judiciary.

Table 2: Respondents discuss the need for the judiciary to adopt innovative practices

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| Interviewee 1 | The need for the judiciary to adopt innovative practices is evident when we observe that some traditional approaches are not producing the desired results. Despite many efforts to adjudicate more cases than those entering the system, demand continues to increase steadily. This indicates that we need to understand what is happening and seek more effective solutions to deal with this growing demand. Furthermore, it is important to recognize that the justice system is not just about numbers and productivity targets. We must consider the quality and efficiency of the process, in addition to promoting a more comprehensive approach to improving the functioning of the judiciary. Examples such as digital AR have simplified processes that were previously laborious and time-consuming. These innovations have demonstrated how technology can facilitate the operation of the justice system and make it more efficient. |
| Interviewee 2 | The need for the judiciary to adopt innovative practices lies in the search for efficiency. It is essential to incorporate technologies to automate repetitive services, which will result in savings of valuable time and resources. In addition, humanizing relationships is equally crucial, as it promotes people-centered justice, making the judicial system more accessible, comprehensive, and aligned with the needs of society. Therefore, the adoption of innovative practices is essential to modernize the judiciary and meet the demands of the community more effectively. |
| Interviewee 3 | Innovation is necessary to modernize the Judiciary. This is due to the fact that our society is increasingly connected and in search of fast and accessible solutions. The adoption of innovative practices would also enable a more efficient allocation of available resources, reducing operational costs and improving case management. |
| Interviewee 4 | To help alleviate the existing workload in the Judiciary, ensuring that cases are heard within a reasonable time frame. |
| Interviewee 5 | As I mentioned earlier, due to the continuous growth in the volume of cases underway and the lack of public employees in some districts, in contrast with the high workload to be developed. |

Source: research data (2024).

The next question, shown in Table 3, aimed to investigate which innovative practices the interviewees saw currently being incorporated by the judiciary.

Table 3: Innovative practices recently observed in the judiciary

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| Interviewee 1 | The digital AR, which has proven to be extremely useful. Another important innovation concerns the forwarding of cases to extrajudicial registry offices. Previously, we faced restrictions in this process, which made it complicated to deal with registration warrants, for |
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| | example. Now, a function has been implemented that allows the forwarding of cases to any registry office within Paraná in a simple and direct manner, which represented a significant improvement in terms of practicality. Another relevant initiative is the incorporation of mediation, conciliation and Restorative Justice by the judiciary, aiming to reduce the number of cases in progress. |
| Interviewee 2 | I have observed the adoption of alternative dispute resolution methods as an innovative practice in the judicial system. Furthermore, the courts have played a key role in enabling and mandating the increasing use of these methods. |
| Interviewee 3 | The dissemination of consensual dispute resolution methods and the viability of conciliation and mediation hearings in a remote format are important. |
| Interviewee 4 | The implementation of digital AR was a significant step forward for us, as was the holding of virtual hearings and the option of serving summons via WhatsApp. |
| Interviewee 5 | I remember the improvement of electronic systems that conduct processes and the promotion of the use of mediation, conciliation and Restorative Justice itself within the Judiciary. |

Source: research data (2024).

Respondents were asked to comment on the results obtained to date with the use of restorative tools. The responses are shown in Table 4.

Table 4: Results obtained to date with the use of the restorative model by the Family and Probate Court

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| Interviewee 1 | When both parties participate in the workshops, the chances of reaching an agreement increase significantly, I would estimate around 90%. This is because people are able to better understand how the process works, which contributes to resolving the conflict. In addition, the workshops help to reduce the delay and the emotional and financial costs associated with legal proceedings. Even if in some cases an agreement is not reached at the first hearing, it is often reached later. |
| Interviewee 2 | What is noticeable is that the participants in the parent workshops attend the mediation hearing much better prepared to reach agreements. As a result, there has been a notable increase in the self-composition rate since the beginning of this project. |
| Interviewee 3 | Since the beginning of the parenting workshops and other projects related to Restorative Justice, I have noticed an increase in the number of agreements reached, as well as a significant improvement in the emotional and psychological health of those who participate in these initiatives. Often, delicate situations arise from a lack of information and ignorance of rights. The project fills this gap by providing comprehensive information on marriage, property regime, custody, alimony, visitation and domestic violence, thus helping to better understand these aspects. We also collaborate with "Alerta para a Vida", an initiative in partnership with the Military Police. This project aims to raise awareness and educate individuals who have been arrested for drunk driving and have been offered a non-prosecution agreement by the Public Prosecutor's Office. Another important project is "Positive Reflection", aimed at drug users. This project attracts a wide range of participants, including people of different ages, from those with long-term drug addiction to young people. We provide detailed information on the effects of drugs, addressing physical and biological aspects, with the help of a pharmacy student from Unipar. In addition, we have the presence of a psychology professor, who helps participants reflect on the reasons that led them to use narcotic substances and encourages the search for healthy alternatives. |
| Interviewee 4 | Based on what I observe during mediation hearings in the family area and the information shared by my coordinator, it is possible to notice an increase in the number of agreements since the beginning of the workshops. |
| Interviewee 5 | There is an increase in the number of agreements reached when one of the involved parties participates in the workshops. They tend to internalize these agreements as a fair conclusion to the process in which they were involved. In addition, by participating in the workshops, the parties gain more autonomy to resolve their future conflicts. |

Source: research data (2024).

Regarding the second objective of this article, which sought to identify the reasons that led to the use of Restorative Justice by the Family and Succession Court of Francisco Beltrão Paraná, it was noted that restorative dynamics emerged as an innovative response to the limits of traditional justice in dealing with family conflicts, especially those involving delicate and emotionally complex situations, such as divorce, child custody and division of assets. The Court of Justice of São Paulo (2015) endorses this view, highlighting the search for a more humane and effective treatment of family disputes as a driver for the adoption of this approach. The United Nations guidelines (2021) point out that the overload of the traditional judicial system, with long and costly processes, motivated the search for faster and less litigious alternatives, and highlight that Restorative Justice offers faster and more satisfactory resolutions. Barroso (2008) adds that this approach allows focusing on the needs and well-being of children, promoting a safer environment for their development. Thus, the implementation of Restorative Justice in Francisco Beltrão reflects an effort to find more cooperative and constructive solutions, also relieving the burden of the traditional justice system.

The third and fourth objectives of the dissertation focused on analyzing how the Family and Probate Court of Francisco Beltrão, Paraná, planned and implemented restorative tools. First, a training course was organized with specialized courses for the professionals of the Court, aiming to equip those involved with knowledge and skills in Restorative Justice, covering theory, principles and specific practices for family cases.

In addition, a partnership was established with a local college, which was essential to provide space and infrastructure to hold parenting workshops. These workshops began to be held regularly in 2015, occurring on the last two Wednesdays of each month, with 4-hour sessions focused on parents involved in custody and divorce disputes.

The fifth and final specific objective of this research was to describe the results obtained with the use of the restorative model by the Family and Probate Court of Francisco Beltrão - Paraná, from the perspective of the civil servants of the Family Court, the CEJUSC and the litigants who participated in the dynamics.

For the civil servants of the Family Court and the CEJUSC, a considerable increase in the number of agreements reached was observed. In addition, there was a significant decrease in the number of lawsuits questioning the same subject, since previous sentences were often considered inadequate by one or both parties.

This reduction in cases of reiterated lawsuits is a clear indication of the success of the parenting workshops in promoting more satisfactory and lasting resolutions. For the litigants, the parenting workshops were a powerful instrument for restoring interpersonal relationships and redefining

conflicts in a productive manner, effectively promoting reconciliation and the positive transformation of family relationships.

Thus, the restorative approach humanized the judicial process, bringing it closer to the needs of families in conflict and improving the effectiveness of the judicial system, reducing the delay and costs associated with prolonged litigation.

FINAL CONSIDERATIONS

The main objective of this study was to investigate the innovative nature of Restorative Justice in the Family Court of Francisco Beltrão - Paraná. To achieve this, surveys were conducted with the staff of the aforementioned Court and the local CEJUSC. The analysis of the responses obtained and the available documents satisfactorily achieved this objective.

The interviews showed that the Family Court in question played a pioneering role in the southwest region of Paraná by adopting restorative practices. The initiative began in 2014, when the judge in charge participated in a course that introduced her to the concept of Restorative Justice.

The sharing of ideas between the judge, the head of the secretariat and the person in charge of CEJUSC resulted in the implementation of parenting workshops in 2015, based on Resolution No. 125/2010 of the CNJ, even before the legal formalization of the practice.

Restorative Justice was perceived by respondents as a notable innovation in the context of Family Court, as it reshapes the justice system by prioritizing dialogue and consensus over the unilateral imposition of decisions. This collaborative approach not only promotes more effective and lasting solutions, but also alleviates the workload of the justice system by allowing the parties involved to lead the dispute resolution process. The effectiveness of the restorative approach was particularly highlighted in cases of family disputes, where maintaining a healthy relationship is crucial. By promoting reconciliation and conflict resolution through dialogue, the justice system can become more humane and less punitive, meeting the needs of the community. It is concluded that the adoption of restorative practices represents an incremental innovation in the Brazilian justice system, improving and complementing the existing system to offer more satisfactory and effective solutions, without significantly disrupting its fundamental structure.

REFERENCES

- Aguiar, C. Z. B. (2009). *Mediação e justiça restaurativa: a humanização do sistema processual como forma de realização do sistema processual dos princípios constitucionais*. São Paulo: Quartier Latin.
- Andrighi, N., & Foley, G. F. (2008). Sistemas multiportas: o Judiciário e o consenso. Tendências e debates. *Jornal Folha de São Paulo*, 24 jun. 2008. <http://www1.folha.uol.com.br/fsp/opiniaofz2406200808.htm>

- Barnett, J., & Treleaven, P. (2018). Algorithmic Dispute Resolution –the automation of professional dispute resolution using AI and blockchain technologies. *The Computer Journal*, 61(3), 399-408.
- Barroso, J. R. (2008). *Projeto Jundiaí: O pontapé das iniciativas de justiça restaurativa no Brasil*. Setor 3 – SENAC São Paulo.
<http://www.setor3.com.br/jsp/default.jsp?tab=00011&newsID=a895.htm&subTab=00000&uf=&local=&testeira=33&I=&template=58.dwt&unit=§id=undefined>
- Bordoni, J. D'Avila & Tonet, L. (2020). Inovação e tecnologia no Judiciário. *THEMIS: Revista da Esmec*, 18(2), 151-170.
- Brancher, L. N. (2011). *Justiça Restaurativa: a Cultura de Paz na Prática da Justiça*. Recuperado de <http://jjj.tjrs.jus.br/justica-restaurativa/cultura-de-paz-na-pratica-da-justica>.
- Brito, M. M. de, & Silva, A. A. B. da. (2017). A mediação familiar e o fim do relacionamento conjugal: o problema do acesso à justiça e a experiência das oficinas de parentalidade. *Formas Consensuais de Solução de Conflitos*, 3(2), 1-18.
- Conselho Nacional de Justiça – CNJ (2023). *Pesquisa sobre percepção e avaliação do Poder Judiciário brasileiro / Conselho Nacional de Justiça; Programa das Nações Unidas para o Desenvolvimento*. – Brasília: CNJ.
- Dias, M. T. F. (2010). *Mediação, cidadania e emancipação social: A experiência da implantação do centro de mediação e cidadania da UFOP e outros ensaios*. Belo Horizonte, Brasil: Fórum.
- Duarte, J. da S. (2016). O Poder Judiciário e a Opinião Pública na Consolidação da Democracia Brasileira. *Conexão Política*, 5(2), 1-13.
<https://revistas.ufpi.br/index.php/conexaopolitica/article/view/6538/3766>
- Felizardo, A. R. (2017). Bullying Escolar: Prevenção, Intervenção e Resolução com Princípios da Justiça Restaurativa. InterSaberes.evartosky, H. (2016). Métodos Alternativos de Solução de Conflitos - ADR. *Revista dos Tribunais*, 247, 1-20.
https://www.mpsp.mp.br/portal/page/portal/documentacao_e_divulgacao/doc_biblioteca/bibli_servicos_produtos/bibli_boletim/bibli_bol_2006/RPro_n.247.19.PDF
- Gregório, A., & et al. (2019). *Inovação no judiciário: conceito, criação e práticas do primeiro laboratório de inovação do poder judiciário*. São Paulo: Blucher.
- Grinover, A. P. (2013). Os Fundamentos da Justiça Conciliativa. In A. P. Grinover, C. Lagast Neto, & K. Watanabe. (Coords.). *Mediação e gerenciamento do processo: revolução na prestação jurisdicional: guia prático para a instalação do setor de conciliação e mediação*. (3a reimp.). São Paulo: Atlas.

- Lamare, B. J. de, Costa, A. P. M., & Cunha, V. H. da. (2018). Em busca de formas alternativas de resolução de conflito segundo um modelo garantista de responsabilização juvenil: justiça restaurativa em um quadro de adequação de práticas e discursos jurisdicionais ao paradigma da proteção integral. *Revista da Faculdade de Direito UFPR*, 68(1), 137-170. <https://doi.org/10.5380/rfdufpr.v68i1.85481>
- Martins, C. C. M. (2018). *Paz e equilíbrio nas relações familiares: das oficinas sistêmicas e de parentalidade às audiências de conciliação e sessões de mediação - primeiras impressões*. <https://doi.org/10.14295/revistadaesmesec.v25i31.p265>
- Noronha, J. L. de A. M., & Romero, L. D. (2021). *A lei da alienação parental: da inconsequência dos pais para o bem-estar da criança e do adolescente*. <https://ibdfam.org.br/artigos/1760/A+lei+da+aliena%C3%A7%C3%A3o+parental%3A+da+i+nconsequ%C3%Aancia+dos+pais+para+o+bem-estar+da+crian%C3%A7a+e+do+adolescente>
- Ponciano, V. L. F. (2009). *Reforma do Poder Judiciário: limites e desafios*. (Dissertação de Mestrado em Direito Econômico e Socioambiental. Pontifícia Universidade Católica do Paraná, Curitiba, PR, Brasil). <http://www.dominiopublico.gov.br/download/teste/arqs/cp086243.pdf>
- Prudente, N. M., & Sabadell, A. L. (2008). Mudança de Paradigma: Justiça Restaurativa. *Revista Jurídica Cesumar Mestrado*, 8(1), jan./jul., 49-62.
- Rocha, V. A. (2018). Oficinas de Parentalidade e Divórcio: como a nova política pública de Prevenção e resolução de conflitos familiares, a educação parental, pode contribuir para a humanização da Justiça da família e a estabilização e a pacificação das relações familiares. In A., Nunes. *Mediação e Conciliação: Teoria e Prática*. São Paulo (SP): Editora Revista dos Tribunais.
- Serpa, M. de N. (1999). *Teoria e Prática da Mediação de Conflitos*. Rio de Janeiro: Lumen Juris.
- Sigales-Gonçalves, J. S. (2020). Direito 4.0: notas sobre a metalização da linguagem da divulgação jurídica. In T. e Contexto (Ed.), *Linguística Forense: reflexões e debates* (1a ed.), 3, 126-138.
- Silva, L. M., Aragão, A. S., Silva, L. C. C. M., Julião, C. H., Lavor, M. D. D., Chagas, L. M. O., & et al. (2015). Oficinas de Parentalidade. *Participação*, 27, 18-26. <https://bit.ly/2PxsQfb>
- Sousa, M. de M. & Guimarães, T. de A. (2014). Inovação e desempenho na administração judicial: desvendando lacunas conceituais e metodológicas. *RAI – Revista de Administração e Inovação*. São Paulo, 11(2), 321-344, abr./jun. http://www.revistas.usp.br/rai/article/view/100148/pdf_108

- Stumpf, J. da C. (2008). *Poder Judiciário: morosidade e inovação. (Dissertação de Mestrado Profissional em Poder Judiciário.* FGV Direito Rio, Rio de Janeiro, RJ, Brasil).
<https://bibliotecadigital.fgv.br/dspace/bitstream/handle/10438/2759/dmppj%202008%20-%20juliano%20da%20costa%20stumpf.pdf>
- Tribunal de Justiça de São Paulo – TJSP (2021). *Manual de oficinas de divórcio e parentalidade.* <https://www.tjsp.jus.br/Download/Conciliacao/OficinaPaisFilhos/Manual-de-oficinas-de-divorcio-parentalidade.pdf?d=1652628859884>
- Tribunal de Justiça de São Paulo – TJSP. (2015). Oficina de Pais e Filhos. Tribunal de Justiça Estado de São Paulo. <http://www.tjsp.jus.br/Conciliacao/Conciliacao/OficinaPaisFilhos>
- Tribunal de Justiça do Estado de Minas Gerais (2018). *TJMG e CINJ incentivam oficinas de parentalidade.* Recuperado de <https://www.tjmg.jus.br/portal-tjmg/noticias/tjmg-e-cnj-capacitam-para-atuacao-em-oficinas-de-parentalidade.htm#>
- Tribunal de Justiça do Paraná (2017). *Manual de Justiça Restaurativa.* Recuperado de <https://www.tjpr.jus.br/documents/14797/7836487/Manual+JR++N+UPEMEC+TJPR.pdf/2dee4c67-fc1a-40ae-a896-9b86a7d631a1>
- Zehr, H. (2012). *Justiça Restaurativa: teoria e prática.* Tradução: Tônia Van Acker. São Paulo: Palas Athena. Zehr, H. *Justiça Restaurativa.* (2015). Tradução: Tônia Van Acker. Título original: The little book of Restorative Justice. São Paulo: Palas Athena.