



# CHANGES FOR JUSTICE PROJECT FIFTH QUARTER ACTIVITY SUMMARY PROGRESS REPORT

**JULY TO SEPTEMBER 2011**

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The author's views expressed in this publication do not necessarily reflect the views of the United States Agency for International Development or the United States Government.

# Contents

INTRODUCTION .....	1
COMPONENT I .....	1
COMPONENT II .....	9
MAJOR CHALLENGES AND OBSTACLES TO ACTIVITY IMPLEMENTATION .....	14
INDICATORS.....	17

## ANNEXES

- A. ADVISOR TRIP REPORTS SUBMITTED TO USAID
- B. LOCAL SUBCONTRACTOR DELIVERABLES ACCEPTED BY C4J
- C. C4J Q5 PROGRESS BY ACTIVITY



## INTRODUCTION

This Fifth Quarterly Report summarizes overall activity progress of the Changes for Justice (C4J) Project during the period July through September 2011. A spending pipeline and a report on key indicators are also included. During the quarter significant progress was made with completing as much of the Year 1 Work Plan as possible while planning with our counterparts the activities for Year 2.

***Year Two Work plan Development:*** C4J submitted a draft Year 2 Work Plan (October 2011 – September 2012) to USAID on September 15, 2011. At the end of the quarter, ongoing consultations with Government of Indonesia counterparts were in process. Agreement is expected by November, after which a revision to the C4J Performance Monitoring Plan (PMP) and the final Year 2 work plan will be submitted to USAID.

## COMPONENT 1: SUSTAINING AND BROADENING REFORMS IN THE SUPREME COURT

The Supreme Court has requested semi-annual reports so it can evaluate C4J's progress on implementation. Following submission of a report in May, C4J presented its progress to date in a meeting at the Supreme Court held on July 6, 2011. C4J received a written evaluation from the Supreme Court dated August 19, 2011, and prepared a detailed reply to be sent to the Supreme Court in early October 2011.

### **KRA 1.1 Enhance Management Transparency and Accountability in the Supreme Court to Support Bureaucratic Reform**

#### **A. Human Resources more strategically placed in the Supreme Court's management**

In this quarter, C4J had further discussions with the Supreme Court's Judicial Reform Team Office (JRTO) on the detailed work plan for human resources activities. On September 14, 2011, C4J made a formal presentation to the working group (POKJA) on human resources. This meeting was also attended by several high ranking officials from Echelon I, Echelon II, and Echelon III positions in the Supreme Court, other Directorates, and JRTO members. Many valuable inputs and suggestions to the work plan were made. During this meeting, the results of the human resources assessment conducted by C4J subcontractor Mitra Perubahan Indonesia (MPI) was also formally presented.

The following human resources activities are proposed by C4J for Year 2 activities:

- Development of competency profiles.
- Development of competency assessment design and conducting individual assessment, proposed for echelon II positions.
- Development of competency-based recruitment and selection system.
- Strengthening competency-based rotation, transfer and promotion system.

The Supreme Court's JRTO and Human Resources Working Group have accepted some of the recommendations of the MPI assessment as priorities in the human

resources reform agenda. While at the end of the quarter we were still awaiting final approval for the activities proposed, a draft scope of work for a subcontract on developing competency profiles was completed. Once approval is received, an RFP for this work by a local organization will be issued.

## **B. Enhanced quality and efficiency of the Supreme Court administration and finance staff**

We conducted a series of meetings with Supreme Court officials and counterparts in the Government of Indonesia's (GOI) Ministry of Finance, Supreme Audit Board, and House of Representatives to develop strategic interventions to strengthen the Supreme Court's capacity to comply with GOI budget and finance requirements. Our primary areas for support continue to be:

- Developing the concept of judiciary budget independence
- Strengthened implementation of budget-based strategic planning and budget formulation
- Improved quality of financial reports

We planned an initial workshop on budget-based strategic planning and budget formulation in September. Implementation was postponed until early October 2011, based on availability of Supreme Court officials and participants.

Dr. Maureen Berry's report on asset management and improvement of audit functions continues to be under review by the Supreme Court.

## **C. Improved media communications and public access to information**

Using an early draft produced by C4J local subcontractor, Paramadina/P3I and feedback from the Legal and Public Affairs Bureau of the Supreme Court (*Humas*), the C4J communication team produced a draft standard operating procedure (SOP) for public relations. The draft was shared with *Humas* in July 2011, for additional inputs and comments. Follow-on meetings with *Humas* are scheduled for early next quarter, and we expect to be able to finalize the draft by December 2011.

In this quarter we completed the first draft of a guidelines book for journalists that provides information on the courts and the legal system in Indonesia. This book is an expansion of a publication developed in 2009, under the MCC-funded and USAID-managed Indonesia Control of Corruption Project (ICCP). Besides updating the original guidelines book, an additional chapter on court transparency has been added. Based on the Supreme Court's revised transparency decree, SK 1-144, issued in January 2011, this chapter covers topics including: the principles of court transparency; how to make information requests to the courts; notes on public information that should be provided by the courts; and other transparency-related subjects. This book will be distributed to journalists in conjunction with training for journalists planned for Year 2. With the expectation of a new leader of *Humas* in the coming months, C4J is exploring whether *Humas* can take on responsibility for future journalist awareness sessions, and updating and printing of future editions of the guidelines.

Use of the model public information desks installed in three district courts<sup>1</sup> and the case tracking system (CTS) developed by C4J, which is now functioning in four district courts (see part D. below), will be monitored through site visits early next quarter.

#### **D. Strengthened court capacity to use case management systems**

Final payments were made this quarter for C4J local subcontractors KSM, MBK, and Taramitra for their work on electrical and computer remediation, computer hardware, and CTS application development respectively. MBK remains responsible for a 12-month warranty period until February 2012, for all equipment provided to the three district courts in Bandung, Samarinda, and Palembang. Taramitra is responsible for ongoing support and maintenance of the CTS software application through February 2012, at four district courts: Palembang, Samarinda, Surabaya and Bandung.

We held key discussions with Supreme Court leaders in August and September regarding evaluation of the C4J-developed CTS, in the context of potentially “competing” IT-based case management efforts. On September 26, C4J and Supreme Court leaders jointly visited Kepanjen District Court to observe the court’s locally-developed case management system application. After the tour of Kepanjen District Court, and presentation by the court’s software provider, the Supreme Court leaders verbally affirmed that the CTS developed by C4J should be the foundation software, and that the Kepanjen system’s functionalities, as well as new reporting formats, should be integrated into it.

In addition to the above, experiences from implementation of other locally-developed systems should be part of the new version of the CTS.

There was an expectation of a written decision from the Supreme Court on the way forward with the CTS software by the end of the quarter. While this letter did not materialize, we were encouraged to start preparing for joint monitoring and evaluation of current CTS use in the four courts; introduction of the CTS software to three new courts; and expanding the CTS functionality to foster greater automation during C4J project Year 2 and 3.

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<sup>1</sup> The three district courts are in Bandung, Palembang and Samarinda. A fourth district court in Surabaya already had the information desk facilities installed by a previous USAID project, and it is cooperating with the C4J Project currently.



H. Atja Sonjada, Deputy Chief Justice for Civil Cases and Head of the working group on case management for the Supreme Court, and C4J Chief of Party David Anderson visit Kepanjen District Court, East Java, to share and review functionalities of Kepanjen's locally-developed case management system and the C4J CTS. The visit laid important groundwork towards developing a unified system of automated court management.

**Court Automation Readiness Survey (CARS):** In anticipation of expanding the CTS software features regarding greater automation of the case management process, we designed a Court Automation Readiness Survey (CARS). The survey was distributed through the Supreme Court's national annual meeting (*Rakernas*) website and collected during the *Rakernas* event from September 18-22. Of the 807 Indonesian courts, 528 responded. We are actively pursuing responses from the remaining courts through assistance from the High Courts. The response rate from the courts is described in Table 1.

**Table 1: Court Automation Readiness Survey Response Rates**

No	Type of Courts	TARGET		COLLECTED		NOT COLLECTED	
		Total	%	Total	%	Total	%
1	High Court	30	3.72%	18	60%	12	40%
2	District Court	352	43.62%	203	58%	149	42%
3	Religious High Court	29	3.59%	23	79%	6	21%
4	Religious Court	343	42.50%	244	71%	99	29%
5	State Admin High Court	4	0.50%	2	50%	2	50%
6	State Admin Court	26	3.22%	21	81%	5	19%
7	Military High Court	4	0.50%	3	75%	1	25%
8	Military Court	19	2.35%	14	74%	5	26%
<b>TOTAL</b>		<b>807</b>	<b>100.00%</b>	<b>528</b>	<b>65%</b>	<b>279</b>	<b>35%</b>

The national automation planning and budgeting processes requires that each prospective court site be evaluated to determine its relative state of readiness for IT system implementation, utilizing a baseline assessment approach. Establishing the baseline is essential to develop a realistic budget that considers the factors involved in preparing and equipping each site, including:

- Limited financial resources to sustain expensive technical solutions.
- A challenging but improving data communications infrastructure.
- Lack of a functional national power grid with access to consistent and reliable electrical power resources.
- Limited computer literacy, skills, and expertise among the court judges and staff.
- The absence of a national corps of technical experts to design, implement, operate, and maintain a national case information system.
- Inadequate capacity from the Supreme Court headquarters to respond on a timely basis to IT training, support, and maintenance requirements of courts.

**Digital Audio Recording Procurement and Training Preparation:** By the end of the quarter, C4J was close to completing procurement for the remaining peripheral equipment (e.g. microphones, routers, cables, and racks) for the Digital Audio Recording (DAR) units. We also completed negotiations with an equipment provider from Singapore to deliver training on the use and maintenance of this state-of-the-art equipment in the three district courts in Palembang, Samarinda, and Bandung. The C4J staff developed a mentoring program so court staff will be able to troubleshoot issues themselves that arise from normal operations.

## **KRA 1.2 Improve Judges' Integrity and Technical Legal Competence**

### **A. Continuing Judicial Education program developed**

In August, the report of the first pilot training of the continuing judicial education (CJE II) program, on Caseflow Management, was completed, along with a draft of the corresponding instructional materials. These materials will be reviewed and expanded upon next quarter.

The second pilot CJE II training, on Quality of Judgments, is planned for implementation in October 2011. In September, we completed selection of the participants, focusing on the following:

- Geographical representation, including judges from Papua, East Indonesia, and other more remote locations.
- More gender-balanced participation.
- The reputations of the potential participants, since the participants in the pilot are expected to become trainers in roll-out of the CJE II courses.

These participants were selected through extensive discussions and consultations with *Pusdiklat* and JRTO. The selection represented a change from the earlier plan to utilize the same judges in all three pilots. The third CJE II course, on Judicial Ethics, is being developed, and will use as a departure point the curricula and instructional materials developed through the MCC-funded and USAID-implemented Indonesia Control of Corruption Project.



Supreme Court leaders, representatives from the University of Indonesia, and C4J staff pose with judges selected for fellowships to join Master's Degree Program in Judicial Practice, at an opening ceremony held on September 8, 2011.

The Supreme Court, C4J, and the University of Indonesia (UI) Faculty of Law officially launched the Master's Degree Program in Judicial Practice on September 8. The 20 fellowship recipients, all of whom are mid-level judges, attended this ceremony. Professor Dr. Paulus Effendi Lotulung, SH, Deputy Justice of the Administrative Courts and Coordinator of the Judicial Reform Team, gave a keynote speech and remarked that the Supreme Court was very proud of this degree program as it directly relates to the new Supreme Court Blueprint goal of developing judicial human resources and equipping judges with high legal competency knowledge and skills.

The lectures and coursework for the first semester of the master's degree program started on September 12. Students were given laptops and textbooks to facilitate their studies. As well, we began close coordination with UI to monitor implementation of the courses and student participation.

### **B. Accreditation mechanism for CJE Certification incorporated into CJE policy**

A comparative study of international practices may be developed along with the three CJE II courses (see A. above). C4J began preliminary discussions on accreditation mechanisms, which will begin with students that complete the series of three core CJE II courses in Year 2.

### **C. Mid-level judges (6-15 Years) are of comparable quality<sup>2</sup>**

This result area is being addressed through the CJE II program (see A. above), which seeks to develop a training system for all judges to receive comparable training throughout their careers. Participants who excel in the CJE II courses or judicial master's degree program will be looked to as future leaders and trainers.

#### **KRA 1.3 Professionalizing Court Staff**

##### **A. More committed court staff with appreciation of their roles and responsibilities as members of a court team**

Work continues to focus on the four district courts assisted initially under the Component 3 MCC Scope of Work: Bandung, Palembang, Samarinda, and Surabaya. The professional skills of court staff professional skills are being improved through use of the CTS, managing the public information desks, and provision of technical assistance and training on how courts should manage their cases and interface with the public. Following the visit to Kepanjen District Court, it became clear that the C4J CTS system has the potential to be expanded into a standardized IT application throughout the Indonesian courts. Coupled with proposed work on business processes reengineering, C4J activities could have a system-wide impact on developing cohesive functioning of the courts' core business of managing and adjudicating cases.

##### **B. Incorporation of accreditation mechanisms for continuing training certification into career development**

A focused program for accrediting court staff will begin in either Year 2 or Year 3. It will begin in Year 2 with certification for those judges who successfully complete the three core CJE II courses, and will continue in Year 3 with agreement on more advanced training programs and certifications on specific areas of law.

##### **C. Establishment of transparent and accountable procedures that support improved monitoring, accountability and management of court staff**

As of September 30, more than 10,500 cases were entered into the CTS of the 4 district courts (PN), compared to 7,500 cases at the end of last quarter. The case information can be viewed at the courts' websites.

- PN Bandung: <http://cts.pn-bandung.go.id/perkaralist.php>
- PN Palembang: <http://cts.pn-palembang.net/perkaralist.php>
- PN Samarinda: <http://cts.pn-samarinda.net/perkaralist.php>
- PN Surabaya: <http://cts.pn-surabayakota.go.id/perkaralist.php>

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<sup>2</sup> The C4J Task Order discusses the concept of "comparable quality" in the context of developing a mentoring program for junior/candidate judges. In Year 1, C4J's initial results framework elevated this terminology and principle to activities for mid-level judges, following the C4J training needs assessment (TNA) and the Supreme Court's desire not to pursue a formal "mentoring" activity. In Year 2, through the adoption of a revised and strengthened results framework, C4J will propose to remove the concept of "comparable quality" from the mid-level judges Key Results Areas to reduce any confusion vis-à-vis C4J's expected results. Nonetheless, the principle of having mid-career judges of comparable quality will remain a key tenant of improving judges technical legal competence.

Training programs on public information compliance were not held this quarter, but the court has expressed interest in having more of these in the second quarter of Year 2.

## **Additional Results**

### **Strengthening of Access to Justice**

Dewi Novirianti, C4J access to justice specialist, and Cate Sumner, a consultant advisor on access to justice, visited Palembang to meet with district court and religious court officials, the civil registrar office of the provincial government, and civil society stakeholders to gather information on best practices for implementation of legal aid services. Palembang province, and the courts therein, have a reputation among legal aid services providers and other stakeholders for their advanced legal aid funding and practices in Indonesia. This visit served to prepare C4J and court officials for holding a two-day workshop following the Supreme Court's annual meeting, *Rakernas*.



Dr. Ridwan Mansyur, Chief Judge of the Palembang District Court, shares his experience in implementing SEMA 10 of 2010, during a meeting facilitated by the USAID/Indonesia Changes for Justice Project in Jakarta. Such exchanges of ideas and experience are equipping leaders from 39 district courts to ensure the effective implementation of SEMA 10, and to respond to the needs of such disadvantaged groups as the poor, and their children.

The workshop was held on September 22 and 23, and served to brief court leaders and obtain buy-in from 39 pilot general, district courts on legal aid issues detailed in the Supreme Court's Practice Direction on the Provision of Legal Aid (*Surat Edaran Makamah Agung (SEMA) tentang Pedoman Pemberian Bantuan Hukum*, or SEMA 10), issued on August 30, 2010. The meeting was jointly conducted and funded by the Supreme Court. Fifty-two participants, including 9 women and 43 men, attended from 39 district courts (Class 1A and Class 1A Special), as well as from 8 religious courts, the Directorate for the Religious Courts (*Badilag*), Directorate for the General Courts (*Badilum*), and the Supreme Court leadership. The meeting contributed directly to solidifying agreement on C4J's access to justice work in Year 2.

We also began discussions with the World Bank's Justice for the Poor program to leverage mutual interests and sharing of costs of access to justice activities.

### **Component 1. Training, Workshops and Events Participation Summary**

No formal training events were held this quarter with the Supreme Court. Some planned events, including a major budget and finance training, were postponed to

early in the next quarter. Table 2 below provides a summary breakdown by gender; and judge and non-judge participation in C4J activities during the reporting period:

**Table 2: Quarter 5 Total Participation by Position Title and Gender (N=number)**

Training/Workshop/Event Title	Judge				Non-Judge				Total	
	Male		Female		Male		Female		N	%
	N	%	N	%	N	%	N	%		
<b>Workshop:</b> Implementation of SEMA 10/2010	49	77%	3	5%	6	9%	6	9%	64	100%
<b>Total</b>	49	77%	3	5%	6	9%	6	9%	64	100%

Female judge participation was comparatively low because there were few female chief judges currently leading the courts selected for this activity.

## **COMPONENT 2: SUSTAINING AND BROADENING REFORMS IN THE ATTORNEY GENERAL'S OFFICE**

C4J has experienced notable success in relation to the AGO Training Agency (*Badiklat*) and human resources. On June 17, the Head of *Badiklat* (*ad interim*) Bapak Mahfud Manan, issued a decree letter on the Formation of a Technical Team to Work on *Badiklat* Roadmap Development. This technical team consists of 42 members with representation from 9 working areas. This decree indicates *Badiklat*'s acceptance of C4J's activities.

Regarding human resource activities, we began work on development of the competency assessment for Echelon II positions within the AGO's headquarters. These activities were led by C4J's subcontractor, Hay Group. Based on focus group discussions led by C4J and Hay Group with high-level AGO officials, we received many interesting ideas and perspectives on the competencies needed at the AGO.

The AGO agreed to conduct the Leadership Forum, a series of ten seminars for key AGO personnel bureau staff, to strengthen the knowledge of human resources within their bureau. Based on the initial success of the Leadership Forum, the head of the AGO's planning bureau suggested that C4J conduct a similar activity for the *Badiklat*.

### **KRA 2.1 Enhancing Institutional Management, Integrity and Efficiency of the AGO**

#### **A. More effective and efficient utilization of AGO human resources and infrastructure through reorganization and restructuring**

The work of AGO Echelon II Competency Model Development (also referred to as the competency assessment) began during the first week of June 2011, with a subcontract with the Hay Group (Hay). Although the AGO had approved the scope of work (SOW) prior to the subcontractor bidding process, in May 2011, additional discussions were necessary in July to reach agreement on the methodology that C4J and Hay should use. We agreed to reduce the number of focus group discussions (FGDs) from six to one, but the use of extensive in-depth interviews was retained.

After a desk analysis to gather relevant information on the AGO organization (the existing condition of human resources, the current vision and mission, job descriptions, and bureaucratic reform vision, mission, and strategies), relevant GOI regulations on civil service employees, and competency models from other GOI institutions, a draft competency model was proposed for consideration with the AGO. In mid-August, C4J staff and the Hay Group conducted interviews with 15 resource persons, including the Attorney General, Vice Attorney General, 6 Deputy Attorneys General, a former Attorney General, and other AGO expert staff and assistants. The purpose of the interviews was to verify the draft competency model and to find out if there were other competencies that had not yet been included in the draft.

The next key step was a central focus group discussion, held on September 15, which was attended by 21 AGO leaders (2 women and 19 men) from Echelon I to III. The purpose of these discussions was to validate the competency model and determine the leveling of the competencies. To gain broader public input on the expected competencies, C4J and Hay began to distribute surveys to stakeholders during the last week of September. We also began to prepare for a human resources training session, to be held next quarter.

This competency assessment work was initially expected to take four months. Due to delays in start-up and scheduling challenges within the AGO, the Hay subcontract is now expected to be completed by mid-December 2011.

This competency model developed will also be utilized for the future individual assessments of Echelon III positions, to be conducted by another subcontractor, within the AGO.

***Echelon III Individual Assessments:*** This quarter we developed the SOW, and issued a competitive RFP, for a subcontractor to conduct the first objective individual assessment of AGO Echelon III staff. By the end of September, we had chosen and entered negotiations with a highly qualified subcontractor with experience conducting similar work with the Commission for the Eradication of Corruption (KPK). The individual assessments are expected to be conducted in November, in preparation for reappointing leaders within the AGO in early 2012.

***Leadership Forum:*** In consultation with the AGO Planning and Personnel Bureaus, we finalized plans for a Leadership Forum (seminar series) called “Reform in Human Resources Bureaucracy” We held two of the ten seminars in September, utilizing human resources leaders from the Ministry of Finance on September 14, and the KPK on September 28, as speakers. These bi-monthly seminars provide a forum for discussing issues relating to leadership and human resources and to assist the AGO Personnel Bureau leaders to further strengthen their leadership team.



Ms. Humaniati, Head of Human Resources Development for the Ministry of Finance, shared her experience in promoting and implementing reform within her institution. Participants at the first Leadership Forum meeting felt that the meeting gave them meaningful insights into how they can achieve the ambitious objectives for reform that have been set by the Attorney General's Office. More exposure to the lessons of other government bodies is expected through subsequent sessions, which will continue through February 2012.

“This is truly an eye-opening session for us,” said participant Sugiyanto, Secretary to the Deputy Attorney General for Advancement. “I believe that what we learned from the Ministry of Finance is something doable for us, as long as we remain consistent during this process of reform.”

## **B. Improved career advancement and disciplinary procedures used by the AGO**

**Code of Conduct:** Following a series of discussions on a draft Code of Conduct for Prosecutors in Year 1, the head of the technical team and members of the technical team were transferred to regional and district prosecutors' offices. Due to these changes and competing priorities within the AGO, there is no current support from the technical team and the AGO supervision leaders for this activity. However, we will discuss with the AGO whether they would like to continue working on the Code of Conduct in Year 2, or delay this work until Year 3 or 4. Regardless, we will continue to document ethical issues and support improved standards wherever encountered.

**SOPs for the Personnel Bureau:** This quarter we prepared to present the terms of reference for developing SOPs for the AGO personnel bureau, and engaged in planning discussions, but the AGO decided that this work should be completed by the working unit that had already begun working on it. However, the AGO agreed that C4J should assist *Badiklat* (see below) in revising their business processes and SOPs.

## **C. IT-based transparent case management system implemented in select prosecutor offices**

This quarter our review of the AGO's IT-based information system, SIMKARI, based on visits to the AGO and a number of prosecutors offices last quarter, was sent to the Attorney General and the Head of Planning Bureau. On July 20, consultant Case Management Advisor Markus Zimmer presented the assessment results to the AGO's Head of the Planning Bureau, and the Head of the Statistical Data and IT Center (PUSDASKRIMTI). The purpose of the meeting was to socialize and discuss the results and recommendations from C4J's assessment of the AGO case information system (SIMKARI). The AGO leaders indicated that the assessment was nearly 100 percent accurate in describing the situation and condition of using SIMKARI for case

administration. The Head of Planning Bureau invited C4J to present this assessment result to the Attorney General and Deputy Attorney General, but a time for this presentation has not yet been set.

As reported last quarter, we are recommending that no project funds be invested in IT hardware or software. The primary need of the AGO is in developing case management information and litigation support tools for prosecutors, receiving technical assistance to further evaluate SIMKARI, the procurement and distribution of IT equipment and infrastructure, and in setting policy vis-à-vis rotating career prosecutors into high-level IT leadership positions at the AGO. This assistance should begin with high-level policy discussions on IT and case management, which C4J has offered to facilitate.

We will also coordinate closely with AusAID, which has indicated an interest – based on the Prosecutorial Reform Team Office’s (PRTO) request – in supporting improved implementation of SIMKARI, to ensure that differing opinions may be reconciled.

#### **D. Strengthened functional use of IT to support prosecutorial office operations and administration**

As reported last quarter, this activity is pending the conclusion and results of the evaluation of SIMKARI (see part C above) and development of a wider understanding and approach to case information management processes, both IT-based and manual, in the AGO and prosecutors offices.

### **KRA 2.2 Improving staff technical competence and accountability**

#### **A. Strengthened AGO Training Center/Agency (*Pusdiklat/Badiklat*)**

In the previous quarter we agreed with the AGO to assist the *Badiklat* technical team to review and assess selected training curricula and the overall management of *Badiklat* trainings. Case Management Specialist Sari Saerang and other C4J staff met with the newly-appointed head of *Badiklat*, and other *Badiklat* representatives to design an organizational needs assessment, in close consultation with a *Badiklat* technical team appointed by the Head of *Badiklat*. An initial survey was implemented in mid-August for the Candidate Attorney Training (*Pendidikan Pembentukan Jaksa*) followed by in-depth interviews with the *Badiklat* technical team. Our preliminary assessment identified that improving management of *Badiklat* is an overarching priority that should be addressed first, before tackling curriculum redevelopment. The final organizational needs assessment will be produced in the next quarter, with the anticipated outcome being a road map for implementing *Badiklat*’s reform priorities.

#### **B. Competent AGO support personnel able to work effectively on cases**

We are not planning any training on case management pending discussions with the Attorney General on the assessment of SIMKARI (see 2.1.C. and 2.1.D. above) or other approaches to case information management processes.

### **C. Strengthened AGO performance monitoring/evaluation and disciplinary system**

No activities occurred in this area during this quarter. Our work is pending agreement with the AGO on additional work on the Code of Conduct, and the outcome of the competency assessment and individual assessments.

#### **Additional Results**

##### **Strengthening of Public Information Capacity**

One of the new initiatives of the AGO is the issuance of internal regulations on public information services. The internal regulations are: Attorney General Decree No.32 /A/JA/08/2010 on Public Information Services within Prosecutor Office (PERJA 032/2010), supplemented by Attorney General Instruction No. INS-001/A/JA/2011 (INSJA 001/2011) on the standard operating procedures for public information services in the prosecutors' offices.

Last quarter we reached an agreement with the PRTO and the Head of *Puspenkum* to implement three regional trainings on public information for information and documentation officials from provincial prosecutors' offices (PPOs) and district prosecutors' offices (DPOs). The first training was held at Surabaya on July 7-8, for East Java; the second at Palembang was conducted on August 10-11, for South Sumatra; and the third at Makassar on September 7-8, for South Sulawesi. A total of 81 participants (2 women and 79 men) were trained. The gender balance for this training was significantly impacted by the limited number of women serving in the targeted positions. Table 3 below provides participation details.

These training sessions disseminated information on PERJA 032/2010 and INSJA 001/ 2011, which regulate public information services. The AGO and C4J shared in the cost of these events. Topics covered during the interactive training sessions included:

- The national legal framework on access to information.
- The AGO's internal regulations.
- Development of a list of accessible public information.
- Classification of information and methods to exempt classified information in public documents.
- Management of information inquiries.
- Mechanisms for handling complaints and settling disputes.
- Reporting and evaluation requirements.
- Activity planned to implement the internal regulations decree regulating compliance with relevant laws.

To support implementation of the training in practice, we printed a compilation of resource materials on public information at the request of the AGO. Our vendor initially printed the compilation with typos and information errors, but a corrected version will be ready, at the vendor's expense, for distribution in the next quarter.

## Component 2. Training, Workshops and Events Participation Summary

Table 3 below provides a summary breakdown by gender; and prosecutor and non-prosecutor participation in C4J activities during the reporting period:

**Table 3: Quarter 5 Total Participation by Position Title and Gender (N=number)**

Training/Workshop/Event Title	Prosecutor				Non-Prosecutor				Total	
	Male		Female		Male		Female		N	%
	N	%	N	%	N	%	N	%		
<b>Training:</b> Public Information Service in the AGO – Surabaya, July 7-8	35	100%	0	0%	0	0%	0	0%	35	100%
<b>Training:</b> Public Information Service in the AGO – Palembang, August 10-11	13	100%	0	0%	0	0%	0	0%	13	100%
<b>Training:</b> Public Information Service in the AGO – Makassar, September 6-8	31	94%	2	6%	0	0%	0	0%	33	100%
<b>Focus Group Discussion (Hay):</b> AGO Echelon 2 Competency Profile, Jakarta, September 15	20	95%	0	0%	0	0%	1	5%	21	100%
<b>Seminar:</b> AGO Human Resources Bureau Leadership Forum - Session 1, Jakarta, September 14	7	41%	0	0%	6	35%	4	24%	17	100%
<b>Seminar:</b> AGO Human Resources Bureau Leadership Forum - Session 2, Jakarta, September 28	2	12%	0	0%	12	71%	3	18%	17	100%
<b>Total</b>	<b>108</b>	<b>76%</b>	<b>2</b>	<b>2%</b>	<b>18</b>	<b>16%</b>	<b>8</b>	<b>6%</b>	<b>136</b>	<b>100%</b>

## MAJOR CHALLENGES AND OBSTACLES TO ACTIVITY IMPLEMENTATION

### Component 1.

#### Competent Supreme Court Support Personnel Able to Work Effectively work on Cases

Assistance to developing training courses for non-judicial court staff on judicial processes (e.g. acting registrars, bailiffs) has been postponed pending implementation of other priority reforms, primarily due to the need to develop courses for judges first.

These courses are expected to be then modified appropriately for the non-judge staff in Year 3.

As of the end of this quarter, the Supreme Court had not yet committed to expanding the use of the CTS to other courts, despite successful implementation of the CTS in four district courts. The Supreme Court is still reviewing the results of the four district courts using the CTS, as well as the assessment visit to Kepanjen District Court on September 26. We anticipate a decision during the next quarter.

As reported last quarter, we have decided to undertake an assessment of case flow practices and IT capacities in all Indonesian courts in hopes that data from this assessment will help frame the discussion around what are the real case management problems and appropriate solutions for Indonesia. This survey will be followed by a Case Management Summit in Year 2 to review both the automated systems under consideration in Indonesia, and approaches taken in other countries. We hope these activities will encourage the Supreme Court leadership to identify one solution that is affordable, sustainable, and that fosters standardization of case management processes.

This effort will include a discussion on how to manage the situation were some courts are utilizing automated solutions while others not yet ready for automation are continuing to maintain burdensome manual information recording and reporting systems. This discussion will identify strategies for effectively transitioning from paper to automation, and for reducing requirements for manually processing information.

### **Public Relations/Media Strategy Development and Implementation**

As reported last quarter, we continue to work on development of a Public Relations SOP and the delivery of training for Supreme Court staff within the Legal and Public Information Bureau on basic public relations skills and essential reforms. These efforts will be followed by training on media awareness and public communication principles for judges and court staff.

### **Component 2.**

This quarter we faced some challenges in following through on some originally planned C4J activities due to reluctance to continue some activities and the transfer or promotion of some key counterparts. prosecution guidelines and code of ethics activity.

C4J has encountered an IT-based case management system (i.e. SIMKARI) in the AGO that is an unworkable solution to their stated case management needs. At this point, the AGO prefers to continue committing money to this software. C4J has recommended no further assistance to this IT solution, and has proposed providing technical assistance on development of better policies relating to IT and manual case management processes.

### **Project Management**

The slowness of CO approvals continues to challenge the project. During the quarter except the slowness of CO approvals prevented consultant Dr. Markus Zimmer and

home office project associate Tyler Wallace from attending the Year 2 work planning workshop (July 11-14), which was felt keenly by the staff regarding technical input (Dr. Zimmer) and administrative support (Mr. Wallace). The approval submission for Dr. Zimmer was submitted on June 20, 2011 and was approved on July 11, 2011. The approval submission for Mr. Wallace was submitted on June 3, 2011 and was approved on July 8, 2011.

A budget realignment approval was submitted on June 3, 2011. As of yet we have not heard back from the CO on the status of this proposed request. Given the “time and materials” nature of the C4J contract, obtaining approval for the proposed changes is critical to the implementation of the Year 2 work plan.

One additional challenge has been coordination with the judicial and prosecutorial reform assistance teams, which are funded by AusAid, embedded in the Supreme Court and the AGO, and given the responsibility of coordinating all donor-funded activities. At times these teams have contradicted direction from the Supreme Court or AGO leadership and have been slow in providing support to approved project activities. To ensure sustainability of the reforms supported through C4J activities, we have reached agreement, with other donors and the National Planning Agency (Bappenas) to have monthly donor coordination meetings. C4J has also explained to Bappenas why reforms should not be led by just the reform assistance teams and why C4J focuses on building consensus with all key decision makers within the justice sector institutions. While such consultations require longer periods of time, there are much higher prospects for achieving sustainability through the consensus-building efforts.

## INDICATORS

### Component 1.

REQUIRED INDICATOR	PROGRESS Q5 JULY – SEPTEMBER 2011	CUMULATIVE	C4J LIFE OF PROJECT TARGET
<b>Component 1: Sustaining and Broadening Reforms in the Supreme Court</b>			
1.1: Number of judges trained with U.S. government assistance.	NA	<b>154 Total</b> <i>137 male</i> <i>17 female</i>	300*
1.2: Number of non-judge court staff who received U.S. government training on:	NA	<b>512 Total</b> <i>307 male</i> <i>205 female</i>	300*
<ul style="list-style-type: none"> <li>Special courts training workshops (administrative, anticorruption, juvenile and commercial).</li> </ul>	-	-	<i>tbd*</i>
<ul style="list-style-type: none"> <li>Budget advocacy and IT training for staff.</li> </ul>	-	-	<i>tbd*</i>
<ul style="list-style-type: none"> <li>Gender and anti-discrimination training for court personnel.</li> </ul>	-	-	<i>tbd*</i>
At least 15 judges have received training abroad.	NA	<b>22 judges</b> <i>19 male</i> <i>3 female</i>	15
Number of judges/court staff have received in-country long-term training (e.g. Masters/LLM).	20**	20 <i>15 male</i> <i>5 female</i>	20
1.3. Percentage of targeted personnel satisfied with project trainings.	<b>No Training</b>	83%	80%+
1.4: Number of new legal courses or curricula developed and adopted, in cooperation with the <i>Pusdiklat</i> .	No new Courses initiated	6++	10
1.5: Number of USG assisted courts with improved case management.	No new courts added	4 (ongoing)#	30##

### Component 1. Indicator and Target Notes:

\*Life of project targets distinguishing judge and non-judge staff are to be determined; the C4J contract states that a total of 300 judge and non-judge staff must be trained.

\*\*These figures include current participants in the Master's Degree Program in Judicial Practice, a three-semester scholarship program for Judges of 6-15 years of experience. This target is expected to be formally achieved in December 2012.

+To be reviewed after the first year of project. *For data through September 2011*, a cumulative total of 83 percent of court staff and judges participating in various trainings were satisfied with project trainings. Details on this methodology have been provided in previous quarterly reports.

++These courses include the case flow monitoring course, as developed under Component 3; the case tracking system course; a public information desk training course; and three CJE II courses currently under development.4.

#These courts are the District Courts in Samarinda, Palembang, Bandung and Surabaya.

## To be finalized, pending ongoing consultations on IT and case management needs of the court system.

## Component 2.

REQUIRED INDICATOR	PROGRESS Q5 JULY – SEPTEMBER 2011	CUMULA- TIVE	C4J LIFE OF PROJECT TARGET
2.1: Adoption of merit-based criteria or procedures for selection and promotion of AGO personnel through USG assistance.	-	Tbd	Tbd
2.2: Number of AGO personnel that received USG training on:	<b>81 Total*</b> <i>79 Male</i> <i>2 Female</i>	<b>81 Total</b> <i>79 Male</i> <i>2 Female</i>	200
<ul style="list-style-type: none"> <li><i>Ethical practices and Professional Standards policy.</i></li> </ul>	-	<i>Tbd</i>	
<ul style="list-style-type: none"> <li><i>Evidence safekeeping.</i></li> </ul>	-	<i>Tbd</i>	
<ul style="list-style-type: none"> <li><i>Relationship with media and access to information (Public Information Service in the AGO in Surabaya, Palembang, Makassar)</i></li> </ul>	<b>81 Total</b> <i>79 Male</i> <i>2 Female</i>	<b>81 Total</b> <i>79 Male</i> <i>2 Female</i>	
<ul style="list-style-type: none"> <li><i>Use of IT equipment.</i></li> </ul>	-	<i>Tbd</i>	
<i>AGO Human Resources Bureau Leadership Forum*</i>	-	-	

REQUIRED INDICATOR	PROGRESS Q5 JULY – SEPTEMBER 2011	CUMULA- TIVE	C4J LIFE OF PROJECT TARGET
At least 10 prosecutors have benefited from fellowships for training abroad.	-	Tbd	10
At least 20 prosecutors/POs staff have received in country long term training (e.g. Master's/L.L.M. degree).	-	Tbd	20
At least 25 new trained trainers in the AGO.	-	<i>Tbd</i>	25
2.3: Percentage of targeted personnel satisfied with project trainings.	88%	88%	Tbd**
2.4: Number of new legal courses or curricula developed and adopted in cooperation with the <i>Pusdiklat</i> with USG Assistance	-	Tbd	10

## **Component 2 Indicator and Target Notes:**

\*This figure does not yet include participants in the AGO Human Resources Bureau Leadership Forum, a ten session bi-weekly activity that commenced this quarter. 23 participants (19 men and 4 women) attended one or both of the sessions. We propose to count as “trained” those participants who attend a minimum seven of the ten sessions.

\*\*To be reviewed after the first year of project. *For data through September 2011*, a cumulative total of 88 percent of AGO staff participating in the Public Information Service Training in the AGO in Surabaya, Palembang and Makassar in this Quarter 5 were satisfied with project trainings.

This figure was measured using an index of replies to three questions asked at the end of training sessions, regarding satisfaction with the training (25 percent weighting), training usefulness (25 percent weighting), and how the training will help improve job performance (50 percent weighting). Breaking down the 88 percent figure, based on the three indexed questions, 80 percent of participants were “satisfied” with the trainings; 96 percent considered the training to be useful and 89 percent stated that the training will help improve their work.

The definition for “satisfaction” is the participant’s overall satisfaction rating immediately at the end of the training. Definition for “usefulness” is participant’s rating on how far can the training be applied in their life (work and outside work). Definition for “improvement to work” is the participant’s rating on how much of training can help to improve the participant’s work performance.

The choices presented for each of these questions were based on a Likert scale of one (corresponding to low new knowledge/satisfaction) to five (corresponding to high new knowledge/satisfaction). The result was based on respondents who selected four or five in their responses to the questions, which corresponds to positive answers that are “better than average.” As such, respondents who provided a neutral (i.e., score of three) response, were not included in the reported percentages. For the questions directly asking about participants “satisfaction,” it may be noted that some participants may have considered a neutral response to be positive, especially as other questions clearly exhibited that most participants learned from the activities and intended to apply that knowledge in their work.

## **ANNEX A: ADVISOR TRIP REPORTS AND DELIVERABLES SUBMITTED TO USAID**

The following trip reports and deliverables from international consultants were submitted to USAID this quarter, and shared with project counterparts.

### **Component 1. Supreme Court**

Maureen Berry's report "Improving Financial Management at the Indonesia Supreme Court, February 2011" was edited and approved by USAID. This report has not yet been uploaded to the USAID Development Experience Clearinghouse because it had not yet received acceptance from the Supreme Court.

Retired Justice Joseph Nadeau's trip report for June, 2011 needed substantial editing and will be submitted to USAID for review during the next quarter.

Cate Sumner's initial deliverables were accepted on an interim basis, with the understanding these would be finalized by October 2011.

### **Component 2. AGO**

Myra Shiplett's two reports The Modern Human Resources Office (May 2011) and Local Human Resource Champions (May 2011) were edited and approved by USAID. These two reports were uploaded to the USAID Development Experience Clearinghouse on August 16, 2011.

Markus Zimmer's report, "The Republic of Indonesia Office of the Attorney General's SIMKARI Project: Context-based Assessment and Recommendations, April 2011" was edited and approved by USAID but has not yet been presented to the Attorney General. Because of this, the report has not yet been submitted to the USAID Development Experience Clearinghouse.

Ms. Shiplett's deliverables for her trip July-August have not yet been received. Mr. Zimmer's deliverables for his July-September trip are currently being edited.

## ANNEX B: LOCAL SUBCONTRACTOR DELIVERABLES ACCEPTED BY C4J

The following deliverables from Indonesian subcontractors were accepted by C4J. All deliverables are available for review. Relevant deliverables have been shared with USAID and project counterparts.

### Component 1

Key Result Area	Subcontractor	Deliverables Name	Date of Acceptance
1.1	<b>Rifqi Sjarief</b> (Fixed Price Services Agreement for Public Communications Training, May 2011)	Draft of two training modules on SK 1-144	July 20, 2011
		Final two training modules on SK 1-144	
		Delivery one interactive training with the Co-Trainer for up to 40 participants in Bandung, using the SK 1-144 modules.	
		Final training report based on the training given to the four courts' staff and judges.	
1.1	<b>Josi Khatarina</b> (Fixed Price Services Agreement for Public Communications Training, May 2011)	Draft of two training modules on SK 1-144	July 20, 2011
		Final two training modules on SK 1-144	
		Delivery one interactive training with the Co-Trainer for up to 40 participants in Bandung, using the SK 1-144 modules.	
		Final training report based on the training given to the four courts' staff and judges.	
1.1	<b>Muhammad Faiz Azis</b> (Fixed Price Services Agreement for Court Automation Readiness Survey)	Final approved methodology and survey questionnaire.	August 26, 2011
1.1	<b>Siti Maryam Rodja, SH</b> (Fixed Price Services Agreement for Court Automation Readiness Survey)	Final approved methodology and survey questionnaire.	August 26, 2011
1.1	<b>Elda Mona Safitri</b> (Fixed Price Services Agreement for	1st Progress Report. The report should cover the updated status of the research activities.	August 20, 2011

	Court Automation Readiness Survey)	2nd Progress Report. The report should cover the updated status of the research activities.	
1.1	<b>Muhammad Asmuni</b> (Fixed Price Services Agreement for Court Automation Readiness Survey)	1st Progress Report. The report should cover the updated status of the research activities.	August 20, 2011
		2nd Progress Report. The report should cover the updated status of the research activities.	
1.1	<b>Mahyudin Atim</b> (Fixed Price Services Agreement for Electrical Remediation Oversight)	Report in the middle of implementation stage; updated information of the progress of requesting additional power from PLN for Samarinda District Court.	June 30, 2011
		Report in the middle of implementation stage; updated information of the progress of requesting additional power from PLN for Bandung District Court.	July 06, 2011
		Final Report; Final update on requesting additional power from PLN for Samarinda District Court.	July 19, 2011
		Final Report; final update on requesting additional power from PLN for Bandung District Court.	July 19, 2011
1.2	<b>University of Indonesia - Faculty of Law</b> (Fixed Price Services Contract for Master's Degree Program)	List of the top 20 judge candidates and their scores from the admissions test	August 11, 2011

### Component 2

Key Result Area	Subcontractor	Deliverables Name	Date of Acceptance
2.1	<b>Andri Gunawan Sumianto</b> (Fixed Price Services Agreement for Public Communications Training, July – September 2011)	Interactive training for diverse number of participants based on the number of Prosecutor Offices in Surabaya	August 12, 2011
		Interactive training for diverse number of participants based on the number of Prosecutor Offices in Palembang	
		Interactive training for diverse number of participants based on the number of Prosecutor Offices in Makassar	September 30, 2011

		Final training report based on the training given to the three Prosecutor Offices staffs related to Information and Documentation Management (PPID).	
2.1	<b>Henri Subagiyo</b> (Fixed Price Services Agreement for Public Communications Training, July – September 2011)	Interactive training for diverse number of participants based on the number of Prosecutor Offices in Surabaya	August 12, 2011
		Interactive training for diverse number of participants based on the number of Prosecutor Offices in Palembang	
		Interactive training for diverse number of participants based on the number of Prosecutor Offices in Makassar	September 30, 2011
		Final training report based on the training given to the three Prosecutor Offices staffs related to Information and Documentation Management (PPID).	

**Components 1 and 2**

Key Result Area	Subcontractor	Deliverables Name	Date of Acceptance
1.3 & C2 Additional Results	<b>PT. Mediabanc Jakarta</b> (Fixed Price Services Contract for Media Tracking and Reporting on Justice Sector Developments)	Weekly Media Reporting (every Monday) - June 2011	July 01, 2011
		Monthly Report of Media Reporting (beginning of the month) - June 2011	July 07, 2011
		Weekly Media Reporting (every Monday) - July 2011	July 07, 2011
		Monthly Report of Media Reporting (beginning of the month) - July 2011	August 12, 2011
		Weekly Media Reporting (every Monday) - August 2011	August 12, 2011
		Monthly Report of Media Reporting (beginning of the month) - August 2011	Sept 15, 2011
		Weekly Media Reporting (every Monday) - September 2011	Sept 15, 2011
		Monthly Report of Media Reporting (beginning of the month) - August 2011	TBD