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KOSOVO EFFECTIVE RULE OF LAW PROGRAM

Quarterly Progress Report



Students visit EROL's exhibit booth at the USAID 15th Anniversary event in Ferizaj.

**Year 4 Quarter 1
(April 1 – June 30, 2014)**

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INTRODUCTION

This document describes USAID Kosovo Effective Rule of Law Program (EROL) progress on completion of Year 4 activities and deliverables and expected contributions to life-of-program results during the period Quarter 1 (April 1, 2014 through June 30, 2014). The report also highlights selected project activities, outputs, results, successes, challenges, and opportunities, and provides a snapshot of project accomplishments and the status of milestones as of the beginning of Year 4, Quarter 1, and includes planned work for Year 4, Quarter 2.

The purpose of the USAID Kosovo Effective Rule of Law Program (EROL) is to build upon USAID's prior activities to advance the rule of law in Kosovo. Specifically, EROL seeks to:

1. Strengthen the independence, accountability, efficiency, and effectiveness of the justice system; and
2. Bolster public confidence in the rule of law by increasing public knowledge of and participation in the justice system

The four objectives of the EROL project are to assist justice-related institutions in Kosovo to:

- i. Improve the effectiveness of justice sector institutions
- ii. Increase the efficiency of court operations
- iii. Improve the professionalism of justice system actors
- iv. Increase citizen awareness and role in ensuring the delivery justice

This report is broken down into the following sections:

- Summary of program progress to date and program highlights
- Description of the context within which EROL is carrying out activities, and both challenges and opportunities that might hinder progress or allow EROL to accelerate activities or deepen interventions to enhance results
- Component and sub-component activities broken down by the four programs (see above)
- Brief description of steps taken to ensure environmental regulatory compliance
- Updated information on the status of budget expenditures.

Following the main body of the report is a set of appendices that show the various deliverables, trainings, charts, and PMP scorecards.

PROGRAM PROGRESS AND HIGHLIGHTS

At the close of the first quarter of EROL's final project year, only three court refurbishments remain. EROL has successfully renovated 13 courts since its first – the Court of Appeals in 2012; by the project's end, all citizens and court staff – including those with disabilities - will have access to a court meeting international model standards in every corner of Kosovo.

This quarter, EROL showcased the model courts during activities celebrating USAID's 15 years in Kosovo. EROL staffed events in eight Kosovo municipalities, including Zubin Potok, a majority Serbian community in the north where EROL had not reached before due to political sensitivities. EROL conducted court tours and moderated discussion panels in four courts, and in Peja, EROL hosted a discussion at the new law faculty featuring USAID Mission Director Maureen A. Shauket and Peja's president judge. More than 70 law students attended, vigorously questioning the panel on the rule of law in Kosovo, and job opportunities for new lawyers.

EROL's institutional partners benefited significantly from EROL technical assistance this quarter, particularly in completing long-term projects. The KJC's completion and adoption of its five-year strategic plan was in large part made possible by EROL's steady and persistent technical assistance. Apart from the drafting and editing process, the KJC called

upon EROL several times for support, for substantive input or simply to keep working group on task. EROL provided similar assistance to another KJC working group finalizing a communications strategy. The strategy had stalled under the KJC public information officer's supervision, but with EROL's intervention, the plan was completed and will be submitted to the council in Quarter 2. By the end of June, the council's work on regulations and sub-legal acts slowed somewhat through the Normative Committee. EROL shifted gears and began targeting and prioritizing regulations and sub-legal acts, specifically preparing initial drafts to relieve the committee's bottleneck. EROL will continue driving action on regulations through the committee in Year 4 – a process that may become more and more difficult if the Assembly fails to select council members to fulfill a quorum by the end of August.

At the KPC, support was checked somewhat this quarter by the council's preoccupation with the election of a new chief state prosecutor/council chair. EROL provided input on the regulation to select the new office holder, and by the end of June, a new chief/chair was selected¹. EROL will re-double efforts next quarter with its KPC counterparts, EULEX, Human Dynamics and other donors to urge council's adoption of its strategic plan.

EROL's work with the MOJ and the Office of the President included a series of three workshops that drew one of EROL's largest groups of high-level participants from the court and the ministry's Department of International Legal Cooperation. (DILC). Led by an EROL advisor, more than 70 judges and DILC staff for the first time debated and discussed their roles and challenges fulfilling international requests for service of documents and evidence, a vexing area of compliance in absence of Kosovo's bi-lateral agreements with neighboring or European states. At the President's Office, EROL support turned from training to updating reference materials for the president's legal advisors. EROL will complete a guide to legislative review of Assembly acts by the end of Year 4.

EROL coordinated several of its components to constitute a working group on case flow management, and design of a new curriculum for its instruction in the courts and at KJI. EROL dedicated considerable effort to assembling the group, whose membership includes the KJC, KJCS, KJI, an EU legal education project and the Norwegian-funded CMIS project. The CMIS project manager has fully endorsed the curriculum as a critical piece of the future case management information system. The working group's efforts, with substantial EROL assistance, will culminate in an institutional framework supporting uniform court administration practices in Kosovo, aimed at tackling backlog and current case disposition.

Although progressing, backlog reduction remains problematic for Kosovo's courts. The EROL-developed database has provided court staff reliable data on current and backlog cases, and well before this quarter, courts relied on the database to report statistics to the KJC. In Quarter 2, EROL drew upon the database to dig deeper into backlog analysis in four courts. The numbers were not necessarily surprising, but along with judicial interviews they revealed that before judges eliminate backlog, many of their administrative responsibilities must be eliminated as well. EROL adjusted course this quarter, moving toward that objective by laying the groundwork for two pilot projects in two courts engaging EROL-supported professional associates.

"I myself have benefited in the past from the expertise and training provided by USAID projects – especially as they relate to case flow. Knowing I have a team of young and motivated, yet inexperienced local lawyers who must come up to speed quickly, it is enormously beneficial to me to be able to partner with EROL and expose my team to training and development opportunities I could not otherwise provide. The Kosovo judicial system will benefit twofold from this collaboration." Edis Brkic, KJC CMIS project manager.

¹ As of this report's writing, two candidates who were not short-listed as the finalists for chief state prosecutor filed challenges to the selection of the new chief state prosecutor with the Constitutional Court. The court on July 8, 2014 found in the two applicants' favor, and ordered KPC to repeat the election process.

The professional associates will test the hypothesis that by reducing judges' administrative workload – including simple case review and research - the legal associates will be able to dispose of cases quickly in collaboration with judges. The pilots will begin early in Quarter 2, and run through the end of the project. If successful, they will serve as a tested and effective model for future USAID backlog reduction initiatives.

In addition to contributing to courts' backlog reduction and case flow management, EROL focused on building KJI's organization's faculty capacity to train judges and prosecutors. EROL conducted programs strengthening KJI faculty teaching methodologies, and faculty leadership skills. EROL also made considerable progress on the KJI's Benchbook Initiative. With assistance from an EROL advisor, two working groups of judges completed significant contributions this quarter, during workshops and virtually via a shared workspace. The judges and their advisor will continue writing and editing under strict deadlines with clear goals to complete the civil and criminal benchbooks by December 2014.

Last year, EROL assisted counterparts with a host of databases and technology projects – including two MOJ departments, the KJI, the KPC and the KCC. This quarter, EROL continued supporting counterparts' technological advancement, notably with a web portal at the KJC, and an upgrade for the KCC's case management tracking database. With significant EROL guidance, the KJC has made considerable progress toward a web portal that will for the first time provide researchers with a single point of access to information for the KJC and all of Kosovo's courts. EROL continued working this quarter in Gjilan, with the pilot court developing content modules for all other courts. This iterative process is a deliberate one, but will prove sustainable with a friendly portal largely designed by its end-users, contributing to public access while satisfying EU transparency requirements. At the KCC, EROL worked closely with IT staff and the court's chief legal advisor to write and RFP upgrading a case tracking database staff had outgrown. EROL selected a local vendor through a competitive process, and will begin mapping out the system's new requirements early in Quarter 2.

Public access to court information remained a top EROL priority in Quarter 1, especially working with the court and KJC public information officers (PIOs), the new Forum of Women Judges and Prosecutors and minority communities. Having already introduced PIOs to the basics of public and media relations, EROL this quarter departed from traditional group workshops to one-on-one consultative sessions with PIOs, many of whom are moving into their second year with the courts. EROL's advisor individually critiqued PIOs work products, and counseled PIOs on strengthening their relationships with court presidents. The Women's Forum also advanced its media strategy with EROL's assistance – this quarter it selected a logo to carry its "brand" to the public, and began establishing a social media presence. EROL also held meetings at law faculties and minority communities, having hosted more than 400 students during sessions on the new court structure and careers in law since the beginning of the project.

As part of EROL's support to the USAID Forward program, EROL continued assistance to ATRC's sub-grantees. EROL this quarter provided ATRC significant support developing a questionnaire to assess sub-grantee training needs. Results compiled by EROL and ATRC revealed sub-grantees' need for additional assistance in report writing and presentation. EROL this quarter developed a public and media relations workshop for sub-grantees to improve its presentation of court monitoring results to the media and public. EROL will conduct the workshop early in Quarter 2.

CONTEXT: CHALLENGES & OPPORTUNITIES

Looming on the immediate horizon is a critical issue: the KJC could be unable to act due to a lack of quorum, and therefore without the authority to fulfill its legal obligations. Long suffering from the Assembly's inability to seat two vacant positions for two years, the council now faces an possible emergency situation because the mandates of three additional members will expire by August 31. The Constitution requires all five vacancies to be filled by the Assembly, but the Assembly was dissolved this quarter, in anticipation of elections held in June. The new Assembly will not be constituted until mid-September at the earliest, so there will almost certainly be a period that the council will be unable fulfill critical competencies such as the appointment and evaluation of judges, and adoption of regulations and other sub-legal acts.

Early in the quarter, the KJC chair and director of the secretariat acknowledged the gravity of the quorum issue, and asked for EROL assistance. EROL led efforts to ensure that the Assembly moves on new appointments as soon as possible by assisting the judiciary with developing a slate of candidates who meet constitutional requirements for the vacant seats. The list will be provided to the Assembly's secretary in July with a letter urging prompt action. EROL, in coordination with the KJC, EULEX and the EU Office in Kosovo, will do everything possible to educate the Assembly as to the severity of the problem and induce it to act as soon as possible to fill the vacancies. Against the backdrop of the council quorum uncertainty, the courts face 60 judicial vacancies.

Another challenge EROL identified that affected backlog reduction is somewhat conflicting instructions from the National Backlog Reduction Strategy and a Supreme Court circular, particularly as they try to prioritize how to handle cases. The circular provides that courts process cases in a "first in, first out" manner. Some courts consider the circular a mandate, to the exclusion of any other considerations such that they might dispose of cases otherwise in a more efficient manner.

EROL has identified additional opportunities to accelerate backlog reduction. Early in Quarter 2, EROL will implement teams of professional associates in two pilot courts to test whether associates can quickly review case files for disposition. An EROL analysis detailed in Section 2.1 of this report revealed that many backlog cases can be closed quickly due to statute of limitations, or for other administrative or procedural reasons. The pilot teams will attack these types of cases in particular so that judges focus on more substantive cases.

EROL has also convened a working group of counterparts and the Norwegian-funded CMIS team to analyze case flow and create a new curriculum that will be used throughout the courts and in KJI training (more detail is provided in Section 2.1). A uniform and improved case processing curriculum, as well as the pilot backlog teams, is a two-pronged approach with potential for success despite mixed instructions from the national backlog strategy and Supreme Court.

The situation remains the same at the MOJ State Advocate's office. EROL continues to be ready to provide technical assistance to the State Advocate once he or she is appointed and the office staffed; however, there was no further progress toward such an appointment this quarter.

Through last year, KJI's Benchbook Initiative had shown only mediocre progress with relatively few contributions from the civil and criminal judge/authors working groups. This quarter, the EROL advisor jump-started the authors work during several sessions at the KJI, and virtually via a shared Google workspace. The judges by the end of June were on track to meet July deadlines, when the advisor will return to the KJI for further consultative evaluations and meetings.

While EROL's work with court public information officers continues to show measured advances, the Public Information and Protocol Office within the KJC continues to lag behind, with only one public information officer and protocol officer serving the entire organization. There is no shortage of negative and many times inaccurate KJC news in the press; accordingly, EROL took affirmative steps this quarter to drive completion of the KJC's strategic communications plan, its first line of defense in consistent crisis communications. EROL will continue to focus particular attention on the KJC PIO, and executing the communications plan in Quarter 2.

ACTIVITIES

OBJECTIVE 1: EFFECTIVE OPERATIONS OF JUSTICE SECTOR INSTITUTIONS

1.1 KOSOVO JUDICIAL COUNCIL

With considerable EROL assistance, the KJC achieved a notable accomplishment in Year 4, Quarter 1 – the council approved and adopted a five-year strategic plan. The KJC also substantially completed the design of a new judicial web portal, and accomplished a communications strategy. In addition to these successes, the council adopted several

regulations and sub-legal acts – with many more to be completed – and worked with EROL to develop plans for two EROL-supported pilot backlog reduction teams to work in the Gjakova Basic Court and the Podujevo Branch Court, beginning Quarter 2 under EROL supervision.

The KJC strategic plan for the judiciary was successfully adopted after working side-by-side with EROL for months on the document's drafting and review. The comprehensive plan filled a year-long gap between it and the previous plan; the new strategy was crafted with contributions and investment from all significant representatives of the judiciary and civil society. The plan became effective in June, with responsibility for monitoring implementation by a new employee position created specifically for that purpose. This new post should be filled early Quarter 2.

Substantial work continued this quarter on the judiciary's new web portal. The KJC, EROL and the vendor developing the portal met several times during Quarter 1 to map the site's pages, identify content and begin working on policies governing the site's use. Because each court will be responsible for updating its pages, early on, EROL with agreement from the KJC designated the Gjilan Basic Court as a pilot site so that its work will be used as a model for the other six basic courts. EROL met for several weeks in Gjilan with small group of court staff, including its public information officer, to identify content and just as importantly, identify who would be responsible for keeping content updated. When it is complete, the web portal will include basic information for each court, the council and the secretariat, such as contact information, hours and services, and judicial biographies. The portal will also include real-time job postings, court hearing and trial schedules, and select court decisions. By the end of Quarter 1, the portal's design was for the most part finished, and on schedule for launch by the end of Quarter 2. Throughout the design process, EROL and the KJC took care to comply with all laws protecting personal privacy rights and requiring public dissemination of information. EROL will ensure these requirements are reviewed and understood during web portal training for court and secretariat staff.

EROL along with the KJC engaged in a series of meetings this quarter with a working group to finalize a communications strategy for the courts and the KJC. The working group included court and KJC public information officers. The strategy is encompassed in regulations and instructions which will be submitted to the council for approval and adoption. The instructions outline obligations for court staff (particularly PIOs) in using modern media technologies and public relations best practices to ensure that Kosovo's court system is accessible and responsive to the public.

In addition to the National Backlog Reduction Strategy adopted by the KJC in Year 3, this quarter EROL proposed an initiative consisting of two teams working in two different courts to review backlog case files, research issues and draft a status memo for the judge assigned to the case along with a recommended order. Two courts were selected as pilot sites – these courts and the KJC have approved the pilots. Teams expected to begin work early in Quarter 2. If this initiative is successful in significantly reducing backlog, it may be expanded to other courts during the remainder of Year 4. More detail on these new backlog teams is provided under this report's section 2.1.

EROL was invited to join a working group in Quarter 2 established by the KJC to develop a plan including appropriate regulations and instructions for delegating certain administrative competencies from the secretariat to the basic courts. This process is sensitive due to civil service issues and time consuming, and is likely to last beyond EROL; however, EROL expects significant progress throughout the remainder of Year 4.

Even though rule-making is the core function of the council, by the end of June 2014, the KJC had yet to adopt a number of regulations and other sub-legal acts. Among other reasons, simply the slow process of moving these acts from initial drafting through the Normative Committee to the council impeded the council's action. Based on discussions with the secretariat, EROL began targeting regulations and sub-legal acts on transfer of judges, proposing and appointing and removing president and supervising judges, and policies for training of judges, lay judges and administrative staff and preparing initial drafts for the Normative Committee's evaluation. This process should be complete early in Quarter 2, and EROL expects to address several others during the remainder of Year 4. The process involves initial discussions with the

key persons in the KJC to give policy direction, and then preparing drafts for the Normative Committee. Another sub-legal act that EROL will continue to evaluate through the next quarter is the existing judicial code of ethics. Some small and one significant change will be necessary to bring the code to compliance with best international practices.

During this reporting period, EROL maintained its excellent relationships with other international advisors, EULEX and Human Dynamics. EROL and these advisors have worked together collaboratively in order to implement common goals and to avoid duplication of efforts. EROL continues to be committed to maintaining these collegial relationships, and drawing upon these relationships when appropriate, especially concerning the council's quorum issue.

1.2 KOSOVO PROSECUTORIAL COUNCIL

EROL work with KPC was limited this quarter in large part by the council's election of a new chief state prosecutor/council chair, as the current office holder will retire in August. The election process consisted of preparing a regulation on the selection of the new prosecutor/chair, and implementing the process. EROL was invited to provide input on the regulation. The election process went according to plan, leading to selection of a new chief state prosecutor/council chair.²

Adoption of the KPC's strategic plan stalled because of the election. With a new chief state prosecutor in place, EROL will approach the council in early Quarter 2, along with Human Dynamics, to review the existing draft and prepare it for submission to the council for adoption.

As with the KJC, EROL continued its strong collaborative relationships at the KPC with other international advisors, including EULEX and Human Dynamics.

1.3 MINISTRY OF JUSTICE

Judicial cooperation in civil matters aims to accomplish closer collaboration between state authorities, and in Kosovo's case, increasing that cooperation also brings the country closer to satisfying requirements for EU membership. EROL this quarter offered its third in a series of workshops on international cooperation in civil matters for the MOJ's Department of International Legal Cooperation (DILC) and judges from all levels of the judicial system. The training sessions were among the largest EROL has offered to date – more than 70 judges from courts in all parts of the country attended, as well as nearly the entire DILC staff.

The DILC's director co-taught workshops with EROL's advisor. The workshops built upon EROL's previous training in this area, but this time instruction extended beyond the basics of legislation and procedure, and included valuable contributions from the perspective of the bench. Participants discussed critical issues such as consistency and responsiveness to international requests, especially in terms of fulfilling service of documents when translations are needed. Presentations included current processes of recognition and enforcement of foreign court judgments, authenticating documents, timely service of documents and taking of evidence. The advisor, a recognized expert in the region, also discussed compliance with the Hague Conventions on matters of international legal cooperation. At the end of

² As of this report's writing, two candidates who were not short-listed as the finalists for chief state prosecutor filed challenges to the selection of the new chief state prosecutor with the Constitutional Court. The court on July 8, 2014 found in the two applicants' favor, and ordered KPC to repeat the election process.

the training, participants agreed that communication between their institutions - the MOJ, KJC and the courts - was essential to fulfilling international legal requests. They also agreed that the KJC's administrative support was necessary in terms of translations of documents and key international treaties, and drafting uniform templates. A manual EROL had authored for previous training was updated and continues to serve as a useful reference tool for DILC staff and judges. Next quarter, EROL will continue to work with the DILC on a concept paper for the Assembly as a precursor for new legislation clarifying recognition and enforcement of foreign court judgments, particularly given the fact that Kosovo to date has yet to sign bilateral agreements regarding this subject with neighboring states.

EROL this quarter also continued preliminary plans to provide technical assistance to the SAO on various levels once the state advocate is appointed and the office staffed. Plans include drafting and enactment of SAO regulations, development of case management and database capabilities, development and presentation of an orientation program for SAO staff, and a trial advocacy skills training program for SAO attorneys. As of the end of this quarter, the state advocate had not been appointed.

1.4 OFFICE OF THE PRESIDENT OF THE REPUBLIC OF KOSOVO

For the past three years, EROL support to the president's office legal advisors focused on strengthening communication between the advisors and the KJC and the KPC regarding judicial and prosecutorial appointments. EROL also included the legal team in training improving drafting of regulations and decrees. In Year 4, Quarter 1, EROL's approach shifted to developing resources for the president's office sustaining best practices and lessons learned from prior legal drafting seminars and workshops.

EROL worked with the president's office this quarter preparing a guide on legislative review of the laws enacted by the Assembly. The guide is a framework of constitutional and policy aspects that will assist the president's legal advisors counseling the president whether to promulgate the law, or return it to the legislature for reconsideration. A version of the guide is now available, but EROL will hold a series of meetings with the president's advisors to draft specific, more extensive content, taking into account a decision by the Kosovo Constitutional Court regarding the manner in which the president's offices reviews legislation to avoid any constitutional interference with the mandate of the Assembly. This guide will assist the legal staff in conducting a more coherent and in-depth analysis of the laws, including their compliance with rule of law principles and human rights standards. The legal advisors will thus be able to provide the president consistent recommendations regarding law promulgation in line with Kosovo's Constitution.

OBJECTIVE 2: INCREASE THE EFFICIENCY OF COURT OPERATIONS

2.1 ASSESS AND AMEND MODEL COURTS PROGRAM STANDARDS AND PROCEDURES

The project continued focus on analyzing and reducing court backlog while addressing current case load, and in particular, case flow processes. EROL this quarter devised a dual approach to accelerate case disposition. First, EROL conducted a thorough backlog analysis in four courts. From those assessments grew a plan to position special teams of legal associates in two pilot courts for immediate disposition of some backlog cases. Second, EROL successfully launched a Court Administration Working Group to develop a core competency curriculum providing courts with a uniform and workable process for disposition of current and backlog cases. This two-prong approach aims for sustainable changes to existing backlog reduction processes that have to date defied the courts and the National Backlog Reduction Strategy.

Backlog Reduction. EROL completed a comprehensive backlog analysis in four basic courts. EROL facilitated in a case-by-case review with court staff in Peja, Ferizaj, Gjakova and Gjilan - both civil and criminal cases were included, although the majority of the backlog existed in civil cases. Every case file was reviewed to determine whether the EROL-developed database reports included correct and complete case data, as well as the type of dispute and most recent actions taken to

date. Cases were then sorted by dispute and last action taken. The analysis revealed several similar trends among all four courts:

- Property disputes and damage compensation claims generally represent more than 80% of the backlog.
- Courts actively process only 35 – 45% of their cases; the remainder is largely inactive. The analysis revealed that in some instances the courts had never taken a single action on cases as old as 2002.
- Judges with significant workloads (500 or more cases) generally were not aware of the number of their active docket cases; significantly, they did not know how many cases had not been acted upon at all.
- Courts are in dire need of efficient case processing mechanisms allowing administrative staff to track cases, relieving judges of administrative tasks.

These results informed EROL's decision this reporting period to focus significant time and training on a court administration curriculum. The analysis also drove home the need for more assistance to judges for routine administrative tasks that can consume upwards of 60 – 65% of their time. And, results further supported EROL's proposal to develop pilot backlog reduction teams in two courts under a proof concept initiative – that judges with proper administrative and legal support can be more efficient, and will resolve a much greater number of cases day-to-day.

EROL plans to implement two backlog reduction teams, one in the Gjakova Basic Court and one in the Pristina region's Podujevo Branch Court. These courts represent two uniquely different backlog case profiles. Gjakova Basic Court has a minimal criminal backlog (less than 400 cases), but it has a significant civil backlog (1,400+ cases). The court generally makes good use of its administrative staff, but it stands to lose two more judges to retirement over the course of the next 12 months, and is already suffering from four long-term vacancies. In contrast, the Podujevo court has a significant criminal backlog, one that the recently appointed supervisory judge attributes prior neglect of criminal cases under the old court structure. The court's judges carry around 1,500 cases each; the court assumes that many of these cases will be disposed of due to expiration of the statute of limitations. Unfortunately, the court lacks staff to assess each criminal case and dismiss cases qualifying under the statute, while at the same time moving those near to expiration forward to resolution.

EROL's approach will include two teams of professional associates assigned to work hand-in-hand with pilot court judges to tackle backlogs. The associates will review case status, recommend next steps, draft decisions per the instructions from the judges, conduct legal research, and complete administrative tasks such as summons and notices. In Gjakova Basic Court, the president judge estimates that within six to eight weeks, the legal associate teams will enable judges to adjudicate double the number of cases they currently resolve each month, if not more. If so, backlog teams similar to Gjakova and Podujeva's can be replicated throughout the courts, effectively removing the judges burdened with old cases while new ones continue to build.

Court Administration Working Group. EROL joined forces this reporting period with the courts, the KJC, the KJCS and the KJI, as well as with fellow donors to begin developing a curriculum addressing case flow management tailored to Kosovo court needs. The curriculum will be designed to thoroughly familiarize court staff with court management best practices, and to examine existing practices objectively for disposition of cases. The curriculum program's approach is a novel one, for the first time designed in cooperation with judicial leaders to develop an institutional framework to support unified change in court administration practices within Kosovo's judiciary.

First, EROL assembled a 13-member working group of staff from all court levels, regions and positions. The group also included representatives from an EU-sponsored court administration project, the Norwegian-sponsored CMIS project and

the KJI. In addition to these members, the KJCS director is part of the group, as are other department directors from human resources and statistics. Next, EROL conducted its first session for the working group focusing on identifying core competencies of court administration, followed by defining the working group's road map to develop a curriculum related to case flow management. The group studied best practices with an EROL advisor, developing a methodology for the curriculum, and how to assess current practice for policy gaps and procedural omissions.

Case flow management was prioritized as the most important core competency. To familiarize members with a robust and sound core competency curriculum model, EROL's advisor introduced the case flow management curriculum widely used for the past two decades by US court administrators and judges. Working group members drew from this curriculum exercise, assessing their current practices and defining policy and procedural areas that needed changed, updated, or either eliminated or adopted by the KJC. The assessment process ran for nearly a month, covering all regions and basic and branch courts.

EROL facilitated a second working group session to ensure clear understanding of criminal and civil code requirements implemented by courts, and that progress was being accomplished as planned. EROL's advisor presented the working group with its most critical issues. From these, the group prioritized the following as demanding immediate action:

- Number of cases carried by judges and the effect of 60 vacant judicial positions.
- Lack of administrative support for judges.
- Backlog reduction strategy, combined by different messages from the KJC and a Supreme Court circular (the circular indicates that all cases should be processed in a "first in, first out" manner, which the courts generally find burdensome and ineffective.
- Service of documents using the postal service. This method was considered burdensome and financially unsound. Frequently, service via post must be repeated many times, with little guarantee it will be executed properly. The working group recommended increasing the number of court messengers per region to increase success serving parties on the first attempt.
- Assignment of cases. The current system allows for as much as a 35-day window before a case is assigned to a judge. This does not comply with either the civil or criminal code, and unnecessarily increases the time to disposition.
- Ineffective use of early resolution methods. Judges uniformly cited criminal case plea bargaining was used infrequently, and sometimes improperly. The working group recommended a joint judges/prosecutors forum to regarding plea bargaining for early case resolution (in civil cases, mediation is generally increasing).

EROL's advisor stepped the group through strategically planning to accomplish their top issues. Action plans including strategies, action steps, responsible parties, deadlines and desired outcomes were set, with members leaving with defined tasks and objectives to be achieved and shared prior to the next session in Quarter 2. During that workshop, members will complete a set of recommendations to forward to the KJC's court administration committee for review and comment. The recommendations will be presented to the KJC council; once policy and procedural recommendations have been approved, the working group will move forward with development of the case flow curriculum. The group will meet at least three times a quarter through the remainder of Year 4 with EROL assistance to fully develop and implement the curriculum.

EROL recognized early in Quarter 1 that the court administration working group could duplicate other donor efforts. EROL also acknowledged the need to synchronize curriculum development and future training between the KJCS and the KJI. So, EROL pursued collaborative relationships with the Norwegian-funded Case flow Management Information System (CMIS) project team, as well as the EU. EROL hosted several meetings with the CMIS project manager, reviewing both projects' calendar of events, training subjects and participants, identifying cross-over and potential conflict. These meetings produced a single calendar of events that were complimentary and mutually supportive, and agreement that CMIS project staff, specifically the business process analysts working in the courts, would be invited to participate in all EROL-sponsored events regarding case flow, while EROL would be invited to participate in all CMIS-sponsored trainings and events.

The EROL-CMIS project relationship has generated several successes and mutually beneficial outcomes. During working group meetings, the CMIS team fully participated, establishing the team as integral piece of the broader group, earning their court counterparts' respect. Likewise, EROL and the working group have participated in CMIS-sponsored business process analysis training. From that participation, a working group member was asked to not join, but in fact chair a CMIS working group for the courts.

Given the working group's success and relationships it has created, EROL will continue its activities and cooperation with counterparts and donors, and where appropriate, will expand it to include any others that enter the case flow playing field.

2.2 SELECT AND IMPLEMENT MODEL COURTS PROGRAM IN THE COURTS

EROL has successfully refurbished 13 courts in Kosovo. This quarter, EROL completed the branch courts in Decan and Podujeva, with inauguration events for both courts held in June. EROL is on track to complete the refurbishments at all scheduled courts. In addition, EROL has budgeted and is prepared to begin work immediately on the two remaining courts in Zubin Potok and Leposavic should the agreement on the north be fully implemented.



The Podujeva Branch Court inauguration featured a discussion panel. From left to right are Katherina Ramberg, Deputy Head of Mission Norwegian Embassy; Evner Hasani, Supreme Court president, Hamdi Ibrahim, Pristina Basic Court president, and Denise Manning, USAID Resident Legal Officer.

In Decan and Podujeva branch courts, refurbishment featured two new records management offices, new courtrooms, detention rooms and attorney/client meeting rooms. Spacious archives areas were also remodeled, as well as secure office spaces for judges and other administrative staff. As with other refurbishments, EROL paid great attention to accommodating persons with disabilities, including ramps, lower public service windows and counters, and modified bathroom facilities. The refurbishment work resolved the operational and administrative challenges, and now includes the public posting of case filing procedures, electronic displays that show current court hearings, schedules and locations, and additional signage directing litigants and attorneys. Renovated archive space

allowed courts improved record keeping and better customer service for citizens and attorneys requesting case file information.

The three model courts currently in different phases of refurbishment are 1) Malishevë – construction started in June, 2) Shterpce – construction started in June, and 3) Kline – final phase of procurement with award anticipated in July.

OBJECTIVE 3: IMPROVE PROFESSIONALISM OF JUSTICE SYSTEM ACTORS

3.1 KOSOVO JUDICIAL INSTITUTE (KJI)

Having already developed or delivered a series of courses and training in collaboration with KJI, EROL began the first quarter of Year 4 by prioritizing two activities - advancing KJI faculty teaching and training skills, and continuing forward momentum on authoring judicial benchbooks. Especially in terms of faculty skills-building, timing was right this quarter to strengthen teaching methodologies along with new offerings in court administration, leadership development and interdisciplinary competencies such as ethics, diversity and gender awareness.

EROL's new court administration curriculum development training program specifically included the KJI in its working group. Next quarter, the working group will finalize the case flow management curriculum with criteria and standards tailored to Kosovo courts, and EROL will conduct a train-the-trainers workshop designed to develop advanced court management competencies and teaching skills among KJI faculty. The workshop will feature training the first generation of court administration trainers, as well as development of guidelines and manuals for staff and pilot approaches.

A second training EROL delivered this quarter was a program strengthening leadership skills for senior KJI faculty. This new train-the-trainers curriculum acquainted experienced faculty with the fundamental principles of managing professional and personal stressors in the court environment, and strategies that increase resiliency and support leadership ability. The workshop included a pre-workshop survey, extensive group discussion and individual and group exercises all designed to model sound adult education principles and techniques. Overwhelmingly positive feedback from participants prompted the KJI director to request that EROL repeat the training for judges and prosecutors attending the next round of Initial Legal Education Program (ILEP), and for KJI staff.

“The training programs currently under development, thanks to the support of our donors like EROL, will enable the Kosovo Judicial Institute to successfully achieve and implement its objectives and training programs.” Luljete Hetemi, KJI Program Manager for Court Administration Training.

EROL, the KJI and judge/authors working on civil and criminal benchbooks achieved measurable editorial progress researching and writing text this quarter. Working with the KJI's head of program research and publication, EROL continues to oversee the drafting and review process, and provide technical assistance. EROL coordinated several meetings with the KJI, the authors and the benchbook advisor to discuss methods for improving the drafting process and maintaining progress towards completing the project by year's end. EROL conducted workshops for the authors to improve their writing techniques and expose them to sample forms, checklists, and suggested scripts designed to assist judges consulting a quick reference guide in chambers or on the bench. Authors appreciated the style and manner of presentation that will meet the objectives of this type of reference material, which presents a new type of publication never before published for the legal community in Kosovo. To maintain momentum, both working groups of authors will continue to receive additional, ongoing support from EROL to ensure progress until next quarter's workshop.

EROL will continue developing KJI capacity to design quality training curricula by coordinating a study tour to the National Judicial College in Reno, Nevada. The judicial college has been a leader in judicial education for more than 50 years in the US, and is particularly recognized for its interactive, case-based simulations that place judge/participants in real-world situations requiring application of critical thinking skills to the decision-making process. Study tour participants will gain firsthand experience in course development, conducting needs assessments and program evaluations. Additionally, participants will learn about developing and delivering eLearning programs from the leading specialists, and KJI will gain valuable insights on developing and managing a non-profit training institute. This instruction will be particularly valuable as KJI transitions from donor-saturated support, to considerably lesser intervention in the ensuing years.

EROL and the KJI will also embark on a major initiative to revise KJI's train-the-trainers program and Faculty Development Handbook to buttress faculty and staff capacity to design quality curricula and implement training using modern adult learning methods. The enhanced ToT will include modules on designing curriculum and planning lessons, assessing student needs, developing learning objectives, evaluating learning and program outcomes, identifying and utilizing instructional strategies such as case studies, mock trials, and more. A series of workshops planned for the remainder of Year 4 will provide KJI with the capacity to design advanced curriculum, filling gaps in training programs along with tools to lend greater sustainability.

3.2 CONSTITUTIONAL COURT

EROL laid the groundwork for two major activities taking place through Quarters 2 and 3 at the Constitutional Court – an entire system re-write for the court's case data management software, and training for legal advisors. Both initiatives aim to improve the work of the court in terms of the technology it uses to facilitate case disposition, and strengthening communication between legal advisors and judges to accelerate case decision research and writing.

EROL in Quarter 1 worked collaboratively with the KCC's IT staff developing an RFP to procure an upgrade for its existing case tracking management system. The database was first built with donor support in 2011, creating a central storage platform to manage the court's cases. At the time, the system met court needs, enabling end-users to enter data in a few information fields, and assign case numbers to track matters as they made their way procedurally through the court. Today, the court has outgrown this system – its number of users has increased, measurably impacting system speed and usability. The system's functionality also requires streamlining and new features such as document sharing, automatic notifications and archiving. EROL evaluated proposals, and by the end of June selected a local vendor to design and develop the new system. EROL, the KCC staff and the vendor held the first design kickoff meeting this quarter, and will continue to work toward launch in fall 2014.

EROL began planning another activity that will take place in November 2014, in a series of meetings with the court's chief legal advisor. During a workshop hosted by EROL earlier in the year to amend the court's rules of procedure, EROL's federal judge-advisor had recommended a significant change to language of an article concerning legal advisors' work and role vis a vis judges. The court later adopted this language, and the court's president has asked EROL to develop training that would lay a foundation for a mutual partnership between judges and legal advisors in which legal advisors would contribute much more substantial support to judges, including legal opinion and analysis memos and briefs, similar to US law clerks. The program will include joint sessions with the court's judges and legal advisors, with participation during sessions by judges and legal advisors from the Supreme Court. The chief legal advisor is directing the training content and materials. EROL will provide technical assistance supporting this activity through Quarters 2 and 3.

OBJECTIVE 4: INCREASE CITIZEN AWARENESS AND ROLE IN ENSURING THE DELIVERY OF JUSTICE

4.1 STRATEGIC ACTIVITIES FUND

EROL provided ongoing coaching and technical assistance to the Advocacy Training and Resource Center (ATRC) in support of the USAID Forward grant program. In January 2014, ATRC had awarded nine projects to civil society organizations to conduct court monitoring, and three projects to organizations to promote public outreach among Kosovo's justice sector institutions. This quarter, EROL assisted ATRC with developing a questionnaire to assess sub-grantee capacity-building needs, and specifically identify mentoring needs in report writing and presentation. EROL met with ATRC several times to discuss and compile survey results, and plan next steps. Based on the results, EROL in

Small Changes Make a Big Difference in Public Access to Courts

Ibrahim Sefedini used to spend hours guessing when and where a hearing at the Viti Branch Court would take place. He arrived at the court early and stayed late, waiting. Hearings information is critical to Sefedini – he monitors court activities for ELITA, an NGO and USAID Forward grant recipient.

“Correct and timely information on court hearings is a great help for my work,” he said.

ELITA is one of a dozen USAID sub-grantees managed by Advocacy and Training Resource Center (ATRC) with EROL support. ELITA monitors inheritance issues, requiring staff to attend daily court hearings.

Sefedini said that after EROL refurbished the Viti court last year, knowing when and where hearings take place is much easier now that schedules are updated on a television monitor just inside the court’s entrance. These improvements have made it easier for Sefedini and the public to access court services.

“Thanks to the updated schedule, we are able to attend all the hearings we are interested in,” Sefadini said. “And the number of people waiting in the court halls and searching for information is much, much lower.”

Quarter 2 will offer sub-grantees a two-day workshop to develop public relations strategies and handling media relations generally, with overarching goal of improving sub-grantee promotion of its court monitoring results to the public.

When possible, EROL included civil society sub-grantees in project activities, such as court refurbishment inaugurations. This quarter, the Decan Branch Court’s inaugural event included a panel discussion on protecting cultural heritage sites in Kosovo, since the Decan region holds many of the country’s most notable historical monuments. EROL invited ATRC sub-grantee Emancipimi Civil Ma Ndryshe, an organization promoting public awareness of protection cultural heritage sites. The event included an active discussion on the role of courts and civil society groups protecting cultural heritage monuments in Kosovo, and ways forward to preserve sites for future generations.

To strengthen ATRC internal operations, EROL assisted the organization with evaluating new technology applications to manage its project staff and workflow, and its sub-grantees’ activities. ATRC had asked for EROL’s support with identifying and purchasing suitable grants management software programs, and evaluating features relevant to the organization’s needs. After a thorough analysis of ATRC requirements and staff capacity, EROL recommended ATRC forgo the software investment until a later time, as licensing and maintenance for custom-built or even off-the-shelf applications would be cost-prohibitive in the long-term. EROL proposed instead work with ATRC on developing ways to track grants with their current, Microsoft Office, system.

EROL also recommended that ATRC pursue further training and assistance with administering USAID grants. With EROL’s support, ATRC identified a grants management training program specifically tailored for non-US NGOs working with USAID grant funding, addressing in particular compliance USAID rules and procedures. Next quarter, EROL will assist ATRC with program registration and support so that three senior ATRC staff may attend in fall 2014.

4.2 PUBLIC RELATIONS & OUTREACH

EROL’s outreach assistance to the KJC, the courts and the KPC continued to target activities improving public access to court information, and increasing public knowledge and understanding of the justice sector. EROL activities focused on assisting counterparts executing public communications strategies, with significant attention to public information officers, many of whom are now in their second year with the courts.

PIO Training. EROL turned to a different approach to working with the court’s public information officers (PIOs). Instead of conducting group trainings, EROL concluded that PIO capacity development would be much better served

with individual coaching sessions tailored to specific skill sets. Before the media/public relations advisor arrived, EROL requested PIO work products – their media advisories, press releases and any negative and positive press reports about their courts. In Prizren, Peja and Gjilan the advisor met one-on-one with the PIOs to assess these work products, as well as the PIO's daily work and relationship with court staff, namely the court president. The sessions provided an excellent opportunity for PIOs to engage in a constructive and open dialogue with EROL about professional challenges and specific skills sets that could be improved to achieve better and lasting results. In Prizren, EROL's meetings included a judge and court administrator in a discussion about the court's approach to communication with the public and the media, and the internal flow of information between the judges, court staff and the PIO. In Peja, EROL also met with the basic court president and administrator who demonstrated willingness to engage the PIO further in public outreach activities. In Gjilan, EROL's discussion with the president judge and court administrator focused generally on the PIO's work on KJC website development, and specifically on content strategies for optimizing online public education and public engagement. EROL provided all of these PIOs edited critiques of their press releases, and suggested changes to press release format and writing style. In Pristina, EROL's one-on-one coaching sessions included PIOs from the Court of Appeals, the KJC and the assistant to the KJCS director who will be the new PIO for the Supreme Court. During these sessions, EROL's advisor assessed PIO daily work, and again focused on professional challenges in their roles – for the new Supreme Court PIO, this included setting expectations about the position needs, and strategic communications planning for the court. The Court of Appeals PIO was most interested in discussing online media and media relations, and also the considerable time he spends working on administrative tasks assigned by the court president. EROL then met with the court's president, who said that media and public relations training for the judges would be particularly beneficial in providing for them a better understanding of media and public communications.

Supplementing the one-on-one sessions, EROL convened all KJC and court PIOs for a two-day workshop featuring effective use of online media and social networks. The workshop also included developing and maintaining web content, especially important with the KJC's web portal launch this fall. The workshop also included speechwriting and event planning tips, and a special presentation by the KJC PIO on responsibility of PIO responding to requests from the public in compliance with the Law on Access to Public Documents. Participant evaluations were particularly positive on the workshop activities that enabled them to discuss openly their concerns without hesitation.

Next quarter, EROL will continue to advise PIOs, particularly in terms of their work populating content for the new KJC web portal. All PIOs will join a special training session focusing on the portals features and functionality, and most importantly, how to update court and KJC information and identify areas for portal improvement. EROL will pay particular attention to mentoring the new PIO at the Supreme Court with one-on-one consultative sessions as appropriate.

Support to the Forum of Women Judges and Prosecutors. EROL continued support for the new Forum of Women Judges and Prosecutors this quarter, assisting the board, as well as meeting with individual members. EROL took advantage of its public relations advisor's availability to set additional meetings with the Forum's board members in Prizren, Peja and Ferizaj. The Forum members met to discuss a media strategy to promote the Forum to the legal community and public; such strategy currently does not exist. In Pristina, meetings on developing a communications strategy also included the Forum's co-chair, a KPC council member. She agreed that the Forum needs a written strategic plan and endorsed appointing a strategic planning committee to initiate the process.

Early in the quarter, EROL and OPDAT co-hosted a Forum board meeting to select the group's logo, discuss use of social media (including setting up a Facebook page) and defining strategic activities through the remainder of 2014. The Forum board approved the logo, and agreed to EROL/OPDAT assistance with the Facebook page. The Forum also discussed candidates to serve as its secretary, and the possibility of authoring a benchbook or guidelines for judges and prosecutors in the area of domestic violence. The Forum will discuss the possibility of authoring this publication during its next meeting in Quarter 2.

EROL's work with the Forum's chair has extended beyond the group's activities to the chair's inclusion in EROL training when possible (see training described in Section 3.1) and well as other ad hoc requests, such as English language tutoring. The chair, recognizing her greater visibility as the head of the Forum's board, requested EROL assist her with language instruction. EROL explored several options, including the American Corner inside the National Library at the University of Pristina. EROL assisted arranging classes there for the chair and other interested judges beginning in June. The classes are taught by final-year English students, at no charge, and include study materials.

USAID 15th Anniversary Events. EROL actively participated in several events celebrating USAID's 15 years of service in Kosovo. The 15th anniversary events were held in Gjakova, Gjilan Gračanica, ZubinPotok, Pristina, Peja, Ferizaj and Rahovec. Along with other USAID projects exhibiting at public information booths, EROL distributed project brochures on the new court and prosecutor's office structures, careers in law and the bar exam. Brochures were available in Albanian, Serbian, English, Turkish and Roma languages. EROL staff answered visitor questions, and suggested government offices or the court for other sources of information when appropriate. EROL's interaction with the public was particularly appreciated during exhibits in Zubin Potok, a municipality with a majority Serbian community. Zubin Potok exhibit



Law students as prosecutor and plaintiffs presenting their case during EROL's mock trial celebrating USAID's 15th Anniversary event in Ferizaj.

visitors were citizens from all walks of life - students, farmers, teachers, municipality leaders and even the local police force. EROL distributed literature on the new court and prosecutor's offices structure, and careers in the legal profession in Serbian language. Citizens' most frequent question related to inclusion and employment of Serbian minorities in Kosovo's judicial institutions, and jurisdictional and territorial regulations of legal proceedings.

EROL's participation during anniversary events extended well beyond its exhibit booth. In Gjakova, EROL hosted a court tour followed by a panel discussion on 'Law and Justice: Roles and Partnership.' Panelists were the USAID Mission Director Maureen A. Shauket, the KJC chair, the Gjakova Basic Court president, the chief prosecutor of Gjakova's prosecution office and the mayor and police commander. The audience included representatives from the regional correctional and probation services, the Ombudsperson Institution, OSCE, mediation center, legal aid, civil society

and media. Gjilan's 15th anniversary event also included a court tour led by EROL and the court's president, featuring the hallmark of EROL model court refurbishments – easily accessible court records management offices located in the ground floor, hearings and trial schedules updated on a monitor just inside the public entrance, and ramps, countertops and bathrooms equipped for persons with disabilities.

In Peja, EROL hosted a discussion with students from the new law faculty at Haxhi Zeka University. USAID Mission Director Maureen A. Shauket, the Peja Basic Court president and the university's rector fielded questions from students ranging from opportunities for new lawyers in a tight job market, to court internships, to new lawyers and the rule of law in Kosovo. More than 70 students attended.

EROL led the anniversary event in Ferizaj with USAID Deputy Director Chris Edwards and Ferizaj's mayor opening the event on the town square. Public information exhibit booths were located there, and attracted more than 200 visitors. The event featured a mock trial at the court organized by EROL in collaboration with Ferizaj Basic Court. Law students tried a case on property and inheritance rights; the event was widely and positively reported in the local and national media.

Court Inaugurations. EROL's outreach activities this quarter also included inauguration events at two branch courts in Deçan and Podujevo. The Deçan event featured the Peja Basic Court president, USAID Deputy Mission Director Chris

Edwards, the KJC chair, and representatives from the Kosovo Council for Cultural Heritage, Cultural Heritage Without Borders, and the EC Ma Ndryshe civil society organization. The event included a discussion on courts' protection of cultural heritage monuments Kosovo, as the Deçan region boasts many of the country's most treasured sites.

In Podujeva, the USAID Resident Legal Advisor, the Deputy Head of Mission from Norway, Supreme Court President, KJC chair, the Pristina Basic Court president and the head of the region's Chamber of Advocates presided over the court's inaugural opening. To mark child safety week in June, a panel discussion followed on the role of courts in protecting the rights of children. Panelists included representatives from the Ombudsperson's office and the Coalition of NGOs on Child Protection, Police, and Prosecution. The event provided an opportunity for all participants to share information on what their respective institutions do to protect the rights of children. The Pristina Basic Court president used the opportunity to highlight the exclusive competence of the court on cases involving civil aspects of international child abduction.

EROL Outreach to Persons with Disabilities. This quarter, EROL made an affirmative effort to extend its public outreach distributing court information to persons with disabilities. EROL met with the Kosovo Association of the Blind to discuss printing "This is Your Court" brochures in Braille. The chair and representatives of the association were enthusiastic, and thanked EROL for pro-actively filling this information gap for the blind community in Kosovo. The chair said that sight-impaired and partially-sighted people in Kosovo lack the most basic information on government, including the judiciary. He added that apart from the general public, several law students are members of the association and will benefit from the brochures. The brochures can be printed in Braille in Albanian, Serbian, and Turkish.

EROL Website. EROL's website at <http://www.usaiderol.org> continues to provide updated information of program activities in three languages (Albanian, Serbian, and English). Monthly statistics show a total of 8,019 visits (April: 2,524, May: 2,505, and June: 2,990), and a total of 82,492 hits (April: 40,867, May: 10,005, and June: 31,620). The number of web site hits and number of visits have nearly tripled from the same reporting period in 2013.

4.3 SUPPORT MINORITY OUTREACH

EROL's outreach to under-represented communities this quarter included meetings with two private law faculties and one business faculty in Gjilan, Gjakova and Prizren. These meetings drew 40 law students (28 men; 12 women – all Albanian). EROL since the beginning of the project has conducted 16 meetings at public and private law schools for a total of 38 meetings as of this quarter. The law school meetings have included 408 student participants throughout Kosovo. These students were for the most part Albanian (393), with the remaining number from Roma, and Serbian, Bosnian and Turkish communities. Women made up nearly half of those attending (215 men; 193 women).

Meetings were very well received by students and law faculties, with several professors recommending that EROL conduct similar meetings in the future, especially for the students in their third or fourth year at public universities. Special emphasis on public university students was suggested, because their large numbers sometimes mean they miss individualized attention. Student meeting discussions were generally interactive, with students most interested in career opportunities in law, internships and the new court structure. Several students, as during previous reporting periods, asked for EROL to arrange court visits and lectures from legal professionals working outside of their universities, as their law faculties generally do not offer these types of activities.

EROL is exploring a basic legal education program for secondary school teachers. EROL plans to meet with the Ministry of Education, Sciences and Technology to discuss the program, which would provide supplemental curriculum materials on the functions of the judiciary and training on the subject matter, including guest speakers from the judiciary and prosecutorial service to civics teachers in secondary schools. This initiative would help lay the ground work for a program in the public schools for interested civics teachers, beginning initially with senior students, but potentially reaching all

students. EROL is considering a pilot project in Peja, since there are a number of students from under-represented communities in that region.

ENVIRONMENTAL REGULATION COMPLIANCE

EROL amended the Initial Environmental Examination (IEE) report, adding activities for the Malisheva Branch Court, and an Annex 2 certification of no adverse or significant effects on the environment for the Shterpce Branch Court. Both were signed by USAID. During the refurbishment work in Decan, Malisheva and Klina branch courts, EROL followed all environmental compliance requirements. No additional environmental regulation compliance activities were completed this reporting period.

STATUS OF BUDGET EXPENDITURES

As of 30 June 2013, EROL had expended approximately \$18,045,949. During the reporting period, spending was approximately \$1,420,000. EROL anticipates the monthly burn rate to be approximately \$618,000 through the remaining nine months of the project. [Note: amounts are approximate as the June 2013 costs have not been finalized.]

APPENDICES

APPENDIX A: LIST OF REPORTS & DELIVERABLES

By the end of Year 4 Q1, EROL had completed the following reports and deliverables:

OBJECTIVE 1

- Court Administration Working Group: Purposes and Responsibilities of Courts and Case Flow Management
- Case Flow Management Curriculum Development Training
- Training on International Legal Cooperation in Civil Matters
- Regulation No. 01/2014 on the criteria and procedures for selection and proposal for appointment of the Chief State Prosecutor

OBJECTIVE 2

- Court Administration Working Group: Purposes and Responsibilities of Courts and Case Flow Management
- Case Flow Management Curriculum Development Training
- Case Flow Management Process Assessment Review
- Case Flow Management Policy and Procedural Priorities
- Technical Acceptance, Branch of Decan Facility
- Technical Acceptance, Branch of Podujeva Facility

OBJECTIVE 3

- Resilient Leadership Training

OBJECTIVE 4

- Strategic Learning Workshop for Court Public Information Officers
- Agenda for Strategic Learning Workshop for Court Public Information Officers (Albanian and English)
- Strategic Learning Workshop for Court Public Information Officers PowerPoint presentation (Albanian and English)
- Strategic Learning Worksheets for Court Public Information Officers (Albanian and English)
- Final Trip Report with Recommendations on Strategic Learning for Court Public Information Officers
- Draft KJC/Court Brand Guidelines
- Logo for the Forum of Women Judges and Prosecutors
- Deçan Court Inauguration Fact Sheet (Albanian, Serbian, English)
- Deçan Court Inauguration Speech for Peja Basic Court President (Albanian, English)
- Podujeva Court Inauguration Fact Sheet (Albanian, Serbian, English)
- Podujeva Court Inauguration Speech for Pristina Basic Court President (Albanian)
- USAID 15th Anniversary Celebrations Municipal Fact Sheet on Pristina (Albanian, Serbian, English)
- USAID 15th Anniversary Celebrations Municipal Fact Sheet on Gjakova (Albanian, Serbian, English)

- USAID 15th Anniversary Celebrations Municipal Fact Sheet on Gjilan (Albanian, Serbian, English)
- USAID 15th Anniversary Celebrations Round Table at Gjakova Basic Court Agenda (Albanian, English)
- USAID 15th Anniversary Celebrations Round Table at Gjakova
- Basic Court Speech for Court President (Albanian)
- A set of three different brochures containing the general structure of prosecution offices in Kosovo; description of the jurisdiction of the prosecution offices, and the Kosovo Prosecutorial Council (Albanian, Serbian, Bosnian, Turkish, Roma and English)

APPENDIX B: SUMMARY OF YEAR 4 QUARTER 1 TRAINING AND CAPACITY BUILDING EVENTS

Program/Event	Date	Total	Male	Female	Alb	Min/ Others
Development of Court Administration Education Curricula	April 11, 2014	16	13	3	15	1
Training on International Legal Cooperation on Civil Matters	April 28-29, 2014	13	12	1	13	0
Caseflow Management Curriculum Development Training	May 14-16, 2014	17	13	4	16	1
Training on International Legal Cooperation on Civil Matters	May 19-20, 2014	33	25	8	32	1
Resilient Leadership	May 26-28, 2014	20	11	9	20	0
Caseflow Management Process Assessment Review	May 29, 2014	11	9	2	11	0
Strategic Learning Workshop for Court Public Information Officers	19-20 June 2014	7	2	5	7	0
Training on International Legal Cooperation on Civil Matters	June 20-21, 2014	22	16	6	22	0
Caseflow Management Policy and Procedural Priorities	June 26-27, 2014	9	6	3	9	0
Quarter 4 Total Participants		148	107	41	145	3
Life of Project Total³		2,596	1,557	1,039	2,472	124

³ Life Project Total represents unique number of individuals trained with EROL Program.

During the first quarter of the fourth year of the EROL Program implementation 148 participants have participated on 9 Capacity Building events organized by all four components of the Program with Male = 107 and Female = 41; Alb = 145, Minority/Others = 3 participants.

The Life of Project total number of unique individuals trained is 2,596 individuals, with Male = 1,557, Female = 1,039, with Alb = 2,472, and Min/others = 124.

On **Apr 11**, 2014, EROL provided Development of Court Administration Education Curricula. The objective of this capacity building event was to expose members of the group to the purposes and responsibilities of courts, methodology for self-defined curriculum development, provide initial training on the core competencies of court administration. This event was participated by 16 participants in total with Male = 13 and Female = 3, Alb = 15 and Serb=1;

On **Apr 28-29**, 2014 EROL team conducted training on “International Legal Cooperation on Civil Matters”. The training helped the participants to better understand the process of recognition and enforcement of foreign court judgments, including collection of evidence and the legalization of the foreign court documents in civil cases. The training will increase the quality of the legal services in the area of international legal cooperation in civil matters, and will foster a better communication between the MoJ and the courts in handling foreign requests for international legal assistance. This training was attended by 13 participants in total with Male = 12 and Female = 1, all Albanian nationality;

On **May 14-16**, 2014, EROL team provided Caseflow Management Curriculum Development Training. The objective of this training was to provide members with training on case flow management using a best practice curriculum as an example of the type of curriculum they will be developing. This event was participated by 17 participants in total with Male = 13 and Female = 4, Alb = 16 and Serb=1;

On **May 19-20**, 2014 EROL team conducted training on “International Legal Cooperation on Civil Matters”. The training helped the participants to better understand the process of recognition and enforcement of foreign court judgments, including collection of evidence and the legalization of the foreign court documents in civil cases. The training will increase the quality of the legal services in the area of international legal cooperation in civil matters, and will foster a better communication between the MoJ and the courts in handling foreign requests for international legal assistance. This training was attended by 33 participants in total with Male = 25 and Female = 8, Alb = 32 and Min/Other = 1 nationality;

On **May 26-28**, 2014, EROL delivered training for the Kosovo Judicial Institute on “Resilient Leadership”. This new curriculum acquainted experienced faculty with the fundamental principles of stress management in the context of leadership development. The aim of this course is to increase participant awareness regarding prevalent stressors in the court environment, personal risk factors, and strategies that increase resiliency and strengthen leadership ability. The 3 day workshop included a pre workshop survey, extensive group discussion, individual and group exercises, all designed to model sound adult education principles and techniques. This training was attended by 20 participants in total with Male = 11 and Female = 9, all of Albanian nationality;

On **May 29**, 2014 EROL team provided Caseflow Management Process Assessment Review training. The objective of this training was members to use the best practice curriculum for case flow management as a guide to assess and analyze their own current practices and define areas for policy and procedure updates, changes or other

modifications prior to developing Kosovo based case flow curriculum. This event was participated by 11 participants in total with Male = 9 and Female = 2, all of Albanian nationality.

On **June 19-20, 2014** EROL organized a Strategic Learning Workshop for Court Public information Officers. The overall goal of the workshop was to provide participants with practical useful exercises that involved the PIOs in work on how to proactively use and manage online media and social networks; develop website content; speechwriting, event planning; outreach and public engagement. This workshop was attended by 7 participants in total, Male = 2 and Female = 5, all Albanian nationality.

On **Jun 20-21, 2014** EROL team conducted training on “International Legal Cooperation on Civil Matters”. The training helped the participants to better understand the process of recognition and enforcement of foreign court judgments, including collection of evidence and the legalization of the foreign court documents in civil cases. The training will increase the quality of the legal services in the area of international legal cooperation in civil matters, and will foster a better communication between the MoJ and the courts in handling foreign requests for international legal assistance. This training was attended by 22 participants in total with Male = 16 and Female = 6, all Albanian nationality;

On **Jun 26-27, 2014** EROL team provided Caseflow Management Policy and Procedural Priorities training. The objective of this training was members to use the best practice curriculum for case flow management as a guide to assess and analyze their own current practices and define areas for policy and procedure updates, changes or other modifications prior to developing Kosovo based case flow curriculum. This event was participated by 9 participants in total with Male = 6 and Female = 3, all of Albanian nationality.

Simple Case Study

Negotiation and Implementation of Bilateral Agreements in Civil Matters

October, 2013

The aim of the training was to familiarize the staff of the DILC and the civil law judges with international standards of civil procedure and enforcement of bilateral agreements on civil matters. EROL engaged an internationally recognized advisor for the training, who prepared a manual on legal cooperation in civil matters, and led lively discussions among DILC staff and several judges from the Basic Courts. The participants found the workshop useful for the taking of evidence in civil matters, to regulate the methods of communication between the requesting court and the requested court, including the requirement for official translation of the main international treaties and EU regulations governing procedures of international legal cooperation in civil matters.

“We were introduced with fundamentals of the international treaties governing international legal cooperation on civil matters, including the Hague Convention for the Recognition and Enforcement of Foreign Judgments. Aspects of the taking of the evidence and the delivery of judicial documents were also analyzed from the perspective

Gender breakdown of EROL Capacity Building Events for Yr 4 Q1 represents satisfied representation between male and female participants. EROL staff across all four components has managed to engage 71.43% (75) male and 28.57% (30) female participants (Please, see **Figure 1**. Gender breakdown of EROL Capacity Building Events for Yr 4 Q1 on capacity building events provided during the first quarter of the fourth year of Program Implementation.

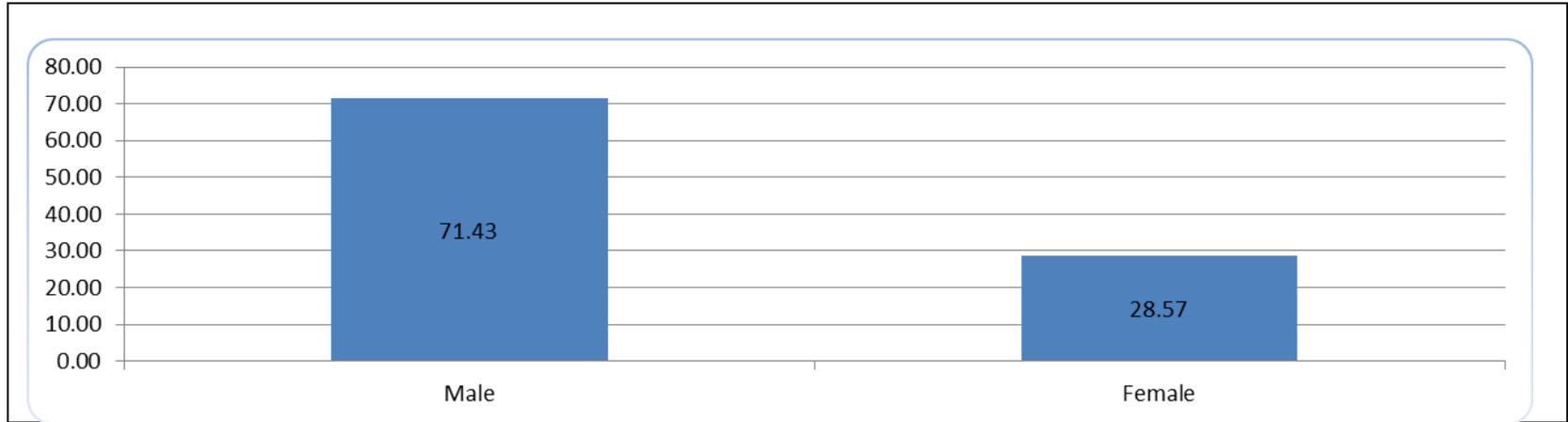


Figure 1 - Figure 1. Gender breakdown of EROL Capacity Building Events for Yr 4 Q1

Capacity Building Events organized by all four components of EROL Program included a total number of 105 unique individuals. Ethnicity representation on these events is provided under the **Figure 2**. Ethnicity breakdown of EROL Capacity Building Events for Yr4 Q1 with Albanian = 103, and Minority Community/Others = 2 participant participated.

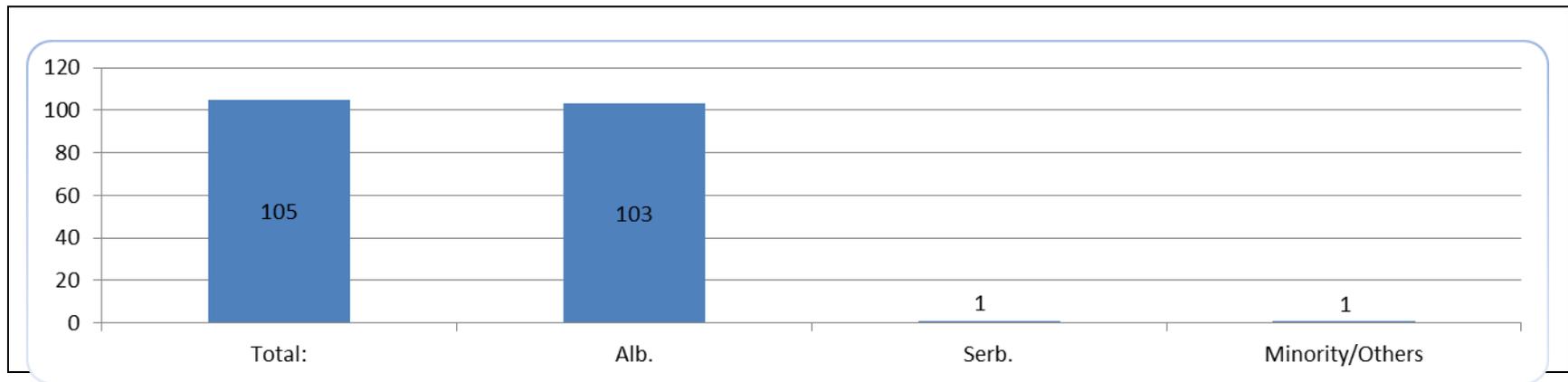


Figure 2 - Ethnicity breakdown of EROL Capacity Building Events for Yr 4 Q1

Among participants that participated on EROL Program capacity building events there were 70 Judges, 5 Prosecutors, 19 Court Staff, and 11 Other Institutional representatives. (Please, see **Figure 3** for reference.)

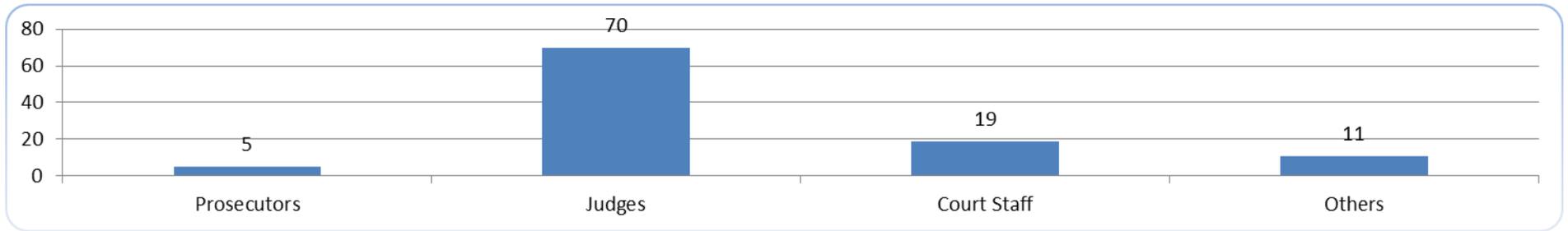


Figure 3 - Roles and Positions of Individuals trained during Yr 4 Q1

APPENDIX C: MONITORING AND EVALUATION

Result/Indicator/Unit of Measure		Definition - Rationale -Utility - Limitations	Base line	Yr 1 Actual	Yr 2 Actual	Yr 3 Actual	Yr 4 Target	Program Year 4 Actual				Comments
								To date				
								Q1	Q2	Q3	Q4	
IR2:	IMPROVED DELIVERY OF JUSTICE											
1	% of citizens and court users satisfied with the justice system Unit: %. Disaggregated by sex, region, rural/urban, and minority groups.	Public opinion poll to determine whether reform has an impact on satisfaction with and knowledge of the justice system Country-wide opinion change takes time, and factors outside the program's manageable interest can arise, overwhelming program effects	76% positive for court users			76% positive for court users	80% positive for court users	--				To increase accuracy of results, the Program has proposed to separate the surveys into two separate activities. Checchi has selected a Kosovo local company to conduct baseline and end-line surveys ⁴ . Preliminary draft has been submitted to EROL. Final report to be submitted to

⁴ The Objective of the survey was to measure perceptions of Kosovo court users in order to assess the relationship between the courts and court users and to identify potential improvements to court access and service delivery which might not be apparent from a strictly institutional analysis.

Result/Indicator/Unit of Measure	Definition - Rationale -Utility - Limitations	Base line	Yr 1 Actual	Yr 2 Actual	Yr 3 Actual	Yr 4 Target	Program Year 4 Actual				Comments	
							To date					
							Q1	Q2	Q3	Q4		
												USAID for approval Satisfaction percentage of court users is assessed to be at 76%. Final survey will be conducted in quarter 3.
2.1.	Increased capacity of justice sector professionals											
2	# of justice sector personnel that received USG training Unit: #; disaggregated by sex and role	Standard F output indicator. Shows coverage when compared to the universe. Disaggregation by gender and minorities will measure against related targets. Also disaggregated by role (judges, prosecutors, court staff, etc.) Targets TBD in consultation with USAID/Kosovo as training plans are finalized.	T= 200 M=140 F=60 Min=4 J=27 P=1 CS=147 O=25	T=1,095 M=703 F=392 Min=47 J=150 P=102 CS=686 O=157	T=1196 M=639 F=557 Min=71 J=240 P=14 CS=859 O=83	T= M= F= Min= J= P= CS= O=	T=105 M=75 F=30 Min=2 J=70 P=5 CS=19 O=11					During the Yr4 Q1 of the EROL Program implementation, 105 individuals participated in 9 capacity building events organized by all four components of the Program.
2a	Number of people/person days of training	9,500 days	1,755 days	3,629 days	5,739 days	500 days	306 days	days	days	days		During the Yr4 Q1 of EROL Program implementation, EROL staff provided capacity building events in total of 306 people/person days of training.

Result/Indicator/Unit of Measure	Definition - Rationale -Utility - Limitations	Base line	Yr 1 Actual	Yr 2 Actual	Yr 3 Actual	Yr 4 Target	Program Year 4 Actual				Comments	
							To date					
							Q1	Q2	Q3	Q4		
3	% of judges (J), prosecutors (P) and court staff (S) participating in CLE Unit: %; disaggregated by sex and status	Mission Custom outcome indicator. Shows extent to which continuing legal education has been institutionalized in the justice system. Also shows coverage (denominator is universe of individuals).	--	--	J - 144 P - 41	--	J - 117 P - 51					This indicator is being reviewed as the data set from the KJI is being analyzed so that accurate data can be reported. Reported data from KJI is from [project] Year 3 Quarter 4 and Year 4 Quarter 1 Total # of judges: 325 Total # of prosecutors: 120
4	# of legal courses or curricula developed with USG assistance Unit: #	Output indicator. Legal courses or curricula improve skills and capacity of justice sector personnel or the general public regarding the legal system in Kosovo. Development could include significant modification of existing courses or new courses.	5	10	8	0	1					Target for Yr 4 of the EROL Program is 0 legal courses or curricula. This will be revised However, during May 2014, EROL developed 1 new curricula on “Resilient Leadership” for the KJI.

Result/Indicator/Unit of Measure	Definition - Rationale -Utility - Limitations	Base line	Yr 1 Actual	Yr 2 Actual	Yr 3 Actual	Yr 4 Target	Program Year 4 Actual				Comments
							To date				
							Q1	Q2	Q3	Q4	
5	# of executive branch sector personnel trained with USG assistance Unit: # disaggregated by sex and role	Standard F output indicator. For the Office of the President, training in areas of administration, management or leadership skills or good governance practices.	9	6	7	0	3				Target for Yr 4 is 0 staff member of the Office of the President. This will be revised.
6	# of USG-supported trainers receiving pedagogical training (ToT) for their role in KJI and other judicial trainings, and replicate skills learned Unit: #; disaggregated by sex	Output and outcome indicator. Must attend 80% of ToT training and pass post-test of knowledge, which may include observation of training practices as well as testing. In later program years training will taper for this audience.	0	29	30	0	1				Target for Yr4 is 0 Train of Trainers (ToT). This will be revised.
7	Simple case studies of persons trained by EROL or EROL-trained instructors (e.g., judge, prosecutor, PR staff, KJI instructor)	Qualitative cases of trainees, identified through instructors, to discover training impacts on job performance and occupational behaviors. Range of roles: judge, trainee judge, other trainees. Depending on role studied, cases can include interviews, observations, job performance data or other relevant metrics.	0	5	5	10	1				Target for Yr 4 is 10 "Simple Case Studies". One "Simple Case Study" completed during Q1.

Result/Indicator/Unit of Measure	Definition - Rationale -Utility - Limitations	Base line	Yr 1 Actual	Yr 2 Actual	Yr 3 Actual	Yr 4 Target	Program Year 4 Actual				Comments	
							To date					
							Q1	Q2	Q3	Q4		
8	KJI Scorecard rating of EROL's progress with KJI goals	Benchmark outcome indicator. Progress on tab "KJI" toward approved activities in consultation with USAID and stakeholders. Total score possible: 68 over four years; cumulative in (#)	16	30(44)	16(56)	17	0					The scorecard is revised to reflect completion. The unit reported in Year 4 is the number of activities completed. To date, 16 of the 17 activities are completed. Please, see respective scorecard for the details of activities.
2.2.	Increased independence and accountability of the judicial system											
9	Number of laws, regulations and procedures related to judicial independence supported with USG assistance Unit: #	Standard F output indicator. Refers to laws, regulations and procedures that are official and have been passed or amended in accordance with the country's legal requirements. Laws, regulations and procedures lay out the legal basis for building judicial independence and provide one significant indicator of government commitment. Some laws may also cover transparency.	4	25	7	0	5					Target for Yr 4 is 0 laws, regulations and procedures. During Yr4 Q1 EROL provided KJC with the support on the development of five (5) AI, Regulation and Procedures: Regulation on promotion of Judges adopted on 8 April 2014; Regulation on disciplinary procedure of KJC members adopted on 21 May 2014;

Result/Indicator/Unit of Measure	Definition - Rationale -Utility - Limitations	Base line	Yr 1 Actual	Yr 2 Actual	Yr 3 Actual	Yr 4 Target	Program Year 4 Actual				Comments
							To date				
							Q1	Q2	Q3	Q4	
											<p>Administrative Instruction for official travel adopted on 21 May 2014</p> <p>Administrative Instruction on the use of official vehicles adopted on 21 May 2014</p> <p>Instruction on procedures for compensation of defense counsels at public expense adopted on 18 June 2014</p>
10	<p>Number of regulations and procedures that improve judicial transparency adopted with USG assistance</p> <p>Unit: #</p>	<p>Standard F output indicator. Refers to regulations and procedures that are official and have been passed or amended in accordance with the country's legal requirements. Laws, regulations and procedures lay out the legal basis for building judicial independence and provide one significant indicator of government commitment. Some regulations/ procedures may also cover independence.</p>	10	20	6	0	5				<p>Target for Yr4 is 0 regulation and procedures. This will be revised.</p> <p>During Yr4 Q1 EROL provided KJC with the support on the development of five (5) AI, Regulation and Procedures:</p> <p>- Regulation on promotion of Judges adopted on 8 April 2014;</p> <p>Regulation on disciplinary procedure of KJC members adopted on 21 May 2014;</p> <p>Administrative Instruction for official travel adopted on 21 May 2014</p> <p>Administrative Instruction on the use of official vehicles</p>

Result/Indicator/Unit of Measure	Definition - Rationale -Utility - Limitations	Base line	Yr 1 Actual	Yr 2 Actual	Yr 3 Actual	Yr 4 Target	Program Year 4 Actual				Comments
							To date				
							Q1	Q2	Q3	Q4	
											<p>adopted on 21 May 2014</p> <p>Instruction on procedures for compensation of defense counsels at public expense adopted on 18 June 2014</p>
11	<p>Number of government media relations staff trained with USG assistance</p> <p>Unit:# Disaggregated by sex and office</p>	<p>Standard F output indicator. Staff must be employed by government, and media relations must be at least one of their substantive responsibilities. A free, effective and informed press depends on government support for freedom of the press, and on responsible, responsive and professional government officials working with the press.</p>	10	59	5	0	5				<p>Target for Yr4 is 0 Media Relations staff.</p> <p>Target has been met and exceeded during the previous two years of the Program.</p> <p>During the Yr4 Q1 of EROL program implementation 5 individuals received training on “Strategic Learning for Court Public information Officers” delivered on June 19-20, 2014.</p> <p>Unit #: 2 Male and 3 Female</p> <p>KJC, KJCS and Courts</p>

Result/Indicator/Unit of Measure		Definition - Rationale -Utility - Limitations	Base line	Yr 1 Actual	Yr 2 Actual	Yr 3 Actual	Yr 4 Target	Program Year 4 Actual				Comments	
								To date					
								Q1	Q2	Q3	Q4		
12	Constitutional Court scorecard rating of EROL's progress with CC's goals	Benchmark outcome indicator. Progress on tab "CC" toward approved activities, in consultation with USAID and stakeholders. Total score possible: 56 over four years; cumulative in (#)		19	24(34)	14(46)	17	--					Please, see respective scorecard for the details of activities. Total activities completed: 17 of 19. The final two will not be completed as the court has 1) decided not to do the activity and 2) another organization is working on the activity.
13	Improved performance on scale considering key factors of an acceptable disciplinary system Unit: Scale of 0-3	Outcome indicator. Based on key factors of an acceptable disciplinary system (including ensuring timeliness of disciplinary hearings, the presence of a system for processing complaints and adherence to that system, and a review of sanctions executed against sanctions imposed), a score of 0-3 will be assigned.		0	1	1	3	2					Target for Yr 4 is 3 on the score from 0-3. In support of efforts to improve resources available to strengthen the effectiveness of disciplinary processes, the judges of the Constitutional Court adopted a Judicial Code of Ethics near the close of Y3/Q1, which had been proposed by a Working Group led by an EROL STTA ⁵ .

⁵ To be more efficient, EROL and ECLO/HD agreed in 2012 that HD would take the lead in developing regulations for the Disciplinary Council while EROL would take the lead in developing the Code of Ethics and Conduct for Judges. EROL prepared a research memorandum at the request of the KJC regarding the rationale behind the practice of publishing disciplinary final decisions.

Result/Indicator/Unit of Measure	Definition - Rationale -Utility - Limitations	Base line	Yr 1 Actual	Yr 2 Actual	Yr 3 Actual	Yr 4 Target	Program Year 4 Actual				Comments	
							To date					
							Q1	Q2	Q3	Q4		
											<p>Work began in the KJC in Y3Q3 on a regulation for the KJC Disciplinary Committee and on a regulation for the ODC in conjunction with the KPC.</p> <p>Under EROL's MOU with HD, HD will take the lead in supporting the Discipline process in the KJC and KPC. EROL will have input in the process. EROL has completed review of Judicial Code of Ethics and has suggested minor changes which KJC is expected to approve in Yr4 Q2.</p>	
2.3.	More effective operations of the justice system											
14	# of USG-assisted courts w/ improved case management Unit: # Listed by site and type of court, as applicable	Standard F outcome indicator and defined by Model Court norms. KJC to provide operational definition of floor measurement for "improved case management."	10	0	8	9	2	--				<p>Number of USG-assisted courts with improved case management is 27. There are 29 courts including Zubin Potok and Leposavic – target should be to maintain Y3 achievements and only increase to 29 if the North opens - which is beyond our control</p> <p>During this quarter there was no activity in the Mitrovica BC or in the Branch Courts in Leposavic and Zubin Potok. EROL day to day support continued during this quarter as well through the EROL RCLs</p>

Result/Indicator/Unit of Measure	Definition - Rationale -Utility - Limitations	Base line	Yr 1 Actual	Yr 2 Actual	Yr 3 Actual	Yr 4 Target	Program Year 4 Actual				Comments
							To date				
							Q1	Q2	Q3	Q4	
											and Model Court Specialists. Court personnel continue updating the case load data in the EROL sponsored database and to generate management reports as per the needs of the Presiding Judges and individual judges as well. This quarter short, mid and long term improvements to case management were addressed by the EROL sponsored court administration working group which is now immersed in developing policy and procedural change recommendations for the KJC so that a Kosovo based and Kosovo developed caseflow management curriculum can be developed and embedded as a standard course at the KJI.
15	Ratio of all dispositions to new case filings in courts assisted by USG in the area of case management Unit: Ratio	Standard F outcome indicator applied to the Model Courts. Shows whether backlogs are increasing. Speed and efficiency of the courts serve as proxies for effectiveness of the justice system and of justice sector actors as a whole.	N/A	N/A	.79	1.0	.75				This quarter's disposition rate shows a drop in performance when compared to the courts 2013 baseline of .79. The courts report being focused on cases defined as urgent by law. Beyond the urgent cases it appears that there may be a preference for handling those cases most easily adjudicated which generally means newer cases. Decreasing performance issues have been associated by the courts to the

Result/Indicator/Unit of Measure	Definition - Rationale -Utility - Limitations	Base line	Yr 1 Actual	Yr 2 Actual	Yr 3 Actual	Yr 4 Target	Program Year 4 Actual				Comments
							To date				
							Q1	Q2	Q3	Q4	
											lack of sufficient judges (60 positions remain open and unfilled). However, it will be necessary to track performance over time to determine if there are cyclical trends that repeat on a quarterly or annual basis.
16	% of pending cases heard and resolved within older than 24 months Unit: %	Mission Custom indicator. Similar to standard indicator above, although this one has a 2-year span before being counted.	N/A	N/A	39.30%	30%	40.28%				This indicator is revised to report the % of pending cases over 24 months. This is the more standard reporting indicator used in courts.
17	More efficient and professional Model Courts	Benchmark outcome indicator. Progress on scorecard toward measures to improve Model Courts in consultation with USAID and stakeholders. Each Model Court is subject to 9 standards and score range of 0-3 for each. Total score possible: 540 over four years; cumulative in (#)	9	189 (351)	189 (540)	--	--				This indicator is under review for revision.
18	Number of strategic plans for justice sector reform adopted with USG assistance	Standard F output indicator. EROL will work with several bodies to develop strategic plans for justice sector reform, matching priorities with tasks, establishing timelines and benchmarks, and including broad consultation among key stakeholders. Sub-plans for departments or divisions developed as deemed useful and necessary by stakeholders.	2	0	1	0	1				Kosovo Judiciary Strategic Plan 2014-2019 adopted in KJC on 23 April published on 18 June 2014 http://kgjk-ks.org/?cid=2,224 KPC Strategic Plan draft was

Result/Indicator/Unit of Measure	Definition - Rationale -Utility - Limitations	Base line	Yr 1 Actual	Yr 2 Actual	Yr 3 Actual	Yr 4 Target	Program Year 4 Actual				Comments
							To date				
							Q1	Q2	Q3	Q4	
											completed in Y3Q2 but the Chair was waiting to submit it to the Council for approval until the negotiations with Serbia regarding the courts in the north are resolved. Later it was delayed because of the retirement of the current Chair in August 2014. EROL will bring it to the attention of the new Chair as soon as possible.
19	<p>Mean Median case disposition time in courts assisted by USG in the area of case management</p> <p>Unit: Mean # months</p>	<p>Standard F outcome indicator. Median case disposition time is measured from filing to the date parties are notified of case resolution by the court. Courts as defined by specific jurisdiction. Tracking the mean case disposition time permits a better understanding of the overall disposition rate of the courts.</p>	--	--	--	13.6	12	9.8			<p>In this quarter the median disposition time has dropped to 293 days or 9.8 months. While encouraging on the surface such a significant drop from the prior reporting period results (13.6 months) requires further analysis. When taken into consideration with the result that 72% of all resolved cases were 24 months or less in age it reveals that, for this quarter, the courts were primarily working on cases legally defined as urgent and following those, primarily on new cases rather than working equally within the backlog and the current case load. As more pressure is brought to resolve the backlog the median and the mean disposition times will invariably swing in the other direction and will increase. This indicator is one that should always be considered in light of other indicators and not</p>

Result/Indicator/Unit of Measure	Definition - Rationale -Utility - Limitations	Base line	Yr 1 Actual	Yr 2 Actual	Yr 3 Actual	Yr 4 Target	Program Year 4 Actual				Comments
							To date				
							Q1	Q2	Q3	Q4	
											ever taken on its own as indicative of the whole story regarding the performance of the courts.
20	Improved administrative performance as defined from prosecutors' perspectives Unit: % improved	Outcome indicator. Model Court and KPC activities should improve administrative performance. Measured through questionnaires given to sample of prosecutors.	N/A	93%		95%	--				Survey of prosecutors will be conducted in quarter 3
21	Kosovo Judicial Council scorecard rating of EROL's progress with KJC goals	Benchmark outcome indicator. Progress on KJC scorecard toward approved activities in consultation with USAID and stakeholders. Total score possible: 84 over four years; cumulative in (#)	24	34(50)	24(70)	7	--				Please, see respective scorecard for the details of activities. This indicator is under review for revision. 19 of 26 activities completed through year 3.
22	Kosovo Prosecutorial Council scorecard rating of EROL's progress with KPC goals	Benchmark outcome indicator. Progress on KPC scorecard toward approved activities in consultation with USAID and stakeholders. Total score possible: 44 over four years; cumulative in (#)	7	28(36)	13(44)	1	--				Please, see respective scorecard for the details of activities. This indicator is under review for revision. 13 of 14 activities completed through year 3.

Result/Indicator/Unit of Measure	Definition - Rationale -Utility - Limitations	Base line	Yr 1 Actual	Yr 2 Actual	Yr 3 Actual	Yr 4 Target	Program Year 4 Actual				Comments	
							To date					
							Q1	Q2	Q3	Q4		
23	Ministry of Justice scorecard rating of EROL's progress with MOJ goals	Benchmark outcome indicator. Progress on MOJ scorecard toward approved activities in consultation with USAID and stakeholders. Total score possible: 80 over four years; cumulative in (#)	15	28(44)	22(66)	7	--					Please, see respective scorecard for the details of activities. This indicator is under review for revision. 11 of 24 activities completed through year 3. Two activities are being revised and all activities regarding the SAO are contingent on the State Advocate being appointed.
24	Chamber of Notaries scorecard rating of EROL's progress with CON goals	Benchmark outcome indicator. Progress on CON scorecard toward approved activities in consultation with USAID and stakeholders. Total score possible: 26 over four years; cumulative in (#)	1	--	--	--						EROL ceased assistance to the Chamber of Notaries in accordance with USAID's agreement with the Swiss Government and introduction of activities to assist the KJC and courts to prepare for the transition to the notary system under the Law on Notary
25	Office of the President scorecard rating of EROL's progress with OP goals	Benchmark outcome indicator. Progress on OP scorecard toward approved activities in consultation with USAID and Kosovar stakeholders.Total score possible: 30 over four years; cumulative in (#)	9	12(18)	7(26)	0	--					Please, see respective scorecard for the details of activities. This indicator is under review for revision. 10 of 10 activities completed through year 3.
2.3.1.	Courthouse infrastructure improved											

Result/Indicator/Unit of Measure	Definition - Rationale -Utility - Limitations	Base line	Yr 1 Actual	Yr 2 Actual	Yr 3 Actual	Yr 4 Target	Program Year 4 Actual				Comments
							To date				
							Q1	Q2	Q3	Q4	
26	# of Court Improvement Plan refurbishment objectives achieved Unit: <u>cumulative #</u>		10	18	27	29					Refurbishment objectives ensure that courts are refurbished to maximize a courts ability to serve its customers in ways that promote efficiency, accountability, transparency and effectiveness. Do date all courts (except Zubin Potok and Leposavic) are completed.
IR3:	STRENGTHENED MECHANISMS FOR CITIZENS TO REPRESENT THEIR INTERESTS AND HOLD THE GOVERNMENT ACCOUNTABLE										
27	# of page visits per month on the MOJ interactive website for pending legislation Unit: # per month		N/A	9,376 clicks	217,528 clicks	1,000 clicks	198,168 clicks				Target for Year 4 of the EROL Program implementation 1,000 clicks. The total number of clicks during Yr4Q1 is 198,168 clicks.

Result/Indicator/Unit of Measure	Definition - Rationale -Utility - Limitations	Base line	Yr 1 Actual	Yr 2 Actual	Yr 3 Actual	Yr 4 Target	Program Year 4 Actual				Comments
							To date				
							Q1	Q2	Q3	Q4	
28 6 “POLIS”	Number of USG-assisted Civil Society Organizations that engage in advocacy and watchdog functions. “Justice with citizen’s access to fair judicial services II” Unit: # “Qendra për Politika dhe Avokim- QPA”, Prishtina, “For more transparent judiciary” “AGRO – EKO”, Gjilan, “Effective Court-Justice for Citizens” “Lisi”, Shëterpçë, “Justice for all citizens” “Advocacy Center for Democratic Culture- ACDC”, North Mitrovica, “Raising the awareness on the importance of citizens participation in the justice system in Mitrovica region” “ELITA”, Viti, “Women are entitled to their share” “Prehja”, Skenderaj, “Citizen closer to justice (II)” “Network of Peace Movement - NOPM”, Kamenica, “Monitoring language compliance, property and improving participation of non-majority communities in justice system” “Shoqata e Intelektualëve të Pavarur- SHIP”, Deçan, “Monitoring of the Basic Court-Deçan branch” “Communication for Social Development (CSD)”, Gracanica, “Is there justice after injustice?” “EC Ma Ndryshe”, Prizren, “Linking communities to justice providers?” “Kosova in EU”, Prishtina, “Awareness of Citizens for Justice and Privatization Process in Kosovo”		0	4	Two (2) grantees Balkan Investigative Reporting Network – BIRN and Advocacy Training and Resource Center continued implementation of the awarded projects	6	1 grantee and 12 ⁶ sub grantees			Under USAID Forward, one (1) grant has been awarded to local partner, Advocacy Training and Resource Center – ATRC awarded nine (9) grants for court monitoring and three (3) grants for public outreach programs.	

Result/Indicator/Unit of Measure	Definition - Rationale -Utility - Limitations	Base line	Yr 1 Actual	Yr 2 Actual	Yr 3 Actual	Yr 4 Target	Program Year 4 Actual				Comments
							To date				
							Q1	Q2	Q3	Q4	
29	# of functioning Public Reception and Orientation Platforms (PROPs) in model courts Unit: #	The PROPs increase transparency and access to information while ensuring that court users are oriented in new systems. To be counted, a PROP must meet TBD standards as tested by auditors posing as court users.	0	7(13) 1 2	9(20)	27	--				Refurbishment objectives ensure that courts are refurbished to maximize a courts ability to serve its customers in ways that promote efficiency, accountability, transparency and effectiveness. As each court refurbishment is completed it allows for the installation additional methods to serve the public in an open and receptive way - this includes the presence of a designated reception (information) desks, installation of brochure dispensers, increased and enhanced directional signage that promotes self-navigation throughout the court as well as the presence of well trained staff to help all customers as needed. The ability of a customer to walk into a well-organized reception area, find information readily and easily via signs, brochures and staff has been documented as one method to increase public trust and confidence in the courts - courts that look and feel open and receptive are perceived as such.
3.1.	Increased Professionalism of Citizen Groups and Journalists to Monitor										

Result/Indicator/Unit of Measure	Definition - Rationale -Utility - Limitations	Base line	Yr 1 Actual	Yr 2 Actual	Yr 3 Actual	Yr 4 Target	Program Year 4 Actual				Comments
							To date				
							Q1	Q2	Q3	Q4	
	Government Activity and Influence Policy										
30	# of USG-assisted campaigns to enhance public understanding; NGO support/media coverage of judicial independence and accountability Unit: #	Standard F output indicator. Tracks inputs that strengthen those mechanisms focused on public understanding, NGO support and media coverage of judicial independence and accountability. Campaigns designed to support GOK initiatives. Definitions must be shared/vetted with all NGOs involved. Targets TBD as grant TORs are accorded with USAID.	N/A	112	26	2	3				In Yr4 Q1 EROL organized 2 last public outreach meetings. These public outreach meeting took place in April 2014. These three meetings accomplished our objective on reaching all academic institutions (private and public) with law students. Meetings were held in Fama College in Gjilan/Gnjilane on April 1, 2014, Business college / law faculty department in Gjakovë/Đakovica on April 8, 2014 and April 18, in Fama College. Total number of students (participants):40 students; Gender diversity: 28 Male and 12 female; all Albanian nationality;

APPENDIX D: PMP SCORECARDS

KOSOVO JUDICIAL COUNCIL SCORECARD

Kosovo Judicial Council Scorecard	Targets and Actual					Remarks
Activity/Initiative	Target Completion (Year)	Actual Completion Year				
		1	2	3	4	
Support drafting of implementation plan LoC	1	X				Final Draft of the Implementation Plan submitted to KJC. Published by KJC December 1, 2011
Rapid assessment to identify focus of efforts (Action Plan)	1	X				Action plan completed in Q2 Yr1.
TA to KJC committees	1	X				KJC appointed Court Administration Committee and Budget, Finance and Human Resources Committee in March 2012.
TA to KJC for building strategic alliances	2			X		EROL continued to assist KJC to build strategic alliance with Federal Judicial Center, Administrative Office of U.S. Courts, State Court Judges and Administrators in Minnesota during a U.S. judicial ethics study tour with a Kosovo Delegation of KJC, ODC, and Court representatives.
Support KJC in inter-Ministerial legislation working groups	2			X		The MOJ has begun to consult on a high level with leaders of stakeholders. So far, however, no proposed changes have been made available to EROL or other advisors.
Support development of follow-on Strategic Plan	3			X		With EROL's support, the KJC has completed and adopted its 5 year Strategic Plan in Yr4 Q1
Support HR functions of KJC						
Define and standardize staff job descriptions	1					The process has begun involving the Secretariat and Basic Court through a Working Group which will lead to the distribution of some Secretariat responsibilities to the Basic Courts. This is a complex process involving civil servants and is expected to take more than a year. EROL will support KJC and Basic Courts during this process.
Staff recruitment/selection standards in place	1					
Staff promotion standards in place	1					
Staff discipline/dismissal standards in place	1					
Internship programs functioning successfully	2					

Judicial selection procedures improved	1	X				EROL assisted with drafting of Regulation and with OP.
Judicial evaluation procedures improved	1	X				Evaluation of performance of Judges completed, approved by KJC and introduced into force on March 2012.
Judicial promotion procedures improved	1		X			EROL provided substantial support to the KJC Steering Committee's effort to develop criteria for the selection/reassignment of Basic Court judges. The KJC Steering Committee approved 1) instructions for the appointment of president and supervising judges, and 2) regulations on reassignment of judges. EROL prepared a legal analysis of judicial salary setting under the new LoC. At the end of Y3Q4 the Normative Committee presented a regulation on promotion of judges to the Council
Judicial disciplinary procedures improved	1			X		Draft regulations were prepared by EULEX for the Disciplinary Committee in Yr3Q4 which are expected to be before the Normative Committee In Yr4
KJC database for judicial personnel in use	2					Part of the CMIS development
Track legislation reviewed by legal office	2				*	The legislation referred to in this indicator refers to the package of laws, commonly referred to as "the five laws" that deals with justice sector institutions. Early in the program EROL worked as part of a working group to amend the five laws; however, the MOJ took that process over and has not involved outside technical assistance from EROL. If the MOJ opens the process for additional comment/advice/help, EROL will provide as much as possible. Since there may be no further involvement by EROL, anticipated completion is not scheduled here.
Track implementation of procedures for effective court admin						
Case flow, reception, assignment, management	2			X		EROL has reinvigorated the model court program (MCP) improvement teams at 8 model courts scheduled for MCP initiatives this year. Procedures for ensuring smooth transition to the new court structure under the LoC is well underway with working groups established and working on HR, court admin, public outreach, and logistics requirements.
Case files and records standards and procedures	2				X	27 courts have been completed, awaiting opportunity to work with two courts in the north.
Attention to court users	2			X		Web portal assessments (web strategy and web development plans) have been submitted to the KJC for review.
Transparency and information access	2			X		With EROLs support a new web portal is being designed and EROL is developing content both for KJC and each individual court. This process is expected to be completed in Yr4 Q2.
Increased and more effective use of automation						
Assess IT needs, CMIS' contributions/gaps, and failure to use	1	X				Database assessment conducted.

Provide recommendations for system operation	2			X		The KJC is developing a new CMIS with support from the Norwegians. EROL has, and is providing, recommendations on the development of the system. The KJC and Norwegian team have been very open and consultative.
Minority outreach efforts						
Draft minority access assessment	1					EROL is waiting for KJC approval to proceed with drafting a regulation related to minority recruitment and advancement within the judiciary.
Draft outreach campaign	1		X			EROL drafted brochures to encourage minority community citizens to enter programs for professional positions in the judicial system – approved by KJC and USAID
Draft requirements for translator program	1			X		EROL provided support to KJC on drafting Regulation for qualification of court translators and interpreters.

KOSOVO PROSECUTORIAL COUNCIL SCORECARD

Kosovo Prosecutorial Council Scorecard		Targets and Actual				Remarks
Activity/Initiative	Target Completion (Year)	Actual Completion Year				
		1	2	3	4	
Facilitate development of strategic plan	1			X		EROL facilitated drafting of KPC Strategic Plan with Council and working group members. In Y3/Q1, a proposed strategic plan was revised and submitted to the KPC Normative Committee in anticipation for consideration and adoption by the full Council in Yr4/Q2.
Facilitate development of annual plans	1			X		EROL facilitated annual planning activities, including macro action plan development, sharing of template in connection with the creation of KPC's Strategic Plan.
Facilitate development of implementation plan and committees	1			X		The Implementation Plan was completed in Yr2, and it was based on a simplified version of the draft developed by USAID/EROL. EROL facilitated the establishment of committees/commissions/working groups, which are included in an amended regulation on the organization and activity of the KPC
Instruction manual (SOP) with regulations, policies, procedures	1			X		In Yr2, EROL drafted various guidelines and plans in the spheres of PR

						communications and website design for the KPC. EROL also assisted in drafting/amending the Five Justice Sector Laws, several pieces of secondary legislation, Ethics Codes for KPC Members, Prosecutors, and Support Staff, and the KPC's Strategic Plan. In Y3/Q1, EROL continued to support KPC drafting activities.
Support implementation of SOP across KPC	1			X		EROL participated in working groups that assisted KPC in drafting/amending regulations concerning discipline ⁷ and prosecutor performance & evaluation, and an administrative instruction on setting annual performance norms, and amendments to amended regulation on the organization and activity of the KPC.
Develop job descriptions/TORs for KPC Secretariat staff	1		X			In Yr2, job descriptions were developed and revised as part of the strategic planning process as part of a collaboration with ECLC and the KPC
Train KPC in needs-based budgeting and justification	1			X		In Yr3/Q1, EROL and the KPC examined budget issues and identified specific needs through the strategic planning process. More concrete plans will be put in place with Action Plan development.
Legislative drafting support: secondary legislation	1			X		In Yr2, EROL participated in working group that assisted KPC draft/amend regulations concerning discipline ⁸ and prosecutor performance & evaluation, and an administrative instruction on setting annual performance norms. In Y3/Q1, EROL continued to provide technical assistance in support of KPC drafting activities.
Development of new staff training module	1				X	This is included in the draft strategic plan and EROL provided significant support to its development. However, the KPC is currently undergoing a change in leadership (Chief State Advocate). Once the CSA is appointed and is engaged in this effort, EROL will support it.
Draft public relations strategy	1			X		EROL finalized and presented to KPC for consideration public relations strategy, media guidelines and a crisis communication plan. EROL transmitted a proposed Communications Plan to the KPC Normative Committee in Yr3/Q1.
Draft public relations training modules and materials	1			X		In Yr3/Q1, EROL provided technical assistance to the KPC regarding training modules for a new KPC spokesperson and specially-designated prosecutors/public information officers.
Train public relations staff	1			X		In Yr2, EROL trained KPC staff/spokesperson. In Y3/Q1, EROL provided technical assistance to the KPC regarding training of a new KPC spokesperson and specially designated prosecutor/public information officers. EROL provided training for the KPC PIO along with PIOs for the KJC, KJI and each of the courts in Yr3Q3
Support formulation of external/internal communication plans	2			X		In Yr2, EROL finalized and presented to KPC for consideration public relations

⁷ By agreement, EUOK is responsible for the development of disciplinary regulations, and EROL is responsible for ethics matters.

⁸ By agreement, EUOK is primarily responsible for advising the KPC on disciplinary activities.

						strategy, media guidelines and a crisis communication plan. In Y3/Q1, EROL transmitted a proposed Communications Plan to the KPC Normative Committee in anticipation of consideration and approval by the full Council.
Incorporate public messages into overall outreach activity	2			X		In Yr2, EROL drafted media guidelines and conducted Media and the Criminal Justice Workshop attended by legal professionals and journalists. In Y3/Q1, EROL provided technical assistance to the KPC regarding the integration of a new KPC spokesperson and specially designated prosecutor/public information officers into KPC public outreach strategies.

MINISTRY OF JUSTICE SCORECARD

Ministry of Justice Scorecard		Targets and Actual				Remarks
Activity/Initiative	Target Completion (Year)	Actual Completion Year				
		1	2	3	4	
Legislative drafting						
Draft training modules	2		X			Legal Process workshop in Peja conducted during Q2. Eight professionalization training modules were under development during Q3.
Implement training program in legislative drafting	1	X				Workshop completed on public policy analysis and development and on public input and legislative drafting. Legal Process workshop in Peja conducted in Yr2 Q2.
Draft legislative enactment plans	1	X				Public policy analysis and development protocol completed
Define guidelines for public participation	1	X				Guidelines for Public Consultation were published by GOK in Sep 2011
Capacity development for public participation	1			X		Workshops on Legislative Drafting, including drafting of secondary legislation and protocols for public participation, were conducted.
Support for secondary legislation drafting	1			X		
International Legal Cooperation Department (ILCD)						
Training needs analysis report	1	X				Per agreement with EULEX/ECLO, EROL providing training on civil aspects of legal

						cooperation (excluding family law)
Develop training modules for ILCD	2		X			Training Module developed and provided.
Develop international legal assistance manual	1	X				Conducted 2-day workshop on international legal cooperation in civil matters and delivered Practice Manual
Training MOJ officials in implementation of roles	1	X				<p>Conducted 2-day workshop on international legal cooperation in civil matters and delivered Practice Manual.</p> <p>In Yr2Q1, prepared a comprehensive sensitive case file use and storage protocol, which was accepted for use by the Acting Director of the ILCD.</p> <p>The training on the negotiation, conclusion and implementation of bilateral agreements on civil matters was successfully delivered on 3-4 October 2013.</p> <p>In Yr4 Q1 EROL delivered three training sessions regarding the international legal cooperation in civil matters for the legal officers at the DILC and for the civil judges from the Basic Courts in Kosovo. 5 (five) legal officers from the MoJ/DILC have attended the program while 60 judges from the basic court in Kosovo have attended the program. The first training was conducted on 28-29 April 2014, and continued with the second training on 19-20 May, concluding with the third training on 20-21 June 2014.</p>
Complete agreements with interested nations	2					<p>To support the DILC in its efforts to conclude agreements with other nations, EROL has prepared a practice manual on international legal assistance in civil matters.</p> <p>To support the DILC in its efforts to conclude agreements with other nations, EROL has prepared a practice manual on international legal assistance in civil matters, Guide is designed to assist the legal practitioners in the Ministry of Justice in understanding and implementing their legal and procedural obligations with respect to requests to and from Kosovo. It is also designed to provide assistance to the DILC in developing and/or clarifying internal and inter-institutional processes for handling cases.</p>
Exchanges with EJM and EuroJust	2					As part of the exchanges with EJM, EROL is in the process of facilitating the dialogue between the MoJ DILC and the Republic of Albania with regard to International Legal Cooperation in Civil Matters. The first formal meeting between the two countries upon the request of MoJ DILC is anticipated to take place during Yr4 of Program Implementation.
Litigation Unit						
Training needs analysis report	1	X				Three (of six) lawyers in Division for Judicial Litigation attended NITA-style trial advocacy training conducted by KJI; EROL prepared proposal to the Department for Legal Affairs to define and increase MOJ capacity to represent GOK in litigation.

Develop training modules	2				*	EROL's work with the litigation unit of the MOJ (State Advocate's Office) was postponed until appointment of a new state advocate general. Even though that appointment is not anticipated in the near future, EROL is ready to implement training programs for SAO attorneys and professional associates immediately. EROL in Year 4 is also prepared to submit a concept paper to form a working group preparing draft SAO regulations.
Training in inter-Ministerial coordination for litigation	2				*	
Training in oral and written advocacy skills	2				*	
ToT for local trainers	2				*	
Training in administrative litigation	3				*	
Training in civil litigation	3				*	
Compilation of training into a reference book	2				*	

CHAMBER OF NOTARIES SCORECARD⁹

OFFICE OF THE PRESIDENT SCORECARD

Office of the President Scorecard	Targets and Actual					Remarks
Activity/Initiative	Target Completion (Year)	Actual Completion Year				
		1	2	3	4	
Report on justice-related competencies of OP	1				X	An assessment of the justice-related competencies of the OP from the perspective of the Kosovo Constitution and the relevant legislation has been completed in the form of specific reports and concrete analysis, which have critically examined the role of the

⁹ EROL will cease assistance to the Chamber of Notaries in accordance with USAID's agreement with the Swiss Government and introduction of activities to assist the KJC and courts to prepare for the transition to the notary system under the Law on Notary

						President in the justice sector and the interaction with the Kosovo Judicial Council and the Kosovo Prosecutorial Council regarding the process of judicial and prosecutorial appointments
Establish working group per Project design TORs	1	X				Working groups are identifiable and operational. This constitutes the technical level group, which is comprised of the representatives from the PO and the KJC and KPC Secretariat.
Support creation of coordination mechanisms	1	X				Coordination mechanism as locus for institutional interaction and policy coordination [to address policy options, and to analyze or resolve legal conflicts or inconsistencies on matters involving but not limited to judicial and prosecutorial appointments] have been established and are operational. The coordination mechanisms include the PO Legal Advisor (including the Head of the PO Legal Department) and the Director of the KJC/KPC Secretariat.
Intra-governmental roundtables	1	X				The 3 rd in a series of Intra-Governmental Roundtables was held in Q4 (06 March 2012). The roundtables explored many issues of judicial and prosecutorial appointment/transfer/dismissal, and simultaneous applications to the KJC and the KPC by the same applicant.
Draft PR strategy	1			X		EROL has finalized the drafting of the media relations guidelines for the Office of the President. The purpose of the guidelines is to give effect to democratic principles of transparency and public participation in the justice system of Kosovo in order to ensure judicial and prosecutorial independence, impartiality and integrity and the fair administration of justice in the Republic of Kosovo.
Train public relations team members	2			X		In Year 2, EROL conducted a series of PR training sessions for the OP team in order to empower the professional skills in media interaction and enhance thus the President's communication with citizens on justice related matters. The following activities were undertaken to accomplish this objective. EROL conducted on October 24, 2012, a workshop for OP public officers on the development of a communications strategy. The workshop introduced participants with the contemporary approaches and techniques in overcoming public communication barriers, ensuring qualitative message delivery, and strategies for communicating matters involving judicial and prosecutorial appointments. On February 22, 2013, EROL conducted the other workshop with the justice sector institutions, including the Office of the President to discuss the media relations guidelines as prepared by EROL STTA.
Include outreach messages in overall PR strategy	3				X	Outreach messages in the PR strategy for the Office of the President have been included and are now part of the Media Relations Guidelines for the Office of the President.
Support drafting of written protocols/circulars/guidelines	2	X				KJC Administrative Instructions (2) on the Submission of Proposals for Appointment of Candidates as Judge/Prosecutor; PO Regulations (2) on the Appointment of Candidates proposed as Judges/Prosecutor. EROL provided PO with legal research and advice on matters pertaining legislation review, constitutional authority of pardon,

					and judicial and prosecutorial appointments. EROL continued to provide support for the Office of the President in the area of legal drafting and legislative review including but not limited to the development of procedures and protocols for the review of enacted legislation prior to its promulgation. EROL completed the Language English Program (LEP) for the legal team of the President's Office.
Support agencies to implement protocols	2		X		<p>EROL supported the OP in the implementation of the technical guidelines for the exercise of OP constitutional competencies with regard to the return of laws for reconsideration prior to promulgation. The result is that the OP is reviewing the legislation on the basis of the EROL designed guidelines.</p> <p>In addition, a team of legal officers of the OP attended the Legal English Program as developed by EROL. The program has successfully strengthened the professional capacities of the OP in providing better quality of legal services and has enhanced the process of the implementation of the existing legal framework and protocols.</p> <p>EROL in cooperation with NDI Kosovo hosted two Intra-Governmental Roundtables regarding challenges confronting the process of drafting secondary legislation and its implementation. Participants from the OP, the AoK, MoJ, KJC and KPC have highlighted a variety of technical problems in the process of drafting secondary legislation, including preparation of the fiscal and regulatory impact assessment as documents for ensuring efficiency, practicability and implementation of the draft legislation.</p> <p>EROL has taken an active role approaching the OP legal team to prepare and revise the existing protocols and rules regarding aspects of judicial and prosecutorial appointments. EROL and OP are in the process of publishing the guidelines on the review of laws enacted by the legislature.</p>
Train legal officers of OP	2		X		<p>In July 2012, EROL conducted a two-days training in the legislative drafting process. The training was attended by the legal officers of the PO, the KJC, the KPC and the MoJ.</p> <p>In October 2012, EROL conducted a two-day workshop on the "legislative review process". The training was attended by the legal officers of the President's Office and the Assembly of Kosovo.</p> <p>EROL conducted the training on the process of drafting of secondary legislation, which was held on 4-5 July 2013. The training aimed at supporting the legal teams of the OP, the AoK, the MoJ, the KJC and the KPC to draft secondary legislation following the entry into force of a new regulatory framework on legal drafting in Kosovo.</p>

CONSTITUTIONAL COURT SCORECARD

Kosovo Constitutional Court Scorecard	Targets and Actual					Remarks
Activity/Initiative	Target Completion (Year)	Actual Completion Year				
		1	2	3	4	
Needs Assessment - expertise and information needs of judges	1	X				EROL is preparing topics for a judicial training conference to be held in Q1 or Q2 in Year Two of Program
Support program and materials for CC judges drafted	1		X			EROL elicited and organized the presentations of eight formal presentations on substantive constitutional and legal issues for the international conference on Human Rights sponsored by EROL and Constitutional Court, on June 29-30, 2012.
Training modules developed for new CC judges	1		X			
Support attendance at regional or international conferences	1		X			
Needs Assessment - training needs for legal advisors	1	X				Training Needs Assessment Completed
Training modules developed for legal advisors	1	X				Workshop conducted at end of Q2 and second workshop done in Q4
Training provided to legal advisors	1	X				Workshop conducted at end of Q2 and second workshop done in Q4
Exchanges with international jurists (visits to Kosovo or travel)	1		X			Target completed through the above conference, which included presentations by judge who served on European Court of Human Rights, two federal court judges from
Preparation of research papers for conference	1		X			

Conference on constitutional jurisprudence and adjudication	1		X			United States, and one lawyer from Ireland.
Internship program launched (year 2) and monitored (2-4)	2					The court has decided not to develop an internship program; however, inters working at the court will participate legal advisors training in quarter 3.
Materials created and distributed as bench references	2		X			EROL prepared summaries of the 93 cases decided in 2011, as well as a complete subject matter index, for inclusion in the Court's Bulletin of Case Law 2011, which will be widely distributed to judges and other legal professionals for use and reference manual.
Library needs assessed and materials procured	2					GIZ has taken over this activity.
Training module developed for internet research	2		X			The Legal English Program Legal Research Module, prepared in conjunction with KJI, will be offered to legal advisers and legal researchers with sufficient English language proficiency at Constitutional Court.
Reference manual created and distributed	3			X		As part of that process, in Yr3/Q1, EROL and KCC representatives distributed a special international human rights edition of "E Drejta", which is the result of a KCC/EROL/Law Faculty collaboration, and provides guidance on the implementation of international human rights mandated by the Constitution, which was released to judges of the Court, KCC legal support staff members, the "ordinary" courts and legal support staff members, law professors, students, lawyers, and members of the public in hard copy and in electronic format on institutional online Websites.
ToT in adult learning principles	2		X			Training for Legal Advisers completed.
Local and international trainers train advisors together	3	X				Legal Advisor Training conducted.
Local trainers begin to train on their own	3	X				Orientation and training for new researchers conducted by CC Trainers using EROL-produced materials.
Deploying software for full-text searchable decisions online	3			X		In Yr3/Q2, the KCC database/search engine was fully deployed. The full-text searchable feature is available in Word format, and is being debugged in the PDF format; the full-text search feature is expected to be available during Y3/Q3 or Y3/Q4.

KOSOVO JUDICIAL INSTITUTE SCORECARD

Kosovo Judicial Institute Scorecard	Targets and Actual					Remarks
Activity/Initiative	Target Completion (Year)	Actual Completion Year				
		1	2	3	4	
Assessment of KJI structure and curriculum, and their degree of alignment with LoP and LoC	1	X				EROL team conducted Kosovo Judicial Institute Initial Legal Education Program Assessment on March 2012
Draft training courses	1	X				In the CLEP Assessment, EROL undertook the responsibility for the preparation of several course modules for presentation in 2012. Drafts of two courses have been completed
Training of Trainers (TOT)						
Training of trainers program developed	1		X			In conjunction with KJI instructors selected by the Director, EROL prepared modules Legal Reasoning and Writing, Court Management, Case Management, and Judicial Ethics with interactive learning features that were introduced to all KJI instructors. Several programs were delivered with fulltime and adjunct KJI instructors participating in Q4.
ToT program carried out with KJI instructors	1		X			The above courses with TOT features were presented in Yr2 Q4; Two KJI trainers were trained to deliver the Workshop for Judges on Mock Trial (Civil) for the Kosovo Judiciary and the Information & Communications Technology (ICT) Considerations Module for the Kosovo Judiciary during Yr3/Q3 Target Completed in for Yr4 in Q1 – with delivery of Resilient Leadership ToT, May 26-28, 2014.
English language TOT training						
Training of trainers program developed	1		X			Legal English Program TOT Curriculum, Legal Research Module, Lower Intermediate Module, Intermediate Module and International Legal Cooperation in Civil Matters Curriculum conducted and completed during Yr2 Q1, courses presented in the CLEP and ILEP Programs.
ToT program carried out with KJI instructors	1		X			Legal English Program TOT Curriculum, Legal Research Module, Lower Intermediate Module, Intermediate Module and International Legal Cooperation in Civil Matters Curriculum conducted and completed during Yr2 Q1, courses presented in the CLEP and ILEP Programs. In Y3/Q1, an EROL trainer mentored KJI trainers in the delivery of the ICT Considerations for the Kosovo Judiciary program.

Training program on OSCE recommendations prepared	1		X			OSCE reports have been analyzed and administrative staff shortcomings are being addressed in a Best Practices course developed. In conjunction with KJI instructors selected by the Director, EROL is preparing a course module on court administration staff best practices. The course module development began in Yr2 Q3, continued during Q4. The Model Court Program delivered a series of professionalization classes to court support staff during implementation on the new law on courts.
STTA provided in holding judicial conferences	1			X		In January 2014 EROL provided an STTA to moderate and organize the KCC Conference on Self-Executing Nature of KCC Decisions.
Judicial conferences held	1			X		Conference on Self-Executing Nature of KCC Decisions took place in January 2014
Develop list of potential local and int'l partner institutions	1	X				List prepared and submitted to KJI.
Support development of relationships with institutions	1				X	EROL Team is coordinating study tour for KJI to the National Judicial College (NJC) for Sep 2014
Support to attend international conferences	1			X		KJI Director attended the International Organization for Judicial Training (IOJT) Conference in Washington D.C. in 2013 and EROL is encouraging wider participation of KJI staff at the next IOJT Conference.
KJI website enhanced						
Include reference materials and legal information on site	1			X		Full deployments of the KJI software and website happened in Yr3/Q2, and training of KJI staff was completed in Yr3/Q3.
Develop test version of KJI website	1			X		
Develop draft database of trainees	1			X		
Develop distance learning demonstration course	1			X		
Distance learning platform and catalog deployed and in use	2			X		KJI database and distance learning platform completed in Y3.

MODEL COURTS PROGRAM SCORECARD¹⁰

Model Courts Scorecard									
KEY STANDARD		The Supreme Court	Pristina District Court ¹¹	Gjilan District Court ¹²	Lipjan Municipal Court ¹³	Istog Municipal Court ⁴	Viti Municipal Court ⁴	Rahovec Municipal Court ⁴	Suhareka Municipal Court ⁴
1	Reorganize administrative duties between Presiding Judge and Court Administrator	2	2	2	2	2	2	2	2
2	Develop and implement a Court Training Plan	2	2	2	2	2	2	2	2
3	Maintain and updated open and closed case files accurately and chronologically	2	2	2	2	2	2	2	2
4	Develop and implement a plan for reduction of case backlogs in all types of cases	2	2	1	1	1	1	1	1
5	Develop and implement a plan for compliance with case processing time standards	1	1	1	1	1	1	1	1

¹⁰ The MCP Scorecard 1 includes first eight participant courts on EROL MCP as per their operation under former courts structure.

¹¹ As foreseen by the new LoC the Pristina District Court Jurisdiction from January this year is converted to the Pristina Basic Court and Court of Appeals. As per KJC and USAID agreement the Pristina District Court building was refurbished and transferred to the Court of Appeals. The MCP activities were focused on supporting new courts, the Court of Appeals and the Pristina Basic court.

¹² As foreseen by the new LoC, the Gjilan District Court and Gjilan Municipal Court are converted to one court - Gjilan Basic Court. The MCP assisted both courts on reaching the MCP standards and also implementing the new LoC

¹³ The Municipal Courts as are listed on the scorecard 1 (Lipjan MC , Istog MC, Viti MC, Rahovec MC and Suheraka MC) starting from January 2013, as foreseen on the new LoC are converted to branch courts to their respective Basic courts.

6	Streamline procedures for effective procurement and use of court logistics and supplies	2	2	2	1	1	1	1	1
7	Enhance court communication with the public	2	2	2	2	2	2	2	2
8	Improve accessibility and security of court facilities	3	3	3	3	3	3	3	3
9	Ensure that court proceedings are open and that all that appear before the court have the opportunity to participate effectively	3	3	3	3	3	3	3	3
TOTAL:		19	19	18	17	17	17	17	17

MODEL COURTS PROGRAM SCORECARD¹⁴-II

Model Courts Scorecard									
KEY STANDARD	Pristina Basic Court -Podujeva Branch ¹⁵	Pristina Basic Court – Glogovc Branch ⁶	Ferizaj Basic Court –Kacanik Branch ⁶	Gjakova Basic Court –Klina Branch ⁶	Gjakova Basic Court –Maliseva Branch ⁶	Peja Basic Court – Decan Branch ⁶	Prizren Basic Court – Dragas Branch ⁶	Mitrovica Basic Court – Vushtrri Branch ⁶	Court -Sterpce Branch ¹⁶

¹⁴ The MCP Scorecard 2 includes second eight new participant courts that joint EROL MCP on the Yr2 Q4.

¹⁵ As foreseen on the new LoC the Branch Courts operate under the Basic Courts which

¹⁶ During this year EROL added Ferizaj Basic Court – Branch of Sterpce to the MCP activities.

1	Reorganize administrative duties between Presiding Judge and Court Administrator	2	2	2	2	2	2	2	2	2
2	Develop and implement a Court Training Plan	2	2	2	2	2	2	2	2	1
3	Maintain and updated open and closed case files accurately and chronologically	2	2	2	2	2	2	2	2	2
4	Develop and implement a plan for reduction of case backlogs in all types of cases	1	1	1	1	1	1	1	1	0
5	Develop and implement a plan for compliance with case processing time standards	1	1	1	1	1	1	1	1	0
6	Streamline procedures for effective procurement and use of court logistics and supplies	1	1	1	1	1	1	1	1	1
7	Enhance court communication with the public	1	1	2	1	1	1	2	1	1
8	Improve accessibility and security of court facilities	3	3	3	2	2	3	3	1	2
9	Ensure that court proceedings are open and that all that appear before the court have the opportunity to participate effectively	1	2	2	1	1	1	2	1	1
TOTAL:		14	15	16	13	13	14	16	12	10

EROL MODEL COURT PROGRAM– PMP SCORING DESCRIPTION CRITERIA

Key Standard	Scoring
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	Score	Criteria
Reorganize administrative duties between Presiding Judge and Court Administrator	0	No formal description of court administrative responsibilities.
	1	Assessment of court administrative functions completed.
	2	Plan for division of responsibilities developed and implemented. With the endorsement of the new Regulation on Court Internal Operations EROL facilitated discussions to clarify the roles and responsibilities of President Judges and Court Administrator. Additionally EROL assisted the Supervisory Judges and Assistant Administrators in the Branch Courts understand the appropriate communication chain between the Branches and the main office of the Basic Court.
	3	Results of implementation reviewed, plan adjustments considered.
Develop and implement a Court Training Plan	0	No formal Court Training Plan.
	1	Assessment of training needs completed.
	2	Court Training Plan developed and implemented. During the Y 2 Q1, Q2 and Q3 EROL conducted a significant number of training programs for court staff relevant to the implementation of the new court structure. Trainings were focused on change management, case transfer, new case registers, communications, time stamps, data base use and statistics.
	3	Results of implementation reviewed.
Maintain and update open and closed case files accurately and chronologically	0	No written plan for file management.
	1	Status of current file management assessed and deficiencies noted.
	2	Plan for case record maintenance, updating, and routing with accountability noted adopted. EROL MCP developed a database program that will streamline the workflow, as well as enable the KJC Sec and Courts in collecting more reliable and accurate statistical data.
	3	Status of file management reviewed.
Develop and implement a plan for reduction of case backlogs in all types of cases	0	No formal plan for backlog reduction/prevention.
	1	Assessment of current case backlog completed. Through database and data entry personnel the EROL MCP is collecting data for all pending cases. At this stage the courts are able to identify cases by party name and filing date.

Key Standard	Scoring	
	Score	Criteria
	2	Plan for reducing backlog, with targets and responsibilities, adopted.
	3	Case backlog reassessment completed and changes to the plan undertaken.
Develop and implement a plan for compliance with case processing time standards	0	No formal plan for compliance with case processing time standards.
	1	Assessment of case processing procedures completed. Through database and data entry personnel EROL MCP is collecting data of all pending cases as well as cases with a disposition date after 2013. At this stage the courts are not able to identify cases by disposition date since data entry process is ongoing.
	2	Plan for timely processing of cases and compliance with time standards developed and adopted.
	3	Case processing procedures reassessed and changes to the plan identified.
Streamline procedures for effective procurement and use of court logistics and supplies	0	No procedures for effective procurement and use of court supplies developed.
	1	Inventory of court logistics and supplies completed. Under the new court internal structure significant improvements were achieved across the courts in Kosovo. Merge and consolidation of the Basic Court logistic offices and inventory and update of the listed information are positive highlights that deserve to be acknowledged as improvements toward accountability on the maintenance and use of court inventories and equipment
	2	Plan for tracking and managing use of supplies developed. As the new court internal structure was developed by the sub-working group on human resources and became effective January 2013, each basic court recruited a staff member who will deal with court logistic issues. This effort will improve the supply tracking system and enhance communications with KJC Secretariat.
	3	Evaluation of the supply and inventory system completed with problems identified.
Enhance court communication with the public	0	No organized public communication or community outreach.

Key Standard	Scoring	
	Score	Criteria
	1	Identification of court outreach activities to enhance court/community relations. During the quarter 3 and this quarter as well, EROL successfully managed to develop and finalize the designs plans for refurbishment on branch courts of Klina, Decan, Podujeva, Malishevo and Sterpce. The developed design plans successfully address all standards for improvements in area of communication, access, transparency and safety.
	2	Plan for public communication and community outreach developed. EROL MCP, in conjunction with the EROL communication specialist and STTA, facilitated communication training for court information coordinators and court administrators. A court signage plan has been developed for all MCP courts undergoing refurbishment. Court directories and information booths are in place. Designing and printing of court brochures are in the process of finalization.
	3	Outreach activities monitored and changes made to the plan based on evaluation.
Improve accessibility and security of court facilities	0	Court is not safe and accessible.
	1	Facility evaluation completed for potential safety and accessibility improvements.
	2	Plan for improvements in facility safety and accessibility developed and construction activities started. The refurbishment design plans and specifications incorporate all necessary measures to increase safety in the courts. Additionally the designs improve access and transparency to all court operations. During this quarter the refurbishment activities were completed in Kacanik court;
	3	Facility improved and reassessment completed. In addition to last quarter where 2 courts completed the refurbishments, in this quarter 5 other courts completed refurbishments. With the refurbishment completion of these 5 courts the improvements increased the safety , access and efficiency of court operations.
Ensure that court proceedings are open and that all that appear before the court have the opportunity to participate effectively	0	Public access to court hearings is limited or haphazard.
	1	Barriers to access identified (including physical, language, gender, security, ethnic barriers).
	2	Plan for improvement to eliminate barriers to access developed. Designs for refurbished facilities increased the number of courtrooms by 100% over current court use. This increase will enable more members of the public to attend open hearings and court sessions. In each of the refurbishment designs is foreseen increase of the court rooms up 100% more that currently court use. So, the increase of the court rooms which enable courts to receive more public to the open hearings. Courts successfully continued publishing court hearings through the monitors on public area.

Key Standard	Scoring	
	Score	Criteria
	3	Accessibility reassessed and plan modified based on new information.