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JORDAN RULE OF LAW PROGRAM

13TH QUARTERLY REPORT
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ACRONYMS

ACJLS	Arab Center for Judicial and Legal Studies
AU	Administrative Units
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
FTS	File Tracking System
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.
MOJ	Ministry of Justice
ROLP	Rule of Law Project
TO	Cassation Court Technical Office
VPN	Virtual Private Network

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EXECUTIVE SUMMARY

The base period of the Year 3 ROLP project came to an end, witnessing significant ROLP project accomplishments. December 1 began the first day of the new scope of project work for ROLP. Significant time and effort was spent in detailing ROLP's work plan, which is awaiting approval from USAID. As with the previous project, the new scope of project work will make an important and meaningful contribution to Jordan's efforts of Constitutional and justice sector reform.

ROLP continued providing significant contributions to the JC with regards to the Administrative Units Regulation of 5-2010 by: assisting the JC to develop their first periodical publications, helping to enhance the JC website, and organizing a plethora of highly-successful workshops. Workshops held this quarter included: Strategic Planning Training, Ethical Conduct and Courtroom Procedures, JC Strategic Development Planning Training, Administrative Judiciary (restructuring the Court of Justice to have 2 levels, based on administrative decisions of the government), and Judicial Authority Law, focusing on Judicial Independence.

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

Develop Capacity in the Court of Cassation Technical Office

ROLP continued supporting the Cassation Court Technical Office (TO) by providing needed logistical support and assuring the MOJ provides adequate staffing to fulfill the TO's needs. All TO judges and researchers are now using AL QUSTAS, a comprehensive Jordanian/Arab legal database which was provided by ROLP.

The TO judges and researchers offer legal opinion, research, and studies to court panels. Although panels were initially reluctant to ask for help, TO judges and researchers are now overwhelmed with requests for research and legal opinion. The TO's research plays an important role in advancing Jordanian jurisprudence, essential in unifying judgments and assuring that the quality of judgments meet the highest standards.

Computerization

ROLP closed out all facets of the computerization component of the project, such as: software deliverables, court transition support, development cycle, and inventory. During the reporting period, a full transition was 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. MIZAN V2 was launched at 53 locations throughout the Kingdom.

ROLP is still awaiting USAID's approval of the project work plan in order to sign a new contract with Optimiza for necessary MIZAN enhancements planned for ROLP's fourth project year.

MOJ IT staff support for courts

ROLP staff conducted intensive group training on testing procedures for MIZAN V2 as well as necessary rollout procedures and checklists for 12 MOJ IT staff that will be responsible for applications testing and rollout to assure that new and existing MIZAN activities will be supported at courts around the Kingdom.

MOJ IT staff at Data Center

Specific training of advanced IT topics related to data center technology was completed for the five MOJ IT Department staff that will manage the daily operations of the data center and provide disaster recovery. The training sessions began in early August and concluded in November.

Disaster recovery is comprised of the process, policies, and procedures related to preparing for recovery or continuation of technology infrastructure critical to an organization after a natural or human-induced disaster. Disaster recovery is a subset of business continuity that focuses on the IT or technology systems that support business functions. Building a disaster recovery site for the MOJ ensures business continuity and data protection for the MOJ core court business, the MIZAN System; it includes building a mirrored system at the MOJ that has an online replica of the MIZAN database and application. This would allow MOJ and court users to continue working on MIZAN- registering and retrieving court case information- in case of any natural disasters. Disaster recovery also protects against human error such as: accidents, power outages, telecommunication outages, and system/network crashes. An effective disaster recovery system that enables continued operations will build public confidence in the justice system in the event of a major crisis.

ROLP/MOJ Knowledge transfer

In late summer, four MOJ IT employees completed Oracle Administration training workshops, provided by ROLP technology staff. Those provided transfer of knowledge from ROLP to MOJ staff which will enable MOJ IT staff to support MOJ IT and its applications infrastructure on a sustainable basis.

MOJ Rollout Team

The MOJ is now responsible for the complete rollout of the Civil Execution application. ROLP will only provide future support as needed. According to the MOJ schedule, ROLP will supervise the MOJ's rollout of the following applications during the first two quarters in 2012: Civil Execution, Dashboard, and Judges Affairs System.

MOJ Testing Team

In order to fulfill ROLP's commitment to the MOJ to help alleviate approximately 70 percent of user mistakes, admin screens were developed which allow the editing of incorrectly entered data. These admin screens will help the service desk staff fix user entry errors without the need for a developer to become

involved in correcting data entry errors. ROLP completed the design for the last two admin screens. An Optional Task Order (OTO) was signed in September with the vendor (Optimiza), who was responsible for MIZAN V2 development, to begin enhancing the application. This work will be completed by the end of December.

Under ROLP supervision, five MOJ IT testing team members who received training in July began testing a full version of MIZAN V2, which was installed by the vendor (Optimiza). The ROLP and MOJ teams began their work on this release to promote the MOJ testing team and assure its smooth transition in taking on all technical responsibilities at the end of October. This effort involved installing MIZAN V2 applications (Case Management Computerized System) on testing servers to assure the application is technically running according to plan. Upon completion of the testing, the release was installed for courts and users at the courts.

File Tracking System (FTS)

ROLP and Optimiza held several design sessions for file tracking functions which will be included in MIZAN to specify the precise location of physical case files. With this system, at any given time, one can identify the location of files, either at court departments or, if located in the warehouse, the system will show in which row and column the file is located. Development of this file tracking system began in late February. In August, the FTS began its pilot stage in the North Amman Court, with 97 court employees and five IT staff having been trained on how to use the system. In September, ROLP trained additional MOJ IT staff on how to follow up on the system and begin rolling out the system in other courts. The North Amman pilot is still in the rollout stage.

Notary Public

ROLP finished the integration with the Land Department and Notary Public. This integration assures the integrity of land transactions and provides efficient verification that land belongs to their rightful owners. The application has been working in all courts of the Kingdom without issue since July.

Judges' Affairs System (JAUA) Application

The JAUA was developed at the request of MOJ, by eSense, adding two functionalities for the Judge's Affairs System: 1) an application for the Judges Affairs Unit at the JC to be integrated with the JIJ Diploma and Registration application to track and record administrative data for all judges as well as their training courses and workshops, and 2) integration of the Judges' Affairs System with their already-existing MOJ payroll system.

This application will be implemented at the JC and will provide great help to the Administrative Units. The provider finished the development which has been tested by ROLP. The pilot stage has been completed and rollout has begun. However, two major functions were missing in the application, including some major enhancements requested by the Administrative Units for Judges' training and the integration with the payroll system. ROLP proposed installing these functions in the work plan for Year 4

to assure that these main functions will be included in the application.

Web Portal

A web portal on the MOJ website was created and published on the internet by eStarta, a software solutions development company and subcontractor to ROLP. 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) from the MOJ web portal. As a result of awareness building efforts, the MOJ web portal now 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 nearly twenty thousand requests per week, with a high of nearly 28,500 requests in a one week period in July. This heavy usage emphasizes the importance of accurate and timely data entry by court staff into the MIZAN system.

The web portal provides secure access to court information from the internet and contains two main features:

Public site - This site can be accessed by the public through the MOJ website to inquire about case status, the date for scheduled hearings, minutes and judgment summary. This inquiry is made possible by entering the case number and court name.

Attorney site - The MOJ application for attorneys, available from the MOJ website, has continued to show a steady, high frequency of users since it became available in June. This site is limited to attorneys. They can access the site with a secure username and password in order to inquire about their cases at courts either by case number or registration date for cases at courts. This provides attorneys a convenient way to access case status, hearing schedule, and judgment summary. Additionally, attorneys are able to print documentation for their specific cases and weekly court calendars via the internet. Inquiries via the web are now up to three times more frequent than courthouse kiosk inquiries.

Dashboard Reports

eSarta was also chosen by ROLP to develop a statistical reporting solution (Dashboard) to be employed within the MIZAN solution. The goal of this project is to both refine the statistics gathered and develop an improved interface for delivery of the statistics to the user, whether a judge, court administrator, or MOJ staff member. Three dashboards have been developed, implemented and tested:

- Age of pending cases
- Court clearance rate
- Age of disposed cases

ROLP finished training IT staff on this application. The pilot stage has finished and a demonstration was held for the Secretary General at the MOJ. The MOJ is responsible for the Dashboard's rollout.

Document Management System (DMS)

The Ministry of Justice contracted with a local company, ITEC, to provide an archival system in order to

electronically store all court case files. The MOJ also requested the ROLP IT department to integrate this document management system with the MIZAN application in order to efficiently access case hearing minutes and final decisions. All hearing minutes and notices have been migrated automatically from MIZAN to the MOJ's Document Management System (DMSA) as a step toward integrating MIZAN with DMS.

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

Develop Capacity in Judicial Council

JC Communication and Media Department

In cooperation with the Judicial Council Administrative Units, ROLP helped the JC launch its first official periodical in October. This publication includes relevant news, events, legal opinions, and statistics of the JC. The first edition of 'Majalit Al Qada', (English: 'Judiciary Magazine'), was approved by the Chief Justice and published in October. 2,500 copies were printed and distributed to the judiciary, courts, law schools, and official institutions. This project falls in line with the JC work plans to enhance the outreach of the JC. ROLP also assisted the Media Unit of the JC to issue the Magazine publishing rules and policies which were set up to highlight the objectives of the Judicial Council newsletter publication, its content, management, and terms of use. The second issue of the publication has already been finalized and will be distributed in January 2012.

With ROLP's support, the communication and media department at the JC prepared a media and communication strategy, the object of which is to improve the media and communications channels between the JC and other media institutions, enhance transparency in judicial bodies, and become the primary contact tool with the public. The media team and consultant participated in developing the activities under the sixth pillar of the justice strategy, "participating in enhancing public confidence in the rule of law."

Heightened media coverage this quarter, with regards to new developments in the judiciary, is due to the new active roles of the AU. The media unit prepared a visual presentation for the Administrative Judiciary workshop and developed a brochure outlining the initial strategic plan, vision, mission, pillars, and strategic objectives for the internal use of the Chief Justice.

In addition, the ROLP team and AU Media staff are working on enhancing the JC website which will be used to guarantee more participation from judges and the public; Media Plus is the vendor chosen to work on this project. The site is currently under development and will be launched next quarter.

JC Strategic Planning Unit

ROLP contracted a strategic planning instructor and coach to work on the capacity building of the Planning Unit staff in order to enable them to prepare a new strategy for the Judicial Authority. A 5 day strategic planning training was held for JC Administrative Units staff from 10-15 October. The training concentrated on strategic planning elements. Additionally, the trainer provided coaching and technical assistance which guided and enabled the AU staff to produce their first judicial authority “Building Strategy”.

The JC Strategic Development Planning Training Workshop, held 26-28 October, represented a major step in the development of the first independent judicial authority strategy¹. Prior to the workshop, participants were surveyed with regards to their views of the vision, mission, and pillars of the JC strategic plan for 2012-2014. These comments and views were used as a springboard for meaningful discussion. After fruitful and extensive dialogue, workshop participants (including the Chief Justice, JC members, and chief judges of courts) produced a new vision, mission and pillars of the strategy with a clear directive to the AU to draft a detailed strategy².

A detailed report of October’s Strategic Planning Workshop was sent to USAID. Two questionnaires regarding judicial independence and the administrative judiciary were developed and distributed to all Kingdom judges. Additionally, the ROLP team began working closely with the AU staff and judges to finalize strategic objectives, activities, performance indicators and the first draft of the strategy document. The ROLP team and AU staff and judges finalized the first draft of the Judicial Strategy 2012-2014, which was submitted to the Chief Justice for his review and remarks. The strategy included the following: historical background, legal framework, institutional framework, SWOT (strengths, weaknesses, opportunities, threats) analysis, vision and mission, main pillars and objectives, major programs and activities, and performance indicators. The ROLP team began working on the 2012 implementation plan, which will include all activities, timelines, and performance indicators.

Preparations are in place for the organization of the Judicial Conference. This will be a large, one-day conference, with over 1,000 participants, to be held in the first Quarter of 2012. It is hopeful that the King will attend, where he would officially endorse and pass along the 2012-2014 strategic plan. The timeline for this event is roughly January-February.

As mentioned in ROLP’s 12th Quarterly Report, a Courts Needs Assessment Workshop was conducted between 24-25 September to introduce the AU heads, enhance the concept of a participatory approach to the judiciary stakeholders, and to launch the development of a strategic plan for the JC.³

Training and Specialization Unit

ROLP, in cooperation with the Training and Specialization Unit, organized a workshop entitled ‘Ethical

¹ Press Release of the Judicial Authority Strategy Workshop is attached in Appendix.

² Report on the Workshop of Drafting the Strategic Plan for the Judicial Authority is attached in Appendix.

³ A copy of the Courts Needs Assessment Report is attached in the Appendix.

Conduct and Court Room Procedures’ on 16-17 October for 80 newly-appointed judges.⁴ The workshop was facilitated by a judge of the Cassation Court appointed by the Chief Justice and all lecturers were judges. The training focused on three main areas: fair trial; relations between judges and attorneys; and training. At the end of the training, the participant judges recommended that:

- the Training Unit in the JC conduct similar training for all new judges;
- training with regards to special legal issues and laws, such as procedural laws and evidence law, be developed and arranged;
- judges contribute in the legislative process, particularly in laws and regulation related to the judiciary;
- it is necessary to build the capacity of judges communication, IT, and English language skills.

ROLP and the Training and Specialization Unit also organized a two day workshop entitled ‘The Administrative Judiciary’ on 19-20 November for a number of distinguished attendees, including: a member of the JC, supreme court judges, President of the state council in Egypt and his deputies, Bar Association representatives, leading attorneys involved in administrative disputes, law professors from Jordanian universities, and the AU. Workshop participants presented papers related to the administrative judiciary. The workshop delivered recommendations from participant comments and questionnaire results which included litigation involving governmental administrative decisions. Based on these recommendations, the JC prepared an initial draft of a new administrative judiciary law compatible with constitutional amendments. A detailed report was submitted to USAID and the JC.

Another two day workshop, held 21-22 December, ‘Judicial Independence Law’, was organized by ROLP and the Training and Specialization Unit. Like the ‘Administrative Judiciary’ workshop, this meeting delivered solid recommendations from participant comments and questionnaire results. Participants presented papers related to judicial independence. Participants included: a member of the JC, Supreme Court judges, Egyptian chief justice (as a regional expert), an international expert, and AU judges. These two major constitutional amendments, the administrative judiciary and the judicial independence, received particular attention during this quarter. ROLP will continue to support the JC AU to finalize drafts of the two laws.

English training for judges began last week for 20 judges of the NPOJ, in cooperation with the American Language Center. This training will focus on conversation skills to raise judges’ knowledge and confidence in communication skills, allowing them to fruitfully participate in conferences or study courses outside of Jordan.

Judicial Studies Diploma Program

Assisting the MOJ to encourage the best and brightest students to study law and select a career path to become judges, ROLP has provided significant logistical and administrative support to the Judicial

⁴ Report of the Judicial Code of Conduct Workshop is attached in Appendix.

Institute Judicial Studies Diploma Program. This quarter, ROLP:

- Assisted the JIJ in the revision and updating of the Program's Curricula, emphasizing skill development and practical training;
- Provided all Judicial Studies Diploma Program students with English language training, in cooperation with the American language center;
- Gave all Judicial Studies Diploma Program students access to the newly developed Jordan/Arab legal database AL QUSTAS, a resource now available for their use in the JIJ library;
- Hosted extracurricular activities, in cooperation with the JIJ, for students to attend lectures and presentations by subject-matter experts in many subjects such as the Media and Law and Securities.
- Provided technical support to continuing education programs targeting sitting judges. These programs, held in central, north, and south Jordan, were attended by judges, prosecutors, and courts' administrative staff.
- Updated the registration system for JIJ's Registration Unit by adding more functions. ROLP conducted a quality control check with regards to the training data saved in the system. The registration system is an automated system that ROLP developed for JIJ in order to administer all student and academic affairs; it also provides a database to track the training of sitting judges. Prior to the development and installation of this system, there were no records of any training activities. ROLP is planning to connect this system with the Training Unit at the JC.

Future Judges Program (FJP)

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

This past quarter, the FJP Unit continued to manage and administer the affairs of the program students and provide them with all needed assistance through ROLP academic advisors and support staff. All FJP students are enrolled in either English or French language classes and participate in field visits to ministries, civil society organizations, the stock market, banks, and hospitals, in order to understand how such institutions operate. The total number of FJP students reached 188; 107 are female and 18 were enrolled in the Judicial Studies Diploma Program at JIJ and completed their Masters degrees in the US or UK.

In His Majesty King Abdullah II's letter to the newly appointed Chief Justice on 29 September, published in all media outlets, he stressed the importance of the FJP and its vital role of providing the Judiciary with well-trained and competent judges.

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. All grant recipients completed their grant requirements. These were: (1) The King Hussein Foundation: To be a Girl in Jordan, a Legal and Cultural Bias; (2) The Thoria Center for Studies: Educating the Badia on children's rights; (3) NCHR: Protection of Children; and (4) The Arab Council for Judicial and Legal Studies (ACJLS) grant, charged to establish indicators to monitor the performance of the judiciary in Jordan.⁵

The ACJLS presented their findings, from extensive research and field studies, at a November workshop which concluded the grant's activities. Attendees included representatives of the Judicial Council, Ministry of Justice, Chief of Courts, Judicial Institute, Technical Office at the Court of Cassation, academics, the ACJLS team and ROLP. The workshop covered the importance of accurate data which needs to be monitored and what is important for periodic usage of monitoring and evaluation reports and indicators. International experts spoke and presented models of international best practices. Additionally, based on their study, the ACJLS observed:

- MIZAN should be linked to other databases such as those of the JC, Jordanian Lawyer's Association, and the National Civil Affairs Department. The ACJLS team suggested giving the JC access to the MIZAN program. Special screens and reports could be created on MIZAN to enable the JC to monitor the work of various courts and judges.
- Data should be unified.
- Many judges and court staff are still uncomfortable in using automation; the one report required by the JC from the courts is filed manually.
- There is no methodology set by the JC for the management of courts. Courts are managed based on personal capacities and initiatives of the chief of courts.

Going forward, ROLP will build on the findings of the ACJLS grant and support development of locally owned solutions to strengthen judicial performance and performance-based management.

OBJECTIVE 4: WINDOWS OF OPPORTUNITY

Assessment of Justice Sector

In close coordination with USAID, ROLP continued working throughout the quarter to plan specific activities and technical approaches to implement new activities and maximize current windows of opportunity to accelerate justice sector reform. There is a clear need for fundamental policy and structural reforms to institutionalize the independence, accountability, integrity, competence, and fairness of the judicial system. The issues of greatest concern in Jordan's legal system include: the lack of institutional

⁵ ACJLS final report is attached in Appendix.

independence and accountability; inadequate institutional capacity and competence; and insufficient access to timely and nondiscriminatory justice, including a lack of affordable legal representation.

Prosecution Improvement Plan

In December, Robert Dean, ROLP's Chief of Party, met individually with the Head Prosecutor and the four regional Attorneys General of Jordan (Irbid, Ma'an, Amman, and the High Felonies Unit) in charge of Jordan's prosecution services. These meetings were important to establish necessary relationships between ROLP and the prosecutors and to begin laying the framework for the needs assessment and the ultimate development of a Prosecution Improvement Plan which is planned for completion in late 2012. There are proposed regional prosecution workshops that are slated for Jan/Feb 2012. Consultant Paul Scoggin, a career prosecutor from Minnesota, will help with the workshops and in developing the Prosecution Improvement Plan.

ROLP Website

The current ROLP web site is outdated and should reflect current ROLP project activity. Changes that need to be made are being compiled. With the assistance of Nabil Isifan and Qais Jabareen, web content will be reflective of ROLP's current project scope and activities.

Legislative and Opinion Bureau (LOB)

Pursuant to ROLP's plan to help build the administrative capacity of the LOB, ROLP and Muna Hakooz, a contracted consultant, reviewed all legislation governing the LOB. A benchmarking study of the Bureau was made and best practices were identified. From this, two scenarios of organizational structure were presented to the LOB president and secretary general in October. A tentative structure and detailed functional analysis per unit was drafted. Interviews were conducted with LOB employees to assess the current organizational performance and revise the functions. In November, an assessment report was prepared by Ms. Hakooz and presented to the LOB president, secretary general, and ROLP. They jointly discussed and identified the next steps for the foreseeable future. A proposed organizational structure and detailed functional analysis was prepared and revised, incorporating LOB's final comments into the organizational structure. The drafting of job descriptions has begun.

Four short-term consultants will work in the following areas: (1) Registry and filing business process reengineering; (2) Restructure LOB files; (3) Capacity building and Human Resources; and (4) Training Coordination. Mohammed Amawi, the short-term business process reengineering expert, started streamlining the incoming and outgoing correspondence registry of the LOB and ensuring the efficient management of files. The IT team and Ms. Hakooz met with LOB's president and secretary general. ROLP's technical advice was requested by LOB for the coming months, until an IT Section Head is appointed, to manage the software contract and ensure proper implementation of the LOB website redesigning project.

Planned activities for the next phase of the project involves job descriptions being finalized and all LOB employees interviewed to identify and determine if competency gaps exist and evaluate if/where there are a surplus or shortage of employees. Ms. Hakooz will participate in the recruiting of the HR officer, legal researcher(s), administrative candidates, and IT officers. TORs have been prepared to hire an IT expert by the LOB to introduce required changes into the internal portal (registry electronic system). The registry streamlining process is being finalized. The process will be verified and appropriate staff trained.

Ministry of Social Development/Registry of Societies

ROLP arranges focus group discussions with the USAID Civil Society Program where NGOs identify issues stemming from the applications of the Societies Law and all regulations and directives issued in furtherance of the law. This quarter, ROLP supported the revision and redrafting of the regulation related to Special/Private Societies in accordance with the provisions of the Societies Law no. 51 for the year 2008.

Industry and Trade Law/Ministry of Industry and Trade

New amendments required to be added to the Industry and Trade draft law (March 9, 2011) were sent to the Legislation and Opinion Bureau for revision. The Legislation and Opinion Bureau revised and approved the draft law, incorporating all amendments suggested by ROLP regarding the violations section. The amended draft law was sent to the Jordanian House of Representatives (Chamber of Deputies) and is pending promulgation.

OBJECTIVE 5: PROJECT PLANNING, MONITORING, AND REPORTING

ROLP Personnel Changes

In December, Diala Khamra will rejoin ROLP, consulting as a Grant Advisor. Ms. Khamra was ROLP's former Deputy Chief of Party for five years. In January, she will be the office's full-time Grant Advisor and Legislative Bureau Component Leader.

ROLP is actively recruiting for the following positions to provide assistance on the new project scope of work: Administrative Assistant/Legal Aid, Legal Specialist, Institutional Development Specialist, Grants Assistant, and Receptionist/Administrative Assistant.

Project Planning

In mid-November, ROLP received official notification that the project had been extended for option years 4 and 5. The scope of work is now focused on further empowering the Judiciary, in light of recent Constitutional amendments, and analyzing the viability of establishing a Constitutional Court.

Pursuant to the proposed work plan for Y4, ROLP is planning to develop a revised Performance and Monitoring and Evaluation Plan during the first Quarter. This revised plan will be based upon the

modified scope of work for Option year 4 and will be designed to support project management for results and measurement of impact. During the first quarter, with USAID approval, in addition to setting forth the design of the PEMP, we will establish data collection systems and procedures, enabling for evaluation of the progress of the project during the course of the project and particularly during the fourth quarter.

The project work plan was developed by the TT-DPK field and home office staff and submitted for approval to USAID in early December.

APPENDIX

- A. Judicial Code of Conduct Workshop Report**
- B. Press Release- Opening Judicial Workshop
to Prepare the Judicial Authority Strategy**
- C. Report on the Workshop of Drafting the
Strategic Plan for the Judicial Authority**
- D. ACJLS Final Report**
- E. Courts Needs Assessment Report**

Appendix

A. Judicial Code of Conduct Workshop Report

Judicial Code of Conduct Workshop Report

The Training and Specialization Affairs Unit support the Judicial Council. In cooperation with the Rule of Law Project, they held a workshop entitled *Judicial Code of Conduct* from 15-17/10/2011.



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Summary

The Training and Specialization Affairs Unit, in cooperation with the Rule of Law Project (ROLP), held a workshop entitled **Judicial Code of Conduct**. The workshop was conducted with the assistance of a cassation court judge assigned by the Chief Justice who facilitated the session and managed discussions; 73 newly-appointed judges attended the workshop.

This workshop implements the work plan of the Training and Specialization Affairs Unit which aims at advancing the performance of judges inside the court room and instilling rules of conduct with the general public and lawyers. Additionally, the topics of judicial independence and litigation (fair trial) guarantees were also discussed.

In response to this training, it was suggested that judges be required to stay abreast of developments through continuous training that aims at advancing their capabilities and competence.

To achieve the above-mentioned objectives, the Rule of Law Project, in coordination with the director of the Training and Specialization Affairs Unit, introduced a new training methodology. The traditional training delivery technique relied solely on prepared training material which the trainer presents to the audience without allowing attendees to voice their views/opinions. Each day, three attendees were assigned the task of preparing introductory paragraphs after which the cassation judge, the session facilitator, would manage discussions and summarize the final recommendations.



Workshop Agenda:

The workshop Agenda was divided to 3 parts related to the Judicial Code of Conduct:

- Independence of the Judiciary and Trial (litigation) Guarantees.
- Judicial Conduct and the Relation of the Judge with Lawyers.
- Competence and Capabilities

First Day

(2011/10/16)

Arrival		9:30-9:00
Judge Nasha'at Al-Akhras	Welcoming Speech	9:45 -9:30
Judge Insaf Abu Mayyaleh	Power Point presentation "Independence of the Judiciary and Trial (litigation) Guarantees."	10:15 -9:45
Cassation Judge Mohammad Homs	Discussion Session	11:00- 10:15
Coffee Break		11:15 -11:00

Judge Inas Al-Omari	Power Point Presentation “Judicial Conduct and the Relation of the Judge with Lawyers.”	11:45 -11:15
Cassation Judge Mohammad Homs	Discussion Session	1:00 -11:45
Coffee Break		1:15 – 1:00
Judge Wissam Al- Khasawneh	Power Point Presentation “Competence and Capabilities”	1:45 – 1:15
Cassation Judge Mohammad Homs	Discussion Session	2:15 – 1:45
Recommendations		2:30 – 2:15
Lunch		2:30

Second Day

17/10/2011

Arrival		9:30-9:00
Judge Nasha’at Al-Akhras	Welcoming Speech	9:45 -9:30
Judge Hiba Abu Jamaa’a	Power Point presentation “Independence of the Judiciary and Trail (litigation) Guarantees.”	10:15 -9:45
Cassation Judge Mohammad Homs	Discussion Session	11:00- 10:15
Coffee Break		11:15 -11:00

Judge Manal Masalmeh	Power Point Presentation "Judicial Conduct and the Relation of the Judge with Lawyers."	11:45 -11:15
Cassation Judge Mohammad Homs	Discussion Session	1:00 -11:45
Coffee Break		1:15 – 1:00
Judge Othman Bani Taha	Power Point Presentation "Competence and Capabilities"	1:45 – 1:15
Cassation Judge Mohammad Homs	Discussion Session	2:15 – 1:45
Recommendations		2:30 – 2:15
Lunch		2:30

Workshop Attendance and participants:

The workshop was attended by a group of newly appointed judges. Attendees were split into two groups: first group was made of 37 judges and the second group was made of 36 judges in addition to H.E. cassation judge Mohammad Al Humsi and Dr. Nashat Al Akhras, the judge heading the Training and Specialization Affairs Unit.

First Day:

	Name	Position		Name	Position
1	Judge Mohammad Al-Homs	Cassation Court	21	Judge Farah Odaibat	North Amman First Instance Court
2	Judge Nasha'at Al-Akhras	Head of Training & Specialization Unit	22	Judge Abdel Kakeem Al-Hammad	East Amman First Instance Court
3	Judge Khaled	Head of Planning &	23	Judge Muna	North Amman First

	Samamah	Development Unit		Masoud	Instance Court
4	Judge Insaf Abu Mayyaleh	Customs Court	24	Judge Hiba Jafaar	West Amman First Instance Court
5	Judge Wasan Al-Quraan	Irbid First Instance Court	25	Judge Rana Arnaout	State Lawyer Assistant/ Madaba
6	Judge Amani Al-Majali	Amman First Instance Court	26	Judge Eyad Hassan	State Lawyer Assistant/ Zarqaa
7	Judge Asmaa' Salaymeh	State Lawyer Assistant / Irbid Court	27	Judge Israa' Al-Subaihat	Amman First Instance Court
8	Judge Rasha Al-Khateeb	Irbid First Instance Court	28	Judge Ra'ed Arjan	Amman First Instance Court
9	Judge Khaled Al-Qurayyat	Zarqa First Instance Court	29	Judge Mashhour Al-Barakat	Jarash First Instance Court
10	Judge Rabab Al-Biss	State Lawyer Assistant / Irbid Court	30	Judge Kholoud Sawalha	Irbid First Instance Court
11	Judge Wissam Al-Khasawneh	Zarqa First Instance Court	31	Judge Abdel Rahman Al-Nusairat	South Amman First Instance Court
12	Judge Sukayna Al-Hussameyeh	West Amman First Instance Court	32	Judge Maysaa Abu Dayyeh	Salt Amman First Instance Court
13	Judge Inas Al-Omari	Irbid First Instance Court	33	Judge Iman Al-Azzam	Amman First Instance Court
14	Judge Amer Al-Nawayseh	Russayfeh Conciliation Court	34	Judge Suzan Al-Khraisat	Amman First Instance Court
15	Judge Alia Al-Hammad	Amman First Instance Court	35	Judge Rudaynah Ababneh	East Amman First Instance Court
16	Judge Alia Al-Thunaibat	North Amman First Instance Court	36	Judge Suhair Abu Dari	Salt First Instance Court
17	Judge Yousef Nafee'	East Amman First Instance Court	37	Judge Hiba Al-Momani	East Amman First Instance Court
18	Judge Omamah Al-Saeedi	Russayfeh Conciliation Court	38	Judge Fatinah Quraishi	Russayfeh Conciliation Court
19	Judge Hamzeh Kanah	Amman First Instance Court	39	Judge Mohammad Al-Nu'mait	Salt First Instance Court
20	Judge Qusai Al-Masri	State Lawyer Assistant/ Ajloun	40	Judge Iman Attiyat	Amman First Instance Court

Second Day:

	Name	Position		Name	Position
1	Judge Mohammad Al-Homsi	Cassation Court	21	Judge Ahmad Al-Tarawneh	Amman First Instance Court
2	Judge Nasha'at Al-Akhras	Head of Training & Specialization Unit	22	Judge Hanaa' Abu Hamideyyeh	Amman First Instance Court
3	Judge Khaled Samamah	Head of Planning & Development Unit	23	Judge Hiba Abu Jamaah	South Amman First Instance Court

4	Judge Habis Al-Qudah	Jarash First Instance Court	24	Judge Manal Masalmeh	North Amman First Instance Court
5	Judge Raeda Al-Faouri	State Lawyer Assistant/ Salt	25	Judge Bayan Al-Ammarat	East Amman First Instance Court
6	Judge Diyala Obaidat	West Amman First Instance Court	26	Judge Marleen Hijazeen	West Amman First Instance Court
7	Judge Othman Taha	East Amman First Instance Court	27	Judge Ahmad Mahasneh	Ajloun First Instance Court
8	Judge Ali Khudairi	Jarash First Instance Court	28	Judge Iman Al-Harb	Zarqaa First Instance Court
9	Judge Talal Al-Fraihat	Irbid First Instance Court	29	Judge Islam Radaydeh	Irbid First Instance Court
10	Judge Rula Al-Jarajra	State Lawyer Assistant	30	Judge Kafaa Shatanawi	Amman First Instance Court
11	Judge Hadya Al-Duwairi	Irbid First Instance Court	31	Judge Ghadeer Assaf	East Amman First Instance Court
12	Judge Yazeed Nawafleh	Irbid First Instance Court	32	Judge Mohammad Abu Dalou	State Lawyer Assistant/ Zarqaa
13	Judge Mohammad Nawafleh	Zarqaa First Instance Court	33	Judge Mouath Hawamdeh	Ajloun First Instance Court
14	Judge Ehab Al-Syouf	South Amman First Instance Court	34	Judge Alfaisal Al-Thyyab	Salt First Instance Court
15	Judge Manar Hussein	Salt First Instance Court	35	Judge Samia Al-Moghrabi	Amman First Instance Court
16	Judge Mohammad Al-Khawaldeh	Ein Al-Basha Conciliation Court	36	Judge Mahmoud Abdul Bari	State Lawyer Assistant/ S. Amman
17	Judge Rasha Al-Naser	West Amman First Instance Court	37	Judge Satee' Al-Taani	State Lawyer Assistant/ Ajloun
18	Judge Zeid Al-Sahlabi	Sahhab Conciliation Court	38	Judge Ibrahim Al-Khraisha	Zarqaa First Instance Court
19	Judge Saed Al-Tal	North Amman First Instance Court			
20	Judge Safinaz Al-Hayek	East Amman First Instance Court			

Presentations and Discussion Sessions

A number of the judges participating in the workshop prepared introductory presentations for each topic that were presented to attendees; extensive discussions and debates followed, facilitated and managed by the session facilitator and the director of the Training and Specialization Affairs Unit.

Topic	Assigned Judge 16/10/2011	Assigned Judge 17/10/2011	Duration
Independence of the Judiciary and Trial (litigation) Guarantees	Insaf Abu Mayaleh	Hiba Abu Jama'a	30 minutes
Judicial Conduct and the Relation of the Judge with Lawyers	Inas Omar	Manal Masalmeh	30 minutes

Competence Capabilities	and	Wisam Khasawneh	Othman Bani Taha	30 minutes
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Workshop Evaluation

A questionnaire was used as a tool to measure the knowledge and attitudes of trainees across two pillars:

1. **Evaluation of the workshop.** This pillar covered 8 questions that included implementation methodology of the course, the level of achievement of workshop objectives, and trainee interaction.
2. **Supervision of the workshop.** This pillar covered two questions which sought to evaluate the overall atmosphere, coordination and supervision of the workshop from the trainee point of view.

Key Evaluation Results

Evaluation of the Workshop

Overall, the evaluation of the workshop by the trainees was positive. 91% of trainees ranked the workshop as very good or good. A low 4% gave it an “average” ranking, and 3% indicated that it was weak. Following are the main evaluation results related to this pillar:

1. The majority of trainees (88%) believed that the workshop improved their knowledge and ranked it as either very good or good. Only 8% ranked it as weak or very weak, followed by 5% who ranked it as medium (average).
2. 98% of trainees believed that the subject of the workshop was pertinent to their work, and advanced their knowledge by a very good or good degree (88%).
3. 89% indicated that the facilitation of the session by the judges, without the presence of a lecturer or the use of traditional training techniques, was positive; they ranked it as either very good or good. Some of the comments indicated that this training methodology highly increased interaction and opinion exchange among participants.

- 91% of judges believed that the workshop achieved its objectives by a very good or good degree.

Item	Very Good	Good	Average	Weak	Very Weak	Total
The training advanced my knowledge	46.3	41.8	4.5	4.5	3	100
The tools used were clear and beneficial	49.3	40.3	7.5	3		100
Level of importance of the topic in relation to the nature of my work	74.6	22.2	1.6	1.6		
Appropriateness of workshop duration and timing	56.7	31.3	6	3	3	100
Evaluation of workshop venue	80	18.5	1.5			100
Level of achievement of workshop objectives	52.2	38.8	3	4.5	1.5	100
Workshop management and facilitation methodology, without having a lecturer and applying the lecturing methodology	56.9	32.3	4.6	1.5	4.6	100
Workshop management and facilitation, without the presence of a lecturer, increased interaction and opinion exchange among attendees	61.5	27.7	3.1	7.7		100
Overall Average	59.7	31.6	4	3.7	3	100

Supervision of the workshop

- 94% of judges think that the overall coordination of the workshop, in terms of follow-up and supervision, was very good or good. A small percent, not exceeding 5%, had a different view and believed that the overall workshop coordination was weak.
- A similar percent (94%) thought that the workshop atmosphere, in terms of venue, was very appropriate.

Item	Very Good	Good	Average	Weak	Very Weak	Total
Overall workshop organization (follow-up and supervision)	73.1	20.9	1.5	3	1.5	100
Workshop atmosphere is appropriate (in terms of location, venue ventilation . . etc)	76.1	17.9	3	1.5	1.5	100
Overall Average	74.6	19.4	2.3	2.3	1.5	100

Recommendations and Suggestions

1. Judges believed that the absence of a lecturer was good and quite innovative. They wished that such methodology be adopted in future workshops given that it avoids routine and allows participant interaction and learning from others' experiences.
2. Hold courses to communicate with others, particularly those inside the courtroom. Additionally, organize courses on time management during hearings, particularly for newly hired judges.
3. Focus during workshops must be on the practical aspects and the activation of the newly-hired judges' roles.
4. It would have been better if, in this workshop, there were more presentations on behavioral skills and skills related to session management. These skills can only be taught if trainers are highly experienced, competent and credible. Theoretical lectures do not help introduce change, particularly with respect to judicial affairs
5. It was suggested that the trainer present a working paper so that participation is effective by all trainers.
6. Courses should be held to educate judges on international agreements, which Jordan ratified in order to implement and apply them to cases under judicial review.
7. Hold more workshops and meetings with senior-level judges with extensive experience so as to benefit from their knowledge and expertise in trying cases and bringing justice.
8. It is important to consider the timing of the lecture and to coordinate with chief judges beforehand.
9. Organize courses with regards to evidence and judicial psychology.
10. Hold additional courses to develop the skills of judges, particularly the newly-hired ones.
11. The work of a judge is affected by the staff surrounding him/her. It is for this reason that it is important to raise awareness among court staff and employees on mannerism related to working with judges and the court (for example, the bailiff interrupts witnesses and court hearings).
12. Training courses on the use of MIZAN.



13. Establish an office or a committee within the judiciary and the Bar Association to ensure the proper administration of justice by judges and lawyers; incorporate said principles in continuous education programs and raise awareness about the burdens shouldering both sides.
14. Raise awareness on the role of judges and the importance of respecting the judicial system in relation to newspaper ads and TV.

15. Course duration should not be restricted to one day, as some topics require longer time to be adequately covered.
16. Representatives from the Jordanian Bar Association should be present when covering the topic of judicial conduct.
17. Moot court training is needed for training covering the two sides of justice (judges and lawyers) and the means of dealing with both sides in a manner that achieves a balance between both.
18. It is important to hold joint training programs for judges and lawyers to reach points of agreement.
19. Hold courses covering administration and management of judicial work and the relevant laws which must be applied.
20. Organize training courses for conciliation judges on Conciliation Law and procedures that are particular to conciliation cases, such as labor cases, civil status cases as well as criminal cases and new amendments to relevant laws.

Appendix

B. Press Release- Opening Judicial Workshop to

Prepare the Judicial Authority Strategy

Opening Judicial Workshop to Prepare the Judicial Authority Strategy

Under the patronage of the Chairman of the Cassation Court Chairman of the Judicial Council, Mohammad Mahamid, a workshop preparing the Judicial Authority Strategy for 2012-2014 was launched today, Wednesday 26 October 2011. Members of the Judicial Council, Heads of Courts of Appeal and Courts of First Instance, Active Deputies and General Prosecutors participated with the Administrative Units Managers of the Judicial Council.

In his opening speech, Mahamid underscored the importance of judges' roles in drawing up the strategy for the Judicial Authority's work on the grounds that it is a functional and personal task intended to interpret the Royal Vision towards lending support to the Judiciary's independence. Mahamid said: "In view of the comprehensive bold reform steps which the Kingdom has witnessed, led by several constitutional amendments, it follows that updating, improving and upgrading the Judiciary and its performance in line with the progress of reform will be our foremost objective as a personal program and major national duty as members of the Judicial Authority." He went on to state that, "independence is not a privilege of the Judicial Authority; it is the most important human right. Any infringement thereof will disturb the balance of justice and will ruin the elements of government."

The workshop was held on the basis of the Royal Directives which call for creating a unique and advanced judiciary. Addressing the judges, Mahamid stated, "Active participation in this workshop constitutes a general framework for deep and comprehensive judicial reform of the justice system which is contingent upon responsible performance by the judges and cooperation of all authorities in the form of continued participation and coordination for the best interest of the higher national

objectives, whose pillars have been reinforced by His Majesty the King who also drew up the Royal Visions for achieving such objectives.”

Mahamid said, “Judges have upheld the trust of realizing justice since the dawn of history, and humanity felt the urgent need for justice as a means of attaining security, reassurance, and fairness for the oppressed, and deterring the oppressor, and restore rights to eligible beneficiaries.” He added: “Only through justice can values be maintained, principles be consolidated, and citizen’s feelings of loyalty to his (or her) country be doubled. The Hashemites have always given the Jordanian Judiciary utmost care and interest since the Kingdom was established as a consecration of the principles of separation between the authorities, maintenance of rights, and achieving justice between the citizens before the Law.”

Mahamid indicated that the Judiciary is going ahead with its march by virtue of support, attention, and directives of the King who is keen on doing what is necessary to improve and provide the judiciary with skilled and efficient experts and to support judges so that they will be able to allocate their full time and attention to their missions of spreading justice.

Interest in improving and updating the judiciary is the result of the pioneering initiative of His Majesty. In a Royal Letter addressed on 29/8/2000 to the Prime Minister, he requested the formation of a Royal Committee to upgrade the Judiciary and other ancillary authorities. The Committee, therefore, has drawn up a three-year plan for the years: 2001, 2002, and 2003 followed by a strategy for upgrading the Judiciary for the years 2004, 2005, and 2006. Experts from the United States of America, United Kingdom, France along with the United Nations and the European Union participated in funding and implementing such strategy.

In his speech, Mahamid concentrated on six basic components related to supporting the Judicial Authority. First: Judiciary independence, particularly as the Judiciary is naturally independent; any infringement of this rule would undermine the grandeur of the Judiciary. Any intervention in the Judiciary's affairs would lead to destabilizing justice and would weaken the pillars of government.

Independence constitutes no privilege for Judicial Authority; it is one of the most important human rights enjoyed by whoever resorts to the Judiciary seeking justice and fairness.

The Jordanian Constitution has guaranteed the principle of separation between the authorities along with the Judiciary's independence. This was emphasized by the Judiciary's Independence Law which considered the Judicial Council as the top of the Judicial pyramid, equivalent in integration with the Legislative and Executive Authorities. This principle has been reinforced by the constitutional amendments.

With regards to legislations regulating judicial work, Mahamid underscored the importance and integrity of good drafting of legislature to assist judges in their roles. Judges are constrained by legal provisions drawing clear dividing lines between prohibited and permissible actions and which the judge cannot violate; otherwise, the judge will be subject to questioning.

For this reason, it is necessary to reconsider and adjust certain legislations governing the judicial work according to the constitutional amendments in a manner that will accelerate decision making on lawsuits, reduce the lengthy duration of litigation, and speed up the execution of judgments. Such adjustment will reduce the periods of postponing and contesting judgments, alleviating the burden on the Courts of Appeal and the Court

of Cassation by determining the type of lawsuits which they are required to look into and completing the litigation classes in administrative judicature up to two classes. This is intended to realize the utmost expertise and justice of litigation between individuals and establishments, particularly as a workshop is scheduled to discuss this issue on 19/11/2011.

Mahamid underlined the judicial specialization component, indicating that although this principle has only recently been introduced to the Jordanian Judiciary, it is still in need of further intensive efforts to achieve the desired level. He added, "Rapid developments in the fields of international trade, investment, environment, intellectual property, corruption, terrorism and family violence call for areas of specialization for all courts in order to improve the quality of judgments."

On the rehabilitation and training component, Mahamid said that the task of the Judiciary requires ongoing preparation, rehabilitation, and training, improving legal thinking on the part of judges who should also remain open to their social and international surroundings, and keeping pace with the developments on legal and judicial arenas.

With regards to judicial control and inspection, Mahamid affirmed that judicial control is based, according to its modern concept, on the efficiency of the performance of Court judges and General Prosecution members in terms of implementing the Law, completing litigation and confirmation procedures, reasons for postponing, and completing judgments for justifications and causes, correct results and avoiding errors.

Mahamid added that the Directorate of Judicial Inspection has not been able so far to carry out all the tasks assigned according to the Law due to

the insufficient number of inspectors, particularly judges, of relevant classes occupying such position according to Law. He is hopeful that the Judicial Council will be able to increase the number of inspectors to perform the tasks entrusted to them according to the Judicial Inspection Regulations.

Mahamid underlined the importance of the scientific and technological progress component, noting that the growing number of lawsuits, issuance of judgments and decisions, and the regulations to be followed call for seeking the assistance of modern devices and innovative mechanisms in the field of information technology and methods of utilizing them in judicial work. This calls for expansion of computer systems and electronic connections with relevant authorities and applying this system to all courts. This would simplify lawsuits whereas judges and employees could electronically track cases from the moment they are registered until provisions are issued to that effect.

Mahamid concluded his speech by affirming that "attaining justice and sovereignty of the Law and consolidating the principles of justice and equality are constants which cannot be ignored. We will follow the steps and methods of our honorable judges who built the edifice of justice, underlined good manners, and consolidated the conventions and traditions which are worthy of our pride and delight".

For his part, Judge: Ahmad Jamaliya/Chairman of the Court of Appeal and Acting Superintendent of the Judicial Council Administrative Units, delivered

a presentation on the work of the Administrative Units since they were activated last June, and asserted that the Administrative Units work as an administrative department to serve the Judicial Council in an effort to improve and update the Judicial Department.

Judge Khaled Al Samam'a, Director of Planning and Development at the Administrative Units, delivered a presentation on the tasks and work of the Directorate along with its role in preparing a strategy for the Judicial Authority.

The workshop activities at the Dead Sea area will last for three days and will include dialogue between the Judicial Authority leaderships to come up with concepts on the components of the Judicial Authority's strategy for the years 2012-2014, according to the priorities determined by the Judiciary on the basis of the actual needs of the Judicial Department and to the effect that the Royal Vision will be achieved.

Participating judges at the workshop will deliver presentations on the parts of the strategy realized during the years 2010-2012 through an analytical questionnaire of the plan components. The results of the questionnaire, conducted by the Directorate of Training and Specialization at the Administrative Units, on the needs of Jordanian Courts will also be presented.

Accordingly, participating judges will seek to determine components of the new strategic plan which the Administrative Units will be required to draw up within the framework of a fully-integrated document according to the standards and constraints to be designated by participants.

Appendix

C. Report on the Workshop of Drafting the Strategic Plan for the Judicial Authority



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FROM THE AMERICAN PEOPLE

USAID-Rule of Law Project in Jordan

Contractor: DPK Consulting - A division of ARD.Inc

Contractor: USAID-Rule of Law Project

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**Report on the Workshop
of Drafting the Strategic Plan
for the Judicial Authority
Marriott Hotel - The Dead Sea**

26-28/10/2011

November/ 2011

A Project Funded By USAID

**The Letter of the King to the Head of the Court
of Cassation and Head of the Judicial Council**

**Your Excellency Mr. Mohammed
Al-Mahamid, may God protect
him,**

**Head of the Court of Cassation and
Head of the Judicial Council**



Peace be upon you and God's mercy and blessings...

I would like to send you an Arabic Hashemite greeting, filled with appreciation and pride in you and your colleagues, the Judges and the staff of the Jordanian judicial authority, which is characterized by its outstanding performance and its commitment to the values of justice and maintenance of the right.

When you assumed this national venerable responsibility, having built on accumulated achievements of the reformation of the judiciary and improving its performance as the Head of the Cassation Court, as well as the Judicial Council, we opined to affirm our vision towards this pivotal facility in the procession of State and society towards progress and prosperity, relying on the principle that Justice is the basis of kingship.

At the heart of our vision of Judiciary and its relationship with other State institutions, we must reaffirm our commitment to maintain the principle of the separation of powers, guaranteed by the Jordanian Constitution and interpreted by the law of independence of the judiciary; the constitutional amendments enhance this lofty principle.

Among our constants also is supporting the efforts for reforming and developing the judiciary in all the aspects related to the infrastructure, maximizing the capability and capacities of the courts and empowering the human element, performing the work, by constant development, training and empowerment of knowledge.

The State's vision towards a developed, independent and impartial Judicial Authority remains present and complementary to all national efforts. We see to it that efforts made to promote the vision of reform

must be reflected by asserting - in word and deed - that the judiciary is the guardian of justice; that it guarantees the equality of the Jordanian citizens before the law; that it is the major motor in translating our reformation plans, which aim to promote the integration and control between the State authorities; that it is also the motive in our efforts towards the economic reformation, increasing the competitiveness of our national economy, enhancing the Kingdom as a state of law in which the investor is reassured about the integrity of its judiciary pursuant to the best international standards.

Along the course of the responsibility that we are proud to bear, and so that the procession of strengthening the judicial institutions can continue in the right direction, we must focus on the prompt adoption of the law of judicial independence, guaranteeing amendments that may support its independence, transparency and integrity, in addition to enhancing the stature of the judiciary through limiting the appointment of judges in the Judicial Council only, not in any other authority, according to transparent and specific criteria based on competence and competitiveness, according to the content of the constitutional amendments, as well as completing the litigation degrees in the administrative jurisdiction to two degrees in order to root this cornerstone of the fairness of litigation between individuals and institutions.

In order to strengthen the capacity of the judicial systems and improve its institutions, we emphasize the importance of supporting it with human and technical needs, which ensure strengthening the capacity of the staff of the judicial system in servicing the Jordanian citizen and achieving justice; we will continue supporting you by providing the latest technical tools and mechanisms associated with the judicial work, particularly the expansion of computing systems and electronic links connecting the courts and related institutions, and the involvement of all

courts in this system until reaching an accurate, efficient electronic professionalism of the judiciary's staff.

I would also like to remind you about the importance of supporting the facilities of the judiciary to maximize their efforts and capacities to ensure quick resolutions of cases in a way that protects the litigants' positions. Such efforts must be associated with the need to re-consider some amendments to legislations governing the judicial work and their harmonization with the constitutional amendments, which would speed up the adjudication of cases, accelerate the execution of judgments and ease the burden on the courts of appeal and cassation by determining the quality of cases it examines.

Upgrading judicial work requires activating the role of judicial inspection and those who are in charge of it, equipping it with a qualified cadre. Here, we are reminded about the importance of reinforcing the principle of specialization among judges, as accelerated developments in the areas of global trade and environment, intellectual property, corruption, and domestic violence require specialized comprehensive knowledge that should be available in all courts, thereby assuring and raising the quality of judgments.

The human element in the Judiciary was given early concern through continuous support to the Future Judges' Program. There is a continued need to support and implement such ambitious programs that guarantee the continuity of judicial expertise, as well as giving priority for training the judges and sending them on advanced and specialized scientific missions in order to obtain the highest degrees of specialization, practice, knowledge; they are able to take advantage of the best regional and international experience, as well learn foreign languages and benefit from the practical experiences of more advanced international juridical systems. I urge you to quickly and diligently

supplement the judiciary and general prosecution with the required qualified cadre, to achieve balance in the number of cases received by the courts and the number of their employees.

The aforementioned themes represent my commitment and vision of supporting the judiciary, its facilities staff; continue forward with determination, bright endeavors to enhance the performance of this vital system in a way that better services our dear citizens by safeguarding the fairness and impartiality of the judiciary.

May God bless you and your colleagues, the guards of justice, and help in your efforts for serving our homeland and citizens.

Peace be upon you and God's mercy and blessings,

Abdullah II Ibn Al-Hussain

Amman on 1 Thi Al-Qe'dah, 1432 AH

Corresponding to 29 September, 2011 AD

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Executive Summary

The workshop was held upon invitation of the Head of the Judicial Council in order to draft a strategic plan for the judicial authority for the next three years (2012 - 2014), and materialize the vision of His Majesty the King towards the judicial authority in his letter addressed to the Head of the Court of Cassation and the Head of the Judicial Council.

The workshop was attended by the members of the Judicial Council, HE, the Heads of courts and prosecutors as well as the directors of the Administrative Units and the staff of Rule of Law project, funded by the U.S. Agency for International Development. The goals of the workshop were:

1. Materialize the message of His Majesty the King and his vision towards strengthening the judicial authority through drafting a strategic plan for the judiciary for the years 2012 - 2014.
2. Promote the partnership between decision-makers in the judicial authority, the members of the Judicial Council, HE, the Heads of courts and the prosecutors when formulating the vision, mission and the strategic goals.
3. Enhance the institutionalization of work and find an efficient cadre (the Administrative Units of the Judicial Council) to build the strategic plans of the judicial authority.
4. Strengthen the channels of communication and networking between the Judicial Council, Heads of courts, prosecutors and the administrative units to institutionalize work and to build a true and effective partnership with relevant authorities.

At the opening session, and in his opening speech, HE, the Head of the Judicial Council, set forth directives to prepare the strategic plan for the coming years. He focused on the vision of His Majesty King Abdullah II towards the judiciary as a key reference for the said plan, the comprehensive reform efforts crowned by the constitutional amendments, and the views and suggestions of the participants in the workshop in a way that are concurrent with the Royal lofty vision.

The strategic planning expert delivered a lecture to the judges who participated in the workshop on the concepts of strategic planning and the methodologies for formulating the vision, mission and the main themes. He also defined the key indicators to be referred to when determining the pillars of the strategic plan, which he specified in the following: 1) the Royal lofty vision and His Majesty's orientations toward the judicial authority for the next phase; 2) the orientations of decision makers in the judicial authority; and 3) analyzing reality and identifying the strengths, weaknesses, challenges and opportunities in order to develop the judicial authority and improve its performance.

In the area of analyzing reality and identifying the needs of the courts, a study for identifying such needs had already been conducted and participated by all the Heads of courts and included six themes: legislation and laws; judicial inspection; training and rehabilitation; causes for delay in disposition of cases, execution cases; and means of communication and networking. The study concluded a set of results and valuable recommendations that will be taken into consideration in drafting the strategic plan for the judicial authority for the next three years.

Two questionnaires were developed, the first one to analyze the strategic plan for the development of the judiciary for the years 2010 -

2012 so as to assist in the conceptualization of the strategic plan for the years 2012 - 2014. The second questionnaire aims to explore the opinions of the judges on the proposals they have submitted and the amendments to the vision, mission and main themes for the judicial authority in order to conclude a vision, a mission and agreed on themes in preparation for final adoption.

After presenting the results from the questionnaires, judges led an in-depth collective discussion to discuss the results and the formulation of every word and every sentence in the vision, mission and themes. The letter of his Majesty was distributed to the attendees to be considered as a reference to simulate the previous strategic plan and propose a vision, mission, themes and goals for the strategic plan for the coming three years. The anticipated output from this questionnaire is to come out with a vision, mission, themes and goals in terms of their numbers and contents. The following are the vision, mission and main themes adopted for the strategy (2012-2014).

Vision:

"An independent judicial authority that guards justice, completes the national efforts, and enhances the confidence of the society".

The Mission:

"Fair, impartial, efficient and distinctive judiciary that enjoys the trust of society, guarantees the rights and freedoms founded on the rule of law and integration with the State authorities, and supports the efforts for

reformation and the overall development through an institutional structure along with a highly qualified and specialized cadre".

First Theme:

Laying the foundation for the independence of the judiciary and building its institutions.

Second Theme:

Enhancing an efficient and effective judicial authority that guarantees fair trials and enhances the confidence of the society.

Third Theme:

Achieving an expeditious criminal justice according to the latest standards.

Fourth Theme:

Institutionalizing the relationship between the judiciary and the Ministry of Justice.

Fifth Theme:

Strengthening the channels of communication between the judiciary and the other institutions.

Sixth Theme:

Contributing to the consolidation of public confidence in the rule of law.

The main themes were integrated with the adopted vision and mission in their final formulation and achieved the Royal lofty vision towards the judiciary as follows:

1. **An Independent Judiciary:** The vision focuses on the independence of the judiciary as stated in the Royal lofty letter to the Head of the Court of Cassation and the Head of the Judicial Council. The first theme reflects this aspect of the vision and focuses on establishing the independence of the judiciary through building its institutions.
2. **A Judicial authority that guards justice:** The vision focuses on the fairness of the judiciary as stated in the Royal letter in which His Majesty the King used the same expression. The second theme reflects the fairness of the judiciary through the capable institution and the judicial qualified and high efficient cadre who can guarantee fair trials.
3. **A Judicial authority that enhances the confidence of the society:** Spreading awareness to society about the judicial culture and the rule of law is a basic premise in the Royal lofty vision; this has been reflected in the sixth theme, which focuses on the role of the judiciary in promoting and consolidating public confidence in the rule of law in partnership with other official institutions such as: the Ministry of Education, universities, civil society institutions and the media (the fifth theme).
4. **The Mission:** The mission of the strategic plan for the next three years completes what its vision seeks to achieve. The mission paves the way to reach the desired vision through building modern institutions armed with modern technology as well as qualified and specialized staff capable to steer the judicial authority towards independence, justice and integrity. It enjoys the confidence of the society, guarantees the rights and freedoms

of society members and supports efforts made for reformation and overall development.

Attendees at the workshop

Name of workshop: Drafting the Strategic Plan for the Judicial Authority.

Venue and Time: Marriott Hotel/the Dead Sea from 26-28/10/2011.

Attendees: The Head of the Judicial Council, members of the Judicial Council, Heads of the Courts of Appeal and the Courts of First Instance, prosecutors, directors of the Administrative Units , a representative of the U.S. Agency for International Development, and the staff of the Rule of Law project. 57 participants attended the workshop:

- The Head of the Judicial Council and the members of the Judicial Council (Head of the Supreme Court , Head of the General Prosecution, Director of the Judicial Inspection, two judges from the Court of Cassation, and the Secretary General of the Ministry of Justice, Heads of the Courts of Appeal and the Head of Amman Court of First Instance).
- The Head of the Technical Office of the Court of Cassation and a Judge in the Technical Office.
- Four General Prosecutors.
- Civil Attorney General and the Director of the Judicial Institute.
- Four judges from the Ministry of Justice.
- 18 Heads of First Instance Courts, including the Head of the Criminal Court, the Head of the Customs Court of First Instance and the Head of the Tax Court of First Instance.
- The Directors of the Administrative Units: The Director of Judges' Affairs Unit, the Director of Training and Specialization Affairs Unit and the Director of Planning and Development Unit.
- The Director of the Head of the Council's office and the Secretary of Council.
- Staff from the Ministry of Justice.
- An employee from the Administrative Units.
- Staff of the Rule of Law project.

Workshop Agenda

The first day - Wednesday 26/10/2011:

- Presentation on the role of the Administrative Units in drafting the strategic plan and the goal of the workshop presented by the Director of Planning and Development Unit, Judge Khaled Al-Samam'ah.
- Presentation to define the concepts of strategic planning and the methodology of developing the strategic plan of the judiciary presented by Mr. Hamid Can'aan, a strategic planning specialist.
- Speeches from the Head of the Judicial Council, HE Judge Mohammed Al-Mahamid, and the Head of Amman Court of First Instance who is charged with activating the Administrative Units, HE Judge Ahmed Jamalia.
- A questionnaire that aims to analyze the strategic plan for the development of the judiciary for the years 2010 - 2012 and its compatibility with the Royal lofty vision was illustrated by each of the Director of Training and Specialization Unit Judge Nash'at Al-Akhras and Mr. Nabil Su'aifan from the Rule of Law project.
- The questionnaire was distributed and filled up by the judges.

The second day - Thursday 27/10/2011:

- The results of the survey completed by the participant judges were presented by the Director of Training and Specialization Unit Judge Nash'at Al-Akhras and Mr. Nabil Su'aifan.
- A session was held to discuss the findings.
- The Director of Training and Specialization Unit Judge Nash'at Al-Akhras and Mr. Nabil Su'aifan explained a second questionnaire that aimed to outline perceptions and ideas for the preparation of the judiciary's 2012-2014 strategic plan, based on the letter of His Majesty the King .
- A session was held with regards to the questionnaire, the vision, and mission.
- The questionnaire was distributed on the participant judges.

The third day - Friday 28/10/2011:

- The results of the survey concerning the 2012-2014 judicial strategic plan was presented by the Director of Training and Specialization Unit Judge Nash'at Al-Akhras and Mr. Nabil Su'aifan.

- A session was held with regard to the results of the questionnaire; a vision, mission and major themes were concluded for the strategic plan for the judiciary.

Workshop to Draft the Strategic Plan for the Judicial Authority

Introduction

In response to the invitation of the Head of the Judicial Council to hold a workshop to draft a strategic plan for the judicial authority, the Rule of Law Project, funded by the U.S. Agency for International Development, in coordination with the Administrative Units in the Judicial Council of Jordan held a workshop to draft a 2012-2014 strategic plan for the judiciary from 26-28/10/2011. This workshop was attended by the decision makers in the judicial authority represented by the Head of the Judicial Council and its members, the heads of courts in the Kingdom, and prosecutors.

The workshop targeted several goals, most importantly the vision of His Majesty the King to strengthen the judicial authority and support its independence, as stated in his letter addressed to the Head of the Court of Cassation, the Head of the Judicial Council on September 29, 2011, through drafting a three year strategic plan for the judiciary in a way that reflects His Majesty's vision. The workshop also aimed to promote partnership between decision-makers in the judiciary, members of the Judicial Council, HE the Heads of courts and prosecutors, in formulating the vision, mission and the strategic goals. Moreover, it aimed to: enhance the judiciary's institutionalization ; find a competent cadre (Administrative Units of the Judicial Council to build the strategic plans for the judiciary; and to improve networking and communication between the Judicial Council, the heads of courts, prosecutors and Administrative Units to institutionalize work and build an effective partnership with relevant authorities.

The 2012-2014 strategic plan was based on:

1. The Royal vision and his Majesty's guidance to the judiciary in his letter to the Head of the Council as a key reference in determining the general features of the strategy.
2. The orientations of decision makers at the highest levels in the judicial authority, represented by the Head and members of the Judicial Council, the Heads of courts, prosecutors and judges at various levels and ranks based on the principle of partnership in shaping the future of the judiciary for the coming years.
3. Studying and analyzing the status quo to learn the achievements and needs of the judiciary, the challenges it faces, and available opportunities to facilitate reaching a clear and ambitious vision, a comprehensive mission, well-established principles and realistic measurable goals.

This report contains all activities and preparatory events which occurred prior and during this workshop as well as the methodology used to achieve the workshop's main goals

Opening Speeches

The Speech of the Head of the Judicial Council

In his opening speech, HE the Head of the Judicial Council, Judge Mohammed Al-Mahamid pointed out that holding this workshop forms a general framework for a deep and comprehensive judicial reformation of the system of justice, based on the guidance of the master of the country, His Majesty King Abdullah II Bin Al-Hussain by creating a distinctive and sophisticated Judiciary.



His Excellency also stated that the judiciary has carried the trust of achieving justice since the dawn of history because with justice alone values are maintained, principles are stabilized, and the sense of citizen security doubles. HE also pointed out that the Hashemite judiciary dates back to the founding days of the Kingdom- establishing the principle of separation of powers; maintaining rights; and achieving justice between all citizens before the law. He confirmed the continual support, care and guidance by His Majesty the King for his keenness to provide all that may promote the judiciary facility, support it with trained and competent expertise, and provide a decent life for them to dedicate themselves to their venerable tasks in disseminating justice and realizing what is right.

His Excellency pointed out to the stage which the Kingdom is going through and the bold and honest leap it witnesses for the comprehensive reform crowned by the constitutional amendments among which the judiciary enjoyed a big part. He also stressed that

modernizing and developing the judiciary and improving its performance would be of the great interest to His Excellency himself as a personal program and a major national duty to all the members of the judiciary within main themes that are waiting for serious and effective participation through the opinions and proposals of all the participants in this workshop in a way consistent with the Royal lofty visions.

His Excellency the Head of the Judicial Council addressed six main themes:

1. **Independency of the Judiciary:** He confirmed that the nature of the judiciary is to be independent and, in principle, it must be so. Any prejudice to this principle would be tampering with the majesty of judiciary and any interference in its affairs would lead to the disruption of the balance of justice and undermine the foundations of governance. He also stressed that the independence of the judiciary is a privilege and one of the most important human rights enjoyed by anyone who refers to the judiciary seeking justice and equity.
2. **Legislations that govern the work of the judiciary:** HE pointed out that the sound legislation and its good wording would make it easier for the judge to perform his role. He stressed on the need to reconsider some legislation governing the work of the judiciary to make them compatible with the constitutional amendments in a way that would contribute in accelerating the adjudication of lawsuits, reduce prolonged litigation, expedite the execution of judgments, and shorten the duration of delays and appeals. This would ease the burden on the courts of appeal and cassation by specifying the quality of cases they deal with, and completing the degrees of litigation in the administrative judiciary to two degrees in order to achieve the greatest degree of expertise and fairness of litigation between individuals and institutions.

3. **Judicial Specialization:** HE pointed out that the principle of judicial specialization is still new and needs further intensified efforts to keep pace with the rapid developments in the fields of international trade, investment, environment, intellectual property, corruption, terrorism and domestic violence.

4. **Rehabilitation and Training:** HE pointed out that action is needed to develop the legal thought among the judges and their openness to their social and international environment, stressing that this requires developing programmatic plans to build capacities and skills that depend on applied and practical aspects rather than the theoretical aspect.

5. **Control and Inspection:** HE stressed that the judicial control, according to its modern concept, is based on the performance efficiency of the judges of courts and prosecutors general in terms of law enforcement and fulfillment of litigation procedures, proof, delay and complete judgments of reasons, causes and soundness of results as well as avoiding errors, noting that the Directorate of Judicial Inspection has not been able until this moment to perform all the tasks entrusted to it by law because of the limited number of inspectors, especially from the degree judges who occupy such position pursuant to the provisions of the law. HE looks forward to increasing the number of inspectors so that they can carry out their assigned duties under the system of judicial inspection.

6. **Scientific and Technological Progress:** HE stressed the importance of access to modern means and developing mechanisms in the field of information technology in the work of the judiciary , pointing out the need for expanding automated systems and electronic connectivity with relevant authorities. The system must cover all courts of various types and degrees in order to facilitate the work of all judges and employees on electronic claims from the time of their registration until the issuance of verdicts.

Finally, HE stressed that achieving justice, the rule of law, and establishing the principles of justice and equality are constants that we must not depart from, without compromise, or tolerate any attempt of interference in the affairs of the judges or to influence its independence from any party whatsoever and for any reason.

The Speech of the Head of Amman Court of First Instance

His Excellency the Head of Amman Court of First Instance, Judge Ahmed Jamalia, charged with activating the system of Administrative Units, began his speech by welcoming the participants, pointing out that he is entrusted by His Excellency the Head of the Judicial Council to hold this workshop, which includes the largest gathering of decision makers in the Judiciary in order to outline the 2012 – 2014 judicial strategic .



He thanked His Excellency the Head and distinguished members of the Judicial Council as well as the Heads of courts, prosecutors, the team of Administrative Units of the Judicial Council and the team of the Rule of Law Project, funded by the U.S. Agency for International Development.

HE pointed out the importance and need for strategic planning for the next phase after comprehensive reform was adopted by His Majesty King Abdullah II Bin Al-Hussain, may God protect him, to translate his lofty vision to make a qualitative change in the performance of the judiciary. This vision is represented in the independence of the judiciary as the guardian of justice and guarantor of rights, public personal freedoms. HE also stressed the existence of a functioning and independent judicial system that will contribute to the administration of justice and the establishment of core values represented by integrity, justice, equality and preserving citizens' rights guaranteed by the Constitution.

HE also pointed out the importance of the judiciary to the Hashemites, since the establishment of the Monarchy, as an inevitable necessity for the stability of the society and for promoting security, protecting rights, freedoms and the economic and political development.

Moreover, HE mentioned the comprehensive reforms witnessed by the Hashemite Kingdom of Jordan and affecting all State facilities, pointing out that in his letter, the King stressed the need to: establish a balance between authorities; improve institutional performance of the parties and the parliament; and grant the judiciary an independent rule among various authorities. This has been translated through constitutional amendments that are necessary to maintain the independence of the judicial authority.

HE also pointed out that the letter of His Majesty focused on a set of constants and visions for the advancement of the judicial authority as a determining factor in the march of the State towards progress and prosperity, indicating that the invitation to the Head of the Council to build the 2012-2014 judicial strategic plan in the light of the Royal lofty vision and the active participation by the members of the Judicial Council as well as the Heads of courts, prosecutors and administrative units will certainly upgrade the judiciary and contribute to advancing the reform forward.

Finally, HE expressed his hope that this workshop will achieve the vision of His Majesty and the orientations of His Excellency the Head of the Judicial Council for the advancement of the judicial authority, which will have a significant role in the preparation of the strategic plan for the judiciary in order to create a judicial authority that is effective, independent, a guardian of justice and able to provide services to citizens in a timely manner and without delay.

The Speech of the Rule of Law Project

In his speech, Mr. Nabil Su'aifan, as the representative of the Rule of Law Project, pointed out that drafting the strategic plan was based on the directives of His Excellency the Head of the Judicial Council. Determining the necessary outlines and mechanisms helped prepare the judicial strategic plan **based on the following references:**



1. The letter of His Majesty the King addressed to the Head of the Judicial Council as a basic reference for building the next strategy through analyzing it to conclude a clear vision and specific goals.
2. Promoting the principle of partnership by involving the largest number of judges for drafting the 2012-2014 judicial strategic plan.
3. Building a qualified staff capable of drafting the strategic plan for the judiciary and developing operational plans.
4. Studying and analyzing the previous strategic plan when drafting the 2012-2014 strategic plan by reviewing what has been achieved from the national agenda and the strategy of developing the judiciary 2010 - 2012.
5. Reviewing the national agenda and taking use of it to build the goals of the strategic plan.

The representative of the Rule of Law Project also summarized the stages of preparing the strategic plan by the following events and activities:

- a. A workshop was held in September 2011 for all the Heads of courts in the Kingdom to determine the needs of the courts. The workshop included the following themes:
 1. Legislation and laws.
 2. Judicial Inspection.
 3. Training and rehabilitation.
 4. Causes for delay in the disposition of cases.
 5. Execution.
 6. Means of Communication and networking.

He also pointed out that at the end of the workshop, the Heads of courts reached a set of valuable findings and recommendations which will be taken into account when drafting the 2012-2014 judicial strategic plan.

- b. This workshop was held to formulate the vision, mission and the main themes by HE the participant judges, so that the staff of the Council could build on it and reach the desired strategic plan.
- c. In October, 2011, the staff of the Administrative Units of the Judicial Council received intensive training on strategic planning to be able to assist the Judicial Council in translating its directives and decisions into a clear strategy.
- d. Questionnaires were distributed to all judges in the Kingdom with regards to essential issues such as the independence of the judicial authority and the administrative justice, so as to take the opinion and advice of all judges in the Kingdom.

- e. The letter of His Majesty the King, the Strategic Plan 2010-2012 and the national agenda were all analyzed by the administrative units staff and specialists to contribute to the development of a questionnaire for this workshop.

Mr. Nabil Su'aifan identified the methodology in this workshop within the following events:

1. Concepts of strategic planning and the methodologies of developing a strategic plan was presented in order to consolidate concepts and incorporate them in the development of the 2012-2014 judicial strategic plan.
2. Adopting two questionnaires:
 - **The first questionnaire**, through which the 2010-2012 strategic plan will be analyzed in terms of its vision, mission, themes and goals to determine their suitability with the Royal vision and constitutional amendments.
 - Through **the second questionnaire**, a strategic plan will be developed for the judicial authority for 2012-2114, based on the Royal lofty vision and the King's orientations toward the judiciary; the themes and the goals of the 2010-2012 judicial strategy; the suggestions and recommendations of the members of the Judicial Council, Heads of courts and prosecutors from the questionnaire of the first survey; and the questionnaire of the Heads of courts in the survey on the needs of the courts.

He also briefed the expected results from the workshop by the the following two points:

1. Adopting a clear vision and mission as well as comprehensive and applicable strategic goals.
2. Strengthening the channels of communication and networking among the Judicial Council, the Heads of courts, prosecutors and the administrative units so as to institutionalize the work.

He then introduced the first questionnaire, which aimed to survey the opinion of the members of the Judicial Council, the Heads of courts and the prosecutors on the vision, mission and strategic goals for 2010 - 2012 to identify their suitability with the Royal lofty vision and the King's future orientations towards the judiciary and to draw conclusions that may help in drafting the 2012-2014 judicial Strategic Plan.

A Presentation by the Director of Planning and Development Unit, Judge Khaled Al-Samam'ah

Judge Khaled Al-Samam'ah, the Director of Planning and Development Unit, provided a detailed explanation about the role of the Administrative Units in drafting the strategic plan and the objective from holding the workshop. His presentation included the following aspects:



The Objective of the Workshop

1. Materialize the message of His Majesty the King and his vision towards strengthening the judicial authority through drafting the 2012-2014 judicial strategic plan, and to materialize this vision.
2. Promote the principle of partnership between decision-makers in the judicial authority, members of the Judicial Council, HE the Heads of courts and the prosecutors when formulation of the vision, the mission and strategic goals.
3. Enhance the institutionalization of work and find an efficient cadre (the Administrative Units of the Judicial Council) to build the strategic plans of the judicial authority.
4. Strengthen the channels of communication and networking between the Judicial Council, Heads of courts, prosecutors and the administrative units to institutionalize the work and to build a true and effective partnership with the relevant authorities.

The Expected Results:

1. The expected results of this workshop are represented in reaching a clear vision, a comprehensive mission, well-established values and main themes.
2. The content of the strategic plan represented in a general background; analyzing reality (the internal and external environment); the vision, mission and the main themes; main

- goals; the matrix of objectives, activities and performance indicators; and finally the operational plan.
3. The functions of Planning and Development Unit.
 4. The sections of the Planning and Development Unit and the functions of each of these sections.
 6. The activities that have been completed and those under implementation.

Methodology of Work in Drafting the Strategic Plan for Building the Judicial Authority for the Years (2012 - 2014)

Methodology of Work in Drafting the Strategic Plan for Building the Judicial Authority for the Years (2012 - 2014)

In response to the decision of the Head of the Judicial Council to prepare the strategic plan to build the judicial power for 2012-2014 that reflects the Royal vision and the orientations of the Head of the Judicial Council, the Heads and the staff of the Administrative Units of the Judicial Council, in coordination with the Rule of Law Project, funded by the U.S. Agency for International Development, began holding a series of meetings from which a joint action plan emerged in order to begin drafting the strategic plan. The most prominent features of the meetings were as follows:

1. Holding a training course for the directors and the staff of the Administrative Units of the Judicial Council on the concepts, importance, objectives and mechanisms of strategic planning, starting from the definition of the methodologies for analyzing the reality of the judiciary, passing through the ways of formulating the vision, mission, strategic goals and sub-goals and ending with designing performance indicators and building the operational (procedural) plan to achieve the goals. The course was conducted by the strategic planning expert for five days, (30) hours of training.

2. Educating attendees about the concepts of strategic planning as well as the concepts of the vision, mission, themes, main goals, mechanisms of building strategic plans and the basic references on which the elements of the 2012-2014 judicial strategic plan rely upon by focusing on the Royal vision towards the judiciary, in order to make it easier for decision-makers to handle such concepts so that their orientations can be reflected in the strategic plan to the fullest. This was achieved through a lecture delivered by a strategic expert on the first day of the workshop.

3. Analyzing the strategic plan from the previous years via two questionnaires to take the opinion of decision makers in the judiciary at a workshop that gathers them to identify the suitability of the vision, mission, major themes and goals of the earlier plan in the light of new data included in the Royal vision and any alternatives they may propose to keep up with these new developments.

4. Adopting the vision, mission and main themes of the strategic plan on the highest levels and outlining the general goals as a starting point towards the formulation of the strategic plan document for the next three years.

I. The methodology for drafting the 2012-2014 strategic plan of the judiciary in the workshop:

In response to the invitation of the Head of the Judicial Council to hold a workshop to develop solid foundation for the formulation of the 2012-2014 judicial strategic plan, decision-makers at the highest levels in the judicial authority such as the Head and members of the Judicial Council, the Heads of courts and the prosecutors were invited. The workshop was held at the Marriott Hotel over three consecutive days between 26-

28/10/2011, and was attended by 43 judges in addition to the team of the Rule of Law Project.

1. Objectives of the workshop:

The Royal letter addressed to His Excellency the Head of the Court of Cassation and Head of the Judicial Council that includes the King's vision for the judicial authority was considered the basic reference of simulating the reality of the judicial authority, and materializing the letter of His Majesty the King and his vision regarding the 2012-2014 judicial strategic plan on the real ground. The workshop targeted the following objectives:

- promoting the institutionalization of work and identifying efficient staff (the Administrative Units of the Judicial Council) that is capable of building the judicial strategic plans.
- promoting the principle of partnership between decision-makers in the judiciary, members of the Judicial Council, Heads of courts and prosecutors in the formulation of the vision, mission and strategic goals.
- strengthening the channels of communication between the Judicial Council, Heads of courts, prosecutors and administrative units so as to institutionalize the work and build an effective partnership with relevant authorities.
- Spreading awareness about the importance of strategic planning for the advancement of the judicial authority through defining scientific concepts of the vision, mission and goals for decision makers as well as their integration to reach the desired end.

2. Awareness of the concepts of strategic planning:

The strategic planning expert delivered a lecture to the judges who participated in the workshop on the concepts of strategic planning and methodologies for formulating the vision, mission and the main themes. He also defined the key references to be referred to when determining the pillars of the strategic plan, which he specified in the following three references: the Royal lofty vision and His Majesty's orientations toward the judicial authority for the next phase; the orientations of decision makers in the judicial authority; and analyzing reality- identifying the strengths, weaknesses, challenges and opportunities in order to develop the judicial authority and improve its performance.

3. Mechanisms of work to determine the basic pillars of the strategic plan:

Previously, the methodology of diagnosing and analyzing the reality of the judicial authority was adopted through determining the needs of the courts from the viewpoints of the Heads of courts, as one of the tools to identify the strengths, weaknesses, challenges and opportunities for the judiciary so as to help in building a strategic plan. The previous strategic plan was simulated in the light of the Royal vision for the judiciary as well as constitutional amendments stated in the Royal letter addressed to the Head of the Court of Cassation and Head of the Judicial Council. This vision of His Majesty the King towards the judiciary was considered the key reference to be relied upon when simulating the 2012-2014 strategic plan.

Two questionnaires were used; the first one aimed to analyze the 2010-2012 strategic plan for the development of the judiciary so as to assist in

the conceptualization of the strategic plan for 2012 - 2014. The second questionnaire aimed to explore the opinions of judges on the proposed amendments they submitted to the vision, mission and main themes of the judicial authority in order to come out with a unified vision, mission and agreed upon themes for final adoption.

In addition to the two questionnaires, and after presenting the results, an in-depth collective discussion took place which allowed judges to discuss the results and reflect upon every word and every sentence in the vision, mission and themes.

The questionnaire was a tool used to identify orientations of the judges towards the pillars of the previous strategic plan represented by the vision, mission, themes and goals in light of the Royal vision in his letter to the Head of the Judicial Council. The letter of his Majesty was distributed to the attendees to be considered as a reference in simulating the previous strategic plan and to propose a vision, mission, themes and goals for the strategic plan for the next three years. The anticipated outputs from this questionnaire is to come out with a vision, mission, themes and goals in their initial formation in terms of their numbers and contents.

3.1. The questions contained in the first questionnaire and the way of answering them:

The questionnaire was distributed on the first day of the workshop after the lecture delivered by the strategic expert, followed by illustrating the questionnaire, its themes and how it should be completed. The methodology of completing the questionnaire was as follows:

- The questionnaire included the judicial vision from 2010-2012. Judges freely expressed their viewpoints about the extent of its suitability with today's Royal vision towards of judiciary. It was discussed if a new vision should be proposed or if the existing one should be modified.
- The questionnaire also included the themes of the 2010-2012 strategic plan and its main goals, so judges could simulate them in light of the Royal lofty vision for the judicial authority and propose new themes or goals, or amend the old ones.

3.2. Method of analyzing the First Questionnaire:

Open questions were summed up in terms of the content and number, where all the comments written in the space allocated for the vision, mission and the main themes were monitored, proposals and amendments were registered and the recurrences of similar answers were monitored. It should be noted that the judges' answers to the open questions related to the vision, mission, main themes and the goals were dissimilar; some did not answer all questions, some answered a few, and some answered all of them.

- Recurrences of values for which judges demanded with regards to the vision and mission for the 2012-2014 strategic plan were monitored.
- In addition to monitoring the recurrences of the values for which the judges wished to be included in the themes, new themes proposed by the judges for the 2012-2014 strategic plan were also collected.

3.3. The questions of the second questionnaire and the way of answering them:

The second questionnaire included the vision, mission, themes and main goals proposed by the judges in the first questionnaire; judges were asked to give their opinion based on the Royal vision for the judiciary through a closed question (with three measures: very suitable, suitable to some extent, unsuitable at all). Additionally, there was an open question for those who wished to make amendments or additions.

II. Major findings in the first survey (questionnaire):

Many suggestions were given on the vision, mission, themes and goals for the 2012-2014 strategic plan, most of which were taken into consideration. There was broad consensus among the judges with regard to proposals and recommendations, resulting from the Royal lofty vision that joined their opinions and unified their orientations. The following are the most important results:

1. The proposed vision and mission in the preliminary formulation:

In order to determine the orientations of the judges towards the vision of the strategic plan for the coming years, their orientations were monitored. The following table shows that the statement "**the independence of the judiciary**" received the approval from the vast majority of the judges; the statement "**guards justice and completes the national efforts**" obtained a high acceptance in by judges. The rest of the values in the table were taken into account and included in the proposed message of the judiciary. Based on the aforementioned, **the vision and the mission were formulated in their preliminary proposed formulation** as follows:

The Proposed Vision in its Preliminary Formulation:

"Towards an independent judicial authority that guards justice, completes the national efforts, guarantees rights and enhances the comprehensive development, justice and confidence of the society".

The Proposed Mission in its Preliminary Formulation:

"A judiciary that is just, neutral, efficient, and trusted by the public;. its approach maintains personal rights and guarantees public freedoms; its mainstay is the rule of law and integration with the State authorities through highly qualified and specialized cadres in line with the standards of economic and social development".

Values and proposed statements to be included in the vision and mission of the Judicial Authority, according to their recurrence:

Contents of the proposed vision and mission	Recurrence
Independence of the judiciary	33
Integrity and impartiality	20
Guard justice and complete the national efforts	29
Development and progress	13
Control	1
Efficient	12
Transparency	2
Strengthening the rule of law	1

2. Proposed themes in their preliminary formulation:

Through analyzing the questionnaire, there was a broad consensus on the content and the number of themes of the strategic plan, although

there were some differences in some formulations. In general, there was a consensus on the following six themes:

- 1. Laying the foundations for judicial independence and improving its institutions.**
- 2. Enhancing a highly-efficient judicial authority which guarantees fair trials and enhances the confidence of the society.**
- 3. Institutionalizing the relationship of the judiciary with the Ministry of Justice.**
- 4. Enhancing a general prosecution system towards an expeditious criminal justice.**
- 5. Strengthening the channels of communication between the judiciary and other institutions.**
- 6. Establishing public confidence in the rule of law.**

As for the goals, there was variation in the orientation of the judges towards the main goals of each theme. Variation focused on the formulations of and additions to new goals. In many cases, activities were given instead of the goals, as judges were unable to differentiate between activities and goals. The proposed activities were classified as activities that may help in the implementation plan. The following are the results of the survey on the main goals, according to theme:

- ✓ **Goals of the first theme in its preliminary formulation:
Laying the foundation for judicial independence and improving its institutions.**

Eight goals were proposed for the first theme, which vary in the degree of consensus. The first goal which related to enhancing the institutional independence of the judiciary got the highest consensus among the judges, providing an environment supportive to the individual independence of the judge came next, followed by the goal of financial and administrative independence.

The Main Proposed Goals	Recurrence
1. Enhancing the judiciary's institutional independence	28
2. Financial and administrative independence	7
3. Providing a judicial environment supportive to the individual independence of judges	20
4. Strengthening the capacity of judicial inspection and developing the methodology of its work	5
5. Enhancing the institutional capacity of the Judicial Institute	
6. Developing and empowering the Administrative Units that support the Judicial Council's work	1
7. Developing and empowering the Technical Office	
8. Empowering the Civil Attorney General's Department	3

✓ **Goals of the second theme in its preliminary formulation:
Enhancing a highly efficient judicial authority that guarantees fair trials and enhances the confidence of society**

Seven goals were proposed on the second theme. The table below shows that the majority of judges agreed upon strengthening the capacity of judges by developing their knowledge and skills. The second

most important goal was to improve the quality of judicial judgments. .
The rest of the goals were supported by few judges.

The Main Proposed Goals	Recurrence
1. Strengthening the capacity of judges by developing their knowledge and skills	33
2. Developing a system of accountability and control in accordance with an objective and effective basis	6
3. Improving the quality of judicial judgments	12
4. Shortening the litigation period	4
5. Ensuring the speedy execution of disposed cases to achieve expeditious justice	5
6. Easing the burden of courts' works and improving their performance	1
7. Developing the administrative justice system	1

✓ **Goals of the third theme in its preliminary formulation:
Institutionalizing the relationship of the judiciary with the
Ministry of Justice**

Four goals were proposed for this theme; the goal concerning the development of coordination mechanisms between the Ministry of Justice and the judiciary received the overwhelming attention of the judges.

The Main Proposed Goals	Recurrence
1. Establishing a complementary relationship between the Ministry of Justice and the judiciary based on the proposed legislative amendments	3
2. Developing coordination mechanisms between the Ministry of Justice and the judiciary with regard to multiple aspects including: <ul style="list-style-type: none"> ▪ The annual budget ▪ The infrastructure of the courts and services ▪ The administrative supportive cadre ▪ The public and international relations ▪ Other development projects ▪ The field of information technology and 	35

communication	
3. Ensuring the implementation of the strategic plans for the judiciary and the Ministry of Justice	
4. Developing public services in the courts in coordination with the Ministry of Justice	3

✓ **Goals of the fourth theme in its preliminary formulation:
Enhancing a general prosecution system towards an expeditious criminal justice**

Five goals were proposed for this theme; and the goal concerning the development of the criminal justice system received the highest level of consensus, followed by the goal of specialization for general prosecution judges.

The Main Proposed Goals	Recurrence
1. Strengthening the general prosecution system and enabling its judges	2
2. Developing the "criminal justice" system	11
3. Institutionalizing the relationship of the general prosecution with the security department and other institutions in concern	2
4. Developing and modernizing legislation governing the work of the general prosecution	2
5. Reinforcing the specialization for general prosecution Judges	10

✓ **Goals of the fifth theme in its preliminary formulation:
Strengthening the channels of communication between the
judiciary and the other institutions**

Five goals were proposed for this goal. In general, there was agreement amongst the judges on the goals for this theme, indicating the extent of their interest to communicate with governmental and non-governmental institutions, particularly civil society organizations, media institutions and security systems.

The Main Proposed Goals	Recurrence
1. Institutionalizing the relationship of cooperation with the Bar Association	14
2. Promoting cooperation and coordination with law schools	2
3. Promoting cooperation and coordination with civil society organizations	18
4. Activating and developing the relationship with the media institutions	18
5. Developing the procedures for working with the government institutions and security systems	18

✓ **Goals of the sixth theme in its preliminary formulation:
Strengthening the channels of communication between the
judiciary and other institutions**

This theme is new; the majority of judges did not comment on it or state any notes because of the unfamiliarity with this theme. There was a debate about the role of the judiciary in public awareness of the rule of law and many questions were raised about the competence of the judiciary in such topic.

The Main Proposed Goals	Recurrence
1. Ensure facilitating citizens' access to justice	2

2. Spreading legal culture among the various age groups in the educational system	-
3. Educating the public about the role of the judiciary and the judicial development efforts	3
4. Awareness about the rights and duties of citizens and their basic freedoms	3

III: Adopting the pre-final formulation of the vision, mission and the main themes from the second questionnaire:

For the second survey, a questionnaire was designed to reflect the aspects which met the agreement/semi agreement or was proposed by some judges with regards to the pillars of the 2012-2014 strategic plan represented by the vision, mission, themes and main goals. The aim of this questionnaire, as previously mentioned, was to survey judges on the proposed issues from the first questionnaire and identify their suitability for the coming years, in light of the Royal lofty vision and the King's orientations toward the judiciary, as well as to offer proposals and recommendations about the amendments or the additions. The following are the most noteworthy results:

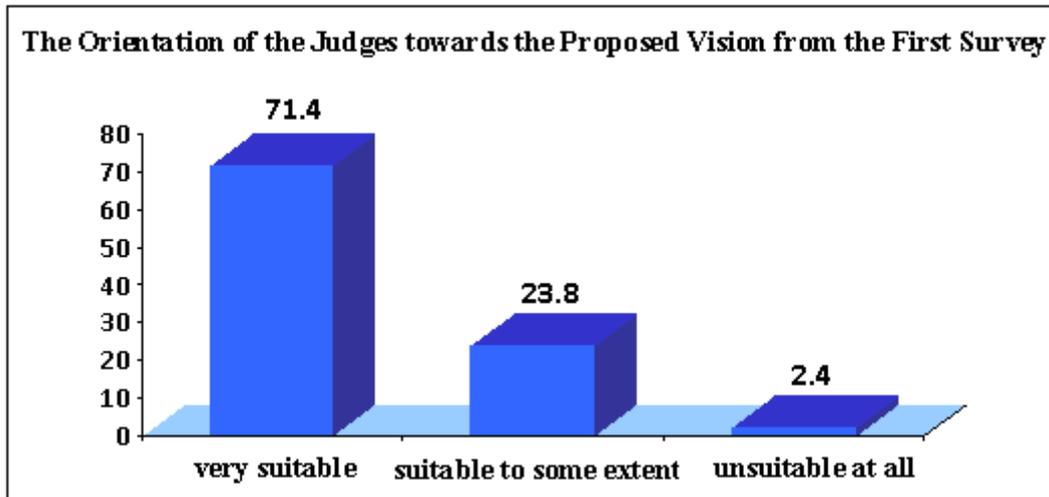
1. The vision of the 2012-2014 strategic plan(the pre-final formulation):

The majority of judges (71.4%) consider that the vision "towards an independent judicial authority that guards justice, completes the national efforts, guarantees the rights and enhances the comprehensive development, justice and confidence of the society" is very suitable for the upcoming three years and reflects the overall Royal lofty vision for the judiciary. 23.8% of the judges consider it suitable to some extent and had minor notes its formulation; only 1.4% consider it unsuitable.

Orientations of the judges towards the vision proposed in the first survey

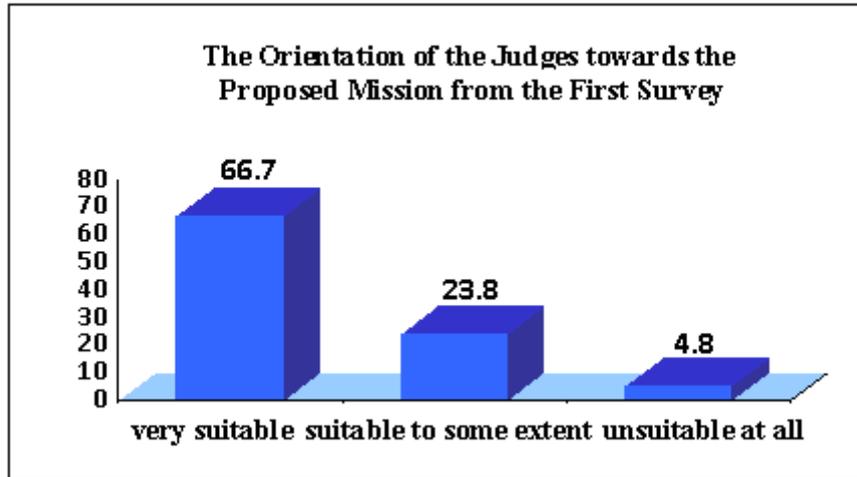
No. and Percentage	Very Suitable	Suitable to some extent	Unsuitable at all	Didn't answer	Total
Number	30	10	1	1	42

Percentage	71.4	23.8	2.4	2.4	100.0
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2. The mission of the 2012-2014 strategic plan (the pre-final formulation):

Approximately two-thirds of the judges (66.7%) consider the following mission very suitable: "**A judiciary that is just, neutral, efficient, and trusted by the public. It maintains personal rights and guarantees public freedoms; its mainstay is the rule of law and integration with State authorities through highly-qualified and specialized cadres that are consistent with the standards of economic and social development**". 23.8% considered it suitable to some extent and would like to modify some of the formulations; only 4.8% consider it unsuitable.



Orientations of the judges towards the mission proposed in the first survey

No. and Percentage	Very Suitable	Suitable to some extent	Unsuitable at all	Didn't answer	Total
Number	28	10	2	2	42
Percentage	66.7	23.8	4.8	4.8	100.0

3. The themes of the 2012-2014 strategic plan for the coming years (the pre-final formulation):

Results showed that the absolute majority of the judges agreed upon the themes of the strategic plan, particularly the first theme regarding the independence of the judiciary and promoting its institutions. (90.5%) judges did not state any notes on this theme. 9.5% wished for amendments which would not change the content. The theme with the most amendments from the judges is the fourth one which is related to the general prosecution and the criminal justice systems; 12% of the judges stated the need for amendment, which were taken into account in drafting the final formulation, and adopted unanimously. As for the rest of the themes, the judges did see the need in changing them.

The suitability of the 2012-2014 strategic plan themes from the viewpoint of the judges in light of the Royal vision and the orientations of the judges

Themes	No. and Percentage	No suggestions were proposed	Some suggestions were proposed	Total
First Theme: Laying the foundations for the independence of the judiciary and improving its institutions	No.	38	4	42
	Percentage	90.5	9.5	100
Second Theme: Enhancing a highly-efficient judicial authority that guarantees fair trials and enhances society's confidence	No.	41	1	42
	Percentage	97.6	2.4	100
Third Theme: Institutionalizing the relationship of the judiciary with the Ministry of Justice	No.	42	0	42
	Percentage	100	0	100
Fourth Theme: Enhancing a general prosecution system towards an expeditious criminal justice	No.	37	5	42
	Percentage	88	12	100
Fifth Theme: Strengthening the channels of communication between the judiciary and the other institutions	No.	42	0	42
	Percentage	100	0	100
Six Theme: Establishing the public confidence in the rule of law	No.	41	1	42
	Percentage	97.6	2.4	100

4. The suitability of the goals of the 2012-2014 strategic plan, according to the main themes:

4.1. First Theme: Laying the foundation for the independence of the judiciary and improving its institutions

This theme included seven major goals, five of which were considered very suitable and suitable to some extent; none of the judges considered it unsuitable. 7.1% - 16.7% of the judges considered them suitable to some extent and demanded some amendments to the wording, which will be taken into consideration when adopting the final formulation of the goals of this theme.

The extent of suitability of the first theme's goals from the viewpoint of judges, in light of the Royal vision and the orientations of the judges

Goals	No. and Percentage	Very suitable	Suitable to some extent	Unsuitable at all	Didn't answer	Total
Enhancing the institutional independence of the judiciary	No.	37	3		2	42
	Percentage	88.1	7.1		4.8	100.0
Providing an environment supportive to the individual independence of judges	No.	27	12		3	42
	Percentage	64.3	28.6		7.1	100.0
Strengthening the capacity of the judicial inspection and developing the methodology of its work	No.	32	6		4	42
	Percentage	76.2	14.3		9.5	100.0
Enhancing the institutional	No.	31	7		4	42

capacity of the Judicial Institute	Percentage	73.8	16.7		9.5	100.0
Developing and empowering the Administrative Units that are supportive to the work of the Judicial Council	No.	34	4		4	42
	Percentage	81.0	9.5		9.5	100.0
Developing and empowering the Technical Office	No.	32	3	3	4	42
	Percentage	76.2	7.1	7.1	9.5	100.0
Empowering the Civil Attorney General's Department	No.	26	7	3	6	42
	Percentage	61.9	16.7	7.1	14.3	100.0

4.2. Second Theme: Enhancing a highly efficient judicial authority that guarantees fair trials and enhances society's confidence

This theme included seven major goals. The vast majority of judges considered the seven goals very suitable or suitable to some extent. Only a small percentage, not exceeding 4.8% of judges, considered it unsuitable. 9.5% - 21.4% considered them suitable to some extent and asked for rewording, which will be taken into account when adopting the final formulation of the goal for this theme.

The extent of suitability of the second theme's goals from the viewpoint of judges in light of the Royal vision and the orientations of the judges

Goals	No. and Percentage	Very suitable	Suitable to some extent	Unsuitable at all	Didn't answer	Total
Strengthening the capacity of judges and developing their knowledge and skills	No.	32	8	1	1	42
	Percentage	76.2	19.0	2.4	2.4	100.0
Developing a system of accountability and control in accordance with an objective and effective basis	No.	32	4	4	2	42
	Percentage	76.2	9.5	9.5	4.8	100.0
Improving the quality of judicial judgments	No.	31	9		2	42
	Percentage	73.8	21.4		4.8	100.0
Shortening the litigation period	No.	34	4	2	2	42
	Percentage	81.0	9.5	4.8	4.8	100.0

Ensuring speedy execution of disposed cases to achieve expeditious justice	No.	35	4	1	2	42
	Percentage	83.3	9.5	2.4	4.8	100.0
Easing the burden of courts' works and improving their performance	No.	35	5		2	42
	Percentage	83.3	11.9		4.8	100.0
Developing the administrative justice system	No.	39		1	2	42
	Percentage	92.9		2.4	4.8	100.0

4.3. Third Theme: Institutionalizing the relationship of the judiciary with the Ministry of Justice

This theme included four major goals. The vast majority of judges considered the four goals very suitable and suitable to some extent. Only a small percentage, not exceeding 9.5% of judges, considered it unsuitable at all. 7.1% considered them suitable to some extent and demanded rewording, which will be taken into account when adopting the final formulation of the goal of this theme.

The extent of suitability of the third theme's goals from the viewpoint of judges in light of the Royal vision and the orientations of the judges

Goals	No. and Percentage	Very suitable	Suitable to some extent	Unsuitable at all	Didn't answer	Total
Establishing a complementary relationship between the Ministry of Justice and the judiciary based on the proposed legislative amendments	No.	36	3	1	2	42
	Percentage	85.7	7.1	2.4	4.8	100.0
Developing coordination mechanisms between the Ministry of Justice and the judiciary	No.	35	2	2	3	42
	Percentage	83.3	4.8	4.8	7.1	100.0
Ensuring the implementation of strategic plans for each the judiciary and the Ministry of Justice	No.	34	3	1	4	42
	Percentage	81.0	7.1	2.4	9.5	100.0
Developing public services in the courts with the coordination of the Ministry of Justice	No.	35	3		4	42
	Percentage	83.3	7.1		9.5	100.0

4.4. Enhancing a general prosecution system towards an expeditious criminal justice

This theme included five major goals. The vast majority of the judges considered the five goals very suitable or suitable to some extent. A small percentage, not exceeding 7.1% of the judges, considered it unsuitable at all. 9.5% - 14.3% considered them suitable to some extent and demanded re wording, which will be taken into account when adopting the goal's final formulation of this theme.

The extent of suitability of the fourth theme's goals from the viewpoint of the judges in light of the Royal vision and the orientations of the judges

Goals	No. and Percentage	Very suitable	Suitable to some extent	Unsuitable at all	Didn't answer	Total
Strengthening the general prosecution system and enabling its judges	No.	32	6	3	1	42
	Percentage	76.2	14.3	7.1	2.4	100.0
Developing the "criminal justice" system	No.	31	6	2	3	42
	Percentage	73.8	14.3	4.8	7.1	100.0
Institutionalizing the relationship of general prosecution with the security department and other institutions in concern	No.	34	4	1	3	42
	Percentage	81.0	9.5	2.4	7.1	100.0
Developing and modernizing legislation governing the work of the general	No.	35	4	1	2	42

prosecution	Percentage	83.3	9.5	2.4	4.8	100.0
Reinforcing the principle of specialization of the general prosecution of judges	No.	31	6	2	3	42
	Percentage	73.8	14.3	4.8	7.1	100.0

4.5. Fifth Theme: Strengthening the channels of communication between the judiciary and other institutions:

This theme included five major goals. The vast majority of the judges considered the five goals very suitable or suitable to some extent. A small percentage of judges, not exceeding 4.8%, considered it unsuitable at all. 7.1% - 19% of judges considered them suitable to some extent and demanded rewording, which will be taken into account when adopting the goal's final formulation for this theme.

The extent of suitability of the fifth theme's goals from the viewpoint of judges in light of the Royal vision and the orientations of the judges

Goals	No. and Percentage	Very suitable	Suitable to some extent	Unsuitable at all	Didn't answer	Total
Institutionalizing the relationship of cooperation with the Bar Association	No.	29	8	1	4	42
	Percentage	69.0	19.0	2.4	9.5	100.0
Promoting cooperation and coordination with law schools	No.	30	6	2	4	42
	Percentage	71.4	14.3	4.8	9.5	100.0
Promoting cooperation and coordination with civil society organizations	No.	33	3	2	4	42
	Percentage	78.6	7.1	4.8	9.5	100.0
Activating and developing a relationship with the media institutions	No.	31	5	2	4	42
	Percentage	73.8	11.9	4.8	9.5	100.0
Developing procedures for working with government	No.	35	3		4	42

institutions and security systems	Percentage	83.3	7.1		9.5	100.0
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4.6. Establishing public confidence in the rule of law:

This theme included four major goals. The vast majority of the judges considered the five goals very suitable and suitable to some extent. A small percentage of the judges, not exceeding 2.4% considered two of the four goals unsuitable. 7.1% – 14.3% of judges considered them suitable to some extent and demanded re wording, which will be taken into account when adopting the final formulation of the goal of this theme.

The extent of suitability of the sixth theme's goals from the viewpoint of the judges in light of the Royal vision and the orientations of the judges

Goals	No. and Percentage	Very suitable	Suitable to some extent	Unsuitable at all	Didn't answer	Total
Ensure facilitating citizens' access to justice	No.	31	6	1	4	42
	Percentage	73.8	14.3	2.4	9.5	100.0
Spreading legal culture among various age groups in the educational system	No.	35	2		5	42
	Percentage	83.3	4.8		11.9	100.0
Educating the public about the role of the judiciary and the judicial development's efforts	No.	33	3	1	5	42
	Percentage	78.6	7.1	2.4	11.9	100.0
Awareness about the rights and duties of citizens and their basic freedoms	No.	34	3		5	42
	Percentage	81.0	7.1		11.9	100.0

IV. Adopting the final formulation of the vision, mission and themes of the Strategic Plan (2012 - 2014):

On the third day of the workshop, after completing the review of the second questionnaire, the vision, mission and main themes of the strategic plan for 2012-2014 were raised for general discussion. The discussion included the content and wording of the vision, mission, themes, and the order of the themes according to their priorities. After the discussion, the Administrative Units team and a strategic expert drafted the vision, mission and the main themes based on the recommendations of M/S the judges and their amendments. Votes were taken with regard to the vision, the mission for each of the six themes. They were all approved unanimously and adopted with their final formulations.

The following are the most important amendments requested by the judges:

- The Vision: The word (towards) was deleted, and the phrase (for comprehensive development and social justice) was deleted and added to the mission.
- The Mission: **the phrases "Fair and impartial judiciary" and "through an institutional structure along with highly qualified and specialized cadres".**
- First theme: The word "improving" was replaced by "building".
- Switch the order of the third and fourth themes.
- Instead of **"Enhancing a general prosecution system towards an expeditious criminal justice"**, the theme became, **"Achieving an expeditious criminal justice according to the latest standards"**.

- The theme related to the Ministry of Justice was not modified.
- The fifth theme: unchanged.
- The sixth theme: The phrase "establishing" was replaced by **"Contributing to the establishment"**.

The workshop achieved its objectives and reflected the pillars of the strategy for 2012-2014 (the vision, the mission and the main themes), the vision of His Majesty King Abdullah II, may God protect him, and his orientations towards the judicial authority. It also expressed, to a large extent, orientations of the judges, the Head and members of the Judicial Council, Heads of courts and general prosecutors. It reinforced the principle of partnership between decision-makers in the judiciary, members of the Judicial Council, Heads of courts, and prosecutors in the formulation of the vision, mission, strategic goals and the importance of strategic planning for the advancement of the judicial authority through the definition of the scientific concepts of the vision, mission and goals by the decision-makers and their integration to reach the desired aim and to strengthen the channels of communication and networking between the Judicial Council, the Heads of courts, the prosecutors and the administrative units so as to institutionalize the work and to build a true effective partnership with the relevant authorities.

The Adopted Vision, Mission and Main Themes

For the 2012-2014 Judiciary Strategy

The Vision:

"An independent judicial authority that guards justice, completes national efforts and enhances the confidence of society".

The Mission:

"Fair, impartial, efficient and distinctive judiciary that enjoys the trust of the society, guarantees the rights and freedoms, founded on the rule of law and integration with the State authorities, and supports the efforts for reformation and the overall development through an institutional structure along with highly qualified and specialized cadres".

The first theme:

Laying the foundations for the independence of the judiciary and building its institutions.

The second theme:

Enhancing an efficient and effective judicial authority that guarantees fair trials and enhances the confidence of the society.

The third theme:

Achieving an expeditious criminal justice according to the latest standards.

The fourth theme:

Institutionalizing the relationship between the judiciary and the Ministry of Justice.

The fifth theme:

Strengthening the channels of communication between the judiciary and the other institutions.

The sixth theme:

Contributing to the consolidation of public confidence in the rule of law.

V: Summary and conclusions

When taking a look at the main themes, it is obvious that they are integrated with the adopted vision and mission, and they all materialize the Royal lofty vision towards the judiciary as follows:

1. **An Independent Judiciary:** The vision focuses on the independence of the judiciary as stated in the Royal lofty letter to the Head of the Court of Cassation and the Head of the Judicial Council. The first theme truly reflects this aspect of the vision and focuses on establishing the independence of the judiciary through building its institutions.
2. **A Judicial authority that guards justice:** The vision focuses on the fairness of the judiciary as stated in the Royal letter in which His Majesty the King used the same expression. The second theme reflects the fairness of the judiciary through the capable institution and the judicial qualified and high efficient cadre who can guarantee fair trials.
3. **A Judicial authority that enhances the confidence of the society:** Spread awareness to the society about the judicial culture and the rule of law is a basic prop in the Royal lofty vision and this has been reflected in the sixth theme, which focuses on the role of the judiciary in promoting and consolidating the public confidence in the rule of law in partnership with the other official institutions, particularly the Ministry of Education, universities, civil society institutions and the media (the fifth theme).
4. **The Mission:** The mission of the 2012-2014 strategic plan completes what its vision seeks to achieve; the mission paves the way to reach the desired vision through building modern institutions that are armed with modern technology as well as qualified and specialized staff capable to steer the judicial

authority towards independence, justice and integrity, enjoying the confidence of society, guaranteeing the rights and freedoms of society and supporting efforts made for reformation and the overall development.

VI: Annexes

Annex No. (1): The Agenda

**Report on the Workshop of
Drafting the Strategic Plan for the Judicial Authority
26-28/10/2011
Marriott Hotel – The Dead Sea**

- **Participants: HE the Head of the Judicial Council – the Members of the Judicial Council - the Heads of Courts – the Prosecutors - the Administrative Units.**
- **Meeting Hall: Vartinii Ball Room**

The First Day:

Morning Session		
- 10:00 09:00		
Arriving and Coffee Break		
10:00 - 10:30	Presentation on the role of the administrative units in drafting the strategic plan and the objectives of the workshop	Judge Khaled Samam'ah
10:30 - 12:00	Defining the concepts of strategic planning and the methodology of developing the	Mr. Hamed Kan'an

	strategic plan for the judiciary	
12:00 - 04:00	Coffee Break + Receiving the rooms + lunch	
Afternoon Session		
4:00 - 4:30	<ul style="list-style-type: none"> • The Speech of HE the Head of the Judicial Authority • The Speech of HE Head of Amman Court of First Instance 	
4:30 - 5:30	Presentation on the questionnaire for analyzing the strategic plan for the development of the judiciary for the years (2010-2012) and its compatibility with the Royal lofty vision	Judge Dr. Nash'at Al-Akhras + Nabil Su'aifan
05:30 - 6:00	Distributing and filling up the questionnaire	
07:00-09:00	Dinner	

The Second Day:

09:30 - 10:30	Displaying the results of the survey that have been reached by M/S the members of the Council, the Heads of courts and the prosecutors	Judge Dr. Nash'at Al-Akhras + Nabil Su'aifan
10:30 - 11:00	Discussion Session	
11:00 - 11:15	Coffee Break	
11:15 - 12:30	Presentation on the questionnaire for developing views and ideas in order to draft the strategic plan of the judiciary for the coming years (2012-2014) based on the letter of His Majesty the King and what the participants conclude pursuant to the said letter	Judge Dr. Nash'at Al-Akhras + Nabil Su'aifan
12:30 - 01:30	Discussion Session	
01:30 - 02:30	Lunch Break	
2:30 - 04:00	Distributing and filling up the questionnaire	
07:00 - 09:00	Dinner	

The Third Day:

09:00 - 10:00	Displaying the results of the questionnaire on the views of the strategic plan for the Judiciary for the coming years (2012 – 2014)	Judge Dr. Nash'at Al-Akhras + Nabil Su'aifan
10:00 - 11:00	General Discussion Session	
11:00 - 12:30	Coffee Break + Friday Prayer + Delivering the rooms	
12:30 - 02:30	Closing Session and the Recommendations of the Workshop	
02:30	Lunch and Leaving	

Annex No. (2): The Presentation



**Workshop on
Drafting a Strategic Plan for the Judicial Authority
For the Years 2012 - 2014
Marriott Hotel – The Dead Sea
The Role of the Administrative Units in Drafting the
Strategic Plan and the Objectives of the Workshop**

**Director of Planning and Development Unit
Judge Khaled Samam'ah**

**Marriott Hotel / the Dead Sea
26-28/10/2011**

Annex No. (3): The Opening Speeches

In the name of God the most gracious the most merciful

Colleagues, members of the Judicial Council

Messers, the esteemed judges

Ladies and Gentlemen

Based on the directives of the master of the country His Majesty King Abdullah II Bin Al-Hussain, may God protect him, by creating a distinctive and sophisticated Judiciary, your effective participation in this workshop came to form a general framework for a deep and comprehensive judicial reformation of the system of justice that depends on the responsible performance of the judges and the cooperation of all the authorities by continuous sharing and coordination, which serve the high national objectives that His Majesty the King fixed their foundations and developed the Royal lofty visions to achieve them.

Gentlemen,

The judiciary has carried the trust of achieving justice since the dawn of history and the human beings sensed the urgent need to justice as a way to achieve security and peace of mind, bring justice to the oppressed, suppress the oppressor and bring about what is right to those who deserves it, because with justice alone, values are maintained, principles are stabilized and the sense of citizen security doubles. The Jordanian

Judiciary has enjoyed the care of the Hashemites since the foundation of the Kingdom in order to establish the principle of separation of powers and also to maintain the rights and achieve justice between all citizens before the law.

Now it continues the march with the support, care and lofty guidance of His Majesty the King for his keenness to provide all that may promote the judiciary facility, support it with trained and competent expertise, improve the status of judges and provide a decent life for them to dedicate themselves to their venerable tasks in disseminating justice and realizing what is right.

Interest in developing and modernizing the judiciary came by a leading initiative from the master of the country when he sent on 29/8/2000 a lofty message to the Prime Minister entrusting him to form a royal commission for the development of the judiciary and its supportive systems.

The Committee developed a three-year plan for the years 2001, 2002, 2003 and then was followed by the strategy of developing the judiciary for the years 2004, 2005 and 2006, which is supported in terms of financing and implementation by experts from the United States of America, the United Kingdom and France, in addition to the United Nations and the European Union.

To build on the previous achievements, and due to the bold and honest leap that the Kingdom witnesses for comprehensive reform crowned by the constitutional amendments among which the judiciary enjoyed a big part, modernizing and developing the judiciary and improving its performance in line with the reform process will be of the great interest as a personal program and a major national duty for all the members of

the judiciary within main themes that are waiting for your serious and effective participation, your opinions and the results which you may come out with in a way that is consistent with the Royal lofty visions.

1. Independency of the Judiciary:

It is the nature of the judiciary to be independent and in principle it must be so, and any prejudice to this principle would be tampering with the majesty of judiciary and any interference in its affairs would lead to the disruption of the balance of justice and undermine the foundations of governance. Independence of the judiciary is thus not a privilege, but rather one of the most important human rights enjoyed by any one who refers to the judiciary seeking for justice and equity.

The Jordanian Constitution guaranteed the principle of separation of powers and also ensured the independence of the judiciary. This was confirmed in the independence of judiciary law which considered the Judicial Council the top of the hierarchy of the judicial authority in parallel, equality and integration with the legislative and executive authorities and the constitutional amendments came to affirm that.

2. Legislations that govern the work of the judiciary:

The sound legislation and its good wording would make it easier for the judge to perform his role, as he is restricted by the legal texts that draw clear boundaries between prohibited acts and permissible acts and he cannot violate them or else he will fall under penalty of accountability. Therefore, some of the legislations governing the work of the judiciary should be reconsidered to make them compatible with the constitutional amendments in a way that would contribute in accelerating the

adjudication of cases, reduce the prolonged litigation, expedite the execution of judgments and shorten the duration of delays and appeals, which may ease the burden on the courts of appeal and cassation by specifying the quality of cases they deal with, and completing the degrees of litigation in the administrative judiciary to two degrees in order to achieve the greatest degree of expertise and fairness of litigation between individuals and institutions. A workshop will be held on 19th of November, 2011 in this regard.

3. Judicial Specialization:

Although the principle of the judicial specialization is still new, it still needs further intensified efforts to reach the degree it looks forward to reaching. The rapid developments in the fields of international trade, investment, environment, intellectual property, fight against corruption, terrorism and domestic violence all require paying attention to specialization in such areas and their inclusion in all the courts to achieve the desired objectives in building accumulated experiences in judges and raising the quality of judgments.

4. Rehabilitation and Training:

The mission of the judiciary requires ongoing preparation, rehabilitation and training as well as the development of the legal thought among judges and their openness to their social environment and the international environment as well, and pursuing the latest developments on the legal and judicial arena.

This requires developing programmatic plans to build capacities and skills that depend on the applied and practical aspects rather than the theoretical aspect.

5. Control and Inspection:

The judicial control according to its modern concept is based on the performance efficiency of the judges of courts and prosecutors general in terms of law enforcement and fulfillment of litigation procedures, proof, delay and complete judgments of reasons, causes and soundness of results as well as avoiding errors.

The Directorate of the Judicial Inspection has not been able until this moment to perform all the tasks entrusted to it by law because of the limited number of inspectors, especially from the degree judges who occupy such position pursuant to the provisions of the law. We hope that the Judicial Council can increase the number of inspectors so that they can carry out their assigned duties under the system of judicial inspection.

6. Scientific and Technological Progress:

The growing upsurge of cases, the issuance of judgments and decisions on them and the laws and regulations to be followed require seeking the help of modern means and mechanisms developed in the field of information technology and techniques and the methods of using them in the judicial work.

This needs expanding the computing system and electronic connectivity with the relevant authorities and the inclusion of such system in all courts of various types and degrees in order to facilitate the work of judges and employees on electronic claims from the moment of their registration until the issuance of verdicts.

Dear colleagues

Achieving justice and the rule of law, and establishing the principles of justice and equality are of the constants that we must not depart from, without compromise or tolerate towards any attempt to interfere in the affairs of the judges or to influence its independence from any party whatsoever and for any reason, following the path of the pious predecessors of our esteemed judges, who built the edifice of justice, confirmed the morals and laid the traditions that we are proud and boast to have.

We ask God the Almighty to grant us all success, to inspire and guide us to the right in our saying and actions and to make this country safe and secure.

Praise be to Allah, Lord of the Worlds

Peace be upon you and God's mercy and blessings.

Muhammad Al-Mahamid

Head of the Court of Cassation

Head of the Judicial Council

In the name of God the most gracious the most merciful

His Honor the Head of the Court of Cassation

The Head of the Judicial Council

Your Excellencies the Heads Courts and Prosecutors

The Directors of the Administrative Units

Gentlemen, the team the Rule of Law Project

The esteemed attendees,

As assigned by His Excellency the Head of the Judicial Council to activate the system of administrative units and to hold this workshop, which includes the largest gathering of decision makers in the Judiciary in order to outline the strategic plan for the judiciary for the three years 2012 - 2014, I would like to present my thanks to His Excellency the Head and the distinguished members of the Judicial Council as well as the Heads of courts, prosecutors, the team of administrative units of the Judicial Council and the team of the rule of law project which is funded by the U.S. Agency for International Development.

The importance and the need for strategic planning for the next phase comes after the features of the comprehensive reform adopted by His Majesty King Abdullah II Bin Al-Hussain, may God protect him, took shape, and to translate his lofty vision to make a qualitative change in the performance of the judiciary on the real ground. This vision is represented in the independence of the judiciary as the guardian of justice and guarantor of balance between the rights, public freedoms and personal freedoms.

The administration of justice and the establishment of core values are represented by integrity, justice, equality and preserving the citizens' rights that are guaranteed by the Constitution, and this would not be achieved unless by having a functioning and independent judicial system.

Jordan, with its Hashemite leadership, is aware of the importance of judiciary as an inevitable necessity for the stability of the society and for promoting security, protecting the rights and freedoms as well as the economic and political development, and so, since the establishment of the Monarchy, the basic Law, which included the organization of the judicial authority, has been passed in 1928.

Our judicial system is based on the principle of separation of powers and independence of the judiciary, as the Constitution provides that "the judicial power vested in courts of different types and grades and issue all judgments according to the law on behalf of the King". The Constitution also states that judges are independent and not subject to any authority except that of the law. "

In light of the comprehensive reforms witnessed by the Hashemite Kingdom of Jordan and affected all the State facilities, the letter of His Majesty King Abdullah II Bin Al-Jussain for entrusting the Royal Commission to formulate the Constitution, came to stress on the need to establish a balance between the authorities and to improve institutional performance of the parties and the parliament in addition to grant the judiciary an independent rule among the various authorities. The vision of His Majesty has been translated through the introduction of constitutional amendments that are necessary to maintain the independence of the judicial authority, and thus the amendments was represented in their major themes in the independence of the judiciary; prosecuting the ministers before the

regular courts; the jurisdiction of the judiciary by deciding on the validity of the membership of the members of the House of Representatives; establishing the Judicial Council under the Constitution; the administrative judiciary to be in two degrees; and prosecuting civilians before civilian judges.

The letter of His Majesty the King to the Head of the Judicial Council also focused on a set of constants and visions for the advancement of the judicial authority as determiner in the march of the State towards progress and prosperity, as His Majesty pointed out that the Judiciary is the guard of justice.

The invitation to the Head of the Council to build the strategic plan for the next three years for the judiciary in the light of the Royal lofty vision and the active participation by the members of the Judicial Council as well as the Heads of courts, prosecutors and administrative units will certainly upgrade the judiciary in a way that may contribute in advancing the reform forward.

Therefore, we hope that this workshop will achieve the vision of His Majesty and the orientations of His Excellency the Head of the Judicial Council for the advancement of the judicial authority, which will have a significant role in the preparation of the strategic plan for the judiciary in order to create a judicial authority that is effective, independent, guardian of justice and able to provide services to citizens in a timely manner and without delay.

Peace be upon you and God's mercy and blessings.

Ahmed Jamalia

Head of Amman Court of First Instance

In charge of activating the system of the administrative units

In the name of God the most gracious the most merciful

Your Excellency the Head of the Noble Judicial Council

Your Excellencies, members of the Judicial Council, Heads of courts and prosecutors

Gentlemen, the attendees,

Based on the directives of His Excellency the Head of the Judicial Council, determining the outlines and mechanisms necessary has started for the preparation of the strategic plan for the judiciary **based on the following references:**

1. The letter of His Majesty the King addressed to the Head of the Judicial Council as a basic reference for building the next strategy through analyzing it to conclude what it contains of clear vision and specific goals.
2. Promoting the principle of partnership by involving the largest possible number of judges for drafting the strategic plan for the judiciary for the next three years.
3. Building a qualified staff that is capable of drafting the strategic plan for the judiciary and developing the operational plans.
4. Studying and analyzing the previous strategic plan to take advantage of it when drafting the strategic plan for the next three years through reviewing what has been achieved from the national agenda and the strategy of developing the judiciary 2010 - 2012 .

5. Reviewing the national agenda and taking use of it building the goals of the strategic plan.

❖ **The Stages of Preparing the Strategic Plan:**

- a. A workshop was held in September for all the Heads of courts in the Kingdom so as to determine the needs of the courts . The said workshop included the following themes:
 1. Legislations and laws.
 2. Judicial Inspection.
 3. Training and rehabilitation.
 4. The causes for the delay in disposition of cases.
 5. Execution.
 6. Means of Communication and networking.

At the end of this workshop, the Heads of courts reached a set of valuable findings and recommendations which will be taken into account when drafting the strategic plan for the judicial authority of the next three years.

- b. This workshop has been held in order to formulate the vision, mission and the main themes by HE the participant judges, so that the staff of the Council can then build on it and reach the desired strategic plan.
- c. During the current month (October) the staff of the administrative units of the Judicial Council received intensive training on strategic planning to be able to assist the Judicial Council in translating its directives and decisions to a clear strategy.
- d. Questionnaires were distributed to all the judges in the Kingdom with regard to essential issues such as the independence of the

judicial authority and the administrative justice so as to take the opinion and advice of the judges in the Kingdom.

- e. Each of the letter of His Majesty the King, the Strategic Plan 2010 - 2012 and the national agenda were analyzed by the staff of the administrative units and some specialists to contribute to the development of a questionnaire for this workshop.

❖ **The Methodology of this Workshop's Work:**

1. Presentation on the concepts of strategic planning and the methodologies of developing the strategic plan was presented in order to consolidate these concepts and investing them in the development of the strategic plan for the judiciary for the coming years.
2. Two questionnaires were adopted:
 - **The first questionnaire** through which the old Strategic Plan 2010 - 2012 will be analyzed in terms of the vision, mission, themes and goals to determine their suitability with the Royal vision and the constitutional amendments; and
 - Through **the second questionnaire**, a strategic plan will be developed for the judicial authority for the next three years 2012-2114 based on the Royal lofty vision and the king's orientations toward the judiciary; the themes and the goals of the strategy of developing the judiciary 2010 - 2012 ; the suggestions and recommendations of the members of the Judicial Council, Heads of courts and prosecutors from the questionnaire of the first survey; and the questionnaire of the Heads of courts in the survey on the needs of the courts.

❖ **The Workshop's Results:**

1. Adopting clear vision and mission as well as comprehensive and applicable strategic goals.
2. Strengthening the channels of communication and networking among the Judicial Council, the Heads of courts, prosecutors and the administrative units so as to institutionalize the work.

Now we will introduce the first questionnaire, which aims to survey the opinion of the members of the Judicial Council, the Heads of courts and the prosecutors on the vision, mission and strategic goals for the years 2010 - 2012 to identify their suitability with the Royal lofty vision and the King's future orientations towards the judiciary and to draw conclusions that may help in drafting the Strategic Plan for the next three years 2012 - 2014.

Nabil Su'aifan

Rule of Law Project

Annex No. (4): The Questionnaires

First Questionnaires:



**Analyzing the strategic plan for
the development of the judiciary
for the years (2010 - 2012) to assist
in building the strategic plan
for the next years (2012 - 2014)**

In the name of God the most gracious the most merciful

Your Excellencies, members of the Judicial Council

Your Excellencies, Heads of courts

Your Excellencies, prosecutors

In translation of the Royal lofty vision and His Majesty's orientation towards the judiciary in his letter addressed to His Excellency the Head of the Jordanian Judicial Council, and based on the decision of His Excellency the Head of the Council to hold a workshop for the above mentioned judges to draft a strategic plan for the Judiciary for the next three years (2012 - 2014), the specialists, with the help of the administrative units in the Judicial Council designed a summarized questionnaire aiming to survey the opinions of the judges, members of the Judicial Council, the heads of courts and the prosecutors with regard to the vision, mission, themes and goals in the strategy of developing the judiciary for the years (2010 - 2012) in order to identify their suitability with the Royal vision and his future orientations towards the judiciary, and to draw up the conclusions that may help to build a strategic plan for the judiciary for years to come.

We hope that you kindly fill up the questionnaire, and we will discuss the results on a collective level.

Thank you for your cooperation and your continued support

I. The Vision of the Judiciary:

The vision, in the strategy of developing the Judiciary for the years (2010 - 2012) had been identified as follows:

"A Judiciary that is distinguished by the efficiency of its cadres, the quality of its judgments and the effectiveness of its procedures and services"

- a. Please specify the suitability of the vision, as stated above, for the strategy of the judicial authority for the next three years in light of the Royal lofty vision and constitutional amendments for the judiciary:

Note: Please tick with (√) on the triple scale which reflects your point of view.

- 1. Very suitable. () 2. Suitable to some extent. () 3. Unsuitable. ()

- b. What is the future vision that you think is suitable and consistent with Royal lofty orientations and the constitutional amendments that can be adopted by the judiciary during the next three years?

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II. The Mission of the judiciary:

The mission, in the strategy of developing the Judiciary for the years (2010 - 2012) had been identified as follows:

"Issuing judgments according to the legislations in force in a way that ensures prompt adjudication of cases and without prejudice to the foundations of fair trials, and executing those judgments as well as providing legal services through specialized cadres and modern procedures and techniques so as to protect the rights and freedoms, contribute in maintaining the stability and security of society and improve the investment environment"

a. Please specify the suitability of the mission, as stated above, for the strategy of the judicial authority for the next three years in light of the Royal lofty vision and constitutional amendments for the judiciary:

1. Very suitable. () 2. Suitable to some extent. () 3. Unsuitable. ()

b. What is the future mission that you think is suitable and consistent with Royal lofty orientations and the constitutional amendments that can be adopted by the judiciary during the next three years?

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First Theme: Strengthening the Independence and Impartiality of the Judiciary:

The strategy of judicial authority for the years (2010 - 2012) identified three goals for strengthening judicial independence and its impartiality, which are:

1. Strengthening the individual independence of the judge.
2. Strengthening the institutional independence of the judiciary.
3. Enhancing the integrity of the judiciary.

a. Please specify the suitability of the theme of **strengthening the independence and impartiality of the judiciary** for the next three years in light of the new orientations for the judiciary:

- 1. Very suitable. () 2. Suitable to some extent. () 3. Unsuitable. ()**

b. What are the amendments and additions you propose on the aforementioned theme and goals in light of the new orientations for the judiciary?

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Second Theme: Enhancing the efficiency:

The strategy of judicial authority for the years (2010 - 2012) identified two goals for the theme of enhancing the efficiency, which are:

1. Attracting excellent human resources.
2. Developing the human resources.

a. Please specify the suitability of the theme of **enhancing the efficiency** for the next three years in light of the new orientations for the judiciary:

- 1. Very suitable. () 2. Suitable to some extent. () 3. Unsuitable. ()**

b. What are the amendments and additions you propose on the aforementioned theme and goals in light of the new orientations for the judiciary?

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Third Theme: Strengthening the effectiveness of litigation procedures:

The strategy of judicial authority for the years (2010 - 2012) identified four goals for Strengthening the effectiveness of litigation procedures, which are:

1. Shortening the period of litigation.
2. Improving the quality of judgments.
3. Developing the civil courts.
4. Developing the criminal justice system to ensure that it keeps pace with the modern penal policies and strengthens the guarantees for fair trials.

a. Please specify the suitability of the theme of **Strengthening the effectiveness of litigation procedures** for the next three years in light of the new orientations for the judiciary:

1. Very suitable. () 2. Suitable to some extent. () 3. Unsuitable.
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b. What are the amendments and additions you propose on the aforementioned theme and goals in light of the new orientations for the judiciary?

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Fourth Theme: Developing the courts' services and infrastructure:

The strategy of judicial authority for the years (2010 - 2012) identified one goal for developing the courts' services and infrastructure, which is:

1. Enhancing the effectiveness of courts' services and shortening the time of providing them.

a. Please specify the suitability of the theme of **Developing the courts' services and infrastructure** for the next three years in light of the new orientations for the judiciary:

1. Very suitable. () 2. Suitable to some extent. () 3. Unsuitable.
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b. What are the amendments and additions you propose on the aforementioned theme and goals in light of the new orientations for the judiciary?

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Fifth Theme: Strengthening the communication channels with partners:

The strategy of judicial authority for the years (2010 - 2012) identified one goal for strengthening the communication channels with partners, which is:

1. Achieving integration of work and promoting transparency.

a. Please specify the suitability of the theme of **strengthening the communication channels with partners** for the next three years in light of the new orientations for the judiciary:

1. Very suitable. () 2. Suitable to some extent. () 3. Unsuitable. ()

b. What are the amendments and additions you propose on the aforementioned theme and goals in light of the new orientations for the judiciary?

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Thank you for your cooperation

Second Questionnaires:



**A questionnaire in preparation for
drafting the strategic plan for the
next three years (2012 – 2014)**

In the name of God the most gracious the most merciful

Your Excellencies, members of the Judicial Council

Your Excellencies, Heads of courts

Your Excellencies, prosecutors

In translation of the Royal lofty vision addressed to HE the Head of the Jordanian Judicial Council, and based on the decision of HE the Head of the Jordanian Judicial Council to hold a workshop for the above mentioned judges to draft a strategic plan for the Judiciary for the next three years (2012 - 2014), the vision, mission, themes and goals of the strategic plan for the next three years proposed in the questionnaire have been envisioned from three sources:

1. The Royal lofty vision and the King's orientations towards the judiciary.
2. The themes and goals of the strategy of developing the judiciary (2010-2012).
3. The suggestions, proposals and recommendations of the members of the Judicial Council, the Heads of courts and the prosecutors stated in the first questionnaire survey.

From this questionnaire, the administrative units in the Judicial Council aim to analyze and study the various views on key issues related to the

next strategic plan the next, which will be addressed in the deliberations and discussions in the "Workshop on drafting the strategic plan".

We hope that you kindly fill up the questionnaire, and we will discuss the results on a collective level in this workshop so as to come out with recommendations that may serve in building a strategic plan for the judiciary.

Thank you for your cooperation and your continued support

Vision and Mission

I. The Vision of the Judiciary:

The following is the vision of the proposed strategy for the Judiciary for the next three years (2012 - 2014), which has been formulated based on the Royal lofty vision as well as the orientations of HE the members of the Judicial Council, the Heads of courts and the prosecutors from the first questionnaire.

Kindly give your opinion on their suitability for the strategy of the judiciary for the next stage, and state your notes in terms of any amendment and addition by ticking with (v) on the triple scale and writing on the dotted line.

The Vision	Very suitable	Suitable to some extent	Unsuitable
<i>"Towards an independent judicial authority that guards justice, completes the national efforts, guarantees the rights and enhances the comprehensive development, justice and confidence of the society".</i>			

Kindly state any proposals or amendments on the vision that you believe are necessity and important:

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I. The Mission of the Judiciary:

The following is the proposed mission of the judiciary for the strategy for the Judiciary for the next three years (2012 - 2014), which has been formulated based on the Royal lofty vision as well as the orientations of HE the members of the Judicial Council, the Heads of courts and the prosecutors from the first questionnaire.

Kindly give your opinion on their suitability for the strategy of the judiciary for the next stage, and state your notes in terms of any amendment and addition by ticking with (v) on the triple scale and writing on the dotted line.

The Vision	Very suitable	Suitable to some extent	Unsuitable
<i>"A judiciary that is just, neutral, efficient, be trusted by the public .. its approach is to maintain personal rights and guarantee public freedoms .. its mainstay is the rule of law and integration with the State authorities through highly qualified and specialized cadres that keep up with the standards of economic and social development".</i>			

Kindly state any proposals or amendments on the mission that you believe are necessity and important:

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The Proposed Themes and Goals for the Judiciary Strategy for the years (2012 - 2014):

The following themes and goals reflect the Royal lofty vision as well as the orientations of HE the members of the Judicial Council, the Heads of courts and the prosecutors from the first questionnaire. They have been proposed and recommended for building the Judiciary strategy for the next three years.

Kindly determine the suitability of the themes and goals by ticking with (v) beside the goal on the triple scale and state the proposals or amendments that you believe are necessity and important.

Themes and Goals	Very suitable	Suitable to some extent	Unsuitable
<i>First Theme: Laying the foundations for the independence of the judiciary and improving its institutions.</i>			
<u>Goal (1): Enhancing the institutional independence of the judiciary:</u> (Amending the Law of the independence of the judiciary, amending the law of the formation of regular courts, issuing the modified system of the administrative units,).			
<u>Goal (2): Providing a judicial environment that is supportive to the individual independence of the judges:</u> (Activating the principle of specialization, the rules of judicial conduct, reviewing the legislations in force			

affecting the personal independency of the judge,).			
<u>Goal (3): Strengthening the General Prosecution system and empowering its judges:</u> (Reviewing of the legislative framework relating to the General Prosecution, their independence, training and specialization,).			
<u>Goal (4): Strengthening the capacity of the judicial inspection and developing the methodology of its work:</u> (Reviewing the legislative framework relating to the judicial inspection, training and specialization of inspectors, providing the judicial system with qualified cadres,).			
<u>Goal (5): Enhancing the institutional capacity of the Judicial Institute:</u> (Reviewing the legislative framework relating to the judicial institute,).			
<u>Goal (6): Developing and empowering the administrative units that are supportive to the work of the Judicial Council:</u>			
<u>Goal (7): Developing and empowering the Technical Office:</u>			
<u>Goal (8): Empowering the Department of the Civil Attorney General:</u> (Separating the dependency of the Civil Attorney General Department from the judicial authority and attaching it to the Ministry of Justice, reviewing the relevant legislations, developing the methodology and methods of assigning Assistants for the Civil Attorney General).			

Kindly state any proposals or amendments on the themes and goals that you believe are necessity and important:

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Themes and Goals	Very suitable	Suitable to some extent	Unsuitable
<i>Second Theme: Enhancing a highly efficient judicial authority that guarantees fair trials and enhances the confidence of the society.</i>			
<u>Goal (1): strengthening the capacity of judges and developing their knowledge and skills:</u> (Developing a system and rules of ongoing judicial training, developing a training plan for the judges of courts of various degrees,).			
<u>Goal (2): Developing a system of accountability and control in accordance with an objective and effective bases:</u> (reconsidering the standards of judicial inspection, providing the judicial inspection with qualified cadres,).			
<u>Goal (3): Improving the quality of judicial judgments:</u> (Enhancing the judicial specialization, circulating the jurisprudence of the Court of Cassation with its general and quintuple bodies to the judges of courts of various			

degrees,).			
<u>Goal (4): Shortening the litigation period:</u> (Reviewing the legislations governing the course of trial proceedings, appointing the judges in accordance with approved criteria and standards,).			
<u>Goal (5): Ensuring the speedy execution of the disposed cases to achieve expeditious justice:</u> (Amending the Law of Execution, standardizing work procedures in the execution departments,)			
<u>Goal (6): Developing the system of "criminal justice":</u> (Modifying the Code of Criminal Procedures, modifying the Juvenile Act,)			
<u>Goal (7): Easing the burden of courts' works and improving their performance:</u> (Reconsidering alternative means to resolve disputes, providing the courts with a qualified judicial cadre that commensurate with the needs of the courts,)			
<u>Goal (8): Developing the administrative justice system:</u> (Providing the necessary judicial staff and qualifying it to commensurate with the constitutional amendment, Repealing the Supreme Court of Justice and issuing the relevant legislations,)			

Kindly state any proposals or amendments on the themes and goals that you believe are necessity and important:

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Themes and Goals	Very suitable	Suitable to some extent	Unsuitable
<i>Third Theme: Institutionalizing the relationship of the judiciary with the Ministry of Justice.</i>			
<u>Goal (1): Establishing a complementary relationship between the Ministry of Justice and the judiciary based on the proposed legislative amendments.</u>			
<u>Goal (2): Developing coordination mechanisms between the Ministry of Justice and the:</u> (The annual budget, the infrastructure of the courts and services, the administrative supportive cadre, the field of information technology and communication,).			
<u>Goal (3): Ensuring the implementation of the strategic plans for each of the judicial authority and the Ministry of Justice.</u>			
<u>Goal (4): Developing the services provided to the public in the courts in coordination with the Ministry of Justice:</u> (Improving the services provided by the Notary Public Department, developing the services of judicial record,).			

Kindly state any proposals or amendments on the themes and goals that you believe are necessity and important:

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Themes and Goals	Very suitable	Suitable to some extent	Unsuitable
<i>Fourth Theme: Strengthening the channels of communication between the judiciary and the other institutions.</i>			
<u>Goal (1): Institutionalizing the relationship of cooperation with the Bar Association:</u> (Forming a joint committee between the judiciary and the Bar Association, developing a mechanism to improve communication and networking between the judiciary and the Bar Association,).			
<u>Goal (2): Promoting cooperation and coordination with law schools:</u> (Providing channels of communication between the Department of Information and law schools to support it with the legal developments, enriching the university libraries with specialized legal studies and researches,).			
<u>Goal (3): Promoting cooperation and coordination with civil society organizations:</u> (Designing joint programs to educate the society about the principle of rule of law, developing cooperation mechanisms between the Judicial Council and the civil society organizations,)			
<u>Goal (4): Activating and developing the relationship with the media institutions:</u> (developing rules that organize the relationship of the judiciary with the communications and media, supplying the media with the information necessary for spreading legal awareness among the public,).			
<u>Goal (5): Developing the procedures for working with the</u>			

<u>government institutions and security systems.</u>			
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Kindly state any proposals or amendments on the themes and goals that you believe are necessary and important:

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Themes and Goals	Very suitable	Suitable to some extent	Unsuitable
<i>Fifth Theme: Consolidating the public confidence in the rule of law.</i>			
<u>Goal (1): Ensure facilitating the citizens' access to justice:</u> (unifying the system instructions in the courts' buildings,)			
<u>Goal (2): Spreading the legal culture among the various age groups in the educational system:</u> (strengthening the legal awareness in school curriculum, developing information programs in the field of legal awareness,).			
<u>Goal (3): Educating the public about the role of the judiciary and the judicial development efforts:</u> (Creating a website to communicate with the people and provide them with basic information,).			
<u>Goal (4): Awareness about the rights and duties of the citizen and his basic freedoms:</u> (Issuing publications, wallboards and leaflets to educate citizens about their rights, duties and basic freedoms, conducting surveys to explore the public opinion on improving public knowledge of their rights, duties and basic freedoms,).			

Kindly state any proposals or amendments on the themes and goals that you believe are necessity and important:

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D. ACJLS Final Report

1- **COVER PAGE**

Twelfth Monthly Program Report

Name of Grantee: The Arab Council for Judicial and Legal Studies.

Award Number: 04-01rd2-2010

Address: 39 Sameer Al Rifa'ai Street
Amman – Jordan
P.O.Box:840036 Amman 11181 Jordan

Telephone: (+ 962 6) 4620250

Name of Person Responsible for Program Report: Suzan Saba / Project Manager,
Ghada Al Shawa / Project Coordinator.

Period Covered by Program Report: (15th October – 15th November 2011).

2- **PROJECT ACTIVITIES:**

I. **Completed Activities:**

Activity 1: Establish a specialized unit within ACJLS

- Training and guiding of the project's team is a continuous activity within ACJLS.

Activity 2: Develop performance indicators and computer generated reports

- ACJLS completed this activity and reported previously on achieved results.

II. **Ongoing activities:**

Activity 3: Initiate a dialogue to establish consensus on baseline performance measurements, targets and standards for acceptable performance of the judiciary.

Activity 4: Initiate a dialogue to develop and build consensus on innovative information based management practices.

Activity 5: develop action plans for implementation, present change management strategy.

- **Bring experts in country.**
 - International expert Mr. Nial Raaen visited Jordan during the period 30th October till 3rd November 2011 to participate in the workshop.
- **Conduct field interviews.**
- **ACJLS team conducted 14 visits to stakeholders and courts, as previously reported. The visits were conducted for the purpose of:**
 - Update Stakeholders on the identified indicators through the first phase of the project "case load per Judge, average time to disposition" as well as the recommendations that were presented on ACJLS' distributed report on the implementation of the first phase of its project.
 - Introduce activity 3, 4, 5 of ACJLS' project to stakeholders and brief them about the project's upcoming activities which includes:
 - Soliciting views individually towards developing consensus on standards and targets for the identified indicators and applied methodologies for monitoring and evaluation.
 - Establishing quantitative targets/standards for each indicator established through the distribution of a special survey
 - Assess applied monitoring and reporting methodologies.
 - Get answers for the set of questions developed by ACJLS team
- **Major observations and finding:**

- Judges concern about different applied management methodologies among courts in the kingdom were reported, as such leads to frustration in the whole judicial process.
 - There are no criteria at place / adopted by the Judicial Council with regard managing and monitoring Judges affairs in general and judges movement and appointment in specific.
 - Although Mizan is a program used daily at courts and data could be pulled out from it, courts tend not to depend on it fully, as the accuracy of the data is questioned in light of the absence of entry quality control.
 - The Judicial Council only requires one report from the courts which is about new registered cases, judges back log, disposed cases and cases transferred to other courts. Furthermore this report is filled manually and not electronically and this process consumes lots of time.
 - There is no methodology set by the Judicial Council and courts are managed based on personal capacities and initiatives of chief of courts.
- **Review and analyze data and statistical reports.**
- Statistician finalized the process of analyzing the statistical data pulled from Mizan and the outcomes of the survey. He submitted the draft report on the standard of the identified indicators “Case load per judge and time to disposition on 23rd of October 2011. This report was presented at the workshop. (Copy of the report is attached).
- **Review and assess applied monitoring and evaluation methodologies:**
- Clear and direct questions were asked by ACJLS’ team to stakeholders, during the conducted 14 visits to courts and other stakeholders, and observation and feedback were shared among ACJLS team.
 - International expert submitted a presentation during the workshop, on Putting Performance Measures to Work, in which he discussed the following points: Performance Measurement, the use of data, types of Reports, Using Standards to Improve Performance, NCSC Model Standards – Civil, Standards and Delay Reduction. The expert emphasized during his presentation on the principle considerations in monitoring data and who will review the information and how frequently. (Kindly see attached presentations in Arabic and English).
- **Internationally acceptable performance standards:**
- International expert submitted a presentation during the workshop, on International Performance Measures for the Judiciary in which he discussed the following: types of measurements, productivity and efficiency (Quantitative), international examples, Quantitative

measures, and Performance standards, beyond standards (the framework of court excellence). (Kindly see attached presentations in Arabic and English).

- **Workshop conducted on 1st and 2nd of November 2011 :**

-ACJLS team conducted a two day workshop as per project document on 1- 2 November 2011, details are as follows:

Logistically:

- ACJLS obtained ROLP procurement approval on venue selection “The Regency Palace Hotel”. (Kindly find attached ROLP approval).
- ACJLS obtained ROLP procurement approval on the selection of the interpretation agency “Digital Scope Agency”. (Kindly find attached approval).
- ACJLS had selected the First Advertising agency for reprinting the roll-up stands that were prepared for the first workshop on June 2011. This selection was made to reduce cost; verbal approval was obtained from ROLP.
- ACJLS confirmed participants’ attendance prior to event. (Kindly find attached list of invitees and list of attendance).
- ACJLS in cooperation with the experts finalized the workshop agenda.
- ACJLS prepared a folder with all relevant materials presented in the workshop. (Kindly find agenda attached and folder of materials).
- ACJLS engaged Dr. Al Mosa as a facilitator for the two days workshop to facilitate discussions and present findings of first phase.
- ACJLS team in the presence of the international consultant and facilitator, held a meeting on the 31st October in order to review workshop arrangements and discuss materials and scenarios for the upcoming workshop.

Materials of the workshop:

International expert:

- International Performance Measures for the Judiciary (paper and presentation).
- Putting Performance Measures to Work (presentation)
- Determining Judicial Resource Needs (A Process for Rational Caseload Assignment). (presentation)

Facilitator:

- Briefing on achievements of first phase.

Statistician:

- The draft report on the standard of the identified indicators “Case load per judge and time to disposition” and presentation.
- Presentation on Judges trends towards performance standards.
- Brief and display Mizan reports and facilitated discussions.
- Facilitated the distribution of the exercise and facilitated discussions (Kindly refer to set back section below).

Technically:

The following topics were presented and discussed during the two days workshop:

- A presentation carried by Dr. Al Mosa on the findings of the first phase of the project. Dr. Al Mousa emphasized on the importance of integrating the identified indicators into the administration of the judicial system, and he added that indicators should be sustained and continuously evaluated, and accordingly expanded.
- International Expert Mr. Nial Raaen presented a power point presentation on the international court performance measures, during which he shared with the participants history of the development of performance measures, where as performance indicators have been developed both quantitatively and qualitatively with most court systems adopting a set of well recognized measures that relate to delay reduction.
- The statistician Dr. Ababneh presented an in depth statistical and professional analysis findings for the proposed performance standards for the two identified indicators. During the presentation statistician shared with the participants the methodologies adopted to reach the proposed standards for the two identified indicators; standard grouping methodology, as well as the conducted survey. Afterwards the results were analyzed using the SPSS. He further presented the main results of the analyses and they were as follows:
 - Time to disposition :
 - The general standards to dispose cases at civil courts of first instance regardless of type were: 75% within 287 days, 50% within 175 days and 25% within 85 days.
 - The standards to dispose commercial cases at courts of first instance were: 75% within 189 days, 50% within 98 days and 25 % within 41 days.
 - The standards to dispose real estate cases at courts of first instance were: 75% within 265 days, 50 % within 165 days and 25 % within 86 days.

- The standards to dispose personal civil cases at courts of first instance were: 75 % within 316 days, 50% within 222 days and 25% within 141 days.
 - The standards to dispose contractual cases at courts of first instance were: 75 % within 314 days, 50% within 175 days and 25 % within 76 days.
 - The standards to dispose procedural cases at courts of first instance were: 75 % within 289 days, 50% within 177 days and 25 % within 59 days.
- Case load per Judge :
- Case load per judge at the selected courts had increased during the past three years, from 120 cases per year in 2008 to 153 cases per year in 2010.
 - The average case load per judge at the selected courts was 130 cases per year.
 - 80 % of the surveyed judges believe that the acceptable average for the case load per judge is 200 cases.
 - All judges believe that their yearly case load is medium to large.
 - Diverse capacity among the surveyed courts.
 - Judges are in favor of applying performance indicators and standards were 92 % of the surveyed judges believe that it will improve the court administration, while 90% of the surveyed judges believe that the indicators and standards are applicable. However 54% of them believe that they possess sufficient information on indicators and standards, while the same percentage of them believes that Jordanian courts are ready to apply those standards
- International expert on the second day presented a presentation on best practices of innovative information based management practices and the Jordanian case. Expert elaborated that the principal considerations in monitoring data are who will review the information, what level of details do they need and how frequently should the information be reviewed. Interactive discussions took place which assisted the expert in exploring the necessary data and information needed in courts in order for him to propose action plans for periodic use of monitoring and evaluation reports and indicators.
- The presentation on this topic focused on the use of data to assess the court's ability to dispose of the incoming caseload and identify if backlogs are developing. The need for good data was emphasized, and the need to validate the accuracy of reports before regular monitoring begins. This includes conducting a case file review if necessary, as well as comparing computer and manual data entry for accuracy and timeliness. The cooperation and engagement of registry staff in the performance monitoring process was emphasized.
 - Examples were provided of the recently-adopted model standards for civil litigation in the United States. These standards, which feature a three level time standard for civil and summary civil cases reflect the

Group 1	Group 2	Group 3	STANDARD	
Case Type	Group 1	Group 2	Group 3	STANDARD
<i>All Civil</i>	290	287	287	290
<i>Commercial</i>	190	189	189	190
<i>Real estate</i>	270	265	200	235
<i>Personal</i>	320	316	200	320
<i>Contract</i>	300	480	250	300
<i>Procedural</i>	230	289	200	230
180	150	200-300	180	

- Solicitation of stakeholder’s views to build consensus on a monitoring and reporting methodology and schedule established for periodic reporting of the indicators and targets.
 - This question was not fully resolved during the presentation, though the international expert developed recommendations for implementation (please refer to report). The International expert proposes the establishment of case management committees in each court for performance monitoring and improvement. Report descriptions in this report include the recommended frequency of use.
 - The frequency with which performance data is accessed or viewed depends on the needs of users and the time available to work with it, as well as how performance information decision-making and planning at various levels. For individual judges, time to disposition data should be used to review progress of individual cases at regular intervals. Judges will want to see this information often enough to identify cases which are being delayed unnecessarily in order to take action. Quarterly reports are usually sufficient. Chief judges may utilize summary data on time to disposition in order to determine if certain types of cases or judicial panels are falling behind and should receive attention. Quarterly or biannual reporting is usually sufficient.

- Solicit stakeholder's views on how to change the behavior of judiciary personnel who impact the performance of the judiciary, and come up with deliverable recommendations.

Participants brought up a number of issues that need to be addressed as the courts implement performance measurement. (please refer to international expert report)

- Case classification problems.
 - Data Quality.
 - Utilization of Mizan technology.
 - Perception of judges.
 - Judicial continuity.
 - Supporting administration
 - Leadership.
- Present suggested modifications to court's reports if necessary
Four Performance reports have been developed by Mizan in addition to existing reports currently available from the system. Performance reports include the following:
 - The Annual Workload and Clearance Rate report
 - The Time to Disposition report.
 - The Annual Incoming and Annual Dispositions reports
 - Two additional reports are proposed. The Judicial Workload report is designed for chief judges to monitor the number of assigned cases by type for the judges in their court. Cases which are pending and exceed time guidelines are listed on the Cases Over Time Guidelines report. Judges should be periodically monitoring cases on this report to identify those which require more attention or intervention. The report should also indicate the percentage of cases which meet the time guideline in each category. (please refer to international expert report)

III. **Planned activities**

- Complete second phase report upon receiving, translating and reviewing expert and statistician's final observations and recommendations, the report will be describing the progress achieved, activities and interviews carried out, reports presented, findings, discussions, the standards and targets for the identified indicators, as well as the adopted methodology for monitoring the performance and the agreed upon scheduled reporting.

- Four follow up visits will be conducted chiefs of courts, the judicial council and Ministry of Justice in order to share the findings of the reports and advocate for change management practices.

IV. Reasons why established goals and activities for the reporting period were not met:

- N/A

3- EVALUATION:

- Quantitative targets standards for each indicator established.
- Monitoring and reporting methodology and schedule established for periodic reporting of the indicators and targets.

4- SUCCESS STORIES:

- Judge Jehad Al Otaibi, head of the Technical office praised the performance of ACJLS, and valued the important and professional work of the team and further emphasized on the importance contribution ACJLS team findings.

5- LESSONS LEARNED / PROBLEMS / DELAYS:

- ACJLS contracted Dr. Al Mosa in order to facilitate sessions during the two days workshop, Dr. Al Mosa facilitated the first day, however Dr. Ababneh replaced him on the second day as Dr. Al Mosa was hospitalized due to a cardiac problem.
- Many judges were unable to attend some of the sessions during the two workshop days, due to lack of coordination between them and judicial council.
- Head of Judicial council newly established units did not attend the workshop despite confirmation prior to the workshop, as such was considered a setback.

6- SUMMARY TABLES

1.1.1.1.1.1.1

1.1.1.1.1.1.2 (Month Name) Activities Accomplished

DATE	Activity	Participants	Description	Comment
1-2 November	2 days workshop	Judicial council- Ministry of Justice, Chief of Courts , Judicial institute , technical office at court of cassation, academics, , ACJLS team	Kindly refer to workshop package attached	

1.1.1.1.1.1.3

1.1.1.1.1.1.4

Attachments:

- Expert's papers and presentations in Arabic and English.
- Experts final reports and recommendations
- Procurement approval on venue selection "The Regency Palace Hotel" ROLP approval.
- Procurement approval on the selection of the interpretation agency "Digital Scope Agency". ROLP approval.
- List of invitees and list of attendance.

End of Report

E. Courts Needs Assessment Report



USAID | JORDAN
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USAID-Rule of Law Project in Jordan

Contractor: DPK Consulting - A division of ARD.Inc

Contractor: USAID-Rule of Law Project

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تقرير ورشة عمل
تحديد احتياجات المحاكم

المملكة الأردنية الهاشمية

مناطق الماريوت - البحر الميت

٢٠١١/٢٥-٢٤

Courts' Needs Assessment Report

Marriott Hotel – The Dead Sea

24-25-/09/2011

- Participants: HE the Head of the Judicial Council, HE the Minister of Justice, M/S Heads of the Courts, and the Administrative Units.



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Results and Recommendations of the Workshop:

Identifying the Needs of Courts

Name of the workshop: Identifying the Needs of Courts.

Attendees: Head of the Judicial Council, Secretary General of the Ministry of Justice (on behalf of the Minister of Justice), Heads of the Courts of Appeal and Courts of First Instance, the Directors of Administrative Units and the Unit's Employees that follow the Judicial Council, the Representative of the U.S. Agency for International Development and the Staff of the Rule of Law Project.

Venue and Time: Marriott Hotel/Dead Sea from 24-25/09/2011.

❖ Introduction

Upon the invitation of the Rule of Law Project, funded by the U.S. Agency for International Development, and in coordination with the Administrative Units in the Jordanian Judicial Council, a workshop was held to identify the needs of the courts and improve the means of communication

between the responsible parties in the judicial sector (the Judicial Council, the



heads of courts, and Administrative Units) which have an active role in decision making in an accredited institutional framework. The workshop was opened by the Head of the Judicial Council, followed by speeches from the Secretary General of the Ministry of Justice (on behalf of the

Minister of Justice) and the Representative of the U.S. Agency for International Development.

The workshop was conducted from 24-25/09/2011 at the Marriott Hotel in the Dead Sea; 44 participants joined the workshop:

- Four Heads of Courts of Appeal, and 18 Heads of Courts of First Instance, including the Head of the Tax Court of First Instance.
- The Directors of the Administrative Units: The Director of Justice Affairs Unit, the Director of the Training and Specialization Unit and the Director of Planning and Development Unit.
- The Office Manager of the Head of the Council and the Secretary of the Council.
- Ten employees of the Administrative Units.
- Staff of the Rule of Law project.

❖ **The Workshop Agenda: Annex No. (1)**

The two-day workshop included the following:

Day One: Opening session. The speech of the Head of the Judicial Council, His Excellency Judge Mohammed Al-Mahamid; the speech of the Secretary General of the Ministry of Justice on behalf of the Minister of Justice presented by HE Judge Mohammed Hawamdeh; and the speech of the U.S. Agency for International Development, presented by Mr. George Al-Qar'ah.

- A presentation was given on the functions of the Administrative Units and the plan of action stipulated by the Judicial Council, presented by HE Judge Ahmed Jamalia.

- Identifying the needs and ways of communication between the Administrative Units and the courts, presented by HE Dr. Nash'at Al-Akhras.
- A presentation on the methodology of identifying needs, presented by Mr. Nabil Su'aifan.

Day Two: Presenting results and preliminary recommendations for the Heads of courts to take note of and express their opinions, presented by HE Judge Dr. Nash'at Al-Akhras and Mr. Nabil Su'aifan. This day also included a session to discuss the results and determine the recommendations.

❖ **The Opening Speech. Annex No. (2)**

✓ **The Speech of the Head of the Judicial Council**

In the speech of the Head of the Judicial Council, His Excellency Judge Mohammed Al-Mahamid, stated that the objective of restructuring the Judicial Council by the issuance of the



Administrative Units system No. 5 for the year 2010 is the result of the urgent need for the presence of a number of judges, juristic and administrative staffs, to provide their recommendations, suggestions, statistics, opinions and readings which the Head and the members of the Judicial Council need and may help them in making the right decisions.

His Excellency praised the Administrative Units and the efforts they have made during the brief period from the date of starting the execution of the plan of action. He reminded the audience that the aim of the workshop was to build partnerships and to institutionalize the relationship between the Administrative Units, judges, Heads of courts and the Ministry of Justice. He stressed the importance of judicial independence, which has been long called for by His Majesty King Abdullah II Bin Al Hussein, may God protect him.

Finally, His Excellency thanked the efforts of the U.S. Agency for International Development in supporting the Rule of Law Project and its seniors for their support and expertise they offer in the field of information technology and techniques.

✓ **The Speech of the Secretary General of the Ministry of Justice on behalf of the Minister of Justice**

In his speech, The Secretary-General of the Ministry of Justice, Judge Mohammad Al-Hawamdeh, said that framing the work of the Administrative Units in

juristic templates would add an institutionalized aspect on the work of the judicial system in a way that that may achieve permanence and continuity. He also pointed out that there are many optimal practices that can be



recognized and made use of in line with the legal Jordanian system. He referred to the care and attention given by His Majesty to the judicial authority, stating that translating this vision was intensified by the recent constitutional amendments that have supported the independence of the judicial authority and maintained it away from the intervention in its functional affairs, and that the constitutional amendments included the establishment of a constitutional court to be a reference in controlling the constitutionality of the laws.

Finally, he thanked the U.S. Agency for International Development for the support provided through the Rule of Law Project.

✓ The Speech of the U.S. Agency for International Development

The speech of Mr. George Al-Qar'ah, the representative of the U.S. Agency for International Development, briefed the global trend towards the independency of the judiciary, and praised the achievements of the Jordanian Judicial system which made it at the forefront of all the Arab countries and the countries of the region. He also stressed that the U. S. Agency for International Development is pleased with its partnership between the Agency and the judicial system and values the efforts of His Majesty the King in the need to establish a balance between all authorities and to improve parties and parliamentary political performance to achieve the independence of the judiciary. Additionally, he indicated that the establishment of Administrative Units and a general secretariat within the organizational structure of the Council is a key step towards strengthening the judicial system and running its own affairs.



Finally, he confirmed the commitment of the U.S. Agency to provide the necessary support to the Judicial Council and the judicial system to implement their plans and strategies.

❖ The Presentations: Annex No. (3)

✓ The presentation of HE Ahmed Jamalia, charged with activating the Administrative Units

His Excellency, the Head of Amman Court of First Instance, charged with activating the Administrative Units of the Judicial Council, provided a detailed explanation of the Administrative Units system. The presentation included the following aspects:



- The objectives of the workshop represented by working on developing an annual plan of action for the administrative units and identifying the needs of the courts to put them in the hierarchy of the Judicial Council priorities.
- The legal framework of the Administrative Units system.
- The tasks of the Administrative Units represented by the functions of Judges Affairs Unit, Development and Planning Unit, Training and Specialization Unit and Communication and Information Unit.
- The themes of the Administrative Units' plan of action included eight areas: legal framework; infrastructure and human resources; organizing actions and starting the execution of the actions of priority; developing the institutional construction; training and capacity building; studies and reports; and computer systems.

✓ **The presentation of the Director of the Training and Specialization Unit, HE Judge Dr. Nash'at Al-Akhras**

The presentation included the goals of identifying the needs of the courts and the means and tools that help in identifying such needs as well as determining the ways of communication and active participation in decision-making and the supporting methods and tools to improve communication.



✓ **The presentation of Mr. Nabil Su'aifan on the Rule of Law**

The presentation included a systematic study to identify needs. The following is a summary of the presentation:

- Introduction that included the most important requirements to ensure the success of the strategic planning and planning at the sectoral level.
- The goals of studying the needs identification.
- The target group in the study of the needs.
- The tools of the study and its six areas: legislation and laws;



judicial inspection; training and rehabilitation; execution procedures in the execution departments; improving communication and the flow of information; and reasons for the delay in disposition of cases.

- The mechanisms of completing the questionnaire and analyzing its results and recommendations.

❖ Methodology of Identifying the Needs, Results and Recommendations

To reach the desired objective from holding this workshop, the reality of the justice sector was discussed through the identification of the needs of the Heads of courts- monitoring the issues and challenges faced by their courts as well as address available opportunities for them to enhance their performance and advance in the judicial sector so as to bring expeditious justice and assist the Administrative Units of the Judicial Council to develop an annual plan of action reflective of the objective needs of the courts and arranging them according to their priorities in preparation of their execution.

✓ Workshop Objectives

The main objective of the study is to identify the needs of the judicial sector in the Kingdom. The workshop will help to identify issues and challenges facing this sector, to identify the size of the gap between the actual needs and requirements of the judicial sector on one side, and the concrete reality from the other hand in preparation for bridging them and foreseeing the future prospects in order **to assist the Administrative Units in the Judicial Council in developing an annual Plan of Action reflective of the needs according to their priorities by implementing them**, and to develop the outlines of the general objectives of the strategic plan to come. The workshop also targets the following sub-goals:

- Improve communication and exchange of experiences and information between the responsible parties in the judicial sector (the Judicial Council and the Heads of courts and Administrative Units) and to institutionalize them.

- Identify the priorities of the courts' needs from the standpoint of the Heads of courts in preparation for meeting them.
- Explore the future prospects of the nature of needs and work requirements, and provide reliable information to assist in the development of operational plans.
- Consolidate and disseminate a scientific methodology to monitor the needs and available opportunities to the judicial sector.

To achieve this, it is necessary to provide the following supporting elements:

1. A clear vision and realistic goals.
2. Accurate, documented information and data to explore the prospects of the future.
3. A detailed execution (procedural) plan (programs, projects and activities) which reflect the vision and the general goals.
4. Realistic indicators to assess performance and clear mechanisms for following up and evaluation.
5. A qualified and experienced cadre and continuous training.

✓ **Tools of Identifying Needs**

The study adopted two tools for identifying the needs of the Heads of courts: The first tool is a regulated questionnaire designed according to the work requirements, objectives, tasks and responsibilities of the

personnel in the judicial sector, taking into consideration the tasks and the actions of the heads of courts as well as the directors of Administrative Units that follow the Judicial Council; and this tool has been reviewed and judged by specialists. The second tool is to discuss the needs proposed in the working groups and enrich suggestions by new ideas and recommendations. The questionnaire contained six themes as follows:

- **The theme of Legislation and Laws:** The questions of this theme determine to what extent there is a need to review the laws and legislation governing the work of the courts.
- **The theme of Judicial Inspection:** This includes six questions which measure the extent of the need to review control procedures, accountability, standards, substrates and mechanisms of the actions that govern the inspection system and the persons in charge of it, and the extent of commitment to the approved and adopted standards.
- **The theme of Training and Rehabilitation:** This includes seven questions which focus on the extent of the need for specialist training programs for sitting judges, new judges, and training topics which reflect the objective needs of the judges.
- **The theme of Procedures for Execution and the Execution Departments:** This includes 10 questions that focus on reasons for delaying the execution of the cases (administrative, procedural, legislative...).
- **The theme of Improving the Means of Communication and the Flow of Information:** This includes 11 questions that aim to identify the best ways to improve communication and the exchange of information between the courts and to develop and modernize the information and control systems for the accuracy of information.

- **The theme of the Causes of Delay in the Disposition of Cases:** This theme includes 17 questions which focus on the most important reasons for delaying the disposition of cases.

Key Findings and Recommendations of the Study of Identifying Needs:

Before completing the questionnaire, the objectives of the study of the needs, and their importance in consolidating a scientific methodology when determining the objective need, have been reviewed and illustrated in detail by the parties directly involved in the judicial work; they are best able to identify their needs and demands to improve performance and to diagnose issues and challenges as well as the best methods to face them. The way of completing the questionnaire was also clarified. 22 Heads of courts of First Instance participated in the survey of identifying needs. The following were the most important recommendations:

❖ First Theme: Legislation and Laws

The objective of this theme is to identify the extent of the courts' needs to review the laws and legislations governing their work in order to improve and develop, and also to identify the type of laws and legislations which are proposed to develop the work of the courts from the standpoint of their Heads.

✓ The most important results:

1. The survey results showed that there was consensus by the Heads of the courts on the need to review the laws and legislation governing the work of the courts.
2. The Heads of courts, during the debate, also stressed the importance and the need to review laws and legislation and to call

for forming a committee to study the legislations, particularly the law of execution, in addition to study the problems in the said law in preparation to amend it.

✓ **The most important recommendations:**

The overall recommendations in this theme focused on the need to speed up the development of an annual plan and the action mechanisms to examine all the laws governing the judicial procedures in preparation of amending them. The laws of Civil Procedure, Criminal Procedure Act and Magistrates Courts enjoy the priority in the hierarchy of priorities in the coming annual plan. In addition, the participants recommended conducting a review and amendment of the following laws:

1. The presence of (legislative framework) – a system, a law, or instructions that stipulate the presence of judicial sub-disciplines at courts
2. Reviewing the laws governing the work of the special courts, in which the Treasury is a party
3. The Law of Execution
4. The Code of Civil Procedure
5. The Code of Criminal Procedure
6. The Magistrate's Courts Act
7. The law of the independence of the judiciary
8. The Penal Code
9. The Code of Commerce
10. The Law of Mediation
11. The Law of Evidences
12. The Maritime Trade Law

13. The Law of the General Sales Tax
14. The Procedural Law in tax issues
15. The Customs Act

❖ **Second Theme: the Judicial Inspection**

The theme of the judicial inspection aims to identify weaknesses and strengths in the methodology of judicial inspection and its mechanisms from the viewpoint of the heads of the courts. The following are the results and recommendations that have been proposed:

✓ **The most important results:**

1. The vast majority of the Heads of courts (85.7%) believe that there are weaknesses in control procedures and accountability; one form of this weakness is that the annual inspection does not include all judges subject to inspection.
2. 95% of the Heads of the courts are demanding that a periodic review of standards, substrates and mechanisms that govern the inspection system, and the persons in charge of it, must be conducted and put this topic in the hierarchy of priorities.
3. The results show that 45% of the Heads of courts believe that the response to complaints transferred to the judicial inspection and examination takes a long time; 55% disagree with this opinion and do not think that the response takes a long time. This difference in the views may be attributed to the variation in speed of response to complaints between one court and the other and the response to complaints is not done by specific and adopted timing.

4. There is also a difference in the views on the existence of standards governing the work of the judiciary. 55% do not believe in the existence of such standards and 45% believe in their existence. This difference in can be attributed to the following:

- Approved standards of judicial inspection exist, but some of the Heads of courts have no knowledge of them.

- Approved standards of judicial inspection exist but there is no adherence to the standards, confirming that 63.6% of the Heads of courts do not believe that the degree of the judicial inspection system adherence to the adopted standards is high.

- The lack of specific standards depends on what the respondent believes about their existence or the need of their existence and depends on a personal perspective, not based on reference standards.

✓ **The most important recommendations:**

Based on the results of studying needs which showed a weakness in the control procedures and accountability, the demand for a periodic review of standards, substrates and mechanisms governing the inspection system and those in charge of it, and placing this topic in the hierarchy of priorities. It is for this reason that it is necessary for the 2012 annual plan to reflect clear mechanisms which review the inspection standards and allow for the adoption of new standards binding for the inspection system, and allows an active role for the Heads of the courts in the judicial inspection. This requires that the annual plan should include training programs for the Heads of courts in the area of judicial inspection. The Heads of courts also proposed that a number of recommendations should be taken into account when developing the annual plan. They are:

1. Select highly experienced inspectors carefully.
2. Promote judges based on three reports (from the Head of the Court, the Judicial Inspection and a committee formed by the Judicial Council) and evaluate on these bases, not merely based on seniority.
3. Cancel interviews.
4. Study the inspection departments in developed countries in this regard.
5. Increase the number of inspectors who should receive appropriate training on inspection techniques.
6. Connect the judicial inspection to the Judicial Council.
7. The Head of a court must have a role in evaluating the judge, and serve as an inspector in his court.
8. Expand the scope of specialization and the powers of the judicial inspection.
9. Increase control of the judicial inspection by field inspection visits.
10. Develop provisions that ensure the independence of the judiciary.
11. Develop specific and accurate standards for the work of a judicial inspection.

12. Inform the Heads of courts on the results of the inspection related to their courts before approving them.
13. Continuous access to the work of judges without shortening them by promotions.
14. Develop departments to assess the work of writers in the Court.
15. Intensify control and accountability periodically on judges who are subject to inspection to avoid the mistakes that they have fallen into, either legal or behavioral.
16. Propose informing the time of attending to the court for inspection.
17. Actions and matters that are inspected should be displayed.
18. Refusing to accept any complaint without the name of the complainant and prosecuting the complainant if the complaint is misplaced.
19. There should be control by the Court of Appeal on the works of the courts of first instance.

❖ **Third Theme: training and rehabilitation**

The theme of training and rehabilitation aims to identify the suitability of training courses for judges- their needs and the nature of their work, the methodologies of selecting and determining the trainers, and training programs as well as the effectiveness and the impact of such programs on the performance of judges.

✓ **The most important results:**

1. The results showed that 43% of the Heads of courts believe that training programs held for judges do not reflect the needs of judges according to their specialization and their work; 57% disagree this opinion and believe that the programs reflect the needs. What applies to training programs also applies to method of selection of training topics and trainers. This can be attributed the large difference in views on this topic for the following reasons:
 - The lack of specific criteria for the selection of trainers, trainees and training programs and themes that reflect the needs of judges according to their specialization and their work, which leads to considering the training programs and their mechanisms from a personal perspective and not based on reference standards.
 - If such criteria in selecting the training programs exist, the Heads of courts neither know about nor adhere to them.
 - The lack of a reference training manual that methodologizes the training processes and mechanisms, starting from selecting the training topic, trainees and mechanisms of execution and ending by assessing performance and achieving goals.
2. 67% of the Heads of courts believe that specialized training programs related to the administration of courts commensurate with the needs of the courts; 33% disagree and consider the programs not commensurating with the needs of the courts.
3. Generally, the vast majority of the Heads of courts (81%) agree that the ongoing training programs contribute in raising the efficiency of

the judges in their work; 19% are not convinced about the effectiveness of ongoing training programs. This rate, even low, must be taken into consideration.

✓ **The most important recommendations According to priority:**

Training judges is very important to the Heads of courts, and so it is essential that this interest is reflected in the upcoming annual plan to include training programs that reflect the need in accordance with qualifications, specialization, and the workplace, which requires conducting a comprehensive study of training needs. The annual plan must take the following into account:

1. Establish standards that govern the selection of trainers and judges who will participate in the internal and external training courses as well as the training materials needed.
2. Develop a training manual, starting from selecting the training topic, trainees and mechanisms of execution and ending by assessing performance and achieving goals.
3. Training should be given in accordance with the needs of each judge or administrator, or according to the specialization and the nature of work and continual education to keeping abreast of current developments.
4. Hold dialogue workshops.
5. The Heads of the Courts should have a role in selecting the appropriate time to hold the training courses and the judges who require training, including practical courses; the opinion of the judge must be taken into consideration.

6. Every court should have a hall that accommodates all judges. They should be met with on a daily basis after completing work to discuss legal points that confront them and reach an appropriate solution.
7. Hold seminars and lectures in the courts for all staff on the work of the courts, its importance and uniqueness.
8. Focus on practical training courses.
9. Allocate a technical course on the laws of income tax and sales tax.
10. Organize training courses after amending laws, which include studying what has been amended.

❖ **Fourth Theme: Procedures for the Execution of Lawsuits in the Execution Departments**

This theme aims to identify reasons for the delay in the execution of cases, according to their priorities.

✓ **The most important results:**

1. The first reason of delay in the execution of cases, from the perspective of the Heads of courts, is that there are shortcomings in the legislation governing the execution process, leading to delay in execution procedures at the execution departments. The percentage of supporters reached 95%, and 95% of the Heads of courts consider that the infrastructure for the execution departments is inadequate and needs to be updated to facilitate the speeding up of the execution of cases.

2. Weak technology in the execution departments is blamed for the lack of any electronic connection with judicial execution and other governmental departments; the most important of which are the Department of Land and Survey and the Department of Licensing of Vehicles and Drivers. The rate of the supporters is 95%. The execution procedures, in financial terms, are also conducted manually in complicated and non-unified among the courts, impeding the execution procedures. The rate of supporters is (95%).
3. 95% of the Heads of courts think that among the reasons for the delay in the execution is the lack of mechanisms and unified system for filing and restoring the files.
4. In the second place on the reason for the delay comes the resorting of the parties in execution cases and their legal representatives to appeal in any decision issued by the judge of execution. The rate of supporters is 82%.

✓ **The most important recommendations According to priority:**

The execution of cases that have been determined is considered among the most important issues that may help or accelerate achieving justice. The results showed that the most important reasons for delay in the execution of cases are: weak legislations governing the execution process, a poor flow of information and archiving, and poor communication between different departments. For this reason, there is a need that the next annual plan should consider these aspects and develop programs and activities which may address these problems. The Heads of courts suggested the following recommendations to address the causes of delay, which must be taken into account when developing the annual plan.

1. Amending the law of execution.
2. Computerizing the procedures of the execution departments and providing qualified personnel to assure proper functioning. Additionally, execution files should be archived.
3. Issuing a guide of standard procedures in working with/managing execution cases for the various courts.
4. The judge of execution must have experience in the field of execution and training courses should be held for him.
5. Execution officers and staff should be given courses to explain the law of execution after amendment.
6. The execution personnel must possess certain characteristics (competence and ethics).

❖ **Fifth Theme: Means of Communication and the Flow of Information**

This theme aims to identify the views of the Heads of courts on the methods of communication between the courts and the strengths and weaknesses in the adopted methods especially in the field of information and performance indicators,

✓ **The most important results:**

1. The topic of developing a computerized system to measure the performance and efficiency standards and an information system to collect statistics as well as unified computer network received

urgent priority, so as to improve the methods of communication from the viewpoint of the Heads of courts with the rate of 100%.

2. The topic of calculating the burdens of judges in the reports from the reality of the retained and incoming cases instead of calculating them depending on the cases only received by the court, and on the quality of the cases heard by the judge also received the priority from the viewpoint of the Heads of courts.

3. 36% of the Heads of courts do not believe that communication and exchange of information and documents between courts of different kinds and degrees are done easily. This percentage should not be underestimated and confirms that some courts lack modern methods for the exchange of information as other courts, and this means that there is disparity in information technology between courts.

✓ **The most important recommendations According to priority:**

The results showed the need to work on the development of a computerized system to measure the performance and develop efficiency standards that combine the burdens of judges, their performance and their ability to execute their plans for the disposition of cases in a timely manner. This requires the improvement and facilitation of the flow of information between the supportive departments as well as improving the methods of archiving. Therefore, the next annual plan must include conducting a study to develop performance standards based on the true burdens placed on the shoulders of the judge as well as studying the archiving system and developing mechanisms for periodic review of the accuracy of data. Other recommendations proposed by the heads of the courts were:

1. The need to work on the development of computing and archiving a program to include all the work of the court (enlarging the current database).
2. The need for a quality department in each of the Kingdom's courts and holding courses for the staff of the quality department.
3. Prepare a general indicator of the Kingdom (and a separate indicator for each individual court) and compare each court's indicator with the general indicator of the Kingdom to compare with past years.
4. Activate the electronic surveillance and periodic review of the results in terms of the incoming, the determined and the accumulated cases.
5. Objectively determine the needs of the courts based on the number of judges and administrative staff.
6. Circulate performance reports for judges who were distinguished by their work to both encourage them and encourage others.
7. Take into account the quality of cases, decisions issued and the classification of the court.
8. The judge should be transferred from the court of First Instance to the court of appeal, and from the court of appeal to the court of cassation based on the competence of the judge, not his seniority.

❖ **Sixth Theme: Causes of Delay in the Disposition of Cases**

This theme aims to identify the most important reasons for delay in the determination of the cases from the perspective of the Heads of the courts.

✓ **The most important results:**

With regards to the delay in the determination of cases, there was a consensus with regard to the following:

1. Weakness in legislation that deals with requests before entering the base case.
2. Providing evidence, its examination, and waiting for other evidence from parties other than the parties to the proceedings.
3. Weakness in the efficiency of the supporting departments: notifications, judicial execution.
4. Non-attendance of witnesses, despite notifying them about the dates specified for hearings their testimonies.
5. Weak legislation and legal provisions governing reporting, leading to failure of parties to attend the proceedings (or their representatives) as well as witnesses and experts.
6. Delay in providing the court with documentation issued by governmental agencies and required by the courts in the context of their judicial procedures.
7. Judicial Inspection may play a positive role in accelerating the determination of cases by monitoring the obstacles that delay the determination of the cases.

Additionally:

1. Distribution of the judges on the courts is not reflective of the volume of cases received by the courts of the various types; this constitutes a significant burden on the judge and leads to low resolution rate of the total received and retained cases.
2. Practices of some lawyers and/or legal representatives which resort to postponing trials. For example, requesting a witnesses residing outside the country or requesting a large volume of witnesses.
3. Lack of necessary infrastructure and technical means for convenient work.
4. Poor channels of communication, exchange of information, and documents sharing between the departments and sections of the courts.

✓ The most important recommendations, according to priority:

The results showed the presence of many reasons for delaying the disposition of the cases and thus leading to an increased backlog of cases. The most important reason for the delay, as expressed by the Heads of courts, was weak legislation . Weak legislation and legal provisions governing the reporting process leads to the failure of the attendance of the parties to the proceedings (or their representatives) as well as witnesses and experts, and weakness in the efficiency of the supporting departments. The upcoming annual plan must include studying the legislation of interest and working on its amendment, in addition to organizing training programs for staff in the supporting departments. It is necessary that the annual plan takes following recommendations into account:

1. Amend legislation related to the judicial process course.
2. Comply with the notification principles of bailiffs and judges.

3. The tax court should include the tax courts of first instance, the court of appeal and the Department of Public Prosecution.
4. Punish lawyers who appeal rejected cases after the legal period elapses.
5. Study the possibility of creating a technical office in the Court of Appeal and another in the court of cassation with legislative authority to allow it to submit the case to the Court of Appeals, the court of cassation, or reject its submission.
6. Distribute proportionally judges in the courts to the number of cases.
7. Increase the number of judges of appeal and cassation and consider good selection on merit.
8. Mandate an appellate body in every court to examine cases pertaining to the court, which lead to not prolonging the litigation period.

List of Annexes

- ❖ Annex No. (1) Workshop Agenda
- ❖ Annex No. (2) Opening Speeches
- ❖ Annex No. (3) Presentations
- ❖ Annex No. (4) Questionnaire

Annex No. (1) Workshop Agenda

Identifying the Needs of the Courts

Workshop Agenda

24 - 25 September, 2011

Marriott Hotel – The Dead Sea

- **Participants:** HE the Head of the Judicial Council – HE the Minister of Justice – M/S the Heads of Courts –Administrative Units
- **Meeting Hall:** Vartinii Ball Room

Day One:

09:30-10:30		Arrival
10:30 -11:00		Coffee Break
11:00 -12:00	Opening Session	Opening Speeches: <ul style="list-style-type: none"> • U.S. Agency for International Development • Minister of Justice • HE the Head of the Judicial Council
12:00 -12:15		Coffee Break
12:15 -12:45	Presentation on the functions of Administrative Units and plan of action prescribed by the Judicial	<ul style="list-style-type: none"> • Judge Ahmed Jamalia

	Council	
12:45 - 01:15	Identify the needs and ways of communication between the administrative units and the courts	<ul style="list-style-type: none"> • Judge Dr. Nash'at Al-Akhras
01:15 – 02:30	Lunch Break	
02:30 – 03:00	Presenting the Questionnaire regarding the Courts' Needs	<ul style="list-style-type: none"> • Nabil Su'aifan
03:00-03:30	Discussion Session	
03:30-04:30	Distributing and Completing the questionnaire	
06:00-09:00	Dinner	

Day Two:

09:30 – 10:00	Presenting the preliminary results of questionnaire	<ul style="list-style-type: none"> • Judge Dr. Nash'at Al-Akhras • Nabil Su'aifan
10:00 -11:30	General discussion session	
11:30 -11:45	Coffee Break	
11:45 -12:45	Closing session and recommendations of the workshop	
12:45 - 01:30	Delivering the rooms and leaving procedures	
01:30 -02:30	Lunch Break	

Annex No. (2): Opening Speeches

Workshop on Identifying the Needs of the Courts

***Opening Speeches Presented at a
Workshop to identify needs of the
Courts***

Marriott – The Dead Sea

24/09/2011

Speech of His Excellency the Head of the Judicial Council

The Head of the Cassation Court

Judge Mohammed Al-Mahamid

In the name of God, the most gracious and the most merciful. May peace and blessings be upon the Master, the prophets, and His messengers.

Your Excellency, The Secretary-General, Mr. George Al-Qar'ah, representing the U.S. Agency for International Development, Mr. Robert Dean, the Manager of the Rule of Law Project, distinguished judges, gentlemen, and attendees...

We have found an urgent and necessary need for the a number of judges and administrative staff to present their recommendations, suggestions, statistics, views and readings needed by the Head and the members of the Judicial Council that may help to make the proper decisions when dealing with affairs of the judiciary and judges, therefore easing the heavy burden of the Head of the Judicial Council.

The Judicial Council has been restructured by the issuance of Administrative Units regulation No. 5 from the year 2010, which included the establishment of Administrative Units designed to facilitate the work of the Council, ensure administrative and technical services to judges, organize the affairs of training and specialization, planning and development, and to support the Judicial Council and its Head to perform the tasks assigned to them.

These units include:

1. judges' affairs.
2. training and specialization
3. planning and development
4. The office of the Head of the Council
5. Secretariat of the Council

These units remarkably achieved within a short period of time their established plan of action, enhancing their role in the development and modernization of our Judiciary.

In this day, and upon the desire of the directors of these units, in cooperation with the Rule of Law Project, we are holding a workshop for the Heads of courts of appeal and courts of first instance, aiming to institutionalize the relationship between the Administrative Units, judges, heads of courts and the Ministry of Justice by opening channels of communication, displaying the functions of these units and their role in modernization and development, and identifying the mechanisms and means which helps each Head of court identify and determine the needs and requirements of work in the court.

In light of activating the aforementioned Administrative Units system, the planning and development unit initiated the idea of issuing a magazine concerned with the affairs of the judges and the judiciary, and also to follow-up the judiciary judgments and publish their research and studies.

In this area, I would like to thank the U.S. Agency for International Development, and its seniors, for supporting the Rule of Law Project . Their support, effort and expertise in the field of information technology and its techniques and methods of using such techniques in the judicial work has been invaluable to us. This is a process that cannot be performed except by those who were trained on how to use them and follow their successive development, so as to save time, effort and speed up delivery. Globalization is narrowing the world's distances and the scientific and technological progress is running all its life spheres.

It is for this reason, we hope that you, as Heads of courts, cooperate with these units and those who are responsible for them and participate actively in a way that meets the interest of our homeland and citizens with what is provided by a free judicial system that preserves manners as much as it protects the rights, guarded by the fence of independence, that prevents any interference in its affairs, and guarantees justice and integrity, which has long been advocated by the master of the country His Majesty King Abdullah II Bin Al Hussein.

Peace be upon you and God's mercy and blessings...

**The Speech HE the Secretary General of the Ministry
of Justice, on behalf of the Minister of Justice**

Your Excellency the Head of the Judicial Council, the Head of the Court of Cassation,,,, Your Excellency the Manager of the Rule of the Law Project,,,, M/S The judges,,,, Ladies and Gentlemen...

Peace be upon you and God's mercy and blessings...

I Begin my speech by directing my thanks to all the organizers of this meeting, who have given me the opportunity to speak with you and share in the activities of the workshop. Today, the judges and the Heads of courts of First Instance in the Kingdom aims to introduce the Administrative Units of the Judicial Council, established under the Administrative Units regulation No. (5) of 2010. It is the system that was adopted in order to build the institutional capacity of the Judicial Council to carry out the duties entrusted to it in the management of judiciary affairs according to institutional frameworks and organizational structures that ensure its support in making decisions that organize the judicial work and plan for its needs and develop the strategies that achieve the visions of the judiciary on the medium and long terms.

There is no doubt that framing this process in legal templates would institutionalize the work of judicial system in a way that would achieve permanence and continuity. In this context, there are many optimal practices that can be recognized and make use of in line with our legal Jordanian system and established traditions in Judiciary, appraising in this regard the support that the U.S. Agency for International Development is providing through the Rule of Law Project in terms of the technical contribution by providing qualified human resources to help open new horizons of knowledge and know-how.

Your Excellency the Head of the Judicial Council, the Head of the Court of Cassation, Your Excellency the Manager of the Rule of the Law Project, M/S The judges...

The judicial authority had enjoyed the care and attention of His Majesty King Abdullah II Ibn Al Hussein, may God protect him. To translate this vision, the recent constitutional amendments enhanced the independence of the judicial authority.

These amendments included the establishment of a constitutional court to be a reference in controlling the constitutionality of the laws and the regulations in force as well as the interpretation of the provisions of the Constitution. The amendments also addressed many of the newly developed provisions that would establish a new approach in the work of the judiciary and contribute in building the state of the law and the institutions that require an in-depth dialogue with the participation of all the relevant authorities to define the necessary legislative features, whether by passing new laws or by amending existing ones in line with those amendments.

Finally, I would like to thank you once again for giving me the opportunity to be with you today, praising the efforts of all the organizers of this workshop, asking God to preserve Jordan and its triumphant leadership and wishing all success to the activities of this meeting.

Peace be upon you and God's mercy and blessings

HE Judge / Mohammed Al-Hawamdeh

Secretary General of Ministry of Justice, on behalf of the Minister of Justice

The Speech of the U.S. Agency for International Development

HE the Head of the Judicial Council, Your Excellency the Minister of Justice,

Owners of honor and compassion, the Heads of Court, Judges and Guests...

Peace be upon you and God's mercy and blessings...

International attention has increased in recent decades about judicial independence, an essential element of protecting human rights, in a way that respect of democracy and human rights have become an essential indicator, among of a group of indicators, by which the extent of progress and development of countries are measured; if the practice of democracy allows the creation of a suitable space for building a strong judiciary, the existence of an independent judiciary forms a pillar for democracy, establishing equality, and the Rule of Law.

Based on the endeavors of His Majesty King Abdullah II, may God protect him, of supporting and strengthening the judicial system, the Royal Commission for the development of the judicial system was established since the year 2000; work continued in its development tirelessly to this day. Jordan's judicial achievements are great and have been placed at the forefront of countries throughout the region. We, in the United States Agency for International Development, are pleased with the true partnership we have with Jordan's the judicial system. We are fully aware that the achievements were primarily the result of the efforts of

the Heads of courts, judges, and their tireless commitment to driving the development forward.

However, the judiciary is now going through a historical stage. In his Majesty's letter that entrusted the Royal Commission to draft the Constitution, His Majesty stressed the need to:

- consolidate the balance of powers
- improve the performance of the political parties and the parliament to conclude a constitutional formula that enables the Parliament to perform its legislative and regulatory role efficiently and independently
- set up the judiciary as an independent rule among the various authorities, bodies and parties and remain a completely constructed facility in all the forms and stages of litigation.

The vision of His Majesty the King has already been translated; the necessary amendments in the Constitution have been made to preserve the independence of the judiciary. The role has been moved to the judiciary to do what is required of it to assume such responsibility.

The establishment of Administrative Units and a General Secretariat within the organizational structure of the Judicial Council is an essential step towards strengthening the capacity of the judicial system and its ability to run its own affairs. This new organizational structure will enable the Judicial Council to plan for the future of the judiciary and manage the affairs of judges in addition to overseeing training and judicial specialization as well as to prepare legislation governing the work of the courts.

We would like to confirm the commitment of U.S. Agency to provide the necessary support to the Judicial Council and the judicial system in order to execute their plans and strategies through the provision of

international and local expertise, studies, technical support and the training necessary to achieve the goals of the Judicial Council.

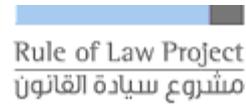
I have pleasure to extend congratulations and blessings to His Excellency Judge Mohammed Al-Mahamid for his appointment as the Head of the Court of Cassation, wishing you sincere progress and success.

Thank you

George Al-Qar'ah

Director of Democracy and Good Governance Department, U.S. Agency
for International Development

Annex No. (3): Presentations



The Workshop of Identifying the Needs of Courts

Judge Ahmed Jamalia

Marriott Hotel – The Dead Sea
24-25-/09/2011





Rule of Law Project
مشروع سيادة القانون



The Workshop of Identifying the Needs of Courts

**Identifying the needs and
ways of communication
Judge Dr. Nash'at Al-Akhras**

**Marriott Hotel – The Dead Sea
24-25-/09/2011**



Rule of Law Project
مشروع سيادة القانون



The Workshop of Identifying the Needs of Courts

A Study on Identifying the Needs

Nabil Su'aifan / The Rule of the Law Project

**Marriott Hotel – The Dead Sea
24-25-/09/2011**

Annex No. (4): Questionnaire

Questionnaire to Identify the Courts Needs

Ladies and Gentlemen, the Heads of Courts,

The aim of this questionnaire is to monitor the needs of the courts from your unique perspective in various legislative and procedural aspects and to place them in the hierarchy of priorities of the Judicial Council.

We, therefore, request you to seriously, accurately and objectively answer the following questions. Your opinion is extremely important and will be relied upon to advance the future objectives of the Judicial Council.

Thank you for your cooperation

The four-option measure determines the degree of your agreement or opposition on the following paragraphs by ticking with the mark (X) next to the paragraph that best expresses your point of view

Theme	Paragraph	Strongly Agree	Agree	Disagree	Strongly disagree
1. Legislation and Laws	1. There is a need for a review of laws and legislation governing the work of the courts aiming to improve and develop them.				
	2. What are the laws and legislation that you would propose to modify in order to develop the work of the courts?				
	1.				
	2.				
	3.				
2. The Judicial Inspection	1. Poor control and accountability procedures. The annual inspection does not include all the judges subject to inspection.				
	2. Results of judicial inspection reflect reality.				
	3. Developing and improving the performance of the inspection system requires a periodic review of the standards, substrates and mechanisms that control the system and those in charge and put them into practice.				
	4. Responding to complaints that are transferred to judicial inspection and consideration takes too long.				
	5. There are adopted and specific standards that control the judicial inspection system.				

	6. There is a high degree of commitment of the judicial inspection system with established and approved standards in the methodologies of inspection.				
	7. What are your suggestions for improving and developing the mechanisms of judicial inspection from both the administrative and the methodological aspects to make it more effective?				
	1.				
	2.				
	3.				
	4.				
Theme	Paragraph	Strongly Agree	Agree	Disagree	Strongly disagree
3. Training and Rehabilitation	1. Training programs for new and former judges reflect the needs of the judges according to their specialties as well as the fields and places of their work.				
	2. Selecting trainers is done in accordance with specific objective principles based on efficiency.				
	3. Providing specialized training programs relating to court administration and the supervisory skills of administrative staff match the needs of the courts.				
	4. Training topics are selected according to approved studies that identify the training needs of the judges.				
	5. It is necessary to have training when transferring a judge from one specialty to another or when transferring from the prosecution to the judiciary.				
	6. Ongoing training programs which have been held have contributed in raising the efficiency of the judges in my court.				
	7. What are your suggestions for enhancing and developing the capacity of judges and administrative				

	staff and raising their competence?				
	1.				
	2.				
	3.				
	4.				
Theme	Paragraph	Strongly Agree	Agree	Disagree	Strongly disagree
4. Procedures for the execution of Lawsuits in the execution Departments	1. There are shortcomings in the legislation governing the execution process, leading to a delay in the execution procedures of the execution departments.				
	2. The infrastructure in the execution departments needs to be developed and updated in terms of waiting rooms, lineup devices, computerizing the procedures of registering cases, submitting the execution requests electronically, and responding to them at the same place.				
	3. Execution procedures take into consideration the balance between conflicting interests of the litigants, and giving the opportunity to the concerned parties to submit their objections to the execution before the judge gives his judgment; the procedures do not hinder the speed of executing judgments.				
	4. Parties in execution cases, and their legal representatives, can appeal any decision issued by an execution judge; this is considered one of the primary reasons for delay in the execution procedures.				
	5. Weak technology is one of the reasons that lead to delay in the execution department. There is a lack of electronic connection with the judicial execution and other governmental departments, the most important of which are the Department of Lands and Survey and the Department of Licensing of Vehicles and Drivers.				

	6. Financial execution procedures are convoluted and performed manually, such as calculating the amounts and interest, the distribution of sale returns, and the issuance of rebate checks. All of this hinders the execution procedures.				
	7. Lack of well-trained personnel; training must be given to improve communication skills, networking and the provisions of the law of execution.				
	8. The absence of mechanisms and a unified system for filing and restoring files hinders execution procedures.				
	9. Forming appellate bodies in some courts of first instance and assigning judges to examine the appeals submitted regarding executional cases led to reducing the time, effort and speed for the disposition of cases.				
	10. Specify the most important needs to develop and improve the working procedures of the execution departments which will accelerate the execution of judgments:				
	1.				
	2.				
	3.				
	4.				
Theme	Paragraph	Strongly Agree	Agree	Disagree	Strongly disagree
5. Improving the Means of Communication and the Flow of Information	1. The need to develop a computerized system to measure performance indicators, efficiency standards and information system for collecting statistics.				
	2. The need to disseminate information about the age of accumulated and determined cases periodically and continuously in annual reports and to give priority to cases on which a specific time elapsed.				

	3. Communication, exchange of information and documents between courts of different kinds and degrees are done easily.				
	4. The need for calculating the burdens of the judge in the reports from the reality of the retained and incoming cases rather than calculating the burdens from the incoming cases only.				
	5. It is necessary to take into account the quality of cases heard by a judge when calculating the burdens of the judge rather than relying merely on the number of cases.				
	6. The standard computer network in the courts is used to extract the statistical data on the comparable works of the courts.				
	7. There is a high degree of accuracy about the retained, incoming and determined cases entered into the system.				
	8. Control the data entry of cases on the computerized system are conducted permanently, which ensures their accuracy and restoring them correctly.				
	9. Performance indicators and burdens currently used in annual reports are sufficient to the extent that they allow decision makers to forecast the future of work and its requirements.				
	10. What are your suggestions to improve and develop the statistical indicators issued by the courts concerning incoming and accumulated determined cases?				
	1.				
	2.				
	3.				
	4.				
Theme	Paragraph	Strongly Agree	Agree	Disagree	Strongly disagree

6. Causes of Delay in the Disposition of Cases	1. Weak legislation and legal provisions governing reporting leads to the attendance failure of the parties to the proceedings (or their representatives) as well as witnesses and experts.				
	2. Providing evidence and its examination and waiting for additional evidence from parties other than the parties to the proceedings.				
	3. Weakness in the legislation that manage requests before entering the base case.				
	4. Weakness in the efficiency of supporting departments (notifications, judicial execution).				
	5. Non-attendance of witnesses, despite notifying them of dates specified for hearing their testimonies.				
	6. Repeated postponing of trials for the same reason.				
	7. Judges are busy in training courses, conferences and seminars organized by the Judicial Council.				
	8. Practices of some lawyers/legal representatives that resort to many ways to postpone trials. For example (requesting witnesses are residing abroad or requesting a large volume of witnesses).				
	9. Distribution of judges in the courts is not proportionate to the volume of cases received by the courts of the various types; this constitutes a significant burden on the judge and leads to a low resolution rate of the total received and retained cases.				
	10. Assigning and transferring judges from one court to another in the same rank and transferring them from lower degree courts to higher degree courts.				
	11. Disparity in the experience of the judges, particularly the newly appointed judges.				
	12. There are an adequate number of governing bodies in the Courts of Appeal and Cassation to settle received and retained cases.				
	13. There is a delay in providing the court with documents issued by governmental agencies, and required by courts, because of bureaucratic procedures.				
	14. Judicial Inspection plays a positive role in monitoring the obstacles that delay the determination of the cases.				
	15. Channels of communication and information exchange between the departments and sections of the courts are poor.				
	16. There is a lack of infrastructure and technology in the court.				
17. Specify the most effective ways to reduce the delay in the disposition of cases from all respects					

	(legislative, procedural, logistical...):
	1.
	2.
	3.
	4.