

**USAID Rule of Law Project
2nd Quarterly Report**

April - June 2009

**USAID Rule of Law Program
Sweifieh – McDonalds Building, 1st Floor
Abdel Rahim Al-Haj Mohamad Street
Amman, Jordan 11193**

Executive Summary:

This quarter, the Case Management and Mediation teams conducted a workshop in April on data entry with the aim of improving the current process in case management departments in Amman and Salt. In a separate workshop, case management judges from across Jordan discussed developing a manual to unify all procedures within their departments throughout the Kingdom. In May, ROLP assisted the Mediation and Case Management departments at the MOJ draft the case management manual. In June, a closed case complexity study was conducted by reviewing sample cases from 2007-2008. ROLP conducted a study on long-pending cases in all First Instance courts in June. The aim of the study is to launch a project to purge old pending cases in those courts.

A two-day court administration workshop was held in April to build consensus on the duties of a court administrator, their relationship to chief judges and to court staff. In May, training curriculum for court administrators was designed by ROLP with the assistance of consultant Jan Bouch. Consultant Moira Rowley arrived in Amman in June and has begun a mentoring and shadowing program for court administrators. ROLP's court administration team collaborated with the IT team this month on several tasks.

Follow-up services continued to be provided by the automation team this quarter, on both Mizan V1 and V2. ROLP's Client Support Specialist (CSS) team collaborated with the ROLP legal team in June, to test all operational and statistical reports. The transition (of project CSS support to MOJ ITD support) program was initiated by ROLP at the Zarqa court with leadership and direct involvement of the MOJ. Planning and implementation of the new MOJ Service Desk took place in June. Four MOJ leadership staff completed the Information Technology Service Manager (ITSM) training.

The Mediation Department conducted a five-day training session in May, for judges to develop their mediation skills. The annual mediation report was published by the Alternative Dispute Resolution (ADR) Department and ROLP, with consultation from the MOJ. Orientation sessions on the basic idea of mediation began in June and will be held intermittently until August. The manual of mediation procedures has been published by ROLP and the Alternative to Dispute Resolutions (ADR) department, in consultation with the Ministry of Justice.

Throughout May, ROLP continued cooperating with the MOJ and the Ministry of Industry and Trade (MIT) to reform procedural codes. An amendment to the existing law on Industry and Trade was presented to the Department of Legal Affairs at the MIT.

The Continuing Legal Education Program held 16 courses on various subjects for over 280 judges and court staff, including 11 women. Trainings were held in the Northern, Central and Southern regions of Jordan.

The Future Judges Program has developed an English Language course program. A selection committee has been assigned to choose the new candidates for the first track of the program. Thus far, 17 candidates have been interviewed.

3 continuing legal education courses were held and 59 judges, among them 15 female judges, participated in April. 227 court staff, including eight women attended 13 training courses which covered a wide variety of subjects.

New job descriptions for the JIJ were implemented in May. They are based on the newly approved organizational structure, which was designed in cooperation with the Ministry of Justice.

ROLP's Grants Manager Advisor (GMA), Amy Hagan, began work as a consultant in May and the Grants Advisory Committee was formed.

This quarter, the Finance and Administration team has been supporting ROLP staff and management by following up on logistics and coordinating internal travel needs. The department was also involved in providing support and coordination for the Software Development Services.

Objective 1: Enhance Judicial Performance to Reduce Delays and Increase Public Confidence

Case Management:

A data entry training session for Case Management staff was conducted in early April for staff from courts in the North, South, East and West of Amman and the NPOJ. The sessions educated staff on best practices regarding data entry to help them avoid problems caused by inaccurate entry of data and the quality of case files and reports generated.

In April, a separate workshop was conducted in Amman for Case Management judges from throughout Jordan. The aim of the workshop was to discuss daily challenges met at work and to build their consensus on developing a procedural manual to standardize procedures followed in Case Management departments across the Kingdom. In June, ROLP assisted the Mediation and Case Management Departments at the MOJ to draft the manual. The purpose of the manual will be to help judges, litigants and attorneys in understanding the role of the case management departments in expediting and facilitating the trial process. The completion of this procedural manual has been re-scheduled until July.

A decision was made by the Minister of Justice to launch a case management department at Karak's First Instance Court. A legal training session was conducted by the MOJ for judges and their assistants. ROLP is assisting the Ministry of Justice with the procurement process and providing necessary training to the clerk office and other administrative staff of the newly established Case Management Department on Mizan and its applications.

ROLP created a report with the consultancy of Ernest Friesen and German experts, Dirk Ehlert and Rolf Bulter. The report is a set of recommendations for a case management strategy as well as an implementation plan that ROLP will present to the Minister of Justice.

A closed case complexity study was conducted in June by reviewing sample cases of 2007-2008. The study looked at the case classification for civil cases in order to propose amendments that support objectives of the case complexity and delay study. The objectives of the study include providing decision-makers with information related to specialization, establishing case tracks and setting time standards as well as accurately identifying causes of delay.

ROLP assisted the Chief Judge of Amman's First Instance Court and the Ministry of Justice prepare for the implementation of the Complex Case Pilot Project in June. The Pilot project is scheduled to start October, 2009. Training sessions on complex case management will be conducted for the panel of nine judges, nominated by the Chief Judge.

As an integral component of the case management process, ROLP conducted a study on long-pending cases in all First Instance courts. The goal of the study is to launch a project to purge old pending cases in those courts. ROLP will begin implementing the 'Purging Project' in First Instance Courts located in the North and West of Amman in July. Beginning steps include providing the Chief Judges of each First Instance Court with a report of old pending cases within his/her court. This report will help the Chief Judges to decide about assigning one judge (or more) to oversee those cases and try to dispose of them before the end of this year.

Court Administration:

In April, three international consultants, Moira Rowley, Tom Brady and Louraine Arkfeld provided their expertise to conduct screening and assessment of the skills, knowledge and competencies of the MOJ-trained court administrators. The aim was to identify their training needs and to build consensus on the roles and responsibilities of court administrators in Jordanian courts. A two-day workshop was conducted and administered by the consultants. 17 first instance judges and 22 court administrators attended the workshop which defined the role and responsibility of a court administrator. Responsibilities included:

- Human Resources
- Facilities Management and Logistics
- Customer Service
- Quality Assurance
- Strategic Planning
- Technology Information Management
- Inter-governmental liaisons
- Support of case-flow management
- Community Relations
- Budget and Finance

Workshop outputs included:

- Helping court administrators understand their supportive role to chief judge who has ultimate authority over court's affairs;
- Drafting recommendations pertinent to revising the selection process of court administrators to include the input of the chief judge and court;
- Defining training needs related to core competencies of court administration.

Following the workshop, ROLP consultant Moira Rowley prepared a knowledge, skills and abilities report (KSAs) defining the main KSAs that the Court Administrator should possess. This report will be the foundation to building a comprehensive professional training program to be delivered to the Court Administrators and Chiefs of Diwan in conjunction with the JIJ in the near future. Also this quarter, ROLP consultant Tom Brady drafted an initial version of a court administrator's practice guide, which will be refined and adapted to be used by court administrators.

In May, training curriculum for court administrators was designed by ROLP with the assistance of consultant Jan Bouch. This month, ROLP translated the proposed curriculum and it was officially submitted to the Ministry of Justice. In the meantime, ROLP is working on contracting a reputable training institution to train court administrators. In June, the MOJ rejected an offer by ROLP to train all court administrators and Chiefs of Diwans on computer

skills, citing the reason that they have all been trained. Subsequently, ROLP met with the Secretary General and asked that the Chiefs of Diwan and court administrators be assessed and a customized training session will be designed and delivered by ROLP, based on those results.

ROLP consultant, Jan Bouch, has extended her contract to include the design of lesson plans for one of the court administration courses on professional training. Ms. Bouch has submitted the lesson plan for the first course, and it will be used in the training sessions, which are scheduled to start in August.

Consultant Moira Rowley arrived in Amman in June and has begun a mentoring and shadowing program for court administrators in Amman's First Instance Court and Irbid's First Instance Court. The program aims at enhancing the capacities of the court administrators and streamlining the administrative process in the courts. The outcome of the mentoring program will be used to update the court administration practice guide, which has been created by ROLP.

In June, ROLP's court administration department collaborated with the IT team to:

- Support Mizan enhancements and changes requests
- Support the RFP process including arranging visits to the courts and conducting meetings with potential vendors
- Reconcile statistical reports issued by Mizan and the manual statistics of the courts.
- Meet with the IT component and ROLP subcontractors to design the new functions introduced in Mizan, such as:
 - Civil Execution
 - Criminal Execution
 - Objection Cases

Technology Systems:

Follow-up services continued to be provided by the automation team this quarter, on both Mizan V1 and V2. This involved working with the IT Directorate staff, Quality Assurance, Clerk and Typist staff to verify the accurate and timely entry of data into the system.

Throughout April, all issues reported by courts were categorized, prioritized and sent to the appropriate entity (ROLP, MOJ or Optimiza) for remedy. The new Notification Management System (NMS) was installed in the following courts in April:

- Mafrq
- Bani Kinana
- Bani Obaid
- Jerash
- Koura
- Ein Albasha
- North Ghor

The ROLP team continues to support the Ministry in its operation and maintenance of the Judicial Enterprise Architecture, the majority of which is hosted at the primary data center in Amman. In April, two ROLP staff were seconded to the MOJ to assist with activities and to ensure the continuous operations of the Judicial Enterprise Architecture centre and systems. The seconded staff assist with plans and implementations of change to any production system.

ROLP

Rule of Law Program

Throughout June, the ROLP Client Support Specialist team (CSS) continued to work on data cleaning and supported the courts as defect fixes and enhancements for Mizan V2 are released. Support was also continued on the mediation variant, which is currently installed in five courts. A new build was tested by the CSS which contains significant improvements to the notification process and users were trained at all courts on its implementation.

All operational and statistical reports were tested by the CSS team in collaboration with ROLP's legal team. They verified and validated the results against manually recorded data in case files. The CSS's worked with 4 First Instance and 3 Conciliation courts in testing these reports. Amongst the reports, 26 minor issues were found and all were sent to development for research and remedy.

In April and May the transition team developed checklists and procedures to assist the MOJ in transition of the CSS support functions. The checklists were created as a managing tool for the IT Directorate and Quality Assurance staff to ensure tasks are being completed efficiently. The checklists are divided into three categories:

- A daily checklist (which addresses concerns about all court staff working on the system)
- A weekly checklist (which addresses concerns about data accuracy and data cleaning)
- A monthly checklist (which addresses concerns about users activation and monthly reports)

The first pilot transition project in Aqaba was executed. Throughout this pilot transition, ROLP's IT team learned much about the MOJ's approach and the readiness to accept the courts business and IT support from the ROLP team. The MOJ and ROLP abandoned the pilot in Aqaba and concentrated efforts on refining the approach of the transition using the lessons learned to make improvements. During June, the IT team worked to improve the program by implementing the following:

- Stronger MOJ leadership support: A leader was appointed from the MOJ to work along side with the ROLP transition team leader. The MOJ will no longer wait for the ROLP team to transition the courts; instead they will drive the transition program with ROLP leadership and advice. By implementing this strategy, ROLP hopes to integrate the MOJ into the process and gain their endorsement and management of the courts.
- Preparation of an executive briefing to court leadership introducing the transition program and the roles and responsibilities of the IT staff, court personnel and the new centralized Service Desk at the MOJ.

The transition program at the Zarqa court was initiated by ROLP with leadership and direct involvement of the MOJ. An executive briefing was held between the MOJ, ROLP and Zarqa court leadership and the transition took place on June 28th. IT and court staff have been trained on the improved checklists and procedures and will work alongside with the transition team for one week before turning sole responsibility over to the MOJ.

The IT Study tour to the United States was concluded in April. Several meetings were held between the ROLP team and the MOJ team to discuss lessons learned as related to the establishment of a centralized 'call center'/'service desk' and a secondary data center. Several meetings with vendors took place during April to ascertain the capabilities of firms in Jordan to assist with the establishment of a secondary data center to serve in time of disaster. Following the meetings, a list of call center procedures that need development was created and includes issues ranging from activities such as receiving, documenting, assigning and tracking a call.

In June, planning and implementation of the new MOJ Service Desk occurred, taking responsibility for the first transitioned court – Zarqa. The new Service Desk is responsible for fielding all calls from users regarding Mizan application suite, logging the calls, remedying any issues and tracking it until resolved. ROLP continues to research tools to support this function and hopes to identify the tools needed by the end of July and begin implementation before the end of the third quarter.

Four MOJ leadership staff completed the Information Technology Service Manager (ITSM) training in June. The training was part of the ITIL training program which is training about the concepts and policies for managing information technology, infrastructure, development and operations. It addresses all aspects of IT management through a framework of best practices including the following areas:

- Service Support Processes
 - Service Desk
 - Incident Management
 - Problem Management
 - Change Management
 - Configuration Management
- Service Delivery Processes
 - Service Level Management
 - Capacity Management
 - Availability Management
 - Continuity Management
 - Financial Management
 - Security Management

Reform Procedural Codes:

This quarter, an amendment to the existing law on Industry and Trade was presented by ROLP to the Department of Legal Affairs at the Ministry of Industry and Trade (MIT). The amendment provides a viable legal framework for fines cases redirected from the MIT to the courts. ROLP's seconded director to the MOJ's Legal Affairs Directorate is following up on finalizing the draft and sending the finalized version, prepared with the MIT, to the Council of Ministers.

Mediation:

In May, a five-day training session was held to train judges in developing their mediation skills with the goal of having them serve the mediation centers which will be established throughout the Kingdom. 21 judges, including three female judges participated in the training sessions, which were interactive and consisted of role playing and exercises.

The annual mediation report was published this quarter in consultation with the MOJ and the ADR Department. It includes statistics, an efficiency report, public satisfaction and a comparison between 2007 and 2008.

The ROLP Case Management and Mediation teams assisted the ADR department at the Ministry of Justice hire an assistant. The assistant will provide administrative support to the ADR department at the Ministry for the Mediation and Case Management departments. The assistant will be working under the supervision of ROLP Legal Advisor and the head of case management and mediation department at the MOJ and assist in preparing analysis,

efficiency, and progress reports and provide administrative assistance to the MOJ's Case Management and Mediation Directorate.

Orientation sessions on the basic concepts of mediation started in June and will be held until August. Conciliation judges in First Instance courts from throughout the Kingdom are participating. The purpose of the sessions is to support referral techniques to the mediation department. By improving the skills of trial judges and their knowledge of techniques that help them in deciding if there are elements in a case that can be solved through mediation, judges can then refer such a case to a mediation judge. The results of the orientation sessions will be based on increasing referrals to mediation departments.

ROLP and the Alternative to Dispute Resolutions (ADR) department (in consultation with the MOJ) have re-published the manual of mediation procedures. The manual will be distributed by ROLP in mediation departments, as they are established throughout the kingdom.

Objective 2: Promote an Independent and Empowered Judiciary While Increasing Its Transparency and Accountability

Capacity of the Judicial Council

A delegation from the Jordanian Judiciary including the Chief Justice, two members of the Judicial Council and senior judges from the Cassation and High Courts participated in a study tour to the US from April 18th-25th. Visits were made to California State Courts, 9th Circuit Federal Court, the California Judicial Council and the US Federal Prosecutors office, among other institutions. Through the visits, participants were able to view practical applications of; mediation and other alternative dispute resolution mechanisms, judicial programs related to Judicial Specialization, legal research and statistical analysis, capabilities of courts, strategic planning and management of judicial affairs, judicial case management and programs at the Center for Judicial Education. ROLP will assist the Judicial Council in developing and implementing similar administrative units and functions to those observed on the trip, to enhance the Jordanian Judiciary.

ROLP followed up this study tour with meetings with the Chief Justice to define next steps for strengthening the administrative capacity of the JC and enhancing the Technical office of the Cassation court. The chief justice postponed start up of any activities until resolution of pending regulations (regulation moving TO from Cassation court to the JC and the MOJ regulation establishing administrative offices in the JC).

Future Judges Program

First Track: In May, 10 students from the Future Judges Program completed their second semester. Two students started their first semester and British Universities. A selection committee was assigned to choose the new candidates for the first track. So far, 17 candidates have been interviewed.

Second and Third Track: A program of English Language courses has been developed. The classes will take place throughout the academic year, starting in September 2009 until June 2010. Summer courses will also be available from June 2009-August 2009.

Judicial Studies Diploma Program

ROLP

Rule of Law Program

During June, the JIJ's 2008-2009 class finished their final exams as scheduled. Meanwhile, the JIJ's 2007-2008 class is continuing in the fifth month of their internship programs at different courts and prosecution departments.

An external discussion committee was formed by the JIJ in June. The purpose of the committee is to discuss with the recently approved research papers with the students.

Continuing Legal Education Program

In April, 59 judges, among them 15 female judges, participated in 3 continuing legal education courses. The courses covered the 2008 legal amendments to the conciliation courts law, improving leadership skills and case management in cooperation with ROLP. One course was held in Irbid and two in Amman.

227 court staff, including eight women attended 13 training courses in April. The courses covered a wide variety of subjects, including training new staff on duties, Notary Public law, accounting, using computers and notifications. Three courses were held in Amman, six in the South and four in the North.

Strengthened Administrative Capacity of JIJ

New JIJ job descriptions were implemented in May. They are based on the new approved organizational structure, designed in cooperation with the MOJ. Training for the new staff members has begun. To strengthen the administrative, managerial and institutional capacity of the JIJ, staff will be mentored and day-to-day staff supervision will be provided.

Objective 3: Expand Access to Justice, Rule of Law and Public Awareness of the Rule of Law

Grants Program

Early in May, the Grants Manager Advisor (GMA), Amy Hagan, started work as a consultant. The Grant Advisory Committee has been formed and includes George Kara'a and Tine Knott from USAID's Democracy Office and Frances Abouzeid, Chief of Party from USAID Civil Society Strengthening Project, along with key ROLP personnel.

The GMA worked closely with the COP in recruiting the grants manager. Six candidates were interviewed in May and the proposed grants manager that had been selected was not approved by the USAID CTO. The recruitment process began again in June, with a change in qualifications by USAID to require a law degree for the Grants Manager position. All activities previously scheduled for June were postponed until the new grants manager is hired.

The GMA worked closely with the ROLP's Chief of Party in recruiting a qualified grants manager – seven candidates were interviewed. The final candidate has been selected and approved by USAID.

The grants manager advisor began working on a Grants Management Plan (GMP) to fit with local conditions for ROLP. The GMP is based on the DPK/ARD report provided by the home office. Preparations also began for a ROLP grants procedural manual for internal use.

A brain-storming session with the advisory committee that was originally scheduled for June 4th has been postponed until the newly selected grants manager is approved by USAID.

Miscellaneous

Finance and Administration

This quarter, the Finance and Administration team has been supporting ROLP staff and management by following-up on logistics and internal travel coordination. Procurements this quarter included the purchase of one laptop as well as maintenance parts to uphold computers and laptops received from MASAQ. A new server has also been purchased to continue having the required space and capacity of ROLP. The server is expected to be up and running by the end of July.

The Finance and Administration departments were also involved in providing support and coordination for the Software Development Services (RFP # P-09-0038). This includes receiving and registering registered vendors as well as the financial assessment and evaluation of the received proposals.

A new administrative Assistant/Receptionist joined the team on May 1st.

Planned Activities for Next Month

DATES	NO. DAYS	ACTIVITY	IMPACTED ENTITY	LOCATION	RESOURCES
Objective One: Enhance judicial performance to reduce delays and increase public confidence					
2009/7/1	20	Launching Notification Management System (NMS) at NPOJ	Courts	Amman	ROLP Team, Ministry Team
2009/7/1	15	Continued Zarqa Court Transition	Zarqa Court	Zarqa	ROLP Team
TBD	1	Brainstorming Session with Grants Advisory Committee	Grants Component	ROLP Conference Room	Grants Advisory Committee
TBD		Training of Grants Manager, if approved	Grants Component	Amman	Grants Manager Advisor
2009/7/4	1	Orientation Session: Mediation as Alternative to Dispute Resolution	Judges	Amman	JIJ/ROLP
2009/7/11	1	Orientation Session: Mediation as Alternative to Dispute Resolution	Judges	Amman	JIJ/ROLP
7/12-7/14	2	Pilot Training on Human Rights		Amman	JIJ/EU
2009/7/18	1	Orientation Session: Mediation as Alternative to Dispute Resolution	Judges	Amman	JIJ/ROLP
2009/7/25	1	Orientation Session: Mediation as Alternative to Dispute Resolution	Judges	Irbid	JIJ/ROLP

Acronyms

CMM	Case Management and Mediation
ITD	Information Technology Directorate
JC	Judicial Council
JIJ	Judicial Institute of Jordan
MIZAN	Automated case file management system tailor-made for Jordan courts and supporting departments. MIZAN V2 is the enhanced automated version of MIZAN V1; it replaced MIZAN V1 in all national courts in Jordan.
MOJ	Ministry of Justice
ROLP	Rule of Law Program