



C4J QUARTERLY PROGRESS REVIEW: JANUARY-MARCH 2011

This document summarizes overall progress of the Changes for Justice (C4J) Project during the Third Quarter, January-March 2011.

COMPONENT 1: SUSTAINING AND BROADENING REFORMS IN THE SUPREME COURT

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

Local C4J subcontractor Mitra Perubahan Indonesia revised its quantitative and qualitative assessment of human resources management to specify clear priorities for action, which is being used as a basis for future planning by the Supreme Court (SC) and C4J. The C4J Supreme Court Human Resources Specialist Yudit Yuhana was hired in March.

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

Local C4J subcontractor Indonesia Institute for Development completed a baseline assessment of budget and finance needs of the SC. This assessment is being used to prioritize project activities, including budget independence; compliance with the Ministry of Finance revised budgeting system; budget-based strategic planning; removal of Supreme Audit Board disclaimers; and asset management. The C4J Budget and Finance Specialist Arip Syaman was hired in February. An assessment of SC internal controls and supervision is being finalized.

C. Improved media communications and public access to information

We installed model public information desks in three courts, including computers for information desk staff, an internet kiosk for public access, and an LCD screen for hearing schedules. The automated case tracking system (CTS) is facilitating the improved collection of case data and reporting of current case information. The information desks and CTS were launched at the Palembang District Court on March 24. Local C4J subcontractor Paramadina/P3I produced a draft standard operating procedure (SOP) on improving publication of decisions and public complaints processes and the SOP on public information/public relations is underway. Preparations began for information desk training next quarter, which was delayed to amendment to SC Transparency Decree (SK 1-144-issued January 2011).

D. Strengthened court capacity to use case management systems

SC capacity to implement and sustain a case management system was strengthened in four district courts (Bandung, Palembang, Samarinda, and Surabaya) through the CTS developed and implemented through C4J. We are now developing a SOP which includes guidance to judges, support staff, and IT staff on how to use the CTS software and hardware.

KRA 1.2 Improved Judges' Integrity and Technical Legal Competence

A. Continuing Judicial Education program developed

C4J held stakeholder mapping sessions in January. This information is being incorporated into the continuing judicial education (CJE) and fellowship (Master's Degree) programs. Based on the stakeholder analysis and the earlier Training Needs Assessment (TNA), C4J and the SC agreed on a "CJE II" program (for mid-level judges of 6-15 years of experience). The three core courses for CJE II are: Judicial Ethics; Quality of Judgments; and Case Flow Management. We supported a trainer's convention at the SC Training Center on March 7-9, to plan proposed curricula for these courses and agree upon adult learning methodologies.

We signed a subcontract with the University of Indonesia (UI) for the three-semester master's degree program on March 3. Applications for fellowships were due on March 24, and 36 applicants (9 women and 27 men) were found eligible for the enrollment test. These applicants were from Sumatra, Java, Kalimantan, Sulawesi, Bali, Nusa Tenggara, and Maluku. UI commenced development of a "tailor made" curriculum based on discussions with the SC on the legal knowledge, management, and leadership skills that mid-level judges should have.

We helped the SC to plan meetings for a Supreme Court-funded study visit to the US to review implementation of intellectual property laws and patent rights, as well as administrative reform and continuing judicial education priorities of the US federal court system.

B. Accreditation mechanism for CJE certification into career development is incorporated into the continuing education policy

This activity is being addressed through the CJE II program, which will start next quarter. A comparative study of international practices was partially drafted.

C. Mid-level judges, i.e., 6 to 15 years of experience, are of comparable quality

This activity is being addressed through the CJE II program.

KRA 1.3 Professionalizing Court Staff

A. More committed court staff, i.e., appreciation of their roles and responsibilities as members of a court team

We focused on the four district courts assisted through the MCC Scope of Work (SOW): Bandung, Palembang, Samarinda, and Surabaya. Court staff are gaining professional skills through use of the CTS, public information desks, and technical assistance and trainings on how courts should manage their cases and interface with the public. A Court Administration Specialist was selected for hire next quarter, whose work will be closely linked with other C4J staff to improve the capacities of support staff, particularly acting registrars.

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

The first step toward this activity is being addressed through the CJE II program, which will start next quarter. A focused program for accrediting court staff will begin in Year 2.

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

We have completed electrical and computer network remediation at the Palembang District Court. Work at the Samarinda and Bandung District Courts is largely completed (see challenges section below). Installation of the CTS software was completed and training of 43 judges and 180 court staff (140 men, 83 women) on how to use CTS was provided in all four courts. Additional training will be provided to Bandung next quarter. As of April 7, 2011 over 3,000 cases have been entered into the CTS in three courts; these data can be viewed on the Palembang, Samarinda, and Surabaya court websites.

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

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

In February, we met with staff of the Deputy Attorney General (DAG) for Advancement to review issues relating to human resources per the Attorney General's (AG) request to implement a competency assessment for Echelon II positions within the AGO. An RFP was developed based on many discussions with the AGO. The DAG for Advancement approved the RFP on March 22, and it was released to 12 interested bidders on March 28. One AGO representative is on the selection committee.

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

We conducted interviews, reviewed disciplinary codes and procedures on career advancement, and studied other organizations' findings and recommendations. This research is being used to map the human resources business processes and to make recommendations on improvement. We are assisting the DAG for Supervision to revise the 2007 AG Regulation on Code of Conduct based on international standards.

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

We reviewed the following SIMKARI modules: general crimes, special crimes, and civil and state administrative cases to discover the current capabilities and potential of the system.

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

This activity is pending the conclusion and results of the evaluation of SIMKARI. See KRA 2.1(C) above.

KRA 2.2 Improving staff technical competence and accountability

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

We researched training procedures within the AGO in hopes of identifying a management system for tracking all staff trainings, and started to review the agency's training curricula.

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

We are developing a SOP on public information services, are planning trainings in three Provincial Prosecutor's Offices (PPO). C4J will delay trainings on case management pending the assessment report on SIMKARI. See KRA 2.1(C) above.

C. Strengthened AGO performance monitoring/evaluation and disciplinary system

On March 10, we led the first of a series of planned seminars on human resources for the AGO. On March 16, we submitted an initial analysis of the human resources training needs assessment to AGO; this work will continue next quarter. Once the AGO finalizes the revised Code of Conduct, we will develop a training curriculum. See also KRA 2.1(A-B) above.

MAJOR CHALLENGES AND OBSTACLES

Component 1

Bandung and Samarinda District Courts: An electrical upgrade by PLN is still pending in Samarinda. We froze activities in Bandung pending resolution of a dispute between the court and SC over how the CTS and IT equipment should be used; this dispute is being resolved in consultation with, and with intervention by, the SC. These two challenges, and the success in Palembang, illustrate the importance of clear criteria – including the quality of the infrastructure, court commitment, and leadership – in choosing courts for ambitious reforms such as automation.

Case Tracking System/Case Management System Development: The CTS is a first step toward a more fully functional Case Management System. However, we have not actively sought to expand the functions of the system, or to expand it to other courts, due to potentially competing interests within the SC to implement other IT solutions. We have proposed hosting an IT Summit to review all automated systems under consideration, and to identify one solution that is affordable, sustainable, and fosters standardization of case management processes.

Public Relations/Media Strategy Development and Implementation: While the SC has issued an ambitious, new decree on public information, the SC is challenged at improving public and media relations due to a lack of formalized processes, such as limited scopes of work and strategic communications not being incorporated within the SC's institutional policy. Another challenge is limited the lack of direction from the SC to the lower courts on implementing public information, especially who should be appointed as the responsible person to staff the information desk. We have prioritized the development of a Public Relations SOP, and a two-day training for SC staff within Humas on basic public relations skills and essential reforms, followed by hands-on technical assistance. This will be followed by a training program on media awareness and public communication principles for judges and court staff.

Component 2

General Lack of Access: Progress in securing agreement on activities with the AGO has been slow, first in beginning with the previous Acting AG, and subsequently with the transition to the new AG. Coordination has improved as we have been allowed to work directly with technical teams and designated representatives on specific tasks. We plan to hire a senior person to assist with direct coordination with the AG.

Project Management

MCC SOW Timeframe: An extremely short timeframe was given for this scope of tasks, and without an understanding of what had transpired in the gap without USAID assistance to support the reforms previously implemented. This was overcome through USAID agreement to modify the approach to automation and being permitted to continue and pay for activities not completed by December 31, 2010.

Procurement of Equipment: Extensive delays and procurement processes necessitated extended rental of office equipment. (Delayed delivery of equipment to three courts, however, ended up being beneficial because of extended time needed to adjust to unforeseen needs, e.g., infrastructure renovations and development of the new CTS). Equipment procured in U.S. experienced delays due to lengthy PP19 process and a scam by a bogus clearing agent. The local blanket procurement waiver will be used in the future, assuming goods are available in country.

Recruitment of Qualified Candidates: Significant difficulty has been faced in recruiting for a number of positions due to competition from other employers, higher salary expectations than USAID's FSN scale permits, and/or a lack of qualified candidates for specialized positions. As Indonesian labor law does not allow a probation period, we have been prudent in our hiring decisions. We continue to actively recruit for outstanding positions, and to adjust to new needs as required, in coordination with the Supreme Court and AGO.