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JORDAN RULE OF LAW PROGRAM

16TH QUARTERLY REPORT
JULY – SEPTEMBER 2012

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ACRONYMS

ACJLS	Arab Center for Judicial and Legal Studies
AU	Administrative Units
CAP	Court Administrators Program
CBO	Community Based Organization
CFPJ	ROLP Grantee/NGO, Journalist Protection Center
CSP	Civil Society Program
CSS	Client Support Specialist
DMS	Document Management System
FI	First Instance Court
FJP	Future Judges Program
FTS	File Tracking System
IEC	Independent Electoral Commission
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

Due to the significant change in the judiciary after the appointment of new Chief Justice Al Tal, combined with the summer recess of the judiciary and the observance of Ramadan and Eid Al-Fitr, a number of events and activities were postponed.

Activities with the Judicial Council involved continued training of staff on the use and maintenance of an automated database system to generate detailed statistical reports which will greatly facilitate the Annual Reports. The new web site for the Judicial Council was officially launched on July 1 and training of staff to develop capacity to maintain the site is being provided. Thousands of visits to the site have already been recorded. ROLP has contracted with the NGO Center for the Protection of Journalists to implement strategies with the Media and Communication Unit of the Judicial Council to develop and improve relations with the Media. Training is being coordinated with the Training and Specialization Unit, particularly training of the public prosecutors in certain prosecution specific topics and of judges who have been assigned to handle election issues.

ROLP is supporting the transfer of the Judicial Inspections Unit and is supporting with logistics of their move to a new facility. ROLP has started its support of the Technical Office of the Cassation Court project of Court Judgments Publication.

In automation and IT development, ROLP is continuing with its oversight of the four stage Mizan Enhancements project being carried out by *Optimiza*. This extensive upgrade and enhancement project will be completed by the end of November.

After an extensive study of the Zarqa and West Amman execution of judgments procedures, ROLP drafted its Final Report on the Execution of Judgments which contains an extensive analysis of the process in these two courts and recommendations and a proposed work plan for improvements. Space issues at both locations were being addressed as well as the development of a training plan for enforcement units. In addition, ROLP is supporting data entry of older judgments at the Zarqa Court where there exists a backlog. With the completion of the 2012 cases, they are now entering the 2011 cases.

In September ROLP resumed prosecution-focused trainings with sessions on Crime Scene Management and Forensics which included classroom discussion and on-site visit/training at the National Forensic Laboratory. This same training will be given to groups of prosecutors on October

10-11 and October 17-18. Investigative skills for prosecutors training is now scheduled for November and financial crimes training in December.

OBJECTIVE 1: PROMOTE AN INDEPENDENT AND EMPOWERED JUDICIARY WHILE INCREASING ITS TRANSPARENCY AND ACCOUNTABILITY

Develop Capacity in Judicial Council

Hisham Tal, Jordan's recently appointed Chief Justice and President of the Judicial Council, has previously served as the Minister of Justice and as a member of the Cassation Court. King Abdullah II has announced his continued support of the *Judicial Authority Strategy 2012-2014*. Justice Tal has been given the direction to follow this strategy. With the naming of the new Chief Justice, the annual recess of the judiciary, and the concurrent observation of Ramadan and Eid Al-Fitr holidays, certain activities remained "on hold" pending further developments and instructions from the Chief Justice and the JC.

Judicial Council Annual Report

Pursuant to the project work and in coordination with the office of the Chief Justice, ROLP assisted the AU in drafting the *2011 Judicial Council Annual Report*. This Report, structured on six pillars as outlined in the *Judicial Authority Strategy 2012-2014*, provided a summary of activities to include a full statistical analysis of court workload and projections, an analysis of caseloads, projects, and programs for the coming year. In order to assure sustainability and build the capacity of the Administrative Units, ROLP created and tested an automated database system for the AU to provide a user-friendly tool for generating accurate court statistics for future reporting. In-house training for the statistical unit at the Administrative Units was concluded and data from January-August 2012 was entered into the system. Statistical reports are now available. The Judicial Council AU with some continued support from ROLP will in the near future be in a position to proceed with its initial draft of next year's *2012 Judicial Council Annual Report*.

Communication and Media Department

The new web site for the JC was presented, approved and officially launched on July 1.¹ Close coordination is being conducted to insure capacity building to maintain the best use of the website. Since its launch, thousands of visits have been recorded, 4318 alone in the first month. One-on-one training has been scheduled for judges and staff responsible to maintain the web site. ROLP staff will

¹ The Press Release (English version) from the Judicial Council announcing the launching of the Web Site is attached to the Appendix.

continue to coach and monitor the AU staff to insure proper and up-to-date status of the website.

An English version of the website, which contains all basic information, is completed and is in the final stages of editing. This English version will contain all basic information. All users' names and passwords for judges were distributed to enable them to use the 'judge's corner' on the web site which will allow them to securely and efficiently communicate within the judiciary and its leadership.

As more fully described in **Objective 2 – Grants** - below, ROLP awarded a grant to the NGO CFPJ to work with the Communication and Media Department to improve the information flow and relations between the judiciary and the media.

Strategic Planning Unit

In-house training on an automated database system, created and tested by the ROLP team, started for the AU staff to enable them to use the system for generating their annual reports. The first production will be generating a semi-annual report which will serve as training for the Administrative Units staff.

Training and Specialization Unit

ROLP supported the AU Training and Specialization Unit which developed an annual continual training plan for the Judiciary. At the request of Chief Justice Tal, further training was planned, including sessions on Investigative Skills for Prosecutors and other specialized courses on topics such as crime scene management, forensics, family violence, money laundering, human trafficking, anti-terrorism, and anti-corruption. Ongoing coordination with the AU, JIJ as well as with other donors are providing assistance to implement the Annual Continuous Training Plan. Prosecution training is more fully discussed in Objective 3 under **Prosecution Activities**.

In addition, at the request of USAID, ROLP, in conjunction with the AU and IFES, has been supporting the planning of elections law training for first instance judges and appellate judges to litigate challenges to the elections processes and results during the upcoming elections. This training is set to take place in October when the 22 first instance judges assigned to hear complaints to the composition of the voter lists will be trained on relevant aspects of the law and procedure. At a later date, appellate judges will be trained on challenges to candidates and election results.

Judicial Inspections Unit

The project has been working on the issue of Judicial Inspections and the Judicial Inspection Unit. Currently, judicial promotions in Jordan are not based on merit but rather on seniority. Based on the

legislative reforms, judges wish to have their basis of evaluation revised. ROLP is identifying an international expert to evaluate and establish standards of performance rating for the judges.

In September, DCOP Qais Jabareen met with the new judicial chief inspector to discuss development plans for the Directorate of Judicial Inspections. ROLP will support for the logistics of the inspectorate's move. A committee has been formulated to assess the needs for the new offices of the directorate. One key request is to connect the new offices of the judicial inspectors to the MIZAN system to facilitate and enhance the inspections process. ROLP's IT team will assist in the required actions to accomplish this. Further requests for procurement support during Y5 will also be considered.

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 continues to provide significant and ongoing logistical and administrative support to the Judicial Institute Judicial Studies Diploma Program.

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 continued to support the affairs of the program's students and to provide them with 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.

His Majesty King Abdullah II has publically stressed the importance of the FJP and its vital role of providing the Judiciary with well-trained and competent judges for the Kingdom of Jordan.

OBJECTIVE 2: EXPAND ACCESS TO JUSTICE, RULE OF LAW AND PUBLIC AWARENESS OF THE RULE OF LAW

Grant - CFPJ

Consistent with ROLP's objective of expanding access to justice and public awareness of the rule of law, ROLP awarded a grant to the NGO Center for the Protection of Journalists to work with the Administrative Units Communication and Media Department in building the capacity of the judiciary in media relations. The CFPJ was named in the original Technical Proposal for ROLP's two option years. The focus of their activities is guided by objective #4 of the Pillar 5 goals (*Activate and Develop Relations with the Media*) set forth in the recently adopted *Judicial Authority Strategy 2012-2014*. Start up of the grant activity began 1 September. CFPJ held a kickoff meeting with the Chief

Justice where they him on the program objectives, timeline, and details of the grant. The Chief Justice assigned Judge Ali Musaimi as the contact/liaison between the project and the judiciary.

Public Perception Survey

Diala Khamra will be overseeing the Public Perception Survey. As a starting point, she will use previous ROLP public opinion surveys to identify which items need to be incorporated into the survey, polish it, and make it shorter and easier for the public to complete. The survey is targeted to be launched in October/November. A firm commitment is needed from the Chief Justice before ROLP proceeds much further. ROLP awaits a response from the Chief Justice to a letter submitted in late September detailing the questions of the survey. Work on implementing the survey should begin next quarter.

OBJECTIVE 3: ENHANCE JUDICIAL PERFORMANCE TO REDUCE DELAYS AND INCREASE PUBLIC CONFIDENCE

Technical Office of the Cassation Court

Upon request from the new Chief Justice Al Tal, Technical Office judges met to begin production of a Cassation Court Judgments Publication. In September, ROLP agreed to support this effort which is expected to continue on into Y5 of the project.

At the request of the TO, additional judges have been assigned to perform TO duties. Accordingly, low cost equipment support is being procured by ROLP to accommodate this additional staff.

Court of Appeal Technical Office

At the request of the Chief Justice, a meeting with the Chief Judge of the Court of Appeal in Amman was conducted in April to discuss the viability of creating a Technical Office for the Court of Appeal, which is burdened by case delay and increased backlog. The successful TO of the Court of Cassation, which ROLP assisted in establishing, serves as a model for possibly moving forward with a TO for the Court of Appeal. ROLP is continuing to explore this possibility but a commitment from the MOJ and JC is necessary before proceeding beyond the conception and planning stages.

Computerization

ROLP IT staff is continuing to work with MOJ IT staff in supporting MIZAN activities for existing and new automated departments at the courts. During the past quarter, the automation team continued to provide follow up services to the courts' Mizan V2 system. This entailed working with the ITD staff to understand new Mizan functionality. To date, ROLP IT staff have launched Mizan V2 at 53 locations throughout the Kingdom.

Optimiza, ROLP's subcontractor, continues on schedule with its Mizan Enhancements Activity. This involves resolving approximately 200 enhancements and functionalities which will ultimately make MIZAN a more user-friendly system. The entire enhancements project contract, awarded last Spring, involves four Optional Task Orders. All work is operating on schedule and no cost adjustments will be necessary.

Work on Juvenile Court IT enhancements, estimated at \$52,000, will be funded by the European Union. Accordingly, there will be no further activity on these enhancements except for those already being addressed in the *Optimiza* Mizan Enhancements Activity noted above.

ROLP IT staff plans to install and configure Mizan connection to the new Judicial Inspections Offices. MOJ IT will work with ROLP staff to transfer knowledge of the Inspection application to MOJ IT staff. ROLP's IT staff continues to train and work with MOJ staff to hand over ROLP IT systems provided to MOJ.

At the request of USAID, in July and August ROLP conducted an assessment of possible IT support to Sharia courts in the Kingdom. After consultations and discussion, It was finally determined that no support was necessary.

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 thousands of requests per week. This past quarter has seen 239 kiosk inquiries at courthouses and 18,735 web queries through the MOJ web portal. 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. 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.

Prosecution Activities

Training:

ROLP's activities in support of prosecution training started in June with sessions on Investigative skills and crime scene management for prosecutors. Training in crime scene management for prosecutors was resumed in September. The session on this topic will be completed in October at which time virtually all prosecutors will have been trained in the basics of crime Scene management. The purpose of this training is to familiarize public prosecutors with the basics on handling a crime scene and best practices in collecting and analyzing evidence. The first day was involved classroom presentation led by local criminal specialist Dr. Ghazi Al-Thunaibat. The second day involves a site visit to the national crime evidence laboratory. Participants learned how to define a crime scene, build effective investigative teams, scientific methods for collecting and saving evidence, and recognize the division, methodology and tools of the criminal laboratory.²

Further training in 2012 will involve continuing with Investigative Skills for Prosecutors led by COP Bob Dean in November and Financial Crimes training in December.

Planning:

ROLP COP and staff have met separately with the new Chief Prosecutor General Akram Massadeh and the new Attorney General for Irbid Mohamed Al-Dwaire to introduce them to ongoing and planned prosecution activities, training and to further possible targeted procurements of furniture, equipment, etc. In addition, a Prosecution Leadership meeting has been scheduled for early October with the new Chief Prosecutor General and all four Attorneys General and the ROLP prosecution component to review project activities and aspirations for Y5. This will be a follow up to the last leadership meeting conducted in June.

² The September Agenda for this training is attached to the Appendix. Identical sessions will take place in October. Notes from the speaker/expert have been prepared and distributed to the attendees. An English version of these notes will be attached to the next Quarterly Report.

Execution of Judgments - Civil and Criminal

During the past quarter ROLP continued with its pilot project to improve the Execution of Judgments. This pilot program involved the Zarqa and West Amman Courts as well as the respective Public Prosecution offices. The project analyzed both civil and criminal execution of judgments with a goal to improve the effectiveness in the execution process.

ROLP's Nabil Isifan and consultant Mohammed Amawi led this activity, working with court and prosecution counterparts. They conducted a comprehensive legal, institutional, and operational analysis. Based on the results of this three-part analysis, a specified list of reforms was developed and extensive inputs from the stakeholders in the Zarqa and West Amman courts. A final report with recommendations and a proposed implementation work plan to improve both sites was completed by ROLP staff and consultant Mr. Amawi.³

To secure needed space at the courts, site visits were conducted for planning purposes and to gather proper estimations regarding needed assistance for the infrastructure recommendations for the two court locations; lists of necessary equipment and furniture were noted for consideration. Several meetings with the MOJ Secretary General and with the chief judges at Zarqa and West Amman courts took place to discuss the issue of needed space and infrastructure at their particular locations.

A joint committee, comprised of MOJ representatives, Zarqa and West Amman Court stakeholders and ROLP staff, was formulated to discuss the furniture and equipment procurement plan for Zarqa and West Amman courts. The committee concluded the procurement plan and will submit to USAID for final approval before beginning the procurement process.

Essential to well functioning execution offices is providing a sufficient work area (space requirements for the Execution Offices as envisioned by the recommendations in the report) at the West Amman and Zarqa Courts. This may involve equipment expenditures, renovations, and moving costs which ROLP would need to support. Under review is moving the Zarqa court headquarters to the newly constructed Palace of Justice in Zarqa. Ministry budget constraints have prevented this move. Further planning and USAID approvals are necessary. Also under review is the consideration of expanding West Amman's existing court space which currently is not suitable. Upon the request of MOJ, procurement for the West Amman Court was put 'on hold' while serious deliberation is being made to relocate the court to a new building.

³ An executive summary and a proposed work plan from the *Execution of Judgments – Gap Study - Final Report* are attached in the Appendix. The detailed *Final Report* was prepared in Arabic and is now in the process of translation which will be submitted with the next Quarterly Report.

Also envisioned is a training plan for enforcement units which are under development with the Judicial Council's AU. ROLP staff has also been providing assistance to the local court staff in Zarqa in entering all necessary information into the database on execution of judgments. All 2012 case data has been entered and they are now entering 2011 cases. The MOJ gave orders for their court staff to work overtime every day, and on Saturdays, in order to process all of the data backlog with ROLP staff.

Further implementation steps await Chief Justice, MOJ, and JC coordination and will be included in the ROLP Y5 Work Plan as appropriate.

WINDOWS OF OPPORTUNITY AND RELATED ACTIVITIES

Technical Assistance to Government

ROLP, along with consultant Qasem Abdo, continued to provide technical assistance to the government in drafting laws which are being referred to the parliament. Technical assistance was also provided to develop 20 new bylaws and regulation/legal memos upon request. Earlier in the year Technical Assistance and input was provided by ROLP to the government during the drafting of the Constitutional Court Law which was enacted this summer.⁴

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, best practices were identified and a proposed organizational structure and detailed functional analysis were prepared and revised, incorporating final comments from LOB's president and secretary general into the organizational structure.

Reorganization and restructuring of the LOB has been completed and final versions of all deliverables were handed over to LOB President Dr. Ziyadat. These deliverables included an individual assessment report as well as a new LOB organizational bylaw and an amended LOB bylaw discussed with the Secretary General. Ms. Hakooz also delivered to the LOB a training course for LOB employees on the art of typing and formatting using Word and Excel. Training on new structure and job duties continues.

ROLP started supporting the LOB's implementation of their new filing system in early September. A

⁴ In early October 2012 by Royal Decree, the King appointed the nine members of the Constitutional Court pursuant to the legislation. ROLP remains available to assist and support the establishment of the Court if requested.

half-day workshop was held for LOB staff to learn the new processes and discuss them in detail. ROLP then conducted site visits to assure that the process was being followed at the LOB. Initial implementation started at the Incoming and Outgoing Mail (Correspondence) department.

Ongoing activities include assisting in the implementation of the staffing process, organize training in areas such as Legislative drafting, negotiation skills, etc, and assistance in designing a training plan.

Independent Electoral Commission (IEC)

At the request of USAID this summer, ROLP implemented a consultancy to support the Independent Electoral Commission (IEC) which has oversight over the upcoming Parliamentary elections. ROLP's role is to support the JC in the training of judges to handle election law complaints once the IEC develops standards and procedures.⁵ Muna Hakooz was engaged by ROLP as the consultant for this activity.

Thus far, all available documentation, legislation and studies (including organizational structure and job descriptions) have been reviewed. A final version of the IEC code of conduct for employees of election districts and polling and account stations has been submitted.

A selection and recruitment manual was drafted and submitted, including forms, recommendations and guidelines. This draft was discussed with the IEC and all feedback was incorporated into the manual. Additionally, Hakooz assisted the IEC by providing best practices on different topics such as working hour regulations, disciplinary actions and archiving systems. A draft document has been submitted for discussion with the IEC regarding the selection and recruitment regulation/instruction.

A comprehensive HR policy and procedure manual is being developed, including, but not limited to: HR planning, IEC selection and recruitment, Individual Performance Appraisal Program, Training and Development Processes and procedures, and Reward and Incentive schemes.

PROJECT PLANNING, MONITORING, AND REPORTING

Donor Coordination

ROLP has continued to actively engage international donors involved in the criminal justice sector, regularly meeting with various project leaders to facilitate cooperation, communication, coordination, assure consistency, and avoid duplication.

⁵ See Objective 1 above - Training and Specialization Unit.

EU Justice Reform Project

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.

This quarter, the EU criminal justice project asked ROLP for an orientation on the criminal justice strategy as they undertook to create a National Criminal Justice Committee. Technical assistance and expertise were shared with EU project staff on similar experiences that DPK has encountered in other countries.

Anti-Corruption Commission – Twinning Project

During the quarter ROLP COP has met with Mika Raatikainen, Advisor the EU twinning project with the Anti-Corruption Commission regarding coordinating prosecution anti-corruption training during 2013.

USAID Development Experience Clearinghouse (DEC)

Fadia Batarseh, ROLP's Senior Administrator, has begun to collect and review and indexing all required reports and deliverables for the USAID Development Experience Clearinghouse. The reports date from 2008-present. This is an ongoing activity. ROLP is required to submit reports, assessments and other deliverables to the Clearinghouse within 30 days of the end of project in order to fulfill ROLP's contractual agreement with USAID.

ROLP - Quarterly PEMP Report

The ROLP Quarterly PEMP Report accompanies this QR#16 as a separate attachment.

ROLP – 16TH QUARTERLY REPORT

APPENDIX (ATTACHMENTS):

1. Judicial Council Web Site (Eng) – Press Release (July)
2. Crime Scene Management – September Agenda/Attendees List (September)
3. Executive Summary (Eng) – From Execution of Judgments – Gap Analysis – Final Report (August)
4. Proposed Work Plan (Eng) – From Execution of Judgments – Gap Analysis – Final Report. (August)
5. Quarterly PEMP – separate/concurrent submission.

Judicial Council's New Website

In accordance with its policies aiming at keeping up with the modern technological developments and to strengthen the channels of communications with the public The Judicial Council launches its new website on the 3rd of July 2012.

The new website adopts the most modern and developed related technologies, which allow citizens and legal professionals to receive the outmost electronic services.

The new website aims at providing a comprehensive electronic portal for the site's visitors, which gives them the opportunity to electronically and easily receive and obtain information and services. At the same time the website aims at strengthening the internal communication channels between the Judicial Council and the courts from one side and the judges from the other side.

The launching of the website comes as an implementation step of the Judicial Authority's Upgrading Plan, which is based on the Judicial Authority's Building Strategy for the years (2012-2014) , which was adopted and approved by the Judicial Council at the early this year.

The new website enables the public to electronically access and reviews the latest information and news related to the regular judiciary's achievements and activities, whether it is related to the courts, the public prosecution or the Judicial Council. Citizens browsing the website can, through entering the (Public Section), fill in electronic questionnaires related to the Judiciary. The website also enables any citizen to electronically submit any complaint he/she might have in an easy and simple way, by entering the (Complaints Section) and filling in his/her requested personal information. He/she can also upload any file that might support his/her complaint.

The website also provides the Courts' Directory Service, which includes the address, phone and fax number of all the Kingdom's courts.

In addition to the above services, the website also provides a detailed guide to the services the courts' provide, such as the services provided by the notary public departments and the courts' various clerks' offices, in addition to the information related to the submission of lawsuits and the forms used in lodging such lawsuits. The citizen can also through the use of the interactive map (Google Map), which is provided through the website, know the locations of all the Kingdom's courts.

The website provides a legal and judicial encyclopedia for its visitors, where any visitor can obtain information related to the Jordanian judicial system, which includes an overview of the system and the history of the Judicial Council, its members, organizational structure. The website also provides information related to the Cassation Court's legal opinions.

The website also gave considerable attention to the honorable judges, where it contains a section allocated to them, which provides them with specialized services. Each judge in the Kingdom can obtain a username and password, which enables him/her to review all the communications directed to judges and the available training programs. There is also a section related to judicial

and legal studies. The Judges' Section also provides services to judges, where they can submit any requests or recommendations they might have. It also contains questionnaires directed to judges in addition to an interactive forum in order for them to interact with each other and discuss matters of mutual concern.

Training Agenda

Agenda

Crime scene management training

Wednesday, 19/ 9/ 2012 – Thursday, 20/ 9/ 2012

Crown plaza Hotel – Amman

Day one

09:30 – 10:00 am	Arrival and Registration Coffee Break	
10:00 – 11:30 am	Opening Session	<ul style="list-style-type: none">• Speech of ROLP Chief of Party Mr. Robert dean• Speech of Consultant Gazi thnebat
11:30 – 11:45 am	Coffee Break	
11:45 – 1:15 Pm	Crime scene inspection	Consultant Gazi thnebat
01:15 – 01:30 pm	Coffee Break	
01:30 – 03:00 pm	Scientific analysis for criminal evidences (criminal evidences from crime scene to court house)	Consultant Gazi thnebat
End of Event and lunch		

Day two

10:00 – 1:00 criminal laboratory site visit

From: [essa saleh Maymoun](mailto:essa_saleh_Maymoun)
To: ["Robert Dean"](mailto:Robert Dean)
Subject: crime scene management attendees list
Date: Monday, October 08, 2012 3:24:25 PM

الأربعاء 19/9/2012

#	الاسم	الوظيفة
1	القاضي الدكتور ثائر سعود علي العدوان	نائب عام / عمان
2	القاضي زياد محمد عابد الضمور	نائب عام / الجنايات الكبرى
3	القاضي رمزي أحمد العظمت	مدعي عام / إربد
4	القاضي محمود محمد صالح النواصرة	مساعد نائب عام / إربد
5	القاضي حسين سليم أحمد عباينة	مدعي عام / جرش
6	القاضي عامر حلمي فلاح طبيشات	مدعي عام / عجلون
7	القاضي سمير فلاح محمد الرواشده	مدعي عام / معان
8	القاضي جهاد عطيه حسن الدريدي	مساعد النائب العام / الجنايات الكبرى
9	القاضي رمزي عناد احمد النوايسة	مدعي عام / الجنايات الكبرى
10	القاضي عمر أحمد عبدالله الحيارى	مدعي عام / الجنايات الكبرى
11	القاضي محمد عبدالله يوسف الدرادكه	مدعي عام / الجنايات الكبرى
12	القاضي إسحق داوود إسحق أبو عوض	مدعي عام / الجنايات الكبرى
13	القاضي منتصر محمد علي عبيدات	مساعد النائب العام / عمان
14	القاضي رامي نهيد موسى صلاح	مساعد النائب العام / عمان
15	القاضي طارق محمد عودة الله شقيرات	مساعد النائب العام / عمان
16	القاضي عاصم عبد الكريم يونس الطراونة	مدعي عام / هيئة مكافحة الفساد
17	القاضي وداد مصلح محمد الضمور	مدعي عام / هيئة مكافحة الفساد
18	القاضي محمد صالح حامد الصوراني	مدعي عام / عمان
19	القاضي حسن سالم حسن النسور	مدعي عام / عمان
20	القاضي عهود عبد الله مناور المجالي	مدعي عام / عمان
21	القاضي مروان محمد علي الشمايله	مدعي عام / عمان
22	القاضي هشام عوض سالم الطراونه(مجاز)	مدعي عام / غرب عمان
23	القاضي محمد موسى حسن البخيت	مدعي عام / شمال عمان
24	القاضي معاوية محمد حمدان السعايده	مدعي عام / شرق عمان
25	القاضي محمد بسام محمد ابو الغنم	مدعي عام / جنوب عمان
26	القاضي عامر قاسم هندي القضاة	مدعي عام / مأدبا

القاضي مأمون مصلح محمد الضمور	27
القاضي عصام عبد العزيز عواد الحديد	28
القاضي أحمد عبد المحسن العفيف	29
القاضي موفق عيد الصليبي الجبور	30
القاضي عبدالله عايد خلف الشورة	31
القاضي ماجد حسين ارشيد العفيف	32
مدعي عام / الكرك	
مدعي عام / السلط	
مدعي عام / الزرقاء	
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Execution Of Judgments - Gap Study

EXECUTIVE SUMMARY:

The execution of judicial judgments (both criminal and civil) plays a key role in Jordan's judicial system in achieving justice for all throughout the Kingdom. This study was conducted in order to identify the most important challenges and issues confronting the execution of judgment authorities¹ in the courts in achieving their goal of delivering justice. The study also provides a set of recommendations designed to meet the various identified shortcomings so as to enable the courts to better attaining their goals. The recommendations present a comprehensive and detailed work plan which covers all aspects of the execution of judgment process. The study was conducted in both Zarqa and West Amman First Instance Courts which are representative of the situation regarding execution of judgments in the other various courts.

This executive summary provides a review of the study's most important findings in addition to the key recommendations related to strengthening the performance of the execution authorities.

First. The Legislative and Organizational Framework:

In general, the process of execution of criminal and civil judicial judgments is governed by certain laws and legislation which set forth the functions and powers of the those responsible for the execution of judgments. The laws also set forth the applicable procedures necessary to carry out such functions in an efficient and legally correct manner. Some of these laws should be subject to a thorough review and revision in order to adjust and reduce the workload on the execution authorities and provide the citizens with prompt justice. The most important related laws in effect are:

- a) **Execution Law number (25) of 2007. (Civil).** This law needs a thorough

¹ The term "execution of judgments authorities" is broadly used to include both the Execution of Judgments Departments which are responsible for the civil case judgments and the Execution Office of the prosecutors responsible for the criminal case judgments. Issues particular to civil and criminal execution of judgments are addressed separately in the main body of the final report.

and detailed review with amendments aimed to expedite the execution of judicial judgments and decisions. The review should focus mainly on the provisions which are related to the execution judge's decisions which are subject to appeal the goal of which would be to limit the types and numbers of such appeals. The review should also focus on the provisions related to the renewal of the abandoned execution of judgment cases. Additionally, there should be consideration given to limiting the time frames in which settlements may be satisfied. The Judicial Council has for the past year been reviewing the Execution Law.

- b) **The Criminal Procedures Law number (9) of 1961 and the Conciliation Courts' Law number (15) of 1952. (Criminal).** These two laws should be reviewed with an eye to amend, especially the sections related to the objections submitted against *in absentia* criminal judgments. The conditions for appealing such judgments should be well defined in order to limit the number of such appeals which only aim to prolong the adjudication process. The review should also include the provisions related to the notification of criminal judgments as well as to the notification of judgments through the Official Gazette. The laws should be amended to grant more powers and authority to the public prosecutor in relation to dismissing the penalty and terminating the judgment's execution case.

Recommendations:

Provide comprehensive and effective amendments to the legislation related to the execution of judgments including (1) the Execution Law, (2) the Criminal Procedures Law, and (3) the Conciliation Courts' Law.

Second: The Institutional Framework:

- a) **The Organizational Structure:** There are defined organizational structures for the execution authorities which were developed by the Ministry of Justice which show the various existing job titles and posts and establishes the relationship and channels of communication between such posts. A detailed job description for each post is provided. Nevertheless, in practice the organizational structures are not fully implemented and the job titles and the relationships between the posts differ from one court to another and the given job titles differ from those stated in the organizational structure. In

addition, the job titles do not necessarily reflect the functions being carried out by the staff members. This leads to ambiguity and overlap among the work authorities and results in a lack of clarity in the distribution of powers and responsibilities. Furthermore, this situation results in some staff members carrying out duties and functions which do not fall within their post's job description.

- b) **Human Resources** : In addition to the fact that the job descriptions do not match reality, it is clear that the appointment of staff members in the execution departments and offices is not based on any defined standards or criteria which reflect the qualifications and skill set required for the job. Furthermore, the execution authorities lack training programs which are based on a methodological evaluation of the staff members needs. Also absent is any system of incentives based on a true and accurate evaluation of the staff members' performance relating to established and understood criteria.

Recommendations:

1. Revise and clarify the organizational structures, including the job titles and descriptions in the execution authorities so as to reflect the real situation and allow for the defining of the functions, authority, and responsibilities of the staff members, in addition to clarifying their technical and administrative supervisory roles.
2. Implement training programs in order to build staff members' capacities at both the civil judgments execution departments and the Criminal judgments Execution offices. The training programs should focus on technical and administrative subject in order to strengthen the staff members' performance and enable them to carry out their duties efficiently. The training programs should include the following subjects:
 - The legislation governing the work of the judgments execution departments and clerks' offices.
 - The various administrative skills (time management, communication skills, dealing with the public ...etc).
 - The use of *Mizan* program.

3. The development of a meaningful performance evaluation system.

Third: The Procedural Framework:

a) **Work Procedures** : The following was noticed in this regard :

- There is a lack of documentation of the work procedures which leads to inconsistency in applying some of the procedures between the various courts as well as to variation within the same court by the various staff members. This is due to the fact that work within the Execution Departments (civil) is based not only on the Judgments' Execution Law, but the process involves differing internal practices in how an execution order is actually obtained. Standardized procedures do not exist because such procedures are not documented.
- There are gaps and weak points in some of the applied procedures, especially the procedures relating to the notification process. This necessitates revision of such procedures and reengineering them so as to avoid such gaps and shortcomings.
- The absence of any automated and accurate work records due to the shortage in staff members.

Recommendations:

1. Revise and modernize the work procedures in the execution departments and the criminal judgments execution offices so as to, simplify and document such procedures. In addition, support the applicable procedures by records and systems which allow the staff members to track the execution of judgments and the workflow.
2. Promulgate and distribute a unified execution of judgments procedures manual.
3. Increase the number of staff members, particularly data entry clerks.

b) **Systems and Tools**: This contains the following :

- *Mizan application* . The following had been observed in this regard:

- This system contains a number of defaults and shortcomings which prevents the staff members in the execution authorities from electronically completing all the related work procedures and processes. As a consequence, this requires the staff to complete the work manually which leads to substantial delay in completing the work and a lack of information in the electronic files.
- Many of the old cases have not yet been entered into the automated system.
- a lack of knowledge by staff regarding the system's functions due to the lack of training.

Recommendation:

Upgrade the deficiencies in the *Mizan* system.

c) Files and Records : The following was observed:

- Locating and retrieving the case files takes a lot of time due to the absence of a defined and clear case files numbering system.
- The use of various types of case files which have different sizes and colors.
- There is no periodic inventory for the files in order to classify the files to be subjected for destruction.
- The absence of a clear and automated system in order to follow up on the files inside and outside the related department and protect them from getting lost or tampered with.
- The absence of a set of controls that govern the warehouses security and the places where the files are kept , due to the lack of designated places in the courts for keeping such files or the lack of space in the courts.
- The lack of appropriate shelves and cabinets for storing and keeping the files.

Recommendations :

1. Develop and utilize a comprehensive system in order to organize, classify, and archive the files so as to control workflow and file movement. Such system should facilitate the retrieval and use of such files.
2. Increase the number of staff, especially the data entry clerks.
3. Train the staff members on the classification of the various types of cases.

Fourth: Internal and External Communications:

- The execution authorities lack clear systems and mechanisms to facilitate internal communications and the exchange of information between their respective staffs as well as the exchange of information and communication with other related units within the courts. This is due to the shortage of appropriate communication tools and the inability of the staff to use the existing tools.
- The execution authorities suffer from various difficulties in communicating with related external bodies and parties in obtaining the information needed from such entities as the Civil Status Department, the Judicial officials Execution Department, and the Rehabilitation and Correction Directorate. This is due to the absence of clear mechanisms and protocols which govern such relations.
- The inaccuracy of the key performance indicators used to measure the performance of the execution authorities.

Recommendations:

1. Train the staff on communication skills and how to deal with the public.
2. Develop and implement a communication system as appropriate so as to facilitate correspondence and information exchange between the various parties and entities which are related to the execution authorities' work and which would allow the electronic linkage with such entities.

Fifth: The Infrastructure:

The inadequate infrastructure of the execution departments and offices' represents the greatest challenge impacting and hindering the performance of the departments.. The issues related to the infrastructure are dealt with under the buildings and the equipment components below.

A. **Buildings:** Overall, the inadequate space allocated to the execution departments and criminal judgments execution offices constitutes the greatest challenge as this condition seriously affects the work of the departments and offices. This challenge is obvious in the courts which occupy rented buildings. These buildings were not designed to meet the needs and requirements of the court's work. This situation makes it difficult to improve the current situation. Such challenges are as follows:

- The lack of space allocated for the reception of the public in relation to civil judgments execution departments for both Zarqa and West Amman.
- The inadequacy of the office and work space layout and its incompatibility with the workflow and processes.
- The lack of queuing systems and waiting space.
- The absence of guiding signage.
- The inadequacy of the space designated for the storage of files.
- The absence of any public service offices.
- The absence of any clerk of staff member designated to provide customer services at the execution authorities.

B. **Equipment:** The execution authorities suffer from a lack of the necessary equipment essential to carry out its functions. Much of the existing equipment is obsolete and not functioning all of which clearly has a negative impact on work efficiency and quality.

Recommendations :

1. Redesign, renovate, build-out and alter the spaces utilized by the execution authorities as needed. This would , allow the following:
 - Provide sufficient work space for both the public and staff.
 - Divide the offices in a way that facilitates the flow of files and comports to the needs of the work procedures.
 - The use of a queuing system.
 - The provision of waiting spaces.
 - The provision of public service offices
 - The provision of directories and signage.
 - The provision of sufficient storage spaces.
2. Provide the execution authorities with the needed equipment, including :
 - Office equipment.
 - Computers and communication equipment.
 - Furniture.

Proposed Work plan

1- The Legislative and regulatory Framework a) Execution (enforcement) of Civil Judgments			
Objective: developing and modernizing the legislation, which govern the work of the civil judgments execution departments.			
Program	General Activities	Timeframe	Outputs
The Legislation Program	1- Reviewing and amending the Judgments' Execution Law	September 1012- June 2013	An amended judgments' execution law
	2- Reviewing the legislation, which are related to the judgments execution departments (the law pertaining the placement of movable property as debt security, the tenants and landlords law , the courts' fees regulation ...etc).	Taking into consideration the new parliamentary sessions, where the law needs more than one year in order to pass all the required legislative stages	Recommendations related to the legislation which governs the execution of judgments.
b) Execution of Criminal Judgments			
Objective : developing and modernizing the legislations, which govern the work of the criminal judgments execution at the public prosecution departments.			
Program	General Activities	Timeframe	Outputs
The Legislations Program	1- Reviewing the legislation, which are related to execution of criminal judgments (the criminal procedures law , the conciliation courts' law and the penal code....etc.	September 2012- June 2013	Recommendations related to the legislation which govern the execution of criminal judgments.
Studies , Research and Plans Program	2- The development of a legal manual as to serve as a reference to all the legislations related to the execution of criminal judgments.		A reference legal manual

2- The Institutional Framework a) Execution of Civil Judgments Objective: reviewing and developing the institutional framework of the civil judgments execution departments.			
Program	General Activities	Timeframe	Outputs
The Studies, Research and Plans Program	1- Reviewing and clarifying the organizational structure, which include the job titles, job description of the execution departments staff and apply them so as to reflect the real situation.	September – December 2012	An organizational structure, which reflects the actual needs of the civil judgment execution departments.
The Institutional Capabilities Building and Human Resources Program	2- Reviewing the performance evaluation systems and connecting them to a staff incentive program which targets the distinguished staff members in order to strengthen and develop their capabilities.	September – December 2012	<ul style="list-style-type: none"> - A unified system to evaluate the staff performance. - An incentive program connected with the performance evaluation.
The Training and Qualification Program	3- Developing a training program for the execution departments' staff members, which shall cover all aspects of their work. This program shall be based on a training needs assessment.	September – December 2012	A comprehensive workplan to train the judgments' execution departments' staff
2Studies , Research and Plans Program	4- Conducting a study in order to survey the civil execution departments' human resources needs.	Within 2013	A study in order to determine the civil execution departments' human resources needs.
b) Execution of Criminal Judgments Objective: reviewing and developing the institutional framework of the criminal judgments execution offices at the public prosecution departments			
Program	General Activities	Timeframe	Outputs

The Studies, Research and Plans Program	1. Reviewing the organizational structure, which include the job titles, job description of the criminal execution offices at the public prosecution departments' staff and apply them so as to reflect the real situation.	September – December 2012	An organizational structure , which reflects the actual needs of the criminal judgment execution offices
The Institutional Capabilities Building and Human Resources Program	2. Reviewing the performance evaluation systems and instruments	Within 2013	A unified system to evaluate the staff performance
The Studies, Research and Plans Program	3. Conducting a study in order to determine the criminal execution offices at the public prosecution departments' human resources needs	Within 2013	A study in order to determine the criminal execution departments' human resources needs.
The Training and Qualification Program	4. Developing a training program for the criminal execution offices' staff members, which shall cover all aspects of their work. This program shall be based on a training needs assessment.	September – December 2012	A comprehensive workplan to train the criminal judgments' execution offices' staff

3- The Procedural Framework			
a) Execution of Civil Judgments			
Objective: reviewing and modernizing the procedural framework of the civil judgments execution departments.			
Program	General Activities	Timeframe	Outputs
The Studies, Research and Plans Program	1- Studying and analyzing the applied procedures and documenting them, in	January- March 2013	- A comprehensive study related to the civil judgments

	addition to redesigning reengineering such procedures so it becomes more efficient and effective when applied.		execution procedures. - New work procedures , which reflect the real needs of the execution departments.
The Studies , Research and Plans Program	2- Promulgate a unified procedural manual for the civil execution departments.	April-May 2013	A unified procedural manual .
The Institutional Capabilities Building and Human Resources Program	3- Upgrade the deficiencies and enhancing the Mizan Program so as to meet the new work procedures.	September- December 2012	A developed Mizan program which meets all the execution departments needs.
The Studies , Research and Plans Program	4- Developing a comprehensive plan in order to automate all the files during a specified period of time.	July 2012- February 2013	Automating all the files and entering them into Mizan program
The Communications and Outreach Program	5- Developing a system in order to enhance and develop the electronic communications .	Within 2013	An effective electronic communications system.
The Communications and Outreach Program	6- Developing a memorandum of understanding with the related parties.	Within 2013	A number of understanding memos signed with several related parties.
The Communications and Outreach Program	7- Reviewing the structure and content of the statistical reports prepared by the execution departments in addition to the performance indicators.	Within 2013	An enhanced structure for the statistical reports which reflects the real work inside the execution departments.
b) Execution of Criminal Judgments			

Objective: reviewing and developing the procedural framework of the criminal judgments execution offices at the public prosecution department

Program	General Activities	Timeframe	Outputs
The Studies , Research and Plans Program	1- Studying and analyzing the applied procedures and documenting them, in addition to redesigning such procedures so it becomes more efficient and effective when applied.	January- March 2013	<ul style="list-style-type: none"> - A comprehensive study related to the criminal judgments execution procedures. - New work procedures , which reflect the real needs of the criminal execution departments.
The Studies, Research and Plans Program	2- Developing a unified procedural manual for the criminal execution departments.	April-May 2013	A unified procedural manual .
The Institutional Capabilities Building and Human Resources Program	3- Enhancing Mizan Program to meet the new work procedures.	September- December 2012	A developed Mizan program which meets all the criminal judgment execution offices s needs.
The Studies , Research and Plans Program	4- Developing a comprehensive plan in order to automate all the files during a specified period of time.	July 2012- February 2013	Automating all the files and entering them into Mizan program
The Communications and Outreach Program	5- Developing a system in order to enhance and develop the electronic communications .	Within 2013	An effective electronic communications system.

The Communications and Outreach Program	6- Developing a memorandum of understanding with the related parties.	Within 2013	Memoranda of understanding signed with several related parties.
The Communications and Outreach Program	7- Reviewing the structure and content of the statistical reports prepared by the criminal execution departments in addition to the performance indicators.	Within 2013	An enhanced structure for the statistical reports which reflects the real work inside the criminal execution offices s.

4- Infrastructure			
a) Execution of Civil Judgments			
Objective: Modernizing the civil judgments execution departments' infrastructure			
Program	General Activities	Timeframe	Outputs
The Institutional Capabilities Building and Human Resources Program	1- Applying a queing system	September 2012 – June 2013	A suitable work area at the civil judgments execution departments
	2- Providing a waiting area which can accommodate the public.		
	3- Establishing an information office.		
	4- Provide the staff with sufficient work space		
	5- Provide the offices with the appropriate signage.		
	6- Redesigning the offices in order to accommodate the work procedures.		
	7- Provide sufficient storage space.		
	8- Provide the civil execution departments with the needed equipment and tools.	September 2012 – June 2013	Sufficient and modern equipment and tools
b) Execution of Criminal Judgments			
Objective: Modernizing the Criminal judgments execution departments' infrastructure			
Program	General Activities	Timeframe	Outputs
The Institutional	1. Applying a queuing system	September 2012 – June	A suitable work area at the criminal judgments

Capabilities Building and Human Resources Program	2. Providing a waiting area which can accommodate the public.	2013	execution offices s
	3. Establishing an information office.		
	4. Provide the staff with sufficient work space		
	5. Provide the offices with the appropriate signage.		
	6. Redesigning the offices in order to accommodate the work procedures.		
	7. Provide sufficient storage space.		
	8. Provide the criminal judgment execution offices with the needed equipment and tools.	September 2012 – June 2013	Sufficient and modern equipment and tools

A GUIDE TO THE ROLP PERFORMANCE INDICATOR REPORTING

ROLP reports its performance indicators in quarterly reports as an annex. The annex begins with a table summarizing the results achieved by ROLP. The summary table includes targets and results for indicators from the current quarter and past quarters.

The annex also features a spreadsheet on each indicator describing in detail the results achieved by ROLP in the current quarter. The annex omits spreadsheets for indicators where ROLP has no results to report. The spreadsheets disaggregate indicator data and designate data sources. For example, a spreadsheet on an indicator measuring the number of people trained disaggregates data by training location, type and date, and the gender of the trainees. The spreadsheets ask yes or no questions regarding the data source of an indicator. “Yes” answers signify a high level of data quality, while “no” answers imply lower data quality.

ROLP reports Indicators 0.1 and 0.2 in its annual or fourth quarter report. These indicators require complex data collection which prevents ROLP from reporting them more regularly. ROLP will begin to reports Indicator 3.1 in the second quarter, because the indicator focuses on the Prosecution Improvement Plan which ROLP developed in the first quarter of 2012.

ROLP may revise the targets for its indicators to ensure they accurately reflect project priorities. This is the first year that ROLP will use its new indicators and Performance Monitoring and Evaluation Plan, and some adjustments to the targets are expected. The summary table in the annex will announce revisions to targets.

Performance Indicator Summary							
#	Indicator	Achievements in 2012				Cumulative Target for 2012	Notes
		Q1	Q2	Q3	Q4		
0.1	Percentage of respondents who express confidence in the rule of law in Jordan (USAID/Jordan Indicator).					75%	This indicator is a survey and will be reported in the fourth quarterly report.
0.2	Number of USG-assisted courts with improved case management systems (F Indicator 2.1.3-13 & USAID/Jordan Indicator and USAID/Jordan Indicator).					65	This indicator will be reported in the fourth quarterly report.
0.3	Number of judges and judicial personnel trained with USG assistance (F Indicator 2.1.2-7 & USAID/Jordan Indicator).	6	19	35		200	This indicator will be reported in every quarterly report.
0.4	Number of USG sponsored workshops where judges and judicial personnel take the lead in drafting laws, regulations and procedures.	9	2	0*		17	This indicator will be reported in every quarterly report.
1.1	Number of legal provisions, regulations and procedures designed to enhance judicial independence supported with USG assistance (F Indicator 2.1.2-2).	1	0	0*		5	This indicator will be reported in every quarterly report.
1.2	Number of strategies, plans and assessments designed to increase transparency and accountability, and sponsored by the judiciary.	1	2	0*		5	This indicator will be reported in every quarterly report.
1.3	Number of Judicial Council press releases published via media to enhance the public's understanding of reforms to judicial authorities and administration.	9	4	0*		12	This indicator will be reported in every quarterly report.
2.1	Number of recommendations made for reforms intended to protect fundamental freedoms in line with international human rights standards.	1	0	0		3	This indicator will be reported in every quarterly report.
2.2	Average daily number of inquiries made for case information via kiosks and web portal (Indicator from ROLP's 2008-2011 PME).)	3588	19719	18974		2356	This indicator will be reported in every quarterly report.
3.1	Percentage of recommendations from the Prosecution Improvement Implementation Plan which the Judicial Council agrees to implement.		0	0		50%	This indicator will be reported every quarter beginning in the second quarter of 2012.
3.2	Number of automated case management functions implemented to enhance civil and criminal case management, execution and enforcement.	1	1	1		5	This indicator will be reported in every quarterly report.

*There are no events to include due to significant changes made in the Judicial Council over the past three months, such as the appointment of the new Chief Justice. Additionally, the Judiciary had its annual holiday during this period of time.