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JORDAN RULE OF LAW PROGRAM

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ACRONYMS

ACJLS	Arab Center for Judicial and Legal Studies
CAP	Court Administrators Program
CBO	Community Based Organization
CSP	Civil Society Program
CSS	Client Support Specialist
DMS	Document Management System
FI	First Instance Court
FJP	Future Judges Program
IFH	Institute for Family Health
IRC-KHF	Information Research Center – King Hussein Foundation
ITD	Information Technology Development
JC	Judicial Council
JIJ	Judicial Institute of Jordan
JOB	Jordanian Ombudsman Bureau
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 will replace MIZAN V1 in all national courts of Jordan.
MOE	Ministry of Education
MOJ	Ministry of Justice
MOU	Memorandum of Understanding
MOW	Ministry of Water
NCHR	National Center for Human Rights
RFP	Request for Proposal
ROLP	Rule of Law Project
SGN	Secure Government Network
TO	Cassation Court Technical Office
VPN	Virtual Private Network

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EXECUTIVE SUMMARY

ROLP continued its efforts of assisting the Judicial Council in implementing the 2010 Judicial Council Administrative Units Regulation. This quarter, ROLP planned and began implementing the Administrative Unit action plan; began developing an organizational structure for the AU, including clear job descriptions for each unit and employee; organizing and distributing the workload of the AU; and assisting the JC in the total renovation of the AU department in the NPOJ, overseeing the refurbishing of the office space as well as procuring office equipment and computers. ROLP has also been diligently working to assist the Development and Planning Unit of the JC, drafting a 2012 action plan and Key Performance Indicators for the AU, and an Annual Report for the JC.

An agreement was signed between ROLP and eSense to develop an application for the Judges Affairs Unit at the JC to record all judges' training courses.

Additionally, ROLP has been helping the JC improve their communication. The project contracted with a consultant to assist the Media Sector of the JC to develop a quarterly publication for the JC. This journal will be distributed to judges, focusing on JC matters, decisions, legal opinions and significant judgments from the Court of Cassation.

The TO of the Court of Cassation continues to aid court panels in the researching and reviewing cases to minimize case overloads of Cassation Court Judges. In May, for example, the TO reviewed 300 cases to determine if appeals would be granted; they also provided extensive legal research on 10 cases, tasks that were previously done by Cassation Court Judges. Three additional researchers have been allocated this quarter by the Ministry to help the TO with its increased workload. The TO is also researching and reviewing cases with no judicial precedence as well as cases with conflicting judgments.

ROLP began the Court Administration Program Intermediate Module instruction for 21 participants. This instruction helps equip court administrators with the much-needed knowledge and skill of court administration best practices, ultimately increasing the MOJ's institutional capacity and developing standardized procedures. The training curriculum and all teaching logistics were developed and procured by ROLP staff.

ROLP has been closing out facets of the technical component of the project, only providing minor enhancements to MIZAN, supporting the pilot stage of the civil execution rollout of

the West Amman Courthouse (until the computers arrive for its national rollout in July), and supporting the File Tracking System. In anticipation of the full transition in October to the MOJ IT team, ROLP's technical team provided intensive and advanced IT training to individuals chosen to oversee technical activities after the project has ended.

The web portal created for the MOJ website continues to have thousands of weekly inquiries, providing access to case information and court scheduling.

All activities of three grant projects from civil society organizations, one which explored the Girl Child in Jordan and two which focused on children's rights and the protection of children, have been completed. The grantees are preparing the final technical and financial reports. The Arab Council for Judicial and Legal Studies continues to work at establishing performance indicators for Jordan's judiciary with input from judges and other key stakeholders.

ROLP prepared a revised organizational structure to the Jordanian Ombudsman Bureau and are assisting in its implementation. To facilitate efficiency in JOB's office procedures, ROLP developed a process guide of procedures, including the creation of specialized units to help investigate case complaints.

OBJECTIVE 1: ENHANCE JUDICIAL PERFORMANCE TO REDUCE DELAYS AND INCREASE PUBLIC CONFIDENCE

Develop Capacity in the Court of Cassation Cassation Court Technical Office

ROLP continues to support the implementation of the Cassation Court Technical Office (TO). The TO has been studying cases with no judicial precedence and cases with contradicting judgments to aid Cassation Court panels. The TO's research plays an important role in conserving Jordanian jurisprudence, essential in unifying judgments and assuring that the quality of judgments meet the highest standards. In the month of May, the TO reviewed 300 cases to determine if appeals would be granted and provided extensive legal research on 10 cases from various Cassation Court panels. To help the TO carry out its research more effectively and efficiently, ROLP has provided the TO with a much-needed legal reference database. Other legal databases will also be made available. Three additional researchers have been allocated this quarter by the Ministry to help the TO with its increased workload.

Court Administration

Court Administrator Program

ROLP assists the MOJ to increase its institutional capacity and develop standardized procedures. The Court Administrator Program (CAP) has been very successful in equipping court administrators with the knowledge and skill of court administration best practices.

This quarter, ROLP began the instruction of the CAP intermediate module for 21 participants at the JIJ. Thus far, three courses have been completed. Courses offered in the intermediate curriculum include: Introduction to Leadership, Effective Management, Human Resources Management, Building Effective Teams, Budgeting and Planning, Court Operation and Business Process Reengineering.

North Amman Court Renovation

ROLP worked with a local architect and the North Amman First Instance court to formulate recommendations for improved usage of the existing facility and provide minor renovations to reduce file movement and ease procedural burdens. The new layout combines all administrative departments on one floor and expands storage warehouses. The North Amman Court Criminal Evidence Warehouse in the basement of the NA Courthouse was completely renovated in June; this facility holds criminal evidence and confiscated items. ROLP is in the process of procuring office equipment for the criminal evidence warehouse.

After the noticeable success of the voice paging system in North Amman's court earlier this year, a voice paging unit was installed and implemented in the West Amman court. This efficiency facilitates calling parties or witnesses related to cases during trials, streamlining the notification process for cases to proceed without delay.

Notary Public Department



After successfully helping to streamline work at the Notary Public Department in the New Palace of Justice with notice boards and fliers educating the public as to what documentation is required for specific tasks, ROLP has procured 15 public notice panels and 15,000 fliers for all of Jordan's First Instance Courts.

The panels and fliers clearly inform the public of what documents are needed for specific services provided by the Notary Public offices.

Computerization

ROLP has been closing out facets of the technical component of the project, such as: software deliverables, court transition support, development cycle and inventory. By the end of October, a full transition is anticipated to be completed for the following: court support (for all new software and applications), knowledge transfer from ROLP's technical team to the MOJ-IT department and inventory turnover.

ROLP's technical team began the following close out activities:

MOJ IT staff support for courts. ROLP provided an intensive 5-day MIZAN V2 and civil execution training for 12 individuals. These individuals will assist in civil execution rollout at courts.

MOJ IT staff at Data Center. Specific training of advanced IT topics has been procured. This training, available for 4 MOJ staff, will qualify individuals to manage the data center and provide disaster recovery. The training sessions will begin in early July.

MASAQ project inventory. An inventory list has been prepared and sent to DPK's home office for approval

Civil Execution

ROLP hosted a workshop for Civil Execution Clerks to thank the staff for their continued cooperation with the project, specifically their documentation of daily processes which was vital for the success in the MIZAN application. Also at this workshop, ROLP presented the Civil Execution Clerks with an assessment of their work in order to make their processes more efficient.

ROLP continues supporting the pilot stage of the civil execution rollout in the West Amman Courthouse until July, at which time the needed computers for national rollout are scheduled to be delivered and rollout will begin.

Client Support Specialist (CSS) Team

ROLP is working with USAID to extend Optimiza's contract to continue supporting MIZAN V2; their current contract expires at the end of June. The contractual agreement would focus on: improving the administration screens of MIZAN V2 to alleviate user errors, minor enhancements to MIZAN V2, Civil Execution enhancements, and File Tracking System enhancements.

In addition to providing intensive MIZAN V2 training to MOJ IT staff and preparing for the civil execution rollout with MOJ staff, the ROLP CSS team continues testing the second release of the file tracking module application which will be piloted at the North Amman Courthouse in late June.

Notary Public Rollout

ROLP's IT team successfully finalized the Land Department's integration with the Notary Public Department and the migration of all hearing minutes and notices which were automatically moved to DMS as an enhancement of MIZAN V2. The integration has been working without issue in all of the kingdom's courts.

Application Development and Maintenance Activities

MIZAN enhancements have been halted, except for only the highest priority requests and to support the Civil Execution and File tracking systems.

ROLP and Optimiza held many design sessions for file tracking functions which will be included in MIZAN to specify the precise location of physical files, either in storage or at any court office. Development of a file tracking system began in late February.

An agreement was signed between ROLP and eSense to develop an application for the Judges Affairs Unit at the JC. This application will be integrated with the JIJ Diploma & Registration application to record and track all training courses for judges. ROLP IT completed the necessary software requirement specifications for this application. The second release has already been tested. MOJ also requested the ROLP IT team to integrate the Judges' Affairs System with their already-existing payroll system.

Web Portal

A web portal on the MOJ website was created by eStarta, a subcontractor to ROLP, and

published on the internet. This allows the public to access information about cases and court hearing schedules from the MIZAN system, similar to that available on the in-court kiosks. The awareness and usage of the MOJ web portal receives thousands of information requests weekly from the MOJ website. Since its launch to the public in October 2010, high-volume portal usage has shown over 24,000 requests in a one week period. This heavy usage emphasizes the importance of accurate and timely data entry by court staff into the MIZAN system.

In June, a specific site for attorneys was launched. Each attorney accesses the site with a personalized password in order to conveniently print their cases and their weekly calendar via the internet. Inquiries via the web are approximately three times more than kiosk inquiries.

Dashboard Reports

The dashboard application is nearly 98% complete; preparations for rollout and training of the Chief Judges are being made. eSarta is investigating deployment issues they are facing with this application.

Ministry of Water (MOW) Project

The e-government link between court cases and the MOW using MIZAN has been launched, providing electronic tracking of legal cases in the water sector. This new service enhances the ability to follow up on legal proceedings on cases relating to the water sector. The MOW and MOJ access case information over VPN.

In the past, legal cases in the water sector were followed up with private law offices and tracked by a paper process which was slow and inefficient. This legal e-service uses MIZAN to improve legal case tracking and follow up for three vital water sector entities- the Ministry of Water and Irrigation, the Water Authority of Jordan, and the Jordan Valley Authority. This link is the first time that a government entity gains secure electronic access to MIZAN and is the first shared e-service to be provided and rolled out by the Information and Communications Technology Unit Headquarters and the MOJ to other entities.

Document Management System (DMS)

Although all hearing minutes and notices were moved to DMS, preparations are being made to add features to MIZAN to allow scanning for all case files via MIZAN. MOJ awarded DMS procurement to ITEC Company; ROLP is working closely with them to integrate MIZAN 2 with DMS. All hearing minutes and notices have now been migrated automatically from MIZAN to the MOJ's Document Management System (DMSA) as a step toward integrating MIZAN with the DMS.

OBJECTIVE 2: PROMOTE AN INDEPENDENT AND EMPOWERED JUDICIARY WHILE INCREASING ITS TRANSPARENCY AND ACCOUNTABILITY

Develop Capacity in Judicial Council

To assist the JC in the implementation of the Judicial Council Administrative Units Regulation of 5-2010, ROLP is working to create and implement three administrative units: Judges Affairs, Training and Specialization, Strategic Planning, and Secretariat for the JC. These units provide a much-needed administrative structure for the JC and will improve human resources management and recordkeeping for judges. Additionally, ROLP is building a Human Resources (HR) application, an automated database of information for the Judges Affairs Unit, which will be ready for implementation in July 2011.

All members of the JC met with ROLP to discuss and plan the implementation of the Administrative Units Bylaw, consisting of: Secretariat, Judges Affairs Department, Strategic Planning Department and Judges Specialization and Training Department. Judge Ahmed Jamalyah, Chief Justice in Amman First Instance Court and a member of the JC, was named the liaison between the JC and the ROLP for this project. After meeting with the ROLP project team, Judge Jamalyah submitted a 6 month plan to the Chief Justice. This plan encompasses the first steps required to establish the units, timeline and needed resources from both ROLP and JC. For this project, ROLP is utilizing the expertise and services of Nabil Isifan, the former Chief of Party from ROLP in West Bank/Gaza.

The Chief Justice approved Judge Jamalyah's plan and appointed three judges and three staff members to the Administrative Units team in order to implement this suggested plan. They will focus on the Judges Affairs Department, Planning and Development Department and the Training and Specialization Department. Preparations are in place to renovate and procure office space and equipment in the NPOJ for the Administrative Unit Group. A workshop for all appointed judges and support staff was held in May to present the action plan and distribute tasks based on the judge's approved plan. The primary outcome of the workshop was the amendment of the JC Administrative Unit bylaw. They proposed and suggested amendments for various articles which were sent to the Chief Justice for approval.



Judges and support staff meet to discuss the Administrative Unit action plan.



Judge Jamalyah addresses judges and clerks, outlining their roles and responsibilities for the AU plans from the JC.

ROLP assisted the Administrative Unit in renovating their department, updating offices, meeting rooms, and procuring office equipment and computers. In addition to consultancy work provided by Mr. Nabil Isifan, ROLP has also contracted with consultants to:

- Develop an organizational structure for the JC Administrative Units and define job descriptions for every unit and employee (Muna Hakoz)
- Develop processes to organize and distribute the workload of the Administrative Units (Jadara Consulting)
- Assist the Media Sector of the JC to develop a quarterly publication for the JC; this publication will focus on JC matters, decisions, legal opinions and significant judgments from the Court of Cassation (Fatah Mansor)
- Assist the Development and Planning Unit of the JC to: design the Annual Report of the JC, develop a 2012 action plan for the Administrative Units, and prepare a questionnaire and statistical survey to establish Key Performance Indicators of the Administrative Units (Salah Sobani).



Mark Parkinson, USAID Social Sector Director, holds the ribbon for the Chief Justice to cut at unveiling of Administrative Unit offices.



The Chief Justice tours the Administrative Unit's premises with members of the JC, the ROLP team and USAID representatives.

Judicial Studies Diploma Program

Assisting the MOJ encourage the best and brightest students to study law and select a career path to become judges, ROLP has provided significant logistical and administrative assistance to the Judicial Institute Judicial Studies Diploma Program. The 2009/2010 Judicial Studies Diploma Program students' 4th semester was delayed to 1 April 2011. Significant follow up has been made with lecturers, students' obtaining internships at different courts and prosecution departments, and tracking academic results.

61 new students began the Judicial Studies Diploma Program in April; 31 female and 30 male.

Future Judges Program (FJP)

The FJP Unit helps to select and train future judges who will embrace the ideals of judicial integrity, independence and accountability.

On 9 May 2011, 71 new judges were appointed by the Ministry of Justice; 34 of the 71 judges were female. This progress is seen as one of the many successes from the Future Judges Program, as the number of newly appointed female judges represents approximately half of the previous population of female judges.

The status of the following FJP groups is as follows:

Top Law School Graduates/2008 & 2010 Groups

Continued follow up has been made with the two students at the US and British Universities. Additionally, the FJP Unit has coordinated with the Financial Department of the MOJ to assure that outstanding University fees are paid.

Top Law School Students/2008 Group

Students' academic performance is followed up by their Academic Supervisors and monitored by the FJP Unit. The British Council was contacted to provide the Unit with course records. The new English course was coordinated with the British Council. Continued follow-up has been made with the two students who completed their LLB requirements from official Jordanian Universities.

High School Graduate Students/2008 & 2009

The FJP Unit followed up with the British Council and the French Cultural Center regarding the students' language course records in English and French, respectively. New language courses in both English and French were coordinated. Continued follow up with Academic Supervisors was made with regards to academic results.

High School Graduate Students/2010

Continued follow up with new students and their Academic Supervisors continued with regards to their academic progress.

The JIJ and the Future Judges Program (FJP)

The JIJ and the FJP Unit completed scheduled field visits and meetings for Future Judges Program students. The FJP Unit continues working on institutionalizing the Future Judges Unit procedures and following up with the MOJ Financial Department to assure students' monthly allowances are paid.

Strengthening the Managerial, Administrative and Institutional Capacity of the JIJ and the FJP Unit

ROLP continued its ongoing efforts of training, supervising and coordinating activities for the JIJ and FJP Unit as well as providing them with on-site support. JIJ's workflow is also facilitated, in coordination with the Director General.

OBJECTIVE 3: EXPAND ACCESS TO JUSTICE, RULE OF LAW AND PUBLIC AWARENESS OF THE RULE OF LAW

Grants

In line with ROLP's objective of expanding access to justice and public awareness of the rule of law, ROLP offered small grants to civil society organizations whose programs increase public awareness of the rule of law, provide legal services to citizens, or target human rights issues related to youth and women. The following grants completed their grant requirements: the King Hussein Foundation: To be a Girl in Jordan, a Legal and Cultural Bias; The Thoria Center for Studies: Educating the Badia on children's rights; and NCHR: Protection of Children.

The ACJLS grant, charged to establish indicators to monitor the performance of the judiciary in Jordan, is ongoing, scheduled to end in November 2011.

IRC-KHF: to be a Girl in Jordan, a Legal and Cultural Bias

The King Hussein Foundation's IRC grant project explored the legal and cultural environment of the girl-child in Jordan, tracing the manner by which culture permeates into law makers' decisions and formulates prejudiced legislation in the Kingdom. The project

completed the development of a website, www.teflah.com, for those having direct involvement with the girl child, promoting awareness of the girl child's rights and advocate reformative policy change towards gender equity in the law. The content of the website includes all project research, interviews, findings, reports and recommendations, national and international links.

Three round table workshops, held in Irbid, Karak and Amman, were held to discuss the legal and health context of the girl child in Jordan, as well as to share art workshop results with community and religious workers. Valuable input from these discussions yielded proposed recommendations for Jordan's female youth. Findings from the IRC's ongoing study of the girl child were compiled in a training manual which was distributed to civil society organizations, legal aid NGOs, and women's and child rights organizations at IRC's closing ceremony in May. The manual will benefit all stakeholders working with children in the country, addressing the state of the girl child from a psycho-social and health perspective.

- 55% of parents believe a girl needs to be accompanied by her brothers outside the house
- 46.8% believe a girl can only go outside the house with her mother
- 66.5% oppose giving a girl child the same freedom to go outside the house as her brother of the same age
- 49% oppose letting a girl play outside the house in her free time
- 45.1% of parents oppose their daughter studying the specialty of her choice if the family does not agree
- 67.8% of parents hope that their daughter completes higher education (71.6% for sons), but 61.5% say that regardless of her educational achievements, her destiny is to get married
- 53.1% of parents would not permit their daughter to go to a school outside their city (27.1% for sons)
- 10.8% of parents would force their daughter into early marriage, even if she refused
- 10.4% of parents think that the most suitable age for females to get married is below 18; over half of them believe that this will protect their daughters
- 80.9% of parents believe that protecting a girl means protecting the family honor
- 89.1% of parents believe that their daughters should obey to their brothers

Al Thoria Center for Studies: Children's Rights Culture Dissemination in the Jordanian Badia Community

In an effort to educate children, mothers, CBOs, and tribal leaders in the Jordanian Badia on children's rights, the Thoria Center for Studies engaged 432 male and female children participants in community-based initiatives which increased their awareness of children's rights and protection in the Badia. The initiative presented a unique opportunity for parents and their children to discuss children's rights. Thoria is preparing its final technical and financial report.

The National Center for Human Rights (NCHR): Protection of Children/ Domestic Violence

NCHR held a number of workshops and activities related to their grant which focused on the

protection of children and issues related to domestic violence. NCHR published a book, The City of Children, as part of the ‘Protection of Children from Domestic Violence’ grant project activities. This book is the first story of its kind to be published, advocating children’s rights and speaking directly to a youthful audience. The NCHR team has seen a rise in initiatives which will be implemented in the near future by school administrators and parents attending the various workshops designed to raise awareness of children’s rights.

The NCHR team will use the results of their study when drafting a report which will be submitted to the International Committee for the Rights of Children located in Geneva. The Committee urges the Jordanian government to work on amending Jordanian national legislation in terms of human rights. Data will also be included in NCHR’s annual report on the situation of human rights in Jordan.



A young girl reads “The City of Children”

Arab Council for Judicial and Legal Studies

In their efforts to establish indicators to monitor the performance of the judiciary in Jordan, the ACJLS continued holding meetings with stakeholders to explore potential indicators. The team met with pertinent stakeholders to identify quantitative baseline measurements. To date, the ACJLS team has identified four indicators to guide their work: 1) Disposition rate 2) Case Age 3) Case load per judge 4) Quality of judge’s decision.

Reports prepared by legal consultants Judge Nial Raaen (National Center for State Courts, USA), Dr. Mohammed Mosa (University of Jordan, Amman), and Dr. Emad Ababneh (Statistician) were presented in a workshop to judges discussing Judicial Performance Indicators. The Judges enthusiastically participated and discussed pertinent indicators that must be considered, namely case load per judge, disposition rate/timeliness, case age, and quality of court decisions. ACJLS, along with the three experts and two participant judges, will meet in July to summarize the workshop outcome and prepare a comprehensive report. Participant suggestions from the meeting were:

- The importance of focusing on two performance indicators at the present time, case

- load per judge and disposition rate and case age.
- The need to establish a screening (filtering) system at courts to avoid long procedures and save resources.
- Clearly identifying the criteria for the selection of judges.
- Indicators must also be established for the Judicial Council and Judicial Training Institute to measure performance and help identify obstacles.

Because of the busy schedules of judges, the ACJLS has faced challenges in scheduling meetings with judges. Additionally, many of the judges had a misunderstanding of the ACJLS project objectives. There was a belief that the ACJLS was examining their performance, not establishing judicial performance indicators.

In the coming weeks, the ACJLS will start initiating a dialogue to establish consensus on baseline performance measurements, targets and standards for acceptable performance of the Judiciary.

OBJECTIVE 4: WINDOWS OF OPPORTUNITY

Ombudsman Capacity Building



The JOB meets with ROLP staff to develop a new strategic plan.

The Ombudsman investigates complaints from aggrieved persons against public administration entities. ROLP is working with the JOB to finalize a new strategic plan.

ROLP delivered a revised organizational structure to JOB and are assisting the JOB with its implementation. In order to make the JOB office procedures faster and more efficient, ROLP developed a process guide of procedures. This revised guide includes the creation of three specialized units for investigation of case complaints: 1) General Administration Function/Education 2) Personal Rights/Security Issues/Media and 3) Infrastructure/Health/Environment.

Ministry of Social Development/Registry of Societies

ROLP translated the Directives for the Expenditures and Societies Support Extended through the Societies Support Fund's Properties. Additionally, ROLP revised the to-be report prepared by the Civil Society Project (AED) concerning the automation system of the Societies Registry.

Industry and Trade Law/Ministry of Industry and Trade

The Minister of Industry and Trade, based on the recommendations of the Policy and Consultation Directorate, requested the steering committee (set up to propose amendments to the Industry and Trade Law, Consumers Protection Law and Competition Law), to take into consideration all amendments proposed to fines sections by ROLP upon amending the text of the basic Law.

New amendments were required to be added to the draft law (March 9, 2011). It was sent back to the Legislation and Opinion Bureau for revision. The Legislation and Opinion Bureau again revised the draft law and approved it to include all amendments suggested by ROLP regarding the violations section. The amended draft law will be sent again to the Committee of Ministers for their revision.