



**USAID**  
NGA POPULLI AMERIKAN  
OD AMERIČKOG NARODA

# **KOSOVO EFFECTIVE RULE OF LAW PROGRAM**

## **Year 3 Annual Progress Report**

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**April 2013 – March 2014**

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## **DISCLAIMER**

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## INTRODUCTION

This document describes USAID Kosovo Effective Rule of Law Program (EROL) progress on completion of Year 3 activities, deliverables and expected contributions to life-of-program expected results during April 1, 2013 through March 31, 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 end of Year 3.

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 current context within which EROL is carrying out activities, including 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 components (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 document the various deliverables, trainings, charts, and PMP scorecards.

## PROGRAM PROGRESS AND HIGHLIGHTS

The EROL work plan for Year 3 begins with “The key concept that will guide EROL’s work for the final two years of the program is sustainability.” The following report reflects that focus on sustainability, as well as the planning and implementation of innovative initiatives and activities developed through the close partnership EROL has had with counterparts in the justice sector.

EROL’s considerable investment in Kosovo’s justice institution staff in Year 3 demonstrated the most tangible and sustainable results yet. EROL activities extended from top management to entry-level personnel – from the Kosovo Judicial Council’s chair, to court in-take clerks. Counterparts from Kosovo’s judicial and prosecutorial councils, the judicial institute, the ministry of justice, and the Constitutional Court - and indeed all courts- transcended assessments and action plans, shifting from methodologies on paper to methodologies in practice.

Nowhere were results more visible than the courts. Court presidents relied on the EROL-developed database to create their most accurate backlog and current caseload assessments to date. With EROL training, court statisticians recruited into new positions rose to the challenge of learning new skills, conducting statistical research and analysis supporting courts' reporting requirements. Several court public information officers relied on EROL instruction and media relations manuals to collaborate with their president judges, write and distribute media advisories, and significantly, present court statistics and respond to journalist's questions during courts' annual press conferences. Often, entire court departments stepped up - IT staff for the KPC, KJI, MOJ and KCC continued to update and maintain web sites or web portals designed and launched with EROL assistance in Year 3. And at the KCC, legal advisors created their own best practices, developing new standards for updating case decisions, affirmatively sustaining the court's database of searchable cases.

Just as the courts were settling into successful re-structuring in Year 3, EROL raised the bar. EROL had assembled a team of data entry assistants who transferred case data daily from manual registries into the EROL-developed database. With commitment by the courts, in particular court presidents, the effort to enter, update and perform quality control shifted from EROL to the courts. Early on, EROL worked to develop the system so that useful reports could be generated. These reports, used regularly by the courts, have created the demand for caseload information that EROL expected, thus enabling EROL to step back in an orderly process and hand over responsibility for database operations to court staff that have been thoroughly trained.

The judicial council and its secretariat's office gains in Year 3 were encouraging, although at times uneven. The KJC's working group by the end of Year 3 completed and submitted a five-year strategic plan to the council – the plan itself had been nearly two years in the making. The council also adopted a second backlog reduction strategy. For this, EROL contributed substantial support, including analysis using the EROL-developed database. The council operationally made modest improvements with EROL support. For example, the council began preparing and circulating agendas well before its meetings took place. This practice by the end of Year 3 became the norm, replacing ad hoc agendas circulated to council members after meetings began.

As the work plan stated, "Year 3 will also be a year with substantial focus on the use of information, communications, and technology (ICT) initiatives; virtually every EROL justice sector counterpart has ICT projects planned or at some stage of development or implementation." Web portals (KJC, KPC, KJI), databases (KJC, KJI, KCC, courts), case management systems (MOJ), website redesign (OP) were all planned, implemented, or enhanced during Year 3. The KJC and court's IT staff has successfully maintained much of the new technology on its own, and has also made further improvements to the research interface.

Counterpart capacity improved demonstrably vis a vis legal drafting in Year 3, elevating complexity and sophistication of drafting language in compliance with European Union standards. EROL trained legal staff at the MOJ on cross-border cooperation in service of documents and enforcement of judgments as well as the most recent legislative developments in the international and European legal context regarding recognition and enforcement of foreign court judgments, service of documents, and collection of evidence. EROL also assisted the MOJ with the creation of a draft concept paper for a new Law on International Legal Cooperation in Civil Matters to replace outdated existing legislation.

With the additional support from the Norwegian Government, EROL completed refurbishment for ten model court facilities, including the Supreme Court. Five additional court refurbishment projects are currently in various stages of progress (planning, design, or construction). Repairs were completed on the Mitrovica court facility - that effort required substantial cooperation and coordination with Kosovo, EU and US institutions and partners. The work was completed on time and with no issues related to the political situation in the North. In Year 4, two additional court facilities are planned for refurbishment in the North.

EROL's work with the KJI improved the institution's capacity to identify and deliver essential training to judges, prosecutors and court staff. The KJI benefitted greatly from its close association with EROL, furthering its continuing education curriculum development and delivery with a series of train-the-trainer programs. One important initiative that began this year was work on the development of bench books for both civil and criminal judges. The bench books are designed to provide a guide for judges as they go through the trial or hearing process. These are standard secondary reference sources in many countries, and the KJI has taken the lead on this effort by creating two working groups with senior level judicial officers.

The Constitutional Court continues to benefit from EROL support, particularly with drafting procedural rules and technology. EROL is working to find ways to enhance the court's decision database so that full text searching is possible. In addition, EROL provided assistance with amending the court's rules of procedure.

NGOs focusing on rule of law activities have helped fill the void where justice institutions lack transparency. EROL provided administrative assistance to the USAID Forward grant program, particularly to grant awardees Advocacy Training and Resource Center (ATRC) and the Balkan Investigative Research Network (BIRN). ATRC in turn solicited sub-grantees for two projects to monitor courts and anticorruption initiatives; BIRN conducted a public outreach and awareness program enhancing citizen understanding of the justice system and legal reforms.

A public survey was conducted of court users to develop a baseline on the satisfaction level of those using court services. Over 1,300 people were interviewed (30 questions of court operations, and additional demographic data collected). The base line result was 76% of court users were somewhat or very satisfied with their experience at the court.

EROL focused not only disseminating information to the public, but on developing targeted messages about the courts and court services to Kosovo citizens from all communities – in their own language. EROL reached court staff, court reporters, civil society organizations monitoring the courts and citizens using the courts in nearly every corner of the country through training, roundtables, workshops, events and informational literature. Beyond meetings, EROL also paired its activities with themes such as the International Women's Day and International Mother Language Day. EROL also transformed court inaugurations from simple ribbon-cutting ceremonies with a few speeches to engagement with justice sector actors, NGOs, and diplomats on high-profile issues dealing with justice and communities – among them, enforcing free and fair elections, environmental protection, women's rights roles in the justice system, and transparency and accountability of the courts in Kosovo. These dialogues were widely covered by the media, extending access to messaging on the courts and court services Kosovo's citizens – including under-represented communities and people with disabilities - well beyond the court's doors.

Working closely with DOJ/OPDAT, EROL provided significant support to the development of the Forum of Women Judges and Prosecutors. With EROL assistance, the Forum elected its leadership, finalized its founding documents, and worked on developing rules and regulations, and sustaining membership.

Overall, Year 3 saw many notable highlights. EROL is confident the sustainable initiatives planned, started, or completed in Year 3 will strengthen the foundation built since 2011. The justice sector showed improvement in a number of operational and administrative areas. EROL's Year 4 work plan includes a number of innovative and long-range targeted goals to truly institutionalize the gains made and to address initiatives still needing continued support.

## CONTEXT: CHALLENGES & OPPORTUNITIES

The most visible challenge during Year 3 was arguably the most conspicuous opportunity: the North. With significant time required by Normalization Agreement negotiations, the most senior level staff at many of the justice sector organizations (KJC, MOJ, KPC) delayed or simply put on hold decision-making processes. Decisions on policy, rules, and regulations as well as the procedural methods for creating, researching, drafting, editing and amending that work were affected by the absence of

senior staff. While decisions and the more time consuming work of drafting and research were somewhat back on track during the latter part of the year, EROL anticipates that in Year 4 there may be additional periods of time dedicated to negotiations.

KJI in particular faces a tremendous challenge in developing an orientation program for Kosovo Serb judges who will be appointed under the anticipated implementation plan. This task will require not only the design of an orientation program based upon a careful needs assessment, but also the sensitivity and sophistication to engage these judges in the development process to ensure buy-in and the creation of a welcoming and respectful learning environment.

While negotiations have delayed some actions, EROL has been able to take the opportunity for renewed interest in the North by beginning the process to cultivate contacts within the justice sector there. Although the pace is slow, EROL has coordinated with USAID projects already established in the North to begin planning operational protocols for a rapid and effective start to programs dealing with judicial and staff orientation, logistical support for courts (equipment, supplies, files, etc.), and court facilities. As part of this effort, EROL will attempt to identify potential needs of the new judges and staff and solicit their ideas – prior to full agreement implementation if possible – on how best to accomplish that.

The development of the KJC secretariat into a mature organization that supports the council, conducts legal research for drafting sub-legal acts, and provides operational service and administrative oversight has had mixed results. While EROL has successfully harnessed the knowledge, insight and energy of the court to build closer operational ties with the secretariat (including better coordination on backlog reduction, databases, statistical reporting, and judicial norms), the organizational structure of the secretariat must be strengthened – this is recognized by both the council and secretariat’s director. EROL is planning to develop an integrated (KJCS and courts) approach to reorganizing the KJCS so that it is responsive, competent, mission-driven, and well trained on court management on a judiciary-wide scale.

The courts continue to face a backlog of cases that needs to be addressed. The national backlog reduction strategy provides a comprehensive way forward, including the development of detailed backlog reduction plans at each court. The Year 4 work plan provides substantial support to this effort.

At the KJI, challenges have also resulted from the growing demands placed upon the institute to serve additional classifications of professionals within the judiciary such as the court managers, administrators and presiding judges and court staff. EROL plans to help build staff capacity to conduct needs assessments and program evaluations, as well as increase their knowledge and skill in eLearning design and delivery, and the development of judicial bench books and other resources.

While these challenges do provide additional complexity and may require programmatic adjustments, EROL’s counterparts – including community, grass-roots, and NGO counterparts – are ready, willing and able to assist with and lead EROL initiatives in Year 4 and sustainably beyond the end the project.

## ACTIVITIES

### OBJECTIVE 1: EFFECTIVE OPERATIONS OF JUSTICE SECTOR INSTITUTIONS

#### 1.1 KOSOVO JUDICIAL COUNCIL

The first quarter of Year 3 saw EROL’s assistance to the KJC favorably positioned to strengthen the institution’s operations. The entire court system had been restructured on time, and EROL had successfully assisted the KJC with creating a methodology to transfer 240,000 cases under the old to the new system. By the beginning of Year 3, court staff was actively engaged in populating the EROL-developed database tracking all cases, so that at any point in time courts could identify

backlogs. Much remained in terms of training court personnel; in particular, assistance to the secretariat developing regulations and other sub-normative acts fleshing out the new court structure. However, the KJC had turned a corner, addressing these issues now that all-consuming court structural changes were complete.

Then, not long after the start of Year 3, normalization negotiations between Kosovo and Serbia began, with focus on the North. In Brussels, negotiators for both countries developed agreements in principle, leaving the difficult work of implementation to technical teams. The North included a parallel Serbian court system with no Kosovo judicial system; discussions over the inclusion of the North's courts into the Kosovo judicial system were protracted and on-going, requiring the chair and director of the KJC to dedicate the better portions of many weeks in Brussels. Their lengthy absences throughout Year 2 highlighted the lack of depth within the secretariat, and delayed or sidetracked much of the work put on hold in 2012. It was extremely difficult to move many important initiatives along in the absence of the leaders – including approval of the KJC strategic plan, adoption of a number of sub-legal acts and even basic improvements in the secretariat's support to the council. Despite these challenges, notable achievements were made by EROL during Year 3.

### **Strategic Plan**

The KJC is required by its regulations to adopt a five-year strategic plan. With substantial support from EROL, the strategic plan committee – a diverse group appointed by the KJC chair representing the judiciary and civil society – at last approved the plan's final draft the last week of Year 3.

The road to the committees' approval of the second strategic plan began with the first long-range plan the council adopted in 2007. The KJC requested EROL's assistance as facilitator for the second plan, joining members of the council, the secretariat, president and supervisory judges, an EULEX judge, a professional associate, a court administrator, a public information officer, a clerk for criminal cases, a representative of the KJI, two members from civil society organizations, and Human Dynamics, an IPA program of EUOK. The process began with a two-day working session to identify needs within the judicial system, followed by many more additional meetings to revise the work product of the first session.

A small working group from the committee met several times to create strategic objectives from needs identified, and to create a basic work plan for each strategic objective required by the KJC's regulations. EROL's assistance ranged from guidance to substantial substantive contributions, so that unlike the first strategic plan, which was adopted but not used as a guiding document, the KJC and its working groups were fully invested from initial needs assessments, to drafting objectives and action plans for each strategic objective. Another difference from the first plan's implementation is the secretariat's commitment to hiring staff to monitor progress on achieving the strategic goals. By the end of Year 3, the entire committee approved the draft to submit to council – the council's vote is expected the beginning of Year 4. Considering KJC's considerable investment in the second plan, EROL remains optimistic this plan will stick.

### **National Backlog Reduction Strategy**

Another KJC success achieved with significant EROL assistance in Year 3 was a second National Backlog Reduction Strategy developed by a working group and adopted by the council. The KJC was required to adopt a second backlog reduction strategy, as the first one adopted had not reduced the backlog. The work that EROL did in developing a database tracking the courts' cases was the first step toward understanding the backlog. The council, with continued input and support from EROL, adopted a new strategy with 12 separate initiatives to sustain backlog reduction, while keeping up with current cases. Significantly, the strategy requires each basic or appellate court to adopt a plan specific to its court. EROL throughout Year 3 focused on assistance to each court, using the database as the primary tool in understanding the court's caseload during any given time period. By the end of the Year 3, each court had a solid grasp of its particular backlog challenges, and with EROL's help, has a plan of attack.

### **Sub-legal Acts**

Even though the new court system was successfully in place by the end of Year 3, the KJC failed to adopt a large number of sub-legal acts to fully implement the new Law on Courts. The prolonged absence of the chair and director of the secretariat in

“EROL has provided an unprecedented level of collaboration and cooperation with EUOK projects.” **Enrico Visentin, Task Manager, Rule of Law/Cooperation Section for EUOK.**

EUOK Donor’s meeting  
October 16, 2013

Brussels stymied progress, as well as a largely ineffective legal office charged with initial drafts of acts and regulations. Two important regulations worked their way through the legal office and normative committee to council approval with significant EROL assistance – a regulation on the appointment and re-appointment of judges, and the regulation on performance evaluation of judges.

These regulations ensured that sufficient judges would be available in the courts, and respectively, a system would be in place to consistently evaluate judges’ performance. EROL was heavily involved in drafting and review of both regulations, along with Human Dynamics. Another critical regulation providing a process for the appointment of ex officio (pro bono) advocates for criminal defendants, and providing a fee schedule for their services was completed by the end of Year 3; two additional regulations also waiting for council adoption concerned the KJC’s organizational structure and certification of

translators and interpreters. In Year 4, the chair and the secretariat are unlikely to be pulled away from the KJC as frequently for negotiations in Brussels; the KJC and secretariat will re-focus on adoption of sub-legal acts with EROL’s persistent support.

### **Improved KJC Organization: Policy Analysis, Technology and Communications**

The strategic plan, backlog reduction plan and drafting and review of sub-legal acts commanded significant EROL investment over Year 3. EROL in addition filled gaps in KJC and the secretariat’s decision-making and day-to-day operations, with activities promoting reasoned policy analysis, improved communications to the public and technology upgrades.

In Year 3, EROL’s development of the court’s case tracking database was instrumental in the KJC’s ability, for the first time, to accurately assess and analyze the number of new judges needed to serve the judiciary. The secretariat used the EROL database to parse numbers of cases per each court – both backlog and current caseload – to determine the number of judges needed. The secretariat, in cooperation with EROL, presented the process used to arrive at concrete estimates; EROL assisted with this presentation to president judges and the council, who agreed with this assessment. The council subsequently approved the vacancy notice for new judges based on the secretariat’s projections. The council was also required to decide the mandate of 47 judges who had been appointed during a period where there were interim rules in effect. The judges all had some break in service which might determine whether their mandate was initial or permanent. The council relied heavily on EROL’s legal analysis in making this important decision.

Recognizing that the judicial system has to do a better job of open communication with the public and working more closely with the media, EROL in Year 3 organized training for newly hired public information officers in each court and at the secretariat. The training covered basic to advanced media relations – from writing press releases and conducting interviews to the more complicated and delicate balance required in crisis communications. EROL also organized regional round tables with local courts and local media, both as a continuation of its outreach programs and as event training for the new public information officers in Peja, Prizren, Ferizaj and Mitrovica. These programs required a forum for court representatives to openly dialog with journalists, many of whom did not know the new public information officers existed (see Objective 4, below).

EROL helped design and develop a new and robust web portal for the KJC and the judiciary. Even though the KJC had lobbied for the web development – in part to satisfy EU transparency requirements - KJC staff capacity was thin, and its

bandwidth stretched. The web portal's depth is exhaustive, and its design complex in that it will house not only the KJC's web pages but pages for each of the courts. EROL led efforts to coordinate content and protocols for that content, as well as web portal upgrades and maintenance, and coordinated work closely with the developer and the secretariat. EROL recommended Gjilan as the pilot basic court to establish the process models and templates, and standardized instructions for posting court decisions that other courts will consistently follow. Maintaining this content will require detailed protocols since multiple court staff will input, modify and maintain content, however, Gjilan court staff were contributing fully, lending promising and concrete sustainability to the effort. The KJC's web portal work was well underway by the end of Year 3, and is expected to launch in Quarter 1/Year 4.

Throughout Year 3, EROL kept improved KJC efficiencies in sight, with evaluation of the chair and council's leadership and meeting management skills. EROL advised both on process-focused basics – such as preparing and circulating agendas and other materials well in advance of meetings, and simply developing a set schedule for council meetings. Both the chair and council demonstrated significant improvement in these areas by the end of Year 3; EROL is finalizing a manual including checklists for rules of procedure, and other information to streamline council meetings.

## 1.2 KOSOVO PROSECUTORIAL COUNCIL

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EROL re-calibrated its support to the Kosovo Prosecutorial Council in Year 3 when council advised EROL it could decrease its assistance. Still, EROL contributed significant drafting expertise for regulations adopted by council on the appointment and evaluation of prosecutors, and EROL coordinated efforts with Human Dynamics and EULEX in developing the KPC's three-year strategic plan. The plan was completed in Year 3, but council has yet to adopt it.

The council met regularly as Year 3 began, gathering important information from the prosecution offices and analyzing their workloads; however by Quarter 2, council action was curtailed by the absence of the chair and his key advisors for Brussels negotiations. With council meetings stalled, EROL turned its efforts to completing successful development of a new web portal for the KPC, and delivered substantial training to the council's public relations office. And, at council's request, EROL initiated Legal English classes for eight legal department officers who had requested this training to improve reading comprehension of English documents.

As with the KJC, EROL continued to enjoy a cooperative and productive working relationship with KPC's European advisors. In particular, under an MOU between EROL and Human Dynamics, Human Dynamics took the lead in developing a regulation on the appointment of new prosecutors and one on the evaluation of all prosecutors. This partnership was especially productive, as EROL and its donor counterpart coordinated activities reviewing drafts and providing commentary. The results were not only regulations, but included useful manuals for each process including templates for significant documents.

### **Strategic Plan**

EROL invested considerable effort, along with EULEX and Human Dynamics, assisting KPC senior staff in developing a three-year strategic plan. Early in Year 3, the plan was ready to submit to council for adoption. However, the chair declined to bring it before the council until the Normalization Agreement negotiations regarding The North were complete. Rather than amend the plan when an agreement is reached, the chair decided to wait to ensure that any strategic objectives required under the new agreement could be included in the plan before it would be submitted to council. Unfortunately, a year has passed without a final agreement on the North; one-third of the time covered by the strategic plan is now gone, and the chair's mandate will end with his retirement in August. Another issue is that the plan is now somewhat out of date, and does not include longer-range goals. Therefore, EROL and the other international advisors intend to bring a new initiative to convince

the council to open the draft plan for revisions, and to submit the revised plan to the council at the earliest possible date in Year 4.

### **Policy Development and Public Communication**

Apart from the strategic plan, EROL's support to the KPC in Year 3 included drafting and review of a regulation for the selection of a new chief state prosecutor. The chief state prosecutor and chair face mandatory retirement in early August 2014. Council sought international assistance in developing a regulation setting out the procedure for hiring a new chief state prosecutor. The DOJ and EULEX supported the staff in preparing a draft regulation. EROL participated in the council meeting where the final draft was completed. It was adopted late in Quarter 4 by the Council along with a notice of vacancy document.

In Year 2, the council and the KJC agreed to hold joint quarterly meetings to discuss matters of common concern. These joint meetings continued in Year 3. This venue was useful for both councils to make collaborative comments to the MOJ on its draft law on a Justice Academy. EROL participated in this meeting and provided commentary on the draft law for the councils to consider. By the end of Year 3, the draft law remained at the MOJ, with no further indication as to when it may proceed further.

Throughout Year 3, EROL continued its collaborative relationship with EULEX and Human Dynamics advisors – namely the strategic plan, regular council meetings or working draft regulations. At one of the quarterly EUOK meetings during Year 4, EROL was complimented for its “unprecedented” excellent cooperation with EUOK IPA programs.

EROL in Year 3 focused on strengthening communications skills of KPC staff, as well as KPC communication to the public. Early in Year 3, EROL contracted with a developer to design a new web portal for the KPC. The design was approved by the council, with EROL coordinating the technical effort with KPC IT staff. Portal design was a vast improvement on the KPC's former web presence – the new portal included several iterations of pages providing user access points to information on the office of the prosecutor, chief state prosecutor, the KPC secretariat, the seven new basic prosecutorial offices, mediation information, and for the first time, the public access to online feedback forms, links for crime victims, and job vacancies. EROL assisted the KPC, facilitating meetings with the developer, and translating content into three languages. The web site launched before the end of Year 3, with IT continuing to sustain its technical operation, maintenance and upgrades. EROL will work with the KPC to monitor web site new content processes and content additions through the end of the project.

Building on similar Year 2 activities, EROL provided a public communications strategy and training for council support staff. These activities included several days of workshops on media relations and crisis communications for the KPC's new public information officers. The public information officers – along with several new KJC new information officers – possess little to no formal training as official spokespersons dealing with media and public requests. EROLs workshops provided the basics – from writing press releases and media advisories to interviewing - and it offered the new professionals the opportunity to network as they built new skill sets and struggled to meet management expectations of their new positions (see Objective 4, below).

At the request of council staff, EROL in Year 3 began offering legal English classes for eight of the KPC's staff attorneys. The attorneys began their study with a Basic English language module delivered by an instructor trained to teach the course during a previous EROL legal English language activity. EROL will advance students to the intermediate module, at KPC's request, in Year 4.

### 1.3 MINISTRY OF JUSTICE

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EROL activities at the MOJ were successfully implemented during Year 3, especially for the Department of International Legal Cooperation (DILC). EROL delivered skills training in legislative drafting to the department, and in cooperation with both the DILC and State Advocate's Office (SAO), EROL designed, developed and launched a database for each office that tracks matters and their associated actions and documents from inception to close. These two databases are fully operational, with DILC and SAO staff entering and updating data on a daily basis.

Training for the SAO was still on hold at the request of the MOJ legal department at the end of Year 3, due to the fact that a State Advocate had not been appointed. And although it was not included in EROL's statement of work, at the request of the MOJ legal department and with the concurrence of USAID, EROL provided consultation and advice to the Minister's advisor in the development of concept papers for a new Justice Academy, and revisions to the process of legal training after law faculty education ends.

#### **DILC Capacity Improvement**

Kosovo is not yet a party to the United Nations or European conventions on civil law matters. Therefore, disputes concerning Kosovo citizens require DILC staff to prepare judicial or extrajudicial service of documents in enforcement of judgments. To ease the work in the service of documents, DILC staff is in the process of negotiating its first bilateral agreement on civil matters.

At DILC's request, EROL assisted in training the staff on cross-border cooperation in service of documents and enforcement of judgments. EROL delivered a two-day training program, following the most recent legislative developments in the international and European legal context regarding recognition and enforcement of foreign court judgments, service of documents, and collection of evidence. Training also focused on EU conventions governing this area, and the application of international and national procedures when handling requests for international legal assistance. Also in Year 3, EROL assisted the DILC with drafting a concept paper for a new Law on International Legal Cooperation in Civil Matters to replace outdated existing legislation. The concept paper provided a framework for options and alternatives that may be addressed by the new law in a manner compatible EU and international legal standards. The MOJ delivered the concept paper to the Assembly, a pre-requisite to formation of a working group to draft the legislation. In Year 4, EROL expects that further MOJ legislative action per this initiative will be largely based on the policy considerations provided in this concept paper.

### 1.4 CHAMBER OF NOTARIES

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EROL is no longer providing substantial direct support to the Chamber of Notaries; limited support will be provided through the KJC.

### 1.5 OFFICE OF THE PRESIDENT OF THE REPUBLIC OF KOSOVO

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EROL's support to the president's office in Year 3 focused on coordinating legislative drafting assistance with other justice sector institutions such as the KJC, KPC and MOJ, and improving communication between justice sector institutions and the public on judicial and prosecutorial appointments. EROL paid particular attention to development of legislative drafts reflecting sound policy analysis in coordination with other justice sector institutions. This was accomplished via intra-governmental roundtables and training on preparation of sub-normative acts. Following these events, EROL delivered a train-the-trainers workshop – offering instruction to instructors from the president's office and other institutions on teaching their peers legal drafting best practices.

### **Legal Drafting and Review**

Throughout Year 3, EROL directed its support to the president's office toward strengthening legal drafting skills of its legal advisors. There was sound improvement in legal advisors' drafting practices, particularly in use of language uniformity consistency, and to further this positive development, EROL convened two intra-governmental roundtables with legal teams from the president's office, MOJ, KPC and the KJC. These offices' attorneys worked together through drafting challenges, particularly lack of policy analysis 'know-how' and application. Legal teams capitalized on those two rare occasions where representatives from the key justice institutions were together in one meeting to address policy assessment mechanisms and institutional and international standards. Following the roundtables, EROL supported a two-day workshop on drafting sub-normative acts. EROL invited the legal teams from the president's office, MOJ, KJC and KPC a second time to study how legislation and associated regulations must adhere to Constitutional and statutory requirements, and how to facilitate a proper public consultation process in the course of the legal drafting. Finally, toward the end of Year 3, EROL conducted a train-the-trainer workshop, preparing instructors to teach drafting techniques, from language and checklists to policy analysis scenarios.

### **Improved Public Communications**

With EROL assistance, the president's office transparency with judicial and prosecutorial appointments improved to some degree in Year 3. EROL met several times with the communications and legal teams on its website re-design and use of social media to ensure that key content – such as appointments and law promulgation – would be delivered effectively and promptly to the public and media. EROL assisted the communications and legal teams with developing a process to publish the presidential decrees on appointments law promulgation; by the end of Year 3, the president's office had published some decrees, albeit inconsistently. EROL will continue to work with the president's office in Year 4 to identify issues with this publication.

### **Legislative Review Guide**

One of the major EROL contributions to the President's Office in Year 3 was providing technical assistance to define the standard operational procedures for the presidential review of the parliamentary enacted legislation. EROL prepared guidelines designed to help the legal team identify those laws that deserve close attention in review, and present the greatest potential need for return to the Assembly. The result was a legal team better able to prioritize laws by their subject matter and complexity, and allow for the allocation of professional resources to more closely and consistently review those laws pending presidential approval.

### **English Language Program**

In Year 3, EROL supported the president's office legal staff with two additional modules of legal English training, after the staff had successfully completed the first module in Year 2. The training was completed in September 2013. The modules covered research and comprehension of basic documents of international law, including treaties and conventions. The legal English trainer was a former EROL-trained instructor who followed EROL's lesson plans specifically developed for the two modules. Following the program, the legal team achieved intermediate proficiency to research, read and understand international legal texts in English.

## **OBJECTIVE 2: INCREASE THE EFFICIENCY OF COURT OPERATIONS**

### **2.1 ASSESS AND AMEND MODEL COURTS PROGRAM STANDARDS AND PROCEDURES**

Immediately on the heels of Kosovo's successful court restructuring, EROL's model court team in Year 3 recognized that sustainability would be a key goal as well as its most daunting challenge. Having followed EROL's methodology to physically transfer more than 240,000 case files under re-structuring, the courts were faced with the complicated and sensitive task of re-aligning staff along expanded jurisdictional lines. This called for court leadership to step up and develop achievable strategies

for improved staff and resource allocation to best address efficient caseload management. EROL supported this effort, not only with court staff skills training, but also with assistance to the courts with developing strategic plans and backlog reduction – two initiatives made considerably more accurate and substantively more reliable by the EROL-developed database.

Re-defining court process methods and staff roles to improve efficiency - and by extension, public transparency - is to effect a fundamental internal culture change that rejects practices rewarding minimal performance. Year 3 brought with it an open acknowledgement from some in the courts that top performers following Model Court Standards are often pressured to maintain the status quo. EROL recognized that at times, the court's most commendable staff were not held out as successful examples, but instead compelled to underperform. This was evident throughout the court system, particularly Kosovo's largest court, the Pristina Basic Court. Yet, the fact that those within the system itself have begun to recognize and openly discuss this issue is a step in the right direction, as sustainability of best practices will only result when the courts acknowledge and drive positive change and solid work ethics. With this in mind, EROL in Year 3 provided targeted assistance specifically designed and delivered to affect short- and long-term impact on the judiciary, court employees and members of the public. EROL activities built an operational framework so that courts progress toward a culture rewarding well-performing staff based on merit and institutionalize process based achievement.

### **Capacity Building Through Operational Development**

**Strategic Planning.** So that the judicial reforms are successful, Kosovo's court leadership must shift into short- and long-term strategic thinking, planning and implementation. This shift has not and will not come quickly or easily, requiring continued training and guidance. In Year 3, EROL assisted court management by cooperative development of strategic plans for all president judges, court administrators, and key operational staff. EROL training enabled courts to invest in their own regional Strategic Operational Plans (SOPs) focusing on strengthening internal infrastructure and communication, records and case management, and training. EROL worked alongside court staff to develop regional plans with four elements for each area: a strategic objective and description of the objective; the objectives' priority; a target date for task completion; and milestone accomplishments. In addition to court presidents and key operational staff, EROL delivered a one-day workshop for regional IT staff to develop specific strategic plans for their courts. IT plans now exist hand-in-hand with the courts' overall strategic plans, and were adopted and signed off on in Year 3 by all president judges.

Following adoption of the strategic plans, EROL worked with the courts through the remainder of Year 3, making adjustments and tightening up plan implementation. The result has been promising – court leadership is now focused on the plans, and in doing so, conduct regular meetings with staff with agendas spelling out issues to be addressed and policies to consider (EROL encouraged courts to track meeting development with minutes, a practice several adopted). Some court leadership teams have established executive, case management and IT committees, so that the entire court participates in some manner with in court planning operation. Committees include judges, administrators and court subject matter experts - all of whom now contribute to more efficient and effective practices and governance policies.

**Backlog Reduction.** Strategic plans each judicial region adopted in Year 3 require development and implementation of a backlog reduction plan. The National Backlog Reduction Strategy guides this effort, and carries with it an identical requirement – bringing synergy to the various strategic documents governing the reform process. Having proven that statistical reports from the EROL-developed database can be a powerful tool in caseload management, EROL convened president judges for a joint backlog reduction planning session to highlight how reliable statistics, informed management decisions and uniform approaches can assist in the current drive to reduce the backlog, while also managing current caseloads.

As Year 3 drew to a close, there continued to be much room for efficient and predictable court and caseload process improvement. Following the president judges meeting, Following the president judges meeting, EROL conducted regional meetings with each region's backlog reduction committee to agree on a process for the courts to uniformly assess their workload, report reliably on backlog and the current workload, define and implement case processing strategies that take

advantage of collective rather than individual action, and finally, to monitor and evaluate their progress towards their reduction goals and objectives. The assessment designed by EROL was presented at the meetings and adjusted according to court feedback.

Assessments in Peja and Ferizaj were completed in Year 3. EROL will continue in Year 4 with the remaining regions. Assessments for the Mitrovica and Pristina regions will be planned and executed in a manner that addresses the unique circumstances of the North, and the largest court in the country. Assessments extend beyond counting numbers of cases, and instead examines status of individual cases, the actions taken to date, and those needed to move the case forward towards disposition. The courts will categorize cases by the actions needed and work more holistically rather than relying on the current practice of one case-one action at time. Within the guidelines of the NBRS, courts have been given the liberty to be creative in their approach. EROL has encouraged courts to work together towards the common goal, to share resources, information and approach methods. For many courts, this is the first time they have had access to concrete data broken down categorically in a way that demonstrates real options for dealing with backlogs and predicting future caseload trends.

### **Court Staff Capacity Building**

**Targeted Court Staff Training.** In the midst of strategic planning training and development, EROL recognized significant issues with court staff communication skills, specifically delivering meaningful messages and constructive criticism. EROL engaged a national consultant to deliver a series of workshops to assist judges and court staff in building effective communication skills. Participants studied why the manner in which information is delivered has a significant impact on how that information is received, and why reflective communication avoids misunderstandings and builds solid office relationships. EROL ensured the training included developing public-facing skills as well – customer service communication skills for court staff – including court security staff – who are most times the first person the public may encounter at the courts. Altogether, EROL supported 17 workshops delivered to 580 court staff - including president and supervisory judges, court and assistant administrators, division chiefs, clerks and typists. Initial feedback was so positive EROL also conducted a train-the-trainers program for 23 court staff on effective communication and customer service skills; during the three-day training, participants prepared classroom-type presentations that were video-taped and critiqued. These trainers were unable to deliver training to peers during the remainder of Year 3, generally due to courts' caseloads; however, EROL will plan for these graduates to begin instruction in Year 4.

In addition to the “soft-skills” communications training, EROL in Year 3 provided technical training to strengthen staff computer skills. While working daily in the courts, EROL noted that many staff lacked even basic computer skills. EROL selected Ferizaj Basic Court as the pilot court for a computer skills assessment. EROL and the court identified experienced staff who would attend an advanced training program to become “super-users” training their court staff. Six staff attended a three-week, 60-hour advanced computer skills training program in Pristina. Training focused on the courts' most relevant work – electronic management of files, word processing and spreadsheets, and internet and email applications. Once super-users returned to their courts, response to their training was overwhelmingly positive. EROL extended super-user training to all regions, as well as the Supreme Court and Court of Appeals, so that more than 50 staff took advantage of the program.



Court staff from all regions participating in Effective Communication Training in Pristina.

Throughout Year 3, super-users improve efficiency of court staff workflow, troubleshooting daily technical issues, colleagues' technical challenges and generally assisting EROL and KJC automation initiatives. EROL expects super-users will continue this positive contribution into Year 4.

Super-user training provided an unexpected and beneficial outcome - the real-time assessment of newly-hired court statisticians' skills sets. Early in Year 3, EROL met with court statisticians statistical reporting to inform leadership decisions related to backlog reduction, court and individual judges' performance, trends in new case filings, case dispositions, and more. The new statisticians were generally recruited from other positions – one commonality they shared was lack of formal training or experience in statistics. The KJC had established a set of spreadsheet-based reporting forms statisticians were required to use. It was quickly evident that most statisticians did not understand Excel and were unable to create reports requested by court leadership.

EROL stepped in to train the new statisticians, using the EROL-supported database to demonstrate what could be measured and what kinds of reports could be generated, and why such reports were critical to the work of the courts. EROL also engaged the American University of Kosovo to provide an intensive three-week training course on basic, intermediate and advanced Excel skills. All statisticians attended training at the same time to allow for mutual skills building and networking. This training and EROL's interventions have demonstrated concrete results, improving statisticians' skill sets to create reports specific to the needs of court leadership. EROL in Year 3 also worked hand-in-hand with the courts to ensure ongoing statistical reliability of monthly, quarterly and annual reporting; EROL in Year 4 will completely hand off this responsibility to the court's corps of news statisticians.

**EROL-Developed Database.** Reliable statistics and management reporting are critical to the courts' ability to assess and manage its workload. The EROL-developed database played a key role in Year 3 informing Kosovo's court leadership about backlog and current caseloads, enabling court presidents to manage caseload more effectively within the court as a whole, and with regard to individual judges. Early in Year 3, EROL deployed the web-based database to all courts in all regions, and initiated a training program for all staff, including judges; approximately 1,000 staff were trained by a 38-member team of EROL staff in Quarter 1 and Quarter 2.

As training continued, staff enthusiasm grew, even among judges. For the first time, court staff realized tangible benefits derived from real-time access to case data. As court staff became more and more familiar with the database, EROL could scale down its data entry staff, and by the end of Quarter 3 all courts had, for the most, part taken on the responsibility of entering data as part of its daily workflow. Supporting this effort, EROL delivered a workshop for IT staff to demonstrate the database functionalities, user troubleshooting, and to discuss the roles and responsibilities of IT staff within their courts and in relation to the KJCS. EROL also conducted a database review for president judges, court administrators and statisticians, reinforcing their understanding of the system's operation, and future development phases. For this program, EROL encouraged the president of the court appeals – a super-user in his own right - to demonstrate the database to his peers and to explain how it contributed to backlog reduction efforts in particular and caseflow management in general. EROL followed-up with a later meeting of all president judges to discuss the status of the database, and to impart the need for leadership to continually encourage their staff use of the system. As Year 3 came to a close, leadership buy-in was secured, and the database updating and maintenance sustained by the courts.

EROL worked throughout Year 3 enhancing database features adding greatest value for the courts, including reports critical for president judges and court administrators developing backlog reduction strategies. Search and filtering options increasing data accuracy were implemented so that court staff could readily identify and correct common data entry errors. EROL also revised reports so that staff could parse data by court, or by individual or groups of judges and case types. This data can be viewed in either a summary (total number of cases) or detailed format (all individual cases that make up the summary total). Before making any change to the database, EROL sought input from court users, securing their investment in new updates.

By the end of Year 3, EROL and president judges, court administrators and chief clerks shared mutual oversight of the database. Some courts were much more adept populating the database, while Kosovo's largest court - the Pristina Basic Court - continually lagged behind any other in the country. In Year 4, EROL will double efforts there. The EROL-developed database – a distant cousin to the future full-scale Norwegian-funded Case Management Information System (CMIS) – provides Kosovo's courts significantly strengthened capacity to initiate and monitor reforms, measure performance, and plan strategically to reduce case backlog and delay. Until the CMIS becomes reality, as envisioned some four or five years from now, the EROL-developed database keeps the courts on track to accomplish much-needed reforms.

## 2.2 SELECT AND IMPLEMENT MODEL COURTS PROGRAM IN THE COURTS

EROL in Year 3 completed refurbishment of eight courts and began work on two additional facilities. EROL also completed designs for two courts, and will move ahead with task orders to refurbish them early in Year 4. In addition, the design for the Shtërpce court began in Quarter 4/Year 3, and will continue into Quarter 1/Year 4.

A notable EROL achievement in Year 3 was EROL's assessment and repair of damages to the Mitrovica Basic Court in north Mitrovica. Most of the building's damage had been the result of a sewage problem – EROL completed all of these interventions in about 30 days. EROL took precautions for staff and contractor security in cooperation with Kosovo police and EULEX (two EULEX judges have offices in the Mitrovica courthouse).

### Design

The process for developing, procuring and completing designs for each court refurbishment involved several EROL site visits and collaboration with the judges and court staff on the space requirements within the court building footprint. Refurbishment did not include building new space – rather redesign and refurbishment of existing space makes the space compliant with model court standards, and includes accommodation for persons with disabilities.

### Refurbishment

Similar to the design process, EROL continued the same procurement process with court refurbishment IQC firms. Pre-refurbishment work included significant coordination with the courts and KJC. As part of the process, both dynamic work and mobilization plans were submitted to EROL for approval. The approval process included an on-site review with the court presidents and administrators, as well as the KJC. Once approved, EROL scheduled refurbishment work with as little disruption as possible to the work of court staff and the public.

EROL in Year 3 completed work on the following courts:

- The Rahovec Basic Court completed refurbishment March 12, 2013; inauguration held March 27, 2013.
- The Gjilan Basic Court completed furnishing on April 30, 2013; inauguration held May 30, 2013.
- Lipjan Branch Court completed refurbishment May 11, 2013; inauguration held May 13, 2013.
- Istog Branch Court completed refurbishment May 18, 2013; inauguration held June 21, 2013.
- Suhareke Branch Court completed refurbishment June 22, 2013; inauguration held December 11, 2013.



USAID Director Maureen A. Shauket, President Judge of Pristina Basic Court, US Coordinator for Assistance to Europe and Eurasia, Ambassador of Norway, and Chairman of KJC at the inauguration of the Branch Court in Lipjan.

- Supreme Court completed refurbishment on August 8, 2013; inauguration held October 4, 2013.
- Viti Branch Court completed refurbishment on April 18, 2013; inauguration held January 9, 2014.
- Dragash Branch Court completed on October 23, 2013; inauguration held December 5, 2013.
- Gillogoc Branch Court completed refurbishment December 6, 2013; inauguration held December 19, 2013.
- Kacanik Branch Court completed refurbishment March 6, 2014; inauguration held March 26, 2014.
- Mitrovica Basic Court repair work began February 13, 2014 and was completed on March 11, 2014. Additional repair work for an exterior issue may be undertaken in Year 4.

Two courts beginning refurbishment in Year 3 and ongoing into Year 4 are Deçan Branch Court (began January 13, 2014; completion scheduled May 15, 2014) and Podujevë Branch Court (began February 20, 2014; completion scheduled May 26, 2014). Year 4 for court refurbishment will take place at these three courts - Klina Branch Court, Malisheva Branch Court and Shtërpce Branch Court.

### **Model Court Design Assistance to the KJCS**

The KJCS began building new courthouses in Ferizaj and Vushtrri in Year 3. Prior to construction, EROL reviewed designs for both courts, and recommended changes so that the buildings would meet Model Court standards. In general, EROL recommended minor changes for the Ferizaj court; however, the Vushtrri Branch Court design required substantial adjustments. EROL met with KJCS, and provided documentation for Vushtrri's proposed design recommendations. After KJCS reviewed its contract with its design company, it decided it would not adopt EROL's recommendations.

### **MEDIATION (CONTINUATION OF SEAD ACTIVITIES)**

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Effective June 1, the mediation centers and mediation activities EROL had sponsored in Year 3 were transferred to USAID's Contract Law Enforcement (CLE) program. EROL had assumed support for the development of mediation in Kosovo and mediation-related activities in March 2013 per an agreement with USAID, after the Systems for Enforcement of Agreements and Decisions (SEAD) project ended.

## **OBJECTIVE 3: IMPROVE PROFESSIONALISM OF JUSTICE SYSTEM ACTORS**

### **3.1 KOSOVO JUDICIAL INSTITUTE (KJI)**

In Year 3, EROL's work with the KJI improved the institution's capacity to identify and deliver essential training to judges, prosecutors and court staff. The KJI benefitted greatly from its close association with EROL, furthering its continuing education curriculum development and delivery with a series of train-the-trainer programs. By the end of Year 3, EROL delivered on critical KJI needs through developing curricula, bench books, and technology and training staff. EROL is poised to assist KJI in developing foundational competencies in Year 4 - competencies delivering training using basic adult education techniques; developing staff skills to assess the judiciary's training needs; program evaluation methodology; and reduced reliance on international donors for new curricula.

#### **Support for Developing Curricula**

The KJI delivers training for judicial and prosecutorial candidates through the Initial Legal Education Program (ILEP) and continuing legal education of judges and prosecutors through its Continuous Training Program (CTP), as well as education programs for judges and prosecutors seeking promotion. In Year 3, EROL developed and delivered the curricula for the CTP. In some instances, the training was built into other program components, with the KJI as a co-training, observational, participant. The eight curricula included the following training modules:

- **Judicial Trial Practice (Civil)** (developed and delivered Year 3) - EROL provided technical assistance to the KJI in the development of a Judicial Trial Practice training module covering civil matters. EROL delivered the training to a group of civil judges at the KJI; the objective was strengthening participants' legal reasoning and trial strategy skills in a simulated trial setting, and participants' ability to apply substantive and procedural law as a legal proceeding evolves. The training was co-taught by EROL, a judge from the Mitrovica judicial region, and a judge from the Pristina Basic Court. Both judges were KJI adjunct instructors. The interactive educational methodology was very well-received by the judge-participants as reflected in the excellent evaluations. In response to weaknesses in civil proceedings identified by OSCE, EROL later created additional case studies that were added to the curriculum.
- **Information and Communications Technology** (developed and delivered Year 3) - EROL developed a training module on use and misuse of information technology in a legal setting, for judges and prosecutor.
- **Legal Reasoning and Writing for Judges** (developed and delivered Year 3) - EROL assisted the KJI in the completion of a training module on legal writing and reasoning skills. The module introduced participants to teaching techniques and best practices in legal reasoning and writing, including practical exercises that could be incorporated into other relevant KJI coursework.
- **Judicial Ethics** (developed Year 2 and delivered Year 2 and Year 3) - EROL provided technical assistance to the KJI in the development of a course for judges on the application of ethical principles to their work as judicial officers.
- **Case Management for Judges** (developed Year 2 and delivered Year 2 and Year 3) - EROL assisted the KJI in the development of a training module for judges that focused on the efficient processing of individual cases by individual judges.
- **Communications Skills for Judges** (developed Year 2 and delivered Year 2 and Year 3) - EROL developed a training module designed to strengthen the communications skills of judges (and, as appropriate, prosecutors), particularly when dealing with parties, court staff, members of the public, and the news media.
- **Judicial Independence and Advanced Ethics** (developed Year 2 and delivered Year 2 and Year 3) – EROL developed an advanced training for seasoned KJI faculty on Judicial Independence and Advanced Ethics. The uniqueness of this training was the methodology used to develop critical thinking through experiential learning and team coaching. The trainees scrutinized different scenarios that presented ethical dilemmas and threats to the independence of the judiciary.

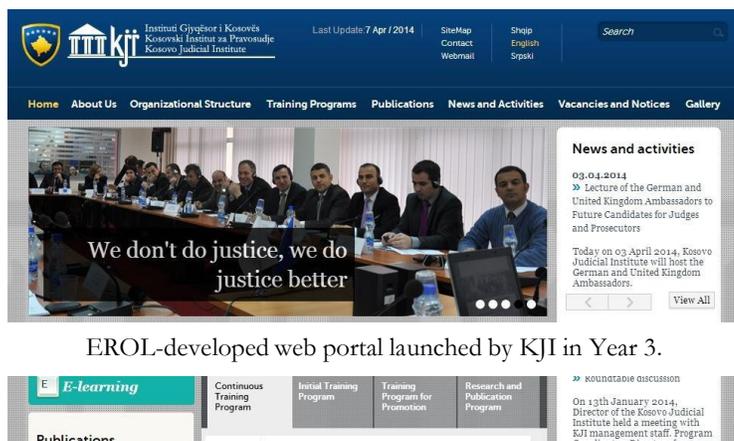
In addition to conducting train-the-trainer instruction for each of these modules, EROL in Year 3 facilitated transition of teaching responsibilities from EROL to KJI instructors by meeting with the KJI faculty over the course of several months to discuss curriculum and teaching methodologies. Upon EROL's recommendation, the KJI agreed to include the courses in its 2014-2015 Framework Training Program. KJI's vision for the program addresses professional, inter-disciplinary, and judicial bias-related competencies.

By the end of Year 3, the timing was right to advance KJI's Program to include interdisciplinary competencies based upon sound needs assessments. The determining element of training program content is the training needs they are intended to address, and moving into Year 4, the KJI is not equipped to evaluate gaps in competencies of judicial officers, prosecutors or court staff, in part because it is unfamiliar with modern needs assessment techniques and because donors have for the most part fully designed KJI's course curriculum. Building upon the Advanced Faculty Training delivered in Year 3, EROL will focus on developing those KJI staff skills so that by the end of Year 4 KJI will design and administer needs assessments for more sound educational foundation for judicial, prosecutorial and staff training programs.

### **Support for Developing KJI Faculty and Staff**

EROL and other donor-led efforts have contributed to a large repository of KJI training materials. What KJI lacks, however, is staff capacity to design curriculum applying best practices in adult education and commensurate faculty skills applying sophisticated experiential learning methodologies. In Year 3, EROL conducted eight train-the-trainer programs for more than 170 instructors corresponding to courses outlined above. EROL successfully transferred teaching responsibilities for each education program to the KJI faculty mentored during previous training activities. EROL also worked with KJI to develop a holistic faculty development program built on the foundation of adult educational theory by: 1) evaluating the existing train-the-trainer curriculum; 2) developing and presenting an Advanced Faculty Development program to experienced KJI faculty; and 3) developing a Faculty Handbook to acquaint new and experienced faculty with the adult education theories and practices followed at the KJI. The Faculty Handbook proved a valuable way to consistently reach KJI faculty. According to KJI feedback, the handbook in Year 3 provided a custom-designed, comprehensive and readily accessible resource for every KJI faculty member.

In addition to KJI faculty development, EROL continued in Year 3 to support the KJI's director and program staff with a visit to the Federal Judicial Center in Washington, DC. The director's trip was primarily funded by the US Department of Commerce to conduct other business; EROL seized this opportunity to coordinate an orientation to the FJC's programming and resources. KJI staff benefited from developing professional relations with other judicial educators through the exchange of best practices and innovative curriculum, and the exploration of effective delivery methods such as e-Learning. In Year 4, EROL will continue to promote strategic alliances at the institutional level that will strengthen the sustainability of KJI by fostering the development of key personnel in the organization, expanding their vision for programming and knowledge of best practices in judicial education.



EROL-developed web portal launched by KJI in Year 3.

### **Strengthening KJI Technology**

With EROL support in Year 3, KJI launched its database/web portal. The web portal provided KJI with a suite of internal repositories for human resources, finance and procurement department records and reports; its public-facing content offers judges and prosecutors course materials and registration capabilities for participants in KJI programs, as well as a gateway to an e-learning platform that in the future will greatly expand the availability of KJI's continuing legal education programs. By the end of Year 3, KJI was consistently performing the web portal's maintenance and upgrades and managing site content without EROL assistance.

### **Bench Book Initiative**

In Kosovo, a significant proportion of judges are new to the bench or are new to the particular field of law that falls within their new responsibilities. This lack of experience, combined with a lack of judicial reference resources, has contributed to non-standard judicial practices in judicial procedure and decisions. A substantial EROL undertaking in Year 3 was coordination with KJI on civil and criminal bench books to provide judges simple and practical guidance in common situations. EROL and KJI, in collaboration with the KJC, formed two working groups of judges with experience in criminal and civil procedure. To develop the judges' drafting competencies, EROL conducted three workshops to orient them to best practices in bench book design, writing and production that in Year 4 will be published as a drafting guide for future bench book initiatives. EROL also engaged the assistance of a US federal judge with expertise in providing judicial and legal education services to serve as a bench book advisor. Working with the KJI's head of Program Research and Publication,

EROL in Year 4 will continue to overseeing bench book drafting efforts, the editorial review process, and providing technical assistance as needed through publication by December 2014.

## 3.2 CONSTITUTIONAL COURT

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The Kosovo Constitutional Court entered its fifth year during EROL's Year 3. The court continued to benefit from considerable attention from EROL and other donors, strengthening competencies of its staff, resources and technology. The court capitalized on EROL and donor efforts in its characteristically cooperative manner that was open to efforts to build staff professionalism, and improve the court's processes and technology.

### **Judicial Conference**

EROL supported the court's second judicial conference in Year 3 drawing nearly 100 participants from Kosovo's legal community. EROL and the court president selected the conference topic, the "Self-Executing Nature of the Kosovo Constitutional Court's Decisions," as it was generally held that Kosovo's judiciary is reluctant to interpret and apply Constitutional provisions, or seek court advisory opinions, when disposing of legal proceedings. The conference was moderated by a US federal judge who addressed the attendees with a keynote speech highlighting the long and continuing evolution in US Constitutional law, and considerable tensions in Constitutional interpretation by the three branches of government. The court president opened the conference, and was followed by an address from one of the court's legal advisors on cases before regular courts, and specific types of Constitutional articles that may be invoked.

The conference panel also included the president of the Supreme Court, who highlighted the regular courts' obligation to adjudicate cases based on the Constitution when applicable; his address was followed by speakers from the chief state prosecutor's office, the president of the chamber of advocates and a private attorney specializing in Constitutional law. A lively discussion followed, with questions posed by judges and academics in the audience, with additional perspective and commentary provided by the moderator.

### **Amended Rules of Procedure**

As its fifth year began, the court requested EROL support a second workshop on its rules of procedure amendments, and engage the US federal judge who had worked previously on the rules in Year 2. The court's rules governing its operations have evolved relatively flexibly as the court's decision-making becomes more mature; its rules have also benefited in large part from input by several international judges who remain on the court's bench. The Year 3 workshop revisited rules of procedure especially those addressing critical roles of judge rapporteurs, recusals and the role of legal advisors in researching and writing opinions. The court president underscored the need to fine-tune procedural rules with the evolution of the court; the amended rules were promulgated by the end of Year 3. Their importance to the court is integral to its operations; their importance is also becoming more and more significant as the number of Constitutional law attorneys in Kosovo grows.

### **Code of Professional Conduct**

In Year 3, the KCC approved and EROL published the court's code of professional conduct. In Year 2, EROL had conducted a workshop with members of the KCC, which resulted in a draft code of conduct, and subsequently, the KCC adopted the Code of Conduct for Judges of the Constitutional Court - an important step toward professionalization of the Court, as well as a measure strengthening public confidence in the KCC's decision making.

### **Technology and Training**

Building on EROL's case summaries activity in Year 2 and EROL's assistance to the KCC developing a new database of searchable case decisions, the KCC IT staff followed through on the launch and continued maintenance and upgrades for the court's new technology. The case database incorporated EROL summaries; in Year 3 legal advisors continued to write case summaries for current case decisions that were loaded by IT into the database. IT tested the decisions database throughout

Year 3, and it continued to perform optimally. EROL and the KCC in Year 4 will make minor changes to the database with the addition of a full-text search feature.

In Year 3, the KCC's public information officer joined KJC and court information officers for media relations and crisis communications training EROL offered during Year 3. The KCC's information officer – a former journalist - shared his experience with the new information officers and responding difficult questions from to journalists on unpopular court decisions (see Objective 4, below).

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

### STRATEGIC ACTIVITIES FUND

Civil society organizations have expanded in size and scope, particularly in post-conflict countries - and Kosovo is no exception. NGOs focusing on rule of law activities have helped fill the void where justice institutions lack transparency, and with EROL's technical assistance, USAID's Forward sub-grantees have conducted court monitoring activities significantly improving the public's information on citizen access to court services, court enforcement of women's inheritance rights and courts' compliance with language translation and interpretation requirements.

In Year 3, EROL continued to provide administrative assistance to the USAID Forward grant program, particularly to grant awardees Advocacy Training and Resource Center (ATRC) and the Balkan Investigative Research Network (BIRN). ATRC in turn solicited sub-grantees for two projects to monitor courts and anticorruption initiatives; BIRN conducted a public outreach and awareness program enhancing citizen understanding of the justice system and legal reforms.

At USAID's request in Year 3, EROL initiated a project needs assessment for ATRC and BIRN. EROL conducted several interviews with both organizations to determine target technical and training needs under USAID Forward. EROL provided advice and assistance to both so that ATRC and BIRN met USAID's grant agreement, and assisted both with internal operational activities such as work plans, budgeting, managing project workflow and sub-grantees' activities. EROL provided checklists and templates when appropriate for carrying out these tasks.

EROL helped ATRC through the pre- and post-award grants processes. EROL supported ATRC with editing and revising request for applications for the first and second round of grant applications for two USAID projects to increase citizens' awareness and participation in the justice system. EROL met with ATRC on several occasions, advising its management on potential grantees' eligibility criteria and procurement procedures for selecting qualified organizations. As part of its procurement effort, ATRC published the request for applications, and next organized a series of question-answer information sessions for potential grant applicants in Pristina and eight other cities. To more effectively reach minority communities ATRC - with EROL advice - sent its applications package translated into Serbian to the Kosovo Policy and Action Network, since it is the largest minority civil society network in Kosovo. More than 50 organizations responded to the first applications request; 13 were recommended for

“In Lipjan Branch Court, POLIS monitored court proceedings on property inheritance, concerning women and inheritance rights. We are thankful for being a (grant beneficiary) because this has helped us to strengthen our organizational and operational capacities, and the communication between the court and the public.” **Fitim Sadiku, NGO Polis, Lipjan**

USAID Forward sub-grantee

an award. There were 69 project proposals for the second round of grants; 9 were awarded projects (EROL sat on the review panel to select sub-grantees during the second round).

EROL supported ATRC with revision and completion of its basic grant agreement, and assisted ATRC with drafting a notification letter to unsuccessful applicants, and with responses to unsuccessful applicants who had requested specifics about their rejection. In addition, EROL helped guide ATRC through the post-award process, developing criteria for sub-grantee reporting. EROL also provided sub-grantees support developing project data-gathering systems, compiling monitoring reports and reporting findings and recommendations. EROL and ATRC together developed monitoring and reporting templates in a meeting answering questions and concerns regarding the reporting activities. Once complete, ATRC distributed monitoring reports from the first round of grants to as many justice institutions, courts and government offices as possible.

In addition to technical assistance, EROL also promoted the role and monitoring findings of the civil society organizations with invitations to EROL events. Sub-grantees when appropriate presented findings during roundtables; at least one organization was generally on the roundtable discussion for court inaugurations.

### **Court Users' Survey**

Perceptions and opinions of persons who receive services are increasingly used as a major source of performance feedback by courts and other public institutions. Court user surveys are useful to gauge perceptions in critical areas such as access to justice, timeliness, procedural fairness and the overall effectiveness as seen through the eyes of those who actually have encountered the courts. EROL, working with the local consulting firm, developed a questionnaire to measure perceptions of Kosovo court users. Using that survey tool and working within international standards for quantitative and qualitative survey methodologies – including questionnaire design and data collection, analysis and reporting. The firm conducted surveys of over 1,300 court users throughout Kosovo, providing a baseline for future surveys.

EROL worked closely with the firm to develop the data collection method, questionnaire design, field work procedures. To allow the interviewers access to court facilities, EROL secured court access authorization from the KJC. The firm conducted a training session in Quarter 1 for the 35 interviewers recruited for the survey. Training sessions included instruction in the survey objectives, question asking, probing on inadequate responses and recording answers. The sessions also included supervised practice interviews. The interviews were carried out from May through June, 2013 throughout all courts in Kosovo, except the courts in the North -- Mitrovca North, Leposavic and Zubin Potok.

EROL in Quarter 2 conducted several site visits to monitor the work of the interviewers in the field and was satisfied with the quality of the interviews conducted. Also to ensure the quality of the data collected the firm back-checked one-third of the interviews and survey result findings to verify with interviewees that the interview in fact took place. The survey's preliminary findings were submitted to EROL at the end of June, 2013. Over 1,300 people were interviewed (30 questions of court operations, and additional demographic data collected). The base line result was 76% of court users were somewhat or very satisfied with their experience at the court.

The base line survey makes it possible, among other things, to plan for targeted and effective public education strategies and initiatives aimed at improving both access to the court system and the quality of court services for all members of the public. EROL will present all survey findings to USAID in Year 4.

### **PUBLIC OUTREACH AND OUTREACH TO UNDER-REPRESENTED COMMUNITIES**

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EROL in Year 3 focused not only disseminating information to the public, but on developing targeted messages about the courts and court services to Kosovo's men and women of all ages, from all communities – in their own language. EROL

reached court staff, court reporters, civil society organizations monitoring the courts and citizens using the courts in nearly every corner of the country through training, roundtables, workshops, events and informational literature.

Beyond mere meetings, EROL when possible paired its activities with themes to reinforce messaging. In March, EROL marked International Women’s Day in Pristina with an open discussion led by women judges from the court of appeals who exchanged experiences, expectations and views from Kosovo’s bench and bar to women law students in the first years of legal education. EROL also observed International Mother Language Day in Prizren, the home of several under-represented communities – notably sizable Bosnian and Roma minorities. The language commissioner from the Office of the Prime Minister made a special effort to participate in this event; discussions featured court services – including translations and interpretation - available in Albanian, Bosnian and Roma and Kosovo’s laws enforcing courts’ accommodation of multiple languages.

EROL also accelerated its messaging in Year 3 with a series of inauguration events transcending ribbon-cutting ceremonies for newly-refurbished courts. Instead of simply speeches and congratulations, court presidents, the KJC and civil society representatives were engaged in opening the new courts with a discussion on high-profile issues for the courts serving its communities. Topics included enforcement of free and fair elections, environmental protection, women’s roles in the justice system, and transparency and accountability of Kosovo’s courts. These dialogues were widely covered by the media, extending access to messaging on the courts and court services Kosovo’s citizens – including under-represented communities and people with disabilities - well beyond the court’s doors.

EROL combined its multi-language literature and coordination with the KJC and local courts to deliver more than 20 outreach events in 21 municipalities in Year 3. EROL focused on potential, current or former law students, generally between ages 17 to 30. Students were particularly attracted to EROL discussions about careers in law, especially access to judges and prosecutors who could answer questions about professional requirements for becoming judges and prosecutors.

In Year 3, the KJC, KPC and court’s communications to Kosovo’s citizens made notable improvements with EROL technical assistance, although justice sector institutions still have much to do developing formal procedures guiding the internal and external communication of the courts and councils. From Year 3’s beginning to end, public information officers continued to be seriously understaffed. Encouragingly, those information officers who were hired in Year 2 and remained through Year 3 made considerable gains communicating the work of the courts and prosecutor’s offices to the public. In January, several public information officers assisted their court presidents delivering year-end annual press conferences. These events included statistical analysis of the court’s caseload and presentation of those statistics to journalists covering press conferences. EROL contributed significant support to information officers delivering the analysis – both with gathering statistics from the EROL-developed database to presenting the information in a meaningful way. With EROL’s support, information officers’ efforts were far more effective than ever before; these new professionals have now seen new skills in action with success will be much more likely sustain these successful efforts into Year 4, and beyond the EROL project.

### **Improved Media Relations and Crisis Communication Skills Building**

**Public Information Officer Training.** The KJC’s public information office is staffed by only one professional responsible for promoting the institution’s work throughout Kosovo’s entire court system. The Supreme Court of Kosovo has had no spokesperson since January 2013. Basic courts in Ferizaj, Peja, Prizren and Gjilan have information officers in place, as does the court of appeals and Constitutional court; but the country’s largest basic court in Pristina lacks a spokesperson, as does Gjakova and Mitrovica (Mitrovica had had an information officer in place, but her employment was cut short in Year 3 because of an administrative complaint from another court employee who had been a candidate for the post). The KPC has fared somewhat better – its two information officers have served the prosecutor’s office since September 2013.

EROL had offered new public information officers intensive training in Year 2. In Year 3, EROL communication skills-building meant re-delivering the basics for new information officers while conducting advanced instruction for current PIOs during the same sessions so that networking opportunities would not be lost. EROL designed three days of workshops balancing the basics for new information officers while at the same time delivering advanced techniques for existing information officers, including press release writing, interviewing and crisis communications; participants were challenged to craft creative and concise press releases and media advisories, as well as conducting the courts' media events. Participants also videotaped simulated media interviews, later reviewed and critiqued by the group. Information officers confirmed that this exercise was particularly helpful to them, as they could see and hear their weaknesses and strengths, as difficult as it was to critique their own work. EROL during training recruited the most skilled information officers to co-teach on-the-fly with the instructor – a variation on train-the-trainer the trainer that in particular called upon the Constitutional court and court of appeals information officers to share 'real' experiences and challenges on the job, and best practices promoting the work of their courts.

With national elections in November of Year 3 and on-going Normalization Agreement talks on the North, an entire training day for public information officers was devoted to preparing for and managing crisis communications. EROL actively engaged information officers in group exercises drawn from real and recent negative press coverage of the courts and the justice system in Kosovo so that participants would understand what crisis management techniques could help avoid media relations disasters. This day's workshops underscored how building a crisis management team with assigned roles and prepared messaging must be in place well before any expected or unexpected crisis begins. Participants said this type of training was



From left, Peja Basic Court President, the Court's public information officer, court administrator, and Court of Appeals public information officer at Peja's first justice and media roundtable.

most useful to them, and suggested another similar course that should include court presidents. The KJC chair and the chief of the Pristina basic prosecution during the training underscored the value of information officers, building public trust in the legal system with Kosovo's justice institutions frequently under attack. Information officers later in the year carried through on their training and new skills, researching for court presidents' annual press conferences and organizing media and justice events. By the end of Year 3, more than a few of the public information officers had made his or her mark on the court, no small feat where virtually none of them had had formal public relations or communications education or experience.

**Media and Justice Roundtables.** Complimenting media relations and crisis management training, EROL and public information officers in four courts joined forces to organize 'Media and Justice' roundtables in Ferizaj, Mitrovica, Peja and Prizren. These roundtables were the first of their kind, with representatives from the courts, regional media and civil society

groups, and provided a forum for court presidents and staff to field questions from the media and NGOs; the roundtables also provided information officers from the four basic courts the opportunity to apply in practice skills learned during their EROL training.

All four roundtables were well-attended by regional representatives of the prosecution service, police, chambers of advocates, notary system, media outlets, and civil society. Discussion focused on the court structure, how to improve communication between courts and the media and the general public, and what the courts can do to engage in more proactive communication. Concerns expressed by participants differed in each region. NGO representatives in Ferizaj were concerned with lack of

journalists' knowledge of legal terminology and functioning of the court system, and also suggested it would be useful if the courts prepared information why the courts cannot release certain types of information even if there are media inquiries. In Mitrovica, journalists recognized the difficult conditions under which that court operates, and asked that they be granted the right to have exclusive information that other media outlets do not have. The discussions in Peja centered around issues concerning access to court information, and instances where journalists were allegedly denied access to trials if they carried tape recorders or cameras in the courtrooms. At least one journalist remarked that he was unaware the court had an information officer, and from that point on, he would contact her first for court information. Journalists in Prizren were particularly interested in court statistics on certain types of cases, and detainees. Feedback from the media and justice roundtables from all participants was very positive; EROL will support additional roundtables in Gjakova and Gjilan in Year 4.

**Branding Strategy.** In addition to working with information officers shaping the image of the KJC and courts through communication, EROL focused on re-casting the KJC's "brand" with a workshop studying branding strategies. This session was the first of its kind for the KJC, and was attended by all court presidents and administrators, and KJC senior management. It provided an opportunity for participants to gain a better understanding of branding principles that to create a uniform and consistent visual KJC identity. Participants engaged in an active debate on defining the judiciary with logos and slogans best representing the justice sector's mission. The KJC later selected a local company to design the new logo, in use since January 1, 2014. Based on the discussions at the session, EROL prepared a draft concept paper on Social Media Policy Considerations and Proposed Guidelines for the KJC and the judiciary, consistent rules for the KJC to follow as it extends beyond web sites into social media use.

**Court User Information and Events.** Following EROL's Year 2 media campaign on the new court structure, EROL developed and distributed a series of brochures to all Kosovo courts in cooperation with the KJC. The series of "This is Your Court" brochures included the general structure of the new court system, separate brochures for the Supreme Court, Court of Appeals, the Commercial Court, the basic courts' Department for Minors, the Administrative Department of the Pristina Basic Court and brochures for the six basic courts outside of Pristina. The brochures were designed for easy reading, and to inform the public in plain language about the new court structure and courts' jurisdictions, specific departments and hours, contact addresses and phone numbers. The brochures were printed in five local languages - Albanian, Serbian, Bosnian, Turkish and Roma, and marked the first time that the KJC disseminated information to all communities in Kosovo in their own languages. All brochures were posted to EROL's website.

EROL and the KJC staff met with court presidents, supervisory judges and court administrators who enthusiastically displayed the brochures just inside court entrances using the brochure racks provided by EROL. Courts were also distributed CDs with brochures to re-print them as needed. While distributing brochures, EROL informally surveyed court staff about the brochures, and recommendations for new ones – for example, president judge of the Pristina Basic Court requested a separate two-page brochure on the specific jurisdiction of the court over the civil aspects of international child abduction. EROL developed "Protecting the Rights of Children" with assistance from the court and the MOJ. The brochure detailed the exclusive jurisdiction Pristina Basic Court in cases involving civil aspects of international child abduction. EROL printed 14,400 copies of this brochure in Albanian (5,600), Serbian (3,000), Bosnian (2,200), Turkish (1,900) and Roma (1,700). The brochure was distributed to all basic courts in October 2013.

In Year 3, EROL also drafted another set of brochures on the new structure of the prosecutorial system, and competences of each prosecution office. This set included 1) "Kosovo Prosecutorial Council – Entrusted with Administration of Prosecution Service," 2) "Kosovo State Prosecution: Prosecutors Closer to the Citizens," and 3) "Kosovo State Prosecution: What Does a State Prosecutor Do?" The KPC approved the content of the brochures, and EROL will complete and distribute them to courts and prosecution offices in Year 4.

**Events and Court Inaugurations.** To promote as much public interest and media coverage as possible, EROL coordinated outreach events with counterparts in combination with themes delivering the message more meaningfully to the public. Events in Year 3 focused on under-represented communities and women, and court services and legal resources available to these groups in Kosovo. After inaugurations in Rahovec, Lipjan, Gjilan and Istog, inaugurations evolved from simply ribbon-cutting events into a forum for discussion. They featured dialogs among Kosovo’s court and justice sector institution leadership, alongside the US Embassy or USAID representatives, the Embassy of Norway (USAID’s partner in court refurbishment funding) and civil society representatives.

Events and inaugurations in Year 3 drawing large numbers of participants and the media were:

- **International Roma Day.** EROL organized this event for Prizren’s Roma community, with a panel of Roma attorneys, and a Roma judge and execution clerk. Roma law students were most interested panelists’ experiences, opportunities and instances of discrimination. The newspaper Koha Ditore and broadcaster RTK covered the event.
- **International Mother Language Day.** Students from Albanian, Bosnian and Roma communities engaged in a lively dialogue with judges and the language commissioner from the Office of the Prime Minister. Discussion included services courts must provide in several languages and why all communities have the right to maintain their linguistic identity. EROL hosted the event with the KJC.
- **International Women’s Day.** EROL organized the event *Challenges of Women in the Justice Sector* as a run-up to Women’s Day. The event was hosted by USAID Mission Director Maureen A. Shauket and a court of appeals judge who is also chair of the Forum of Women Judges and Prosecutors of Kosovo. All women judges from the court attended and responded to questions from a group of female law students from the University of Prishtina. The event provided an opportunity for women judges to talk openly about their professional and personal experiences; the judges encouraged the law students to think about becoming the future judges of Kosovo. The USAID Mission Director spoke to the audience USAID support for gender and ethnic balance not only in the judiciary, but in all other areas of social and economic life in Kosovo. The event was broadcast by RTK2 (in Serbian language) and RTV21, and was covered by the daily newspaper Lajm and several online Kosovo publications.
- **The Supreme Court.** The court’s inauguration ceremony included a lively dialog between the court’s president, the Norwegian Ambassador, EROL, the public information officer from the court of appeals, a representative from BIRN, and a group of law students from the University of Prishtina and Illyria College law faculties. The discussion theme was “Transparency and Accountability of the Judiciary,” emphasizing Kosovo courts improved openness and citizen access. A short video on the event was published on EROL’s website.
- **Dragash Basic Court.** Chris Edwards, Deputy Director of USAID’s Mission in Kosovo, joined a panel discussion with the court’s supervisory judge, the president of the court of appeals and president of the Prizren Basic Court, and two non-governmental organizations. After a ceremonial tree planting dedication, the panel discussed how the courts and other stakeholders protect and Kosovo’s environment.
- **Suharekë Basic Court.** Inauguration panelists were Tanya Urquieta, Director for USAID’s Office of Democracy and Governance, the president of the Prizren Basic Court, judges from the Bosnian and Roma communities, and law faculty students representing minorities in Kosovo. This inauguration ceremony examined the role of the courts in protection of human rights and minority rights.
- **Gilgovec Basic Court.** The US Ambassador Tracey A. Jacobson led a discussion on the role of the courts in a free and democratic Kosovo, focusing in particular on success of the country’s fall elections. The ambassador was joined

by the president of Pristina Basic Court, the KJC chair, and representatives from IFES and two Kosovo civil society organizations that monitored the November elections.

- Viti Branch Court. Maureen A. Shauket, USAID Kosovo Mission Director, joined the Gjilan Basic Court president, a KJC representative, a judge from Pristina Basic Court's Department for Commercial Matters, and the regional director of the Gjilan Kosovo Chamber of Commerce in a panel discussion on the role of courts in the economic development. The event received wide media coverage from the daily newspapers Koha Ditore, Kosova Sot and Bota Sot; the online news agencies RajoniPress, 2Lonline, Kosova Info, Portali Vitia and the website for radio station Radio Rinia.
- **Kaçanik Branch Court.** Inauguration panelists were USAID Democracy and Governance Director Tanya Urquieta, the Ferizaj court president, the First Secretary of the Norwegian Embassy, KJC Chair, the chair and a board member from the new Forum of Women Judges and Prosecutors and the director of non-profit POLIS. Panelists engaged in a dialog on the role of courts in enforcing the legal rights of women in Kosovo, with special focus on gender balance within the courts and equal access to court services for women. Media coverage included Tema TV in Ferizaj and Koha Ditore.

#### **Support to the New Women's Forum of Judges and Prosecutors**

EROL's support for advancing women in Kosovo's justice sector in Year 3 included its key role in the development of the first forum for women judges and prosecutors in the country, in collaboration with USDOJ/OPDAT, and the Kosovo judicial and prosecutorial councils. EROL joined the association's founding efforts in February 2013 by providing USDOJ assistance with developing the new group's preliminary framework and operational strategies in an effort to move forward from thoughts on paper to a plan for actual formation. EROL assisted with knitting together a loose configuration of women judges and prosecutors to a solid core of 12 founding members. During two regional meetings in June, EROL provided critical support alongside OPDAT in Vushtri and Gjilan, recruiting volunteer charter members. In September, EROL continued these efforts, working with the charter members in a day-long drafting session to develop the association's mission statement and charter.

In October, EROL assisted USDOJ in a second workshop for charter members, finalizing a mission statement, and beginning discussions on group membership rules and a logo, and contributing to discussions on draft regulation for the forum's first elections. EROL continued its support to the Forum in November for the ratification of the draft regulation; in December, EROL supported a meeting of approximately 135 women judges and prosecutors voting for its first officers and association representatives. EROL organized voting resources and processes, from ballots and ballot boxes to ballot-casting procedures. In early 2014, EROL offered the Forum board and membership a workshop on women and leadership skills, designed targeted specifically to the Forum's newly elected chair and board. The workshop focused on securing an active membership to sustain the life of the new organization. In Year 4, EROL will extend further support to the Forum, building longevity as a network of professionals encouraging the legal career development of a new and current cadre of female judges and prosecutors.

#### **EROL Website**

EROL continued updating and improving its website, launched in Year 2 at [www.usaiderol.org](http://www.usaiderol.org). For the entire 12-month period of Year 3, the website had a total of 1,665 unique visitors; unique visitors increased each month through the year from September 2013, with the all-time high in March 2014 (247 unique visitors). Unique visitors during Year 3 clicked on 117,729 links. EROL's program activities are in three languages (Albanian, Serbian, and English).

## SUPPORT MINORITY OUTREACH

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During Year 3, EROL hosted 22 public outreach meetings in 21 municipalities that are home to a majority of Kosovo's minorities. EROL traveled to 13 meetings at public and private law schools, drawing 368 participants (187 men, 181 women), generally between the ages 17-30. EROL invited representatives from the courts, KJC and KPC to attend these meetings; attorneys or judges frequently attended and were very well-received by students who many times had not had contact with legal professionals from their minority community. EROL-created brochures supplemented this effort, with topics such as "Choose Your Profession," and "What is the Bar Exam?" and "Evaluation and Recognition of Diplomas." In Year 3, EROL published and distributed 6,150 brochures in Albanian, Serbian, Bosnian, Roma, Turkish and English language.

In addition to law students, EROL's outreach extended to the general minority community population, and representatives educational institutions, NGOs, minority media and relevant justice stakeholders. These discussions provided information on the new court structure and services, and career opportunities in the legal profession. Meetings took place throughout every region of the country, with the exception of the North (due to access). The meetings drew 332 participants (207 men; 125 women), generally between the ages of 16-55.

During outreach meetings, EROL noted participant questions and feedback that ranged from the general inquiries about whether court trials were open to the public to the courts' treatment of specific minorities. For many, outreach meetings were also the first opportunity to ask careers in law and where to search for job postings. Even though most participants knew how to search the internet, most were not aware of KJC and KPC web sites. EROL noted that during meetings Serbian youth hesitated to join discussions. Those who did said they also were reluctant to participate in Kosovo's legal system because of lack of information, political circumstances (perceived or real), parallel educational institutions, or simply due to negative impressions of the judicial system in general. Many did not know that Serbians work at the KJC, or that Serbian judges are working in Kosovo courts.

Unlike their Serbian peers, Roma, Ashkali and Egyptian youth relayed other problems and barriers burdening their employment in the justice sector. They cited difficult socio-economic situations as the greatest hurdle, with high secondary-school dropout rates among minority students. In the Turkish community, barriers to legal education reported anecdotally were lack of instructors or instruction in Turkish. Many of these students said they likely will pursue higher education in Turkey, considering language, quality of programs and number of scholarships provided by the Turkish government.

EROL reached communities with roundtables and information on the courts and court services, filling a need in rule of law satisfied by few other donors, especially outside of Pristina. In Year 4, EROL will continue organizing these meetings, and if the North opens to further activities, EROL will focus efforts on law students and communities there having had little contact with EROL or donor programs over the years.

## ENVIRONMENTAL REGULATION COMPLIANCE

EROL completed and USAID approved environmental reports for the second round of branch court refurbishment in Dragash/Dragas, Glogoc/Glogovac, Kacanik/Kacanik, Decan/Decane, Klina and Malisheva/Malisevo. In addition to environmental reports, EROL submitted six Model Court Site Specific Environmental Compliance Plans (SSECPs). All SSECPs were approved by USAID. In Year 4, per USAID, EROL will no longer submit SSECPs, only an amended Initial Environmental Examination (IEE) document.

During the furnishing work in Gjilan/Gnjilane Basic Court, and refurbishment of the Supreme Court and Viti/Vitina, Istog/Istok, Lipjan/Lipljane, Suhareka/Suvareka, Dragash/Dragas, Glogoc/Glogovac and Kacanik/Kacanik branch courts, all environmental compliance requirements were followed.

In Year 4, EROL met with USAID's environmental officer, bureau environmental officer and environmental consultant at the Suhareka/Suvareka Branch Court. Verbal feedback during the visit on environmental compliance was very satisfactory.

No additional environmental regulation compliance activities were completed this reporting period.

## STATUS OF BUDGET EXPENDITURES

As of March 31, 2013, EROL had spent approximately \$16,759,000. During the reporting period, spending was approximately \$7,600,000. With model court refurbishment programs still underway and a focus on activities to ensure sustainability, EROL anticipates the burn rate to continue at a relatively high rate – currently \$633,689 per month. EROL has spent 71.0% of its current total budget and 80.4% of the funds obligated. [Note: amounts are approximate as the March 2013 costs have not been finalized.]

## APPENDICES

### APPENDIX A: LIST OF REPORTS & DELIVERABLES COMPLETED IN PROGRAM YEAR 3

#### OBJECTIVE 1

- Instruction on Standard Operating Procedures
- Regulation for the Establishment and Functioning of the National Coordinator for Prosecution of the Perpetrators of Crimes and Seizure of the Material Benefit Acquired by Criminal Offenses
- Standard Operating Procedures for Victim Protection and Assistance Office
- Regulation on the Evaluation of the Performance of Judges
- Regulation on the Proposal Procedure for Appointment and Reappointment of Judges
- Regulation no. 01/2013 on the Certification of Interpreters and Translators in Criminal Proceedings
- Template Interview Criteria
- Template Pre-selection Criteria
- Concept Paper on Legal Education Reform
- Concept Paper on the Judicial Academy
- Annex 1 - Academy of Justice Scheme
- First Intra-Government Roundtable on Legal Drafting (co-hosted with NDI)
- Second Intra-Governmental Roundtable on Legal Drafting (co-hosted with NDI)
- OP Regulation on the Promulgation of Laws by the President
- Draft Law on Minor Offences (MoJ)
- Efficient Council Meetings Suggestion
- National Backlog Reduction Strategy
- Briefing Memo: Review of Initial Mandate of Judges
- Training on the Drafting of Subsidiary Legislation
- Third Intra-Governmental Roundtable on the Legal Drafting Process
- MOJ-DILC Training on the International Legal Cooperation on Civil Matters Kosovo Guide for International Legal Assistance in Civil Matters
- Training of Trainers Program in the Legal Drafting
- Kosovo Guide for International Legal Assistance in Civil Matters
- Administrative Instruction for Stamps (Nr. 201401)

- Regulation on the Criteria and Procedures for Selection and Proposal for Appointment of the Chief State Prosecutor

## OBJECTIVE 2

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- Customer Service and Effective Communication Training
- Customer Service and Effective Communication Handbook
- Customer Service and Effective Communication ToT Training
- Strategic Planning Workshop
- Strategic Planning for IT staff
- Court Strategic Operational Planning
- Computer Skills Training
- Focus Group- Computer Training for Court staff
- Court Strategic Operational Planning
- Workshop on Generating Statistical Reports
- Court Statistician Training
- Database Usage Training
- Court Operation's Strategic Implementation Plans
- Presiding Judges' Meeting on Database Usage and Court statistics
- MCP Backlog Reduction Workshop
- Challenges in Kosovo's Judicial System Management and Initiatives in Backlog Reduction
- TO #09 - Dragash Branch Court - Final Design
- TO #10 - Glogovc Branch Court - Final Design
- TO #02 - Supreme Court - Phase 1
- TO #04 - Suhareka Branch Court - Refurbishment Finished
- TO #05 - Vitia Branch Court - Refurbishment Finished
- TO #06 - Istog Branch Court - Refurbishment Finished
- TO #07 - Lipjan Branch Court - Refurbishment Finished
- TO #08 - Gjilan Basic Court - Furnishing Finished
- TO #09 - Dragash Branch Court - Final Acceptance
- TO #10 - Glogovc Branch Court - Final Acceptance
- TO #12 - Decan Branch Court - Final Design

- TO #13 - Podujeva Branch Court - Final Design
- TO #09 - Kacanik Branch Court A&E Design
- Technical Acceptance/Supreme Court
- Dragash Branch Court/Phase I Finalized

### OBJECTIVE 3

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- Communications Considerations for the Kosovo Judiciary: Promoting Clear Accurate and Productive Courthouse Communications (KJI Training Module)
- Judicial Trial Practice, Applying Legal Reasoning Techniques in Trial Proceedings (KJI Training Module)
- Judicial Roundtable Series: Information and Communication Technology Considerations for the Kosovo Judiciary (KJI Training Module)
- KJI Website/Database
- KCC – Special International Human Rights Edition of E Drejta, the Law Journal of the Pristina Law Faculty
- KCC – Court Decision Database/Search Engine
- Kosovo Judicial Institute Judicial Trial Practice: Applying Legal Reasoning Techniques in Civil Trial Proceedings (KJI Training Module)
- Judicial Independence and Judicial Ethics Notebook
- Advanced Faculty Development Handbook
- KCC Rules of Procedures Workshop

### OBJECTIVE 4

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- “This is Your Court” Brochure Series (13 different brochures in 6 languages)
- “This is Your Court” Brochures Distribution Plan
- Gjilan Basic Court Inauguration Ceremony
- Lipjan Branch Court Inauguration Ceremony
- Istog Branch Court Inauguration Ceremony
- “This is Your Court” Brochure on Civil Aspects of International Child Abduction (in 6 languages)
- “This is Your Court” Set of 13 Brochures Distribution Report (in English, Albanian, Serbian)
- Two Media and Justice Roundtables in Ferizaj and in Mitrovica
- Training on Media and Public Relations for Court Public Information Officers (PIOs)
- Media and Public Relations Handbook for Court Public Information Officers (PIOs)
- One-day Crisis Communication Training for Court Public Information Officers (PIOs)

- One-day Branding Planning Session for the KJC and Kosovo Courts
- KJC Social Media Policy Considerations and Draft Guidelines
- KPC Workshop on Social Media Guidelines
- KPC Social Media Policy Considerations and Draft Guidelines
- Brochure on International Child Abduction
- Fact Sheet - Branch Court of Dragash Inauguration
- Fact Sheet - Branch Court of Glllogovc Inauguration
- International Child Abduction Roundtable
- Media and Justice Regional Workshop in Peja
- Supreme Court Inauguration
- Viti Court Inauguration Public Report Documents
- Fact Sheet - Speech for Gjilan BC President
- Media and Justice Workshop in Prizren
- International Language Day Event in Prizren
- Women in Justice Event for International Women's Day
- Minority Outreach Report
- Kacanik Court Inauguration Public Relations Documents
- Fact Sheet - Speech for BC Ferizaj President
- Municipal Profile Fact Sheet for Pristina
- Municipal Profile Fact Sheet for Gjilan
- Municipal Profile Fact Sheet for Gjakova
- Success Story - USAID Model Court Standards Helps Restore Trust in Kosovo's Judiciary
- Success Story - TV Reporter Turned Court Information Officer: Bringing the Court's Work Closer to the Public
- Success Story - Suhareka Court Inauguration
- Success Story - International Roma Day activity
- Success Story - Lipjan Branch Court Inauguration Ceremony
- Success Story - Model Court Standards Restoring Public Faith in Justice
- Success Story - Advanced Legal Drafting Techniques Brings Kosovo Legislation Closer to EU Standards
- Success Story - From Classroom to the Courtroom Kosovo's Judges Advance Trial Management Skills
- Success Story Kosovo Judges Examine the Nature of Constitutional Court Decisions

- Success Story - Spreading the Word in Several Languages Helping Kosovo's Citizens Understand Their Courts
- Success Story - Transforming the Judicial System Through Education for Development
- Success Story - Effective Communication Success
- Success Story - KJI Database Success

## AD HOC REPORTS

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- Trip Report – STTA Michael Dobbins
- Considerations: Implementation of the Normalization Agreement Reached by the Prime Ministers of Kosovo and Serbia
- Security Survey: Implementation of the Normalization Agreement Reached by the Prime Ministers of Kosovo and Serbia
- Preliminary Curriculum Proposal for the Judicial Orientation Program: Implementation of the Normalization Agreement reached by the Prime Ministers of Kosovo and Serbia
- Preliminary Plan for the Reinstatement of the Mitrovica Basic Court Courthouse: Implementation of the Normalization Agreement reached by the Prime Ministers of Kosovo and Serbia
- Executive Summary of the Judicial Orientation Program: Implementation of the Normalization Agreement reached by the Prime Ministers of Kosovo and Serbia
- EROL Proposal for Utilization of Modular Office Containers
- Status Report and Next Steps Regarding the North Mitrovica Courthouse: Implementation of the Normalization Agreement Reached by the Prime Ministers of Kosovo and Serbia,
- CLE Program Reliance on the EROL Model Court Program Database System
- EROL Technology Initiatives and Potential for EUOK Collaboration
- Outline of the EROL Model Court Program Database Management Report Packages
- Customer Service and Effective Communication Final Report - STTA Refki Morina
- Final Assessment and Recommendations - STTA Anne M. Trice
- Appendix A - Pristina Basic Court Midterm Assessment and Recommendations
- Appendix B - Pristina Basic Court Archive Files
- Trip Report – STTA Barbara Swann
- EROL Weekly reports (April 2013-March 2014)
- EROL Press reviews ( April 2013-March 2014)

## APPENDIX B: SUMMARY OF YEAR 3 TRAINING AND CAPACITY BUILDING EVENTS

<b>Yr 3 Q4 Training and Capacity Building Events</b>							
<b>Program/Event</b>	<b>Date</b>	<b>Total</b>	<b>Male</b>	<b>Female</b>	<b>Alb</b>	<b>Serb</b>	<b>Min/ Others</b>
Database Usage Training	Jan-Mar 2014	51	12	39	51	0	0
Training of Trainers on Legal Drafting	15-17/01/2014	11	7	4	11	0	0
Amendments to the Courts Rules and Procedure Workshop	28-29/01/2014	25	15	10	16	3	6
Advanced Faculty Development KJI Training	24-26/02/2014	9	8	1	9	0	0
Challenge in Kosovo's judicial system management and initiatives in backlog reduction (Pristina)	11/03/2014	11	11	0	11	0	0
Challenge in Kosovo's judicial system management and initiatives in backlog reduction (Peja)	12/03/2014	7	5	2	7	0	0
Kosovo Judicial Institute Faculty Development Workshop on Judicial Independence and Judicial Ethics (ToT)	17-19/03/2014	15	10	5	15	0	0
<b>Quarter 4 Total</b>		<b>129</b>	<b>68</b>	<b>61</b>	<b>120</b>	<b>3</b>	<b>6</b>
<b>Life of Project Total<sup>1</sup></b>		<b>1,923</b>	<b>1,129</b>	<b>794</b>	<b>1,782</b>	<b>60</b>	<b>81</b>

<b>Yr 3 Q3 Training and Capacity Building Events</b>							
<b>Program/Event</b>	<b>Date</b>	<b>Total</b>	<b>Male</b>	<b>Female</b>	<b>Alb</b>	<b>Serb</b>	<b>Min/ Others</b>
Negotiation and Implementation of Bilateral Agreements in Civil Matters	3-4/10/2013	13	10	3	13	0	0

<sup>1</sup> Life Project Total represents unique number of individuals trained with EROL Program.

Customer Service and Effective Communication Training	Oct-Nov 2013	363	187	176	344	14	5
Database Usage Training	Oct-Nov 2013	494	248	246	474	13	7
Court Statistician Training on Excel Spreadsheet	Oct-Nov 2013	164	79	85	154	10	0
Kosovo Judicial Institute Judicial Trial Practice: Applying Legal Reasoning Techniques in Trial Proceedings (Civil)	04/11/2013	13	9	4	13	0	0
<b>Quarter 3 Total</b>		1,047	533	514	998	37	12

<b>Yr 3 Q2 Training and Capacity Building Events</b>							
<b>Program/Event</b>	<b>Date</b>	<b>Total</b>	<b>Male</b>	<b>Female</b>	<b>Alb</b>	<b>Serb</b>	<b>Min/ Others</b>
Database Usage Training	Jul-Sep 2013	103	46	57	101	1	1
Focus Group- Computer Training for Court Staff	03 July 2013	6	4	2	6	0	0
Workshop on Drafting Subsidiary Legislation	4-5 July 2013	13	8	5	13	0	0
Customer Service and Effective Communication ToT	10-12/07/2013	24	16	8	22	2	0
Workshop on Generating Statistical Reports	25 Sep 2013	11	8	3	10	1	0
Media and Public Relations for Public Information Officers	10-12/09/2013	13	4	9	13	0	0
Crisis Communications Workshop for KJC & Court Staff	13 Sep 2013	11	4	7	11	0	0
The 3 <sup>rd</sup> Intra-Governmental Roundtable on Legal Drafting	27 Sep 2013	22	11	11	22	0	0
<b>Quarter 2 Total</b>		203	101	102	198	4	1

Yr 3 Q1 Training and Capacity Building Events							
Program/Event	Date	Total	Male	Female	Alb	Serb	Min/Others
Effective Communication and Customer Service- Presiding Judges and Court Administrators	02/05/2013	42	31	11	41	1	0
Effective Communication and Customer Service	May - June 2013	259	149	110	236	19	4
Advances Computer Skills	May - June 2013	52	28	24	50	2	0
Court Strategic Operational Planning	May 2013	82	66	16	81	1	0
Data Base training for court staff	June 2013	484	247	237	462	10	12
Judicial Ethics	04 April 2013	9	7	2	9	0	0
Case Management for Judges	10 April 2013	9	4	5	9	0	0
Legal Reasoning & Writing for Judges of the Court of Appeals and Basic Courts	Apr/May/June 2013	57	36	21	55	2	0
Communications Skills for Judges	23 May 2013	11	8	3	11	0	0
Judicial Trial Practice	27 May 2013	6	5	1	6	0	0
<b>Quarter 1 Total</b>		<b>1011</b>	<b>581</b>	<b>430</b>	<b>960</b>	<b>35</b>	<b>16</b>

During the third year of the EROL Program implementation 2,380 participants have participated on 30 Capacity Building events organized by all four components of the Program. The Life of Project total number of unique individuals trained is 1,923 individuals, with Male = 1,129, Female = 794, with Alb = 1,782, Serb = 60, and Min/others = 81.

During the fourth quarter of the third year of EROL Program implementation 129 participants have participated on several Capacity Building events organized by all three components of the Program. The total number of unique individuals trained during the fourth quarter of the Program is 39 individuals, with Male = 20, Female = 19, with Alb = 30, Serb = 2, and Minority/Other = 7.

During the month of **Jan – Mar**, 2014 EROL team conducted a series of workshops on Database Usage for court staff. The objective of these workshops was to increase skills of the court staff on using the database which will help increasing the efficiency in case flow and case processing. Total number of participants trained is 51 participants, Male = 46, Female = 5, all of Albanian nationality;

On **Jan 15-17**, 2014, EROL team provided Training of Trainers on Legal Drafting. The purpose of the training is to 1) train a selected number of more experienced legal officers on substantive and methodical perspectives of law drafting and 2) to train those legal drafting instructors, who have the competences and the required skills and affinities, to effectively mentor, transmit and facilitate knowledge acquisition in the area of legislative drafting in Kosovo. The overall purpose is to improve the legal drafting training capacity in the Office of the President, Ministry of Justice, the Kosovo Judicial Council and the Kosovo Prosecutorial Council. At the training it was agreed to establish a critical group of local legal drafting instructors being able to facilitate effective delivery of the legal drafting skills to others. Moreover, it was agreed that EROL in coordination with other legal drafting authorities will prepare a compilation regarding the laws and sub-legal acts governing the legislative drafting process in Kosovo. On this training we had 11 participants, Male = 7 and Female = 4, all of the Albanian nationality.

On **Jan 28-29**, 2014, EROL team delivered workshop on Amendments to the Court's Rules and Procedures. As envisaged with the year three work plan, EROL continued to maintain a constructive, positive, and progressive relationship with the KCC on all levels and upon the Court's request that EROL assists with important capacity strengthening activities EROL has supported the second workshop for Amendment of Rules of Procedures for the KCC. This training was attended by 25 participants in total with Male = 15 and Female = 10, Alb = 16, Serb = 3, Min/Others = 6 participants;

On **Feb 24-26**, 2014, EROL team delivered Advance Faculty Development – Kosovo Judicial Institute training. EROL delivered training designing and using a specific Advanced Faculty Development Training Module for Kosovo Judicial Institute Faculty (ToT Training). The Handbook was designed around three modules: Foundations of Adult Learning, Curriculum Development and the Art of Teaching, while special emphases was given to the Kolb Experiential Learning Cycle and how it can be incorporated into and improve traditional presentations. The Kolb Experiential Learning model defines the experiential learning as “the process whereby knowledge is created through the transformation of experience, namely knowledge results from the combination of grasping and transforming experience”. The participants had the opportunity to present their life milestones and impact to their professional development as well as design a new curriculum and present it, as part of the training exercise. The Curriculums are expected to be incorporated in the regular KJI Training Program. This training was attended by 9 participants in total with Male = 8 and Female = 1, all of Albanian nationality;

On **Mar 11 and 12**, 2014, EROL team organized two workshops on Challenges in Kosovo's judicial system management and initiatives in backlog reduction. The purpose of these two workshops was to address the challenges of Kosovo's judicial system management and initiatives in backlog reduction with relevant actors. These workshops were attended by 18 participants in total with Male = 16 and Female = 2, all of Albanian nationality;

On **Mar 17-19**, 2014, EROL delivered training on Kosovo Judicial Institute Faculty Development Workshop on Judicial Independence and Judicial Ethics (ToT). EROL has provided direct technical assistance with developing a number of judicial and court staff training courses. In Year 4, that effort will shift to building the

KJI's capacity to design and conduct quality training programs. EROL will work closely with the KJI; focusing on faculty and staff development as it relates to curriculum and course development, and program effectiveness and evaluation, non-legal judicial education (e.g., bias, judicial temperament, gender, etc.). A ToT Workshop on Judicial Independence and Judicial Ethics and Module was designed for KJI Faculty to increase and make use of critical thinking, through experiential learning and team coaching. The Trainees scrutinized different scenarios involving situations that present ethical infringements and threats to the independence of the judiciary. This training was attended by 15 participants in total with Male = 10 and Female = 5, all of Albanian nationality;

During the third quarter of the third year of EROL Program implementation 1,047 participants have participated on several Capacity Building events organized by all three components of the Program. The total number of unique individuals trained during the third quarter of the Program is 281 individuals, with Male = 111, Female = 170, with Alb = 259, Serb = 16, and Minority/Other = 6.

On **Oct 3-4**, 2013, EROL team delivered training on Negotiation and Implementation of Bilateral Agreements in Civil Matters. 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. This training was attended by 13 participants in total with Male = 10 and Female = 3 all Albanian nationality;

During the month of **Oct – Nov**, 2013, EROL staff conducted a series of trainings on Customer Service and Effective Communication. The objective of these trainings was to improve communication skills of the court staff. Trainings were attended by total of 363 participants, Male = 187, Female = 176, Alb = 344, Serb = 14, and Min/Others = 5.

During the month of **Oct – Nov**, 2013 EROL team conducted a series of workshops on Database Usage for court staff. The objective of these workshops was to increase skills of the court staff on using the database which will help increasing the efficiency in case flow and case processing. Total number of participants trained is 494 participants, Male = 248, Female = 246, Alb = 474, Serb = 13, and Min/Other = 7.

During the month of **Oct – Nov**, 2013 EROL team conducted a series of trainings on Court Statistician Training on Excel Spreadsheet for court staff. The objective of these trainings was to increase capacities to use Excel Spreadsheet. Total number of participants trained is 164 participants, Male = 79, Female = 85, Alb = 154 and Serb = 10.

On **Nov 4**, 2013 EROL jointly with Kosovo Judicial Institute (KJI) organized training on Applying Legal Reasoning Techniques in Trial Proceedings (Civil). The objective of this training was focused on the sustainability of training programs required building staff capacity to conceptualize, design, develop and conduct trainings using a modern adult educational methodology. To that end, EROL continues to work closely with the KJI in the development and application of training of trainers (TOT) methods, which include programs designed for the Initial Legal Education Program (ILEP), as well as the Continuous Legal Education Program (CLEP). In addition, legal skills for judges and their staff, including trial/litigation management and legal research, will be improved through targeted, practical

exercises and practicums. EROL delivered a Judicial Trial Practice Best Practices program to Kosovo judges using an interactive methodology built around case studies reflecting the sort legal proceedings that current present challenges to the judiciary. Training was attended by 13 participants in total with Male = 9 and Female = 4, all of Albanian nationality.

During the second quarter of the third year of EROL Program implementation 203 participants have participated on several Capacity Building events organized by all four components of the Program. The total number of unique individuals trained during the first quarter of the Program is 83 individuals, with Male = 30, Female = 53, with Alb = 80, Serb = 2, and others = 1.

During the month of **July, Aug and Sep** 2013, EROL team delivered training on. These trainings were attended by 103 participants in total with Male = 46 and Female = 57; Alb = 101 and Serb = 1 and Min/Others = 1;

On **July 3<sup>rd</sup>**, 2013, EROL staff conducted a Focus Group – Computer Training for Court Staff. As court communication practices, processes and procedures become automated it is very important that all judicial employees receive training to increase their computer knowledge, skills and abilities. Aiming to identify computer skill training requirements for all court staff based on job duties and assignments as well as current skill level, EROL team invited group of six court staff who are familiar with the work in the courts, what does the computer training offer, and what are the needs and requirements of the court staff. This training was attended by total of 6 participants, Male = 4, Female = 2, all Albanian nationality.

On **July 4-5**, EROL team conducted a workshop on Drafting Subsidiary Legislation. Objective of this workshop was to strengthen the drafting capacities of the justice-sector institutions, including the Office of the President. Legal teams from the Office of the President, the Kosovo Judicial Council and the Kosovo Prosecutorial Council attended the workshop. Participants learned through practical exercises how legislation and associated regulations must adhere to constitutional and statutory requirements. In addition attendees worked on strategies to better facilitate public consultation prior to the finalization of the draft subsidiary acts. Total number of participants trained is 13 participants, Male = 8, Female = 5, all Albanian nationality.

### *Simple Case Study*

#### Court Management Training

February 2013

The purpose of this training was among other, strategic planning, leadership, utilization of executive teams and committees, communication skills for managers, disciplinary considerations, case management, case backlog and delay reduction, and utilization of technology tools for case flow and performance management.

*“Court Management training provided us various skills needed to address issues we face on our day to day business and how to better address them. I would like to point out the importance on setting objectives and developing action plan on achieving the respective objectives. In addition, we have been able to discuss thoroughly the issue of case management, improvement of the procedures for case tracking and public communication.*

*Court Management training has had additional positiv impact on our work. Consolidation of the working procedures in case management office, case*

On **July 10-12**, 2013 EROL organized Customer Service and Effective Communication Training for Trainers for 24 court staff. The objective of the consultancy service is to improve customer service at Kosovo Courts and increase information available for the public. With this training, Trainees will be able to continue Customer Service and Effective Communication training for the remaining court staff. Training was attended by 24 participants in total with Male = 16 and Female = 8, and Alb = 22 and Serb = 2.

On **Sep 10-12**, 2013 EROL team organized training on Media and Public Relations for Public Information Officers. The overall goal of the training was to provide the newly hired court Public Information Officers and the existing ones with the required skills to develop the skills for effective relations with the media and the general public; generate positive publicity for the courts; involve in outreach efforts. This training was attended by 13 participants in total, Male = 4 and Female = 9, all Albanian nationality.

*Simple Case Study*

Court Management Training

February 2013

The purpose of this training was among other, strategic planning, leadership, utilization of executive teams and committees, communication skills for managers, disciplinary considerations, case management, case backlog and delay reduction, and utilization of technology tools for case flow and performance management.

*Simple Case Study*

Training of Trainers on Legal Drafting,

15-17 January, 2014

The purpose of the training is to 1) train a selected number of more experienced legal officers on substantive and methodical perspectives of law drafting and 2) to train those legal drafting instructors, who have the competences and the required skills and affinities, to effectively mentor, transmit and facilitate knowledge acquisition in the area of legislative drafting in Kosovo. The overall purpose is to improve the legal drafting training capacity in the Office of the President, Ministry of Justice, the Kosovo Judicial Council and the Kosovo Prosecutorial Council.

On **Sep 10-12, 2013** EROL staff conducted a workshop on Generating Statistical Reports. Purpose of this training was to equip court staff with skills on generating statistical reports for the pending cases. This training was attended by 11 participants in total, with Male = 8 and Female = 3 with 10 participants of Albanian nationality and 1 Serbian minority community participant.

On **Sep 13**, 2013 workshop on Crisis Communications for KJC & Court Staff was organized. Purpose of this workshop was to train the newly hired court Public Information Officers on crisis communication management and skills and increase media relation skills. This training was attended by total of 11 participants with Male = 4 and Female = 7 all Albanian nationality.

On **Sep 27, 2013** EROL organized The 3<sup>rd</sup> Intra-Governmental Roundtable on Legal Drafting. The purpose of this activity is to support legal drafting reform in Kosovo, providing the justice sector with expert assistance understanding and clarifying the new draft Law on Normative Acts, and legislative drafting in the context of harmonization with EU legislation. The day-long program will provide participants with the opportunity to study concrete steps and methodologies for implementing the new legislative drafting standards. In addition to discussions led by the Prime Minister's legal department, EROL STTA will focus on the Regulatory Impact

Assessment and the legal approximation process as drafting standards contemplated by legal drafting framework in Kosovo. This training was attended by 22 participants in total with Male = 11 and Female = 11 all of them Albanian nationality.

During the first quarter of the third year of the EROL Program implementation 1,011 participants have participated on 10 Capacity Building events organized by all four components of the Program. The total number of unique individuals trained during the first quarter of the Program is 478 individuals, with Male = 222, Female = 256, with Alb = 443, Serb = 29, and others = 6.

On **05 May 2013**, EROL delivered training on Effective Communication and Customer Service - Presiding Judges and Court Administrators. Considering the nature of judicial functions, the courthouse environment, and the public interest, strengthening judicial communications skills is an important priority of the Judicial Council, Judicial Institute, and the judiciary. Thus, EROL delivered a Communications Skill program to Kosovo judges using an interactive methodology built on case studies involving typical communications skills challenges encountered by judges in Kosovo. This training was attended by 42 participants in total with Male = 31 and Female = 11; Alb = 41 and Serb = 1;

During the months of **May – Jun 2013**, EROL staff conducted a series of training on Effective Communication and Customer Service for Court Staff. Total number of participants trained is 259 participants, Male = 149, Female = 110, with Alb= 236 and Serb=19 and Others = 4.

### *Simple Case Study*

#### Court Management Training

February, 2013

The purpose of this training was among other, strategic planning, leadership, utilization of executive teams and committees, communication skills for managers, disciplinary considerations, case management, case backlog and delay reduction, and utilization of technology tools for case flow and performance management.

“Court Management training was very much needed especially for the management. It provided us with the skills how to motivate staff and increase their awareness and their effective communication. Knowledge we gained in terms of Strategic Planning and its Operational Planning will enable us to reduce the case backlog. ” – Vaton Durguti, President Judge, Basic Court of Gjakova

During the months of **May – Jun 2013**, EROL staff conducted a series of training on Advanced Computer Skills for Court Staff. Total number of participants trained is 52 participants, Male = 28, Female = 24, with Alb= 50 and Serb=2.

On **May, 2013**, EROL staff jointly with STTA Michael Dobbins delivered training on Court Strategic Operational Planning. The Strategic Operational Plan for the Basic Court will serve as a continuous guide in managing court operations. The elements of the plan are designed to enhance and sustain the standards for efficient and effective court management. The plan identifies clear objectives, describes issues and/or standards, identifies clear targets for accomplishment, and sets milestones for each objective’s completion. It will serve as a road map for guiding the court in the use and commitment of resources to accomplish the court’s mission. These trainings were attended by 82 participants, with Male = 66 and Female = 16 with 50 participants of Albanian nationality and 2 Serbian minority community participant.

During the months of **Apr-May, 2013**, EROL Staff conducted training on database usage. The purpose of these trainings was to provide participants with the skills on database usage/ data entry for all the clerks and court staff for more efficient and well organized work. These trainings were attended by total of 484 participants with Male = 247 and Female = 237 including Serb = 10 and Other = 12 minority community representatives.

On **04 April 2013**, EROL delivered a Judicial Ethics program to Kosovo judges using an interactive methodology built on case studies involving ethical challenges often confronted by the judiciary. The indoctrination of Kosovo judges in ethical best practices is a high priority of EROL, the Judicial Council, the Judicial Institute, and the judiciary. This training was attended by 9 participants in total with Male = 7 and Female = 2 all of them Albanian nationality.

On **10 April, 2013**, EROL team delivered training on Case Management for Judges. The purpose of this training was aimed at case backlog and delay reduction, and utilization of technology tools for case flow and performance management. In the work plan this is part of the envisioned course module aiming at judicial independence, now focusing specifically at applicable principles of case flow management. This training was attended by 9 participants in total with Male = 4 and Female = 5 all of them Albanian nationality.

During the month of **Apr/May/Jun 2013** EROL staff delivered training on Legal Reasoning & Writing for Judges of the Court of Appeals and Basic Courts. The purpose of this training was to strengthen the capacity of legal writing skills for judges as the highest priority by international donors, judges, the Kosovo Judicial Council, and other stakeholders. Over time the adaptation of the legal reasoning and writing methodology by all courts is expected to influence prosecutors, the Chamber of Advocates, and other lawyers, which would presumably result in more efficient, effective, and expeditious provision of justice services in Kosovo. These trainings were attended by 57 participants in total with Male = 36 and Female = 21, Alb = 55 and Serb = 2.

On **27 May 2013**, EROL delivered a Communications Skills program to Kosovo judges using an interactive methodology built on case studies involving typical communications skills challenges encountered by judges in Kosovo. Considering the nature of judicial functions, the courthouse environment, and the public interest, strengthening judicial

### Simple Case Study

#### Legal Reasoning and Writing for Judges Training

February, 2013

The purpose of this training was to strengthen the capacity of legal writing skills for judges as the highest priority by international donors, judges, the Kosovo Judicial Council, and other stakeholders. Over time the adaptation of the legal reasoning and writing methodology by all courts is expected to influence prosecutors, the Chamber of Advocates, and other lawyers, which would presumably result in more efficient, effective, and expeditious provision of justice services in Kosovo.

“Legal Reasoning and Writing for judges is one of the most important trainings that can be delivered to Constitutional Court Judges, especially for the new Judges. Due to the overload we face on our day to day work, very often our decisions are not well written. This training will enable us to improve our Legal Reasoning and Writing for the future” - Erdogan Haxhibeqiri, Judge, Constitutional Court

communications skills is an important priority of the Judicial Council, Judicial Institute, and the judiciary. This training was attended by 11 participants in total with Male = 8 and Female = 3 all of them Albanian nationality.

On **27 May 2013**, EROL delivered a Judicial Trial Practice Best Practices program to Kosovo judges using an interactive methodology built around case studies reflecting the sort of legal proceedings that current present challenges to the judiciary. In view of new Criminal Procedure Code provisions and the increasing availability of newly renovated courtrooms resulting from the work of the EROL Model Court Program, the Judicial Council, the Judicial Institute, and the judiciary place a very high priority on trial management and judicial proceedings skills. This training was attended by 6 participants in total with Male = 5 and Female = 1 all of them Albanian nationality.

Gender breakdown of EROL Capacity Building Events for Yr 3 represents satisfied representation between male and female participants. EROL staff across all four components has managed to engage 46.31% (276) male and 53.69% (320) female participants (Please, see **Figure 1**. Gender breakdown of EROL Capacity Building Events for Yr 3 on capacity building events provided during the third quarter of the third year of Program Implementation.

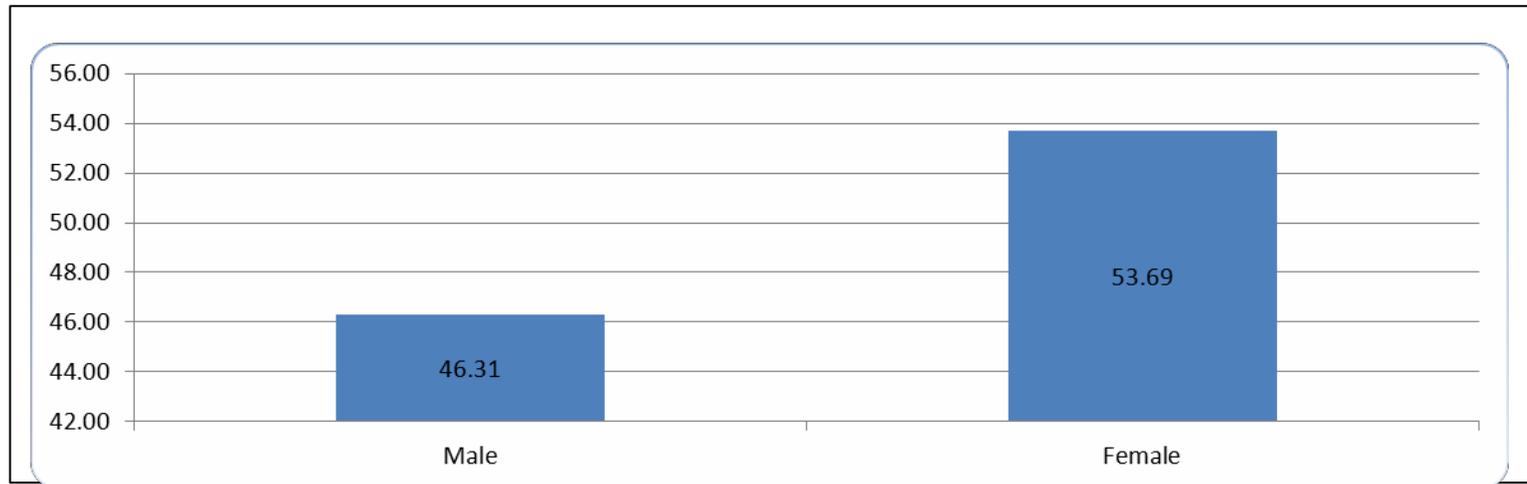


Figure 1 - Figure 1. Gender breakdown of EROL Capacity Building Events for Yr 3

Capacity Building Events organized by all four components of EROL Program included a total number of 596 unique individuals. Ethnicity representation on these events is provided under the **Figure 2**. Ethnicity breakdown of EROL Capacity Building Events for Yr3 with Albanian = 545, Serbian = 35 and Minority Community/Others = 16 participant participated.

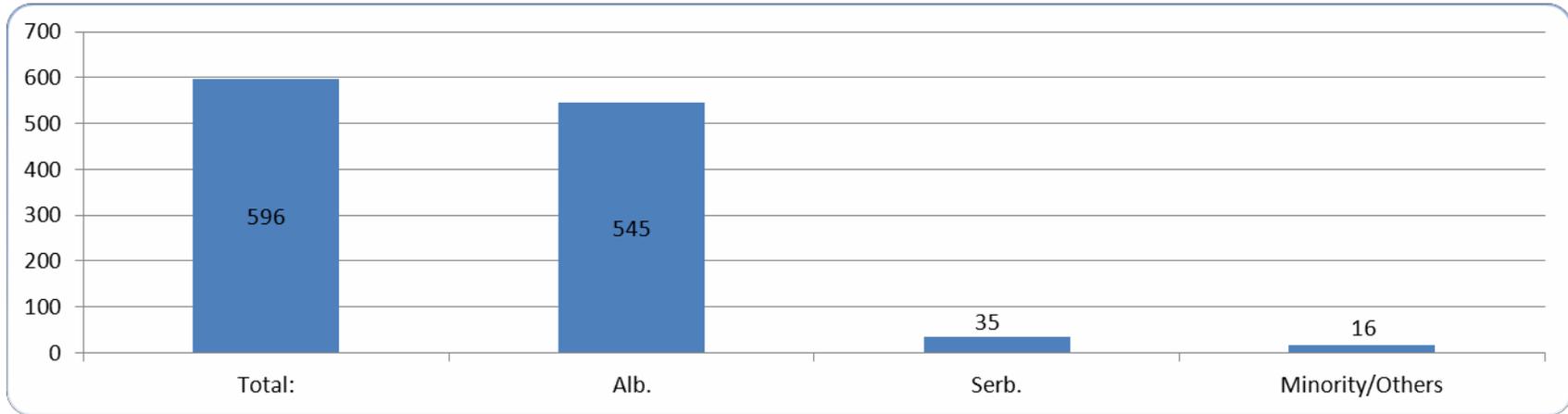


Figure 2 - Ethnicity breakdown of EROL Capacity Building Events for Yr3

Among participants that participated on EROL Program capacity building events there were 93 Judges, 9 Prosecutors, 435 Court Staff, 7 Executive Branch Personnel, 5 Media Relations and 47 Other Institutional representatives. (Please, see **Figure 3** for reference.)

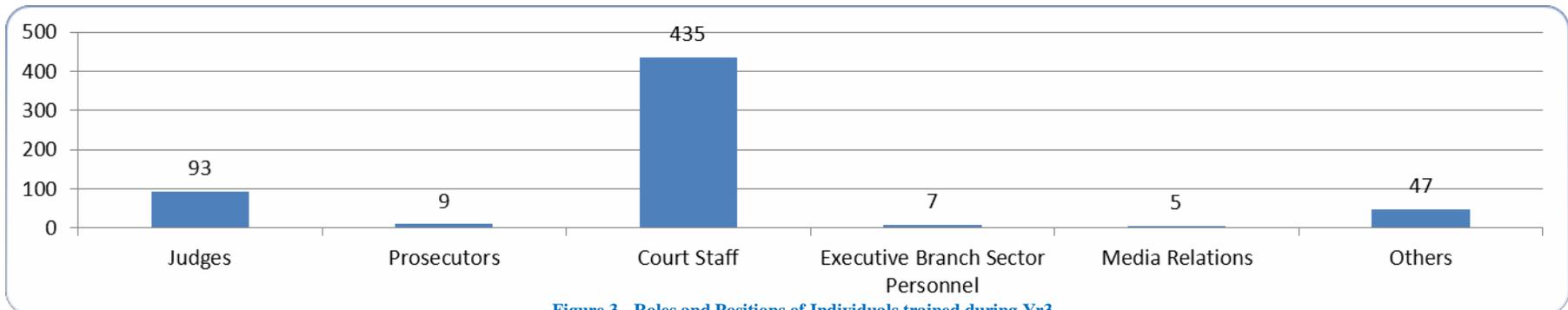
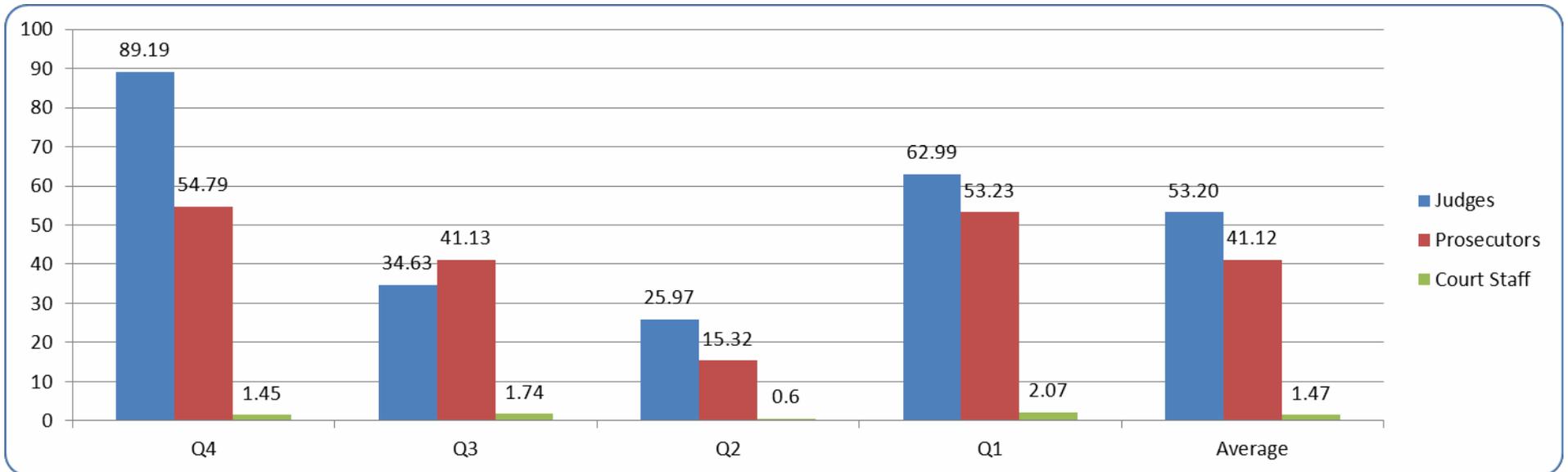


Figure 3 - Roles and Positions of Individuals trained during Yr3

During the period of Apr 1, 2013 – Mar 31, 2014 KJI provided Continuing Legal Education Program (CLEP) for sitting prosecutors, judges and court staff, including training courses for prosecutors, judges and other professionals working in the judicial system seeking promotion and to the newly selected candidates. During all four quarters, targets for Judges and Prosecutors have been achieved and exceeded, whereas target on Court Staff has not been achieved due to the lack of participation of Court Staff.

For Yr3 target of J=30% has been achieved and exceeded with annual average percentage of J=53.20%; Yr3 target of Prosecutors P=20% has been achieved and exceeded with annual average percentage of P=41.12%; and Yr3 target of Court Staff S=10% has not been achieved with annual average percentage of S=1.47% (Please, see **Figure 4** for reference)



APPENDIX C: MONITORING AND EVALUATION

Result/Indicator/Unit of Measure	Definition/Rationale/Utility/Limitations	Baseline	Yr 1 Actual	Yr 2 Actual	Yr 3 Target	Program Year 3 Actual To date				Comments	
						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	TBD with first data collection	TBD after study	-Court User Survey;  -Citizen Satisfaction Survey.	Checchi has selected a Kosovo local company to conduct baseline and end-line surveys	Draft report submitted to EROL Program	76% positive for court users	76% positive for court users	76% positive for court users	To increase accuracy of results, the Program has proposed to separate the surveys into two separate activities.  <i>Checchi has selected a Kosovo local company to conduct baseline and end-line surveys<sup>2</sup>. Preliminary draft has been submitted to EROL. Final report to be submitted to USAID for approval</i>  Satisfaction percentage of court users is assessed to be at 76%
2.1.	Increased capacity of justice sector professionals										

<sup>2</sup> The Objective of the survey is 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	Baseline	Yr 1 Actual	Yr 2 Actual	Yr 3 Target	Program Year 3 Actual To date				Comments
							Q1	Q2	Q3	Q4	
2	# of justice sector personnel that received USG training Unit: #; disaggregated by sex and role	<b>Standard F output indicator.</b> 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.		M=177 F=64 O=6 T=247	M=810 F=448 O=65 T=1,258	M=276 F=320 O=19 T=596	M=130 F=111 O=6 T=241	M=21 F=26 O=0 T=47	M=105 F=165 O=6 T=270	M=20 F=18 O=7 T=38	During the third year of the EROL Program implementation, 2,372 participants have participated on 30 Capacity Building events organized by all four components of the Program.  The total number of unique individuals trained during the third year of the Program is 596 with Male = 276 and Female = 320
2a	Number of people/person days of training		9,500 days	1,755 days	3,629 days	500 days	4,049 days	287 days	1,206 days	197 days	During the Yr3 of EROL Program implementation, EROL staff provided capacity building events in total of 5,739 people/person days of training.
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).		N/A	J=15% P=20% S=10%	J=30% P=20% S=10%	J=62.99% P=53.23% S=2.07%	J=25.97% P=15.32% S=0.60%	J=34.63% P=41.13% S=1.74%	J=89.19% P=54.79% S=1.45%	Target for Yr3 for the CLE Program is: J=30%; P=20%; S=10%;  During the period Apr 1, 2013 – Mar 31, 2014 KJI provided Continuing Legal Education Program (CLEP) <sup>3</sup> for sitting

<sup>3</sup> For Yr3 target of J=30% has been achieved and exceeded with annual average percentage of J=53.20%;

For Yr3 target of P=20% has been achieved and exceeded with annual average percentage of P=41.12%;

Result/Indicator/Unit of Measure	Definition/Rationale/Utility/Limitations	Baseline	Yr 1 Actual	Yr 2 Actual	Yr 3 Target	Program Year 3 Actual To date				Comments
						Q1	Q2	Q3	Q4	
										prosecutors, judges and court staff, including training courses for prosecutors, judges and other professionals working in the judicial system seeking promotion and to the newly selected candidates.

For Yr3 target of S=10% has not been achieved with annual average percentage of S=1.47%

Result/Indicator/Unit of Measure	Definition/Rationale/Utility/Limitations	Baseline	Yr 1 Actual	Yr 2 Actual	Yr 3 Target	Program Year 3 Actual To date				Comments
						Q1	Q2	Q3	Q4	
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	3	2	2 <sup>4</sup>	1 <sup>5</sup>	3 <sup>6</sup>	2 <sup>7</sup>	Target for Yr 3 of the EROL Program is 2 legal courses or curricula.  <b>Y3 Target Completed</b> In Total EROL Program provided Kosovo Judicial Institute with the total of eight curriculums and modules which are to be lectured on KJI courses.

<sup>4</sup> In Y3/Q1, EROL provided KJI with substantial technical assistance in the development of Communications Skills for Judges and Judicial Trial Practice courses, which were delivered in a ToT environment.

<sup>5</sup> In Y3/Q2, EROL provided KJI with substantial technical assistance in the development of ICT Considerations for the Kosovo Judiciary, which were delivered in a ToT environment.

<sup>6</sup> In Y3/Q3, in collaboration with KJI, EROL developed an Information Technology Consideration Module and Applying Legal Reasoning Techniques in Trial Proceedings (Civil) Module for the Kosovo Judicial Institute.

Training curriculum for Court Statisticians developed and implemented by AUK on behalf of EROL Program

<sup>7</sup> InYr3/Q4, Two curriculums were developed with USG assistance. These curriculum included: 1) Advanced Faculty Development designed to build the KJI's capacity to design and conduct quality training programs by focusing on faculty and staff development as it relates to curriculum and course development, and program effectiveness and evaluation. The curriculum included a Faculty Handbook designed around three modules: Foundations of Adult Learning, Curriculum Development and the Art of Teaching; and 2) Judicial Independence and Judicial Ethics designed to increase critical thinking, through experiential learning and team coaching. Both curricula are expected to be part of the KJI training program.

Result/Indicator/Unit of Measure		Definition/Rationale/Utility/Limitations	Baseline	Yr 1 Actual	Yr 2 Actual	Yr 3 Target	Program Year 3 Actual To date				Comments
							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	0	0	0	4 <sup>8</sup>	3 <sup>9</sup>	Target for Yr 3 is 0 staff member of the Office of the President.  Target completed during the previous two years of Program implementation.  During Yr 3 there are seven executive branch personnel who received training with EROL assistance.

<sup>8</sup> Four executive branch personnel have been trained during the third (Q3) quarter on the area of Negotiation and Implementation of Bilateral Agreements in Civil Matters.

<sup>9</sup> In Q4, Three staff members trained from the OP at the ToT training on legal drafting. (Please note that other participants from other institutions attended this training: 2 from the MoJ, 2 from the KJC, 2 from the KPC and 2 from Assembly)

Result/Indicator/Unit of Measure	Definition/Rationale/Utility/Limitations	Baseline	Yr 1 Actual	Yr 2 Actual	Yr 3 Target	Program Year 3 Actual To date				Comments
						Q1	Q2	Q3	Q4	
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		0	10	10	5 <sup>10</sup>	1 <sup>11</sup>	0	24 <sup>12</sup>	Target for Yr3 is 10 Train of Trainers (ToT).  Target for Yr3 completed and exceeded. During the Yr3 of EROL program implementation 30 participants received pedagogical training from KJI and other judicial institutions.  Unit #: 23 Male and 7 Female
7	Simple case studies of persons trained by EROL or EROL-trained instructors (e.g., judge, prosecutor, PR staff, KJI instructor)		0	5	5	2	2	0	1	Target for Yr 3 is Five “Simple Case Studies”.  Target for Yr3 completed. EROL staff conducted five simple case studies during the third year of the Program implementation. Results of findings presented on the training section (pages 8, 9, 10

<sup>10</sup> In Y3/Q1, EROL provided substantial technical assistance to five KJI judicial trainers (Judge Afërdita Bytyqi and Prosecutor Besim Kelmendi in Judicial Trial Practice; Judge Florent Latifaj in Judicial Communications; Court of Appeals Judge Hashim Çollaku and Prosecutor Ismet Uksheni in Case Management). They were observed while delivering their respective training programs. Male = 4 and Female = 1

<sup>11</sup> In Y3/Q2, EROL provided substantial technical assistance to one KJI judicial trainer (Xhevdet Pllana, KJI IT Manager); Male = 1;

<sup>12</sup> Advance Faculty Development Kosovo Judicial Institute Training – Mar 24-26, 2014, with 9 participants, Male = 8 and Female = 1; and Kosovo Judicial Institute Faculty Development Workshop on Judicial Independence and Judicial Ethics (ToT) – Mar 17-19, 2014, with 15 participants, Male = 10 and Female = 5;

Result/Indicator/Unit of Measure		Definition/Rationale/Utility/Limitations	Baseline	Yr 1 Actual	Yr 2 Actual	Yr 3 Target	Program Year 3 Actual To date				Comments
							Q1	Q2	Q3	Q4	
											and 11)
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)	12(56)	6	7	12	16	Target for Yr 3 is 12.  Target completed and exceeded.  Please, see respective scorecard for the details of activities.  Current score is 16 out of 12 for Yr3.
2.2.	<b>Increased independence and accountability of the judicial system</b>										

Result/Indicator/Unit of Measure	Definition/Rationale/Utility/Limitations	Baseline	Yr 1 Actual	Yr 2 Actual	Yr 3 Target	Program Year 3 Actual To date				Comments
						Q1	Q2	Q3	Q4	
9	Number of laws, regulations and procedures related to judicial independence supported with USG assistance  Unit: #		4	3	3	2 <sup>13</sup>	0	4 <sup>14</sup>	1 <sup>15</sup>	Target for Yr 3 is 3 laws, regulations and procedures.  Target for Yr3 completed and exceeded.  Target for Yr3 completed and exceeded with seven AI and Regulations (please, see footnotes for reference).

<sup>13</sup> EROL staff provided technical assistance to the KJC on the following Regulations and Instructions:

KJC Regulation on Appointment and Reappointment of Judges, including Template Pre-Selection Criteria; Approved on 10 June 2013; and

KJC Regulation on Evaluation of Performance of Judges, including; Template Interview Criteria; Approved on 10 June 2013

<sup>14</sup> During the third quarter following Regulations have been adopted:

Regulation on Offices for the Protection and Assistance of Victims - adopted on October 18, 2013;

Amendments of the Regulation regarding Appointment of Prosecutors and Training regarding the Appointment Process - adopted on October 18, 2013;

Regulation on Assessing the Performance of Prosecutors - adopted on October 18, 2013;

Administrative Instruction defining high-level corruption – adopted on November 1, 2013;

<sup>15</sup> Administrative Instruction (N. 2014/01) on the Form, Content and Use of Stamps. – adopted on Jan 8, 2014

Result/Indicator/Unit of Measure		Definition/Rationale/Utility/Limitations	Baseline	Yr 1 Actual	Yr 2 Actual	Yr 3 Target	Program Year 3 Actual To date				Comments
							Q1	Q2	Q3	Q4	
10	Number of regulations and procedures that improve judicial transparency adopted with USG assistance  Unit: #	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.		10	3	3	2 <sup>16</sup>	0	4 <sup>17</sup>	0	Target for Yr3 was 3 regulation and procedures.  Target for Yr3 completed and exceeded with six AI and Regulations (please, see footnotes for reference).

<sup>16</sup> EROL staff provided technical assistance to the KJC on the following Regulations :and Instructions:

KJC Regulation on Appointment and Reappointment of Judges, including Template Pre-Selection Criteria; Approved on 10 June 2013; and

KJC Regulation on Evaluation of Performance of Judges, including; Template Interview Criteria; Approved on 10 June 2013

<sup>17</sup> During the third quarter following Regulations have been adopted:

Regulation on Offices for the Protection and Assistance of Victims - adopted on October 18, 2013;

Amendments of the Regulation regarding Appointment of Prosecutors and Training regarding the Appointment Process - adopted on October 18, 2013;

Regulation on Assessing the Performance of Prosecutors - adopted on October 18, 2013;

Administrative Instruction defining high-level corruption – adopted on November 1, 2013;

Result/Indicator/Unit of Measure		Definition/Rationale/Utility/Limitations	Baseline	Yr 1 Actual	Yr 2 Actual	Yr 3 Target	Program Year 3 Actual To date				Comments
							Q1	Q2	Q3	Q4	
11	Number of government media relations staff trained with USG assistance  Unit:# Disaggregated by sex and office	<b>Standard F output indicator.</b> 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.		10	10	0	0	5 <sup>18</sup>	0	0	Target for Yr3 is 0 Media Relations staff.  Target has been met and exceeded during the previous two years of the Program.
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)	9	11	11	16	Target for Yr 3 is 14.  Target completed and exceeded.  Please, see respective scorecard for the details of activities.  Current score is 16 out of 14.
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	2	1	1	1	1	Target for Yr 3 is 2 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

<sup>18</sup> During the second quarter EROL trained five new hired staff on media relations

Result/Indicator/Unit of Measure	Definition/Rationale/Utility/Limitations	Baseline	Yr 1 Actual	Yr 2 Actual	Yr 3 Target	Program Year 3 Actual To date				Comments
						Q1	Q2	Q3	Q4	
										proposed by a Working Group led by an EROL STTA <sup>19</sup> .  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. These regulations have been submitted to the KJC and KPC for approval in Y3Q4 and will have had input and support from EROL. Under EROL's MOU with HD, HD will take the lead in supporting the Discipline process in the KJC and KPC. But EROL will have input in the process.
2.3.	<b>More effective operations of the justice system</b>									
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."	0	8	25	29	29	27	27	Note: 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. The EROL RCLs and the court personnel continued updating the case load data and generating management reports as

<sup>19</sup> 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	Baseline	Yr 1 Actual	Yr 2 Actual	Yr 3 Target	Program Year 3 Actual To date				Comments
						Q1	Q2	Q3	Q4	
										per the needs of the Presiding Judges and Judges as well.
15	Ratio of all dispositions to new case filings in courts assisted by USG in the area of case management Unit: Ratio		N/A	N/A	3-5% improved	Y3 Actual – Baseline All Courts .79 <sup>20</sup>	--	0.926	All Courts .89 <sup>21</sup>	YR 3 Actual represents calendar year 2013 (Jan – Dec) while the program year 3 Q4 represents Jan – Mar 2014.
16	% of cases heard and resolved within 24 months Unit: %		N/A	N/A	3-5% improved	Y3 Actual – Baseline All Courts 63.89% <sup>22</sup>	--	54.7%	All Courts 65.54% <sup>24</sup> All	YR 3 Actual represents calendar year 2013 (Jan – Dec) while the program year 3 Q4 represents Jan – Mar 2014. The percentage reported is 63.89% of the sum total of all dispositions.  In addition to looking at the % of cases resolved within 24 months it is also significant to look at the %

<sup>20</sup> Calendar YR 2013 used as the baseline for all future reporting. See Annex A for the ratio of dispositions to new case filings broken down by case type, court level and case categories. Please note that all execution and minor offense cases have been excluded from this reporting.

<sup>21</sup> See Annex B for the Q4 ratio of dispositions to new case filings broken down by case type, court level and case categories. Please note that all execution and minor offense cases have been excluded from this reporting.

Result/Indicator/Unit of Measure	Definition/Rationale/Utility/Limitations	Baseline	Yr 1 Actual	Yr 2 Actual	Yr 3 Target	Program Year 3 Actual To date				Comments
						Q1	Q2	Q3	Q4	
						Y3 Actual – Baseline All Courts 39.26% <sup>23</sup>			Courts 39.30%	of cases pending that are more than 24 months old – when taken together these two indicators provided a better picture of the circumstances in the courts at the time of report
17	More efficient and professional Model Courts		9	189 (351)	189 (540)	202	205	208	255	<p>During this quarter the refurbishment of Kacanik Branch court was completed.</p> <p>Note: as per the needs of the project annual reporting requirement the MCP score card is updated per the progress achieved on respective standards. The significant improvements were achieved on standard 6, 7, 8, and 9.</p> <p>Also in addition to the original 16</p>

<sup>22</sup> Calendar YR 2013 to be used as the baseline for all future reporting. See Annex A for the % of case resolved within 24 months broken down by court level and case categories. Please note that all execution and minor offense cases have been excluded from this reporting.

<sup>24</sup> See Annex B for the Q4 % of case resolved within 24 months broken down by court level. Please note that all execution and minor offense cases have been excluded from this reporting.

<sup>23</sup> Calendar YR 2013 to be used as the baseline for all future reporting. See Annex A for the % of case pending older than 24 months broken down by court level and case categories. Please note that all execution and minor offense cases have been excluded from this reporting.

Result/Indicator/Unit of Measure		Definition/Rationale/Utility/Limitations	Baseline	Yr 1 Actual	Yr 2 Actual	Yr 3 Target	Program Year 3 Actual To date				Comments
							Q1	Q2	Q3	Q4	
											courts on the score card, during this quarter the Branch of Sterpce is added as the 17th court.
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	TBD	0	0	0	0	0 <sup>25</sup>	KJC Strategic Plan was completed Y3Q4 but was not able to be submitted to the KJC by the end of Q4. It will be on the agenda for early Y4Q1  KPC Strategic Plan was completed in Y3Q2 but the Chair has been waiting to submit it to the Council until the negotiations with Serbia regarding the courts in the north are resolved. EROL along with EC advisors will again urge the adoption of the plan since it can always be changed and the negotiations with Serbia might continue for some time.

<sup>25</sup> EROL MCP initiated the process for Courts (Supreme Court, Court of Appeals and the Basic Courts) in developing Court Operational Strategic Plans. The COSP will address goals and objectives for improvements in area of the court operations. At the current stage EROL MCP and STTA developed first draft.

Result/Indicator/Unit of Measure		Definition/Rationale/Utility/Limitations	Baseline	Yr 1 Actual	Yr 2 Actual	Yr 3 Target	Program Year 3 Actual To date				Comments
							Q1	Q2	Q3	Q4	
19	Mean case disposition time in courts assisted by USG in the area of case management  Unit: Mean # months	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.		N/A	N/A	5% decrease	Y3 Actual – Baseline All Courts <b>Median</b> 408 <b>Mean</b> 819 <sup>26</sup>	--	605	All Courts <b>Median</b> 431 <b>Mean</b> 773 <sup>27</sup>	YR 3 Actual represents calendar year 2013 (Jan – Dec) while the program year 3 Q4 represents Jan – Mar 2014. Median = midpoint value of the time to disposition for all closed cases. Mean = average all of cases time to disposition / # of cases.
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	15.51%	TBD with Survey	Indicator to be reported Annually	Indicator to be reported Annually	Indicator to be reported Annually		KPC continues to receive support from EROL in adopting regulations for appointment of prosecutors, and evaluation of prosecutors.
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)	20(70)	20	20	22	24	Target for Yr 3 is 20.  Target for Yr3 has been completed and exceeded.  Please, see respective scorecard for the details of activities.

<sup>26</sup> Calendar YR 2013 to be used as the baseline for all future reporting. See Annex A for the mean and median case disposition time broken down by court level. Please note that all execution and minor offense cases have been excluded from this reporting.

<sup>27</sup> See Annex B for the mean and median case disposition time broken down by court level. Please note that all execution and minor offense cases have been excluded from this reporting.

Result/Indicator/Unit of Measure	Definition/Rationale/Utility/Limitations	Baseline	Yr 1 Actual	Yr 2 Actual	Yr 3 Target	Program Year 3 Actual To date				Comments
						Q1	Q2	Q3	Q4	
										Current score is 22 out of 20.
22	Kosovo Prosecutorial Council scorecard rating of EROL's progress with KPC goals		7	28(36)	8(44)	13	13	13	13	Target for Yr 3 is 8. Target for Yr3 has been completed and exceeded. Please, see respective scorecard for the details of activities. Current score is 13 out of cumulative 44.
23	Ministry of Justice scorecard rating of EROL's progress with MOJ goals		15	28(44)	22(66)	1	4	7	7	Target for Yr 3 is 22. Most of the activities under this scorecard have not been completed. Please, see respective scorecard for the details of activities. Score is 7 out of 22.
24	Chamber of Notaries scorecard rating of EROL's progress with CON goals		1	N/A	N/A	N/A	N/A	N/A	N/A	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

Result/Indicator/Unit of Measure		Definition/Rationale/Utility/Limitations	Baseline	Yr 1 Actual	Yr 2 Actual	Yr 3 Target	Program Year 3 Actual To date				Comments
							Q1	Q2	Q3	Q4	
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)	8(26)	3	5	6	7	Target for Yr 3 is 8.  Most of the activities foreseen with the annual target completed.  Please, see respective scorecard for the details of activities.  Current score is 7 out of 8.
2.3.1.	<b>Courthouse infrastructure improved</b>										
26	# of Court Improvement Plan refurbishment objectives achieved  Unit: cumulative #	Outcome indicator. Tracks the impact of the Model Courts' Fund in terms of rehabilitated or improved infrastructure projects. Achievement is equal to completing the plans and being rated as a "true model court" by raters.		0	8	24	5	1	2	1	24 MCP courts were scheduled for Yr 3. Please, note that the target figure for Yr3 has been adjusted to 9 courts  Nine (9) Courts refurbished during the Yr3 of the EROL Program implementation.
IR3:	<b>STRENGTHENED MECHANISMS FOR CITIZENS TO REPRESENT THEIR INTERESTS AND HOLD THE GOVERNMENT ACCOUNTABLE</b>										
27	# of page visits per month on the MOJ interactive website for pending legislation  Unit: # per month	Outcome indicator. The MOJ website invites citizen input on legislation. As citizen confidence increases, public participation and visits to website should increase. Difficult to determine whether increased knowledge of site or confidence is contributing to data. Website registration might request information on both.		N/A	9,376	500	57,040 clicks	55,664 clicks	41,151 clicks	63,673 clicks	Target for Year 3 of the EROL Program implementation 500 clicks.  The total number of clicks during Yr3 is 217,528 clicks.

Result/Indicator/Unit of Measure		Definition/Rationale/Utility/Limitations	Baseline	Yr 1 Actual	Yr 2 Actual	Yr 3 Target	Program Year 3 Actual To date				Comments
							Q1	Q2	Q3	Q4	
28	Number of USG-assisted Civil Society Organizations that engage in advocacy and watchdog functions.  Unit: #	Standard F outcome indicator. CSOs must be actively engaged in these functions, and be able to demonstrate that they are so engaged		0	4	6	Two (2) grantees Balkan Investigative Reporting Network – BIRN and Advocacy Training and Resource Center continued implementation of	Two (2) grantees Balkan Investigative Reporting Network – BIRN and Advocacy Training and Resource Center continued implementation of	Two (2) grantees Balkan Investigative Reporting Network – BIRN and Advocacy Training and Resource Center continued implementation of	Two (2) <sup>28</sup> grantees Balkan Investigative Reporting Network – BIRN and Advocacy Training and Resource Center continued implementation of the awarded projects.	

<sup>28</sup> Under USAID Forward, Two (2) grantees Balkan Investigative Reporting Network – BIRN and Advocacy Training and Resource Center continued implementation of the awarded projects.

Balkan Investigative Reporting Network – BIRN, conducted a one year nationwide public awareness campaign to educate citizens about the roles and responsibilities of actors within the justice system, and Advocacy Training and Resource Center – ATRC sub-awarded twenty-two (22) Court Monitoring Initiative throughout Kosovo and three (3) public awareness and outreach projects aimed at combating corruption and increasing transparency and fairness among justice sector institutions in Kosovo. While thirteen (13) court monitoring projects ended in December 2013, nine (9) court monitoring and three (3) public awareness and outreach projects started in February 2014.

Result/Indicator/Unit of Measure		Definition/Rationale/Utility/Limitations	Baseline	Yr 1 Actual	Yr 2 Actual	Yr 3 Target	Program Year 3 Actual To date				Comments
							Q1	Q2	Q3	Q4	
							the awarded projects	the awarded projects	the awarded projects	ion of the awarded projects	
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	7(20)	5	1	2	1	During years 2 and 3 EROL refurbished 13 courts. The court refurbishment projects were designed and completed per MCP standards requirements <sup>29</sup> . MCP standards 7, 8 and 9, layout activities for improvements for court internal and external communications, safety and secured premises, and openness of the court hearings. The PROP developed <sup>30</sup> with in the above mention standards is successfully implemented in 13 refurbished courts, and the staff trained through the Effective Communication and Costumer

<sup>29</sup> The MCP standards for court design and refurbishment creates opportunity to improve courts services, increase access and transparence on court services, and strength the safety of the court personnel (Judges and admin staff). The MCP concept on enhancing communication and access with the court users is driven with the methodology of merging all admin staff work on large offices in ground floor (case management offices). The communication and transparency is enhanced by using glass counters that enables public to observe openness of court operations and easily get access to the information needed.

<sup>30</sup> The PROP is developed and implemented within the MCP standards 7, 8 and 9 as following: layout of court internal public area, reception booths, court internal signage directories, hearing schedule monitors, PJ open day with public, and unified reallocation of the Judges office, court rooms and the admin staff offices (ground floor- admin offices, first floor- minor offence division judge offices, second floor – general department judges offices). In addition the court brochures “how to file a claim or request” to specific court service will be developed on the KJC/Court web portal content.

Result/Indicator/Unit of Measure		Definition/Rationale/Utility/Limitations	Baseline	Yr 1 Actual	Yr 2 Actual	Yr 3 Target	Program Year 3 Actual To date				Comments
							Q1	Q2	Q3	Q4	
											Service training module. Note: The test standards and time schedule foreseen to be conduct by auditors will be developed during second quarter on year 4 of the project.
3.1.	Increased Professionalism of Citizen Groups and Journalists to Monitor Government Activity and Influence Policy										

Result/Indicator/Unit of Measure	Definition/Rationale/Utility/Limitations	Baseline	Yr 1 Actual	Yr 2 Actual	Yr 3 Target	Program Year 3 Actual To date				Comments
						Q1	Q2	Q3	Q4	
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	350	Twelve <sup>31</sup> (12) commu nity meetings	Six (6) <sup>32</sup> Public Outreach meetings with law students	Six (6) <sup>33</sup> Public Outreach meetings with law students	Two <sup>34</sup> Public Outreach meetings with law students	EROL staff conducted a series of Public outreach with law students reaching out 234 individuals in total with Alb = 233 and Serb = 1,  Male = 125; Female = 109  (please, see footnotes for details of outreach meetings)

<sup>31</sup> **Name of the activity:** Minority community outreach meetings. **Activity:** Distribution of brochures dedicated to the minority community youth who are either existing, graduate or potential law students. **Objective of the activity:** I) Distribution of the set of brochures developed by EROL in cooperation with KJC entitled: “Choose your profession”, “What is BAR exam?” and “Evaluation and Recognition of Diplomas”. Discussion on equal access to justice, minority employment/inclusion in Kosovo judicial institutions; and II) To provide to all participants more information on the new structure of courts and prosecution offices by giving to the audience a presentation of a combination of “This is Your Court” media campaign.

Numbers of meeting organized so far: 12 meetings (Prizren, Pristina, Kllokot, Gjakove, Rahovec, Peje, Prizren, Mamush and Dragash)

<sup>32</sup> **Name of the activity:** Minority community outreach meetings. **Activity:** Distribution of brochures dedicated to the minority community youth who are either existing, graduate or potential law students. **Objective of the activity:** I) Distribution of the set of brochures developed by EROL in cooperation with KJC entitled: “Choose your profession”, “What is BAR exam?” and “Evaluation and Recognition of Diplomas”. Discussion on equal access to justice, minority employment/inclusion in Kosovo judicial institutions; and II) To provide to all participants more information on the new structure of courts and prosecution offices by giving to the audience a presentation of a combination of “This is Your Court” media campaign.

Numbers of meeting organized during this quarter: 6 meetings (Shtërpce, Klinë, Kamenicë, Vushtrri, Gorazhdevc, and 2 meetings in Istog)

<sup>33</sup> **Name of the activity:** Public outreach meetings with law students. **Activity:** Distribution of brochures dedicated to the minority community youth who are either existing, graduate or potential law students. **Objective of the activity:** I) Distribution of the set of brochures developed by EROL in cooperation with KJC entitled: “Choose your profession”, “What is BAR exam?” and “Evaluation and Recognition of Diplomas”. Discussion on equal access to justice, minority employment/inclusion in Kosovo judicial institutions; and II) To provide to all participants more information on the new structure of courts and prosecution offices by giving to the audience a presentation of a combination of “This is Your Court” media campaign.

Numbers of meeting organized during this quarter: 6 meetings (01.10.2013 - Secondary school – Pristina, 31.10.2013 - Mitrovica – CBM, 15.11.2013-Public University – Gjilan, 21.11.2013 - AAB University – Ferizaj, 10.12.2013 - College “Dukagjini”, 13.12.2013 - AAB University - Gjakove)

<sup>34</sup> **Name of the activity:** Public outreach meetings with law students. **Activity:** Distribution of brochures dedicated to the minority community youth who are either existing, graduate or potential law students. **Objective of the activity:** I) Distribution of the set of brochures developed by EROL in cooperation with KJC entitled: “Choose your profession”, “What is BAR exam?” and “Evaluation and Recognition of Diplomas”. Discussion on equal access to justice, minority employment/inclusion in Kosovo judicial institutions; and II) To provide to all participants more information on the new structure of courts and prosecution offices by giving to the audience a presentation of a combination of “This is Your Court” media campaign.

Numbers of meeting organized during this quarter: 2 meetings (06.03.2014 – Iliria College – Pristina, and on 12/03/2014 – Fama College - Pristina)

APPENDIX D: PMP SCORECARDS

KOSOVO JUDICIAL COUNCIL SCORECARD

Kosovo Judicial Council Scorecard	Year 3					Description
Target/Actual (per Quarter)	Target	Q 1	Q 2	Q 3	Q 4	
Support drafting of implementation plan LoC	Completed					Yr 1 Target Completed.
Rapid assessment to identify focus of efforts (Action Plan)	Completed					Yr 1 Target Completed.
TA to KJC committees	Completed					Yr 1 Target Completed.
TA to KJC for building strategic alliances	2	2	2	2	2	Yr 3 Target Completed. 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. EROL is supporting the KJC Secretariat through a comprehensive review of its organizational structure that will strengthen the infrastructure and ability of the KJCS to support administrative functions of the courts throughout Kosovo. EROL is providing significant oversight of the Implementation of the new Law on Courts through technical assistance and development of a methodology and strategic plan for ensuring successful implementation on January 1, 2013. Additionally, implementation-planning workshops were conducted for KJC, KJCS and national court administrators in order to strengthen internal strategic alliances between the Secretariat and subordinate court components/court leadership. National change management seminars were conducted for court administrators and presiding judges. The Regional Court Liaison Program is in the final stages of selecting the eight personnel who will be assigned to the Basic Courts. The KJC working group on court registries worked through the quarter and will enter the design phase during the next reporting quarter.
Support KJC in inter-Ministerial legislation working groups	2	2	2	2	2	Yr 3 Target Completed 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	2	2	2	2	2	Yr 3 Target Completed. With EROL's support, the KJC has nearly completed its 5 year Strategic Plan. EROL expects the KJC to adopt the plan in early Y4Q1
Support HR functions of KJC						
Define and standardize staff job descriptions						EROL worked with KJC to establish a human resources work group that has proposed

Staff recruitment/selection standards in place						organizational structures for each court.
Staff promotion standards in place						
Staff discipline/dismissal standards in place						
Internship programs functioning successfully	2	1	1	1	1	<b>Activity to be attained in Yr 3.</b> EROL hired two interns who provided significant support to the KJC’s efforts with respect to the Implementation Plan.
Judicial selection procedures improved	Completed	2	2	2	2	<b>Yr 3 Target Completed</b>
Judicial evaluation procedures improved	Completed	2	2	2	2	<b>Yr 3 Target Completed.</b> Judicial evaluations were successfully completed with EROL’s assistance in Y3Q2. In Y3Q4 and in Y4, development of evaluation processes is expected to continue in the KJC.
Judicial promotion procedures improved		2	2	2	2	<b>Yr 3 Target Completed.</b> At the end of Y3Q4 the Normative Committee presented a regulation on promotion of judges to the Council.
Judicial disciplinary procedures improved		0	0	2	2	<b>Yr 3 Target Completed.</b> Draft regulations were prepared by EULEX for the Disciplinary Committee in Y3Q4 which are expected to be before the Normative Committee In Y4Q3 These are expected to be approved by the KJC in Y4Q1.
KJC database for judicial personnel in use	2	0	0	0	0	This activity has not moved forward due to questions regarding funding of the database
<b>Track legislation reviewed by legal office</b>	2	0	0	0	0	<b>Activity to be attained in Yr 4.</b> The MOJ has draft amendments to the four Judiciary laws but has not yet shared them on a detail level with any other organizations. When it does, EROL will provide support for the amendments.
<b>Track implementation of procedures for effective court admin</b>						

Case flow, reception, assignment, management	2	2	2	2	2	<b>Yr3 Target Completed.</b> EROL has reinvigorated the model court program (MCP) improvement teams at 8 model courts scheduled for MCP initiatives this year. The procurement process for design and court refurbishment of the model courts is fully underway with 8 design tasks orders in progress, and 5 court refurbishment IQC contracts submitted to USAID for approval. 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	0	0	0	0	<b>Activity to be attained in Yr 3 and Yr 4</b>
Attention to court users	2	0	2	2	2	<b>Yr3 Target Completed. Activity to be attained in Yr 4.</b> Web portal assessments (web strategy and web development plans) have been submitted to the KJC for review.
Transparency and information access	2	0	1	1	1	
<b>Increased and more effective use of automation</b>						
Assess IT needs, CMIS' contributions/gaps, and failure to use						EROL, working with the KJC sub working groups, has developed a electronic case inventory system to account for all pending cases in the country so that complete and precise transfers of cases can be accomplished as scheduled.
Provide recommendations for system operation						Web portal contract awarded and work started on developing the Web Portal; estimated completion at the beginning of Y4
<b>Minority outreach efforts</b>						
Draft minority access assessment						Draft report on Minority access submitted to USAID.
Draft outreach campaign		2	2	2	2	<b>Yr3 Target Completed.</b> EROL distributed 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		2	2	2	2	<b>Yr3 Target Completed.</b>
<b>TOTAL:</b>		<b>20</b>	<b>20</b>	<b>20</b>	<b>22</b>	<b>24</b>

**KOSOVO PROSECUTORIAL COUNCIL SCORECARD**

Kosovo Prosecutorial Council Scorecard	Year 3					Description
	Target/Actual (per Quarter)	Target	Q1	Q2	Q3	
<b>Facilitate development of strategic plan</b>		2	2	2	2	<p><b>Yr3 Target Completed.</b> 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 Y3/Q2.</p> <p>The KPC suspended this activity in Y3/Q1 because of its commitment to the effort to develop a plan for implementation of the Normalization Agreement reached by the Prime Ministers of Kosovo and Serbia, which was ratified by the Kosovo Parliament (Assembly) at the close of Y3/Q1. This activity is expected to resume in Y3/Q4.</p>
<b>Facilitate development of annual plans</b>		2	1	1	1	<p>EROL facilitated annual planning activities, including macro action plan development, sharing of template in connection with the creation of KPC’s Strategic Plan.</p> <p>The KPC suspended this activity in Y3/Q1 because of its commitment to the effort to develop a plan for implementation of the Normalization Agreement reached by the Prime Ministers of Kosovo and Serbia, which was ratified by the Kosovo Parliament (Assembly) at the close of Y3/Q1. This activity is expected to resume in Y3/Q4.</p>
<b>Facilitate development of implementation plan and committees</b>						<p>The Implementation Plan was completed in Y2, 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.</p>
<b>Instruction manual (SOP) with regulations, policies, procedures</b>		1	1	1	1	<p>In Y2, 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.</p>

						The KPC suspended this activity in Y3/Q1 because of its commitment to the effort to develop a plan for implementation of the Normalization Agreement reached by the Prime Ministers of Kosovo and Serbia, which was ratified by the Kosovo Parliament (Assembly) at the close of Y3/Q1. This activity is expected to resume in Y3/Q4.
<b>Support implementation of SOP across KPC</b>	2	1	1	1	1	EROL participated in working groups that assisted KPC in drafting/amending regulations concerning discipline <sup>35</sup> 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.  The KPC suspended this sort of activity in Y3/Q1 because of its commitment to the effort to develop a plan for implementation of the Normalization Agreement reached by the Prime Ministers of Kosovo and Serbia, which was ratified by the Kosovo Parliament (Assembly) at the close of Y3/Q1. Some progress was obtained prior to the suspension, but this activity is expected to resume in Y4/Q1.
<b>Develop job descriptions/TORs for KPC Secretariat staff</b>						In Y2, job descriptions were developed and revised as part of the strategic planning process as part of a collaboration with ECLO and the KPC.
<b>Train KPC in needs-based budgeting and justification</b>		1	1	1	1	In Y3/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.  The KPC suspended this activity in Y3/Q1 because of its commitment to the effort to develop a plan for implementation of the Normalization Agreement reached by the Prime Ministers of Kosovo and Serbia, which was ratified by the Kosovo Parliament (Assembly) at the close of Y3/Q1. This activity is expected to resume in Y4/Q1.
<b>Legislative drafting support: secondary legislation</b>		1	1	1	1	In Y2, EROL participated in working group that assisted KPC draft/amend regulations concerning discipline <sup>36</sup> and prosecutor performance & evaluation, and an administrative instruction on setting annual performance norms. In Y3/Q1, EROL continued to provide

<sup>35</sup> By agreement, EUOK is responsible for the development of disciplinary regulations, and EROL is responsible for ethics matters.

<sup>36</sup> By agreement, EUOK is primarily responsible for advising the KPC on disciplinary activities.

						<p>technical assistance in support of KPC drafting activities.</p> <p>The KPC suspended this activity in Y3/Q1 because of its commitment to the effort to develop a plan for implementation of the Normalization Agreement reached by the Prime Ministers of Kosovo and Serbia, which was ratified by the Kosovo Parliament (Assembly) at the close of Y3/Q1. This activity is expected to resume in Y4/Q1.</p>
<b>Development of new staff training module</b>		1	1	1	1	<p>As part of strategic planning process, the KPC identified staff professionalization and training as a key objective. Concrete activities will be developed in the Action Plan.</p> <p>The KPC suspended this activity in Y3/Q1 because of its commitment to the effort to develop a plan for implementation of the Normalization Agreement reached by the Prime Ministers of Kosovo and Serbia, which was ratified by the Kosovo Parliament (Assembly) at the close of Y3/Q1. This activity is expected to resume in Y4/Q1.</p>
<b>Draft public relations strategy</b>		1	1	1	1	<p>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 Y3/Q1.</p> <p>The KPC suspended this activity in Y3/Q1 because of its commitment to the effort to develop a plan for implementation of the Normalization Agreement reached by the Prime Ministers of Kosovo and Serbia, which was ratified by the Kosovo Parliament (Assembly) at the close of Y3/Q1. This activity is expected to resume in Y4/Q1.</p>
<b>Draft public relations training modules and materials</b>		1	1	1	1	<p>In Y2, EROL trained KPC staff/spokesperson. In Y3/Q1, EROL provided technical assistance to the KPC regarding training modules for a new KPC spokesperson and specially-designated prosecutors/public information officers.</p> <p>The KPC suspended this activity in Y3/Q1 because of its commitment to the effort to develop a plan for implementation of the Normalization Agreement reached by the Prime Ministers of Kosovo and Serbia, which was ratified by the Kosovo Parliament (Assembly) at the close of Y3/Q1. This activity is expected to resume in Y3/Q2.</p>
Train public relations staff		1	1	1	1	<p>In Y2, 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.</p> <p>EROL provided training for the KPC PIO along with PIOs for the KJC, KJI and each of the courts in Y3Q3</p>
Support formulation of external/internal communication plans	2	1	1	1	1	<p>In Y2, EROL finalized and presented to KPC for consideration public relations strategy, media guidelines and a crisis communication plan. In Y3/Q1, EROL transmitted a proposed</p>

						<p>Communications Plan to the KPC Normative Committee in anticipation of consideration and approval by the full Council.</p> <p>The KPC suspended this activity in Y3/Q1 because of its commitment to the effort to develop a plan for implementation of the Normalization Agreement reached by the Prime Ministers of Kosovo and Serbia, which was ratified by the Kosovo Parliament (Assembly) at the close of Y3/Q1. This activity is expected to resume in Y4/Q1.</p>
Incorporate public messages into overall outreach activity	2	1	1	1	1	<p>In Y2, 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.</p> <p>The KPC suspended this activity in Y3/Q1 because of its commitment to the effort to develop a plan for implementation of the Normalization Agreement reached by the Prime Ministers of Kosovo and Serbia, which was ratified by the Kosovo Parliament (Assembly) at the close of Y3/Q1. This activity is expected to resume in Y4/Q1.</p>
<b>TOTAL:</b>	<b>8</b>	<b>13</b>	<b>13</b>	<b>13</b>	<b>13</b>	

MINISTRY OF JUSTICE SCORECARD

Ministry of Justice Scorecard	Year 3					Description
	Target	Q1	Q2	Q3	Q4	
<b>Legislative drafting</b>						
Draft training modules						<b>Yr 2 Target Completed.</b>
Implement training program in legislative drafting	2	0	1	1	1	<b>Activity to be attained in Yr 4.</b>
Draft legislative enactment plans						<b>Yr 1 Target Completed.</b>
Define guidelines for public participation						
Capacity development for public participation						
Support for secondary legislation drafting	2	0	1	1	1	<b>Activity to be attained in Yr 4.</b> No activities undertaken during the Q3

<b>International Legal Cooperation Department (ILCD)</b>						
Training needs analysis report						<b>Yr 1 Target Completed.</b>
Develop training modules for ILCD						Training Module developed and provided during the first year of Program implementation.
Develop international legal assistance manual						<b>Yr 1 Target Completed.</b>
Training MOJ officials in implementation of roles	2	1	1	2	2	<b>Yr3 Target Completed. Activity to be attained in Yr 4.</b> The training on the negotiation, conclusion and implementation of bilateral agreements on civil matters was successfully delivered on 3-4 October 2013. The training acquainted the DILC legal staff and the judges (assigned by the Presidents of the Basic Courts) with international and EU conventions, and regional and national laws governing cross-border service of documents and enforcement of judgments on civil matters.  EROL provided a data base to the DILC in Y3 which has been substantially populated with existing data.
Complete agreements with interested nations	2	0	1	2	2	<b>Yr3 Target Completed. Activity to be attained in Yr 4</b> 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.
Exchanges with EJN and EuroJust	2	0	0	0	0	<b>Activity to be attained in Yr 4.</b> No Activity to report.
<b>Litigation Unit</b>						
Training needs analysis report						<b>Yr 1 Target Completed.</b>
Develop training modules						<b>Activity to be attained in Yr 4.</b> EROL supported the MoJ in the preparation of the Draft Law on State Advocacy Office, which replaces the the Litigation Unit.
Training in inter-Ministerial coordination for litigation	2	0	0	0	0	
Training in oral and written advocacy skills	2	0	0	0	0	Upon the adoption of the Draft Law in Y3 Q1, and the hiring of the state advocates, EROL will address the activities in this section, in Y4.  EROL completed the delivery of a data base to the Litigation Unit in Y3Q3. Due to the poor quality of some of the existing records, some of the older data cannot be migrated to the new system without considerable effort which the Unit has not been able to fund or man.
ToT for local trainers	2	0	0	1	1	
Training in administrative litigation	2	0	0	0	0	<b>Activity to be attained in Yr 4</b>
Training in civil litigation	2	0	0	0	0	<b>Activity to be attained in Yr 4</b>
Compilation of training into a reference book	2	0	0	0	0	This activity is related to the above training activities. See above.

<b>TOTAL</b>	22	1	4	7	7
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CHAMBER OF NOTARIES SCORECARD<sup>37</sup>

OFFICE OF THE PRESIDENT SCORECARD

Office of the President Scorecard	Year 3					Description
Target/Actual (per Quarter)	Target	Q1	Q2	Q3	Q4	
<b>Report on justice-related competencies of OP</b>						The process of the revision of the five-justice sector laws has not been completed as planned by the Governmental Legislative Strategy. The draft report on Presidential competencies in the justice sector will be therefore updated in order for its content to adequately and comprehensively reflect the legal changes made.
<b>Establish working group per Project design TORs</b>						<b>Yr 1 Target Completed.</b>
<b>Support creation of coordination mechanisms</b>						<b>Yr 1 Target Completed.</b>
<b>Intra-governmental roundtables</b>						<b>Yr 1 Target Completed.</b>
<b>Draft PR strategy</b>						<b>Yr 2 Target Completed.</b>  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.
<b>Train public relations team members</b>						<b>Yr 2 Target Completed.</b> 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

<sup>37</sup> 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

						<p>communication with citizens on justice related matters. The following activities were undertaken to accomplish this objective.</p> <p>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.</p> <p>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.</p>
Include outreach messages in overall PR strategy	2	0	1	1	1	<p>EROL has supported the Office of the President in the website re-design in order to increase the level of OP communication with the public with regard to the Presidential competencies in the justice sector and the rule of law. The OP suggested publication of the Presidential Decrees for the promulgation of laws after their adoption by the Assembly of Kosovo in the OP web site but such proposal has not yet been approved by the President. The same goes for the publication of the Presidential Decrees for the Judicial and Prosecutorial Appointments. OP should make a final decision to whether or not publish the decrees promulgating legislation.</p>
Support drafting of written protocols/circulars/guidelines	2	1	1	2	2	<p><b>Yr 3 Target Completed.</b> 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.</p> <p>EROL completed the Language English Program (LEP) for the legal team of the President's Office. The program will enable drafters to take into account legal materials and legislation that is available in English. This approach will improve the quality of legislative products and will ensure that that the draft-normative acts are in compliance with the best European practices.</p>
Support agencies to implement protocols	2	1	2	2	2	<p><b>Yr 3 Target Completed. Activity to be attained in Yr 4.</b></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 and NDI co-hosted the 3rd intra-governmental roundtable on the legal drafting process. Legal teams from the OP, the AoK, the MoJ, the KJC and the KPC attended the proceedings of the Roundtable and engaged actively into the discussion concerning the preparation of the Regulatory Impact Assessment and use of the Tables of Concordances</p>

						for ensuring compliance with EU legislation. EROL STTA has also engaged legal officers into practical work in order to demonstrate how the text of the EU Directive is transposed with domestic legislation
<b>Train legal officers of OP</b>	2	1	1	1	2	<p><b>Yr 3 Target Completed. Activity to be attained in Yr 4.</b></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> <p>To further support the drafting capacities of the justice-sector institutions in preparing consistent and effective legislation through sustainable training programs, in Q4 EROL delivered the “Training of Trainers” program to prepare local instructors, who have the competences and the required skills and affinities, to effectively mentor, transmit and facilitate knowledge acquisition in the area of legislative drafting in Kosovo.</p>
<b>TOTAL:</b>	<b>8</b>	<b>3</b>	<b>5</b>	<b>6</b>	<b>7</b>	

MODEL COURTS PROGRAM SCORECARD<sup>38</sup>

Model Courts Scorecard		The Supreme Court	Pristina District Court <sup>39</sup>	Gjilan District Court <sup>40</sup>	Lipjan Municipal Court <sup>41</sup>	Istog Municipal Court <sup>4</sup>	Viti Municipal Court <sup>4</sup>	Rahovec Municipal Court <sup>4</sup>	Suhareka Municipal Court <sup>4</sup>
KEY STANDARD									
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	1	1	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
6	Streamline procedures for effective procurement and use of court logistics and supplies	2	2	2	1	1	1	1	1

<sup>38</sup> The MCP Scorecard 1 includes first eight participant courts on EROL MCP as per their operation under former courts structure.

<sup>39</sup> 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.

<sup>40</sup> 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

<sup>41</sup> 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.

		2	2	2	2	2	2	2	2
7	Enhance court communication with the public								
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
<b>TOTAL:</b>		18	18	18	17	17	17	17	17

MODEL COURTS PROGRAM SCORECARD<sup>42</sup>-II

Model Courts Scorecard										
KEY STANDARD		Pristina Basic Court -Podujeva Branch <sup>43</sup>	Pristina Basic Court – Glllogovc Branch <sup>6</sup>	Ferizaj Basic Court –Kacanik Branch <sup>6</sup>	Gjakova Basic Court –Klina Branch <sup>6</sup>	Gjakova Basic Court –Maliseva Branch <sup>6</sup>	Peja Basic Court – Decan Branch <sup>6</sup>	Prizren Basic Court – Dragas Branch <sup>6</sup>	Mitrovica Basic Court – Vushtrri Branch <sup>6</sup>	Court -Sterpce Branch <sup>44</sup>
1	Reorganize administrative duties between Presiding Judge and Court Administrator	2	2	2	2	2	2	2	2	2

<sup>42</sup> The MCP Scorecard 2 includes second eight new participant courts that joint EROL MCP on the Yr2 Q4.

<sup>43</sup> As foreseen on the new LoC the Branch Courts operate under the Basic Courts which

<sup>44</sup> During this year EROL added Ferizaj Basic Court – Branch of Sterpce to the MCP activities.

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	2	3	2	1	1	2	2	1	1
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
<b>TOTAL:</b>		13	15	15	12	12	13	15	12	9

EROL MODEL COURT PROGRAM– PMP SCORING DESCRIPTION CRITERIA

Key Standard	Scoring	
	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.

Key Standard	Scoring	
	Score	Criteria
	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.
	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.

Key Standard	Scoring	
	Score	Criteria
	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.
	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 design 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;

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

MODEL COURTS PROGRAM ANNEX A<sup>45</sup> – YR3 ACTUAL REPRESENTS CALENDAR YEAR 2013 (JAN 1 – DEC 31, 2013)

Case Disposition Rates							
	Case Type	New Cases	% of caseload	Cases Closed	% of caseload	New / Closed	Closed / New
Supreme Court	(AA) Administrative Complaint	8916	11.78%	36	0.06%	**	**
	(AMGJ) Judicial Protection	0	0.00%	0	0.00%	0.00	0.00
	(AML) Administrative Protection of Legality	2	0.00%	1	0.00%	2.00	0.50
	(APP) Administrative Procedure Review	0	0.00%	0	0.00%	0.00	0.00
	(ARev) Administrative Revision	0	0.00%	0	0.00%	0.00	0.00
	(ARJ) Extraordinary Administrative Review	5	0.01%	3	0.01%	1.67	0.60

<sup>45</sup> Indicator 15: Ratio of all dispositions to new case filings in courts assisted by USG in the area of case management;

Unit: Ratio

Indicator 16: % of cases heard and resolved within 24 months

Unit: %

Indicator 19: Mean case disposition time in courts assisted by USG in the area of case management

Unit:

Mean # months

	(CA-AKP) Kosovo Property Agency Complaints	0	0.00%	0	0.00%	0.00	0.00
	(CML) Civil Protection of Legality	16	0.02%	28	0.05%	0.57	1.75
	(CN) Civil Various	20	0.03%	15	0.03%	1.33	0.75
	(CPP) Civil Repetition of Proceedings	14	0.02%	17	0.03%	0.82	1.21
	(EML) Commercial Protection of Legality	1	0.00%	0	0.00%	0.00	0.00
	(ERev) Financial Revision	50	0.07%	46	0.08%	1.09	0.92
	(PA2) Third Instance Criminal Appeal	11	0.01%	11	0.02%	1.00	1.00
	(PML) Criminal Protection of Legality	241	0.32%	235	0.39%	1.03	0.98
	(PZD) Mitigation of Criminal Sanction	114	0.15%	116	0.19%	0.98	1.02
	(REV) Revisions I & II	309	0.41%	983	1.65%	0.31	3.18
<b>Court of Appeals</b>	(PA1) Criminal Appeal	1576	2.08%	2375	3.98%	0.66	1.51
	(AA) Administrative Complaint	426	0.56%	181	0.30%	2.35	0.42
	(AN) Administrative Various	3	0.00%	3	0.01%	1.00	1.00
	(CA) Civil Complaint	4192	5.54%	3836	6.43%	1.09	0.92
	(CN) Court of Appeal Civil Various	65	0.09%	39	0.07%	1.67	0.60
	(EA) Commercial Complaint	206	0.27%	445	0.75%	0.46	2.16
	(EN Commercial Various	31	0.04%	27	0.05%	1.15	0.87
	(PAKR) Major Crime Criminal Appeal	549	0.73%	479	0.80%	1.15	0.87
	(PAM) Juvenile Crime Appeal	42	0.06%	40	0.07%	1.05	0.95
	(PKM) Juvenile Criminal Panel	102	0.13%	2200	3.69%	0.05	21.57
	(PK) Criminal Panel	2321	3.07%	94	0.16%	24.69	0.04
(PN) Criminal Various	614	0.81%	584	0.98%	1.05	0.95	
<b>Basic and</b>	(PPr) Criminal Pre-Trial	2788	3.69%	1072	1.80%	2.60	0.38
	(PK) Criminal Panel	663	0.88%	263	0.44%	2.52	0.40
	(PKA) Criminal Indictment Confirmation	0	0.00%	6	0.01%	0.00	6.00
	(PPrM) Juvenile Criminal Pre-Trial	541	0.72%	265	0.44%	2.04	0.49
	(P) Criminal Cases	19457	25.72%	17274	28.95%	1.13	0.89

(PM) Juvenile Criminal	833	1.10%	951	1.59%	0.88	1.14
(PN) Criminal Various	265	0.35%	153	0.26%	1.73	0.58
(C) Civil Cases	16597	21.94%	16578	27.79%	1.00	1.00
(CN) Civil Various	5633	7.45%	5006	8.39%	1.13	0.89
(CT) Civil Inheritance	999	1.32%	2262	3.79%	0.44	2.26
(A) Administrative Cases	1733	2.29%	851	1.43%	2.04	0.49
(EK) Commercial Disputes	759	1.00%	410	0.69%	1.85	0.54
(EF) Bankruptcy	4	0.01%	3	0.01%	1.33	0.75
(PKR) Criminal Serious Crime	4034	5.33%	1921	3.22%	2.10	0.48
(PPrKR) Criminal Pre-Trial Serious Crime	1524	2.01%	854	1.43%	1.78	0.56
<b>All Courts All Case Types Totals</b>	<b>75656</b>	<b>100.00%</b>	<b>59663</b>	<b>100.00%</b>	<b>1.27</b>	<b>0.79</b>

Court and Case Type	New Cases	% of caseload	Cases Closed	% of caseload	New / Closed	Closed / New
Supreme Court - All Cases	9699	13%	1491	2%	<b>6.51</b>	<b>0.15</b>
Supreme Court - All Cases (except election Appeals)	783	1%	1455	2%	0.54	1.86
Court of Appeals - All Cases	10127	13%	10303	17%	<b>0.98</b>	<b>1.02</b>
Court of Appeals - All Criminal	5204	7%	6395	11%	0.81	1.23
Court of Appeals - All Civil	4923	7%	4891	8%	1.01	0.99
Basic Courts - All Cases	55830	74%	47869	80%	<b>1.17</b>	<b>0.86</b>
Basic Courts - All Criminal	30105	40%	22759	38%	1.32	0.76
Basic Courts - All Civil	25725	34%	25110	42%	1.02	0.98
<b>All Courts All Case Types Totals</b>	<b>75656</b>	<b>100%</b>	<b>59663</b>	<b>100%</b>	<b>1.27</b>	<b>0.79</b>

\*\* In the fall of 2013 the Supreme Court received an influx of Administrative Appeals related exclusively to election processes - the volume of cases was entirely atypical and should not

be used as predictive for future new case filings rates. The national elections of 2014 may bring another round of such cases and if that proves true statistical analysis should be run both including and excluding those cases.

Median and Mean Disposition Times			
Court Level	Total Closed Cases	Median disposition in days	Mean disposition in days
All Courts	59663	408	819
Supreme Court	1455	198	303
Court of Appeals - All Cases	10303	153	585
Court of Appeals - All Criminal	5772		
Court of Appeals - All Civil	4531		
Basic Courts - All Cases*	47778	487	885
Basic Courts - All Criminal	22712		
Basic Courts - All Civil	25066		

Case Closed with 24 months or less						
Court Level	Total Closed Cases	Cases 24 months or less	Cases 24 months or more	% of Cases Closed in 24m or less	% of Cases Closed in 24m or more	Total
All Courts	59663	38121	21542	63.89%	36.11%	100.00%

Supreme Court	1455	1275	180	<b>87.63%</b>	12.37%	100.00%
Court of Appeals - All Cases	10303	7630	2673	<b>74.06%</b>	25.94%	100.00%
Court of Appeals - All Criminal	5772	5076	696	87.94%	12.06%	100.00%
Court of Appeals - All Civil	4531	2554	1977	56.37%	43.63%	100.00%
Basic Courts - All Cases*	47778	29180	18598	<b>61.07%</b>	38.93%	100.00%
Basic Courts - All Criminal	22712	15634	7078	68.84%	31.16%	100.00%
Basic Courts - All Civil	25066	13546	11520	54.04%	45.96%	100.00%

\* Closed cases for all basic courts are reported as 47869 for the purpose of calculating disposition rates, it is reported as 47778 for the purpose of calculating %of cases closed in 24 months or less. The difference represents 91 cases that were found to have erroneous dates entered - making the calculation of the number of days from filing to disposition inaccurate. The courts have confirmed the cases were closed in 2013 and are working to correct the data entry errors. The number of cases is de minimis (.15% of the overall closed cases).

Pending Cases 24 months or older						
Court Level	Total Pending Cases	Cases 24 months or less	% of pending cases	Case 24 months or more	% of pending cases	Total
All Courts	123995	75309	60.74%	<b>48686</b>	39.26%	100.00%
Supreme Court	9009	9002	99.92%	<b>7</b>	0.08%	100.00%
Supreme Court - All Cases (except election Appeals)	128	121	94.53%	<b>7</b>	5.47%	100.00%
Court of Appeals - All Cases	5887	5152	87.51%	<b>735</b>	12.49%	100.00%
Court of Appeals - All Criminal	708	682	96.33%	26	3.67%	100.00%
Court of Appeals - All Civil	5179	4471	86.33%	708	13.67%	100.00%

Basic Courts - All Cases*	109099	61155	56.05%	<b>47944</b>	43.95%	100.00%
Basic Courts - All Criminal	52666	34371	65.26%	18295	34.74%	100.00%
Basic Courts - All Civil	56433	26784	47.46%	29649	52.54%	100.00%

MODEL COURTS PROGRAM ANNEX B<sup>46</sup> - YR3 Q4 RESULTS (JAN 1 – MAR 31, 2014)

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<sup>46</sup> Indicator 15: Ratio of all dispositions to new case filings in courts assisted by USG in the area of case management;

Unit: Ratio

Case Disposition Rates							
	Case Type	New Cases	% of caseload	Cases Closed	% of caseload	New / Closed	Closed / New
Supreme Court	(AA) Administrative Complaint	3	0.02%	3	0.02%	1.00	1.00
	(AMGJ) Judicial Protection	0	0.00%	0	0.00%	0.00	0.00
	(AML) Administrative Protection of Legality	0	0.00%	1	0.01%	0.00	1.00
	(APP) Administrative Procedure Review	0	0.00%	0	0.00%	0.00	0.00
	(ARev) Administrative Revision	3	0.02%	0	0.00%	0.00	0.00
	(ARJ) Extraordinary Administrative Review	6	0.04%	0	0.00%	6.00	0.00
	(CA-AKP) Kosovo Property Agency Complaints	0	0.00%	0	0.00%	0.00	0.00
	(CML) Civil Protection of Legality	1	0.01%	1	0.01%	1.00	1.00
	(CN) Civil Various	3	0.02%	0	0.00%	0.00	0.00
	(CPP) Civil Repetition of Proceedings	2	0.01%	3	0.02%	0.67	1.50
	(EML) Commercial Protection of Legality	0	0.00%	0	0.00%	0.00	0.00

Indicator 16: % of cases heard and resolved within 24 months  
 Unit: %

Indicator 19: Mean case disposition time in courts assisted by USG in the area of case management  
 Unit:  
 Mean # months

	(ERev) Financial Revision	23	0.16%	5	0.04%	4.60	0.22
	(PA2) Third Instance Criminal Appeal	1	0.01%	1	0.01%	1.00	1.00
	(PML) Criminal Protection of Legality	67	0.46%	70	0.54%	0.96	1.04
	(PZD) Mitigation of Criminal Sanction	40	0.28%	33	0.26%	1.21	0.83
	(REV) Revisions I & II	95	0.66%	21	0.16%	4.52	0.22
<b>Court of Appeals</b>	(PA1) Criminal Appeal	438	3.04%	372	2.89%	1.18	0.85
	(AA) Administrative Complaint	124	0.86%	84	0.65%	1.48	0.68
	(AN) Administrative Various	2	0.01%	1	0.01%	2.00	0.50
	(CA) Civil Complaint	1175	8.15%	1017	7.89%	1.16	0.87
	(CN) Court of Appeal Civil Various	32	0.22%	28	0.22%	1.14	0.88
	(EA) Commercial Complaint	75	0.52%	45	0.35%	1.67	0.60
	(EN Commercial Various	7	0.05%	8	0.06%	0.88	1.14
	(PAKR) Major Crime Criminal Appeal	193	1.34%	180	1.40%	1.07	0.93
	(PAM) Juvenile Crime Appeal	7	0.05%	3	0.02%	2.33	0.43
	(PKM) Juvenile Criminal Panel	21	0.15%	21	0.16%	1.00	1.00
	(PK) Criminal Panel	617	4.28%	597	4.63%	1.03	0.97
	(PN) Criminal Various	187	1.30%	172	1.34%	1.09	0.92
<b>Basic and Branch Courts</b>	(PPr) Criminal Pre-Trial	778	5.40%	231	1.79%	3.37	0.30
	(PK) Criminal Panel	76	0.53%	68	0.53%	1.12	0.89
	(PKA) Criminal Indictment Confirmation	0	0.00%	5	0.04%	0.00	5.00
	(PPrM) Juvenile Criminal Pre-Trial	182	1.26%	87	0.68%	2.09	0.48
	(P) Criminal Cases	3984	27.64%	3878	30.10%	1.03	0.97
	(PM) Juvenile Criminal	245	1.70%	184	1.43%	1.33	0.75
	(PN) Criminal Various	125	0.87%	43	0.33%	2.91	0.34
	(C) Civil Cases	3228	22.40%	3718	28.86%	0.87	1.15
	(CN) Civil Various	1069	7.42%	891	6.92%	1.20	0.83
	(CT) Civil Inheritance	110	0.76%	276	2.14%	0.40	2.51

(A) Administrative Cases	317	2.20%	2	0.02%	158.50	0.01
(EK) Commercial Disputes	191	0.00%	80	0.62%	2.39	0.42
(EF) Bankruptcy	0	0.00%	0	0.00%	0.00	0.00
(PKR) Criminal Serious Crime	533	3.70%	617	4.79%	0.86	1.16
(PPrKR) Criminal Pre-Trial Serious Crime	453	3.14%	136	1.06%	3.33	0.30
<b>All Courts All Case Types Totals</b>	<b>14413</b>	<b>98.67%</b>	<b>12882</b>	<b>100.00%</b>	<b>1.12</b>	<b>0.89</b>

Court and Case Type	New Cases	% of caseload	Cases Closed	% of caseload	New / Closed	Closed / New
Supreme Court - All Cases	244	2%	138	1%	<b>1.77</b>	<b>0.57</b>
Supreme Court - All Cases (except election Appeals)	241	2%	135	1%	1.79	0.56

Court of Appeals - All Cases	2878	20%	2528	20%	<b>1.14</b>	<b>0.88</b>
Court of Appeals - All Criminal	1463	10%	1474	11%	0.99	1.01
Court of Appeals - All Civil	1415	10%	1075	8%	1.32	0.76

Basic Courts - All Cases	11291	78%	10216	79%	<b>1.11</b>	<b>0.90</b>
Basic Courts - All Criminal	6376	44%	5249	41%	1.21	0.82
Basic Courts - All Civil	4915	34%	4967	39%	0.99	1.01

**All Courts All Case Types Totals                      14413           100%           12882           100%           1.12           0.89**

\*\* In the fall of 2013 the Supreme Court received an influx of Administrative Appeals related exclusively to election processes - the volume of cases was entirely atypical and should not be used as predictive for future new case filings rates. The national elections of 2014 may bring another round of such cases and if that proves true statistical analysis should be run both including and excluding those cases.

**Median and Mean Disposition Times**

Court Level	Total Closed Cases	Median disposition in days	Mean disposition in days
All Courts**	12859	431	773.00
Supreme Court	138	198	303.00
Court of Appeals - All Cases Court of Appeals - All Criminal Court of Appeals - All Civil	2524	378	267.09
Basic Courts - All Cases* Basic Courts - All Criminal Basic Courts - All Civil	10197	431	907.78

Cases Closed with 24 months or less						
Court Level	Total Closed Cases	Cases 24 months or less	Cases 24 months or more	% of Cases Closed in 24m or less	% of Cases Closed in 24m or more	Total
All Courts	12859	8428	4431	65.54%	34.46%	100.00%
Supreme Court	138	136	2	98.55%	1.45%	100.00%
Court of Appeals - All Cases Court of Appeals - All Criminal	2524	2260	264 0	89.54% #DIV/0!	10.46% #DIV/0!	100.00% #DIV/0!

Court of Appeals - All Civil	0	#DIV/0!	#DIV/0!	#DIV/0!
Basic Courts - All Criminal	0	#DIV/0!	#DIV/0!	#DIV/0!
Basic Courts - All Civil	0	#DIV/0!	#DIV/0!	#DIV/0!

\* Closed cases for all courts are reported as 12882 for the purpose of calculating disposition rates, but is reported as 12859 for the purpose of calculating % of cases closed in 24 months or less. The difference represents cases that were found to have erroneous dates entered - making the calculation of the number of days from filing to disposition inaccurate. The courts have confirmed the cases were closed in 2014 and are working to correct the data entry errors. The number of cases is de minimis (0.21% of the overall closed cases).

Pending Cases 24 months or older						
Court Level	Total Pending Cases	Cases 24 months or less	% of pending cases	Case 24 months or more	% of pending cases	Total
All Courts	135535	82270	60.70%	<b>53265</b>	39.30%	100.00%
Supreme Court	9154	832	9.09%	11	0.12%	9.21%
Supreme Court - All Cases (except election Appeals)	273	262	95.97%	11	4.03%	100.00%
Court of Appeals - All Cases	7694	6814	88.56%	<b>879</b>	11.42%	99.99%
Court of Appeals - All Criminal	1245	1215	97.59%	30	2.41%	100.00%
Court of Appeals - All Civil	6448	5599	86.83%	849	13.17%	100.00%
Basic Courts - All Cases*	118687	66312	55.87%	52375	44.13%	100.00%
Basic Courts - All Criminal	58377	37800	64.75%	20577	35.25%	100.00%
Basic Courts - All Civil	60310	28512	47.28%	31798	52.72%	100.00%



CONSTITUTIONAL COURT SCORECARD

Constitutional Court Scorecard	Year 3					Description
	Target	Q1	Q2	Q3	Q4	
Target/Actual (per Quarter)						
Needs Assessment - expertise and information needs of judges						<b>Yr 1 Target Completed.</b>
Support program and materials for CC judges drafted						<b>Yr 2 Target Completed.</b> 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.
Training modules developed for new CC judges						
Support attendance at regional or international conferences						
Needs Assessment - training needs for legal advisors						<b>Yr 1 Target Completed.</b>
Training modules developed for legal advisors						<b>Yr 1 Target Completed.</b>
Training provided to legal advisors	2	1	1	1	2	<b>Yr 3 Target Completed for the Constitutional Conference.</b> In Y3/Q1, Y3/Q2, and Y3/Q3, EROL proposed training programs for KCC legal advisors. Legal advisors' training was postponed to Y4/Q2 to accommodate KCC schedules' the training was modified per KCC request to focus on legal advisors' support generally to court judges, including legal opinion reasoning and writing adapted from a KJI module. (Andrea, please provide your perspective on the outcome. I believe those two event took place and you have contributed on the coordination and representation of the KCC representatives for this event. I scored this activity with 2 as completed. You only have to provide the language for this activity.
Exchanges with international jurists (visits to Kosovo or travel)	2	1	1	1	2	<b>Yr 3 Target Completed.</b> Please, provide similar language of activity completion as with previous activity above (specifically related to the conference)
Preparation of research papers for conference		1	1	1	2	
Conference on constitutional jurisprudence and adjudication		1	1	1	2	
Internship program launched (year 2) and monitored (2-4)	2	1	1	1	1	The KCC instituted an internship program in Y2. In Y4, EROL expects to assist the KCC by providing training to strengthen relevant skills of the interns, including legal reasoning and writing. In Y3/Q1, Y3/Q2, Y3/Q3, and Y3/Q4 EROL proposed training programs for KCC legal interns, but the KCC Court President asked that training activities be postponed to Y4/Q2 due to other obligations of the Court, and due to scheduling legal advisors' training that must take place first.. (I'm not sure if there is different status from previously reported. If yes, please, provide feedback.

						Otherwise it will remain the same issue and the activity will remain under “1”)
<b>Materials created and distributed as bench references</b>						<b>Yr 2 Target Completed.</b> 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.
<b>Library needs assessed and materials procured</b>						The Constitutional Court maintains, on its own, a full reference library and has not requested any assistance from EROL in this regard. EROL revisited this issue in Q4, with additional activities expected in Y3.
<b>Training module developed for internet research</b>						<b>Yr 2 Target Completed.</b> 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.
<b>Reference manual created and distributed</b>	2	1	2	2	2	<b>Yr 3 Target Completed</b> In Y3, EROL will provide reference manuals to KCC judges, legal advisers, and interns on relevant subjects, including legal reasoning and writing, and communications in judicial settings. As part of that process, in Y3/Q1, EROL and KCC representatives planned for distribution of 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. Similarly, it is anticipated that another special edition of E Drejta will be released in Y4 based upon presentations made at the KCC Judicial Conference to be held in Y3/Q4.
<b>ToT in adult learning principles</b>						<b>Yr 2 Target Completed.</b> Completed for the legal advisers in program year one.
Local and international trainers train advisors together	2	1	1	1	2	<b>Yr 3 Target Completed.</b> . (Your feedback on the achievement if there is any....
Local trainers begin to train on their own	2	1	1	1	1	Training by KCC for interns in legal reasoning and writing is expected to take place Y4/Q3, following legal advisors’ training that was postponed per the KCC to Y4/Q2. . (I believe this will be “2” if related to the Legal Drafting training delivered in January 14)
<b>Deploying software for full-text searchable decisions online</b>	2	1	2	2	2	<b>Yr 3 Target Completed</b> In Y3/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.
<b>TOTAL:</b>	<b>14</b>	<b>9</b>	<b>11</b>	<b>11</b>	<b>16</b>	

KOSOVO JUDICIAL INSTITUTE SCORECARD

Kosovo Judicial Institute Scorecard	Year 3					Description
	Target/Actual (per Quarter)	Target	Q1	Q2	Q3	
Assessment of KJI structure and curriculum, and their degree of alignment with LoP and LoC						The Ministry of Justice proposed transformation of KJI into an Academy of Justice, which resulted in the postponement of the coordination strategy. Presuming that the decision on

						<p>transformation will be made in Y3, EROL will proceed to work with KJI, KJC, KPC to develop National Legal Education Strategy in Y3.</p> <p>In addition, EROL and KJI Director conferred during Q4, and (presuming that the Justice Academy will be resolved in Y3) agreed to begin this initiative in Y3 after the KJC and the KPC complete the transition to the reorganization mandated by the new Law on the State Prosecutor and the new Law on Courts.</p>
<b>Draft training courses</b>						<b>Yr 1 Target Completed.</b>
<b>Training of Trainers (TOT)</b>						
Training of trainers program developed		0	1	1	2	<b>Yr 3 Target Completed</b> The Information & Communications Technology (ICT) Considerations for the Kosovo Judiciary was completed during Y3/Q2.
ToT program carried out with KJI instructors	2	1	1	1	2	<b>Yr 3 Target Completed</b> 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 Y3/Q3.
<b>English language TOT training</b>						
Training of trainers program developed						<b>Yr 2 Target Completed.</b> 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 Q1, courses to be presented in the CLEP and ILEP Programs.
ToT program carried out with KJI instructors	2	1	1	1	2	<b>Yr 3 Target Completed</b> In Y3/Q1, an EROL trainer mentored a KJI trainers in the delivery of the ICT Considerations for the Kosovo Judiciary program.
<b>Training program on OSCE recommendations prepared</b>						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 Q3, continued during Q4, and will continue in Y4. Delivery of the courses with KJI counterparts began in Q4. The Model Court Program delivered a series of professionalization classes to court support staff during implementation on the new law on courts.
<b>STTA provided in holding judicial conferences</b>						In Y3/Q2, the EROL Model Court Program continued to assist the Court Presidents of the Supreme Court, Court of Appeals, and/or Basic Courts in conducting periodic judicial conferences, which were conducted on a monthly basis. The Judicial Training Advisor participated in numerous Model Court Program roundtable sessions with Court Presidents in Y3/Q2 regarding case management issues; these were documented by the Model Court Program.
<b>Judicial conferences held</b>	2	1	0	1	1	<b>Activity to be attained in Yr 4.</b> With support from OSCE, the KJI planned to present a Judicial Conference for Prosecutors in 2012 and a Judicial Conference for Judges in 2013; the KJI declined EROL's offer of the assistance in the presentation of such conferences. However, EROL supported roundtable conferences with judges of the Supreme Court and judges of the Court of Appeals on legal reasoning and writing; EROL sponsored a court management roundtable conference for Court Presidents of the Basic Courts and the Court of Appeals; the Model Court Program also began regular conferences with Court Presidents of the Basic Courts. Additional judicial conferences of this sort are planned throughout Y4.

<b>Develop list of potential local and int'l partner institutions</b>						<b>Yr 1 Target Completed.</b>
<b>Support development of relationships with institutions</b>	2	1	0	1	1	EROL's technical assistance is ongoing to assist KJI and KJCS in developing an effective working relationship. 2 meetings were held with KJI and KJCS to develop a collaborative work plan for developing a Court management curriculum.  <b>Activity to be attained in Yr 4.</b>
<b>Support to attend international conferences</b>	2	1	0	1	1	Although the KJI Director and/or KJI staff members have participated in international conferences, EROL's technical assistance in this regard has been held in abeyance beyond the disposition of a proposal by the Kosovo Minister of Justice to transform the KJI into a Justice Academy, which will likely affect the purposes of EROL's implementation of this activity.  <b>Activity to be attained in Yr 4.</b> As reflected above, EROL is supporting a study tour for KJI representatives at the Federal Judicial Center in Washington DC. EROL and KJI Director conferred in Y3/Q2 regarding further development of this initiative for participation in additional international conferences (as a supplement to conference attendance funded by other donors); more activity is planned in this regard in Y4 after the proposal for transformation from the KJI to the Justice Academy is resolved.
<b>KJI website enhanced</b>						
Include reference materials and legal information on site		0	1	1	2	<b>Yr 3 Target Completed</b> Full deployment of the KJI software and website happened in Y3/Q2, and training of KJI staff was completed in Y3/Q3.
Develop test version of KJI website		0	1	2	2	
Develop draft database of trainees		0	1	1	1	
Develop distance learning demonstration course		0	1	1	1	Discussions with KJI and other international donors about the implementation of a sophisticated distance learning platform will continue in Yr4.
Distance learning platform and catalog deployed and in use	2	1	1	1	1	<b>Activity to be attained in Yr 4.</b> The Judicial Training Advisor will continue to provide KJI with technical assistance on implementing distance learning courses that apply best practices in adult education.
<b>TOTAL:</b>	<b>12</b>	<b>6</b>	<b>7</b>	<b>12</b>	<b>16</b>	