



JORDAN RULE OF LAW PROGRAM

18TH QUARTERLY REPORT

JANUARY – MARCH 2013

This publication was produced for review by the United States Agency for International Development (USAID) and prepared by Tetra Tech DPK, A Division of Tetra Tech ARD.

ACRONYMS

ABA	American Bar Association
AU	Administrative Units
CDFJ	ROLP Grantee/NGO Center for Defending the Freedom of Journalists
CJ	Chief of Justice
CoP	Chief of Party
EoJ	Execution of Judgments
FJP	Future Judges Program
JC	Judicial Council
JIU	Judicial Inspections Unit
LOB	Legislative Opinion Bureau
Mizan	Automated case file management system tailor-made for Jordan's courts and supporting departments. Mizan V2, the enhanced version will replace Mizan V 1.
MoJ	Ministry of Justice
ROLP	Rule of Law Project
TO	Technical Office
USAID	United States Agency for International Development

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EXECUTIVE SUMMARY

The Rule of Law Project (ROLP) has just completed its first quarter of operations in its fifth and final year (Y5) of the project.¹ Early this quarter ROLP submitted an amended (Y5) work plan that USAID approved. Activities reflect ROLP's increased focus on empowering Jordan's justice sector with assistance aimed at further strengthening the judiciary's long-term ability to provide just and effective rule of law for all Jordanians, especially in the project's continued support of the Judicial Council (JC), its administrative units (AU), and public prosecutors.

Striving to develop a more viable, transparent, and sustainable judiciary, ROLP assisted the JC in its preparation of the first issue of the *Cassation Court's Quarterly Judgment Gazette*. The first of its kind, this publication will serve as a valuable reference for judges, prosecutors, and lawyers needing to gain ready access to the court's civil and criminal rulings. This newly developed reference tool will support the development of a stronger and more effective appellate jurisprudence in Jordan. Continuing to address the need to develop a more capable and independent JC, and concurrent with a heightened emphasis on creating a legacy of transparency and accountability, ROLP assisted the JC in drafting the *JC 2012 Annual Report*. Judge Oteibi received a draft of the report, finalized this quarter, for his review and approval to publish. In addition, at the JC's request, ROLP compiled a list of legal texts for the Cassation Court's library for purchase. Provision of these texts will help enhance the legal research capacity of the court's judges. The JC's English version of the existing website is close to completion and awaits a final review of the text before its launch. The website, together with the *Annual Report*, new legal texts, and the *Quarterly Judgment Gazette*, will provide the justice sector with additional communication tools to expand further their access to vital information while raising public awareness and understanding of Jordan's judicial activities.

Activities under the grant program, managed by the grantee Center for Defending the Freedom of Journalists (CDFJ), included two media and judiciary training sessions aimed at enhancing the media relations capabilities between judges and journalists. This activity focuses on developing transparency of judicial operations, building public awareness, and strengthening the legitimacy of the judiciary. In further support of these activities, ROLP helped set up a new Media and Communications Office at the Cassation Court along with modest renovation and material support.

In empowering the judiciary to improve the professional development of judicial inspectors, ROLP contracted with Bill Davis, an international judicial inspections consultant, to conduct a workshop with the judicial inspectors. The workshop focused on helping the Judicial Inspections Unit to develop a "model of excellence" program for trial courts.

In order to improve the public's access to justice in Jordan and to nurture confidence and respect for the judiciary, ROLP finalized preparation for an overall assessment study on *Access to Justice* that will begin next quarter. ROLP will hire an international and local consultant to conduct the assessment and to present a final report providing recommendations for improvements and activities.

ROLP finalized its planning for a series of workshops and specialized trainings aimed at increasing the skills and competence of public prosecutors, particularly in anti-corruption, and launched certain activities. Overall, ROLP assisted trainings will include anti-corruption investigation, human trafficking, investigative skills, and crime scene management. The program of anti-corruption related activities and trainings started in March 2013 and will continue into the next quarter. An international consultant with vast prosecutorial experience in corruption investigation and prosecution will lead these activities. In addition, 10 selected judges and prosecutors will participate in an anti-corruption themed study tour to the US that will take place next quarter. ROLP took steps towards realizing the prosecution office enhancement project this quarter by identifying 10 offices for material support, redesign, upgrades, and renovations. Site visits of the proposed offices were completed and final plans and estimates prepared and approved by the Ministry of Justice (MoJ). Final contracting steps

1. Monthly Reports for January 2013 and February 2013 are attached. Appendix items 1-2.

and procurements will occur over the next several months.

The pilot project courts of Zarqa and West Amman, and corresponding public prosecution offices, used the recommendations contained in the *Execution of Judgments Report* to achieve substantial progress to improve the execution of civil and criminal judgments. This effort aims to accomplish greater legitimacy and confidence in the justice sector. ROLP led a civil execution of judgments workshop this quarter to help court personnel unify execution of judgment procedures and consider the feasibility of a procedures manual. Procurements addressing the need for improved workspace at the Zarqa Court include furniture and IT equipment for delivery next quarter, and some renovations including a build-out to meet the space needs of the West Amman Court. ROLP assisted in alleviating bottlenecks this quarter with the entry of all old execution of judgment cases at the West Amman Court and the entry of 1,250 older execution of judgment cases at the Zarqa Court.

In coordination with the MoJ, ROLP continued to review data linkages to strengthen further widespread information access.

Following the success of ROLP's Y3-4 assistance in establishing the Cassation Court's Technical Office (TO), ROLP identified and hired a local consultant to assess the viability of establishing a TO at the Amman Court of Appeals and to otherwise recommend process improvements. The consultant conducted a preliminary visit in March 2013 and will deliver a technical assessment report next quarter.

In recognition of the importance of helping youth, and in particular women, forge a rewarding career in Jordan's justice sector, ROLP, in coordination with the United States Agency for International Development (USAID)-funded American Bar Association, continued to provide programming support to the Future Judges Program by conducting a Code of Ethics workshop and an English language training course. This crosscutting activity fosters the goal of gender equality and opportunity. In addition, ROLP agreed to support further workshop sessions in support of future judge program participants.

Notwithstanding ROLP's Y4-5 shift in programming focus, and in spite of a visible reduction of IT/automation activities, the project continued to provide automation and knowledge transfer support to MoJ personnel to further strengthen their capabilities and facilitate the long-term delivery of effective IT services. ROLP's primary IT impetus this quarter included the preparation for an overall assessment of the judiciary's current IT status. ROLP legal and IT staff met with MoJ's IT Unit to discuss the structure of the IT needs assessment report and the implementation plan. Work is already underway to address the legal framework and structure to better meet the needs of the courts. The findings and recommendations of the final report will contribute to an improved understanding of the current IT capacities and long-term needs of the courts and of MoJ.

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

Objective 1 activities aim to solidify the role of the JC as an enabler and source of judiciary authority. A strong and effective judicial administration is critical towards greater judicial independence, and an essential element of a balanced government with meaningful checks and balances. ROLP assistance to the JC, and its AU, aims to cement further JC's independence while championing JC's long-term commitment towards increased transparency and accountability. Tools such as the *JC Annual Report* and *Quarterly Cassation Court Judgment Gazette* provide justice sector insight and contribute to furthering transparency and accountability. In recognizing the role and power of the media and public, ROLP supported the establishment of a JC Media and Communication Unit and provided media relations training to journalists and the judiciary. In addressing the need to continue empowering JC with enhanced capabilities, the Judicial Inspections Unit benefitted from a workshop that should result in developing a "model of excellence" program for the trial courts. Following are the activities carried out by ROLP this quarter under Objective 1.

1.1 JUDICIAL COUNCIL 2012 ANNUAL REPORT

In support of the JC, and more specifically the Planning and Development Unit, ROLP developed the 2012 *JC Annual Report*. This quarter a draft was submitted to Judge Oteibi for his review. Following his approval, expected next quarter, ROLP will print and distribute the report. As a valuable and comprehensive communication tool that includes performance indicators, the report will provide the JC and the public at large with a transparent reporting system highlighting activities, responsibilities, and future performance expectations. Inclusion and commitment from relevant stakeholders in the process will also lead to enhanced communication and improved accountability. ROLP prepared a summary to submit to King Abdullah II, pending publication and distribution of the *JC Annual Report*.

1.2 CASSATION COURT'S JUDGMENT GAZETTE

ROLP assisted the JC to prepare the first issue of the *Quarterly Cassation Court Judgment Gazette*. This quarterly publication is an invaluable resource and reference tool containing the highest court criminal and civil rulings and is considered a landmark achievement with overarching benefits for Jordan's justice sector. It provides lawyers, prosecutors, and judges ready access to highest court decisions and immediate guidance. Helping to develop and strengthen Jordan's appellate jurisprudence, a final draft was sent to the Chief of Justice (CJ) and awaits his approval to print and distribute. Two thousand copies of the *Quarterly Gazette* will be published, contributing to enhanced public knowledge and increased confidence in the judiciary.

1.3 JUDICIAL COUNCIL WEBSITE ENGLISH TRANSLATION

Translation of Arabic to English text and integration of the materials onto the JC's website continued this quarter. The majority of the English text has been uploaded. The final step involves a review of the text by a ROLP technical reporting consultant.

1.4 CASSATION COURT LEGAL LIBRARY

ROLP is in the process of procuring 320 legal texts for the Cassation Court's Law Library. ROLP compiled the list of texts and received USAID approval for purchase. The new legal texts will further enrich the court's library and provide judges with additional tools to enhance their legal research capacities. The cost of the purchased books amounts to approximately \$6,000, and delivery is expected next quarter.

1.5 CONTINUOUS TRAINING PLAN

In January, ROLP worked with the JC's Training Unit to develop a new 2013 continuous training

plan. The training unit submitted the draft plan to the JC and received its approval.

1.6 GRANT PROGRAM JUDICIAL COUNCIL AND COMMUNICATION MEDIA UNIT

Last quarter (Y4 – Q4) the CJ gave final approval to proceed with activities under the grant program, which are to be implemented by the CDFJ.² The goal of this activity is to enhance the understanding and legitimacy of the judiciary by promoting public understanding and awareness, and build transparency. This quarter the grantee conducted two “Media and the Judiciary” training sessions. The first training for judges took place on February 7-9. The second session, which took place on February 23-25, targeted journalists. The training aimed to build the judiciary’s capacity in media relations. ROLP took steps to set up a Media and Communications Unit located at the Cassation Court in support of its activities. Furniture, equipment, and a partition were procured creating a separate office space. The CJ will appoint three staff members to the unit who are expected to undergo on-the-job training in April 2013.

1.7 JUDICIAL INSPECTIONS UNIT

The Judicial Inspections Unit (JIU) is a department nominally within the MoJ, yet with close ties to the JC. The unit consists of judges assigned by the JC to evaluate and inspect the work of all judges including public prosecutors and their assistants from the Conciliation, First Instance, and Appellate Courts. JIU’s primary objective is to review and monitor judicial performance and judgments, and make recommendations to correct identified shortcomings. Its function is directly related to improving the quality and capacity of judicial and prosecutorial performance. In this sense, the JIU is a key component to developing legitimacy and effective application of the laws through public awareness, confidence, and public respect for the judiciary.

At JIU’s request, ROLP will provide support to JIU to design appropriate procedures, organizational structures, and inspection criteria that will boost judicial promotion and advancement. Accordingly, ROLP this quarter contracted William Davis, an international judicial inspection consultant, to assist JIU inspectors in improving their performance and strengthening their specializations. During his weeklong assignment, Mr. Davis met with the JIU’s Director, and conducted a seminar/workshop on March 26. All members of the JIU, five chief judges, a number of chief prosecutors, and the Amman and Irbid Attorneys General attended. The seminar focused on helping JIU develop a “model of excellence” program with the trial courts. Interaction with the participants led to several suggestions to improve operations of judicial inspection. Mr. Davis has submitted a draft report.³

ROLP proceeded with material support procurements in support of the JIU this quarter including new furniture and IT equipment. ROLP also continued to set up electronic data linkages between the JIU and the Mizan (automated case-file management system) database, which will provide judicial inspectors with access to the casework of the judges being monitored.

2. CDFJ Report is attached. Appendix Item 3.

3. Bill Davis JIU Workshop Agenda, Draft Report, and Recommendations are attached. Appendix Items 4-5.

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

To improve confidence in and perception of the judiciary, ROLP embarked on preparing for a system-wide “access to justice” assessment study. Implementation is expected next quarter. Building upon the assessment, an overall framework and strategy will be developed to improve the public’s access to justice in Jordan.

2.1 ACCESS TO JUSTICE REPORT

This quarter, the Justice Center of Jordan, and consultant Geralyn Busnardo (of Tetra Tech DPK), agreed to serve as consultants for an overall system-wide access to justice assessment in Jordan. Recommendations for improvements and activities will be included in the assessment report, which will be submitted during Q4 2013. Hadeel Abdel Azziz, Executive Director of the Justice Center, will direct the work of the Justice Center in its joint work with Geralyn Busnardo. ROLP Senior Legal Specialist Essa Maymoun will serve as liaison with the ROLP office and provide support to this activity. Preliminary work has already started.

2.2 MEDIA FREEDOM DEFENDERS FORUM/CDFJ GRANTEE PROGRAM

At end of March, USAID sent a request to ROLP on behalf of CDFJ to help offset the cost of participation at a May 18-19 Media Freedom Defenders Forum in the Arab World. The 2013 forum follows a successful 2011 regional forum initiated by CDFJ with Norwegian Embassy support. The May 2013 forum will build on the success and outcomes of the first forum. ROLP support will help boost the participation of regional and non-Arab journalists. ROLP will support the participation costs of five judges to attend this forum.

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

Further supporting the path towards judicial independence and strengthening checks and balances within the Jordanian Government, ROLP intensified assistance efforts aimed at improving judiciary processes and capabilities. Implementation of Execution of Judgment (EoJ) recommendations continued, including data entry of backlogged execution of judgment cases. The project launched an operations assessment of the Amman Appeals Court. It is expected to provide valuable insight on the current situation, and effective solutions to reduce delays, enhance performance, and facilitate public confidence. Anti-corruption training sessions spearheaded a series of prosecutor-focused activities intended to elevate the skills and knowledge of prosecutors and judges in this challenging area of investigations. Under Objective 3, ROLP continued to lay the groundwork in support of a sustainable and effective judiciary.

3.1 OPERATIONS ASSESSMENT OF AMMAN APPEALS COURT

During this quarter, ROLP identified and retained a local consultant, Nancy Fashho, to conduct an operations assessment of the Amman Appeals Court. The activity aims to emulate the benefits and positive impact gained by ROLP's Y3-4 support to the successful creation of a Technical Office at the Cassation Court. Among other things, this resulted in reduced case processing times, resolved inconsistencies in legal precedents, and disseminated and archived decisions and judgments. The assessment will address the status of the Amman Appeals Court, its case load and procedures, define shortcomings, and develop recommendations to improve the efficiency and effectiveness of the Court. An introductory meeting took place in March between Ms. Fasho, the Chief Judge, and the Chief of Staff at the Amman Appeals Court, to begin the process of data and information gathering from relevant sources.

3.2 EXECUTION OF JUDGMENTS - CIVIL AND CRIMINAL

The EoJ process is identified as an area in need of considerable improvement. An effective and reliable EoJ process is critical to a meaningful judicial system, which provides legitimacy, order, security, and access to justice. In implementing the recommendations set forth in the *Final Report of the Execution of Judgments - Gap Analysis*, a civil execution of judgments workshop took place on February 16.4 The workshop focused on discussing the EoJ report, developed at the end of Y4, and on proposing a mechanism to develop a unified procedural manual for the execution of judgments procedures. Workshop participants included chief judges, execution judges, and execution staff from the courts of Zarqa, West Amman, and Amman. The AU's Planning Director and the JC's Secretary General also attended the workshop. As a follow-up to the February workshop, a *Process Manual* will be developed.

In addition to the EoJ workshop, there was significant progress in advancing the pilot projects of the Zarqa Court and West Amman Court to alleviate operational bottlenecks and facilitate the creation of an improved and more efficient workplace. Following the recommendations set forth in the *Final Report on the Execution of Judgments*, ROLP provided material support including furniture and IT equipment to the Zarqa Court, and renovation planning support to the West Amman Court. The project placed a tender notice and received 28 requests of interest. An inspection tour occurred on March 31 and all proposals are due on April 11. The start of construction is planned for the beginning of June 2013.

ROLP assisted the MoJ and JC in data entry of old execution of judgment cases, with 1,250 cases entered at the Zarqa Court, significantly reducing its backlog and updating its database. Data entry in the West Amman Court Mizan is now completed for all previous cases. Elimination of old judgment case backlog will reduce delays and enhance judicial performance and public confidence.

4. Agenda attached. Appendix item 6.

3.3 PROSECUTION FOCUSED ACTIVITIES

In support of a cadre of prosecutors with heightened skills and knowledge, ROLP finalized its planning of prosecution-focused training. During Y4 of the project, specific training topics and workshops were identified and developed, and planning commenced. The workshops and trainings aim primarily at helping judges and prosecutors improve their investigative and prosecutorial skills, and achieve greater specializations. Topics identified included human trafficking, investigative skills, financial crimes,⁵ anti-corruption, and crime scene management and forensics. During Y5 – Q1 the emphasis was on anti-corruption, which will continue throughout the remaining quarters of Y5.

Preparation for anti-corruption activities included a questionnaire submitted to a large cadre of public prosecutors.⁶ International consultant Emery Adoradio, an experienced public corruption prosecutor from the US, conducted the first two-day anti-corruption training/workshop on March 31-April 1 with 25 judges and prosecutors in attendance. A second identical two-day session will be conducted several days later for another group of 25 participants, for a total of 50 judges and prosecutors trained.⁷ In conjunction with these anti-corruption activities, ROLP finalized the initial preparation of an anti-corruption-themed study tour to the USA for Jordan's prosecution leadership. The study tour, which is planned to take place in June 2013, will help reinforce the prior anti-corruption training and bring even greater understanding of prosecution-led enforcement, investigation, and models to combat public corruption.⁸ Visits to federal, state, and local prosecution-based anti-corruption units in New York, New Jersey, Maryland, and Washington DC are planned.

Other prosecution related activities are in the planning stages. ROLP's Chief of Party (CoP) is planning to develop a written crime scene management protocol for use by prosecutors. This will be provided to the Attorney General for Amman in June 2013, and inputs for modifications and amendments will be collected from experienced prosecutors during the summer. Finalization, publication, and distribution of the manual are slated for later in the year. Working with the MoJ and prosecution leadership, ROLP continued to address equipment and office space shortfalls in some offices. Ten public prosecution offices throughout Jordan were identified as being in need of material support, redesign, renovation, and upgrades. Site visits were completed this quarter with final plans and estimates being prepared for contract processing and approvals for most offices during the next quarter.

3.4 FUTURE JUDGES PROGRAM (FJP) IN COOPERATION WITH THE AMERICAN BAR ASSOCIATION (ABA)

In recognition of the role and value of a well-trained cadre of youth, and in particular women, ROLP, in coordination with the USAID-funded ABA program in Jordan and the Judicial Institute of Judicial Studies, offered further programming support for the FJP. The FJP selects and trains exceptional Jordanian law students to become future judges with a heightened commitment to embrace the ideals of judicial integrity, independence, and accountability.

In addressing FJP's training needs for the next class of future judges, ROLP established a contact person from the project to coordinate with the ABA to determine required logistical and technical assistance. ROLP gave logistic support to an ethics training workshop conducted on 26 February with 70 students of the FJP in attendance. ROLP is organizing an anti-corruption session for April.

ROLP continued to provide English language training courses to FJP participants as well as to judges, staff from the anti-corruption committee, legal researchers from the Ministry of Justice, and law students from the University of Jordan.

5. Report of financial crimes training attached. Appendix item 7.

6. Questionnaire and results are attached. Appendix item 8.

7. Agenda for training attached. Appendix item 9.

8. Tentative agenda for study tour to US attached. Appendix item 10.

3.5 COMPUTERIZATION

Last quarter, Optimiza completed the Mizan database upgrades and enhancement project. The ROLP IT team provided follow-up services to MoJ's IT department in support of a better understanding of the functions of Mizan V2, and training and knowledge transfer to five MOJ technicians. This activity will continue into the next quarter. Next quarter ROLP will train 19 MoJ legal assistants and judges on the AG system at the Amman Court and prepare them for the AG system rollout.

Another automation enhancement project will be launched next quarter, which will involve assessing the electronic linkages to various public and governmental entities, the public prosecution offices, and MoJ.

3.6 DONOR COORDINATION

ROLP hosted two donor coordination meetings; the first on 27 January, and the most recent on 20 March. At both meetings, representatives attended from USAID, European Union, United Nations, and French, German, British, and Spanish Embassies, as well as from various implementing projects. At both meetings, the attendees reviewed and discussed their respective ongoing and planned project activities.⁹ The USAID-sponsored Assessment Team attended the March 20 meeting, whose job was to meet with both local and international justice sector counterparts in order to recommend to USAID potentials for future rule of law programming. The next Justice Sector's Donor's Sub-group will meet in late June or early July 2013.

The assessment team referenced above met with ROLP representatives on several occasions during their three-week study. ROLP CoP Bob Dean, and Nabil Isifan, gave them a briefing on March 18 prior to their attendance at the donor sub-group meeting on March 20. On March 19 ROLP representatives led the team on a tour of the courts and facilities at the Palace of Justice. Planned for the next quarter is an April 2 meeting of the assessment team, joined by an anti-corruption expert from Washington DC, CoP Bob Dean, and ROLP's anti-corruption consultant/trainer Emery Adoradio. Finally, on April 3, ROLP team members are planning to accompany the assessment team on a tour of the West Amman Court, which will be undergoing renovations and upgrades as part of the EoJ pilot program and prosecution office enhancement efforts described above.

4. PLANNING AND REPORTING/ADMINISTRATION

The *Quarterly Performance Monitoring and Evaluation Report* is complete and submitted concurrently with this Report.¹⁰

Lama Asmar joined the ROLP team in January as a consultant whose duties will include technical reporting of project activities including the monthly and quarterly reports, the final report, preparation of weekly staff meeting minutes, review and editing of documents submitted to the TT-DPK Home Office and/or USAID.

9. The agenda and minutes to *Justice Sector Donor Coordination Sub-group*, 20 March 2013 meeting attached. Appendix item 11.

10. See Appendix item 12.

ROLP – 18th Quarterly Report

APPENDIX (ATTACHMENTS)

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- 2. ROLP Monthly Report – February 2013**
- 3. Grantee’s CDFJ First Report**
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- 5. Judicial Inspection Workshop Recommendations (1)**
- 6. Execution of Judgments Workshop – February 16 – Agenda**
- 7. Financial Crimes Training Workshop – Reports (2)**
- 8. Prosecutors Anti-corruption Questionnaire and Results/Analysis (2)**
- 9. Agenda – Anti-Corruption trainings/workshop – March 31-April 5 (1)**
- 10. Tentative Study Tour Schedule (1)**
- 11. Agenda and Minutes – Justice Sector Donor Coordination Sub-group. 20
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JUDICIAL COUNCIL SUPPORT

- **Quarterly Gazette on Cassation Court Judgments.** During January 2013, the Jordan Rule of Law Program (ROLP) completed its work with the Judicial Council (JC) committee to design and prepare the content of the first Cassation Court's Quarterly Judgment Gazette. The Gazette will contain the Court's most recent civil and criminal judgments and decisions. The first issue will be published in February upon final approval of the Chief Justice.
- **Judicial Council's Annual Report 2012.** ROLP is assisting the JC in completing the *Judicial Council's Annual Report for 2012*. All data and information has been collected and completion and distribution is slated for March.
- **Grant Program / JC Media and Communications Unit.** The Chief Justice gave final approval to proceed with activities under the grant program. The grant is to be managed by the Center for Defending the Freedom of Journalists.
 - The grantee will conduct two training sessions on *Media and the Judiciary* in February. The first session will be attended by judges (February 7-9) and the second by journalists (February 23-25). The grant activities will conclude in August 2013.
 - ROLP has agreed to set up a Media and Communication Office in the Cassation Court in support of its activities.
- **Amman Appeals Court.** In January, ROLP identified local consultant Nancy Fashho, to conduct an operations assessment of the Amman Appeals Court. The assessment will address the current status of the Court, its case load and procedures, and define shortcomings and make recommendations to improve the efficiency and effectiveness of the Court.
- **Continuing Training.** In January, ROLP worked with the JC's Training Unit to establish a new continuing training plan for 2013, which will be submitted to the JC for approval.
- **English Language Classes:** ROLP continues to support English language training for seven judges, 10 staff from the Anti-Corruption Commission, and 39 law students from Jordan University. A new course began in January.

EXECUTION OF JUDGMENTS - CIVIL AND CRIMINAL – PILOT PROGRAM AND PLANNING – Execution of Judgments (EoJ) Report

- **Implementation of EoJ Report Recommendations.** During January, ROLP continued the implementation of recommendations for improvements to the execution of judgments process in the pilot courts of West Amman and Zarqa.
 - ROLP staff and MoJ engineers have planned for renovations and a build-out of the West Amman Court pending USAID approval.
- **Workshop.** A February 16 workshop has been planned for relevant execution of judgment personnel to review the EoJ Report and formulate a mechanism to develop a unified procedural manual for the civil execution of judgments. Attendees will include execution judges, execution staff and other JC personnel from the Zarqa, West Amman and Amman courts.
- **Material Support for Zarqa Court.** During January the procurement process of material support for the Zarqa Court relocation proceeded with potential vendor evaluations.
- **Data Entry for Older Cases.** Efforts continue to enter data on old execution of judgment cases. 750 older cases were entered in the Zarqa court and 200 cases in the Mizan database of the West Amman court.
- **Access to Data for Prosecutions.** ROLP assisted in assessing the electronic linkages to various public and governmental entities, the public prosecution offices, and MoJ, and will discuss the assessment with the Chief Prosecutor General in early February.

FUTURE JUDGES PROGRAM

- **Training Support.** ROLP is working with the American Bar Association (ABA) on the delivery of interim training for the next class of future judges. ROLP is coordinating its training efforts with ABA, which is implementing another USAID-funded rule of law project with a focus on the future judges. Human trafficking and anti-corruption issues may be addressed in the class over the course of the next few months.

JUDICIAL INSPECTIONS UNIT (JIU)

- ROLP is proceeding with procurements, including, furniture, IT equipment, and linkages, to the Mizan system, in support of the inspectorate. International consultant, Bill Davis, will visit ROLP in late March to conduct a workshop for JIU.

CONTINUING IT/AUTOMATION WORK

- **Mizan Enhancements.** *Optimiza* completed the Mizan database upgrade. Court staff is currently receiving training on the database's new features.
- **Assessment.** In Y5, ROLP will assess the Judiciary's overall IT and automation. In January, ROLP's legal and IT teams met to organize the structure and contents of the assessment report which will include the current situation, gap analysis, and recommendations for long term improvement.

TECHNICAL ASSISTANCE TO GOVERNMENT

- **Royal Integrity Commission (RIC).** In December 2012, the RIC was established by Royal Decree to advance the goals of a transparent and ethical government. ROLP was tasked to support all activities of the RIC, the planning of which will start in February.

PROSECUTION ACTIVITIES

- **Training.** ROLP finalized the training schedule for prosecutors in January.
 - Anti-corruption training will take place in March and April led by international consultant, Emery Adoradio, a prosecutor from Minnesota.
 - Human trafficking training will be held in May delivered by Albert Moskowitz, an international expert on human trafficking issues, and a former federal prosecutor with the US Justice Department.
 - Investigative skills training will be held in March and September and delivered by ROLP COP, Robert Dean.
- **Study Tour.** An anti-corruption themed study tour to the United States is planned for June.
- **Crime Scene Protocols.** The ROLP COP, in conjunction with Jordanian prosecutors, plans to prepare a written manual of standard crime scene protocol guidelines for prosecutors. Distribution is slated for next summer.
- **Prosecution Office Enhancement Project.** During January, ROLP, in conjunction with MoJ and prosecution leadership, identified 10 prosecution offices for material support, redesign, upgrades and renovation. After each office's needs are assessed, a final planning proposal will be submitted in February to USAID.

ACCESS TO JUSTICE ASSESSMENT REPORT

- In January, the *Justice Center of Jordan* and GERALYN BUSNARDO (of Tetra Tech DPK), agreed to serve as consultants for an overall system-wide assessment of access to justice in Jordan. Recommendations for improvements and activities will be included in the assessment report.

DONOR COORDINATION

- On January 27, ROLP hosted a justice sector donor meeting. Representatives from USAID, EU, UN, and various implementing projects attended the meeting. Attendees reviewed and discussed project activities and planned for a follow-up meeting in March.



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JUDICIAL COUNCIL SUPPORT

- **Quarterly Gazette on Cassation Court Judgments.** During February 2013, the Jordan Rule of Law Program (ROLP) completed its work with the Judicial Council (JC) committee to design and prepare the content of the first Cassation Court's Quarterly Judgment Gazette. The Gazette will contain the Court's most recent civil and criminal judgments and decisions. The Chief Justice approved the design and 2,000 copies of the first issue of the Gazette will be printed in March.
- **Judicial Council's Annual Report 2012.** ROLP is assisting the JC in completing the *Judicial Council's Annual Report for 2012*. All data and information has been collected. A draft copy was submitted to Judge Jehad Oteibi for his review. Completion and distribution is slated for March.
- **Grant Program / JC Media and Communications Unit.** The grant is being managed by the Center for Defending the Freedom of Journalists (CDFJ).
 - The grantee conducted two extensive training sessions on *Media and the Judiciary* in February. The first session was attended by judges (February 7-9) and the second by journalists (February 23-25). The grant activities will conclude in August 2013.
 - In support of establishing the Media Unit, ROLP is providing equipment, furniture, and a partition creating a separate office space for the Media Unit.
- **Cassation Court Library.** ROLP is supporting the purchase of legal texts for the Court's library at an expected cost of \$6,000. A list of legal texts has been compiled and awaits approval on appropriate publishers to use as per USAID policy and regulations.
- **Amman Appeals Court.** ROLP identified and contracted with local consultant Nancy Fashho, to conduct an operations assessment of the Amman Appeals Court. The assessment will address the current status of the Court, its case load and procedures, and define shortcomings and make recommendations to improve the efficiency and effectiveness of the Court.
- **Continuing Training.** In February, ROLP worked with the JC's Training Unit to establish a new continuing training plan for 2013. A draft plan will be submitted to the JC for approval.
- **English Language Classes:** ROLP continued this month to support English language training for seven judges, 10 staff from the Anti-Corruption Commission, and 39 law students from Jordan University.

EXECUTION OF JUDGMENTS - CIVIL AND CRIMINAL – PILOT PROGRAM AND PLANNING – Execution of Judgments (EoJ) Report

- **Implementation of EoJ Report Recommendations.** During February, ROLP continued the implementation of recommendations for improvements to the execution of judgments process in the pilot courts of West Amman and Zarqa.
- **Workshop.** A Civil Execution of Judgments workshop to review the EOJ Report, and formulate a mechanism to develop a unified procedural manual for the civil execution of judgments, concluded on February 16. Attendees included chief judges, execution judges, execution staff and other JC personnel from the Zarqa, West Amman courts, and the Administrative Unit's Planning Director and JC's Secretary General.
- **Material Support for Zarqa Court Relocation.** ROLP signed contracts with furniture vendors. Other miscellaneous items still remain to be purchased.
- **Material Support for West Amman Court.** Renovation and the reprocessing of execution of judgment department is ongoing and is currently under the supervision of MoJ and ROLP engineers. ROLP is currently drafting the *Environmental Mitigation Plan* for the West Amman Civil Court.
- **Data Entry for Older Cases.** Efforts continue to enter data on old execution of judgment cases. 800 older cases were entered in the Zarqa's court whereas older cases were entered in the Mizan database of the West Amman court.

- **Access to Data for Prosecutions.** ROLP assisted in assessing the electronic linkages to various public and governmental entities, the public prosecution offices, and MoJ, and will discuss the assessment with the Chief Prosecutor General in early February.

FUTURE JUDGES PROGRAM

- **Training Support.** ROLP continues to work with the American Bar Association (ABA) on the delivery of interim training for the next class of future judges. A *judicial code of ethics* workshop for 70 future judges took place on February 26. ROLP's expert consultants in Human Trafficking and anti-corruption issues are scheduled to present to the class over the course of the next few months.

JUDICIAL INSPECTIONS UNIT (JIU)

- ROLP is proceeding with procurements, including, furniture, IT equipment, and linkages to the Mizan system, in support of the inspectorate. ROLP signed contracts with furniture vendors. Four IT contracts were sent to vendors.
- International consultant, Bill Davis, will visit ROLP March 23-27 to consult and conduct a workshop for JIU.

CONTINUING IT/AUTOMATION WORK

- **Mizan Enhancements.** *Optimiza* completed the Mizan database upgrade. Court staff have been receiving training on the database's new features. ROLP will continue to support the further training and knowledge transfer of the MOJ IT staff on the recent upgrades to the Mizan system.
- **IT Needs Assessment Report.** In Y5, ROLP will assess the Judiciary's overall IT and automation status. In February, ROLP's legal and IT teams met to discuss and develop the structure of the Report and the implementation plan. ROLP's legal team also started work on the first part of the report which covers the legal framework and structure of courts. The assessment report is to include an overview on the current situation, a gap analysis, and recommendations for long term improvement. Sub-components of the Report will include issues pertaining to: software, hardware, HR, key beneficiaries and future automation plans. Next month, ROLP together with MoJ, will begin to collect data for a current status report.

TECHNICAL ASSISTANCE TO GOVERNMENT

- **Royal Integrity Commission (RIC).** In December 2012, the RIC was established by Royal Decree to advance the goals of a transparent and ethical government. ROLP was tasked to support all activities of the RIC. ROLP awaits further instructions from USAID on any program support to the RIC.

PROSECUTION ACTIVITIES

- **Training.** ROLP finalized the training schedule for prosecutors in January.
 - Anti-corruption training led by international consultant, Emery Adoradio, a prosecutor from Minnesota, will start the last week in March and end the first week of April. A study tour on anti-corruption is planned for June with any follow up anti-corruption training activities in September.
 - Human trafficking training, delivered by Albert Moskowitz, an international expert on human trafficking issues, and a former federal prosecutor with the US Justice Department, will join ROLP for 2 weeks of trainings at the end of June and early July prior to Ramadan.
 - Basic investigative skills two-day training will be held in May and an advanced investigative skills one-day session in September delivered by ROLP COP, Robert Dean.

- **Crime Scene Protocols.** The ROLP COP, in conjunction with Jordanian prosecutors, plans to prepare a written manual of standard crime scene protocol guidelines for prosecutors. Distribution is slated for next summer. A crime scene management workshop will be held in September.
- The Prosecution Leadership Meeting is scheduled to take place in April.
- **Prosecution Office Enhancement Project.** During January, ROLP, in conjunction with MoJ and prosecution leadership, identified 10 prosecution offices for material support, redesign, upgrades and renovation.

ACCESS TO JUSTICE ASSESSMENT REPORT

- In January, the *Justice Center of Jordan* and GERALYN BUSNARDO (of Tetra Tech DPK), agreed to serve as consultants for an overall system-wide assessment of access to justice in Jordan. Recommendations for improvements and activities will be included in the assessment report. Consultant Busnardo's TOR is being finalized. Hadeel Abdel Azziz from the Justice Center is assigned as the local consultant. ROLP Senior Legal Specialist, Essa Maymoun, will serve as liaison and support to this activity.

MONTHLY NARRATIVE REPORT

REF.: 1/Month/Grantee.

GRANTEE NAME: *Center for Defending Freedom of Journalists CDFJ*

GRANT NUMBER: USAID Jordan Rule of Law Project, 263-I-02-06-00019-00

PROJECT TITLE: Building the capacity of the Judiciary in Media Relations

REPORTING PERIOD (for Completed Activities): *1 September 2012 – 31 January 2013*

A. Activities Completed in the Past One Month Period

Due to circumstances out of CDFJ control, the project activities were not held according to the plan, the delay of the activities was mainly from Judiciary Council side and due to their Bureaucratic procedures. *ROL team was informed on regular basis about the problems and CDFJ communication with Judiciary.*

For each activity provide the following information:

- Activity 1

Narrative description of progress, constraints, events, outputs, impact concerning this activity...

- Activity 2

Narrative description of progress, constraints, events, outputs, impact concerning this activity...

B. Activities Planned in the Upcoming One Month Period

(Start Date and End Date of reporting period):

- Activity 1: workshop for Judges on media relation – 7-8-9 February 2013 /Dead Sea Spa Hotel
- Activity 2: training workshop for journalists on covering courts and judiciary– 23-24-25 February 2013 /Regency Palace Hotel - Amman

C. Evaluation

The monthly report will discuss any results indicators, as identified in the proposal:

- The degree to which ...from the proposal...

Narrative description...

- The extent to which ...from the proposal...

Narrative description...

Due to the fact that activities were not held according to the plan, no evaluation could be provided in this report.

D. Planned Activities/Events in the Coming Month

- Narrative brief description of planned activities for the upcoming month, including time, date, and place of each activity.

Activity 1: workshop for Judges on media relation – 7-8-9 February 2013 /Dead Sea Spa Hotel

The workshop will be targeting around 30 Judges on media relations and how to deal with media. the duration of the workshop 3 days.

- Activity 2: training workshop for journalists on covering courts and judiciary– 23-24-25 February 2013 /Regency Palace Hotel – Amman

The workshop will target around 15 journalists to enhance their professional coverage for courts and judiciary, the duration of the workshop 3 days

E. Success Stories:

-
-

F. Describe any problems or significant delays encountered in the process of project implementation:

CDFJ has signed with ROL in September 2012 a fixed obligation Grant to implement the above mentioned project for 10 month from September 2012 and ends in 30 June 2013. The project activities, timetable and milestones were designed in close coordination and support by ROL team, but due to circumstances out of CDFJ control, the project activities were not held according to the plan, the delay of the activities were mainly from Judiciary Council side and due to their Bureaucratic procedures.

Following is a summary of what happened since signing the contract:

- CDFJ Executive President Mr. Nidal Mansour met with Chief of Justice on 12 June 2012 and discussed with his Excellency the outline of the project, and we had his initial support for the project.
 - After signing the project contract with ROL in early September 2012 Mr. Mansour communicated again with his Excellency.
 - Mr. Mansour met again with chief of Justice on 26 September 2012 and provided him with an official letter requesting his official approval.
 - The Chief of Justice responded verbally by assigning Judge Ali Musaimi as point of contact with CDFJ for project.
 - Mr. Musaimi was outside of Amman at that time on work trip.
 - We have met on 9 October 2012 with Judge Musiami and discuss the details of the project; he requested an action plan of the project activities, in order to get the official approval on it from the chief of Justice.
 - CDFJ sent the action plan on 15 October 2012.
 - No respond was received for almost two weeks due to the fact that chief of Justice and Judge Musaimi went on work trip to USA and France.
 - Judge Musaimi responded, after returning from the trip, in November 2012 and informed us that that Chief of Justice approved on:
 - training workshop for Judges
 - training workshop for Journalists
 - discussion meetings between media and judiciary
- And he objected on the establishing media office at judiciary, and requested to postpone this issue until the Judiciary council held a meeting to discuss it, and decide on.
- CDFJ requested an official letter on this regard to allow us start with approved activities, but due to the busy agenda of chief of Justice which included several trips outside Jordan, the

letter was delay and we could not move forward in conducting the activities within the timetable we have planed.

- On 13 December 2012 CDFJ received the official approval letter from Chief of Justice as mentioned above.
- CDFJ has communicated with ROL of team and sent them copy of the letter in order to work on amending the agreement and milestones, and to proceed with the approved activities.
- After several attempts to discuss the issue between CDFJ, ROL and chief of justice, finally in 3 January 2013 chief of justice has approved the media office after integrating minor changes on the detailed tasks of the office and include new element which is preparing the media office with needed equipment, which the ROL project kindly approved to finance directly not through CDFJ contract, since the contract has no budget for such equipments.
- Chief of Justice has assigned Judge Nasha'at Al-Akhras as focal point for since he is the head of Development and Training department at the Judiciary.
- CDFJ directly started to prepare for the workshop and communicated with Dr. Akhras on the dates and location of the training in addition to requesting nomination of participants Judges.
- The workshop was set to be conducted on 7-9 February at Dead Sea Hotel with expected 30-35 Judges.

As mentioned above, CDFJ and since signing the contract has been in regular contact with ROL team, and has informed them on regular basis on all the developments, in fact ROL team and the team of USAID mission in Jordan has also assisted CDFJ in some of the communication with Judiciary to push forward judiciary to launch the project and start the activities.

Based on these circumstances, CDFJ requested from ROL to amend the project plan and revise the millstones plan, in addition CDFJ requested a no cost extension. ROL kindly approved CDFJ request and the modification of the grant was signed.

•
G. Summary Tables

Include summary tables of current month activities, press coverage, using the format below.

(Month Name) Activities Accomplished

Date	Activity	Participants	Description	Comments

(Month Name) Press Coverage Published

Name of Press Outlet	Type (weekly/daily newspaper, radio, tv)	Date	Title of Article or feature	Comments/description

Reports/Publications Produced in (Month Name)

Title of Report/Pub	Date	Table of Contents	Description	Comments

lication				

Public Feedback Received on Activities

Date	Format (phone call, letter, meeting, etc.)	Name and title of Person	Organization they represent	Comments

Meeting Log

Name of Minister, Legislator, Committee, etc.	Title	Date	Issue Discussed	Comments/ description
Judge Hisham Attal	Chief of Justice	12 June 2012	Discuss outline of the project, and gain his initial support for the project.	CDFJ gained initial approval
Judge Hisham Attal	Chief of Justice	26 September 2012	Provide official letter regard the project launching	
Judge Ali Musaimi	Head of human rights department at Ministry of Justice	9 October 2012	Discuss with him as point of contact the detailed of the project	
Judge Nashat Akhras	Head of training department at Judiciary council	2 January 2013	Discuss the amendment of the project plan	
Judge Nashat Akhras	Head of training department at Judiciary council	3 January 2013	Discuss amendment of the project plan	Get the Chief of Justice

(مسودة)

أجندة

ورشة عمل

2013/ .../

في -

الاستقبال والوصول		
الوقت	عنوان الجلسة	المقدم/المحاضر/ميسر الجلسة
..... :	الوضع الحالي لمديرية التفتيش القضائي (نقاط القوة ونقاط الضعف)	القاضي الدكتور مصطفى العساف مدير مديرية التفتيش القضائي
..... :	نقاش	
..... :	الاطار التشريعي لمديرية التفتيش القضائي	القاضي..... مديرية التفتيش القضائي
..... :	نقاش	
..... :	خطط تطوير مديرية التفتيش القضائي	القاضي..... مديرية التفتيش القضائي
..... :	نقاش	
..... :	نظرة وتوجهات دولية جديدة في مجال التفتيش القضائي	المستشار السيد وليام ديفيس
..... :	نقاش	
..... :	ما يمكن الاستفادة منه من التجارب الدولية ومدى تطبيقه في المملكة الاردنية	المستشار السيد وليام ديفيس
..... :	نقاش	
..... :	توصيات ومقترحات	المستشار.....
..... :		
الغداء والمغادرة		



(draft)

agenda

workshop title.....

Day and date

location-

..... :		arriving
Time	Session title	Instructor/presenter
..... :	The current situation for judicial inspection directorate (strength and weakness points)	Judge moustafah al assaf Manager of judicial inspection directorate
..... :	discussion	
..... :	Legal frame for judicial inspection directorate	Judge..... judicial inspection directorate
..... :	discussion	
..... :	Development plans for judicial inspection directorate	Judge..... judicial inspection directorate
..... :	discussion	
..... :	New international aspects related to judicial inspection	Consultant Mr. william davis
..... :	discussion	
..... :	What we can benefit from international experiments and its applicability in the kingdom	Consultant Mr. william davis
..... :	discussion	
..... :	recommendation	Consultant
الغداء والمغادرة		

REPORT TO ROLP

ROLE AND FUNCTION OF JUDICIAL INSPECTION IN JORDAN
RESULTS OF SEMINAR ON JUDICIAL INSPECTION MARCH 21013

WILLIAM E DAVIS
April 4, 2013

Background

The U.S. government through U.S.AID has been supporting the modernization of the Jordanian judicial system for nearly 10 years. These efforts are a part of larger initiative to fortify and strengthen democratic institutional development in Jordan. The judicial modernization effort began with a focus on developing a modern transparent automation system throughout the Kingdom.

The project activities extended in to the Judicial Training Institute, preparing new judge applicants, training of existing judges, organizing offices for the Judicial Council, improving the operations of the Ministry of Justice. An early priority was the establishment of financial judicial independence for the judiciary outside the Ministry of Justice.

During this period the constant rotation of leadership at the level of Minister of Justice and Chief Justice has impaired the continuity of the project activities. In addition, as one head of office came in and cancelled out the decision of the predecessor, the institutional fragility of the Jordanian judicial system became increasingly apparent.

It is a though there is design to maintain the system in weakened state and impede the development of strong institutions.

Efforts to modernize and build transparent systems of governance are challenged by this highly volatile political system. The judiciary will a separate entity does not enjoy the traditional independence as is called for by international standards. The judiciary is dependent on the Ministry of Justice for the management of the judicial system. The policy making body of the judiciary, the Judicial Council, is confined to judicial appointments, promotions. Since 2011, there has been a request to transfer the Judicial Inspection function the Judicial Council.

Project activities have attempted to create support offices for the judicial system in the Judicial Council only to have some Chief Justices to abolish them. Outspoken judges clamoring for change have been sacked. The resistance to change and maintenance of the status quo are the dominant characteristics of the Jordanian judicial system.

There is virtually no transparency in the judicial system. The Arab Springs demands for change go largely ignored by the judicial hierarchy.

JUDICIAL INSPECTION

The Judicial Inspection Office created by statute in 2005, Regulation (47) according to regulation 45 of the Judicial Independence Law number (15) of 2001 cites the following duties; inspect the work of the court's judges, the prosecution, the public civil attorney's assistants in addition the judgment's execution office (except those who hold high rank); Evaluate the work of judges in relation to application of the law, adherence to litigation procedures, proof of procedures, reasons for continuances, the period needed for conclusion of cases, the reasoning of the judgments, correctness of the findings etc

During the past two years there has been Annual Report from the Judicial Sector citing the activities of the Judicial Inspection Office. For example, in 2010, there were 95 sudden field visits. In addition during this period reports on 312 judges were prepared and 12,480 case files reviewed. The Inspectorate was able to dispose of 104 complaints against judges.

In the 2011 The Judicial Inspection Annual Report, the Inspection Office indicates "that its primary function is not tracking the mistakes of judges rather it is to develop and improve performance". This statement signals a profound shift of concept in the performance of this function.

The Office of Judicial Inspection stands out as the only office in the Jordanian judiciary seeking actively to improve performance of the system. The Annual Report sections pertinent to the Office of Inspection cite efforts to improve performance not merely compliance...

Historically, Judicial Inspection Offices have been mainly compliance offices. Modern organizational methods have shifted to developing and promoting and recognizing excellence, not merely compliance. The promotion of excellence in judicial systems is a concept that only recently been recognized as a worthwhile goal. Generally, courts think of themselves as doing excellent work thus there is no need to single out anyone.

AWARDS FOR EXCELLENCE

In my experiences as Administrator of judicial systems, I searched for ways to promote excellence in the organization and delivery of justice. The most successful means we found was to create an award for excellence that could be presented each year by the Judicial Council. The Council could establish criteria for considering making the awards and the courts and individual judges could submit their own nominations for consideration.

The criteria we developed were based on demonstrating a demonstrable improvement in performance of the judicial system. Objective criteria were developed in order that the courts and judges considering submitting a nomination would be clear about what was being measured. Over the years the Judicial Council of California has developed Categories for excellence insuring the widest possible consideration are given to all those individuals serving in the judicial system. The award is for judges, entire courts, and

support staff, either individually or collectively. In addition to court program awardees, there is another category of awardees, Distinguished Service to individual who exemplify leadership strengths that have improved the administration of justice statewide.

Some examples of awardees included judge who had developed a program to support his dealing with juvenile delinquents, or speeding up the processing of cases. For a more extensive list of awards, check the Judicial of California web site (courts.ca.gov) for the Kelps' awards. The award was named for the first Administrative Director of Courts of California.

In my experience the awards given were merely plaques not financial incentives. The plaques are proudly displayed in the courthouse where the awardees work. A big ceremony takes place with all the dignitaries present to recognize the outstanding performances for the year.

We know in organizational terms, that people and institutions perform to the level of expectations. By establishing awards for excellence effort the judicial system is defining its standard to be one of excellence.

JUDICIAL PRODUCTIVITY

A key element of the modernization effort for the courts of Jordan was the automation of clerical and some judicial functions. In addition to accelerating these functions, the system should produce much more reliable statistical information. A maxim in the field of gathering statistics is the longer it takes to report an event the greater the unreliability of the information. Thus, having access to automated information that is not readily manipulated for ulterior purposes should give the policy making bodies a clear insight into performance of the judicial system.

However, we see that some judges are not using the computer system; other Chief Judges are developing their statistics. The automation system was developed in the Ministry of Justice. The technical support still remains in the Ministry yet the operational implementation is with the judiciary.

The succession of Ministers of Justice and Chief Justices has left the automation system without any clear party responsible for its oversight and implementation. Traditionally, such a system would be under the Judicial Council and the Council would have staff assigned to follow up on implementation and improvements.

Since the only functioning support office is the Inspection Office, it seems highly advisable that this office include in their inspections an assessment on how the judges are implementing the use of automation to perform their duties.

Another criteria for assessment that might be included is how the Chief Judges are using the automation to keep track of performance of the judges under their supervision, In addition, they might be assessed on the reliability of the statistics emanating from their courts. By holding the Chief Judges accountable for these key performance elements, there will naturally occur a greater reliability in all information being generated thus improving the performance of the system.

It would be reasonable to anticipate that the Chief Judges may need some specialized training on these aspects of the automation system. Most advanced judicial systems have developed specialized training for Chief Judges prior to assuming their duties. When you realize that most judges have had very little exposure, if at any at all, to how manage people, how to evaluate statistics, automation, space utilization and management, case management etc.

The Inspection Office might consider developing a training program for Chief Judges currently occupying the position and for those being considered for appointment.

COURT PERFORMANCE STANDARDS

Increasingly on a global scale there is recognition that judicial systems need to develop criteria for measuring performance and define levels of excellence to be achieved. In the past five years there has emerged an effort led by judicial officials from around the world to accomplish just that goal. The International Standards for Court Excellence center of cultivating and developing virtues in the process of administering justice.

The Standards have been developed for application in every setting. They need to be adapted to Jordan. The Standards provide a framework for a continuous improvement effort. So long as Jordan is going to experience constant change of leadership at the top of the system, it is condemned to suffer stagnation in its efforts to modernize.

If on the other hand, the Judicial Council and the Office of Inspection were to adopt as goal the implementation of these standards as the cornerstone of a continuous improvement effort, it would lay a foundation on which long term improvements could be built. This strategy may be the only way of coping with the external political forces Operating in Jordan.

Even though there may not appear to be a problem with corruption in the judiciary, it cannot be assumed there is no real problem. The most effective response to corruption is integrity. The presence of integrity as a matter of course within the judiciary will serve as a major buffer to corruption.

Developing a strategy around supporting integrity as a virtue should be considered. The judges, prosecutors and court support staff could participate in integrity focused project. The participants after going through several sessions end up making very specific commitments to themselves and to their colleagues about how they will mirror this virtue in the performance of their duties.

COMMUNICATIONS

During the workshop with the Inspectors and Chief Judges, the issue of communications came up repeatedly. In any organizational system with as much complexity as a judicial system there is a need for clear and consistent communication regarding issues, concerns, goals and challenges. The request for regular meetings of the Chief Judges falls into the category of expression for more communication.

The Judicial Council has adopted a Strategic Plan. It should be publishing information on a regular basis on updates towards the goals of the plan. In addition, there should be meetings at least twice if not three times a year for Chief Judges. To discuss the progress towards the goals of the Plan, issues of concern and sharing experiences on how they are confronting the operation of the courts.

There are other audiences to consider when developing a communication plan. The public is largely unaware of what is transpiring in the judicial system. Other entities in the government have an interest in what is transpiring within the system. One of the most successful strategies to improve funding for the judiciary is to demonstrate where and how the judiciary manages funds and conducts its business. Building confidence in the judiciary's capacities contributes to an environment that is supportive for judicial funding.

One of the frustrating aspects of polling about the judicial system is that it is done with the general public rather than directly with users of the system. DPK has developed a unique way of incorporating the user's views of the performance of the system. It is called Q10. It is a questionnaire of 10 standard questions which are administered to actual users of the court system on a quarterly basis.

The responses to the questions provide an excellent insight in to the actual performance of the system. By administering it on a quarterly basis it can also be a part of a continuous improvement strategy. It provides a "grade" on how the courts are performing at given time which can be seen over a period of time.

Developing a system wide web page for disseminating information and reporting on progress of the courts should also be a part of the strategy.

The Inspection Office should produce a report summarizing the results of the assessments done during the year. This report would group the concerns by topics and develop recommendations for addressing problems found during the course of the inspections. By being more systemic the judiciary could look at the problems across the spectrum not just individually.

DISCIPLINE

It has been my experience that the overwhelming majority of judges are interested in doing things "right". They are keenly interested in complying with the code of ethics. However, questions arise on topics that are unforeseen or are complicated. We have found the creation of Advisory Committee of judges to assist judges who have questions on issues that have been presented is a effective preventive measure. Further, this committee develops real expertise in the code of ethics and can train new judges being appointed to the bench.

The Committee's opinion should be published on the web page without attribution to the judge involved in order that other judges can benefit from the guidance.

Ethics courses must be taught in the Judicial Training Institute on a regular basis

RECOMMENDATIONS FROM THE WORKSHOP

Attached are the summary of the recommendations made at the Judicial Inspection Workshop.

The recommendations and suggestions after the Judicial Inspection workshop:

1. Find an Inspector in each court who reports to the Judicial Inspection Department. (Decentralized Inspection.)
2. Another suggestion the every Head court performs his Inspection authorities on his judges instead of finding an Inspector in each court.
3. Publish a periodic bulletins issued by the Judicial Inspection Department about the activities that have been done by the Inspection Department the year and summarization about their Inspections activities in Courts.
4. Conduct a periodical meeting for the Head Courts.
5. Concentrating about the Inspector specialization in the cases that they are working on.
6. Find a mechanism and communication method between the Cassation Court and the Judicial Inspection, whereas the Cassation Court Judges are more qualified to know the judges qualifications because of the large number of the case they deal with.
7. Amend Judicial Inspection bylaw by adding a special article about the Internal Inspection.
8. Issuance a special system for the importance of finding a national address for the entire citizen to solve the notifications problems.
9. Put a special determination for the Courts Excellence taking into considerations the size and the type of the court:
 - **Court Cleanliness Standards.**
 - **Organizing the warehouse.**
 - **Closed cases standards.**
 - **Number of the recorded complaints against the judges.**



USAID
FROM THE AMERICAN PEOPLE



المجلس القضائي الأردني
Judicial Council

Workshop Agenda
The pioneer project for the Execution Departments
Gap analysis study regarding civil judgments execution at
Zarqa and West Amman First Instance Courts
Geneva Hotel – Amman
16. February. 2013

8:30 – 9:00	Arrival and Coffee Break	
9:00 – 9:20	Welcoming Speech	General Secretary of the Judicial Council Judge Mahmoud Al-Ababneh
9:20 – 9:45	Presentation about the gap analysis study for civil judgments execution at Zarqa and West Amman First Instance Courts (Objective, Importance, Methodology, and its tools)	Mr. Mohammad Ammawi
9:45 – 10:00	Coffee Break	
10:00 – 10:30	Presentation of Legislative framework (Status, Challenges, suggested solutions)	Judge Mohammed Al-Moumani Judge Sameeh Al-Adwan
10:30 – 11:10	Discussion Session (Results and recommendations)	
11:10 – 11:40	Presentation about the Institutional framework (Status, challenges, proposed solutions)	Judge Yasser Al-Shibli Judge Fida'a Al-Hmoud
11:40 – 12:15	Discussion Session (Results and recommendations)	
12:15 – 12:30	Coffee Break	
12:30 – 1:00	Presentation of Procedural Framework (Status, challenges, proposed solutions)	Ala'a Al-Jaghoub Rule of Law Project
1:00 – 1:40	Discussion Session (Results and recommendations)	

1:40 – 2:30	Lunch Break	
2:30 – 2:50	<p style="text-align: center;">Presentation of the Infrastructure framework. (Status, challenges, proposed solutions)</p>	<p style="text-align: center;">Judge Yasser Al-Shibli Judge Fida’a Al-Hmoud</p>
2:50 – 3:10	<p style="text-align: center;">Discussion Session (Results and recommendations)</p>	
3:10 – 3:40	<ul style="list-style-type: none"> - Presentation for a comprehensive work plan - Presentation regarding work plan to issue a unified Procedure manual for the judgment Execution Departments 	<p style="text-align: center;">Mohammad Amawi Ala’a Al-Jaghoub</p>
3:40 – 4.30	<p style="text-align: center;">Discussion about results and recommendations</p>	



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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

Financial Crimes

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A Project Funded By USAID

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- **Attachments**

Summary:

In accordance with the training plan that was approved by the honourable Judicial Council, especially the section related to achieving the objectives of the third component of the Judicial Authority Building Strategy, which is related to criminal justice, the Judicial Council's Judicial Training and Specialization Unit had held in cooperation with the Head of the Public Prosecution and the Rule of Law Project, a training program under the title "Financial Crime ". The training program was attended by the attorney generals and (50) public prosecutors representing the deferent courts in the Kingdom. The training program was held on Saturday and Sunday (1-2 December 2012) .

The main desired objective from holding such training program is to enhance the public prosecution members' efficiency in leading the investigation in crimes and collecting the related evidences in a way, which confirms with continues development in tools and methods used in committing such crimes.

This training program comes to complement the Rule of Law Project's plan, which included several training programs and workshops directed towards the public prosecution members. Accordingly the Project contracted with an international expert from the USA, who specialized in financial crimes in order to facilitate this training program. The said expert was provided with all related legal materials in addition to the desired training methodology and the expected outcomes of such training program.



Introduction:

In continuation of the Rule of Law Project's activities and plans for the last year, which focused heavily on supporting the public prosecution in Jordan and on enhancing the efficiency of its members? Also in accordance with the comprehensive work plan which included many components and objectives. One of these components is the training component, which led to the holding of many training events and programs in various legal subjects during the past year. Training on financial crimes was a request by the public prosecution members. This request was embarked on through the Public Prosecution Needs Assessment Workshop and also through the personal and face to face interviews which were conducted with the public prosecutors, where they stressed on the importance of holding a training on financial crimes due to the rapid technological development and also due to the fact that most financial transaction are being done using electronic methods and tools. All these developments led to the Judiciary's interest in financial crimes which might be committed using electronic methods or devices.

The importance of such training program is driven from the above stated reasons, where it will play an important role in educating the public prosecution members on the new methods and tools, which might be used in the commission of financial crimes and at the same time to be exposed to the new methods and devices needed in order to investigate such crimes and pursue its perpetrators and refer them to the related courts to be punished according to the applicable laws.

Accordingly this training event was organized in order to focus on the practical side rather than applying the traditional method which only focuses on the theoretical aspects of the training subject, where the trainer outlined a number of factual and practical cases which were investigated in the USA by its related authorities in addition to the methods used in order to reveal such crimes and its related facts. The expert allocated part of the training program in order to illustrate and discuss a number of financial criminal cases which were investigated and prosecuted in Jordan. For certain reasons the investigation in such crimes in Jordan reaches a certain point which forces the related public prosecutor to take a decision to keep the papers (hold the investigation), due to the difficulties associated with perusing the perpetrators of such crimes either because it was committed by using electronic means or it was committed outside the boundaries of the Hashemite Kingdom of Jordan.

In addition to the above, the continues development in technical methods used in carrying out financial transactions, concluding commercial deals, money transfer transactions between the contracting parties , buying and selling transactions through websites and at the same time the storage of financial information on electronic data basis and on hard discs on computer machines. The public prosecutor, who investigates any financial crime which is committed through the use of an electronic mean or tool, shall enjoy a great skill and precision in dealing with the crime scene in addition to the needed expertise in collecting the related evidences, so it will not be lost or damaged. Accordingly the public prosecution and its members , due to their official post and its importance , are in great need to continues training on such types of crimes and they also need to know the best ways and methods to be used in collecting its evidences, even if one of the actions which constitute the crime was committed outside the

Kingdom , in addition to storing such evidence in a way that it would be valid and acceptable when presented to the competent court.

in preparation for the above mentioned training program , the trainer was provided with a summary of the Jordanian Judicial System and how the criminal cases are brought before the competent courts in addition to the procedures followed during the trial. He was also provided with a number of the applicable Jordanian legal provisions, which are related to crimes committed against property. Such provisions were taken from various laws such as the Penal Law, the Banks' Law, the Electronic Transactions Law, and the Information Systems' Crimes Law. Below are the most important provisions that were used for the training program purposes:

The Provisional Information Systems' Crimes Law :

Article 6 :

a) Whoever intentionally got – without authorization- through the use of the internet or any other information system, data or information related to credit cards or data and information which are used in the execution of financial transactions or electronic banking transactions, such a person shall be punished by imprisonment for a period not less than three months and not more two years or by a fine not less than (500) JDs and not more than (2000) JDs or by both penalties.

b) whoever intentionally uses through the internet or any other information system , without a valid or legal cause , any data or information related to credit cards or information or data which are used in the execution of financial transactions or electronic banking transaction in order to gain for him/herself or for the benefit of another person any data or information or properties or services owned by others , such person shall be punished by imprisonment for a period not less than one year and by a fine not less than (1000) JDs and not more than (5000) JDs.

The Electronic Transactions Law:

Article 38:

Whoever commits an act which constitutes a crime according to the applicable laws , through the use of electronic means , such person shall be punished by imprisonment for a period not less than three months and not more than one year or by a fine not less than (3000) JDs and not more than (10,000) JDs or by both penalties. Such person shall be punished by the harsher penalty if the stated penalties in such laws exceed the ones stated in this law.

Banks' Law:

Banking Secrecy:

Article 72:

The bank has to observe the complete secrecy of all its customers' accounts, deposits and safety boxes. The bank is prohibited from releasing any information or statements whether directly or indirectly, unless upon the written approval of the account's holder or deposit of safety box or one of his/her successors or according to a decision issued by a competent judicial authority in the course of a judicial dispute or due to one of the instances stipulated in this law. The prohibition shall stay in place even if the relation between the customer and the bank for any reason.

Article 73:

Any of the bank's current or former employees is prohibited from releasing or giving any information or data concerning the customers or their accounts or deposits or safety boxes or any of their transactions or enabling any other person to review such information or data in cases other than the cases stipulated in the provisions of this law. This prohibition shall include all persons who may review or now such information or data due to their posts or work, whether directly or indirectly, including the Central Bank's employees.

Article 74:

The following instances shall be exempted from the provisions of articles (72 and 73) :

- a) the duties to be carried out legally by the auditors who are appointed by the bank's general assembly or by the Central Bank according to the provisions of the law.
- b) the activities and procedures carried out by the Central Bank according to the provisions of this law or the Central Bank Law.
- c) the issuance of a statement or certificate which includes the reasons for not cashing any check according to the request of the right's holder.
- d) the exchange of information related to customers ,whether in relation to their debts in order to provide the information needed for the safe provision of credits or in relation to bounced checks due to lack of funds or other instances or transactions the Central Bank sees as necessary due to its relation to the safety of banking activities between the banks and the Central Banks and any companies or other parties the Central Bank approves in order to facilitate such

e) the Central Bank revelation of any or all information related to the transactions of a certain customer , which are needed in order to prove his/he right in the course of a judicial despute , which might take place between the bank and his/her customer in relation to such transactions.

Article 75 :

Whoever violates the provisions of articles (72 and 73) of this law , shall be punished by imprisonment for a period not less than six months or by a financial fine not less than (10,000) JDs and not more than (50,0000) or by both penalties.

Agenda

Agenda
Financial crimes training
 Wednesday, 1/ 2/ 2012 – Thursday, 2/ 12/ 2012
 marriot – Amman

Day one

09:00 – 9:30 am	Arrival and Registration Coffee Break	
9:30 – 11:00 am	<ul style="list-style-type: none"> • Opening Session • Brief about financial crimes • Case study 	<ul style="list-style-type: none"> • Speech of ROLP Chief of Party Mr. Robert dean • Speech of Consultant Isabel cumming
11:00 – 11:15 am	Coffee Break	
11:15 – 12:45 Pm	<ul style="list-style-type: none"> • Credit cards crimes • Financial crimes committed by electronic tools 	<ul style="list-style-type: none"> • Speech of Consultant Isabel cumming
12:45 – 01:00 pm	Coffee Break	
01:00 – 03:00 pm	<ul style="list-style-type: none"> • Golden rules for crime scene management • Case study 	<ul style="list-style-type: none"> • Speech of Consultant Isabel cumming
End of Event and lunch		

Participants

First Day

#	Name	Position
1	Judge Ziad Dmour	Attorney General / Major Felonies
2	Judge Majed Hussein Irshaid Al Afif	President of the Public Prosecution Assistant
3	Judge Natheer Ali Shehadeh	Public Prosecutor / Amman
4	Judge Amer Al-Qdah	Public Prosecutor/ Madaba
5	Judge Hilal Khlaif Hilal Al Hawamdeh	Public Prosecutor / Al Mafrag
6	Judge Minwer Khalaf Mohammad Al Sarayrah	Public Prosecutor / Karak
7	Judge Mahmoud Al-Tarawneh	Public Prosecutor/ Tafeeleh
8	Judge Tareq Mohammad Odallah Al Shqairat	Assistant Attorney General / Amman
9	Judge Tarek Musallam Ali Al Shakhanbeh	Public Prosecutor / South Amman
10	Judge Maher Kassab Al Qadi	Public Prosecutor / Amman
11	Judge Ahmad Abdul Muhesn Al Afeef	Public Prosecutor / Zarqa
12	Judge Inad Obeidat	Public Prosecutor/ Irbid
13	Judge Naser Al-Qadi	Public Prosecutor/ Irbid
14	Judge Mohammad Saleh Hamed Al Sorani	Public Prosecutor / Amman
15	Judge Hashim Abou AL-Foul	Public Prosecutor/ North Amman
16	Judge Ashraf Yihia Ayed Al Habashneh	Public Prosecutor / Amman
17	Judge Sultan Khlaif Al Shakhanbeh	Public Prosecutor / Amman
18	Judge Issam Al-Hadid	Public Prosecutor / Salt
19	Judge Mohammad Musa Hasan Al Bakhit	Public Prosecutor/ North Amman
20	Judge Rami Naheed Musa Salah	

21	Judge Muawiyah Hamdan Al Saaydeh	Public Prosecutor/ East Amman
22	Judge Yasir Al-Qheuwe	Public Prosecutor/West Amman
23	Judge Asem Al-Tarawneh	Public Prosecutor – Anti Corruption Commission
24	Judge Abdul Ilah Hijazi Kareem Assaf	Public Prosecutor – Anti Corruption Commission
25	Judge Adel Al-Ja’afrah	Public Prosecutor/ Aqaba
26	Judge Ahmad Odeh Al Rawahne	Public Prosecutor / South Amman
27	Judge Aref Ali Haza’a Abu Aleem	Public Prosecutor/ East Amman
28	Judge Abdul Nasser Ali Aref Al Dhoun	Public Prosecutor/ Ajloun
29	Judge Samir Falah Mohammad Al Rawashdeh	Public Prosecutor / Maan

Second Day

#	Name	Position
1	Judge Taleb Al Dalaeen	Attorney General / Maan
2	Judge Ramze Ahmad Al Athamat	Public Prosecutor / Irbid
3	Judge Amer Hilmi Falah Tubeishat	Public Prosecutor / Ajloun
4	Judge Ohud Abdullah Mnawer Al Majali	Public Prosecutor / Amman
5	Judge Mohammd Bassam Mohammad Abu Al Ghanam	Public Prosecutor / South Amman
6	Judge Azzam Mamdouh Abed Al Najdawi	Public Prosecutor / Amman
7	Judge Samer Ahmad Mustafa Hannun	Public Prosecutor / Amman
8	Judge Khulood Nayef Ali Al Adwan	Public Prosecutor / North Amman
9	Judge Mohammad Hamdan Tayyem Al Bdairat	Public Prosecutor / Salt
10	Judge Farhan Kassin Shehadeh Al Abdullah	Public Prosecutor / Zarqa
11	Judge Hani Ibrahim Salem Al Suhaiba	President of the Public Prosecution Assistant
12	Judge Salah Hulayyel Saleh Al Khalidi	Public Prosecutor / Irbid
13	Judge Muntaser Mohammad Obeidat	Public Prosecutor / Amman
14	Judge Sultan Khlaif Al Shakhanbeh	Public Prosecutor / Amman

15	Judge Okleh Olayyan Abu Zaid	Public Prosecutor / Amman
16	Judge Ammar Raja Al Hnaifat	Public Prosecutor / West Amman
17	Judge Faleh Ismail Abu Hilala	Public Prosecutor / East Amman
18	Judge Mohammad Al-Dweiry	Attorney General / Irbid
19	Judge malak ghazal	State lawyer assistant
20	Judge Ahmad Al kannany	Attorney General assistant / Amman
21	Judge Yousef Al nawafleh	Attorney General assistant / Amman
22	Judge Othman Al amaireh	Public Prosecutor / Zarqa
23	Judge Abd al hafeth Al gwereh	Public Prosecutor / Amman
24	Judge Nasser Al Salmat	Attorney General assistant / Amman
25	Judge Mahmoud Al Nwasrah	Attorney General assistant / Irbid
26	Judge Wedad Al dmour	Public Prosecutor / anti corruption commission
27	Judge Faten Al rawashdeh	First instance court / Amman
28	Judge kefah al droubi	First instance court / Amman
29	Judge Maamoun Al qatarneh	First instance court / Amman

The Training Program's Functions:

Trainer Isabel Cuming had touched on many important topics during the training program, where she gave the necessary details related to such topics. The most important of which:

First: Defining Financial Crime:

Crimes against property were defined through a presentation , which included a very precise definition for financial crimes and what the public prosecutor has to prove in order to convenes the court that the suspect had committed the crime , thus the court can impose the suitable penalties on him/her, which can be done by proving the physical and legal elements of the crime. The presentation also touched upon the personality of the person who committed the financial crime who might be the real perpetrator of the crime or an instigator or a partner in committing the crime.

The expert also outlined the necessary methods of proof to be submitted to the competent court , which might be direct physical or circumstantial evidence which might prove the commission of the crime in addition to the witness's testimony and personal statements.

Second: Financial Crimes

The trainer outlined a group of the crimes which are committed against property and provided a summary explanation of each crime and its elements in addition to the methods used in committing each crime, such as:

- Theft.
- Fraud.
- Embezzlement .
- Forgery .
- Credit cards' crimes.
- Possession of stolen property.

Third: Outlining a Number of Financial Crimes Committed in the USA:

The specialized expert outlined and presented a number of actual cases which she herself investigated and referred to the competent court in order to try its perpetrator. The index attached to this report includes the facts and details of such cases and the actual evidences used to prove such crimes before the court in order for the later to impose the suitable sanctions against its perpetrators. A number of tricks which are used by criminals in order to trap their victims and revealing their ATM cards pin numbers and the methods used in order to forge credit cards through electronic piracy and getting access to websites specialized in the selling of goods and services in addition to getting access to ATMs through implanting special chips on the number pads of such machines. The final step is to forge the cards through special scanners in order to use such cards in the purchase of goods or services on the web or the cash withdrawal from ATMs.

Fourth: Practical Study and Review of Actual Cases from the Hashemite Kingdom of Jordan:

In coordination with the public prosecutors a certain type of cases was agreed upon , which in their view were had a certain degree of complexity and importance due to the fact that the perpetrators of such crimes where never caught or brought before the courts , because it was committed by using emails accounts which could not be traced or because one of the criminal acts were perpetrated outside the boundaries of the Kingdom and thus it was not possible to obtain the necessary information from the external competent parties in order to complete the investigation. Accordingly a copy of such cases had been distributed to the participants, which was followed by an expanded discussion, where the participants expressed their views about how the investigation shall be conducted and the gathering of evidences in addition to following up with the Attorney General in order to get hold of the needed information. In addition to the before mentioned the participants also discussed the cooperation with the criminal laboratories, which is entrusted with

perusing the electronic evidence in order to know the perpetrator and the location it took place. After this discussion the expert provided her point of view and suggested a number of suitable solutions, which when applied would enable the public prosecuting member to pursue the financial crime and bring its perpetrator to justice.

Fifth : A number of important rules to be followed when collecting, preserving and presenting electronic evidence:

A manual which was distributed to the participants. This manual was designed in order to help the public prosecutor in understanding how to deal with and computer machines and other electronic devices ,when it is used as a tool or a way to commit crimes and how to deal with it when it is used a medium to store the evidences related to a number of crimes. In addition to the before mentioned such manual can help the public prosecutors in securing and preserving the evidences in the proper way and also how to transferee such evidences for examination by the criminal examiners and electronic and digital evidence experts. The most important components of the manual which is attached with this report are:

- The legal authority and power the public prosecutor has in relation to searching the crime scene and seizing evidence.
- Storing and preserving evidence: due to the fact that the evidences in financial crimes might be stored on various electronic devices , the trainer outlined and presented the various types of such electronic devices, where each device type has a method and approach to be dealt with by the public prosecutor. These procedures to be followed are important in order to secure the device and preserve the evidence stored on it and securing it in the proper way, in order to transfer it from the crime scene and presenting to the criminal forensic expert . Such electronic devices include :
 - Personal individual computers which are connected to other computers.
 - Personal individual computers which are connected to other computers and networks.
 - The network servers related to companies and businesses.
 - Storage devises and mediums.
 - Cell phones and digital cameras.
- An illustration of the crimes that could be committed through the use of an electronic device or tool, in addition to the information the public prosecutor has to look for in such devices. Such devises differ according to the crime type.
- The questions that should be asked during the investigation:
The manual stipulated a number of questions which the public prosecutor should direct to the complainant and the suspect during the investigation phase . The nature of such questions differ according to the nauter of the crime committed .

The trainer presented examples related to some electronic crimes and the questions to be asked in relation to it, such as in the case of piracy and email crimes.

At the end the trainer emphasized on a number of basic principles, which the public prosecutor has to follow when moving to a crime scene , which involves computers and other electronic devices.

A number of such rules and principles are illustrated below:

- The crime scene's security and safety : the public prosecutor should secure the crime scene where it does not present any threat to anyone. In case the public prosecutor has a reasonable believe that the crime was committed by using an electronic device such as a computer , then in such instance he/she has to take the necessary measures needed in order to secure the criminal evidence which might be stored in the related device.
- the public proscuter or any of the judicial police members enjoy the needed legal powers in order to seize the related computer (according to his/her personal believe, a search warrant or the approval of the related person..etc).
- the public prosecutor or any of the judicial police members are prohibited from opening or entering any files that might be contained on the computer. In case the computer was turned off , then it should be kept the same and not to try to operate it. In case the computer was switched on, then it is prohibited to search in the files stored on it.
- In case the computer was on, then the public prosecutor or the related person has to refer to the related sections of this manual in order to know how to shut it down properly and prepare it to be transferred as criminal evidence.
- If the public prosecutor suspected that the computer is deleting the information and files related to the evidence, in such instance he/she should immediately shut down the computer by disconnecting it from the power source.
- In case the judicial police members or the public prosecutor had a camera available to them at the crime scene and the computer was on ,then they should take a photo of the computer's screen. The same should be done if the computer was closed in addition to taking a photo of the computers location and the location of any other tools or devices that might be connected to it.
- The special legal considerations , which has to be taken into consideration if the computer belongs to a certain professional person such as a doctor or lawyer or clergy man or a therapist or a publishing house.

Final Remarks and Recommendations :

- Hold a specialized training programs focusing on one type of financial crimes in order to train the participants on the investigation techniques and methods and how to collect evidence related to such type.
- Following up the interactive discussion method in all upcoming training programs and avoid the traditional theoretical methodology.
- Hold training programs related to how to build a criminal case in financial crimes and focusing on investigation techniques and skills used in order to collect evidence sufficient to convict the perpetrators of such crimes.
- Get sufficient knowledge of the American experience on how to pursue internet crimes and plan the investigation.
- The methods used in pursuing financial and electronic crimes and how to prove such crimes and apprehend its perpetrators.
- The ability to know new methods which are used in the commission of computer and electronic crimes.
- Expanding the knowledge regarding certain electronic crimes types , which are important in relation to the public prosecutors' work .
- Holding training programs targeting the subject of investigation skills in relation to internet crimes.
- Knowing how to deal with and contact other parties such as banks and social networking sites in order to obtain the information needed for the investigation.
- Holding a training program targeting the subject of electronic, credit cards and internet crimes.
- Electronic crimes and how to peruse its perpetrators.
- Holding training programs which focuses on terrorism and financial market crimes.
- Holding training programs related to corruption crimes.
- Allocating more time to the training programs because the time allocated to this training program was not sufficient.
- Holding a training program on the subject of internet crimes such as the abuse of minors and the unlawful publication of certain materials.

Attachments:

- **The Golden Rules in Collecting and Preserving Evidences.**
- **A list of the important websites, which can be used in order to peruse the perpetrators of electronic crimes.**
- **A presentation related to the practical cases from the USA.**

Consultant's Report

Rule of Law Jordan – Financial Crimes Presentation

It took me four days to pull together the four different power point presentations that I wanted to use for my financial crimes presentation. I consulted with Bob Dean, COP, and he informed me that they were very interested in learning about financial crimes and cyber crime prosecutions. I spent two weekends pulling different cases that I had completed and tried to put together a presentation that could last five to six hours. It was also suggested that I use real case studies and incorporate that into my presentation. I went back into my personal archives and found actual case and evidence that I could use for the presentations.

Bob also sent me the Penal Code of Jordan which I reviewed and studied for the presentation. I had promised the deliverables to Bob by November 19 and I managed to make that deadline. I knew the presentations would have to be translated into Arabic and that would take some serious time. The deliverables were four different presentations. The first being the overall financial crimes overview and presentation. The second was the cyber crime presentation. The next was the golden rules of seizing computers and electronic evidence. Lastly was a presentation on who to subpoena information from. We also worked on a case study and an answer how to handle that case.

When I arrived in Jordan on Thursday, November 29, I had the pleasure of sitting down with two employees of the Rule of Law program that had spent the last week translating my Power Point presentations into Arabic. I met with Essa Mahmoun and Lamees Al-Helou. They had many questions for me and I had several for them. We then worked for almost seven hours going over different nuances in the laws that differentiate their system from ours. For example, in Maryland, we have the theft statute which encompasses many forms of theft including embezzlement and fraud schemes. In Jordan, there is a different statute for each. We just worked at re-wording the presentation to work with their system

of law. It was a tremendous amount of work and Essa and I kept on working until 7pm.

The next day I met with Assistant Attorney General Rami Salah. He is one of their financial crimes prosecutors. He had gone to Brigham Young University in Utah and his English was very good. He had tons of valuable suggestions and quizzed me about the way we handle issues. I broke down in detail my technique of handling a financial crimes prosecution starting with my initial interview with the victim. Rami quickly stopped me at this point and explained that he could not do that step. I was perplexed as to how anyone could do a financial crimes prosecution without talking to the victims in length. He explained that in Jordan the prosecutor is also a judge and this would be a conflict for them.

This was an obstacle that I was not expecting. In these types of crimes, it is the victim that knows the internal controls and how the defendant was able to perpetrate the crime better than anyone. Often I will go out to a “crime scene” which is usually an office to see how the money flows and exactly how the defendant was able to pull off a crime for so long. My usual embezzlement was about a two year crime and the defendant was usually caught because they had to call in sick one day. Embezzlers tend to be the “best” employees in the world, always at work and never taking a day off. It is for that reason, that so many employers are shocked when the scheme unravels.

I asked Rami if they had ever thought of developing a check list that we could give to the victims that would outline what they need to bring to the prosecutor’s office. This should include a summary of the case, any bank records we would need to subpoena, any witnesses they would recommend and a summary of the type of business that was impacted. He thought that would be an outstanding idea and one that could help develop these types of cases better. Together we went through the Power Point presentation and more changes were made. We were able to wrap it up around 4:30pm.

The presentations were set for Saturday and Sunday. I was going to be teaching to 50 prosecutors. The first day was Saturday and half the prosecutors were there. They found the presentation very interesting. The entire audience on Saturday was male. They were career prosecutors and it appeared that cyber crime

was an area that was of great interest to everyone. I had an entire presentation on Cyber Crime, another on seizing computers and electronic evidence, a third on general financial crimes and lastly some case studies that we were going to work through. The time went quickly by.

They seemed to want to talk about specific instances of cases. I would be happy to talk about individual cases but it was very difficult in this type of setting. They seemed very interested in corruption cases and perhaps talking more about bribery and gathering of evidence. I asked several times what they would like to talk about in my second presentation and they were silent about it. I would be very interested to know what the evaluations showed.

I believe that I did a much better job on the second day of the presentations. I was very unsure of the language issues and by the time the second day rolled around – I had gotten my pace down and was getting used to the headphones and the constant translation.

I found the Jordanian people to be very kind and most interested in our way of prosecution. They have such high respect for Rule of Law program. It was a trip that I will never forget and I was so humbled by the amazing opportunity.

Public Prosecution Needs Assessment Questionnaire (Corruption Cases)

#	Statement	Sufficient / Very Effective	Sufficient / Effective to Some Extent	Not Sufficient / Not Effective	Not Sufficient / Absolutely Not Effective
<p>Please define the sufficiency and effectiveness level of the following issues from your own point of view by marking the statement, which reflects your satisfaction with (x).</p>					
A1	Your knowledge in relation to the legislative frameworks and laws related to corruption cases and the combat of corruption.				
A2	The provisions of anti corruption international agreement to which the Kingdom is a signatory				
A3	The official and public institutions and bodies , which work in the area of anti corruption and receive information and complaint in this regard such (... etc)				
A4	The communications' channels between (judges/public prosecutors) on one hand and the official institutions and bodies on the other hand.				
A5	The Anti Corruption National Strategy				

#	Statement	Yes	No	Suggestions and Recommendations
<p>Could you please answer the following questions by (yes) or (no) and give the suggestions and recommendations you deem appropriate.</p>				
B1	Have you ever investigated a corruption case on the local level?			If your answer is (yes) : How many years of experience you had before assuming such investigations :
B2	Have you every investigated a corruption case on the regional or international level?			If your answer is (yes) , what is the case types :
B3	Is there a need, that public prosecutors who investigate corruption crimes shall have a certain number of years of working experience at the public prosecution?			If your answer is (yes) how many years of experience you suggest?
B4	Do you believe that public prosecutes who assume			If your answer is (yes) how many years of

	the investigation in corruption cases, should have a judicial experience and setting judges?			experience you suggest?
B5	Do you believe that such prosecutors should participate in specialized anti corruption training programs?			If your answer is (yes) , please identify the most important subjects of such training courses:

#	Statement	Very Important	Important	Not Important	Absolutely Not Important
<p>Please define the level of importance the following subjects have by marking (x) at the appropriate cell according to your own opinion.</p> <p>حدد مدى ضرورة القضايا التالية وبوضع إشارة (X) في الموقع المناسب لقناعتك.</p>					
C1	What is the importance of confidentiality when investigating corruption cases? (Dealing with and giving announcements to the media).				
C2	To what extent it is important to institutionalize the relation between the public prosecution and the related official and unofficial institutions (security apparatuses, banks, lands registration department etc)?				
C3	To what extent it is important for Jordan to enter into judicial cooperation agreements with other Arab and foreign countries in order to regulate and govern the issue of information exchange in relation to corruption cases?				
C4	To what extent it is important to have a specialized court to trial corruption cases?				
C5	To what extent it is important to have specialized judges in				

	corruption cases?				
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Could you please answer the flowing open questions in a summarized way?

1	<p>What are the laws and legislations you suggest ought to be amended in order to enhance and develop the public prosecution work and functions related to corruption cases?</p> <p>1.</p> <p>2.</p> <p>3.</p>
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2	<p>What are the Obstacles and difficulties which face the public prosecution office when investigating and dealing with corruption cases from you own point of view?</p> <p>1.</p> <p>2.</p> <p>3.</p>
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3	<p>What are the tools and methods which ought to be provided to the public prosecution office when investigating corruption cases?</p> <p>1.</p> <p>2.</p> <p>3.</p>
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5	<p>Please indentify the most common types of corruption cases from your own point of view:</p> <p>1.</p> <p>2.</p> <p>3.</p>
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6	<p>What are the training courses which should be covered by the future training program related to anti corruption cases in relation to (subjects/ methods of investigation/ investigation skills/ evidence gathering ...)</p> <p>?</p> <p>1.</p> <p>2.</p> <p>3.</p>
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Public Prosecutors and Attorney General's Assistants' Views in Relation to Anti Corruption Survey Study

Targeted Group: this survey targets the public prosecutors and attorney general assistants *who serve in Amman*. The total number of individuals who participated in this survey reached (100) public prosecutors and attorney general's assistants. The participants compose (33.3%) of all public prosecution members.

Surveying tool: the survey was conducted through a questionnaire which include four components, each of which contained a number of questions.

1. Knowledge in anti corruption cases: this component of the questionnaire includes five questions which aim at learning the level of knowledge the public prosecutors and the attorney general assistants have in relation to combating corruption and whether such knowledge is sufficient, whether it covers the legislative and legal aspects in addition to the provisions of the anti-corruption international agreements to which Jordan is a signatory. In addition to their knowledge in relation to the official institutions and agencies which deal with anti corruption and how to communicate with such agencies.
2. The knowledge needed in order to deal with corruption cases: this component of the questionnaire includes five questions which aim at exploring the expertise the public prosecutors and attorney general assistants have in relation to dealing with corruption cases, their suggestions in this regard, and their views in relation to the needed expertise to be able to work in this field.
3. The qualifications and requirements needed in order to be able to deal with corruption cases: this component includes five questions which aim at defining the qualifications and requirements needed in order to deal with corruption cases: those related to the investigation; confidentiality; the importance of institutionalizing the relation between the public prosecution and the other related institutions; and the importance of establishing a specialized court and judges in the area of anti-corruption.
4. Recommendations and suggestions: this component includes five open questions which aim at learning the public prosecutors' and attorney generals' views relating to the challenges and problems which face the public prosecution in performing its duties and in dealing with corruption cases in addition to the methods they use and the legislation and laws which are to be amended. The questions also aim at learning the most common corruption cases they deal with.

Major Conclusions

First : Level of Knowledge in relation to Corruption Cases :

The results show that the vast majority of the persons who participated in the survey do have sufficient knowledge in relation to corruption cases. This knowledge is divided according to the following :

1. (87.9%) of the surveyed individuals indicated that they believe that have sufficient general knowledge in the legislative frame work and laws which are related to corruption and combating it. Only (12.1%) think that their knowledge is not sufficient and need more training in order to be able to have sufficient knowledge in such laws and regulations, which will help them in performing their prosecutorial duties in relation to corruption cases.
2. (75.8%) of the targeted group , think that they have sufficient knowledge in relation to the international anti corruption agreements to which the Kingdom is a signatory, while a considerable percentage (24.5%) said that their knowledge in this field is not sufficient and needs to be strengthened.
3. (81.8%) of the surveyed persons think that they have general sufficient knowledge in the official institutions and agencies which are entrusted in combating corruption and in receiving any complaints related to public corruption such as (the Audit Bureau, the Anti Corruption Commission, the Ombudsman, the Securities Commission). (18.2%) of the participants think that they lack sufficient knowledge in this field.
4. (81.3%) of the surveyed persons think that they have general sufficient knowledge in relation to the communication channels between the judiciary (judges and public prosecutors) from one side and the related official entities and agencies, which deal with corruption cases.
5. (78.8%) of the surveyed individuals think that they have general sufficient knowledge in relation to the National Anti Corruption Strategy ,while only (18.2%) of them think that the lack such knowledge.

Second : the Experience needed in order to work on corruption cases :

1. The actual experience in investigating corruption cases on the local level: the results showed that more than half of the surveyed persons (51.5%) , had investigated corruption cases on the local level. The rest (48.5%) of them indicated that they never investigated any local corruption cases. (41.2%) of the persons who had previously investigated corruption cases had six years or more of experience , while (42.1%) of them have (1-3) years and the rest (17.7%) have (4-5) years of experience.

2. Experience in investigating international corruption cases: only one prosecutor indicated that he had participated in the investigation of an international corruption case.
3. Needed prosecution experience in order to work at the public prosecution : (75.8%) of the surveyed individuals think that a public prosecutor has to have a practical experience in order to be able to investigate and prosecute corruption cases, while (24.2%) of the same do not think that such experience is needed. The majority of the respondents (59.2%) who said that experience is needed think that a prosecutor must have (4-5) years of experience in order to be able to handle corruption cases, while (36.3) of them indicated that they think that a prosecutor should have (1-3) years of experience and (4.5%) indicated that a prosecutor should have six or more years of experience.
4. The bench experience a prosecutor who handles corruption cases should have : (75.8%) of the respondents said that a prosecutor who handles corruption cases must have bench experience (trial judge experience) , while (24.2%) of the respondents said that such experience is not necessary. (52.3%) of those who think that such experience is necessary , indicated that such prosecutor must have (4-5) years of experience as a trial judge, while (34.8%) said that he/she shall have (1-3) years of bench experience. (12.9%) said that he/she shall have six years or more of experience.
5. Participating in specialized training programs: the vast majority of the respondents (90.0%) indicated that judges and prosecutors who handle corruption cases should be subject to specialized training sessions, while (9.1%) of them said that it is not necessary to participate in such training programs. Those who think that it is important to participate in such training programs , defined the following topics as training subjects:
 - Investigation skills in relation to investigating corruption cases and interrogation and witnesses' debriefing skills , in addition to drafting decisions and being able to see other countries experiences in relation to combating corruption. Those represent (32%) of all respondents.
 - Training courses in economic crimes and the relation between combating corruption and money laundering crimes, in addition to the powers and authorities of the public prosecutors and tax evasion. Those respondents represent (16%) of all respondents.
 - Training programs related to administrative and financial corruption in addition to abuse of public office crimes, embezzlement and specialized training programs in financial and economic issues and in relation to companies and banks. Those respondents represent (16%) of all respondents.

The most recommended training courses

Response	Number	Percentage
Investigating corruption case	3	12.0
Principles of investigation and international agreements	1	4.0
Investigation skills and international agreements related to combating corruption	2	8.0
Seeing other countries experiences related to combating corruption and the legal framework regulating such field.	1	4.0
Investigation corruption crimes, hearing witnesses, drafting decisions and viewing international experiences.	4	16.0
Focusing on anti corruption laws and combating corruption courses.	1	4.0
Legislations related to combating corruption and the administration of investigation and witnesses protection.	1	4.0
Defining the laws and the procedures applied in investigating corruption cases.	1	4.0
Training courses in economic crimes and the relation between combating corruption and money laundering crimes, in addition to the powers and authorities of the public prosecutors and tax evasion	4	16.0
Administrative and financial corruption in addition to abuse of public office crimes, embezzlement and specialized training programs in financial and economic issues and in relation to companied and banks	2	8.0
Accounting and banking in addition to administration and companies	1	4.0
Following up the trail of money and evidence	1	4.0
Specialized training in financial and economic issues.	2	8.0
How to collect evidence	1	4.0
Total	25	100.0

Third: the requirements related to working on and dealing with corruption cases:

The majority of the respondents think that certain matters and issues should be present and available in order to deal with corruption cases. Such issues are:

- 1. The vast majority of the respondents (97%) think it is very important to protect the confidentiality of the investigations in corruption cases and not to deal with the media.**

2. (93.9%) of the respondents think that it is vital to institutionalize the relation between the public prosecution and the related official and non official parties and institutions (police, banks, lands department).
3. (97%) of the respondents think it is very important to activate and enter into judicial cooperation agreements with other countries in order to organize the exchange of information related to corruption cases.
4. (84.8%) think it is important to establish a specialized court to try corruption cases.
5. (90.9%) of the respondents think it is important to have specialized judge to hear corruption cases.

Fourth: Challenges/ obstacles, recommendations / suggestions related to anti corruption efforts:

1. The suggested laws and legislation: the table below shows that the majority of the respondents (75.8%) suggest amending the following laws :

- Criminal procedures law ,
- penal code , anti corruption laws ,
- economic crimes law ,
- independence of the judiciary law ,
- money laundering law ,
- financial disclosure law and
- the anti corruption commission law

(6%) of the respondents indicated that the public prosecutors should be given legal immunity and should also be granted the authority to refer corruption cases to the competent courts.

What are the laws and legislation that you believe should be amended in order to enhance the work of the public prosecution work in relation to corruption cases?

Suggested laws and legislations	Number	Percentage
Criminal procedure law , penal code , anti corruption laws , economic crimes , independence of the judiciary law , money laundering law , financial disclosure law and the anti corruption commission law.	25	75.8
Public prosecutors' immunity and self derived work.	1	3.0
Granting the authority to refer corruption cases to the attorney general or to the public prosecution	1	3.0
Not specified	6	18.2
Total	33	100.0

2. The challenges and obstacles which face the public prosecution : the table below shows that there are many challenges and obstacles which faces the public prosecution in performing its duties and functions. The most important of such challenges are the difficulties facing the public prosecution in dealing with the official bodies and departments in order to obtain the needed information. Follows are some of the challenges which were defined by the respondents :

- Confidentiality in relation to investigations and the public opinion pressure.
- Interference in the public prosecutors functions by the related parties.
- Dealing with the state’s various entities in order to obtain the necessary information.
- External pressure and interferences in addition to the lack of coordination between the public prosecution and the official entities which combat corruption.
- Social pressures and interference
- The public prosecution should have full freedom in relation to how to deal with the investigation.
- Information collection, expertise and how to deal with the media.
- Electronic connection with the related parties and institutions.
- Administrative and technical challenges
- The challenges related to apprehending the suspects in corruption crimes and the delays associated with apprehending those who are out of the country. The lack of judicial cooperation and extradition agreements with some countries.
- The lack of sufficient financial and material resources and the lack of sufficient specialized administrative staff.
- Lack of independence - the presence of the anti corruption commission.
- The lack of cooperation by the other related entities and parties.
- The lack of cooperation by the security apparatuses
- The absence of a specialized body which could collect evidence without delays.
- Not specified

What are the challenges and obstacles which face the public prosecution in investigating and dealing the corruption cases ?

Challenges and Obstacles	Number	Percentage
Confidentiality in relation to investigations and the public opinion pressure.	3	9.1
Interference in the public prosecutors functions by the related parties.	1	3.0
Dealing with the state’s various entities in order to obtain the necessary information.	7	21.2
External pressure and interferences in addition to the lack of coordination between the public prosecution and the official entities which combat	1	3.0

corruption.		
Social pressures and interference	2	6.1
The public prosecution should have full freedom in relation to how to deal with the investigation.	1	3.0
Information collection, expertise and how to deal with the media.	1	3.0
Electronic connection with the related parties and institutions.	1	3.0
Administrative and technical challenges	2	6.1
The challenges related to apprehending the suspects in corruption crimes and the delays associated with apprehending those who are out of the country. The lack of judicial cooperation and extradition agreements with some countries.	1	3.0
The lack of sufficient financial and material resources and the lack of sufficient specialized administrative staff.	2	6.1
Lack of independence - the presence of the anti corruption commission.	1	3.0
The lack of cooperation by the other related entities and parties.	1	3.0
The lack of cooperation by the security apparatuses	1	3.0
The absence of a specialized body which could collect evidence without delays.	1	3.0
Not specified	7	21.2
Total	33	100.0

3. The tools and methods that should be available to the public prosecution : the most important tool that should be available to the public prosecution, according to the respondents, is the establishment of a specialized judicial police force to assist the public prosecution and the opening of communication channels with the other related institutions in addition to the enactment of a unified law which regulates the public prosecution functions and responsibilities. They also added the following :
- Granting the public prosecution the authority and ability to work independently and in a transparent way, in addition to granting it the freedom to use all the available tools.
 - Granting the public prosecution the authority to be able to review and be aware of all the procedures related to the initial investigations done by the police .
 - Providing the needed security and safety measures in addition to a specialized apparatus to deal with such cases
 - Confidentiality and cooperation with all related persons and entities.

- The availability of governmental cars and the assistance provided by the security units such as the police
- The relationship with the police and companies in addition to communication with the borders/customs and airport authorities.
- Providing the public prosecution with specialized units and connecting it with the other related official parties and institutions.
- Being able to obtain information and evidence in an easy way.
- Providing the public prosecution unit which investigates corruption cases with a specialized cadre in addition to experts in the area of finance.
- The establishment of a specialized judicial police force in order to assist the public prosecution in dealing with such cases in addition to the creation of communication channels with the related official parties. The enactment of unified law which regulates the functions and works of the public prosecution.
- The electronic connection with other official related parties and institutions

What are the tools and methods which shall be available to the public prosecution?

Tools and methods	Number	Percentage
Granting the public prosecution the authority and ability to work independently and in a transparent way in addition to granting it the freedom to use all the available tools.	3	9.1
Granting the public prosecution the authority to be able to review and be aware of all the procedures related to the initial investigations done by the police .	1	3.0
Providing the needed security and safety measures in addition to a specialized unit to deal with such cases	1	3.0
Confidentiality and cooperation with all related persons and entities.	1	3.0
The availability of governmental cars and the assistance provided by the security apparatuses' such as the police	1	3.0
The relationship with the police and companies in addition to communication with the borders and airports authorities.	1	3.0
Providing the public prosecution with specialized units and connecting it with the other related official parties and institutions.	4	12.1
Being able to obtain information and evidences in an easy way.	1	3.0
Providing the public prosecution unit which investigate corruption cases with a specialized cadre in addition to experts in the area of finance .	4	12.1
The establishment of a specialized judicial police force in order to assist the public prosecution in dealing with such cases in addition to the creation of communication channels with the related official parties. The enactment of unified law which regulates the functions and works of the public prosecution.	6	18.2
The electronic connection with other official related parties and	1	3.0

institutions		
Not specified	9	27.3
Total	33	100.0

4. The most common corruption cases

Define the most common corruption cases from your own point of view ?

The most common corruption crimes	Number	Percentage
Abuse of public office , administrative corruption , misuse of public funds , embezzlement and money laundering	25	75.8
Tampering with the contracts concluded by the state	1	3.0
Favoritism and imposters	1	3.0
Public shareholding companies	1	3.0
Not specified	5	15.2
Total	33	100.0

5. The requested training programs : the most requested training programs are those programs related to Investigation skills and methods, evidence collection, hearing witnesses and interrogations in relation to corruption cases and viewing other international experiences and holding advanced training courses related to the legal and administrative aspects of corruption , in addition to specialized training courses related to the anti corruption laws and agreements and holding a joint training session between the judicial police and the public prosecution in order to discuss how to develop the work and cooperation between the two parties.

**What are the training courses that should be covered in the future training program on anti corruption
(subjects , investigation methods and skills and evidences collection)**

Suggested training subjects	Number	Percentage
Investigation skills and methods, evidences collection, hearing witnesses and interrogations in relation to corruption cases.	15	40.4
Viewing other international experiences and holding advanced training courses related to the legal and administrative aspects of corruption.	1	3.0
Specialized training courses related to the anti corruption laws and agreements	1	3.0
Identifying the types of corruption and how it is committed, the collection of evidences and weighing such evidences.	1	3.0
Following up the trail of money and how to communicate with other	1	3.0

official parties.		
How to deal with persons of interest and suspects.	1	3.0
Holding a joint training session between the judicial police and the public prosecution in order to discuss how to develop the work and cooperation between these two parties.	2	6.1
Public awareness in violation of the duties and functions of the public prosecutors.	3	3.0
Underfunding , tampering with the contracts concluded by the state in addition to Favoritism and imposters and the corruption in public shareholding companies	4	12.0
Not specified	10	30.3
Total	33	100.0

Day Two

09:30 – 10:00 am		
Arrival and Registration Coffee Break		
10:00 – 11:30 am	Case study(B) continued Case study (C)	<ul style="list-style-type: none">• Emery Adoradio (Rule of law project consultant)
11:30– 11:45 am		
Coffee Break		
11:45 – 1:15 pm	<ul style="list-style-type: none">- Case study (C) continued- Case study (D)	<ul style="list-style-type: none">• Emery Adoradio (Rule of law project consultant)
01:15 – 01:30 pm		
Coffee Break		
1:30 – 3:00 pm	<ul style="list-style-type: none">- Case study (D) continued- COMMENTARY	<ul style="list-style-type: none">• Emery Adoradio (Rule of law project consultant)
03:00 pm	Lunch and leaving	

Tentative Study Tour Schedule

Tuesday – June 11 –

Arrive New York City (afternoon)

Group meets at hotel (evening)

Wednesday – June 12

Manhattan District Attorney's Office (morning/afternoon) (local – county)

Investigations Division:

Police Corruption

Public Corruption

County Court visit (afternoon)

Thursday – June 13

United States Attorney's Office – Southern District – New York (morning)

Public Corruption Unit

United States Attorney's Office – Eastern District – New York (afternoon)

Public Corruption Office

Friday – June 14

United States Attorney's Office – New Jersey

Saturday – June 15

Enjoy New York

Sunday – June 16

Travel – New York to Baltimore (via Inner Harbor?)

Monday – June 17

Maryland State Special Prosecutor's Office (Morning) (State-wide agency)

Travel to Washington (afternoon)

Tuesday – June 18

State’s Attorney’s Office for Montgomery County (morning)

Montgomery County Inspector General’s Office (afternoon)

Wednesday – June 19

Public Integrity Section – Department of Justice (morning)

Inspector General’s Office (afternoon)

Thursday – June 20

DOJ

Friday – June 21

Capitol Hill

Supreme Court

Congress

White House

The Mall, etc

Depart – timing to be arranged.

Justice Sector Donors Coordination Meeting

Wednesday 20 March 2013

10:00 – 12:00

ROLP Offices – Sweifieh, Amman

Agenda

1. Welcome
 - a. Robert L. Dean – Chief of Party – ROLP
 - b. George Kara'a – USAID
 - i. Introduction of Assessment Team
 - c. Isabelle De Goussencourt – European Delegation
2. Project and Organizational Programming Updates and Outlook
 - a. Mika Raatikainen - Twinning Project – Anti-corruption Commission
 - b. Ian Lankshear – SCJRJ
 - c. Torben Adams – SPRJ
 - d. Amjad Al-Adarbeh – UNODC
 - e. Robert Dean – ROLP
 - f. Further Presentations
3. Discussion – Questions, Issues, and Concerns
4. Next Meeting

Justice Sector Donors Sub-Group Meeting

Minutes

*Wednesday – 20 March 2013
10:30 A.M. – 12:30 P.M.
ROLP Offices – Sweifeih, Amman*

Present:

1. Robert Dean – ROLP
2. Nabil Isifan – ROLP
3. Alvaro Nieto – Embassy of Spain
4. Amjad Al-a'darbah – UNODC
5. Geroge Kara'a – USAID
6. Michel Coat – French Embassy
7. Torben Adams – EU/SPIJ
8. Mika Raatikainen – EU/Twinning Project w/ ACC
9. Isabelle DeGoussencourt – EU Delegation
10. Maxmilian Rasch – German Embassy
11. Stephen Terravecchia – USAOD
12. Ian Lankshear – EU/SCJIJ

Guests: USAID Assessment Team/Rule of Law and Anti-corruption

1. The meeting was called to order at 10:30 AM. The Agenda was distributed prior to the meeting (a copy is attached hereto - **attachment 1**). ROLP COP Bob Dean welcomed those in attendance and called the meeting to order at 10:30 AM. Those present introduced and identified themselves. In addition to the members of the sub-group, three members of the USAID-sponsored Assessment Team for Rule of Law and anti-corruption were present. Mr. Kara'a introduced the Assessment Team and explained the reason for their visit and encouraged individual follow-up meetings with the Assessment Team as needed. During the presentations from the various projects which followed, the Assessment Team asked questions and received clarifications and explanations from the various project representatives.
2. **Mr. Kara'a** announced that today's meeting would represent the first formal session of what is to be known as the Justice Sector Donor's Sub Group. By consensus Isabelle DeGoussencourt assumed the role of Chairperson. The group decided that minutes should be taken and Mr. Dean agreed to serve as reporter.
3. **Ms. DeGoussencourt** reviewed the EU sponsored projects and provided an overview of the EU Budget support plan of 30 Million Euro and the benchmarks needed for the funding stream to activate and proceed with the budget support.
4. **Ian Lankshear** provided an overview of the Support to Criminal Justice Improvement in Jordan and distributed a set of prepared notes (a copy attached hereto – **attachment 2**) outlining the activities of the five work streams defined in their work plan. These are as follows: (1) Criminal Justice strategy; (2) Prosecution; (3) Alternative Sentences; (4) Legal Aid; and (5) a Road Map of all key points in the criminal justice process. The outputs and expectation for each work stream listed were reviewed. Mr. Lankshear noted that his 30 month project is now at its half-way point.
5. **Mika Raatikainen** – Reviewed the four key components of the Anti Corruption Commission Twinning Project: (1) Enhance the operations and administration of

- ACC; (2) Prevention steps; (3) Public Awareness; (4) and law enforcement. He reviewed the program's various activities which included legislative analysis, trainings, international cooperation, witness protection, asset tracing, case management, seminars, a regional conference, and recent study tours to Lithuania, Romania, and Latvia.
6. **Torben Adams** – Reviewed the activities of the 3 year project – Supporting Penitentiary Improvement in Jordan which is now in its second year. Mr. Adams discussed recruitment efforts, trainings, efforts with civil society, particularly in the area of post-release employment. He discussed efforts to establish prison industries, working with Penal Reform International, programs for released inmates support to address recidivism, and working to strengthen the relationship between MOJ and MOI. Prisons in Jordan are under the authority of the MOI. Police are assigned a corrections officers. Mr. Adams feels that there should be separate and specialized career paths for professional corrections officers under MOJ authority. Some inroads are being made for a professional career path for corrections officers with a new program awarding diplomas for corrections studies. 20 students have received such diplomas to date. Also being considered are the prospects for some form of community release which overlaps to some extent with the SCJII.
 - a. Pre-trial detention discussed. 44% of all inmates are
 - b. Noted overlap between effort for alternative sentences – SCJRJ
 7. **Amjad Al-Adarbah** of the UNODC juvenile justice project– EU and German funded –noted the four key areas of his project's work: (1) Juvenile Code; (2) Increase Capacity of Courts with CCTV; (3) Training to improve capacity of Prosecutors and Judges in Juvenile Justice; (4) and Monitoring system for juveniles.
 8. **Bob Dean and Nabil Isifan** reviewed the activities of the ROLP. The noted the continuing work with the Judicial Council and its Administrative Units including the Media and Communications Unit; the development of the *Judicial Authority Strategy for 2012-2014*, the impending release of the *Judicial Council Annual Report 2012* and the first Cassation court Quarterly Gazette of recent judgments. They also reviewed the prosecution focused efforts on training (anti-corruption, crime scene management, forensics, investigative skills, and human trafficking) and office upgrades and enhancements. ROLP is sponsoring a prosecution based study tour of the US in June which has a theme of prosecution based anti-corruption models in local, state, and federal agencies. Other activities noted were the Execution of Judgments pilot project (Zarqa and West Amman Courts) and the Judicial Inspection Unit workshop and procurement.
 9. **Maxmilan Rasch** - German Embassy — Mr. Rasch reviewed the various activities supported by the German Government including: Support to the Constitutional Court involving a Study Tour and drafting assistance; work on political parties law and the elections law; police support projects involving criminal investigations divisions; material support to police and family protections unit; academic training in Germany; study tours (family protections and intellectual property rights); and administrative law training sessions.
 10. All agreed to plan for the next meeting in late June. Isabelle will advise on this. ROLP offices are available for the meeting locations.

Performance Indicator Summary

#	Indicator	Achievements in 2013				Cumulative Target for 2013	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. This indicator is no longer applicable as the survey activity has been cancelled.
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).	160				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.	4				18	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).	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				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.	1				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.	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 PMP).	21308				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.	100%				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.	0				5	This indicator will be reported in every quarterly report.

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 2013				Cumulative Target for 2013	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 no longer applicable as the survey activity has been cancelled.
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).	160				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.	4				18	This indicator will be reported in every quarterly report.
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1.2	Number of strategies, plans and assessments designed to increase transparency and accountability, and sponsored by the judiciary.	1				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.	1				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.	0				3	This indicator will be reported in every quarterly report.
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3.1	Percentage of recommendations from the Prosecution Improvement Implementation Plan which the Judicial Council agrees to implement.	100%				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.	0				5	This indicator will be reported in every quarterly report.