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KOSOVO EFFECTIVE RULE OF LAW PROGRAM Quarterly Progress Report



Ambassador Jacobson meeting with judges and court staff at the Ferizaj Basic Court

**Year 3 Quarter 1
(April 1 – June 31, 2013)**

Implemented by
Checchi and Company Consulting, Inc.
Contract No. AID-167-C-11-00001-00

July 12, 2013

This Report is made possible by the support of the American people through the United States Agency for International Development (USAID).

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INTRODUCTION

This document describes USAID Kosovo Effective Rule of Law Program (EROL) progress on completion of Year 3 activities and deliverables and expected contributions to life-of-program expected results during the period Quarter 1 (April 1, 2013 through June 30, 2013). The report also highlights selected project activities, outputs, results, successes, challenges, and opportunities. This report provides a snapshot of project accomplishments and the status of milestones as of the end of Year 3 Q1, and includes planned work for Year 3 Q2.

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

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

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

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

This report is broken down into the following sections:

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

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

PROGRAM PROGRESS AND HIGHLIGHTS

The first quarter of Project Year 3 saw continued progress on a number of EROL programs, particularly at the court-level. Five Model Courts completed refurbishment work; the remaining Phase I Court, the Supreme Court, is scheduled for completion next quarter. Efforts also continued on populating the EROL-developed database with case information from registry books at each court. Approximately 340,000 cases are in the database, and EROL is working directly and daily with court staff to ensure that the courts are inputting case information on a consistent basis.

Work with policy making bodies, the KJC and KPC, focused on information management, coordination with other programs, e.g. EUOK, backlog reduction strategies, judicial assessments, the establishment of an association of women judges and prosecutors (advocates may also be included in



Inauguration of Lipjan Branch Court – USAID Mission Director Maureen Shauket; Pristina Basic Court President Hamdi Ibrahim; State Department Coordinator of U.S. Assistance to Europe and Eurasia Dan Rosenblum; Norwegian Ambassador Braathu; and KJC Chair Enver Peci

the association), and significant preparations in anticipation of the implementation of the agreement on North Kosovo. The KPC also moved ahead with regulations addressing the internal organization of prosecution offices, appointment of prosecutors, and the KPC Performance Evaluation Unit.

Operational support to the Councils, KCC, KJI and MOJ continued with substantial progress on information management systems developed. The KPC and KJC began work on web portal development designed to improve information dissemination, and provide a centralized conduit for field staff to access information. At the MOJ, case management systems for both the Department of International Legal Cooperation and State Advocacy Office are both nearing completion, with final implementation, testing and training scheduled for next quarter. These case management systems will allow for these relatively news organizations to have immediate oversight on their caseloads along with comprehensive reporting capabilities. The KCC's searchable database, publicly accessible on their website, is in the final testing phase and launch will be completed in July. The database allows users to search KCC judgments by keyword, thus giving advocates and researchers the ability to quickly find rulings and legal reasoning set forth by the KCC on cases that have national importance and can be used as precedent for other courts. EROL also provided technical assistance to the development of database and management systems designed to enhance KJI's ability to implement and manage its training offerings as well as strengthen the KJI's administrative capacities. This work is essentially completed, leaving only the training of KJI staff in the application.

EROL also began significant training initiatives at the court level, including IT, strategic planning, and customer service. Seven one-day workshops were delivered to 259 court staff on effective communications and customer service; with court staff participating from the seven Basic Court Regions, Kosovo Supreme Court and Court of Appeals. The next step in this training process will be to conduct a train-the-trainer program, currently scheduled for July. With the emphasis on information management at the court level, EROL also initiated a training program designed to conform to the European Computer Driving License (ECDL) method, and equip court users with the fundamental computer usage knowledge typically used in a business setting, including: Windows, word processing (Word 2010); spreadsheets (EXCEL 2010); and information and communication (Internet Explorer 9 and Outlook 2010). Fifty two court staff from all Basic Court Regions as well as the Supreme Court and Court of Appeals participated. These newly-trained individuals, designated as 'super-users' in the courts, will assist all staff members within their region in future automation training initiatives and assist other staff in becoming more familiar with computer programs and integrating automation into the day-to-day operations of the courts.

Working with the KJI, EROL delivered five EROL-developed training modules for 92 judges; courses included judicial ethics, case management, legal reasoning and writing, communications, and trial best practices; all delivered in an interactive context in order to maximize the educational experience. In addition, EROL helped develop a draft curriculum for the orientation of Kosovo Serb judges who will be appointed under the implementation of the Normalization Agreement between Kosovo and Serbia. The curriculum under consideration would include delivery of the training modules that were co-developed by EROL and the KJI, as well as additional programs to be delivered by KJI, KJC, and international training advisors. The judicial orientation program proposed for newly-appointed judges in the North would be comparable to a mini-ILEP. The training would assist judges in the adoption of best judicial practices, and in gaining an understanding of applicable procedural and substantive law.

As part of EROL's support to the USAID *FORWARD* program, EROL provided technical assistance to support ATRC's sub-grant court monitoring program design and project implementation. In addition, EROL worked closely with ATRC during the selection phase for ATRC sub-grantees. EROL participated in ATRC's proposal evaluation process, reviewing 52 court monitoring proposals. Ultimately, ATRC awarded 13 grants. To ensure sub-grantee compliance, EROL developed and conducted a grant compliance workshop. Another USAID *FORWARD* grantee, BIRN, received EROL assistance in developing templates for budgeting, agendas and event correspondence.

EROL conducted, through UBO Consulting, an opinion survey of court users/customers to measure their perceptions of how well Kosovo courts are operating. This survey is intended to provide a baseline for a future planned survey in 2014. Results of the survey will be presented to USAID in July.

CONTEXT: CHALLENGES & OPPORTUNITIES

The normalization agreement between Kosovo and Serbia has presented a number challenges as well as important opportunities. EROL is well positioned to move quickly to implement justice sector agreements, including infrastructure needs. Plans for repairing the court facility in Mitrovica so that court operations can resume as soon as possible have been made and repairs will be completed next quarter. Contingency planning for training of new judges and staff, assessments of automation and furniture needs, and logistical plans to move staff and equipment have been completed. In addition, EROL is working with the KJC to ensure legal requirements, including amendments to laws, regulations, and operation policies and procedures can be completed as quickly as possible.

While contingency plans are in place to move quickly, current KJC and KPC work has been delayed due to the substantial time requirements for senior KJC and KPC staff, including the Chairpersons of the Councils and their senior staff. Their absence has created a backlog of policy decisions that has prevented some important work and initiatives from proceeding with speed that EROL had planned. While working groups have taken on some added responsibilities, the Chairpersons are needed to ensure work progresses.

At the MOJ, EROL continues to be ready to provide technical assistance to the SAO the State Advocate is appointed and the Office staffed; however, the State Advocate had not been appointed and the Office will not be fully staffed and ready to work with EROL until the State Advocate is appointed.

The KJI, the KJC, and the KPC continued to confront program-wide trends of relatively poor attendance at legal education programs due to conflicts between training schedules and official obligations

The Public Information and Protocol Office within the KJC continues to be seriously understaffed with only one Spokesperson and one External Relations/Protocol Officer. The Supreme Court of Kosovo has had no spokesperson since January 2013.

ACTIVITIES

OBJECTIVE 1: EFFECTIVE OPERATIONS OF JUSTICE SECTOR INSTITUTIONS

1.1 KOSOVO JUDICIAL COUNCIL

One of the many focuses of the KJC and the KJCS continues to be the need for regulatory and procedural actions related to the implementation of the Law on Courts. With the push to meet the implementation date of 1 January, 2013, there were sublegal acts and other instructions that still need to be completed by the Council even as late as this quarter. These included regulations on court interpreters and translators and a regulation for the payment of ex-officio lawyers (court appointed defense counsel).

In addition to internal pressures to complete these acts, the KJC was under a 30 June deadline set by the EU accession schedule and Visa Normalization Initiative to complete certain regulations. Key among these were regulations on judicial appointment and re-appointment and judicial evaluation, and an administrative instruction on court security, deemed to be of great importance in maintaining judicial independence.

Work on these and several other important documents was initiated during the quarter but because of the signing of the Normalization Agreement between Serbia and Kosovo, and the consequent need for an implementing agreement, the Chair of the KJC and the Director of the KJCS were summoned to Brussels frequently beginning early in the quarter for long periods of time. During their absence, Council meetings and other working groups were not possible and several Council agenda items were postponed throughout the quarter.

Regulations on the appointment and reappointment of judges and the evaluation of judges were critical since the first group of judges whose initial three year appointments expired in May and June needed to be evaluated and recommendations needed to be made to reappoint them by the expiration of their initial three year appointments. These were also key regulations for EU accession. Work began early in the quarter with a two day working session in Peja. Major changes in both the old regulations on appointments and evaluation needed to be made to bring the processes in line with European standards of transparency and due process. Former committees within the KJC were eliminated. Important issues that engendered lengthy debates included whether or not to evaluate Supreme Court judges. After first adopting a regulation essentially excluding Supreme Court judges from evaluation, a second set of amendments including evaluation of Supreme Court judges was adopted by the Council at its last meeting of the quarter. In these activities, EROL as well as the other European advisors, EULEX and Human Dynamics played an important part in assisting with drafting these regulations at working sessions in Peja and at the KJC. Both of these regulations were completed before the EU deadline of 30 June.

Once the regulations on judicial evaluation were adopted, EROL was asked to participate in the actual evaluation process due to the insufficiency of KJC staff to complete the evaluations in a timely fashion. EROL provided the necessary support to timely complete the evaluations. A second wave of evaluations will be held in October, 2013.

Other important documents completed were an Administrative Instruction for the security of judges and courts, including an annex on requests for close personal protection of judges and their families; and an instruction on the installation and operation of court security surveillance cameras. This was deemed to be extremely important for EU accession because it directly affects judicial independence. EROL was the only international advisor to support the drafting activity in a two day working group session in Dures, Albania. This was a joint KJC-KPC activity since the prosecution offices face the same challenges for security. The KPC representatives who attended and provided input determined to use the KJC Instruction as a template for providing security to prosecution offices.

Some of the most important work that was begun but not completed by the 30 June deadline included the preparation of a Second National Strategy for Backlog Reduction. The first Plan was not successful. Working groups were established by the KJC to look at various types of cases such as civil, criminal, civil execution and criminal execution. Several meetings of working groups took place and each developed a list of action items considered to be useful either in reducing the existing backlog or in keeping future backlogs from occurring. With the substantial assistance of EROL, a Strategic Plan was almost completed by the end of the quarter. The Plan will be completed and adopted by the Council in the early part of the next quarter. It contemplates a substantial amount of work, using the EROL-developed case data base and other strategies, in order to understand the backlog, reduce it, and avoid future backlogs.

Another document that was likewise not completed is a regulation for the certification of court interpreters and translators. This is a necessary regulation under the new CPC, but it is also important to have certified interpreters and translators available in civil cases. Since the same translators and interpreters will be necessary in both civil and criminal cases, work will need to be accomplished with the support of EROL to harmonize the necessities of compliance with the CPC and provision of these key personnel in civil cases.

Another delayed sub legal act was a regulation for the appointment and compensation of ex-officio (court appointed defense counsel) lawyers. Work on this regulation was begun at the working group meeting in Dures, Albania. Representatives of the Chamber of Advocates presented the issue. All aspects of the regulation were completed except for determination of the actual payments involved which required further budgetary evaluation that was not possible in Dures. The payments will be a percentage of the fee schedule amounts promulgated by Chamber of Advocates.

EROL focus in the next quarter will be on the Five Year Strategic Plan for the KJC and the KJCS. This process started in this quarter with the appointment of a committee by the KJC and one initial organizational meeting. The committee provides a good mix of KJC members, KJCS staff, judges and court administration officials and Civil Society representatives so that all views can be considered. Unfortunately, because of the prolonged absence of the Chair of the KJC and the Director of the KJCS, no other meetings of the Strategic Planning Committee were possible. The Chair has

committed to making the strategic planning activity a priority, so EROL is committed to substantial progress on the Strategic Plan next quarter. EROL has taken the lead among the international advisors and Civil Society members to accomplish the development of a Strategic Plan. All too often the KJC is reactive rather than strategic in its actions. With limited resources and considerable demands from the courts and other constituencies, within Kosovo and from the EU, the KJC and the KJCS must have a clear vision of the most important issues confronting them, and a clear action plan for dealing with them. Crucial budget issues need to be focused on and EROL will rely on some of the findings of a Human Dynamics expert on these short and medium term budget issues. Most importantly, however, the KJC must have a tool to help it to focus on the most important issues confronting it. It can ill-afford to be pulled in one direction or the other by the demands of the moment. The Strategic Plan will give it a steady vision of its most important challenges so that it can maintain focus, even when the demands of the moment are strongest.

Finally, EROL will continue its excellent relationships with other international advisors, EULEX and Human Dynamics. EROL and these advisors have worked together collaboratively to implement common goals and to avoid duplication in their efforts. EROL is committed to maintaining these collegial relationships.

1.2 KOSOVO PROSECUTORIAL COUNCIL

EROL concentrated on supporting the KPC's efforts to strengthen and sustain its organizational capacities, and the efficiency of its operations. In particular, EROL focused on improvement of the Council's leadership, decision-making, budget management, long-term planning capacity, employee evaluation process, and public outreach efforts, including minority recruitment. EROL supported the KPC through participation in Council meetings, and by advising KPC Committees and working groups.

KPC leadership was fully engaged in the implementation of the Normalization Agreement between Kosovo and Serbia, making it impossible for Council, Committee, and Working Group activities to continue. The process of implementation is ongoing and arduous, making it impossible to predict when KPC normal activities will resume.

EROL worked with the KPC designated working group to draft a regulation governing the classification of documents of the KPC and the State Prosecutor, which was mandated by the Law on Classification of Information & Security Clearances. Under the law, the official classification of a document determines the level of public disclosure (if any) that is associated with the classified information. The creation of a working group demonstrated a deliberate effort by the KPC to build a cohesive strategy concerning the release of information while weighing competing concerns of transparency and privacy. EROL will continue to assist the Council in researching the issue and guiding drafting activities.

EROL also assisted the KPC working group to develop an emergency response plan for all prosecution facilities in the country. A draft plan was prepared and presented to the KPC for adoption. Once the plan is adopted, the Council will adapt the template plan for each prosecution office.

With the approval of USAID and USDOJ, EROL participated in a working group that designed a KPC strategy for collaboration between the State Prosecutor and agencies responsible for investigating organized crime and corruption cases. The working group was responsible for development of a uniform system for collating reports and collecting statistics concerning organized crime and corruption. This work is important for the fulfillment of EU accession requirements, including the Visa Liberalization Initiative.

EROL provided drafting assistance to working groups responsible for regulations addressing the internal organization of prosecution offices, appointment of prosecutors, and the KPC Performance Evaluation Unit.

EROL consulted with EUOK's short-term budget expert regarding the Council's budget process mechanisms. According to the Ministry of Finance, the KPC is a budget line under the Office of the State Prosecutor, which raises many concerns about the Council's independence, and its ability to fulfill its oversight function transparently. Examining the KPC budget process is a key part of the long range strategic planning initiative led by EROL. The expert's final report is expected to highlight these governance issues and inherent conflicts of interest that exist by having the oversight body's budget

managed by the office that is being overseen; this problem may be resolved if the Council creates its own dedicated Secretariat with amendments to the Law on the KPC anticipated.

With USAID collaboration, EROL met with USDOJ/OPDAT in order to review a proposed case management model that would assist the prosecution service in becoming more efficient and accountable. For example, court-monitoring organizations have noted that very often prosecutors attend hearings on an *ad hoc* basis and without a case file. Also, Basic Court prosecutors in the General Department have voiced concerns about impossible caseload demands that often require them to be in two courts at the same time. EROL commented on OPDAT's proposal, and will continue to support OPDAT efforts toward case management efficiency.

KPC adopted an EROL recommendation that the Chief Prosecutor of each prosecution office deliver regular written and in-person reports at Council meetings. For example, at one Council meeting KPC Chairman Ismet Kabashi and Alexander Lumezi, Chief of the newly established Court of Appeals Prosecution Office, briefed the Council members about activities conducted during the quarter. Mr. Lumezi stressed that his staff needed more professional training to become efficient and more knowledgeable about appellate matters; otherwise, Mr. Lumezi reported that the new appellant prosecution office was functioning well. Thus, the EROL-inspired innovation of reports from Chief Prosecutors has enabled the KPC to conduct its oversight function more efficiently.

EROL provided technical assistance to the KPC for public relations training of a new KPC spokesperson, as well as for the training of prosecutors in each Basic Prosecution Office that are charged with public relations responsibilities. The Council has placed a high priority on improving public confidence in the KPC and the State Prosecutor, which includes an effort to strengthen the transparency of prosecutorial operations.

EROL completed a final draft of a KPC Communications plan, which is expected to be considered by the Normative Committee, and then transmitted to the full Council for adoption.

EROL supported the KPC's efforts to finalize its long range strategic plan. By the end of the quarter, EROL and other international advisors completed a proposed draft of the strategic plan, which was submitted to the KPC Normative Committee for consideration.

EROL finalized its contractual arrangement with the software developer selected through the procurement process to develop the KPC's web portal. EROL facilitated a meeting between the software developer and the KPC IT staff to develop an implementation plan. EROL supported the development process, and provided advice regarding website content, which yielded a complete prototype of the website by the end of the quarter. To support the administration of the website once it is operational, EROL will support the training of three to four members of the Council's IT staff during the balance of the Project Year.

EROL provided technical assistance to the KPC to professionalize IT operations by using a procurement process to identify a vendor with the capacity to provide training and examinations for the expanded KPC IT staff.

1.3 MINISTRY OF JUSTICE

At the request of USAID, EROL provided technical expertise to the Minister of Justice to develop concept papers for the Minister's initiatives on Legal Education Reform and establishment of a Judicial Academy to train judges, prosecutors and court staff. The former is intended to explain the need for the reformation of the KJI and for the changes in the role the KJI currently plays in the training of the judges and prosecutors in Kosovo. The Minister of Justice had announced two initiatives that would affect the legal education system in Kosovo, namely the Initiative on the Judicial Academy and a concurrent Initiative on the Legal Education Reform.

The current system of training the judges and prosecutors requires a lengthy period of work experience in a legal job which is not supervised by the KJI; passage of the bar examination and the entrance examination to the KJI; and 19 months of training at which time the candidate will be examined again for recommendation to become a judge or prosecutor. It is

thought that this deters otherwise good prospective candidates from entering into this lengthy process with no assurance until the very end that it will lead to a position as a judge or prosecutor.

The concept papers use comparative analysis on existing training systems for judges and prosecutors in various regional and European countries. In addition, there are lessons to be learned from the 7-year experience of the KJI. The latter's most recent assessment showed that good results were achieved thus far. However, the same assessment noted various deficiencies and provided for concrete proposals with the aim of strengthening the institution. A number of recommendations were developed, including civil law training needs to be improved, both in the quality of trainers and course materials; a need to focus more on first instance cases as the new judges and prosecutors will be appointed at the basic courts; a longer period of time for phase 3 of the training needs to be provided; the practicum needs to be improved; more efficient use of modern interactive teaching methodologies; better library resources and written materials such as bench books; more attention to attracting younger candidates into the initial legal education program.

The papers were completed and circulated for comments to stakeholders, international donors and other interested parties during the quarter. As all comments are received and evaluated, second, more detailed concept papers will be prepared with the assistance of EROL for distribution.

EROL began preparations to conduct training for DILC staff on the negotiation, preparation, and implementation of bilateral agreements covering civil matters. EROL will engage an STTA to design and deliver the program that is expected to greatly empower the DILC capacity to conduct principled and successful negotiations of bilateral agreements on civil matters. EROL has prepared the Scope of Work for the STTA, which covers all stages of bilateral negotiations, from the consultation stage to actual negotiations, and includes theoretical comprehension, enhancement of skills and techniques, simulations, and case studies. EROL expects to conduct the training in September 2013.

EROL is providing continuing technical assistance to the MOJ with regard to the database and case management system needs of the DILC and the SAO in the form of two distinct software applications that will facilitate management of casework conducted by the DILC and SAO. These two systems, will provide sophisticated case tracking mechanisms, internal scheduling, and the ability to generate custom reports, among other features. The system development substantially completed, with implementation, testing, and user training planned for next quarter.

The DILC approved the design document defining its database/web site specifications in May, advancing the vendor's technical prototype development. DILC requested several changes to its database functionality, requiring the vendor to devote substantially more time to technical development through June. The Department of Legal Affairs (DLA) also requested assistance in migrating legacy data, which EROL agreed to support outside the vendor's current scope of work. The vendor continues to collaborate with DILC and EROL in moving forward with prototype design and testing. A beta version will be launched in mid-July.

Database/web design and development also continued at the DLA office, with the vendor working through prototype bugs and into the first internal testing phases. Several prototype changes were implemented in late April and in to May, following meetings with DLA. DLA approved the prototype in mid-June. The vendor intends to launch the first beta version for staff testing in the second week of July. After DLA approves the beta version, the vendor will finalize any other changes with DLA and EROL before advancing the database into production. The vendor has begun writing technical documentation to accompany both databases and is also preparing staff manuals for training.

EROL, in cooperation with the MOJ and OSCE, hosted the second drafting session for the new Law on Minor Offences, on 28-30 May, 2013. Representatives of the President's Office, the MOJ DLA, Customs, Police, EULEX judges and three judges from minor offences courts participated. The initial draft law was prepared by the OSCE and the MOJ. EROL provided commentary and concrete proposals to ensure that the draft law is legally consistent and compatible with best international standards and practices, and compatible with existing justice sector legislation such as the Law on Courts and the Law on the KJC.

EROL continued preliminary plans to provide technical assistance to the SAO on various levels once the State Advocate is appointed and the Office staffed. Plans include drafting and enactment of SAO regulations, development of case management and database capabilities, development and presentation of an orientation program for SAO staff, and a trial advocacy skills training program for SAO attorneys. At the end of the quarter, the State Advocate had not been appointed. The Office will not be fully staffed and ready to work with EROL until the State Advocate is appointed.

1.4 OFFICE OF THE PRESIDENT OF THE REPUBLIC OF KOSOVO

The quality of legislative enactments in Kosovo continues to need improvement. Inter-institutional coordination in the legislative drafting process needs further attention and there is still a lack of policy development in the legislative enactment process. These shortcomings have profound consequences to the quality of legislation. There is still a practice among legislative initiative bodies to concentrate on producing a legislative draft with insufficient consideration of the policy which it should reflect. Moreover, problems exist in ensuring legal drafting standards and uniformity to prevent the necessity for frequent amendment of new laws due to drafting deficiencies. To address these systemic problems, EROL and NDI jointly undertook two Intra-Governmental Roundtables on legislative drafting with the aim of fostering institutional dialogue among legal teams in the Office of the President, Kosovo Assembly, the Office of the Prime Minister, and the KJC and the KPC. On 30 April 2013, the first Roundtable took place, focusing on the assessment of policy development tools to convert public policies into legislative texts. The Roundtable also focused on the preparation of fiscal and regulatory impact assessments to ensure efficiency, practicability and implementation in draft legislation. Discussions also focused on methodological uniformity in the legal drafting process to ensure legal consistency, clarity and comprehensibility. The results of the first Roundtable were used to identify gaps and problems, as well as solutions to overcome legislative drafting obstacles.

The second Roundtable took place on 14 June 2013 and focused more on challenges in implementation of legislation, including sub-legal acts, and analyzed the role of the Assembly of Kosovo in ensuring that enacted legislation is properly implemented. Participants noted a variety of technical problems that ranged from contradictory provisions within individual sub-legal acts and disparities in terminology, to technical errors and editing mistakes. They identified an urgent need to provide professional training on drafting sub-legal acts so as to ensure quality, coherence and consistency in detailed regulations on the administration of technical legislation and appropriate delegated legislative authority. Responding to these identified needs, EROL will, in Quarter 2, prepare a training workshop for the legal teams of the President's Office, the MOJ, the KJC and the KPC focusing on the development of professional capacities for drafting sub-legal acts.

EROL supported the Office of the President in finalizing the Regulation on Procedure of Promulgation of Laws enacted by the Assembly of Kosovo at a two-day drafting session on 23-24 May, 2013. This regulation covers a variety of technical procedures, deadlines and administrative actions from the submission of the law to the OP until it is promulgated or returned for reconsideration by the President. The new Regulation has brought more legal consistency to the review of laws passed by the Assembly.

EROL continued its Legal English Program (LEP) for the legal staff of the President's Office. The participants have completed the Intermediate Lower Module and are currently completing the Legal Research Module. The participants have gained substantive knowledge in the use of legal terminology, which will enhance their legal drafting and research skills. The participants have also demonstrated the ability to conduct legal research in English and have shown enthusiasm for the program in their involvement in coaching sessions and a broad range of LEP activities.

OBJECTIVE 2: INCREASE THE EFFICIENCY OF COURT OPERATIONS

2.1 ASSESS AND AMEND MODEL COURTS PROGRAM STANDARDS AND PROCEDURES

The goal, as well as the challenge, for EROL in Project Year 3 is sustainability. Every initiative undertaken is designed, developed and delivered only after considerable strategic thought and planning has been given to the long-term, and sustainable, impact it will have on the judicial institution, court employees and members of the public.

During Project Year 2, EROL developed a database of court cases pending at the end of 2012 in order to support the KJC's implementation of the Law on Courts in order to identify and inventory the approximately 240,000 cases pending in Kosovo courts. In April, EROL made the web-based database available in every courthouse in Kosovo and began a training program to train every judge and judicial support staff member in its use. During the reporting period, training continued in the courts with noticeably more enthusiasm expressed by the judges and court staff as they saw for themselves the benefits derived through increased efficiency and timeliness in handling court records and answering inquiries from members of the public. EROL continues to populate the database while simultaneously training and engaging court staff in the process. User accounts have been created for 980 court employees. EROL continues to enhance the program with features that add or have potential to add, greater value to court managers, including reports that have been identified as being critical for president judges and court administrators to develop strategies for reducing the current case backlog and techniques for ensuring a near-zero backlog in the future. EROL has also achieved some success in convincing judges and secretaries to make entries directly into the electronic court registry system in 'real time' so that the case status is current in the system and can be easily accessed by the judge and court staff.

EROL recognizes the need to instill a sense of responsibility and ownership in the judiciary with regard to all of EROL's initiatives. Consequently, EROL conducted a half-day workshop for court IT staff to demonstrate the functionalities and capabilities of the EROL-developed database as well as to discuss the roles and responsibilities of the IT staff within their courts and in relation to the KJCS. EROL also convened a meeting of all president judges to discuss the status of the database program and to emphasize the need for them to encourage their staff members to receive training and become proficient users of the system.

As always, EROL sought input from the judges in planning future phases of the database. The approach taken by EROL with regard to the database initiatives is preparing the judicial institution for the full-featured capabilities of the Norwegian CMIS program. Until that system is implemented, the EROL database initiative will give the judiciary a significantly strengthened capacity to manage its resources, initiate and monitor reforms, measure performance, plan strategically to reduce case backlog and delay, monitor and avoid statute of limitations issues, and to otherwise conduct the judiciary's business.

In order to sustain EROL's efforts to provide automated court registries and case management reporting tools for judges, administrators and staff, EROL developed a two-phased approach for providing at least a basic level of computer skill training for all court staff. Phase One began with a pilot project in the Ferizaj Basic Court Region. EROL conducted a computer skills assessment to identify employees in that Region who currently possess a high level of computer skill and savvy. From that pool, the Court's Administrator assisted EROL in selecting six individuals to attend a three-week, 60-hour advanced skill training program. The program was designed by EROL in conjunction with a local training company to be based on the European Computer Driving License (ECDL) method. The program is intended to equip its participants with the fundamental knowledge necessary for operating a computer in a business setting. EROL chose to focus on those modules most relevant to the work conducted in the courts: using the computer and managing files (Windows 7); word processing (Word 2010); spreadsheets (EXCEL 2010); and information and communication (Internet Explorer 9 and Outlook 2010). Since it became immediately apparent that this program and approach would be successful and beneficial to court employees, EROL extended it to all Basic Court Regions as well as the Supreme Court and Court of Appeals. Additional training classes were set up regionally and a total of 52 court employees were trained. EROL's intention to use these newly-trained individuals as 'super-users' in the courts was conveyed to the participants and their court managers who enthusiastically supported the concept. These 'super-users' will assist all staff members within their region in future automation training initiatives by EROL or the KJC and assist their less computer skilled colleagues in becoming more familiar with computer programs and generally integrating automation into their everyday work world.

EROL ends this quarter awaiting RFPs to begin Phase Two of the program -- organizing computer skill training programs for all court employees.

Effective communication is essential to the success of any organization or institution, helps direct the performance of staff, and is relevant to proper dissemination of information. Good communication skills avoid misunderstandings and assist in building good relationships with colleagues. These skills are also essential to the sustainability of all EROL initiatives. Implementing the changes required by the LOC requires staff of a Basic Court to effectively communicate with counterparts in the regional Branch Courts. The judiciary will be increasing the number of automation reforms in the courts that will include an expectation of reliance on e-mail for external communications between the KJCS and the courts, and internal communications between local court staff members for broadcasting information. Recognizing that the manner in which information is delivered has a significant impact on how information is received, EROL engaged the services of a national consultant, familiar with Kosovo culture and norms, to deliver a series of workshops, focus groups and written materials to assist the judicial employees build skills to more effectively communicate. A by-product of this training initiative is expected to be a more positive view of the public perception of the judiciary. To identify communication and customer service training needs within the judiciary, and to assist with the design of the most appropriate training curriculum, EROL conducted a focus group with all court administrators. Using the results, a training curriculum and manual on effective communication were developed. A 90-minute presentation of the training program content, design approach, and materials to be provided to the participants was delivered to all president judges and court administrators. Thereafter seven one-day workshops were delivered to 259 court staff members. Each program included representatives from the seven Basic Court Regions, Supreme Court and Court of Appeals. The next step in this training process will be to conduct a train-the-trainer program during the coming quarter so that all court employees will benefit from this important training program.

The restructuring of the judiciary requires that the new president judges and court administrators take a much broader approach in exercising their roles and responsibilities as court leaders and managers. The jurisdictional lines have expanded, as have the number of employees and cases to be managed. As soon as possible, court leaders must conduct an assessment of the challenges they will be facing in streamlining work flow – of cases and staff; identifying methodologies to collect more reliable statistics in an effort to reduce case delays and backlog; identifying broad goals and strategies for achieving same; and finally implementing those strategies by developing very specific action plans and assigning exact responsibility and deadlines to appropriate individuals within the court to achieve the goals and objectives. EROL concluded that the most efficient approach to assisting the court leadership in fulfilling their administrative responsibilities would be through strategic planning. Strategic thinking and planning concepts were briefly introduced in a small number of Model Courts under the predecessor project; however, for a variety of reasons – mainly lack of court administration professionals – the concepts were not sustained. If the courts are going to be successful in implementing the reforms, it will be necessary to educate and conduct hands-on strategic planning training for president judges, court administrators, and key staff to assist them with developing their court-specific plans. EROL engaged the services of an experienced court administrator, with expertise in conducting needs assessments and strategic planning. Each president judge was presented with a proposed draft strategic operational plan that included four elements: a strategic objective, description of the objective and its relative importance to the work of the court, a target date for task completion, and any milestone accomplishments. The strategic objectives identified in each plan focused on infrastructure, records/case management, and training. A follow-up visit by EROL to each Basic Court with the President Judge and Court Administrator resulted in each court finalizing and signing a copy of a Strategic Operational Plan that they will use for organizing the important operational work within their



Strategic Planning Training for Courts

courts. At the request of two IT staff members who participated with their court leadership in the strategic planning workshop, EROL conducted a one-day workshop to assist the seven court IT staff members focus on developing specific IT strategic plans for their courts. Throughout the remainder of this Project Year, EROL will work closely with the president judges and court administrators to ensure follow-through with the Strategic Operational Plans they adopted.

The Normalization Agreement between Kosovo and Serbia contemplates reinstatement of Kosovo judicial functions in North Mitrovica, including integration of judicial authorities operating under Kosovo law, and the creation of a division of the Court of Appeals based at the Mitrovica Basic Court building in North Mitrovica. EROL meet several times with the Mitrovica Basic Court President Judge to develop options and actions that will need to be taken to prepare the Mitrovica Basic Court building for occupation and full operation. EROL met numerous times with USAID representatives to outline the obstacles that will be faced in preparing the courthouse and to develop contingency plans. These obstacles fall under the categories of: physical infrastructure; IT infrastructure; furniture and equipment; court administration considerations; and security considerations. EROL is also actively working on physical infrastructure issues. EROL and the KJCS have performed a preliminary IT equipment needs assessment that will be necessary for court operations. Discussions are ongoing between EROL and the KJCS regarding options for improving the IT infrastructure.

Since 2008 when staff of what is now the Basic Court of Mitrovica were required to vacate the courthouse in the North, the Mitrovica Basic Court and staff have been residing in the court facility in Vushtrri which now holds 180 staff members of the Basic Court of Mitrovica, Branch Court of Vushtrri and staff of the Basic Prosecution Office of Mitrovica. Workers use desks and chairs in shifts in a courthouse in which the courtroom was used as a central records management office – occupied by 16 staff members in a space of 30 square meters. Members of the public and interested parties could not attend trials due to the absence of space. The working conditions in the courthouse made it impossible for any form of justice to be delivered consistently, despite the best efforts of the judges, administrative staff and prosecutors. To alleviate some of these unacceptable conditions, EROL leased four containers that were placed in the courtyard at the Vushtrri facility. These containers now serve as a courtroom and are occupied by the Minor Offense Department staff and judges. The conditions are still far from ideal, but considerably better. According to a report in the local newspaper the President Judge was quoted as saying, “Vacating the courtroom from the CRMO staff who will be sitting in the containers will be a great relief for the judges first and also for the citizens who want to realize their rights in the justice system.”

2.2 SELECT AND IMPLEMENT MODEL COURTS PROGRAM IN THE COURTS

EROL completed the refurbishment of five courts: Viti, Lipjan, Istog, Gjilan and Suharekë. In addition, refurbishment work began at the Supreme Court and is scheduled for completion next quarter.



Newly furnished Courtroom in the Gjilan Basic Court

The court refurbishments include adding central records management offices, some additional courtrooms and secure office space for judges. The refurbishment work is designed to complement the operational and administrative changes that are the core of MCP standards. Public areas with glass walls and views of the court records areas allow for greater transparency. Public posting of case filing procedures, along with electronic displays that show current court hearings, schedules and locations, aid litigants and attorneys. Renovated archive space allows courts to improve record keeping and provide better customer service for citizens and attorneys requesting case file information.

With the completion of the Supreme Court, all Phase I Model Court refurbishment work will be completed. Phase II Model

Courts that will include: Glogovc Branch Court, Kacanik Branch Court, Decan Branch Court, Dragash Branch Court, Podujeve Branch Court, Kline Branch Court, and Malisheva Branch Court. During the reporting period, EROL completed A/E design and issued the refurbishment RFTOPs for Dragash and Glogovc Branch Courts, and issued the RTOP for A/E design for Kacanik Branch Court.

Phase I Model Court inaugurations during the reporting period include:

- Lipjan Branch Court – Inaugurated 13 May 2013.
- Gjilan Basic Court – Inaugurated 30 May 2013.
- Istog Branch Court – Inaugurated 21 June 2013.
- Suharekë Branch Court – Inaugurated 22 June 2013

Phase I Model Courts completed and waiting for inauguration date:

- Viti Branch Court
- Suharekë Branch Court

In addition, there are substantial (although not thought to be particularly expensive) repairs required in order for the Mitrovica Basic Court to become fully operational. In anticipation of Mitrovica Court restarting general court operations once the Agreement on the North become effective, EROL plans to make required repairs. The technical description and a bill of quantities for the repairs to the building, including all environmental issues, has been completed.

MEDIATION (CONTINUATION OF SEAD ACTIVITES)

When the USAID SEAD program ending in mid-2012, EROL took over management of the mediation centers in Peja and Gjilan. During the period EROL supported the centers, EROL increased the number of cases reviewed, selected and mediated as reflected in the following table:

Pejë	Beginning	Ending	Increase
Cases reviewed by EROL for potential referral	450	857	90%
Cases selected by EROL and judge for potential referral	231	548	137%
Cases referred to mediation (agreement to mediate signed and mediator selected)	31	78	152%
Cases settled through mediation and approved by court	15	33	120%
Gjilan	Current Week	Total to Date	
Cases reviewed by EROL for potential referral	325	699	115%
Cases selected by EROL and judge for potential referral	227	542	139%
Cases referred to mediation (agreement to mediate signed and mediator selected)	52	81	85%
Cases settled through mediation and approved by court	33	47	42%

During the reporting period, USAID awarded the CLE program that began managing the mediation centers in Mid-May. Since EROL no longer is involved with this activity, future reports will not include this section.

OBJECTIVE 3: IMPROVE PROFESSIONALISM OF JUSTICE SYSTEM ACTORS

3.1 KOSOVO JUDICIAL INSTITUTE (KJI)

EROL and the KJI delivered a series of highly rated and popular training programs. The KJI is responsible for the initial training of judge and prosecutor candidates by means of an Initial Legal Education Program (ILEP), as well as the

continuing legal education of judges and prosecutors through its Continuing Legal Education Program (CLEP) and educational programs for judges and prosecutors seeking promotion. EROL co-developed and co-delivered a series of eight educational programs to judicial audiences, sometimes including prosecutors. Development of additional programs, including IT Skills for Judges and Legal Research for Judges, is continuing for delivery in the second half of 2013. No educational programs will be delivered in July and August due to the observance of Ramadan and customary summer vacation schedules. The KJI, the KJC, and the KPC continued to confront program-wide trends of relatively poor attendance at legal education programs due to conflicts between training schedules and official obligations. In general, EROL achieved acceptable attendance rates, but it will continue to support the KJI's efforts for improvement.

The programs included Judicial Ethics, Case Management for Judges, Legal Reasoning and Writing for Judges (four sessions), Communications Skills for Judges, and Judicial Trial Practice, which were delivered in an interactive context in order to maximize the educational experience:

Judicial Ethics. The centerpiece of the course is the idea that public trust and confidence in the judicial institutions of Kosovo are directly and inextricably linked to the behavior of judges. The method of instruction builds on a discussion of applicable ethical guidelines and other norms, and the use of realistic examples of ethical dilemmas. The course encourages the adoption of an ethical philosophy that will be used by the judges to guide them in dealing with ethical dilemmas as they arise in their workplace.

Case Management for Judges. This module focused on the efficient processing of individual cases by individual judges, in contrast to case flow management, which deals with court-wide systemic case processing issues and challenges. It was based upon the concept that if a judge takes responsibility for a case at an early stage of the proceedings, the judge will have an opportunity to manage the case in the most efficient manner possible. For example, it emphasized the usefulness of a pretrial conference and scheduling order in managing cases.



Legal Reasoning and Writing for Appeals Court Judges conducted at the KJI

Legal Reasoning and Writing for Judges. EROL assisted the KJI in the development of this training module, and in the indoctrination of a KJI instructor in the delivery of the program. The training module oriented the trainer to interactive teaching techniques, a best practice for this sort of skills training objective, and included practical exercises. The module was designed to facilitate incorporation of legal writing and reasoning skill development into all relevant KJI coursework. Some of the modules were delivered in regional judicial conference settings.

Communications Skills for Judges. EROL assisted the

KJI in the development of a training module designed to strengthen the communications skills of judges

(and, as appropriate, prosecutors), when dealing with parties, court staff, members of the public, and representatives of the news media; the “customer service” and “news media relations” components of the program were designed to dovetail with other training initiatives undertaken by EROL. The training module concentrates on skills ranging from active listening and validation, to the use of communications methods that are both respectful and respectable, conveying norms of professionalism in inoffensive language that is motivating, and in related techniques.

Judicial Trial Practice. EROL assisted the KJI in the development of a Judicial Trial Practice training module. This module was designed to strengthen the participants’ legal reasoning and trial strategy skills in a simulated trial setting, and apply substantive and procedural law as a legal proceeding evolves.

In addition EROL supported the KJI in the development of modules for other audiences:

Court Management. This training module for President Judges concentrates on strategic management of the court. The centerpieces of the training module are concepts of judicial independence, principles of impartiality and fairness, inspiring public trust and confidence in the judiciary, stress management, effective communication, strengthening practical leadership skills, including relevant human relations concepts, interpretation and application of statistical data for strategic and performance evaluation purposes -- including applicable principles of case flow management, executive team building to facilitate court management, and the benefits of cross training court administrative support staff. This module was delivered in prior quarters but EROL staff periodically conducted follow-up sessions on related topics with President Judges in this quarter.

Information Technology. EROL continued to provide technical assistance to the KJI in the development of a training module regarding the benefits of information technology in the judicial setting, which is envisioned for presentation to judge and prosecutor audiences. The focus of this training module will be on the ways in which technology can improve the efficiency and effectiveness of the work of judges and prosecutors, including organizing workloads, organizing facts and legal support, project management, and organizing and presenting written submissions or legal decisions. Development of this module was slowed during this quarter due to priorities established by the KJI, but will continue during the coming quarter.

EROL provided technical assistance to the KJI Project for Research and Publication for the preparation of judicial benchbooks. 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.

Additionally, judges have been advocating informally for the creation of benchbooks for key areas of judicial practice. Those areas include criminal, civil, commercial, administrative, juvenile, and execution fields of law, each with its own set of substantive laws, procedural rules, and case management practices. The judicial benchbooks would provide simple and practical guidance in common situations. The benchbooks would be quick and reliable reference resources for judges in the midst of legal proceedings. They would be easy to follow, but comprehensive enough to minimize procedural errors and promote standardized judicial practices.

The KJI, in collaboration with the KJC and EROL, had planned to form working groups of four judges with experience in relevant fields of judicial practice for each of the benchbooks by the close this quarter. The judges assigned to the respective working groups would have primary drafting responsibility for that benchbook. EROL will provide a Judicial Benchbook Advisor to assist each working group with the formulation and formatting of the benchbooks

As a final step, EROL would assist the KJI and KJC in developing and delivering a training program for judges on the use of the benchbooks.

EROL stands ready to support the KJI Benchbook Initiative. The KJI hoped to have the benchbooks completed by October 2013. However, members of the working groups have requested stipends for their work in amounts ranging from 3,000 to 5,000 Euros per member. The KJI does not have budget for such stipends, so work has not started. The KJI is seeking funding from international donors or others. If it is successful, work will begin.

EROL supported the development of a curriculum for the orientation of Kosovo Serb judges that will be appointed under the implementation of the Normalization Agreement between Kosovo and Serbia. A curriculum is under consideration that would include delivery of the training modules that were co-developed by EROL and the KJI, as well as additional programs to be delivered by KJI, KJC, and international training advisors.

The judicial orientation program proposed for newly-appointed judges in the North would be comparable to a mini-IJEP. The training would assist judges in the adoption of best judicial practices, and in gaining an understanding of applicable procedural and substantive law. In order to maintain consistency in judicial practices and to resolve any appearance of disrespect for the prior service of Kosovo Serb judges, EROL recommended that the same judicial orientation program be delivered to Kosovo Albanian colleagues of newly appointed Kosovo Serb judges. Plenary sessions for the Albanian and

Serb judges serving in the region would allow the judges to achieve a level of collegiality from the inception of the new court structure. Moreover, the subject matters of the orientation program will be new to most of the Kosovo Albanian judges, and the approach would reflect that principal that the KJC sets high expectations for all judges.

EROL recommended that all, or most, of the training presentations be made at the Basic Court courthouse in Mitrovica. This choice of venue will simultaneously achieve a number of objectives. First, it is in the public interest to demonstrate that the KJC has begun the process of reinstatement of judicial functions in the North, and observable use of the courthouse will facilitate that goal. Second, using the Mitrovica courthouse would resolve logistics considerations, such as transportation between North Mitrovica and Pristina.

EROL proposed to use an interactive methodology that revolves around case studies and other practical applications. This would promote the highest levels of assimilation and, therefore, sustainability. Additionally, EROL suggested that instruction materials include checklists, exemplar documents, such as model judgments, decisions, and orders, templates in electronic format, an admonishment that templates must be adapted to the particular circumstances of each case under judicial review, scripts such as a script for a judge's management of a proceeding in which a defendant pleads guilty in a criminal case, and other legal resources including compendia of statutes, rules, regulations, and so forth. EROL recommended that, if possible, these materials be delivered in the form of a judicial benchbook. The judges attending the orientation program would then be able to use these resources in their judicial practices.

The orientation program would be delivered by the KJI with guidance from the KJC. Instructors and materials would be drawn from the KJI, EROL, the KJC, the US Department of Justice, and the EULEX judiciary. Some of the subject matters of the orientation program fall into categories already addressed by modules designed collaboratively by EROL and the KJI. EROL advocated the idea that the orientation would begin with universal principles and skills, and then progress through increasingly technical subjects, including a focus on applications of the Kosovo Constitution, Criminal Procedure Code, Criminal Code, Law on Contested Procedure, Juvenile Justice Code, Law on Enforcement Procedure, Law on Administrative Conflicts, Law on Family, and other relevant statutes.

EROL provided technical assistance in the development of a database and management software application that will greatly enhance KJI's ability to implement and manage its training offerings, and strengthen the KJI's administrative capacities. This work is essentially completed, leaving only the training of KJI staff in the application. At the request of the KJI, the training was delayed due to the commitment of the KJI to administer the entrance examination for judge and prosecutor candidates, and the need to adjust of some features of the software application.

EROL, along with OSCE, provided international monitors for the administration of the entrance examination for 150 judge and prosecutor candidates to the ILEP. The international monitors ensured the integrity and transparency of the examination process, which included random selection of a particular examination, out of three possibilities, strict examination conditions, and blind grading of the results.

Follow-on to EROL's previous support for a Legal English Program, which was designed to improve the capacity of government officials to undertake public policy research, engage in public policy analysis, and prepare and analyze draft laws in English.

EROL envisions providing technical support for the KJI's development of a three-year strategic plan.

At the end of the quarter, EROL was giving the KJI request due consideration, which involves an evaluation of KJI's capacity for absorption of new initiatives, EROL's ability to fund each of the requested activities, and EROL's internal resources.

3.2 CONSTITUTIONAL COURT

The KCC plays a special role in the protection of fundamental constitutional rights. The KCC serves as the final authority for interpretation of the Constitution, and the KCC's decisions are binding on all courts, institutions, and persons in

Kosovo. During the reporting period, EROL provided important technical assistance to strengthen its infrastructure and legal capacities.

EROL provided technical assistance to the KCC in preparing for a Constitutional Court Judicial Conference in September 2013. President Judge Enver Hasani has selected “The Self-Executing Nature of Constitutional Court Decisions,” as the theme of the Conference. The Conference objective is to further the process of education in promoting the application of fundamental Constitutional rights by Kosovo courts acting *sua sponte* or in response to KCC decisions. The following concerns motivate the need for a Conference:

- Enforcement of KCC Decisions in Kosovo Courts. Judges are not consistently executing KCC decisions despite Constitutional requirements that they do so
- Disposition of Constitutional Questions by Kosovo Courts. Judges are perceived to be reluctant to interpret and apply Constitutional provisions when disposing of legal proceedings.
- Requests for KCC Advisory Opinions. Judges are perceived to be hesitant to seek advisory opinions from the KCC, or unaware of their Constitutional authority to seek such opinions, or the advantages of doing so.

Previously, the KCC published its decisions on the KCC website, but did not publish individual case summaries or a subject matter index; rather, all of the decisions and a set of decision summaries, together with a subject matter index, were released in a single publication during the year following when the decisions were made. As a result, users of the website were unable to use it to effectively research the body of KCC decisional law. This lack of a research resource has inhibited understanding of and compliance with the KCC’s interpretations of Constitutional provisions.

To eliminate this deficiency, EROL and the KCC collaborated in the development of a web-based software application that allows for basic searches of KCC decisions (e.g., by case number or party name), but also by subject matter. The software application will facilitate legal research by KCC judges and legal advisors, judges and legal advisors in Kosovo’s courts, prosecutors, lawyers, parties, law professors and students, members of the public, and the news media. EROL has conferred with the President Judges of the Supreme Court and the Court of Appeals regarding the potential for adaptation of this software technology to decisions of those courts. The database/search engine development was completed and preparations were underway for posting decisions on the KCC website.

EROL supported the KCC’s effort to highlight its role in promoting the rule of Constitutional law, and to underline the applicability of fundamental international human rights in Kosovo, through the collaborative publication of a special international human rights edition of *E Drejta*, the University of Pristina Law Faculty Journal. The *E Drejta* issue emphasizes the fact that the Kosovo Constitution requires compliance with certain international human rights conventions, whereas compliance is aspirational only in the legal systems of many other nations. It was originally conceived as a follow on activity to the international human rights conference convened by the KCC on the subject of “Direct Applicability of Universally Accepted Human Rights in Kosovo – The New Imperative in the Practice of Law” held last year.

EROL provided technical assistance to strengthen public awareness of and confidence in KCC activities. The KCC has a legal duty to perform its functions transparently, but it has a corresponding duty to maintain the confidentiality of certain activities. The KCC is sometimes subjected to criticism by news media for denying requests for information, or refusing other contacts with the public or news media, notwithstanding the fact that laws largely control the Court’s responses to such inquiries. EROL provided technical assistance to the KCC to strengthen its public outreach activities and increase public confidence in the KCC’s decision making.

EROL continued to collaborate with the KCC to improve the professionalism of the judges of the Court and to enhance the public trust and confidence in the KCC’s capacity for reasoned, objective decision-making. A constitutional court functions differently from the conventional judicial system. Cases in a constitutional court may be referred from various sources, including the legislative and executive branches of government, as well as from individuals. Often, the referrals present issues that are highly political and the subject of considerable public interest. The KCC has been the subject of

media attacks alleging political influence, and there have been leaks of decisions made during deliberations before the KCC issued them publicly.

Frequently, judges sitting in a constitutional court have no previous experience as judges, and are appointed from positions in government or academia, with no formal training in judicial ethics. While there are differences in ethical norms between judicial system judges and constitutional court judges, there are common denominators in the areas of independence, impartiality, fairness, confidentiality of deliberations, and the absence of bias and inappropriate influence. The President Judge of the KCC recognized the value of a code of conduct to guide the KCC judges, and requested technical assistance from EROL. EROL 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, which was an important step toward professionalization of the Court, as well as a measure that will strengthen public confidence in the KCC's decision making.

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

4.1 STRATEGIC ACTIVITIES FUND

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 UBO Consulting, 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 – UBO conducted surveys of over 1,300 court users throughout Kosovo. This survey is intended to provide a baseline for future surveys.

EROL worked closely with UBO to develop the data collection method, questionnaire design, field work procedures. In order to allow the interviewers access to court facilities, EROL secured court access authorization from the KJC. UBO conducted a training session on 14 and 15 May 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 16 May through 16 June, 2013 throughout all courts in Kosovo, except the courts in the North -- Mitrovca North, Leposavic and Zubin Potok.

EROL 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, UBO back-checked one third of the interviews and survey result findings. Back-checking is the process of verifying with interviewees that the interview in fact took place, without asking about responses because of confidentiality assurances made to the interviewees.

The preliminary findings of the survey were submitted to EROL at the end of June, 2013. The baseline survey will make 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 the finding to USAID in July.

EROL continued to provide administrative assistance to the USAID FORWARD grant program. The focus of the grant program is use host country systems and partners to build sustainable partnerships and effective programs with CSOs in two areas: 1) court monitoring; and 2) public awareness and outreach initiatives aimed at increasing transparency and fairness among justice institutions. EROL assisted USAID by providing administrative and technical support during the procurement process. USAID made an award during the reporting period, and EROL assisted with notifications to the non-winning organizations.

EROL provided ongoing coaching and technical assistance to support ATRC's sub-grant program design and project implementation. EROL supported ATRC with translation of ATRC's grantee proposal summaries and basic grant agreement into Serbian and Albanian languages and supported the grantee award process.

To more effectively reach minority communities, EROL recommended that ATRC send its RFA package in the Serbian language the Kosovo Policy and Action Network, since it is the largest minority CSO network in Kosovo. EROL supported ATRC with revisions and finalization of its basic grant agreement, and assisted ATRC in drafting a notification letter to unsuccessful applicants and with content to respond to unsuccessful applicants who request additional information for being rejected. To reduce the cost for design and development of brochures containing information on new court structures, EROL provided brochures in electronic versions in Albanian, Serbian, Bosnian, Roma, Turkish and English language.

During the selection phase for ATRC grantees, EROL participated in ATRC's Technical Evaluation Committee, reviewed 52 court monitoring proposals, and recommended 13 proposals for award. To ensure sub-grantee compliance, EROL developed a grant compliance workshop and contract signing process for re-granting organizations. At USAID's request, EROL initiated a project needs assessment for USAID Forward grantees, ATRC and BIRN.

EROL assisted BIRN staff in developing a budget line allocation request memo. In addition, EROL provided BIRN with templates for meeting agendas and event invitation letters.

4.2 PUBLIC RELATIONS & OUTREACH

EROL continued to provide assistance to the KJC, the courts and the KPC to improve public access to and public confidence in the Kosovo justice system by increasing public knowledge and understanding of the judicial and prosecutorial process through proactive and interactive communication.

EROL partnered with the KJC and the KPC to conduct an aggressive outreach activity with two key target audiences: members of underrepresented communities in Kosovo and minority law students. At these meetings, EROL staff members, prosecutors and judges answered questions and provided youth with specific information on the recently enacted court structure. Participants learned about employment opportunities in the justice system and what it takes to become a judge, prosecutor, advocate or notary through a set of brochures developed by EROL in cooperation with the KJC. Other participants at the meetings included municipal officers working on community affairs, court staff and journalists.

The action plan for the meetings and distribution of the brochures included 22 municipalities inhabited with minority communities and as well information meetings at the public and private law faculties. During the reporting period, EROL organized 11 meetings in 8 municipalities: Prizren, Pristina, Klllokot, Gjakove, Rahovec, Peja, Mamushë, and Dragash. The total number of participants in these meetings was 253 (130 male, 123 female), aged 16 - 55. The ethnic breakdown of participants is as follows:

Albanian:	162
Serbian:	30
Bosnian:	8
Roma:	14
Egyptian:	18
Turkish:	20
Gorani:	1

EROL worked closely with the KJC to develop the set of brochures called "This is Your Court". The purpose of these brochures is to inform members of the general public on the court structure, the jurisdiction of courts and various departments functioning within each court, as well as to provide practical information such as working hours and contact

details. The information in the brochures is presented in clear and simple language. The brochures follow the branding of the public information campaign “This is Your Court” that was developed jointly by EROL and the KJC.

Following the approval by USAID of the content and design of the brochures, and the subsequent translation into Albanian, Serbian, Turkish, Bosnian and Roma the brochures were reviewed again by the KJC and EROL to ensure accuracy of information. Printing of the brochures was completed in June 2013. EROL has printed a total of 326,440 brochures (Albanian: 140,750 copies; Serbian: 92,190 copies; Turkish: 35,380 copies; Bosnian: 30,900 copies; Roma: 21,250 copies, and English: 5,500 copies). EROL, with the approval of the KJC, has prepared a brochure distribution plan with specific numbers of copies for each type of brochure and for each basic court and branch court. EROL will also provide brochure racks for each court.

The set of brochures “This is Your Court” contains the following:

- General brochure on the new court structure (narrative and chart);
- Helpful information on the Supreme Court of Kosovo;
- Helpful information on the Court of Appeals of Kosovo;
- Helpful information on the Basic Court of Pristina;
- Brochure on the Administrative Department of the Basic Court of Pristina;
- Brochure on the Commercial Department of the Basic Court of Pristina;
- Brochure on the Department for Minors of the basic court level; and
- Helpful information on the six remaining Basic Courts: Prizren, Pejë/Peć, Gjilan/Gnjilane, Ferizaj/Uroševac, Gjakovë/Djakovica, and Mitrovicë/Mitrovica.

All brochures were uploaded on EROL’s website. The e-version of the brochures was shared with USAID grantee, ATRC.

The Public Information and Protocol Office within the KJC continues to be seriously understaffed with only one Spokesperson and one External Relations/Protocol Officer. The Supreme Court of Kosovo has had no spokesperson since January 2013. The KJC Secretariat has not received any official request from the SCt to announce a vacancy. Only the following courts have hired Public Information Officers: the Court of Appeals, the Basic Court of Mitrovica and the Basic Court of Ferizaj. The recruitment process is under way for the Basic Court of Pristina. EROL has established contact with the newly hired PIOs. The positions for the Basic Courts of Prizren, Gjilan, Gjakove and Peja will be announced in July.

The Spokesperson in the Office of the State Prosecutor continues to inform the public about the activities of the KPC. A vacancy for an additional spokesperson was announced in February 2013; applications have been received and the recruitment process is underway.

EROL organized four outreach meetings with law students of the University for Business and Technology (“UBT”, a private university), University of Prishtina, University of Prizren, and University of Pejë/Peć. At the meetings, EROL presented to the students information about the new court and prosecution office structure; the purpose of the court restructuring; the different legal professions within the judicial system they could choose to pursue as careers, and the bar examination. The Vice President of UBT and the Dean of the Law Faculty thanked EROL for the initiative and expressed great interest in organizing similar information and educational meetings for their law students again. The Dean of the Law Faculty, University of Peja said “This was a great opportunity for our law students to learn more about the structure of justice institutions in the country and various employment opportunities within the system. University of Peja is interested in continuing cooperation with USAID and EROL in organizing future activities with our law students.”

EROL working jointly with the NGO, ‘Students Helping Life,’ organized an outreach meeting with a group of youth aged 15-16, all students of the legal department of the high school in Rahovec/Orahovac. In coordination with the NGO, and at the request of the high school, EROL organized a visit to the Court of Appeals in Pristina for another group of

students. The purpose of the visit was to educate the youth about the justice sector structure and institutions in Kosovo. The court building tour was led by a judge of the Court of Appeals who talked to the students about modern court practices and standards, about the court structure, the reasons for the re-structuring of the judiciary in Kosovo, the competences and jurisdiction of the newly-established Court of Appeals

EROL's website, <http://www.usaiderol.org>, continues to provide updated information of program activities in three languages (Albanian, Serbian, and English). Monthly statistics show a total of 2,363 visits (April: 857, May: 648, and June: 858), and a total of 22,467 hits (April: 7,779, May: 8,262, and June; 6,426).

4.3 SUPPORT MINORITY OUTREACH

On International Roma Day, EROL organized a special event with the Roma community in Prizren. The panelists of the event were former prosecutor Shaban Berisha, currently working as an advocate, Judge Gjimesh Galushi and Execution Clerk Vahide Qylanxhiu, both working at the Basic Court of Prizren, all representatives of the Roma community. The audience was composed of law students and other youth from the Roma community. Participants in the event talked about the stories and experiences of Roma lawyers working in the justice sector. Older generation lawyers shared their advice with the younger generation lawyers. The activity was positively reported in the daily newspaper 'Koha Ditore' and was covered by RTK (public broadcaster) Roma desk.

The meeting in Klllokot municipality with representatives of Serbian community was covered by Radio Kosova and Radio Klokot.

The meeting in Gjakovë with youth from Egyptian and Roma communities, including law students, was organized in coordination with the NGO 'Proseriteti' and was covered very positively by the local TV station 'Syri Vizion.'

ENVIRONMENTAL REGULATION COMPLIANCE

EROL completed one Model Court Site Specific Environmental Compliance Plans (SSECP) for Dragash Branch Court and it was approved by USAID . EROL is completing the SSECPs for the next phase of Model Courts.

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

STATUS OF BUDGET EXPENDITURES

As of 30 June 2013, EROL had expended approximately \$11,539,973 During the reporting period, spending was approximately \$800,000. EROL anticipates the monthly burn rate to continue to remain approximately \$800,000-\$1,000,000 over the next quarter as Year 3 STTA and Model Court work will be significant. [Note: amounts are approximate as the June 2013 costs have not been finalized.]

APPENDICES

APPENDIX A: LIST OF REPORTS & DELIVERABLES

By the end of Year 3 Q1, EROL had completed the following reports and deliverables:

OBJECTIVE 1

- Regulation on the Evaluation of Performance of Judges
- Regulation on the Proposal Procedure for Appointment and Reappointment of Judges
- Regulation no. 01/2013 on 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 [30 April 2013, co-hosted with NDI]
- Second Intra-Governmental Roundtable on Legal Drafting [14 June 2013, co-hosted with NDI]
- OP Regulation on the Promulgation of Laws by the President
- Draft Law on Minor Offences (MoJ)

OBJECTIVE 2

- Customer Service and Effective Communication Training
- Customer Service and effective Communication Handbook
- Strategic Planning Workshop
- Court Strategic Operational Planning
- Strategic Planning for IT staff
- Advances Computer Skills Training
- Basic Computer Skills Training
- Data Base Training for Court Staff
- 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

OBJECTIVE 3

- Communications Considerations for the Kosovo Judiciary: Promoting Clear Accurate and Productive Courthouse Communications [Kosovo Judicial Institute Training Module]

- Judicial Trial Practice, Applying Legal Reasoning Techniques in Trial Proceedings Training Module
- Case Management for Judges
- Communications Skills for Judges

OBJECTIVE 4

- ‘This is Your Court’ Set of Brochures (13 different brochures in 6 languages)
- ‘This is Your Court’ Brochures Distribution plan
- Gjilan/Gnjilane Court Inauguration Ceremony PR Documents, including: Talking Points for U.S. Ambassador; Speech for KJC Representative; Speech for BC Gjilan/Gnjilane President; and Fact Sheet
- Lipjan/Lipljane Branch Court Inauguration Ceremony PR Documents, including: Talking Points for U.S. Government Representative; Speech for KJC Chairperson; Speech for BC Pristina President, and Fact Sheet
- Istog/Istok Branch Court Inauguration Ceremony PR Documents, including: Talking Points for USAID Representative; Speech for KJC Deputy Chairperson; Speech for BC Pejë/Peć President, and Fact Sheet

AD HOC REPORTS

- STTA Trip Report Michael Dobbins
- Story on International Roma Day activity
- Story on Lipjan/Lipljane Branch Court inauguration ceremony
- Story on Model Court Standards Restoring Public Faith in Justice
- Considerations: Implementation of the Normalization Agreement reached by the Prime Ministers of Kosovo and Serbia, April 23, 2013.
- Security Survey: Implementation of the Normalization Agreement reached by the Prime Ministers of Kosovo and Serbia, April 24, 2013.
- Preliminary Curriculum Proposal for Judicial Orientation Program: Implementation of the Normalization Agreement reached by the Prime Ministers of Kosovo and Serbia, May 3, 2013.
- 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, May 14, 2013.
- Executive Summary of Judicial Orientation Program: Implementation of the Normalization Agreement reached by the Prime Ministers of Kosovo and Serbia, May 16, 2013.
- EROL Proposal for Utilization of Modular Office Containers, May 22, 2013.
- Status Report & Next Steps Regarding the North Mitrovica Courthouse: Implementation of the Normalization Agreement reached by the Prime Ministers of Kosovo and Serbia, May 26, 2013.
- CLE Program Reliance on EROL Model Court Program Database System, May 26, 2013.
- EROL Technology Initiatives & Potential for EUOK Collaboration, June 7, 2013.
- Outline of EROL Model Court Program Database Management Report Packages, June 27, 2013.

APPENDIX B: SUMMARY OF YEAR 3 QUARTER 1 TRAINING AND CAPACITY BUILDING EVENTS

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	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/Jun 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
Quarter 1 Total		1011	581	430	960	35	16
Life of Project Total¹		1,805	1,075	730	1,680	54	71

¹ Life Project Total represents unique number of individuals trained with EROL Program.

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 has enabled me and my staff to increase the

During the Quarter 1 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.

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.

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

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/June 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

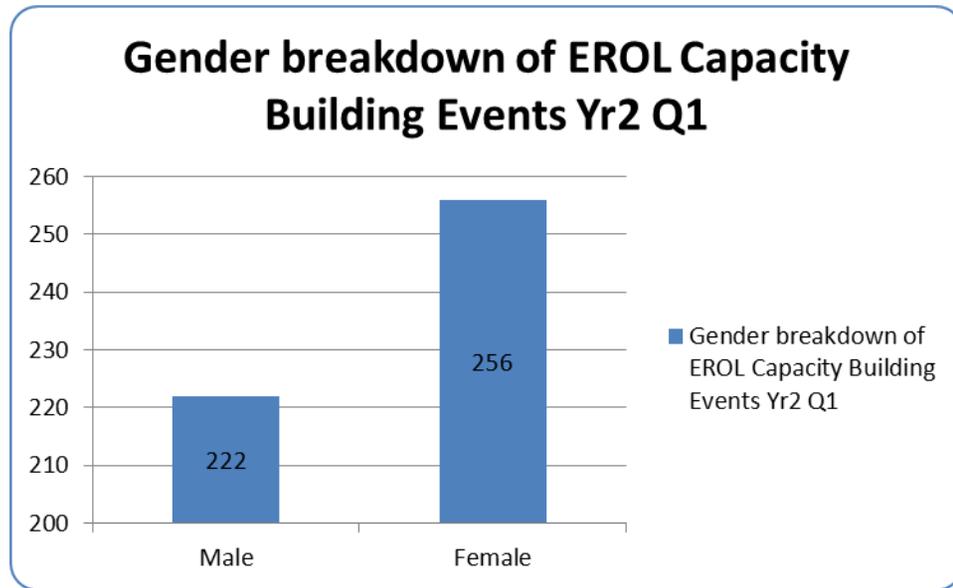
Kosovo. These trainings were attended by 57 participants in total with Male = 36 and Female = 21, Alb = 55 and Serb = 2.

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 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

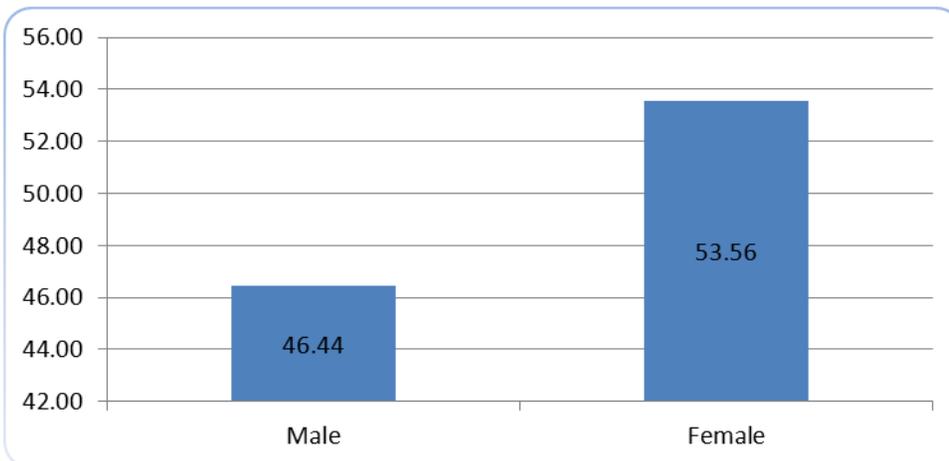
place a very high priority on trial management and judicial proceedings skills. This training was attended by 6 participants in total with Male = 5 and Female = 1 all of them Albanian nationality.

Gender breakdown of EROL Capacity Building Events for Yr 3 Q1 represents satisfied representation between male and female participants. EROL staff across all four components has managed to engage 222 of male and 256 of female participants (Please, see **Figure 1**. Ethnicity breakdown of EROL Capacity Building Events for Yr 3 Q1) on capacity building events provided during the first quarter of the third year of Program Implementation.



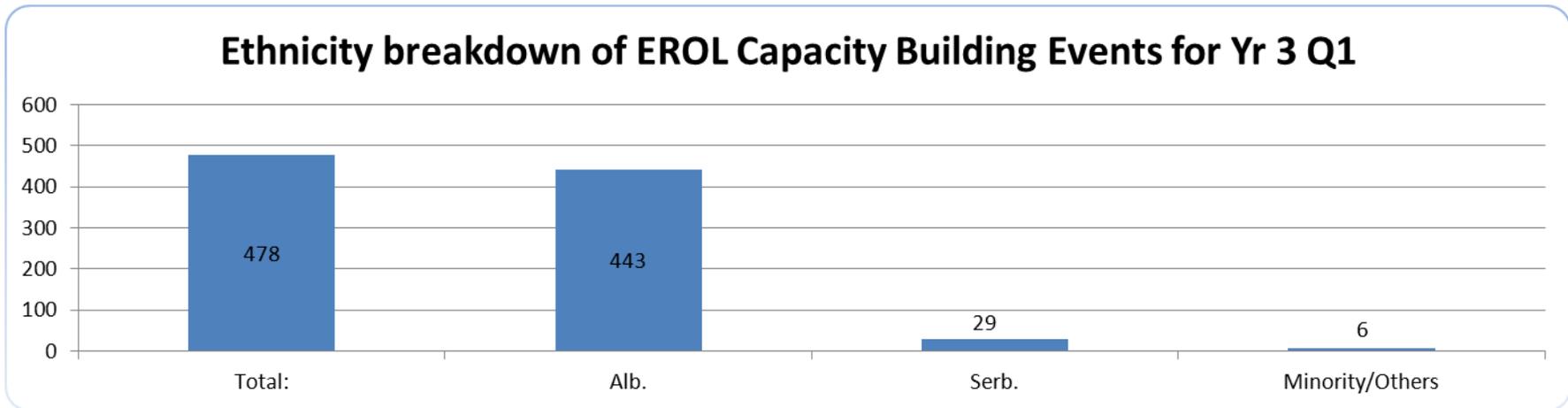
EROL Program team, during their capacity building event planning are paying attention on the gender breakdown of the training with a specific focus on female representation.

This is demonstrated on the high percentage participation of the females on our trainings with Female = 53.56% and Male = 46.44%. Illustrative details are represented on **Figure 2**. Gender breakdown of EROL Capacity Building Events for Yr 3 Q1.



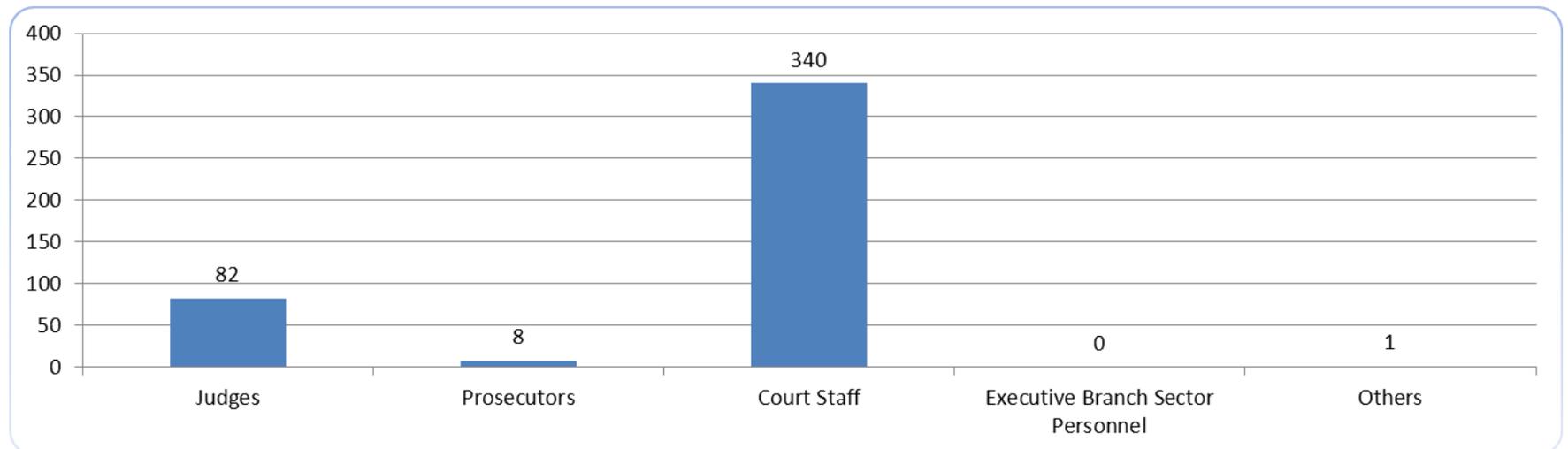
Capacity Building Events organized by all four components of EROL Program we had a total number of 478 unique individuals. Ethnicity representation on these events is provided under the **Figure 3**.

Ethnicity breakdown of EROL Capacity Building Events for Yr3 Q1 with Albanian = 443, Serbian = 29 and Minority Community/Others = 6



individuals participated.

Among participants that participated on EROL Program capacity building events there were 8 Prosecutors, 82 Judges, 340 Court Staff, and Others 63. (Please, see **Figure 4**.)



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				Comments
							To date				
							Q1	Q2	Q3	Q4	
IR2:	IMPROVED DELIVERY OF JUSTICE										
1	% of citizens and court users satisfied with the justice system Unit: %. Disaggregated by sex, region, rural/urban, and minority groups.	Public opinion poll to determine whether reform has an impact on satisfaction with and knowledge of the justice system Country-wide opinion change takes time, and factors outside the program's manageable interest can arise, overwhelming program effects	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 preliminary report submitted to EROL Program				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 surveys². Preliminary draft has been submitted to EROL. Final report to be submitted to USAID for approval</i> RFP for Citizen Satisfaction

² The Objective of the survey will be 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				Comments
						To date				
						Q1	Q2	Q3	Q4	
										<i>Survey</i> will follow the Court User Survey.
2.1.	Increased capacity of justice sector professionals									
2	# of justice sector personnel that received USG training Unit: #; disaggregated by sex and role	Standard F output indicator. Shows coverage when compared to the universe. Disaggregation by gender and minorities will measure against related targets. Also disaggregated by role (judges, prosecutors, court staff, etc.) Targets TBD in consultation with USAID/Kosovo as training plans are finalized.	M=177 F=64 O=6 T=247	M=810 F=448 O=65 T=1,258	M= F= O= T=	M=222 F=256 O=6 T=478				During the Quarter 1 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;

Result/Indicator/Unit of Measure	Definition/Rationale/Utility/Limitations	Baseline	Yr 1 Actual	Yr 2 Actual	Yr 3 Target	Program Year 3 Actual				Comments
						To date				
						Q1	Q2	Q3	Q4	
3	% of judges (J), prosecutors (P) and court staff (S) participating in CLE Unit: %; disaggregated by sex and status		N/A	J=15% P=20% S=10%	J=30% P=20% S=10%	Report to be submitted in the next 10 days				Target for Yr3 for the CLE Program is: J=30%; P=20%; S=10%; Percentages on the participation for the CLE Program to be submitted separately in the next 10 days due to the delay of data processing at the KJI.
4	# of legal courses or curricula developed with USG assistance Unit: #		5	3	2	2				Target for Yr 3 of the EROL Program is 2 legal courses or curricula. Y3 Target Completed In Y3/Q1, EROL provided KJI with substantial technical assistance in the development of

Result/Indicator/Unit of Measure	Definition/Rationale/Utility/Limitations	Baseline	Yr 1 Actual	Yr 2 Actual	Yr 3 Target	Program Year 3 Actual				Comments
						To date				
						Q1	Q2	Q3	Q4	
										Communications Skills for Judges and Judicial Trial Practice courses, which were delivered in a ToT environment.
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				Target for Yr 3 is 0 staff member of the Office of the President. Target has been met during the previous two years of Program implementation.
6	# of USG-supported trainers receiving pedagogical training (ToT) for their role in KJI and other judicial trainings, and replicate skills learned Unit: #; disaggregated by sex	Output and outcome indicator. Must attend 80% of ToT training and pass post-test of knowledge, which may include observation of training practices as well as testing. In later program years training will taper for this audience.	0	10	10	5				Target for Yr3 is 10 Train of Trainers (ToT). In Y3/Q1, EROL provided substantial technical assistance to five KJI judicial trainers (Judge Afërdita Bytyqi and Prosecutor Besim Kelmendi in Judicial Trial

Result/Indicator/Unit of Measure	Definition/Rationale/Utility/Limitations	Baseline	Yr 1 Actual	Yr 2 Actual	Yr 3 Target	Program Year 3 Actual				Comments
						To date				
						Q1	Q2	Q3	Q4	
										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. Unit #: 4 Male and 1 Female
7	Simple case studies of persons trained by EROL or EROL-trained instructors (e.g., judge, prosecutor, PR staff, KJI instructor)	Qualitative cases of trainees, identified through instructors, to discover training impacts on job performance and occupational behaviors. Range of roles: judge, trainee judge, other trainees. Depending on role studied, cases can include interviews, observations, job performance data or other relevant metrics.	0	5	5	2				Target for Yr 3 is Five "Simple Case Studies". Two (2) simple case studies have been completed during the first quarter.

Result/Indicator/Unit of Measure		Definition/Rationale/Utility/Limitations	Baseline	Yr 1 Actual	Yr 2 Actual	Yr 3 Target	Program Year 3 Actual				Comments
							To date				
							Q1	Q2	Q3	Q4	
8	KJI Scorecard rating of EROL's progress with KJI goals	Benchmark outcome indicator. Progress on tab "KJI" toward approved and consensed activities in consultation with USAID and stakeholders. Total score possible: 68 over four years; cumulative in (#)		16	30(44)	12(56)	6				Target for Yr 3 is 12 out of 56. Most of activities are to be attained during the Yr3 and Yr4 of the Program that are on the "Ongoing=1" status as the support will continue throughout the Program. Please, see respective scorecard for the details of activities. Current score is 6 out of 12.
2.2.	Increased independence and accountability of the judicial system										
9	Number of laws, regulations and procedures related to judicial independence supported with USG assistance	Standard F output indicator. Refers to laws, regulations and procedures that are official and have been passed or amended in accordance with the country's legal requirements. Laws, regulations and procedures lay out the legal basis		4	3	3	2				Target for Yr 3 is 3 laws, regulations and procedures. EROL staff provided technical assistance to the

Result/Indicator/Unit of Measure	Definition/Rationale/Utility/Limitations	Baseline	Yr 1 Actual	Yr 2 Actual	Yr 3 Target	Program Year 3 Actual				Comments
						To date				
						Q1	Q2	Q3	Q4	
Unit: #	for building judicial independence and provide one significant indicator of government commitment. Some laws may also cover transparency.									<p>KJC on the following Regulations :and Instructions:</p> <p>KJC Regulation on Appointment and Reappointment of Judges, including Template Pre-Selection Criteria; Approved on 10 June 2013; and</p> <p>KJC Regulation on Evaluation of Performance of Judges, including; Template Interview Criteria;;Approved on 10 June 2013</p>

Result/Indicator/Unit of Measure	Definition/Rationale/Utility/Limitations	Baseline	Yr 1 Actual	Yr 2 Actual	Yr 3 Target	Program Year 3 Actual				Comments
						To date				
						Q1	Q2	Q3	Q4	
10	<p>Number of regulations and procedures that improve judicial transparency adopted with USG assistance</p> <p>Unit: #</p>	<p>Standard F output indicator. Refers to regulations and procedures that are official and have been passed or amended in accordance with the country's legal requirements. Laws, regulations and procedures lay out the legal basis for building judicial independence and provide one significant indicator of government commitment. Some regulations/procedures may also cover independence.</p>								<p>Target for Yr 2 was 3 regulation and procedures.</p> <p>EROL staff provided technical assistance to the KJC on the following Regulations :and Instructions:</p> <p>KJC Regulation on Appointment and Reappointment of Judges, including Template Pre-Selection Criteria; Approved on 10 June 2013; and</p> <p>KJC Regulation on Evaluation of Performance of Judges, including; Template Interview Criteria;;Approved on 10 June 2013</p>
			10	3	3	2				

Result/Indicator/Unit of Measure	Definition/Rationale/Utility/Limitations	Baseline	Yr 1 Actual	Yr 2 Actual	Yr 3 Target	Program Year 3 Actual				Comments
						To date				
						Q1	Q2	Q3	Q4	
11	<p>Number of government media relations staff trained with USG assistance</p> <p>Unit:# Disaggregated by sex and office</p>	<p>Standard F output indicator. Staff must be employed by government, and media relations must be at least one of their substantive responsibilities. A free, effective and informed press depends on government support for freedom of the press, and on responsible, responsive and professional government officials working with the press.</p>	10	10	0	0				<p>Target for Yr3 is 0 Media Relations staff.</p> <p>Target has been met and exceeded during the previous two years of the Program.</p>
12	<p>Constitutional Court scorecard rating of EROL's progress with CC's goals</p>	<p>Benchmark outcome indicator. Progress on tab "CC" toward approved and consensed activities, in consultation with USAID and stakeholders.</p> <p>Total score possible: 56 over four years; cumulative in (#)</p>	19	24(34)	14(46)	9				<p>Target for Yr 3 is 14 out of 46.</p> <p>Most of activities are to be attained during the Yr3 and Yr4 of the Program that are on the "Ongoing=1" status as the support will continue throughout the Program.</p> <p>Please, see respective scorecard for the details of activities.</p> <p>Current score is 9 out of 14.</p>

Result/Indicator/Unit of Measure	Definition/Rationale/Utility/Limitations	Baseline	Yr 1 Actual	Yr 2 Actual	Yr 3 Target	Program Year 3 Actual				Comments
						To date				
						Q1	Q2	Q3	Q4	
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				Target for Yr 3 is 2 on the score from 0-3. In preparation for efforts to improve resources available to judges and the effectiveness of disciplinary processes, a study tour to the US was conducted on the topic of ethics, conduct and discipline. Additionally, preparations were undertaken for an STTA to work with the KJC on the development of a Code of Conduct and Ethics ³ .
2.3.	More effective operations of the justice system									

³ 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				Comments
						To date				
						Q1	Q2	Q3	Q4	
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				In addition to the database development, the EROL MCP provided to Court of Appeals and Basic Courts standardized file folders. The new file folders will help courts to keep their records in a more efficient and accurate manner. The file folders were designed following the MCP standards and with the approval from KJC Sec and the Courts. For the sake of sustainability EROL MCP, in agreement with KJC Sec, initially purchased xxx file folders (these will last at least six months); folders for future needs will be provided by KJC Sec.
15	Ratio of all dispositions to new case filings in courts assisted by USG in the area of case management Unit: Ratio	Standard F outcome indicator applied to the Model Courts. Shows whether backlogs are increasing. Speed and efficiency of the courts serve as proxies for effectiveness of the justice system and of justice sector actors as a whole.	N/A	3-5% Improved	3-5% Improved	Indicated or to be reported Annually				No reports available during this quarterly. KJC Sec is facing difficulties in collecting the required data. Still no accurate and reliable data for reporting in this indicator.
16	% of cases heard and resolved within 24 months	Mission Custom indicator. Similar to standard indicator above, although this one has a 2-year span before being counted.	N/A	3-5% Improved	3-5% Improved	Indicated or to				No reports available during this quarterly. KJC Sec is facing difficulties in collecting the required data. Still no

Result/Indicator/Unit of Measure	Definition/Rationale/Utility/Limitations	Baseline	Yr 1 Actual	Yr 2 Actual	Yr 3 Target	Program Year 3 Actual				Comments
						To date				
						Q1	Q2	Q3	Q4	
Unit: %						be reported Annually				accurate and reliable data for reporting in this indicator.
17	More efficient and professional Model Courts	Benchmark outcome indicator. Progress on scorecard toward measures to improve Model Courts in consultation with USAID and stakeholders. Each Model Court is subject to 9 standards and score range of 0-3 for each. Total score possible: 540 over four years; cumulative in (#)	9	189 (351)	189(540)	202				During this quarter a significant improvement was achieved on standard 8 (Improve accessibility and security of court facilities). In addition to last quarter were 2 courts were completed the refurbishments, in this quarter in 5 other courts refurbishments were completed. Only the Supreme Court is remaining to be finished. Although in the second wave of eight courts on three of them the refurbishment designs were developed and completed.
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				KJC Strategic Plan: Work began with the appointment of a committee and an initial meeting .Due to implementation negotiations in Brussels the work was not complete and will continue into Y3Q2 in collaboration with ECLO/HD

Result/Indicator/Unit of Measure	Definition/Rationale/Utility/Limitations	Baseline	Yr 1 Actual	Yr 2 Actual	Yr 3 Target	Program Year 3 Actual				Comments
						To date				
						Q1	Q2	Q3	Q4	
										<p>KPC Strategic Plan:</p> <p>EROL supported KPC with further development of Strategic Plan to cover 2013-2016 was largely completed in Y3Q2 and is expected to be approved in Y3Q2.</p> <p>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.</p>

Result/Indicator/Unit of Measure	Definition/Rationale/Utility/Limitations	Baseline	Yr 1 Actual	Yr 2 Actual	Yr 3 Target	Program Year 3 Actual				Comments
						To date				
						Q1	Q2	Q3	Q4	
19	Mean case disposition time in courts assisted by USG in the area of case management Unit: Mean # months		N/A	5% decrease	5% decrease	Indicator to be reported Annually				No reports available during this quarterly. KJC Sec is facing difficulties in collecting the required data. Still no accurate and reliable data for reporting in this indicator.
20	Improved administrative performance as defined from prosecutors' perspectives Unit: % improved		N/A	15.51%	TBD with Survey	No Activity to report for this quarter				No Activity to report for this quarter However, KPC continues to receive support from EROL team among others huge contribution to KPC starting from the support in drafting the Council's regulations and by-laws, such as the Strategic Plan 2013-2015; In drafting the Codes of Ethics for the prosecutorial system, conducting trainings for trainers for these codes and has also given efforts to raise awareness of the minority groups to be become a part of the prosecutorial system.

Result/Indicator/Unit of Measure	Definition/Rationale/Utility/Limitations	Baseline	Yr 1 Actual	Yr 2 Actual	Yr 3 Target	Program Year 3 Actual				Comments
						To date				
						Q1	Q2	Q3	Q4	
21	Kosovo Judicial Council scorecard rating of EROL's progress with KJC goals		24	34(50)	20(70)	20				<p>Target for Yr 3 is 20 out of 70.</p> <p>Most of activities are to be attained during the Yr3 and Yr4 of the Program that are on the "Ongoing=1" status as the support will continue throughout the Program.</p> <p>Please, see respective scorecard for the details of activities. (Please, note that several activities from Yr2 have been completed during the Yr3 Q1)</p> <p>Current score is 20 out of 20.</p>
22	Kosovo Prosecutorial Council scorecard rating of EROL's progress with KPC goals		7	28(36)	8(44)	13				<p>Target for Yr 3 is 8 out of 44.</p> <p>Most of activities are to be attained during the Yr3 and Yr4 of the Program that are on the "Ongoing=1" status as the support will continue throughout the Program.</p>

Result/Indicator/Unit of Measure	Definition/Rationale/Utility/Limitations	Baseline	Yr 1 Actual	Yr 2 Actual	Yr 3 Target	Program Year 3 Actual				Comments
						To date				
						Q1	Q2	Q3	Q4	
										<p>Please, see respective scorecard for the details of activities.</p> <p>Current score is 13 out of cumulative 44.</p>
23	<p>Ministry of Justice scorecard rating of EROL's progress with MOJ goals</p>	<p>Benchmark outcome indicator. Progress on MOJ scorecard toward approved and consensed activities in consultation with USAID and stakeholders.</p> <p>Total score possible: 80 over four years; cumulative in (#)</p>	15	28(44)	22(66)	1				<p>Target for Yr 3 is 22 out of 66.</p> <p>Most of the activities under this scorecard are under the preparation status and will be initiated during the second quarter.</p> <p>Please, see respective scorecard for the details of activities.</p> <p>Current score is 1 out of 22.</p>

Result/Indicator/Unit of Measure	Definition/Rationale/Utility/Limitations	Baseline	Yr 1 Actual	Yr 2 Actual	Yr 3 Target	Program Year 3 Actual				Comments
						To date				
						Q1	Q2	Q3	Q4	
24	Chamber of Notaries scorecard rating of EROL's progress with CON goals	Benchmark outcome indicator. Progress on CON scorecard toward approved and consensed activities in consultation with USAID and stakeholders. Total score possible: 26 over four years; cumulative in (#)	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
25	Office of the President scorecard rating of EROL's progress with OP goals	Benchmark outcome indicator. Progress on OP scorecard toward approved and consensed activities in consultation with USAID and Kosovar stakeholders.Total score possible: 30 over four years; cumulative in (#)	9	12(18)	8(26)	3				Target for Yr 3 is 8 out of 26. Most of activities are on the "Ongoing=1" status as the support will continue throughout the Program. Please, see respective scorecard for the details of activities. Current score is 3 out of 8.
2.3.1.	Courthouse infrastructure improved									

Result/Indicator/Unit of Measure	Definition/Rationale/Utility/Limitations	Baseline	Yr 1 Actual	Yr 2 Actual	Yr 3 Target	Program Year 3 Actual				Comments
						To date				
						Q1	Q2	Q3	Q4	
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				24 MCP courts are scheduled for Yr 3. During the Y2 Q4 EROL MCP refurbished 2 out of eight. During this quarter Y3 Q1 EROL MCP managed to refurbish five courts and the remained one (the Supreme Court) is ongoing and is expected to be completed during the first month in Q2.
IR3:	STRENGTHENED MECHANISMS FOR CITIZENS TO REPRESENT THEIR INTERESTS AND HOLD THE GOVERNMENT ACCOUNTABLE									
27	# of page visits per month on the MOJ interactive website for pending legislation Unit: # per month	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				Target for Year 3 of the EROL Program implementation 500 clicks. The total number of clicks for the second year was 9,376 clicks. The target for this indicator has been exceeded during the second year of the program implementation. During the Q1 of Yr3 there

Result/Indicator/Unit of Measure	Definition/Rationale/Utility/Limitations	Baseline	Yr 1 Actual	Yr 2 Actual	Yr 3 Target	Program Year 3 Actual				Comments
						To date				
						Q1	Q2	Q3	Q4	
										have been 57,040 clicks recorded.
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	13				Under USAID Forward, Two (2) grants have been awarded to local partners, Balkan Investigative Reporting Network – BIRN to implement 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 the USAID Forward grantee awarded 13 Court Monitoring Initiative throughout Kosovo
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)	7(20)	0				No Activity to report for this indicator. As PROPs are related to the Model Courts we expect to have first functional PROPs during the next quarter.
3.1.	Increased									

Result/Indicator/Unit of Measure	Definition/Rationale/Utility/Limitations	Baseline	Yr 1 Actual	Yr 2 Actual	Yr 3 Target	Program Year 3 Actual				Comments
						To date				
						Q1	Q2	Q3	Q4	
	Professionalism of Citizen Groups and Journalists to Monitor Government Activity and Influence Policy									
30	# of USG-assisted campaigns to enhance public understanding; NGO support/media coverage of judicial independence and accountability Unit: #	Standard F output indicator. Tracks inputs that strengthen those mechanisms focused on public understanding, NGO support and media coverage of judicial independence and accountability. Campaigns designed to support GOK initiatives. Definitions must be shared/vetted with all NGOs involved. Targets TBD as grant TORs are accorded with USAID.	N/A	112	350	Twelve ⁴ (12) community meetings				EROL staff conducted a series of minority community outreach meetings reaching out 253 individuals in total with Alb = 162, Serb = 30, Roma = 14, Egyptian = 18, Turkish = 20, Gorani = 1 Male = 130; Female = 123

⁴ **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. Plan of action: February – June 2013 / Organizing community meetings in 22 municipalities in Kosovo. Numbers of meeting organized so far: 12 meetings (Prizren, Pristina, Klllokot, Gjakove, Rahovec, Peje, Prizren, Mamush and Dragash)

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	
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				Activity to be attained in Yr 3. 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
Support KJC in inter-Ministerial legislation working groups	2	2				Activity to be attained in Yr 3. EROL continued to work with the Work Group on Amendments to the Law on Courts, Law on the KJC, Law on the State Prosecutor, Law on Special Prosecutors, and Law on the KPC. EROL supported a workshop to make additional amendments as well as assist with the review, editing, and compilation of comments and proposals in collaboration with its counterparts. EROL supported working group on new
Support development of follow-on Strategic Plan	2	2				Activity to be attained in Yr 3. EROL continued to support the KJC's effort with developing a strategic plan. With EROL assistance, KJC established a

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 organizational structures for each court.
Staff recruitment/selection standards in place						
Staff promotion standards in place						
Staff discipline/dismissal standards in place						
Internship programs functioning successfully	2					Activity to be attained in Yr 3. EROL hired two interns who provided significant support to the KJC's efforts with respect to the Implementation
Judicial selection procedures improved	Completed	2				EROL provided substantial support in collaboration with European advisors in a working group resulting in revised regulations on judicial selection
Judicial evaluation procedures improved	Completed	2				EROL supported, in collaboration with European advisors revision of regulations on judicial evaluation
Judicial promotion procedures improved		2				EROL supported the revision of regulations on reappointment of judges and evaluation of judges' performance
Judicial disciplinary procedures improved						
KJC database for judicial personnel in use	2	2				This activity has not moved forward due to questions regarding funding of the database
Track legislation reviewed by legal office	2	0				Activity to be attained in Yr 3 and Yr 4. EROL continued to act in an advisory capacity to the Work Group on Amendments to the Law on Courts, Law on the KJC, Law on the State Prosecutor, Law on Special Prosecutors, and Law on the KPC, and reviewed, edited, and compiled comments and proposals in collaboration with its counterparts.
Track implementation of procedures for effective court admin						

Case flow, reception, assignment, management	2	2				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				Activity to be attained in Yr 3 and Yr 4
Attention to court users	2	0				Activity to be attained in Yr 3 and Yr 4. Web portal assessments (web strategy and web development plans) have been submitted to the KJC for review.
Transparency and information access	2	0				
Increased and more effective use of automation						
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 assessment under review.
Minority outreach efforts						
Draft minority access assessment						Draft report on Minority access submitted to USAID.
Draft outreach campaign		2				EROL drafted brochures to encourage minority community citizens to enter programs for professional positions in the judicial system – approved by KJC and USAID
Draft requirements for translator program		2				EROL participated in a working group to develop a new law to certify court interpreters and translators.
TOTAL:	20	20				

KOSOVO PROSECUTORIAL COUNCIL SCORECARD

Kosovo Prosecutorial Council Scorecard	Year 3					Description
Target/Actual (per Quarter)	Target	Q1	Q2	Q3	Q4	
<p>Facilitate development of strategic plan</p>		2				<p>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/Q2.</p>
<p>Facilitate development of annual plans</p>	2	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/Q2.</p>
<p>Facilitate development of implementation plan and committees</p>						<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</p>

						regulation on the organization and activity of the KPC.
Instruction manual (SOP) with regulations, policies, procedures		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> <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>
Support implementation of SOP across KPC	2	1				<p>EROL participated in working groups that assisted KPC in drafting/amending regulations concerning discipline⁵ 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.</p> <p>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 Y3/Q2.</p>

⁵ By agreement, EUOK is responsible for the development of disciplinary regulations, and EROL is responsible for ethics matters.

Develop job descriptions/TORs for KPC Secretariat staff					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.
Train KPC in needs-based budgeting and justification		1			<p>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.</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>
Legislative drafting support: secondary legislation		1			<p>In Y2, EROL participated in working group that assisted KPC draft/amend regulations concerning discipline⁶ and prosecutor performance & evaluation, and an administrative instruction on setting annual performance norms. In Y3/Q1, EROL continued to provide technical assistance in support of KPC drafting activities.</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>

⁶ By agreement, EUOK is primarily responsible for advising the KPC on disciplinary activities.

Development of new staff training module		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 Y3/Q2.</p>
Draft public relations strategy		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 Y3/Q2.</p>
Draft public relations training modules and materials		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				<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>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>
Support formulation of external/internal communication plans	2	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 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 Y3/Q2.</p>
Incorporate public messages into overall outreach activity	2	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 Y3/Q2.</p>
TOTAL:	8	13				

MINISTRY OF JUSTICE SCORECARD

Ministry of Justice Scorecard	Year 3					Description
	Target	Q1	Q2	Q3	Q4	
Legislative drafting						
Draft training modules						Yr 2 Target Completed.
Implement training program in legislative drafting	2	0				Activity to be attained in Yr 3 and Yr 4.
Draft legislative enactment plans						Yr 1 Target Completed.
Define guidelines for public participation						
Capacity development for public participation						
Support for secondary legislation drafting	2	0				Activity to be attained in Yr 3 and Yr 4. No activities undertaken during the Q1
International Legal Cooperation Department (ILCD)						
Training needs analysis report						Yr 1 Target Completed.
Develop training modules for ILCD						Training Module developed and provided during the first year of Program implementation.
Develop international legal assistance manual						Yr 1 Target Completed.
Training MOJ officials in implementation of roles	2	1				Activity to be attained in Yr 3 and Yr 4. In year one, conducted 2 day workshop on International Legal Cooperation in Civil Matters and delivered Practice Manual to Ministry of Justice Officials; in Q1, year 2, prepared a comprehensive sensitive case file use and storage protocol which was accepted for use by the Acting Director of the ILCD
Complete agreements with interested nations	2	0				Activity to be attained in Yr 3 and Yr 4. The DILC requested training in the negotiation of bilateral agreements, but illness of DILC Director, and late

						inauguration of the new EU Twinning Project (a strategic partner with EROL) delayed this initiative. This training is planned for Y3 Q1 or Q2. Following the training, EROL will support travel by officials to negotiated bilateral agreements with interested nations.
Exchanges with EJN and EuroJust	2	0				Activity to be attained in Yr 3 and Yr 4. No Activity to report.
Litigation Unit						
Training needs analysis report						Yr 1 Target Completed.
Develop training modules						Activity to be attained in Yr 3 and Yr 4. 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				
Training in oral and written advocacy skills	2	0				
ToT for local trainers	2	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 Y3 Q1 or Q2.
Training in administrative litigation	2	0				Activity to be attained in Yr 3 and Yr 4
Training in civil litigation	2	0				Activity to be attained in Yr 3 and Yr 4
Compilation of training into a reference book	2	0				Activity to be attained in Yr 3. This activity is related to the above training activities. See above.
TOTAL	22	1				

CHAMBER OF NOTARIES SCORECARD⁷

⁷ 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

OFFICE OF THE PRESIDENT SCORECARD

Office of the President Scorecard	Year 3					Description
Target/Actual (per Quarter)	Target	Q1	Q2	Q3	Q4	
Report on justice-related competencies of OP						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.
Establish working group per Project design TORs						Yr 1 Target Completed.
Support creation of coordination mechanisms						Yr 1 Target Completed.
Intra-governmental roundtables						Yr 1 Target Completed.
Draft PR strategy						<p>Yr 2 Target Completed.</p> <p>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.</p>
Train public relations team members						<p>Yr 2 Target Completed.</p> <p>In Year 2, EROL conducted a series of PR training sessions for the OP team in order to empower the professional skills in media interaction and enhance thus the President's communication with citizens on justice related matters. The following activities were undertaken to accomplish this objective.</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			Activity to be attained in Yr 3.
Support drafting of written protocols/circulars/guidelines	2	1			Activity to be attained in Yr 3. EROL has supported the Office of the President to finalize the Regulation on Procedure of Promulgation of Laws enacted by the Assembly of Kosovo at the two-day drafting session organized in Boge, Peja on 23-24 May, 2013. The Regulation regulates procedures, deadlines and administrative actions from the submission of the law to the OP up to its promulgation or return for reconsideration..
Support agencies to implement protocols	2	1			Activity to be attained in Yr 3 and Yr 4. 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.
Train legal officers of OP	2	1			Activity to be attained in Yr 3 and Yr 4. In this quarter, EROL has undertaken preparations to conduct the training for legal officers on drafting secondary legislation. The training will gather legal officers from the Office of the President, the Ministry of Justice, the KJC and the KPC and will deal with substantive and procedural aspects of the drafting of secondary legislation in Kosovo following the entry into force of a new regulatory framework on legal drafting. The training will be organized on 4-5 July 2013 (Q2).
TOTAL:	8	3			

MODEL COURTS PROGRAM SCORECARD⁸

Model Courts Scorecard									
KEY STANDARD		The Supreme Court	Pristina District Court ⁹	Gjilan District Court ¹⁰	Lipjan Municipal Court ¹¹	Istog Municipal Court ⁴	Viti Municipal Court ⁴	Rahovec Municipal Court ⁴	Suhareka Municipal Court ⁴
1	Reorganize administrative duties between Presiding Judge and Court Administrator	2	2	2	2	2	2	2	2

⁸ The MCP Scorecard 1 includes first eight participant courts on EROL MCP as per their operation under former courts structure.

⁹ 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.

¹⁰ 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

¹¹ 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	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
7	Enhance court communication with the public	2	2	1	1	1	1	2	1
8	Improve accessibility and security of court facilities	2	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	1	3	3	3	3	3	3	3
TOTAL:		15	15	18	17	16	16	16	17

MODEL COURTS PROGRAM SCORECARD^{12-II}

Model Courts Scorecard									
KEY STANDARD		Pristina Basic Court - Podujeva Branch ¹³	Pristina Basic Court – Glllogvc Branch ⁶	Ferizaj Basic Court –Kacanik Branch ⁶	Gjakova Basic Court –Klina Branch ⁶	Gjakova Basic Court – Maliseva Branch ⁶	Peja Basic Court – Decan Branch ⁶	Prizren Basic Court – Dragas Branch ⁶	Mitrovica Basic Court – Vushtrri Branch ⁶
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

¹² The MCP Scorecard 2 includes second eight new participant courts that joint EROL MCP on the Yr2 Q4.

¹³ As foreseen on the new LoC the Branch Courts operate under the Basic Courts which

6	Streamline procedures for effective procurement and use of court logistics and supplies	0	0	0	0	0	0	0	0
7	Enhance court communication with the public	0	0	0	0	0	0	0	0
8	Improve accessibility and security of court facilities	1	1	1	1	1	1	1	0
9	Ensure that court proceedings are open and that all that appear before the court have the opportunity to participate effectively	0	0	0	0	0	0	0	0
TOTAL:		9	9	9	9	9	9	9	9

EROL MODEL COURT – 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.
	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.

Key Standard	Scoring	
	Score	Criteria
	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.
	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.
	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.

Key Standard	Scoring	
	Score	Criteria
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.
	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. The refurbishment activities area completed in two courts; the process is ongoing in six additional court facilities.
	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 than currently court use. So, the increase of the court rooms which enable courts to receive more public to the open hearings.

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

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						Yr 1 Target Completed.
Support program and materials for CC judges drafted						Yr 2 Target Completed. 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						Yr 1 Target Completed.
Training modules developed for legal advisors						Yr 1 Target Completed.
Training provided to legal advisors	2	1				In Y3/Q1, EROL proposed training programs for KCC legal advisors. As a result, in Y3/Q2, EROL plans to provide two training sessions for Legal Advisors (and others): (1) a Legal Reasoning & Writing program adapted from a module prepared for the KJI; and, (2) a Constitutional Court Conference.
Exchanges with international jurists (visits to Kosovo or travel)	2	1				In Y3/Q2, EROL plans to provide substantial technical support to a Constitutional Court Conference that will include educational presentations by three to five international jurists

Preparation of research papers for conference		1				regarding the self-execution nature of KCC judgments, and the need for lower courts to dispose of Constitutional questions and/or to request advisory opinions from the KCC regarding Constitutional questions. In Y3/Q1, EROL and KCC began planning discussions regarding these activities.
Conference on constitutional jurisprudence and adjudication		1				
Internship program launched (year 2) and monitored (2-4)	2	1				The KCC instituted an internship program in Y2. In Y3, EROL expects to assist the KCC by providing training to strengthen relevant skills of the interns, including legal reasoning and writing. In Y3/Q1, EROL proposed training programs for KCC legal interns.
Materials created and distributed as bench references						Yr 2 Target Completed. EROL prepared summaries of the 93 cases decided in 2011, as well as a complete subject matter index, for inclusion in the Court's Bulletin of Case Law 2011, which will be widely distributed to judges and other legal professionals for use and reference manual.
Library needs assessed and materials procured						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.
Training module developed for internet research						Yr 2 Target Completed. The Legal English Program Legal Research Module, prepared in conjunction with KJI, will be offered to legal advisers and legal researchers with sufficient English language proficiency at Constitutional Court.
Reference manual created and distributed	2	1				In Y3, EROL will provide reference manuals to KCC judges, legal advisors, 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 aKCC/EROL/Law Faculty collaboration, and provides guidance on the implementation of international human rights mandated by the Constitution.
ToT in adult learning principles						Yr 2 Target Completed. Completed for the legal advisers in program year one.
Local and international trainers train advisors together	2	1				In addition to KCC-related training provided during Y1 and Y2 by international and national trainers, international and national trainers will present programs on the self-execution nature of KCC judgments, and legal reasoning and writing during Y3/Q2. In Y3/Q1, EROL and KCC began preparations for the programs.
Local trainers begin to train on their own	2	1				KCC trainers will deliver legal reasoning and writing programs to interns in Y3/Q3 and/or Y3/Q4.
Deploying software for full-text searchable decisions online	2	1				In Y3/Q1, the KCC database/search engine was deployed in a test format, with full deployment expected in Y3/Q2. 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/Q2,

TOTAL:	14	9				
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KOSOVO JUDICIAL INSTITUTE SCORECARD

Kosovo Judicial Institute Scorecard	Year 3					Description
Target/Actual (per Quarter)	Target	Q1	Q2	Q3	Q4	
Assessment of KJI structure and curriculum, and their degree of alignment with LoP and LoC						<p>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 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>
Draft training courses						Yr 1 Target Completed.
Training of Trainers (TOT)						
Training of trainers program developed						In conjunction with KJI instructors selected by the Director, EROL prepared modules Legal Reasoning and Writing, Court Management, Case Management, and Judicial Ethics with interactive learning features that will be introduced to all KJI instructors. Several programs were delivered with fulltime and adjunct KJI instructors participating in Q4. This initiative will continue in Y3
ToT program carried out with KJI instructors	2	1				Three new KJI trainers were trained in the Judicial Trial Practice and Communications programs with the assistance of KJI full-time instructors; the two programs were presented to judicial audiences by EROL and KJI instructors in a TOT environment.
English language TOT training						
Training of trainers program developed						Yr 2 Target Completed. 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				In Y3/Q1, an EROL trainer mentored KJI trainers in the delivery of seven programs to judicial audiences (one instance each of Judicial Ethics, Case Management, Communication Skills, and Judicial Trial Practice; and, three instances of Legal Reasoning & Writing). Due to other KJI activities, no English language courses were delivered.
Training program on OSCE recommendations prepared						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 Y3. 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.
STTA provided in holding judicial conferences						In Y3/Q1, 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. In the KJI context, during Y3/Q1 KJI and EROL trainers produced three regional judicial conferences on legal reasoning and writing topics, and a conference for Court of Appeals judges on the same subject matters.
Judicial conferences held	2	1				Activity to be attained in Yr 3 and Yr 4. 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 for Y3.
Develop list of potential local and int'l partner institutions						Yr 1 Target Completed.
Support development of relationships with institutions	2	1				Although the KJI Director and/or KJI staff members have participated in international exchanges with comparable institutions, 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. Activity to be attained in Yr 3 and Yr 4. Initial meeting with Federal Judicial Center

						Director of Research in Q4 of year one; tentative plans to cooperate on legal resources. EROL and KJI Director conferred in Q3 regarding further development of this initiative, further discussions regarding this activity occurred in Q4 (particularly regarding relationships with other institutions in Kosovo), and more activity is planned in this regard in Y3 after the proposed transformation from the KJI to the Justice Academy is resolved.
Support to attend international conferences	2	1				<p>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.</p> <p>Activity to be attained in Yr 3 and Yr 4. EROL plans to support a study tour for KJI representatives to a legal education conference in the United States. EROL and KJI Director conferred in Q3 regarding further development of this initiative, further discussions regarding this activity occurred in Q4 (particularly regarding relationships with other institutions in Kosovo), and more activity is planned in this regard in Y3 after the proposed transformation from the KJI to the Justice Academy is resolved.</p>
KJI website enhanced						
Include reference materials and legal information on site						Development of the KJI software application was completed in Y3/Q1, and training of KJI staff, and full deployment of the staff-tested software will follow immediately.
Develop test version of KJI website						
Develop draft database of trainees						
Develop distance learning demonstration course						Development of the distance learning demonstration course will accompany the development of the website. Development of the KJI software application began in Q3, continued in Q4, and is expected to be completed in Y3 Q1, which will allow commencement of related activities. Discussions with KJI and other international donors about the implementation of the distance learning platform accelerated in Q4, and will continue in Y3.
Distance learning platform and catalog deployed and in use	2	1				The EROL-funded website was completed at the close of Y3/Q1, and training/deployment will follow immediately. The website provides an electronic link to the KJI distance learning platform. The Judicial Training Advisor has conferred with the KJI Director concerning adaptation of seven training modules developed with EROL technical assistance to the e-learning platform, and has proposed that KJI and international advisors expand the catalog of e-courses during Y3.
TOTAL:	12	6				