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KOSOVO

EFFECTIVE RULE OF LAW PROGRAM

Quarterly Progress Report



The Forum of Women Judges and Prosecutors of Kosovo at the US Department of Justice during an EROL-supported study tour. EROL and OPDAT coordinated efforts to send four judges to Washington DC and the US National Association of Women Judges annual conference in San Diego.

Year 4 Quarter 3
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INTRODUCTION

This document describes USAID Kosovo Effective Rule of Law Program (EROL) progress on completion of Year 4 activities and deliverables and expected contributions to life-of-program results during the period Quarter 3 (October 1, 2014 through December 31, 2014). The report also highlights selected project activities, outputs, results, successes, challenges, and opportunities, and provides a snapshot of project accomplishments and the status of milestones as of the beginning of Year 4, Quarter 3.

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

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

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

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

This report is broken down into the following sections:

- Summary of program progress to date and program highlights
- Description of the 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

EROL made considerable strides toward accomplishing Year 4 objectives. EROL focused staff efforts on activities delivered to its key counterparts – the KJC and its secretariat, and the courts. EROL worked very closely with the secretariat to develop increased regulation review, expand backlog reduction teams, draft a council meeting manual, finalize KJC's web portal functionality, and complete planned court refurbishments.

EROL's internal team reviewing regulations re-calibrated its work this quarter, focusing on shifting the secretariat's attention to amending the laws on the KJC and courts. In Quarter 2, EROL had completed revision of several key regulations and sub-legal acts. In Quarter 3, it was clear that EROL's work on additional regulations would be

unproductive unless the judicial laws were amended. EROL discussions this quarter with the secretariat's director underscored just how critical technical changes to these laws are, and while the process involving the MOJ is challenging, it must be made a top priority in 2015 now that a new government is in place. EROL will continue pressing the secretariat on a plan forward to amend the judicial laws, as without them, further regulation drafting and review would be ineffective.

EROL also drew upon the director of the secretariat for considerable input on web portal design. The portal is extensive, with pages for the secretariat, the Supreme Court and its special chamber, and all basic courts, and requires a significant investment of time for iterative review. This quarter, the director appointed a content management group for the KJC to assist with populating basic and branch court pages. Keeping this working group on track is critical as it will also train court staff to administer their pages, and will generally be responsible for future portal updates and improvements well after EROL ends. The web portal's development has taken place within the framework of the overall KJC communications strategy to improve and streamline court communications activities. EROL and the secretariat worked closely crafting the strategy through Year 4 – and as this quarter ends, EROL and the secretariat are planning further training with public information officers to implement the strategy and sustain its underpinnings through 2015 and beyond.

Other KJC and secretariat activity advanced this quarter with completion of a draft council meeting manual. By mid-December, EROL had met with each council member for extensive interviews, gathering feedback and commentary on the manual, intended to guide council in more efficient meeting order. EROL also contributed significantly to two small but noteworthy projects to standardize forms of summons used in the judiciary and clarification of the instruction on court fees. The court fee schedule is particularly important, as it will be posted to the web portal for much wider public accessibility than before.

Backlog reduction activities continued to dominate Year 4, Quarter 3 with two EROL teams in Podujevo Branch Court and Gjakova Basic Court assisting judges with case disposition. The backlog team model was considerably successful in both courts so that by the end of this quarter, EROL had begun recruiting a team for the Pristina Basic Court. Through the end of the quarter, the backlog teams had closed more than 2,500 cases.¹

Complete and accurate statistics reflecting the work of the courts – including backlog reduction – were at the heart of two significant EROL activities this quarter. EROL's re-design of the courts' electronic case registry included weekly meetings with the vendor to determine which of the hundreds of database fields should be migrated or deleted. EROL and the vendor also cooperated in the design of user interfaces – by the end of the quarter, the vendor had delivered several prototype designs to EROL for evaluation.² EROL also engaged an advisor this

¹ The courts are still actively updating case data for actions taken in 2014 and will continue to do so through January 15, 2015. As a result, the numbers presented above do not entirely reflect court performance. EROL will re-run Quarter 3 results in February 2015, and submit a supplemental report with final statistics on case closings.

² The EROL-developed database includes data collected on approximately 500,000 pending and closed cases (civil and criminal – but not minor offense or execution) and is in demand. It is a regular and often daily, source of information for the courts, and is used by the Secretariat's statistical office to verify reporting. In addition, data from the EROL system is routinely shared with other USAID programs that require case-related data.

quarter to work with the KJC, the secretariat and courts on statistics collection and analysis. By the end of December, the advisor had conducted exhaustive interviews with key counterparts and conducted three focus groups to develop an exhaustive assessment of the judiciary’s current policies and procedures related to statistical reporting. Next quarter, in cooperation with counterparts, the advisor will draft a comprehensive manual based on this analysis that will guide the courts through a consistent process system-wide - an important first step to measure caseload, how cases are counted, and what manual and automated system process is required to obtain accurate counts.

EROL supported two study tours this quarter focused on judges and judicial education. In October, four judges from the Forum of Women Judges and Prosecutors attended the US National Association of Women Judges annual conference in San Diego, California with EROL assistance in cooperation with OPDAT. The judges also traveled to Washington DC for a series of meetings with the International Association of Women Judges and the ABA, and tours of the US Supreme Court and Department of Justice libraries, among other activities detailed below. A second study tour sent the KJI director and six staff (including a president judge) for a week of intensive training at the National Judicial College in Reno, Nevada. This instruction laid the foundation for EROL’s subsequent activities with the KJI this quarter, such as building sound fundamentals of curriculum development, conducting training needs assessments and designing eLearning courses.

EROL also assisted the KJI this quarter with substantially completing draft texts for two civil and criminal benchbooks – only final editorial review, translation, and formatting remain before the two reference works are published next quarter. Another publication – a pamphlet of guidelines for legislative review – was completed this quarter as well, in cooperation with the Office of the President’s legal department. EROL will distribute the guidelines beginning mid-January.

“This is a best training I have had - I wish I had an opportunity to participate earlier, so my work would be more efficient with fewer problems. This training should be mandatory for all USAID-funded organizations and should be organized at least two times per year.”

Evaluation comments from EROL-supported training for USAID Forward grantees on rules and regulations compliance.

Activities remained on hold at the MOJ’s State Advocate’s Office. EROL is ready to begin work with the state advocate once he or she is appointed.

Outreach to Kosovo minorities this quarter was highlighted by North Mitrovica law students’ visit to the Court of Appeals in Pristina. The students attended court hearings and were invited on a tour by an appeals court judge who is also chair of the Women’s Forum. EROL hosted a second outreach meeting for Bosnian students at a private university law department; EROL’s Bosnian-speaking staff delivered a presentation on the court and prosecutorial structures in that language.

At the close of the quarter, EROL’s technical assistance to the Advocacy Training and Resource Center (ATRC) and other USAID Forward grantees and sub-grantees was delivered in three-day workshop taught by an expert instructor from the organization InsideNGO. The training successfully provided the most exhaustive examination of USAID rules and regulations compliance most civil society organizations had received to date. The training was highly endorsed by participants, who requested EROL offer similar instruction for NGOs again before the end of the project.

EROL also made initial inroads developing communications with the judiciary in the North. EROL met twice with the current presiding judge of the “parallel” appeals court in Mitrovica. EROL’s focus continues to be on developing a dialogue and trust in order to better prepare for the eventual integration of the courts in the North into the Kosovo legal framework.

During the reporting period, EROL discussed with USAID the potential for a short no-cost-extension (NCE). EROL submitted a draft proposal for the extension that would have EROL narrowing its programmatic focus to five core initiatives. In support of this, EROL would realign the current project staffing and program budget, shifting sufficient resources to make significant operational progress as well as provide continued support for sustainable change and improvement. During the proposed extension, EROL would focus on backlog reduction, information management, decentralization of judiciary operations (including the implementation of a comprehensive professional court administration development program), regulation and legislative drafting, and preparation for the integration of the judicial system in the North in accordance with the Brussels agreement.

CONTEXT: CHALLENGES & OPPORTUNITIES

After six months of political stalemate, Kosovo’s new government was formed in mid-December. This was the key first step for the Assembly filling the five vacancies on the council. Although no Assembly action on this crucial issue took place before the holiday adjournment, the Assembly will be constituted shortly after the new year, and key government institutions have committed to making the election of members a priority. Although EROL has led KJC efforts since Quarter 2 to prepare the Assembly to act to select council members, even once the judiciary committee begins examining the slate of candidates it may find selection difficult - the KJC has sent the Assembly more than 100 possible names of judges/candidates, complicating and possibly slowing the process. EROL is standing by to provide whatever additional support it can once the Assembly reconvenes in January. Bringing the council to its full complement of members continues to be high priority for EROL, even though its ability to assure that the vacancies are filled is limited.

Although the council remained without a quorum this quarter, EROL took advantage of this window to implement several other key activities strengthening the KJC and the secretariat’s operations. EROL conducted a round of interviews with each council member for input on the first draft of a meeting manual streamlining council meeting processes. EROL was also able to meet several times with the KJC secretariat’s director for feedback on EROL’s regulation review. While EROL made progress on some regulations this quarter, by the end of December it became clear that many would require feedback from other institutions or changes in the laws on the KJC and the courts before completion. EROL next quarter will proceed with focusing on amendments to the laws on the courts and KJC to move the process along.

Implementation of the KJC’s communications strategy developed and adopted with considerable EROL assistance stalled somewhat this reporting period, but by the end of December, EROL and the secretariat began planning a workshop and series of meetings with president judges and public information officers to ensure that the strategy is being implemented properly. This workshop is intended to address consistent justice sector messaging. Another communications tool, the KJC’s web portal, slowed development somewhat this quarter as EROL worked through some mixed and sometimes contradictory feedback on the portal’s design.

The courts’ case backlog remains a high priority and a significant challenge. Results thus far from the backlog reduction teams are promising (detailed in the model court section), and EROL plans to expand the concept to the

largest court in Kosovo – Pristina Basic Court. The concept targets the increased use of “professional associate” staff to review and identify actions needed to close cases. EROL has identified several key areas in which the current practices of the courts contribute to the creation of delays and inefficiencies. One concern remains with the current “norm” system in which judges have a set number of cases to complete each month. Judges tend to work to the norm and not beyond; this contributes significantly to ineffective case processing and at times has slowed the work of the backlog reduction teams. EROL has discussed this with the president judges, and while some progress has been made, it continues to be an issue that the courts generally should address.

Other issues impacting EROL backlog team work was the continued practice of judges in both Podujevo and Gjakova maintaining case files in their offices rather than the central registry management office. With files locked in offices, whenever a judge was unavailable, his or her files were generally inaccessible. Compounding this problem was the often undocumented movement of cases between judges, and the courts’ general inability to determine the exact location or status of files at any given moment. Insufficient file storage space was in part blame- in Podujevo and Gjakova archives are full to overflowing, so that completed cases are stored in the registry, severely limiting space for open and pending cases. EROL will work with the courts next quarter to evaluate and recommend appropriate archiving rules and procedures proscribing how archive space issues should be addressed.

Another significant issue impacting backlog cases is that courts are generally unprepared for succession planning. For example, in Gjakova, one judge retired recently, with another to follow this spring. The court has no action plan anticipating these known events to ensure that the positions are filled in a timely manner. In Podujevo, the court lost its assistant administrator early in Quarter 3; the court has yet to interview for that position even though qualified candidates exist in the quarter and within the larger court system. EROL will work next quarter with the Podujevo and Gjakova courts to address the open positions issues so that impact to backlog will be minimal, however; the current the current systems in place for hiring judges and administrative staff sets up the courts for long delays, especially in terms of judicial appointments. This is a longer-term problem that should be addressed by the courts and KJC.

Work with the KPC continued to be sidetracked this reporting period due to KPC organizational issues. The council, compelled by a Constitutional Court decision to re-examine its nomination of a chief state prosecutor last quarter, set about revising the regulation governing the process, but not until late in the quarter. By the end of December, council had finally completed amending the regulation, and had advertised for the vacancy so that at least by mid-term next quarter, a new chief state prosecutor should be in place. At that time, the council will be able to move on adoption of its strategic plan – a plan EROL and other donors had completed more than one year ago.

The situation was unchanged at the MOJ’s State Advocate’s Office (SAO). EROL remains committed to providing training and support to state advocate attorneys once a state advocate is appointed and provides direction as to training needs.

EROL this quarter delivered its 16th renovation, with an inauguration event at the Klina Branch Court. Based on specific requests from the KJC, EROL plans to assist with finishing (courtrooms and central records area) the newly built Vushtrri Branch Court. Assistance is needed because buildings funded and built by the KJC and now coming online were designed prior to model court standards being adopted and implemented. In addition, the KJC plans to move the Supreme Court, Court of Appeals and Pristina Basic Court to the newly built palace of justice in

Pristina in the early part of 2015. EROL will support the move with planning and installing case record archive shelving.

Last quarter, EROL had originally planned an intensive training on USAID rules and regulations compliance for three staff from the Advocacy Resource and Training Center (ATRC). However, circumstances dictated that training be rescheduled - this allowed EROL to work with the training organization to hold a larger, more mission-wide workshop hosted in Pristina at the beginning of December. The training reached not only ATRC's four staff, but 26 additional civil society participants working in various sectors in all parts of the country, including the North. The training received overwhelming positive reviews from participants.

EROL gained some access to the North's judicial sector this quarter. Building on discussions last quarter with senior-level Kosovo Constitutional and Supreme Court judges who are Serbian, EROL met twice with a judge who is the head of the North's appeals court and once with the chief prosecutor of the appeals court. In cooperation with OPDAT, once Kosovo's new government is in place, EROL is ready to assist the KJC and courts in the North quickly, and at the appropriate time when the Kosovo-Serbia talks reach an accord.

As efforts move towards reinstating talks on the North, EROL is concerned that the time demands on senior counterpart decision makers to travel to Brussels on a regular basis will result in potential delays on moving forward with program activities. Coupled with the possible moves by the courts to the palace of justice – before the sufficient planning is completed – could add to time demands further delaying critical counterpart feedback and decisions that will be needed during the final months of the project.

ACTIVITIES

OBJECTIVE 1: EFFECTIVE OPERATIONS OF JUSTICE SECTOR INSTITUTIONS

1.1 KOSOVO JUDICIAL COUNCIL

The lack of a judicial council quorum did not impede EROL from continued progress toward several key work plan activities in Quarter 3. In cooperation with the council chair and the director of the secretariat, EROL assisted the KJC with a variety of activities – from regulation review to web portal development to drafting a meeting manual. All of these activities were on track as EROL entered its last quarter of the project - and with a new government formed in mid-December, the Assembly is closer to filling the council's five vacancies so that the business of the KJC and courts will be ready to advance in the near future.

A significant amount of EROL assistance to the KJC continued in Quarter 3 with support to the secretariat's legal department reviewing draft regulations and instructions. EROL met with the director of the secretariat to re-prioritize regulations under the laws on the courts and the KJC, and discuss EROL's drafting revisions to forward to the council's normative committee. In Quarter 2, EROL had finalized three normative acts - a draft regulation for recruiting judicial candidates from non-majority communities, a judicial code of ethics and a regulation on transferring judges. The director of the secretariat requested additional provisions to the code of ethics for judges. The third regulation was set to become part of a single regulation including appointment, evaluation, transfer, and removal of president and supervisory judges; it will include guidance for judges, defining a career path for them within the judiciary. In Quarter 3, work continued on other regulations but as EROL began to further evaluate the regulations, it repeatedly discovered that the laws on which the regulations were based were unclear, inconsistent or in need of elaboration. Because of this, EROL by the end of December began to shift its

focus to identifying which articles of the judicial laws need amended, and prepare plans to draft amendments to the laws. EROL will formalize this process during the first weeks of the fourth quarter, and will coordinate with advisors from EULEX and Human Dynamics. The result will be a package of amendments to the judicial laws addressing shortcomings in the existing laws so that a sound basis is created for needed regulations.

EROL continued working with the KJC this reporting period on efforts to delegate certain administrative competencies from the secretariat to the basic courts. EROL provided guidance on the substantive issues to the subgroups working on logistics and procurement and personnel, and participated with a World Bank project to train court staff on budgeting. Early 2015, the secretariat plans to decentralize budgeting responsibilities to the courts. It will provide support for the following six months to assure the courts properly implement budget rules - EROL will continue its substantial input in this process through the end of the project.

Once the council does re-convene, challenges will remain for its members when providing strategic guidance to the judiciary and in managing meetings when complex issues or regulations are before it. This prompted EROL in to develop a meeting manual for the members – a draft version was completed this quarter. EROL met individually with each member of the council for feedback on the manual and other administrative matters that would make its meetings more effective. The manual featured a simple set of rules of order guiding complicated discussions. The manual will be a particularly useful tool for the five new council members when they are elected by the Assembly. Also included were pertinent laws and regulations, so that council will have that information easily accessible during meetings. The manual has been positively received by members, and EROL in collaboration with the KJC will facilitate a working session of council members next quarter to finalize the draft so that it is ready for adoption once the new council is constituted.

Two small, but important projects in which EROL participated during Quarter 3 were the standardization of forms of summons used in the judiciary and clarification of the instruction on court fees throughout the judicial system. When it was discovered that several different summons forms were in use, the secretariat organized a working group to standardize the language of a form of summons that can be used throughout the system. EROL participated in this group. EROL noticed that the instruction on court fees was replete with references to other sections of the instruction which would make it impossible for the public to understand. EROL began a process to eliminate the internal cross references so that the fees can be easily understood. EROL also discovered that the court clerks themselves were not completely clear on how to use the fee instruction; EROL is making plans to assure that all courts are uniformly applying the fee schedule.

The new court fee schedule will soon be accessible to the public anytime via the KJC and courts' new judicial web portal. This quarter, EROL and the KJC completed the technical design and navigational functionality of the portal; training for KJC and court staff to populate the site and continue developing initial standardized methodologies for content updates and management, data updating and administrator and user features. The vendor contracted to design and develop the portal nearly finalized the site's back and front-end technical functionality, with EROL contributing substantial guidance. EROL will continue to work with the KJCS next quarter in setting policies and protocols governing the portal's content – a significant undertaking, as the site includes tens of pages providing the public access to information for each court, the council and the secretariat. The pages feature basic information such as contact information, hours and court schedules, and real-time job postings and instructions for obtaining forms and filings.

Certain court decisions will be added in the future as soon as guidelines for doing so are completed. EROL in working with the KJC and the secretariat has taken care to comply with all laws protecting personal privacy rights, as well as those requiring public dissemination of information. The portal also includes internal access for the secretariat and each court, with a suite of tools to update content, add files such as meeting minutes or laws and regulations, and general announcements. A discussion forum will also be available for internal conversations on pre-defined topics. The portal enables virtual dissemination of KJC and court information, to an extent previous efforts hardly reached – and it advances the KJC and secretariat further in satisfying EU accession requirements for open and transparent access to justice sector information. In Quarter 4, EROL and its KJC and court counterparts will finalize web portal testing and training, beginning with the Gjilan Basic Court working group taking the lead in populating its page. This process is expected to be complete in Quarter 4.

A draft manual for council meetings containing internal rules of procedure was completed this quarter with input from all council members. The manual was greeted very favorably by the chair and each council member. EROL will organize a workshop in January to facilitate further discussion of the manual and the ideas elicited from council members for more efficient meetings. The manual will then be ready for adoption by the council once new members are elected by the Assembly. It will be a useful tool to introduce the new members to the council and to their individual responsibilities.

The communications strategy EROL developed in collaboration with the KJC and the courts has been in place for this entire quarter. The strategy encompasses regulations and instructions which outline obligations for court staff (particularly public information officers) in using modern media technologies and public relations best practices to ensure that Kosovo's court system is accessible and responsive to the public. This work is the finalization of a thorough process conducted by EROL, in collaboration with the KJC, court presidents and staff, and public information officers. The communications strategy documents aim to improve and streamline all communications activities of the KJC and the courts. As the quarter ends, EROL and the secretariat are planning a workshop and series of meetings with president judges and PIOs in each court in early Quarter 4 to assure that the strategy is being implemented properly, particularly focusing on assuring that the judiciary is sending uniform messages to the public and the media.

The secretariat in Quarter 3 hired a senior legal researcher for the new research unit. As of quarter's end, that individual had been shifted to another position to monitor implementation of the judiciary's strategic plan. This addition will help assure that the strategic plan is being followed, and short-term action plans are developed to implement it. Monitoring progress against the strategic plan and the short-term plans will contribute substantially to the council using the strategic plan as an effective tool to guide its activities.

EROL in Quarter 3 continued its collaborative relationship with EULEX advisors to the KJC. EROL and EULEX advisors participated significantly in a conference this quarter organized by the ODC, the independent body that investigates violations of the codes of judicial and prosecutorial conduct. ODC hosted the conference to develop a concept paper supporting amendments to the law so that it is a more effective investigative organization. After the conference, EROL and EULEX continued to meet with the ODC's director to complete the concept paper for submission through the MOJ to the prime minister's office. A number of technical amendments were necessary to clarify the responsibilities and authority of ODC inspectors, and set forth procedures for investigations and establish a statute of limitations for violations. EROL will continue working with the ODC and EULEX in developing draft law changes in Quarter 4.

Human Dynamics, with whom EROL has worked together collaboratively in the past, is just beginning a new mandate until 2016. EROL met twice with HD to assure that there is no conflict with EROL's work plan and that the lead organization for each activity is clear. EROL continues to be committed to maintaining collegial relationships with its European counterparts, and to working with them on mutually synergistic activities through the remainder of the project.

1.2 KOSOVO PROSECUTORIAL COUNCIL

By the beginning of Quarter 3, an acting chief state prosecutor was in place, and the prosecutorial council continued meeting and functioning. The civil society member on the council had resigned in Quarter 2; this quarter, a new civil society member was elected to the council, but not without controversy. There were significant questions about the individual's affiliation with a bona fide civil society organization, and other civil society organizations continue to exert pressure on the council to replace him.

The council for several months unsuccessfully addressed the amendments to the regulation for the nomination of the chief state prosecutor that were required to bring it into compliance with the decision of Kosovo's Constitutional Court. In October, the council finally directed the normative committee to address the issue and propose changes to the regulation for council's consideration. In mid-October, the normative committee began considering the regulation. Although only two small amendments were necessary to bring the regulation into compliance with the Constitutional Court's decision, the committee determined to review the entire regulation. EROL and other international advisors participated in the several meetings necessary to complete the regulation revisions. In early December, the council approved the revised regulation and by the end of this quarter, the announcement of the vacancy was published. The timeline set out by the new regulation to complete the process of nominating the new state prosecutor means that a new chief will not be nominated until well into Quarter 4.

The council continued to table a review of its draft strategic plan, completed with EROL's assistance in May 2013. Council is not likely to address adopting the plan until a new chief state prosecutor is appointed. EROL, Human Dynamics and EULEX all are prepared to assist the council in completing the plan; indeed, Human Dynamics has prepared some proposed changes to the existing draft, but without council commitment to completing the process, the plan cannot be adopted.

The council's new director of communications this quarter invited EROL to assist with finalizing the KPC's communications strategy. EROL had drafted the strategy in 2013 – a simplified strategy in comparison to the KJC's since all of the KPC's public information is provided by the KPC/chief prosecutor's office, and not by individual prosecution offices. The council appointed a working group to review the draft plan, with EROL participation. The chair of the working group announced in December that he will take all the comments provided by members and complete the draft himself. EROL expects the plan to be submitted to the council for approval in early Quarter 4 so that the KPC will have a solid regulatory basis for dissemination of information to the media and Kosovo's public.

1.3 MINISTRY OF JUSTICE

As reported last quarter, EROL has preliminary plans to provide technical assistance to the SAO on various levels once the state advocate is appointed and the office staffed. These include drafting and enactment of SAO regulations, refining case management and database capabilities, development and presentation of an orientation

program for SAO staff, and a trial advocacy skills training program for SAO attorneys. As of the end of this quarter, the state advocate had not yet been appointed.

EROL will continue to provide technical support to the MOJ's Department of International Legal Cooperation (DILC) as appropriate. EROL has accomplished its work plan objectives per the MOJ, but is ready to provide the DILC assistance if requested and the SAO support when that office has been constituted.

1.4 OFFICE OF THE PRESIDENT OF THE REPUBLIC OF KOSOVO

EROL and the Office of the President worked cooperatively this quarter to publish guidelines for consistent application of rules and procedures relevant to reviewing laws passed by the Kosovo Assembly. The text – published in Albanian, Serbian and English - identifies key laws pertinent to legislative review, and provides clear and practical notes for the president's legal department as they evaluate legislation following generally accepted conventions and best practices. The text not only addresses cursory review of legislation, but couches the legal team's review with critical attention to effect on public policy. EROL worked closely with the director of the president's department of international and legal affairs to craft the publication as a user-friendly reference guide that experienced and new staff can rely on for uniform instructions providing a model for legislative review.

Next quarter, EROL will distribute the legislative review guidelines to the President's Office staff, and Assembly staff working in the area of legislative drafting. Through the end of the project, EROL will provide the President's Office with additional support as appropriate; by project design, EROL's activities with this office will generally draw to a close by the end of Quarter 4.

OBJECTIVE 2: INCREASE THE EFFICIENCY OF COURT OPERATIONS

2.1 ASSESS AND AMEND MODEL COURTS PROGRAM STANDARDS AND PROCEDURES

By the end of the quarter, the backlog teams had been operational for five months in the Podujevo Branch and Gjakova Basic courts. The teams provided these courts with substantial procedural and administrative assistance moving into and through the adjudication process. EROL made some adjustments this quarter with backlog team staffing - two new team members were added in Podujevo and one in Gjakova. These legal assistants were specifically tasked to work with court registries to identify and complete cases with final decisions that had never been served to the parties. Cases sometimes sitting in the registries for years began moving quickly toward judicial and administrative completion.

In Podujevo, EROL worked closely with the supervisory judge to facilitate backlog team activities. Podujevo backlog staff was assigned this quarter to individual judges with backstops in place to cover judges' vacations and sick leave. The new assignments were successful, with numbers of cases reviewed, processed and resolved increased over the quarter. Additionally, EROL created individual caseload reports for each judge, and tasked backlog staff with reconciling the caseload to the physical location and status of each case. Altogether, the Podujevo team supported the resolution of approximately 42% of all cases it reviewed. The remaining 58% are in process and moving toward final resolution.

In Gjakova, the backlog team's primary focus was civil cases, most of which were complex and required significantly more time and attention. With the longer time to adjudication, the number of cases resolved in Gjakova was less than that in Podujevo; the Gjakova team by the end of the quarter had assisted with resolution of

23% of all cases reviewed to date, while the remaining 77% continue in process and moving toward final resolution.

EROL backlog team achievements this quarter include the following:

Podujevo Branch Court

- Number of cases with action steps taken by the backlog team: 4,870
- Number of cases with more than one action step completed: 1,147
- Number of cases with no action ever completed by the court: 393
- Total cases closed to date: 2,094

These results reflect significant impact of the Podujevo backlog team, as this court's focus is criminal cases, and the criminal case disposition rate now exceeds 1.0. Thus, the court is now closing more criminal cases than are filed. Likewise, the median time to disposition is much higher than median for the courts as a whole, so that this court has a greater focus in the backlog. This is true for both criminal and civil cases in this court. The percentage of criminal backlog cases older than 24 months is dropping, and EROL anticipates that it will drop below 50% of the overall workload during Quarter 4.

Gjakova Basic Court

- Number of cases with action steps by the backlog team: 2,100
- Number of cases with more than one action step completed: 356
- Number of cases with no action ever completed by the court: 613
- Total cases closed to date: 479

At the Gjakova basic court, the civil case disposition rate now sits at 1.28 – meaning the court is now closing more civil cases than it is accepting. Likewise the median time to disposition is significantly higher than the overall median for the courts as a whole – meaning this court has a greater focus in the backlog. The percentage of civil backlog cases older than 24 months is decreasing and EROL anticipates that it will drop below 60% of the overall workload within Quarter 4.

[Note: the courts are still actively updating case data for actions taken in 2014 and will continue to do so through January 15, 2015. As a result, the numbers presented above do not entirely reflect court performance. EROL will re-run Quarter 3 results in February 2015, and submit a supplemental report on the results.]

In Pristina, the basic court agreed to a 14-member backlog team supported by EROL. The team will begin working in early 2015 exclusively with civil judges and within the civil registry. EROL will assist with development of the court's first civil cases backlog reduction action plan. The court had been unable to develop a plan, as it could not clearly identify the scope of the backlog and assign actions based on its resources.

In addition, EROL advanced another step toward improving courts' case processing, by engaging a reporting and statistics advisor. The advisor interviewed the KJC, the secretariat and court counterparts on their current reporting and statistical gathering processes, and reviewed reporting forms and instructions. The advisor also conducted three focus group meetings for a case-type by case-type analysis of the current practices in the courts, and discrepancies and variations in the procedures for case processing and the reporting processes. The advisor's

interviews and focus groups revealed that caseload data are provided by aggregated monthly reports from pertinent registers, and inputting data to manual or electronic forms. This labour-intensive process invites error, enables political "adjustments" to reported data, and is overall a very inefficient use of resources. Next quarter, the advisor will return to gather additional case data and reporting information, and will develop a publication of standard policies and procedures for use by all courts for consistent and accurate statistical reporting and analysis. These guidelines will provide significant assistance with consistent and accurate statistical data and reporting from all courts in Quarter 4.

Hand-in-hand with the statistics reporting guidelines, the EROL-supported database re-engineering moved ahead with the most time-consuming work involving evaluation of which data to migrate or delete. The database will provide accurate data for the courts, as well as a bridge to the KJC's future Case Management Information System (CMIS) supported by the Norwegian government. The database's basic data model focuses on each case with a unique identification number from filing to archive, rather multiple numbers currently in use. Basic case milestones will also be clarified so that active and inactive time can be allocated from filing to case resolution, and then to case completion. Other case-specific detail will enable many more options for reporting statistics, and in addition to greater accuracy, the EROL database re-engineering should greatly facilitate migration of system data to the future CMIS.

2.2 SELECT AND IMPLEMENT MODEL COURTS PROGRAM IN THE COURTS

EROL this quarter successfully completed its 16th court refurbishment. While the Klina branch court was the project's last planned renovation, EROL will continue some small renovation activity – this quarter, work began on a design for shelving to accommodate Pristina basic court archives in the new palace of justice. Next quarter, EROL will complete procurement and begin constructing the shelving to support improved records organization. EROL also began design for finishing court rooms and the records management area at the Vushtrri branch court.

The Klina branch court's refurbishment complied with all international model court standards EROL had followed during its four years of renovation activity. The Klina court now features two new records management offices, new courtrooms, detention rooms and restroom facilities for detainees, and deliberation rooms and attorney/client meeting rooms. Spacious archives areas were also remodeled, as well as secure office spaces for judges and other administrative staff. EROL paid great attention to accommodating persons with disabilities, including ramps, lowered public service windows and counters, and modified bathroom facilities.

EROL also finalized a design the Vushtrri branch court's furnishing, central records management offices, courtrooms and archives. Vushtrri had initially been planned for refurbishment, but was subsequently removed from EROL's list because the KJC will soon construct a new court building. At the beginning of next quarter, EROL will issue a request for proposals to carry out the work, and through the end of the project, EROL will re-visit several courts to check for any issues and make minor repairs to the renovated courthouse buildings.

OBJECTIVE 3: IMPROVE PROFESSIONALISM OF JUSTICE SYSTEM ACTORS

3.1 KOSOVO JUDICIAL INSTITUTE (KJI)

EROL turned considerable attention in Quarter 3 to building the Kosovo Judicial Institute's technical and organizational capacity to assess and implement its training programs. In November, the KJI director and six staff, including a president judge/faculty member, participated in a week-long study tour at the National Judicial College

in Reno, Nevada. With more than 50 years of experience training US and international judges, the college provided KJI staff a wide range of judicial education skills-building instruction. During five intensive days of training, college instructors introduced the KJI to principles and practices of adult learning, fundamentals of curriculum development, how to conduct training needs assessments and evaluations, faculty development practices and developing e-learning courses – all targeted to ensure KJI’s training sustainability. One of the most pertinent topics NJC discussed focused on conducting research to assist judges and prosecutors in their work – namely, selecting research subjects relevant to the judiciary and establishing cooperation with universities in research development. This dialog was significant, as KJI is currently in the design stage for its research program.

The study tour concluded with KJI’s director leading a strategic planning session that resulted in several new initiatives the judicial institute will begin in Quarter 4. Among these are development needs assessment protocols, establishing a permanent team to draft and review training curricula, implementing a program evaluation system, drafting and executing a plan for conducting research assisting judges and prosecutors, implementing eLearning modules and revising training-of-trainers curriculum. A significant proposal the director put forth was planning maintenance of its new judicial college professional relationships, as well as cultivating those with other institutions as conduits for exchanging information and best practices. EROL followed-up the highly successful Reno college visit instruction with a handbook on judicial education best practices. The handbook includes chapters on adult education, curriculum design, faculty development, eLearning and other institutional considerations such as organization change and evaluations and board relations. The handbook aims to build current staff capacity to design and deliver Kosovo’s judges and prosecutors effective educational programs, and serve as an orientation tool for future KJI professionals in the years to come.

By the end of this quarter, EROL began working with KJI to revise its training-of-trainers program by integrating the handbook described above into a two-tiered faculty development program. In Quarter 4, the enhanced TOT will include modules on designing curriculum and planning lessons, assessing student needs, developing learning objectives, evaluating learning and program outcomes, and identifying and utilizing instructional strategies such as case studies, mock trials, role plays and more. A series of TOT’s and workshops planned for the remainder of Year 4 will provide KJI with the know-how to design advanced curriculum, filling gaps in their training program along with tools to lend greater sustainability.

EROL completed development of the Kosovo Court Executive Development Program. This program was endorsed by the KJI and the KJC secretariat, and is designed to produce a cadre of court management executives trained to international management standards. The program features building a firm foundation in principles and practices of modern court management, including an overview of the history and principles of court administration and an understanding of the values and characteristics of a well-functioning judicial system. It offers comprehensive instruction in areas of functional responsibility associated with court administration—as well as the technical, interpersonal, and conceptual skills needed to lead court reform. By bringing into existence highly trained court



The Court Administration Working Group discussing implementation strategies for the newly designed Kosovo Court Executive Development Program.

administrators to work with judicial leaders, this ambitious and forward-thinking program builds an institutional framework supporting constructive change throughout Kosovo's judicial system. The KJI director was presented the final program curriculum and faculty toolkit this quarter. EROL, KJI and KJCS discussed implementation strategies, including the selection and training of faculty to begin in Quarter 4.

Throughout this reporting period, EROL's benchbook advisor continued to conduct extensive reviews of the civil and criminal texts. In November, the advisor met with both working groups to discuss more exhaustive treatment of ethics, judicial disqualifications, case management, and several other challenging court practice areas. EROL began preparing KJI for its role in finalizing text, including formatting and publication, and benchbook distribution next quarter. KJI agreed to plan a launch in coordination with EROL to publicize the books' availability, accompanied by efforts to acquaint judges with their content, and to educate them on their use and value. In addition, EROL and KJI discussed creating an internal structure to plan and oversee future bench book projects. EROL will continue in Quarter 4 to encourage appointment of a permanent committee with KJI staff and experienced judges who will evaluate future bench book proposals and select authors. Such a committee will help establish the KJI as the organizations overseeing these types of editorial projects for the Kosovo judiciary.

3.2 CONSTITUTIONAL COURT

EROL continued strengthening professional capacity at the Constitutional Court with a workshop this quarter delivered by a US federal judge and law clerk. The three-day program focused on the court's team of legal advisors and addressed re-definition of the legal advisor's current role as a mutual partnership with court judges. Intensive workshop discussions included enhancing the judge-legal advisor working relationship such that advisors would contribute substantial support to judges, including legal opinion and analysis in drafting memos and briefs, similar to US law clerks. The program concluded with judges joining the discussion, and commenting on legal advisors' recommendations.

The legal advisors' recommendations were developed through a series of break-out group sessions moderated by the US judge and law clerk. Groups were at first given discussion topics, and then in subsequent sessions, legal advisors readily generated several more of their own. These included several professional and administrative changes to current work structure and environment, among them creating a manual documenting case referral process from beginning to end so that legal advisors' responsibilities would be memorialized, no matter how the composition of the judges' bench might change in the future. Legal advisors also proposed documenting a schedule of professional development and capacity building activities, defining disciplinary and evaluation procedures for legal advisors, developing greater communication among senior/junior legal advisors - especially vis a vis sensitive or complex cases. A standout recommendation that generated great praise by judges was creating a legal advisors' association - either regional or joining Europeans - that may be initially supported by the Venice Commission of the Council of Europe (Kosovo had become a member earlier this year).

All recommendations presented to judges during the last day of the workshop will be included in next quarter's discussion and revision of the court's rules of procedure. EROL will host that workshop for a third iteration of amendments to the court's rules and will be conducted by a federal judge who worked with the court's rules on two previous occasions. Given the timing of the legal advisors' training in December, the rules workshop in February is particularly relevant as there will be significant changes to Rule 18 governing legal advisors.

EROL also focused this quarter on strengthening the Constitutional Court’s organizational operations. EROL, the court’s IT staff and the vendor contracted for database development, completed final phases upgrading the court’s case-tracking database. Court staff worked closely with the vendor so that by the end of this reporting period, all old data was coded and migrated, and testing was complete. Training will begin in January, with the vendor and EROL working with the court to draft instruction manuals for administrators and users. The court’s chief legal advisor has been instrumental as well in guiding database development. Legal advisors and court secretaries are primary database users and will be fully included in database testing and training before the new application is rolled out to all court users in mid-February.

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

4.1 STRATEGIC ACTIVITIES FUND

EROL this quarter reached more civil society organizations than ever before with an exhaustive three-day workshop on USAID rules and regulations compliance for 30 participants representing 17 USAID Forward civil society grantees. Four staff from the Advocacy Training and Resource Center (ATRC), an NGO significantly supported by USAID and EROL, sent four staff to the training; several staff from the USAID project Advancing Kosovo Together also attended.



An instructor from the US-based organization InsideNGO delivered the workshop, which focused on grantees’ effective project implementation within USAID requirements applicable to grants or cooperative agreements. The instructor discussed at length project procurement, accounting and audit record-keeping, while examining the complexities of grants management, such as determining allowable costs, purchasing equipment, property disposition, cost sharing, and documentation. Participants worked in small groups each day on practical exercises paired with discussion topics. Discussions

also included program management strategies such as reporting and effective communication with USAID. The workshop received top marks from participants. Evaluation comments included

Workshop participants received certificates from their InsideNGO instructor (first from right) after three days of training on USAID rules and regulations compliance.

requests for subsequent training with even more instruction on rules compliance, and documentation for audits and project close-outs. EROL will compile evaluation results to determine next training steps with civil society grantees. Next quarter, if timing permits, EROL will offer similar training in sub-award grant management, an area grantees have identified as requiring more attention as many of Kosovo’s civil society organizations open 2015, having served the country for more than a decade after the war.

In addition to the workshop, EROL continued to provide technical support to ATRC and its sub-grantees. EROL was a member of ATRC’s proposal evaluation committee to select its third round of awards. EROL and the

committee selected 15 civil society organizations from 46 project proposals for USAID Forward “Increasing Citizens’ Awareness and Participation in the Justice System” project. Ten organizations were selected to monitor courts, with the remaining five conducting public awareness and outreach activities on justice sector transparency regarding corruption. As in previous quarters, EROL assisted sub-grantees with reporting compiling their monitoring reports so that report narratives included substantive accounts of activities and their impact, and clear timelines and deliverables.

Next quarter, EROL will continue working with NGOs on improving their court monitoring report content and format. EROL will also deliver a workshop on public and media relations for ATRC sub-grantees, strengthening their messaging to justice sector institutions and the public.

4.2 PUBLIC RELATIONS & OUTREACH

Kosovo’s Forum of Women Judges and Prosecutors was the focus of EROL outreach this quarter. In cooperation with OPDAT, EROL organized four Forum judges’ participation in the National Association of Women Judges annual conference in San Diego, California. The judges – the Forum’s chair, a president judge from Mitrovica’s basic court and two new judges from the basic court in Peja and a branch court in Kamenica – participated in the five-day conference, then traveled to Washington DC for meetings with the International Association of Women Judges, discussions with law school domestic violence clinics, and library tours at the US Supreme Court, Department of Justice and Georgetown Law School. The DC visit also included a Voice of America interview, later broadcast in Albanian language in Kosovo, Albania and Macedonia.

EROL and OPDAT provided technical support for the Forum participants, including interpretation. The National Association of Judge’s keynote speaker was US Supreme Court Justice Sonja Sotomayor; her address opened the conference workshops and meetings, including court tours and a visit to a women’s prison. Several conference programs addressed women’s issues and access to justice, including the association’s work toward passage of the Violence Against Women Act, and progress US courts have achieved and have yet to realize impacting victim’s rights, sexual harassment, domestic violence and family law. Other meetings provided the judges with the opportunity to network with their peers from the US and several countries world-wide. The Mitrovica president judge was particularly engaged during sessions, giving an impromptu talk on judicial ethics in Kosovo during an international judges’ round table. She said the conference lectures inspired her to contribute more as one of only two president judges in Kosovo, and also on domestic violence issues – particularly in raising awareness among her peers about women and inequities in justice in Kosovo.

In Washington DC, the judges’ first meeting was with the International Association of Women Judges, where discussion focused on the possibility of the Kosovo Forum’s membership. Subsequent activities included the law library tours and visits to the American Bar Association and to a courthouse of the Superior Court of the District of Columbia to attend a hearing and meet with a judge there whose work inside and outside the court focused domestic violence issues. The judges remarked how fortunate legal professionals in the US are to have such invaluable professional resources available such as associations and libraries, open even to law students. The Forum judges concluded activities with dinner with Kosovo’s ambassador to the US, and an interview with the Voice of America Albania desk. Their discussion with the VOA reporter was later broadcast in Kosovo and Albania; other media coverage included an ABA article published online on the organization’s web site profiling the judge from Komenica. Throughout the US visit, EROL staff updated the Forum’s Facebook page with activities and photos chronicling their meetings and activities.

Next quarter, EROL will continue work sustaining the Forum’s forward momentum with a workshop to develop the organization’s 2015 strategic plan. The plan will provide a written calendar of activities linked to the Forum’s mission and goals. EROL will also provide support as appropriate to OPDAT’s initiative to create a bench book guiding judicial and prosecutorial practice in the area of domestic violence; EROL will offer assistance and best practices learned from its partnership with the KJI civil and criminal benchbook publication.

EROL’s website at <http://www.usaiderol.org> continues to provide updated information of program activities in three languages (Albanian, Serbian, and English). Monthly statistics show a total of 10,348 visits (October – 3,966, November – 3,402 and December – 2,980). This was nearly the same number of visits to EROL’s web site Quarter 2. Web site hits totaled 78,567 hits during Quarter 3 (October: 12,616; November: 53,037; December: 12,914).

4.3 SUPPORT MINORITY OUTREACH

Outreach to Kosovo minorities this quarter was highlighted by North Mitrovica law students’ visit to the Court of Appeals in Pristina. The students’ court visit began with hearings conducted by a three-judge panel, including the

“We need this kind of practical knowledge - so far we have not had many practical law classes. I am so glad that I had this chance to visit a court and to be present during the court hearings.”

Tanja Sovrlić, a North Mitrovica law student, after an EROL-supported visit to the Court of Appeals in Pristina.

judge who is also chair of the Forum of Women Judges and Prosecutors of Kosovo. Students observed the criminal hearings process, including summaries of the facts and lower court outcome in each case; the panel also heard statements from defense counsel and defendants, and followed with questions. After the hearings, students asked the judges questions, from specific procedural issues to general inquiries about the court’s jurisdiction, its judges and their ethnic backgrounds, and the court’s case load. The judges next led students on a courthouse tour, including judges’ offices, and records management and case archives spaces. The court was renovated in 2013, with the support of USAID and EROL, so that it complies with international model court standards. The students’ visit

marked International Human Rights Day, recognizing the adoption of the Universal Declaration of Human Rights in December 1948.

EROL hosted a second outreach meeting before the quarter ended for law students from the Bosnian community who are enrolled in a private college in Pristina. The 15 students (9 women; 6 men) were from the college’s first class beginning legal studies this academic year in the Bosnian language. EROL’s Bosnian-speaking staff introduced students to the project and its work in informing the public about the new courts and prosecution office structure, and student requirements for the bar exam. Handouts for the students included EROL’s brochures in Bosnian.

Next quarter, EROL will deliver three outreach events at the University of Pristina and two private colleges. EROL is also ready to conduct public outreach meetings in North Mitrovica, Zubin Potok and Leposavic if circumstances there permit.

ENVIRONMENTAL REGULATION COMPLIANCE

No environmental regulation compliance activities took place during this reporting period.

STATUS OF BUDGET EXPENDITURES

As of 31 December 2014, EROL had expended approximately \$20,863,000. During the reporting period, spending was approximately \$1,373,800. EROL has spent 91% of obligated funds. [Note: amounts are approximate as the December 2014 costs have not been finalized.]

APPENDICES

APPENDIX A: LIST OF REPORTS & DELIVERABLES

During Year 4 Quarter 3, EROL completed the following reports and deliverables:

COMPONENT 1

- Regulation on the Criteria and Procedures for Selection and Appointment of the Chief State Prosecutor
- Legislative Review Guidelines publication

COMPONENT 2

- Final Acceptance - Klina Court Refurbishment
- Final Acceptance - Mitrovica Basic Court Repair II
- Final Design - Vushtri Branch Court Furnishing
- Final Design - Pristina Basic Court Archives at the Palace of Justice

COMPONENT 3

- KCC Legal Advisers Recommendations
- Kosovo Judicial Educators Handbook

COMPONENT 4

- Workshop on USAID Rules and Regulations for Non-US NGOs
- Forum of Women Judges and Prosecutors of Kosovo – US Study report
- Success story – North Mitrovica Law Students Visit the Court of Appeals
- Success story – Grants & Cooperative Agreements for Non – US NGOs (draft)
- Success story - Public Outreach with Law Students (Draft)

AD HOC

- STTA Judge David Carter and Grace DiLaura Trip Report - KCC Legal Advisors Workshop
- STTA Judge James Haines Trip Report – KJI Bench Book Initiative

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APPENDIX B: SUMMARY OF YEAR 4 Q3 TRAINING AND CAPACITY BUILDING EVENTS

Program/Event	Date	Total	Male	Female	Alb	Min/ Others
Training on Curriculum Development	Nov 10-14, 2014	7	4	3	7	0
KJC Web Portal Training	Dec 1-2, 2014	3	1	2	3	0
KCC Legal Advisor's Workshop [US-Kosovo: Law Clerks and Legal Advisors and Roles and Responsibilities in Their Courts]	Dec 10-12, 2014	18	12	6	11	7
USAID Rules and Regulations for Non US-NGOs	Dec 16-18, 2014	30	16	14	27	3
Quarter 3 Total Participants		58	33	25	48	10
Life of Project Total³		2,704	1,625	1,079	2,566	138

During the third quarter of the fourth year of the EROL Program implementation 58 participants have participated on 4 Capacity Building events organized by all four components of the Program with Male = 33 and Female = 25; Alb = 48, Minority/Others = 10 participants.

The Life of Project total number of unique individuals trained is 2,704 individuals, with Male = 1,625 Female = 1,079 with Alb = 2,566 and Min/others = 138.

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

On **Nov 10-14, 2014**, EROL organized a five-day training program on Curriculum Development. The Kosovo Judicial Institute participated in a study tour to the E.S. National Judicial College in Reno, Nevada. The study tour aimed to develop KJI's capacity on a wide range of judicial education competencies including developing interdisciplinary curriculum, developing and conducting needs assessments and program evaluations, faculty development and faculty challenges, and eLearning methods and trends. Senior NJC staff discussed steps necessary to develop an institutional research capacity integrating sound research in judicial curricula. This event was participated by 7 participants in total with Male = 4 and Female = 3, all of Albanian nationality.

On **Dec 1-2, 2014** EROL provided training on KJC Web Portal. The purpose of this activity was to teach the members of the working group how to upload information to the web portal and how to assure that protocols are followed for the date imputers and those approving the content. This event was participated by 3 participants in total with Male = 1 and Female = 2, all of Albanian nationality.

On **Dec 10-12, 2014**, EROL delivered a three days' Workshop for the KCC Legal Advisor's. During this Workshop, the Legal Advisors and the US Federal Judge and his Clerk, brainstormed together and in groups in order to come out with recommendations for future role and responsibilities of the Legal Advisors in KCC. In this endeavor, the Legal Advisors gave efforts to foresee all legal and other surrounding conditions for legal advisors in the future in order to come out with best recommendations, as best solutions which would be sustainable and welcoming any change in the country and in the Court structure in the future. This training was attended by 18 participants in total with Male = 12 and Female = 6, Alb = 11 and Min/Others = 7 participants.

Simple Case Study

Customer Service and Effective Communication Training

In the midst of strategic planning training and development, EROL recognized significant issues with court staff communication skills, specifically delivering meaningful messages and constructive criticism. EROL engaged a national consultant to deliver a series of workshops to assist judges and court staff in building effective communication skills. Participants studied why the manner in which information is delivered has a significant impact on how that information is received, and why reflective communication avoids misunderstandings and builds solid office relationships. EROL ensured the training included developing public-facing skills as well – customer service communication skills for court staff – including court security staff – who are most times the first person the public may encounter at the courts.

“This training has expanded the horizons of my communication skills with external parties as well as internal staff. I was impressed to understand how important the body language is during the communication process and the gained knowledge with this training will represent huge benefit for me in the future” – Nexhibe Bala, Basic Court
Prizren

On **Dec 16-18, 2014**, EROL organized an intensive three-day workshop on USAID rules and regulations compliance for 30 participants representing 17 USAID Forward civil society grantees. In addition to the civil society organizations, several staff from the USAID project Advancing Kosovo Together also attended.

An instructor from the US-based organization InsideNGO delivered the workshop, which focused on grantees' effective project implementation within USAID requirements applicable to grants or cooperative agreements. The instructor discussed at length project procurement, accounting and audit record-keeping, while examining the complexities of grants management, such as determining allowable costs, purchasing equipment, property disposition, cost sharing, and documentation. Participants worked in small groups each day on practical exercises paired with discussion topics. Discussions also included program management strategies such as reporting and effective communication with USAID. The workshop received top marks from participants. Evaluation comments included requests for subsequent training with even more instruction on rules compliance, and documentation for audits and project close-outs. EROL will compile evaluation results to determine next training steps with civil society grantees. The 3 day workshop was attended by 30 participants in total with Male = 16 and Female = 14, Alb = 27 and Min/Others = 3 participants;

Simple Case Study
Procedural Fairness ToT

The purpose of this training was to provide the opportunity for the participants to explore how judicial leaders can alleviate public dissatisfaction with the judiciary with trust-building activities. Participants explored general strategies to address implicit bias, and considered the program relevant for all judges and court professionals. The program was well received and participants expressed interest in working with KJI to develop additional curricula in this area addressing gender and ethnic bias.

“Overall training addressed very important issues that we have to deal with in our day to day work. It showed us how important it is to address implicit bias which in turn will improve public perception toward justice system and the work we as judges do. It is very important that we continue to develop our professionalism and provide our professional contribution for the justice system” Biljana Rexhiq, Judge, Court of Appeals.

Gender breakdown of EROL Capacity Building Events for Yr4 Q3 represents satisfied representation between male and female participants. EROL staff across all four components has managed to engage 56.90% (33) male and 43.10% (25) female participants (Please, see **Figure 1**. Gender breakdown of EROL Capacity Building Events for Yr4 Q3 on capacity building events provided during the third quarter of the fourth year of Program Implementation.)

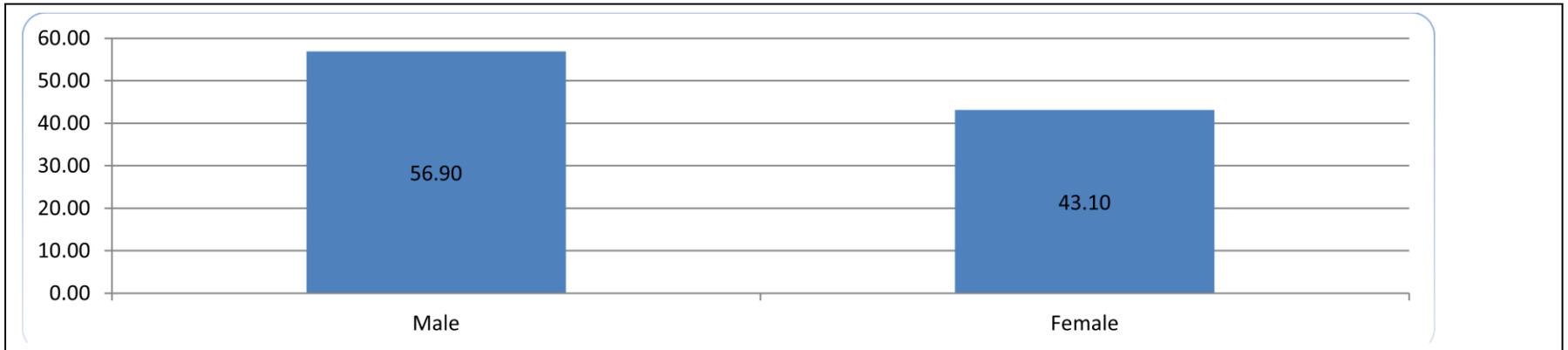
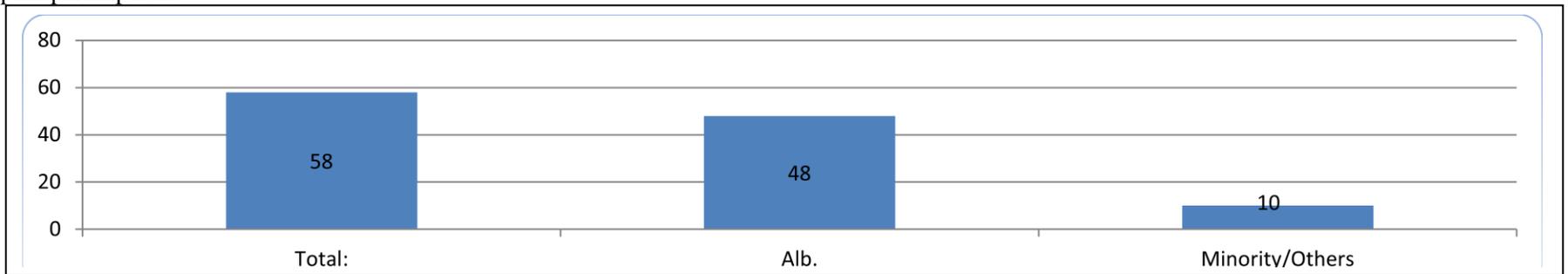


Figure 1 - Gender breakdown of EROL Capacity Building Events for Yr4 Q3

Capacity Building Events organized by all four components of EROL Program included a total number of 58 participants. Ethnicity representation on these events is provided under the **Figure 2**. Ethnicity breakdown of EROL Capacity Building Events for Yr4 Q3 with Albanian = 48, and Minority Community/Others = 10 participant participated.



Among individual participants that participated on EROL Program capacity building events we had Judges = 2, Court Staff = 13, Media Relations = 3 and Others = 29. (Please, see **Figure 3** for reference.)

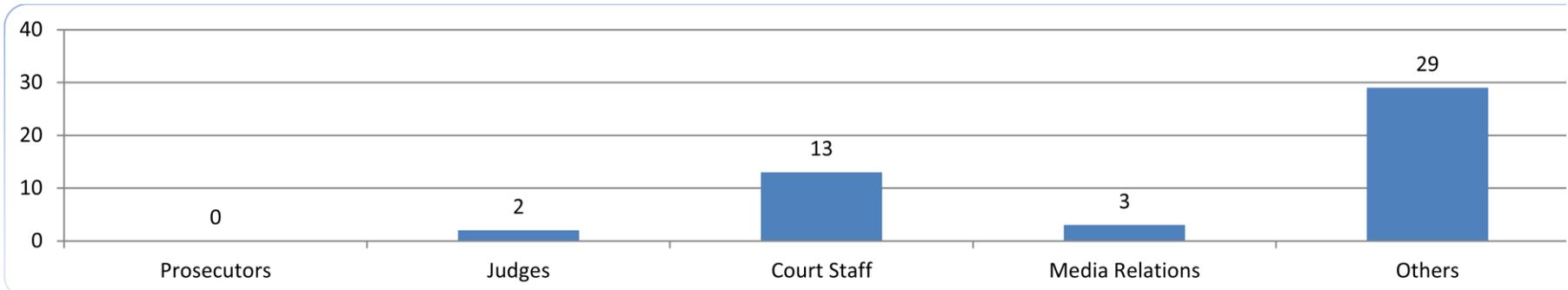
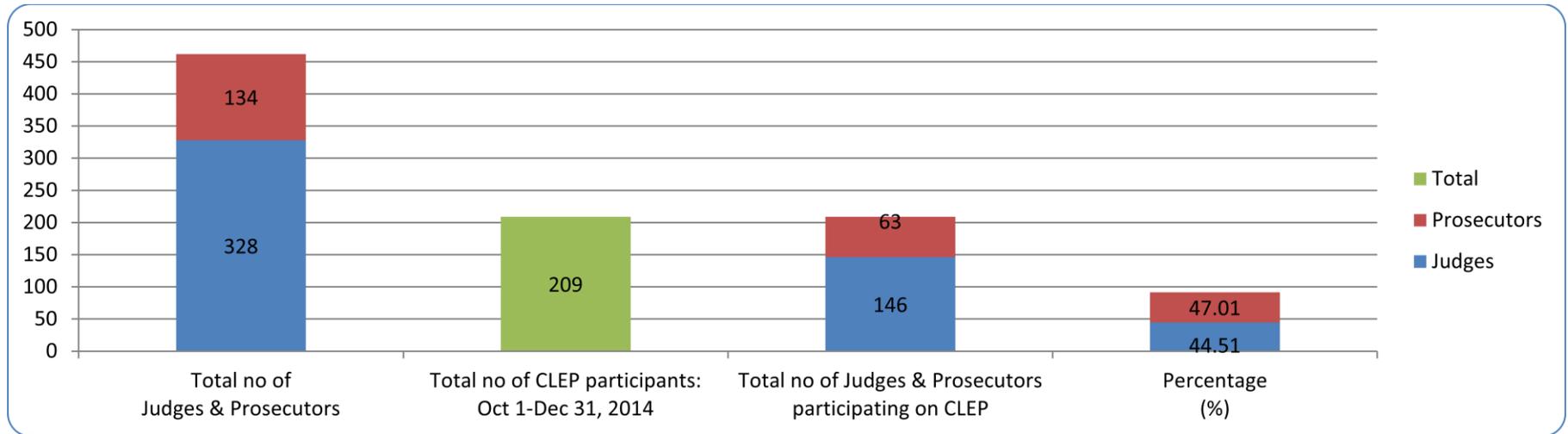


Figure 2 - Roles and Positions of Individuals trained during Yr4 Q3

During the period of Oct 1 – Dec 31, 2014 KJI provided Continuing Legal Education Program (CLEP) for sitting prosecutors and judges, including training courses for prosecutors and judges working in the judicial system seeking promotion and to the newly selected candidates. The total of 209 individuals participated on the Continuing Legal Education Program (CLEP) with Prosecutors = 63 and Judges = 146; (Please, see **Figure 4** for reference)



APPENDIX C: MONITORING AND EVALUATION

Result/Indicator/Unit of Measure		Definition/Rationale/Utility/Limitations	Baseline	Yr 1 Actual	Yr 2 Actual	Yr 3 Actual	Yr 4 Target	Program Year 4 Actual To date				Comments
								Q1	Q2	Q3	Q4	
IR2: IMPROVED DELIVERY OF JUSTICE												
1	% of citizens and court users satisfied with the justice system Unit: %. Disaggregated by sex, region, rural/urban, and minority groups.	Public opinion poll to determine whether reform has an impact on satisfaction with and knowledge of the justice system Baseline survey conducted Year 3 Quarter 1	76% positive for court users	--	--	76% positive for court users	84% positive for court users	-	-	-		To increase accuracy of results, the Program has proposed to separate the surveys into two separate activities. Checchi has selected a Kosovo local company to conduct baseline and end-line surveys ⁴ . Preliminary draft has been submitted to EROL. Final report to be submitted to USAID for approval Satisfaction percentage of court users is assessed to be at 76%.

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

Result/Indicator/Unit of Measure		Definition/Rationale/Utility/Limitations	Baseline	Yr 1 Actual	Yr 2 Actual	Yr 3 Actual	Yr 4 Target	Program Year 4 Actual To date				Comments
								Q1	Q2	Q3	Q4	
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. J = judge P = prosecutor C = court staff O = others* *Other = KJI, KJC, MOJ, OP Min = From non-majority communities		T= 200 M=140 F=60 Min=4 J.=27 P.=1 C.=147 O.=25	T=1,095 M=703 F=392 Min=47 J.=150 P.=102 C.=686 O.=157	T=1,196 M=639 F=557 Min=71 J.=240 P.=14 C.=859 O.=83	T=250 M=125 F=125 Min=25 J.=100 P.=10 C.=100 O.=40	T=105 M=75 F=30 Min=2 J.=70 P.=5 C.=19 O.=11	T=61 M=42 F=19 Min=5 J.=3 P.=1 C.=0 O.=57	T=47 M=26 F=21 Min=9 J.=2 P.=0 C.=13 O.=32	T= M= F= Min= J.= P.= C.= O.=	During the Yr4 Q3 of the EROL Program implementation, 58 participants have participated on 4 Capacity Building events organized by all four components of the Program. The total number of unique individuals trained during the fourth year Q3 of the Program is 47 with Male = 26 and Female = 21; Alb=38 and Min=9; Judges=2; Prosecutors=0; Court Staff=13; and Others = 32 individuals;
2a	Number of people/person days of training	Custom indicator that reflects the overall volume and breadth of the EROL training program	9,500 days	1,857 days	3,847 days	5,745 days	800 days	306 days	178 days	175 days	days	During the Yr4 Q3 of EROL Program implementation, EROL staff provided capacity building events in total of 175 people/person days of training.
3	% of judges (J), prosecutors (P) and court staff (S) participating in CLE Unit: %; disaggregated by sex and status	Mission Custom outcome indicator. Shows extent to which continuing legal education has been institutionalized in the justice system. Also shows coverage (denominator is universe of individuals). Cumulative		N/A	--	--	J=85% P=85%	J=117 (36.28%) P=51 (38.81%)	J=42 (12.80%) P=9 (6.72%)	J=146 (44.51%) P=63 (47.01%)		Target for Yr4 for the CLE Program is: J=85%; P=85%; During the third quarter (Oct 1 – Dec 31, 2014) KJI provided Continuing Legal Education Program (CLEP) for sitting prosecutors and judges, including training courses for

Result/Indicator/Unit of Measure	Definition/Rationale/Utility/Limitations	Baseline	Yr 1 Actual	Yr 2 Actual	Yr 3 Actual	Yr 4 Target	Program Year 4 Actual To date				Comments
							Q1	Q2	Q3	Q4	
											prosecutors and judges working in the judicial system seeking promotion and to the newly selected candidates. Number of individual participant for Yr4 Q3 is J=146 (44.51%) and P=63 (47.01%) Cumulative progress toward set up target for this indicator for Yr4 Q1, Q2 and Q3 is: J=93.59% and P=92.54%
4	# of legal courses or curricula developed with USG assistance Unit: #		3	10	8	3	1	1	1		Output indicator. Legal courses or curricula improve skills and capacity of justice sector personnel or the general public regarding the legal system in Kosovo. Development could include significant modification of existing courses or new courses. (new target Year 4) Target for Yr 4 of the EROL Program is 3 legal courses or curricula. During the third quarter of Yr4, EROL developed a new curriculum on “Court Executive Development Program”.
5	# of executive branch sector personnel trained with USG assistance Unit: # disaggregated by sex and role		9	6	7	0	3	0	0		<u>Standard F output indicator.</u> For the Office of the President, training in areas of administration, management or leadership skills or good governance practices. Target for Yr 4 is 0 staff member of the Office of the President. Target completed during previous three years of Program implementation. In Yr4 Q3 EROL team has not conducted any training activity with the OP personnel.

Result/Indicator/Unit of Measure	Definition/Rationale/Utility/Limitations	Baseline	Yr 1 Actual	Yr 2 Actual	Yr 3 Actual	Yr 4 Target	Program Year 4 Actual To date				Comments
							Q1	Q2	Q3	Q4	
6	# of USG-supported trainers receiving pedagogical training (ToT) for their role in KJI and other judicial trainings, and replicate skills learned Unit: #; disaggregated by sex	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. (new target Year 4)	0	29	30	20	1	17	6 ⁵		Target for Yr4 is 20 Train of Trainers (ToT). During the Yr4 Q3 of EROL program implementation 6 ToT individuals received pedagogical training – “Training on Curriculum Development” Nov 10-14, 2014. Unit #: 3 Male and 3 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. (new target Year 4)	0	5	5	10	1	2	3		Target for Yr 4 is revised to 10 “Simple Case Studies”. Three “Simple Case Study” completed during Q3.

⁵ From Nov. 8 – 15, the Kosovo Judicial Institute participated in a study tour to the E.S. National Judicial College in Reno, Nevada. The study tour aimed to develop KJI's capacity on a wide range of judicial education competencies including developing interdisciplinary curriculum, developing and conducting needs assessments and program evaluations, faculty development and faculty challenges, and eLearning methods and trends. Senior NJC staff discussed steps necessary to develop an institutional research capacity integrating sound research in judicial curricula.

Result/Indicator/Unit of Measure		Definition/Rationale/Utility/Limitations	Baseline	Yr 1 Actual	Yr 2 Actual	Yr 3 Actual	Yr 4 Target	Program Year 4 Actual To date				Comments
								Q1	Q2	Q3	Q4	
8	KJI Scorecard rating of EROL's progress with KJI goals	Benchmark outcome indicator. Progress on KJI scorecard toward approved and consensed activities in consultation with USAID and Kosovar stakeholders. Measure: # of completed activities: Target – 17;	0	3	5	8	1	X	--	--		Please, see respective scorecard for the details of activities.
2.2.	Increased independence and accountability of the judicial system											
9	Number of laws, regulations and procedures related to judicial independence supported with USG assistance Unit: #	<u>Standard F output indicator.</u> Indicator 2.1.2-2 Refers to laws, regulations and procedures that are official and have been passed or amended in accordance with the country's legal requirements. Laws, regulations and procedures lay out the legal basis for building judicial independence and provide one significant indicator of government commitment. Some laws may also cover transparency.	0	6	24	14	8	5	1	1		Target for Yr 4 is 8 - laws, regulations and procedures. During Yr4 Q3 EROL provided KPC with the support on the amendment to the Regulation on Nomination of the Chief State Prosecutor, adopted on Dec 3, 2014
10	Number of regulations and procedures that improve judicial transparency adopted with USG assistance Unit: #	<u>Standard F output indicator.</u> Indicator - Custom 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.	0	6	24	14	8	5	1	1		Target for Yr4 is 8 regulation and procedures. During Yr4 Q3 EROL provided KPC with the support on the amendment to the Regulation on Nomination of the Chief State Prosecutor, adopted on Dec 3, 2014

Result/Indicator/Unit of Measure		Definition/Rationale/Utility/Limitations	Baseline	Yr 1 Actual	Yr 2 Actual	Yr 3 Actual	Yr 4 Target	Program Year 4 Actual To date				Comments
								Q1	Q2	Q3	Q4	
11	Number of government media relations staff trained with USG assistance Unit:# Disaggregated by sex and office	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.	0	10	59	5	8	5	0	3		Target for Yr4 is 8 Media Relations staff. During the Yr4 Q3 of EROL program implementation EROL, 3 KJC staff participated in “KJC Web Portal Training” Unit #: 1 Male and 2 Female all from KJC office
12	Constitutional Court scorecard rating of EROL’s progress with CC’s goals	Benchmark outcome indicator. Progress on CC scorecard toward approved and consensed activities in consultation with USAID and Kosovar stakeholders. Measure: # of completed activities: Target – 17;	0	6	9	2	--	--	--	--		Please, see respective scorecard for the details of activities.
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. Under an MOU, EROL has primary responsibility for judicial ethics and		N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Improved performance on scale considering key factors of an acceptable disciplinary system ⁶ .

⁶ 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 Actual	Yr 4 Target	Program Year 4 Actual To date				Comments
							Q1	Q2	Q3	Q4	
	EC project has primary responsibility for disciplinary committee										
2.3.	More effective operations of the justice system										
14	# of USG-assisted courts w/ improved case management Unit: # Listed by site and type of court, as applicable	<u>Standard F outcome indicator</u> Indicator 2.1.3-13 Defined by Model Court norms. KJC to provide operational definition of floor measurement for “improved case management.” Baseline based on old court structure <u>Indicator is cumulative</u>	10	10	18	27	29	27	27	27	Number of USG-assisted courts with improved case management is 27. There are 29 courts including Zubin Potok and Leposavic – target should be to maintain Y3 achievements and only increase to 29 if the North opens - which is beyond our control 27 is based on the cumulative work from project start to date – 27 courts have implemented a variety of improvement initiatives and while no two courts are identical each has implemented elements to improve case management.
15	Ratio of all dispositions to new case filings in courts assisted by USG in the area of case management Unit: Ratio	<u>Standard F outcome indicator</u> Custom Applied to the Model Courts. Shows whether backlogs are increasing. Speed and efficiency of the courts serve as proxies for effectiveness of the justice system and of justice sector actors as a whole.	--	N/A	N/A	0.89	1.0	0.75	0.62	0.68	This quarter’s disposition rate showed a small increase in performance when compared to Qtr. 2 results moving from .62 up to .68. Overall the rate for all of 2014 is .77 which is just below the 2013 baseline of .79. It should be noted that these results were pulled from the EROL supported database on 02 January 2015 and EROL is aware that the courts are still

Result/Indicator/Unit of Measure		Definition/Rationale/Utility/Limitations	Baseline	Yr 1 Actual	Yr 2 Actual	Yr 3 Actual	Yr 4 Target	Program Year 4 Actual To date				Comments
								Q1	Q2	Q3	Q4	
												actively completing data entry for end of 2014 work. By instruction from the KJC the courts have until 10 Jan 2015 to complete all 2014 work including updating the registries with regard to closed cases. EROL will run reports again after 15 Jan 2015 to determine if the results noted in this report are significantly changed as a result of an additional weeks' worth of data input. If the results are significantly changed EROL will submit an amended report. As noted in prior reports decreasing performance issues have been associated by the courts to the lack of sufficient judges (60 positions remain open and unfilled). However, it will be necessary to track performance over time to determine if there are cyclical trends that repeat on a quarterly or annual basis. Annual drops in performance in the high holiday period should be expected.
15a	Ratio of new case filings to case dispositions in courts assisted by USG in the area of case management. Unit: Ratio	<u>Standard F outcome indicator</u> Indicator 2.1.3-15 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	--	N/A	N/A	1.12	1.0	1.33	1.61	1.46		same as above only in reverse

Result/Indicator/Unit of Measure	Definition/Rationale/Utility/Limitations	Baseline	Yr 1 Actual	Yr 2 Actual	Yr 3 Actual	Yr 4 Target	Program Year 4 Actual To date				Comments
							Q1	Q2	Q3	Q4	
	sector actors as a whole.										
16	% of pending cases older than 24 months Unit: %	REVISED Mission Custom indicator. This indicator measures the percentage of pending cases that are older than two years. This is a standard court management measure	--	N/A	N/A	40%	30%	40.28%	40.50%	39.34%	The results this quarter show a small (1.16%) decrease in the percentage of total cases pending that are over 24 months old. As noted in the indicator 15 above the courts are still actively updating the case registries and database with 2014 work results which could have an impact on the result presented here. EROL will run reports again after 15 Jan 2015 to determine if the results noted in this report are significantly changed as a result of an additional weeks' worth of data input. If the results are significantly changed EROL will submit an amended report.
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.	0	162 (162)	189 (351)	189 (540)	459	--			

Result/Indicator/Unit of Measure		Definition/Rationale/Utility/Limitations	Baseline	Yr 1 Actual	Yr 2 Actual	Yr 3 Actual	Yr 4 Target	Program Year 4 Actual To date				Comments
								Q1	Q2	Q3	Q4	
18	Number of strategic plans for justice sector reform adopted with USG assistance	<p><u>Standard F output indicator.</u></p> <p>Indicator Custom</p> <p>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.</p>	0	2	0	1	2	1	0	0		KPC Strategic Plan draft was completed in Y3Q2 but the Chair was waiting to submit it to the Council for approval until the negotiations with Serbia regarding the courts in the north are resolved. Later it was delayed because of the retirement of the current Chair in August 2014. The process of electing a new chair was successfully challenged in the Constitutional Court and there is now an Acting Chief State Prosecutor/Chair. No activity is expected until a new Chief State Prosecutor/Chair is elected.
19	Median case disposition time in courts assisted by USG in the area of case management Unit: months	<p>REVISED</p> <p><u>Standard F outcome indicator.</u></p> <p>Median case disposition time is measured from filing to the date parties are notified of case resolution by the court. Courts as defined by specific jurisdiction. Tracking the mean case disposition time permits a better understanding of the overall disposition rate of the courts.</p>	--	--	--	13.6	12	9.8	7.5	9.74		<p>In this quarter the median disposition time has increased to 292 days or 9.74 months. When taken into consideration with the decrease in the number of pending cases more than 24 months old - this increase in median time to disposition could be attributed to more backlog cases being completed in this quarter.</p> <p>As noted in previous reports this indicator is one that should always be considered in light of other indicators and not ever taken on its own as indicative of the whole story regarding the performance of the courts.</p>

Result/Indicator/Unit of Measure		Definition/Rationale/Utility/Limitations	Baseline	Yr 1 Actual	Yr 2 Actual	Yr 3 Actual	Yr 4 Target	Program Year 4 Actual To date				Comments
								Q1	Q2	Q3	Q4	
20	Improved administrative performance as defined from prosecutors' perspectives Unit: % improved	Outcome indicator. Model Court and KPC activities should improve administrative performance. Measured through questionnaires given to sample of prosecutors. (Baseline measure Year 2)	93%	--	93%	--	95%	--	--	--		No activity to report on this quarter
Results/Indicator/Unit of Measure		Definition/Rationale/Utility/Limitations	Baseline	Yr1 Actual	Yr2 Actual	Yr3 Actual	Yr4 Target	Q1	Q2	Q3	Q4	
21	Kosovo Judicial Council scorecard rating of EROL's progress with KJC goals	Benchmark outcome indicator. Progress on KJC scorecard toward approved and consensed activities in consultation with USAID and Kosovar stakeholders. Measure: # of completed activities: Target - 19	--	7	2	9	1	X	--	--		Please, see respective scorecard for the details of activities.
22	Kosovo Prosecutorial Council scorecard rating of EROL's progress with KPC goals	Benchmark outcome indicator. Progress on KPC scorecard toward approved and consensed activities in consultation with USAID and Kosovar stakeholders. Measure: # of completed activities: Target – 14;	--	0	1	12	1	X	--	--		Please, see respective scorecard for the details of activities.
23	Ministry of Justice scorecard rating of EROL's progress with MOJ goals	Benchmark outcome indicator. Progress on MoJ scorecard toward approved and consensed activities in consultation with USAID and Kosovar stakeholders. Measure: # of completed activities: Target – 11; *7 additional if SAO moves ahead	--	7	2	2	*7	X	--	--		Please, see respective scorecard for the details of activities.

Result/Indicator/Unit of Measure		Definition/Rationale/Utility/Limitations	Baseline	Yr 1 Actual	Yr 2 Actual	Yr 3 Actual	Yr 4 Target	Program Year 4 Actual To date				Comments
								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 activities in consultation with USAID and stakeholders.	--	--	--	--	--	--	--	--	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. Measure: # of completed activities: Target – 10;	--	4	4	1	1	X	--	--	Please, see respective scorecard for the details of activities.	
2.3.1.	Courthouse infrastructure improved											
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.	10	10	12	22	27	2 ⁷	2 ⁸	1 ⁹	During the third quarter of the Program implementation, EROL refurbished one additional courts: Klina Branch Court was completed on Nov 8, 2014	
IR3: STRENGTHENED MECHANISMS FOR CITIZENS TO REPRESENT THEIR INTERESTS AND HOLD THE GOVERNMENT ACCOUNTABLE												

⁷ Deçan Branch Court refurbished on May 15, 2014; and Podujevë Branch Court refurbished on May 26, 2014;

⁸ Malisheva Branch Court was completed on Sep 20, 2014 and Sterpce Branch Court on Aug 12, 2014

⁹ Klina Branch Court refurbished on Nov 8, 2014;

Result/Indicator/Unit of Measure	Definition/Rationale/Utility/Limitations	Baseline	Yr 1 Actual	Yr 2 Actual	Yr 3 Actual	Yr 4 Target	Program Year 4 Actual To date				Comments
							Q1	Q2	Q3	Q4	
27	# of page visits per month on the MOJ interactive website for pending legislation Unit: # per month	0	N/A	9,376 clicks	217,528 clicks	300,000 clicks	198,168 clicks	149,200 clicks	172,993 clicks		Target for Year 4 of the EROL Program implementation has been revised to 300,000 clicks. The total number of clicks during Yr4Q3 is 172,993 clicks.
28	Number of USG-assisted Civil Society Organizations that engage in advocacy and watchdog functions. Unit: #	0	0	2	26	15	1 grantee and 12 sub grantees	0	1 grantee and 15 ¹⁰ sub grantees		During the third quarter, out of 46 proposals received, ATRC awarded 10 grants for court monitoring and 5 grants for raising public awareness. Under USAID Forward, one (1) grant has been awarded to local partner, Advocacy

¹⁰ On court monitoring projects, aimed at enhancing court-community relations:

Advocacy Center for Democratic Culture, Mitrovica “Monitoring and Reporting on the Work of the Basic Court of Mitrovicë/Mitrovica”

Initiative for Progress-INPO, Ferizaj/Urosevac “Increase citizen awareness and participation in the justice system”

Active Women of Gjakova (AGJK), Gjakova/Djakovica “Monitoring of Gjakova Basic Court regarding the area of family law”

Centre for Policies and Advocacy, Pristina “For more transparent judiciary”

AGRO – EKO, Gjilan/Gnjilane, “Justice for Citizens”

Elita, Viti “Effective Court-Justice for Citizens II”

Center for Integration and Development in Dragash/s “A transparent and accountable court”

POLIS, m Lipjan, “Justice with citizens’ access to fair judicial service III”,

Partners-Kosova, Center for Conflict Management, Prishtina

Association of Independent Intellectuals (SHIP), Decan, “Monitoring of the Basic Court-Deçan branch II”

On public awareness and outreach projects aimed at combating corruption and increasing transparency and fairness among justice sector institutions in Kosovo:

Future without Fear – FWF, Shtërpce/Strpce, “Justice is reachable”

PREHJA, Skenderaj/ Srbica “What’s foreign, cannot become yours”

Center for development of local communities, Mitrovica, “Citizens’ rights and the judicial system in Kosovo”

Syri i Vizionit, Peja/Pec, “Protect your property”.

Kosovo Advocacy and Development Center, Pristina, “Civic Activism for a Transparent Justice System”

Result/Indicator/Unit of Measure	Definition/Rationale/Utility/Limitations	Baseline	Yr 1 Actual	Yr 2 Actual	Yr 3 Actual	Yr 4 Target	Program Year 4 Actual To date				Comments	
							Q1	Q2	Q3	Q4		
												Training and Resource Center – on 24 October 2014, ATRC awarded ten (10) grants for court monitoring and five (5) grants for public outreach programs.
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.	10	10	12	22	27	--	25			Refurbishment objectives ensure that courts are refurbished to maximize a courts ability to serve its customers in ways that promote efficiency, accountability, transparency and effectiveness. As each court refurbishment is completed it allows for the installation additional methods to serve the public in an open and receptive way - this includes the presence of a designated reception (information) desks, installation of brochure dispensers, increased and enhanced directional signage that promotes self-navigation throughout the court as well as the presence of well trained staff to help all customers as needed. The ability of a customer to walk into a well-organized reception area, find information readily and easily via signs, brochures and staff has been documented as one method to increase public trust and confidence in the courts - courts that look and feel open and receptive are perceived as such.

Result/Indicator/Unit of Measure	Definition/Rationale/Utility/Limitations	Baseline	Yr 1 Actual	Yr 2 Actual	Yr 3 Actual	Yr 4 Target	Program Year 4 Actual To date				Comments
							Q1	Q2	Q3	Q4	
3.1.	Increased 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: #	0	0	8	26	12	3	0	2 ¹¹		In Yr4 Q3 EROL conducted two public outreach meetings. Study court visit organized for law students from Mitrovica North for 11 students and one public outreach meeting with 15 law students of law faculty of the AAB college.
New Indicators											

¹¹ **Study court visit** organized for law students from Mitrovica North was organized in collaboration with EROL, Court of Appeals and USAID's sub grantee the local NGO from Mitrovica North. The visit to the Court of Appeals in Pristina was attended by 11 students (8 Male and 3 female) from Mitrovica North, Leposavić and Zubi Potok. Visit to the court of appeals was organized on December 9, 2014 marking the International Human Rights Day and the anniversary of the Universal Declaration of Human Rights proclaimed on December 10, 1948. Number of participants: 8 male and 3 female students from Serbian minority community

Public Outreach meeting with law students – Today we organized outreach meeting with the students enrolled at the law faculty of the AAB private college. Those students are the first generation of the students who are enrolled at the law department and are attending law classes in Bosnian language. Among of them were students from Bosnian and Serbian community). Number of participants: Total number of participants: 15; Gender: Female: 9 and Male: 6; Ethnic background 12 Bosnian and 3 Serbs) Geographic background: Students were from the municipalities of Prizren, Peje and Gracanica.

Result/Indicator/Unit of Measure		Definition/Rationale/Utility/Limitations	Baseline	Yr 1 Actual	Yr 2 Actual	Yr 3 Actual	Yr 4 Target	Program Year 4 Actual To date				Comments
								Q1	Q2	Q3	Q4	
31	Number of campaigns supported by USG to foster awareness and respect for rule of law	Indicator 2.1.1-2 This indicator measures the number of campaigns conducted by EROL that inform, educate and promote better understanding and respect for the rule of law. Campaigns are those initiatives and activities supported by EROL that deliver messaging, information to citizens with the goal of increasing awareness and adherence to the rule of law.	--	0	8	26	12	3	0	2		In Yr4 Q3 EROL conducted two public outreach meetings. Study court visit organized for law students from Mitrovica North for 11 students and one public outreach meeting with 15 law students of law faculty of the AAB college.
32	Number of judges and judicial personnel trained with USG assistance	Indicator 2.1.2-1 This indicator counts the number of judges and judicial personnel trained by EROL. The term “judicial personnel” includes only court staff. Each judge or individual judicial personnel can only be counted once during the year (i.e., if a judge attends more than one training in a year, s/he will only be counted once).	--	T=174 J=27 M=20 F=7 Min=0 C=147 M=106 F=41 Min=4	T=836 J=150 M=111 F=39 Min=6 C=686 M=417 F=269 Min=30	T=1,099 J=240 M=172 F=68 Min=7 C=859 M=408 F=451 Min=60	T=500 J= M=250 F=250 Min= C= M= F= Min=	T=89 J=70 M=52 F=18 Min=1 C=19 M=14 F=5 Min=1	T=3 J=3 M=3 F=0 Min=0 C=0 M=0 F=0 Min=0	T=2 J=2 M=2 F=0 Min=0 C=13 M=8 F=5 Min=4	T= J= M= F= Min= C= M= F= Min=	During Yr4 Q3 EROL team trained total of 2 Judges and 13 Court Staff.
33	Number of legal institutions and associations supported by USG	Indicator 2.1.3-8		8	35	35	35	-	-	-		

APPENDIX D: PMP SCORECARDS

KOSOVO JUDICIAL COUNCIL SCORECARD

Kosovo Judicial Council Scorecard		Targets and Actual				Remarks
Activity/Initiative	Target Completion (Year)	Actual Completion Year				
		1	2	3	4	
Support drafting of implementation plan LoC	1	X				Final Draft of the Implementation Plan submitted to KJC. Published by KJC December 1, 2011
Rapid assessment to identify focus of efforts (Action Plan)	1	X				Action plan completed in Q2 Yr1.
TA to KJC committees	1	X				KJC appointed Court Administration Committee and Budget, Finance and Human Resources Committee in March 2012.
TA to KJC for building strategic alliances	2			X		EROL continued to assist KJC to build strategic alliance with Federal Judicial Center, Administrative Office of U.S. Courts, State Court Judges and Administrators in Minnesota during a U.S. judicial ethics study tour with a Kosovo Delegation of KJC, ODC, and Court representatives.
Support KJC in inter-Ministerial legislation working groups	2			X		The MOJ has begun to consult on a high level with leaders of stakeholders. So far, however, no proposed changes have been made available to EROL or other advisors.
Support development of follow-on Strategic Plan	3			X		With EROL's support, the KJC has completed and adopted its 5 year Strategic Plan in Yr4 Q1
Support HR functions of KJC						
Define and standardize staff job descriptions	1				*	A process formally began in Q2 involving the Secretariat and Courts through a Working Group which will lead to the distribution of some Secretariat responsibilities to the Courts. Three sub-groups (personnel, budget and finance, and procurement and logistics) held their first meetings This is a complex process involving civil servants and is expected to take more than a year. EROL will support KJC and Courts during this process.
Staff recruitment/selection standards in place	1				*	
Staff promotion standards in place	1				*	
Staff discipline/dismissal standards in place	1				*	
Internship programs functioning successfully	2				*	
Judicial selection procedures improved	1	X				EROL assisted with drafting of Regulation and with OP.
Judicial evaluation procedures improved	1	X				Evaluation of performance of Judges completed, approved by KJC and introduced into force on March 2012.
Judicial promotion procedures improved	1		X			EROL provided substantial support to the KJC Steering Committee's effort to develop criteria for the selection/reassignment of Basic Court judges. The KJC Steering Committee approved 1) instructions for the appointment of president and supervising judges, and 2) regulations on reassignment of judges. EROL prepared a legal analysis of judicial salary setting under the new LoC. At the end of Y3Q4 the Normative Committee presented a regulation on promotion of judges to the Council
Judicial disciplinary procedures improved	1			X		Draft regulations were prepared by EULEX for the Disciplinary Committee in Yr3Q4

						which are expected to be before the Normative Committee In Yr4
KJC database for judicial personnel in use	2				*	ECLO is developing this
Track legislation reviewed by legal office	2				*	The legislation referred to in this indicator refers to the package of laws, commonly referred to as “the five laws” that deals with justice sector institutions. Early in the program EROL worked as part of a working group to amend the five laws; however, the MOJ took that process over and has not involved outside technical assistance from EROL. If the MOJ opens the process for additional comment/advice/help, EROL will provide as much as possible. Since there may be no further involvement by EROL, anticipated completion is not scheduled here.
Track implementation of procedures for effective court admin						
Case flow, reception, assignment, management	2			X		EROL has reinvigorated the model court program (MCP) improvement teams at 8 model courts scheduled for MCP initiatives this year. Procedures for ensuring smooth transition to the new court structure under the LoC is well underway with working groups established and working on HR, court admin, public outreach, and logistics requirements.
Case files and records standards and procedures	2			X		All courts have improved records management
Attention to court users	2			X		Web portal assessments (web strategy and web development plans) have been submitted to the KJC for review.
Transparency and information access	2			X		With EROLs support a new web portal is being designed and EROL is developing content both for KJC and each individual court. This process is expected to be completed in Yr4 Q2.
Increased and more effective use of automation						
Assess IT needs, CMIS' contributions/gaps, and failure to use	1	X				Database assessment conducted.
Provide recommendations for system operation	2			X		The KJC is developing a new CMIS with support from the Norwegians. EROL has, and is providing, recommendations on the development of the system. The KJC and Norwegian team have been very open and consultative.
Minority outreach efforts						
Draft minority access assessment	1				X	EROL is drafting a regulation related to minority recruitment and advancement within the judiciary.
Draft outreach campaign	1		X			EROL drafted brochures to encourage minority community citizens to enter programs for professional positions in the judicial system – approved by KJC and USAID
Draft requirements for translator program	1			X		EROL provided support to KJC on drafting Regulation for qualification of court translators and interpreters.

KOSOVO PROSECUTORIAL COUNCIL SCORECARD

Kosovo Prosecutorial Council Scorecard		Targets and Actual				Remarks
Activity/Initiative	Target Completion (Year)	Actual Completion Year				
		1	2	3	4	
Facilitate development of strategic plan	1			X		EROL facilitated drafting of KPC Strategic Plan with Council and working group members. In Y3/Q1, a proposed strategic plan was revised and submitted to the KPC Normative Committee in anticipation for consideration and adoption by the full Council in Yr4/Q2.
Facilitate development of annual plans	1			X		EROL facilitated annual planning activities, including macro action plan development, sharing of template in connection with the creation of KPC's Strategic Plan.
Facilitate development of implementation plan and committees	1			X		The Implementation Plan was completed in Yr2, and it was based on a simplified version of the draft developed by USAID/EROL. EROL facilitated the establishment of committees/commissions/working groups, which are included in an amended regulation on the organization and activity of the KPC
Instruction manual (SOP) with regulations, policies, procedures	1			X		In Yr2, EROL drafted various guidelines and plans in the spheres of PR communications and website design for the KPC. EROL also assisted in drafting/amending the Five Justice Sector Laws, several pieces of secondary legislation, Ethics Codes for KPC Members, Prosecutors, and Support Staff, and the KPC's Strategic Plan. In Y3/Q1, EROL continued to support KPC drafting activities.
Support implementation of SOP across KPC	1			X		EROL participated in working groups that assisted KPC in drafting/amending regulations concerning discipline ¹² and prosecutor performance & evaluation, and an administrative instruction on setting annual performance norms, and amendments to amended regulation on the organization and activity of the KPC.
Develop job descriptions/TORs for KPC Secretariat staff	1		X			In Yr2, job descriptions were developed and revised as part of the strategic planning process as part of a collaboration with ECLO and the KPC
Train KPC in needs-based budgeting and justification	1			X		In Yr3/Q1, EROL and the KPC examined budget issues and identified specific needs through the strategic planning process. More concrete plans will be put in place with Action Plan development.
Legislative drafting support: secondary legislation	1			X		In Yr2, EROL participated in working group that assisted KPC draft/amend regulations concerning discipline ¹³ and prosecutor performance & evaluation, and an administrative instruction on setting annual performance norms. In Y3/Q1, EROL continued to provide technical assistance in support of KPC drafting activities.
Development of new staff training module	1				X	This is included in the draft strategic plan and EROL provided significant support to its development. However, the KPC is currently undergoing a change in leadership (Chief State Advocate). Once the CSA is appointed and is engaged in this effort, EROL will support it.

¹² By agreement, EUOK is responsible for the development of disciplinary regulations, and EROL is responsible for ethics matters.

¹³ By agreement, EUOK is primarily responsible for advising the KPC on disciplinary activities.

Draft public relations strategy	1			X	EROL finalized and presented to KPC for consideration public relations strategy, media guidelines and a crisis communication plan. EROL transmitted a proposed Communications Plan to the KPC Normative Committee in Yr3/Q1. Now that the KJC has adopted a Communications Strategy, the KPC has asked for EROL support to revisit the proposed plan and develop its own Communications Strategy.
Draft public relations training modules and materials	1			X	In Yr3/Q1, EROL provided technical assistance to the KPC regarding training modules for a new KPC spokesperson and specially-designated prosecutors/public information officers. Since then EROL has included KPC PR officers in its training of court PIOs
Train public relations staff	1			X	In Yr2, EROL trained KPC staff/spokesperson. In Y3/Q1, EROL provided technical assistance to the KPC regarding training of a new KPC spokesperson and specially designated prosecutor/public information officers. EROL provided training for the KPC PIO along with PIOs for the KJC, KJI and each of the courts in Yr3Q3. Since then EROL has included KPC PR officers in its training of court PIOs
Support formulation of external/internal communication plans	2			X	In Yr2, 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. Now that the KJC has adopted a Communications Strategy, the KPC has asked for EROL support to revisit the proposed plan and develop its own Communications Strategy.
Incorporate public messages into overall outreach activity	2			X	In Yr2, EROL drafted media guidelines and conducted Media and the Criminal Justice Workshop attended by legal professionals and journalists. In Y3/Q1, EROL provided technical assistance to the KPC regarding the integration of a new KPC spokesperson and specially designated prosecutor/public information officers into KPC public outreach strategies.

MINISTRY OF JUSTICE SCORECARD

Ministry of Justice Scorecard		Targets and Actual				Remarks
Activity/Initiative	Target Completion (Year)	Actual Completion Year				
		1	2	3	4	
Legislative drafting						
Draft training modules	2		X			Legal Process workshop in Peja conducted during Q2. Eight professionalization training modules were under development during Q3.
Implement training program in legislative drafting	1	X				Workshop completed on public policy analysis and development and on public input and legislative drafting. Legal Process workshop in Peja conducted in Yr2 Q2.
Draft legislative enactment plans	1	X				Public policy analysis and development protocol completed
Define guidelines for public participation	1	X				Guidelines for Public Consultation were published by GOK in Sep 2011
Capacity development for public participation	1			X		Workshops on Legislative Drafting, including drafting of secondary legislation and protocols for public participation, were conducted.
Support for secondary legislation drafting	1			X		
International Legal Cooperation Department (ILCD)						
Training needs analysis report	1	X				Per agreement with EULEX/ECLO, EROL providing training on civil aspects of legal cooperation (excluding family law)
Develop training modules for ILCD	2		X			Training Module developed and provided.
Develop international legal assistance manual	1	X				Conducted 2-day workshop on international legal cooperation in civil matters and delivered Practice Manual
Training MOJ officials in implementation of roles	1	X				Conducted 2-day workshop on international legal cooperation in civil matters and delivered Practice Manual. In Yr2Q1, prepared a comprehensive sensitive case file use and storage protocol, which was accepted for use by the Acting Director of the ILCD. The training on the negotiation, conclusion and implementation of bilateral agreements on civil matters was successfully delivered on 3-4 October 2013. In Yr4 Q1 EROL delivered three training sessions regarding the international legal cooperation in civil matters for the legal officers at the DILC and for the civil judges from the Basic Courts in Kosovo. 5 (five) legal officers from the MoJ/DILC have attended the program while 60 judges from the basic court in Kosovo have attended the program. The first training was conducted on 28-29 April 2014, and continued with the second training on 19-20 May, concluding with the third training on 20-21 June 2014.
Complete agreements with interested nations	2				*	To support the DILC in its efforts to conclude agreements with other nations, EROL

						has prepared a practice manual on international legal assistance in civil matters. To support the DILC in its efforts to conclude agreements with other nations, EROL has prepared a practice manual on international legal assistance in civil matters, Guide is designed to assist the legal practitioners in the Ministry of Justice in understanding and implementing their legal and procedural obligations with respect to requests to and from Kosovo. It is also designed to provide assistance to the DILC in developing and/or clarifying internal and inter-institutional processes for handling cases.
Exchanges with EJM and EuroJust	2				*	This has not been interest from the DILC to support the MoJ in its activities regarding exchanges with EJM and EuroJust. Therefore, no activities have been initiated nor is there anything to report.
Litigation Unit						
Training needs analysis report	1	X				Three (of six) lawyers in Division for Judicial Litigation attended NITA-style trial advocacy training conducted by KJI; EROL prepared proposal to the Department for Legal Affairs to define and increase MOJ capacity to represent GOK in litigation.
Develop training modules	2				*	EROL's work with the litigation unit of the MOJ (State Advocate's Office) was postponed until appointment of a new state advocate general. Even though that appointment is not anticipated in the near future, EROL is ready to implement training programs for SAO attorneys and professional associates immediately. EROL in Year 4 is also prepared to submit a concept paper to form a working group preparing draft SAO regulations.
Training in inter-Ministerial coordination for litigation	2				*	
Training in oral and written advocacy skills	2				*	
ToT for local trainers	2				*	
Training in administrative litigation	3				*	
Training in civil litigation	3				*	
Compilation of training into a reference book	2				*	

OFFICE OF THE PRESIDENT SCORECARD

Office of the President Scorecard	Targets and Actual					Remarks
Activity/Initiative	Target Completion (Year)	Actual Completion Year				
		1	2	3	4	
Report on justice-related competencies of OP	1				X	An assessment of the justice-related competencies of the OP from the perspective of the Kosovo Constitution and the relevant legislation has been completed in the form of specific reports and concrete analysis, which have critically examined the role of the President in the justice sector and the interaction with the Kosovo Judicial Council and the Kosovo Prosecutorial Council regarding the process of judicial and prosecutorial appointments
Establish working group per Project design TORs	1	X				Working groups are identifiable and operational. This constitutes the technical level group, which is comprised of the representatives from the PO and the KJC and KPC Secretariat.
Support creation of coordination mechanisms	1	X				Coordination mechanism as locus for institutional interaction and policy coordination [to address policy options, and to analyze or resolve legal conflicts or inconsistencies on matters involving but not limited to judicial and prosecutorial appointments] have been established and are operational. The coordination mechanisms include the PO Legal Advisor (including the Head of the PO Legal Department) and the Director of the KJC/KPC Secretariat.
Intra-governmental roundtables	1	X				The 3 rd in a series of Intra-Governmental Roundtables was held in Q4 (06 March 2012). The roundtables explored many issues of judicial and prosecutorial appointment/transfer/dismissal, and simultaneous applications to the KJC and the KPC by the same applicant.
Draft PR strategy	1		X			EROL has finalized the drafting of the media relations guidelines for the Office of the President. The purpose of the guidelines is to give effect to democratic principles of transparency and public participation in the justice system of Kosovo in order to ensure judicial and prosecutorial independence, impartiality and integrity and the fair administration of justice in the Republic of Kosovo.
Train public relations team members	2		X			In Year 2, EROL conducted a series of PR training sessions for the OP team in order to empower the professional skills in media interaction and enhance thus the President's communication with citizens on justice related matters. The following activities were undertaken to accomplish this objective. EROL conducted on October 24, 2012, a workshop for OP public officers on the development of a communications strategy. The workshop introduced participants with the contemporary approaches and techniques in overcoming public communication barriers, ensuring qualitative message delivery, and strategies for communicating matters involving judicial and prosecutorial appointments. On February 22, 2013, EROL conducted the other workshop with the justice sector institutions, including the Office of the President to discuss the media relations guidelines as prepared by EROL STTA.

Include outreach messages in overall PR strategy	3			X		Outreach messages in the PR strategy for the Office of the President have been included and are now part of the Media Relations Guidelines for the Office of the President.
Support drafting of written protocols/circulars/guidelines	2	X				KJC Administrative Instructions (2) on the Submission of Proposals for Appointment of Candidates as Judge/Prosecutor; PO Regulations (2) on the Appointment of Candidates proposed as Judges/Prosecutor. EROL provided PO with legal research and advice on matters pertaining legislation review, constitutional authority of pardon, and judicial and prosecutorial appointments. EROL continued to provide support for the Office of the President in the area of legal drafting and legislative review including but not limited to the development of procedures and protocols for the review of enacted legislation prior to its promulgation. EROL completed the Language English Program (LEP) for the legal team of the President's Office.
Support agencies to implement protocols	2		X			EROL supported the OP in the implementation of the technical guidelines for the exercise of OP constitutional competencies with regard to the return of laws for reconsideration prior to promulgation. The result is that the OP is reviewing the legislation on the basis of the EROL designed guidelines. In addition, a team of legal officers of the OP attended the Legal English Program as developed by EROL. The program has successfully strengthened the professional capacities of the OP in providing better quality of legal services and has enhanced the process of the implementation of the existing legal framework and protocols. 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. EROL has taken an active role approaching the OP legal team to prepare and revise the existing protocols and rules regarding aspects of judicial and prosecutorial appointments. EROL and OP are in the process of publishing the guidelines on the review of laws enacted by the legislature.
Train legal officers of OP	2		X			In July 2012, EROL conducted a two-days training in the legislative drafting process. The training was attended by the legal officers of the PO, the KJC, the KPC and the MoJ. In October 2012, EROL conducted a two-day workshop on the "legislative review process". The training was attended by the legal officers of the President's Office and the Assembly of Kosovo. EROL conducted the training on the process of drafting of secondary legislation, which was held on 4-5 July 2013. The training aimed at supporting the legal teams of the OP, the AoK, the MoJ, the KJC and the KPC to draft secondary legislation following the entry into force of a new regulatory framework on legal drafting in Kosovo.

CONSTITUTIONAL COURT SCORECARD

Kosovo Constitutional Court Scorecard	Targets and Actual					Remarks
Activity/Initiative	Target Completion (Year)	Actual Completion Year				
		1	2	3	4	
Needs Assessment - expertise and information needs of judges	1	X				EROL is preparing topics for a judicial training conference to be held in Q1 or Q2 in Year Two of Program
Support program and materials for CC judges drafted	1		X			EROL elicited and organized the presentations of eight formal presentations on substantive constitutional and legal issues for the international conference on Human Rights sponsored by EROL and Constitutional Court, on June 29-30, 2012.
Training modules developed for new CC judges	1		X			
Support attendance at regional or international conferences	1		X			
Needs Assessment - training needs for legal advisors	1	X				Training Needs Assessment Completed
Training modules developed for legal advisors	1	X				Workshop conducted at end of Q2 and second workshop done in Q4
Training provided to legal advisors	1	X				Workshop conducted at end of Q2 and second workshop done in Q4
Exchanges with international jurists (visits to Kosovo or travel)	1		X			Target completed through the above conference, which included presentations by judge who served on European Court of Human Rights, two federal court judges from United States, and one lawyer from Ireland.
Preparation of research papers for conference	1		X			
Conference on constitutional jurisprudence and adjudication	1		X			
Internship program launched (year 2) and monitored (2-4)	2				*	KCC asked us to defer on this and provide training to legal advisors
Materials created and distributed as bench references	2		X			EROL prepared summaries of the 93 cases decided in 2011, as well as a complete subject matter index, for inclusion in the Court's Bulletin of Case Law 2011, which will be widely distributed to judges and other legal professionals for use and reference manual.
Library needs assessed and materials procured	2				*	GIZ is doing this
Training module developed for internet research	2		X			The Legal English Program Legal Research Module, prepared in conjunction with KJI, will be offered to legal advisers and legal researchers with sufficient English language proficiency at Constitutional Court.
Reference manual created and distributed	3			X		As part of that process, in Yr3/Q1, EROL and KCC representatives distributed a special international human rights edition of "E Drejta", which is the result of a KCC/EROL/Law Faculty collaboration, and provides guidance on the implementation of international human rights mandated by the Constitution, which was released to judges of the Court, KCC legal support staff members, the "ordinary" courts and legal support staff members, law professors, students, lawyers, and members of the public in hard copy and in electronic format on institutional online Websites.
ToT in adult learning principles	2		X			Training for Legal Advisers completed.

Local and international trainers train advisors together	3	X				Legal Advisor Training conducted.
Local trainers begin to train on their own	3	X				Orientation and training for new researchers conducted by CC Trainers using EROL-produced materials.
Deploying software for full-text searchable decisions online	3			X		In Yr3/Q2, the KCC database/search engine was fully deployed. The full-text searchable feature is available in Word format, and is being debugged in the PDF format; the full-text search feature is expected to be available during Y3/Q3 or Y3/Q4.

KOSOVO JUDICIAL INSTITUTE SCORECARD

Kosovo Judicial Institute Scorecard		Targets and Actual				Remarks
Activity/Initiative	Target Completion (Year)	Actual Completion Year				
		1	2	3	4	
Assessment of KJI structure and curriculum, and their degree of alignment with LoP and LoC	1	X				EROL team conducted Kosovo Judicial Institute Initial Legal Education Program Assessment on March 2012
Draft training courses	1	X				In the CLEP Assessment, EROL undertook the responsibility for the preparation of several course modules for presentation in 2012. Drafts of two courses have been completed
Training of Trainers (TOT)						
Training of trainers program developed	1		X			In conjunction with KJI instructors selected by the Director, EROL prepared modules Legal Reasoning and Writing, Court Management, Case Management, and Judicial Ethics with interactive learning features that were introduced to all KJI instructors. Several programs were delivered with fulltime and adjunct KJI instructors participating in Q4.
ToT program carried out with KJI instructors	1		X			The above courses with TOT features were presented in Yr2 Q4; Two KJI trainers were trained to deliver the Workshop for Judges on Mock Trial (Civil) for the Kosovo Judiciary and the Information & Communications Technology (ICT) Considerations Module for the Kosovo Judiciary during Yr3/Q3 Target Completed in for Yr4 in Q1 – with delivery of Resilient Leadership ToT, May 26-28, 2014.
English language TOT training						
Training of trainers program developed	1		X			Legal English Program TOT Curriculum, Legal Research Module, Lower Intermediate Module, Intermediate Module and International Legal Cooperation in Civil Matters Curriculum conducted and completed during Yr2 Q1, courses presented in the CLEP and ILEP Programs.
ToT program carried out with KJI instructors	1		X			Legal English Program TOT Curriculum, Legal Research Module, Lower Intermediate Module, Intermediate Module and International Legal Cooperation in Civil Matters Curriculum conducted and completed during Yr2 Q1, courses presented in the CLEP and ILEP Programs. In Y3/Q1, an EROL trainer mentored KJI trainers in the delivery of the ICT Considerations for the Kosovo Judiciary program.
Training program on OSCE recommendations prepared	1		X			OSCE reports have been analyzed and administrative staff shortcomings are being addressed in a Best Practices course developed. In conjunction with KJI instructors selected by the Director, EROL is preparing a course module on court administration staff best practices. The course module development began in Yr2 Q3, continued during Q4. The Model Court Program delivered a series of professionalization classes to court support staff during implementation on the new law on courts.
STTA provided in holding judicial conferences	1			X		In January 2014 EROL provided an STTA to moderate and organize the KCC Conference on Self-Executing Nature of KCC Decisions.

Judicial conferences held	1			X		Conference on Self-Executing Nature of KCC Decisions took place in January 2014
Develop list of potential local and int'l partner institutions	1	X				List prepared and submitted to KJI.
Support development of relationships with institutions	1					EROL Team is coordinating study tour for KJI to the National Judicial College (NJC) for Nov 2014
Support to attend international conferences	1			X		KJI Director attended the International Organization for Judicial Training (IOJT) Conference in Washington D.C. in 2013 and EROL is encouraging wider participation of KJI staff at the next IOJT Conference.
KJI website enhanced						
Include reference materials and legal information on site	1			X		Full deployments of the KJI software and website happened in Yr3/Q2, and training of KJI staff was completed in Yr3/Q3.
Develop test version of KJI website	1			X		
Develop draft database of trainees	1			X		
Develop distance learning demonstration course	1			X		
Distance learning platform and catalog deployed and in use	2			X		KJI database and distance learning platform completed in Y3.

MODEL COURTS PROGRAM SCORECARD¹⁴

Model Courts Scorecard		The Supreme Court	Pristina District Court ¹⁵	Gjilan District Court ¹⁶	Lipjan Municipal Court ¹⁷	Istog Municipal Court ⁴	Viti Municipal Court ⁴	Rahovec Municipal Court ⁴	Suhareka Municipal Court ⁴
KEY STANDARD									
1	Reorganize administrative duties between Presiding Judge and Court Administrator	2	2	2	2	2	2	2	2
2	Develop and implement a Court Training Plan	2	2	2	2	2	2	2	2
3	Maintain and updated open and closed case files accurately and chronologically	2	2	2	2	2	2	2	2
4	Develop and implement a plan for reduction of case backlogs in all types of cases	2	2	1	1	1	1	1	1
5	Develop and implement a plan for compliance with case processing time standards	1	1	1	1	1	1	1	1
6	Streamline procedures for effective procurement and use of court logistics and supplies	2	2	2	1	1	1	1	1
7	Enhance court communication with the public	2	2	2	2	2	2	2	2
8	Improve accessibility and security of court facilities	3	3	3	3	3	3	3	3

¹⁴ The MCP Scorecard 1 includes first eight participant courts on EROL MCP as per their operation under former courts structure.

¹⁵ 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.

¹⁶ 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

¹⁷ 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.

9	Ensure that court proceedings are open and that all that appear before the court have the opportunity to participate effectively	3	3	3	3	3	3	3	3
TOTAL:		19	19	18	17	17	17	17	17

MODEL COURTS PROGRAM SCORECARD¹⁸-II

Model Courts Scorecard										
KEY STANDARD		Pristina Basic Court -Podujeva Branch ¹⁹	Pristina Basic Court – Glllogove 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 – Vushtri Branch ⁶	Court -Sterpce Branch ²⁰
1	Reorganize administrative duties between Presiding Judge and Court Administrator	2	2	2	2	2	2	2	2	2
2	Develop implement Court Training Plan	2	2	2	2	2	2	2	2	1
3	Maintain and updated open and closed case files accurately and chronologically	2	2	2	2	2	2	2	2	2
4	Develop and implement a plan for reduction of case backlogs in all types of cases	1	1	1	1	1	1	1	1	0
5	Develop and implement a plan for compliance with case processing time standards	1	1	1	1	1	1	1	1	0
6	Streamline procedures for effective procurement and use of court logistics and supplies	1	1	1	1	1	1	1	1	1
7	Enhance court communication with the public	1	1	2	1	1	1	2	1	1
8	Improve accessibility and security of court facilities	3	3	3	2	2	3	3	1	2
9	Ensure that court proceedings are open and that all that appear before the court have the opportunity to participate effectively	1	2	2	1	1	1	2	1	1
TOTAL:		14	15	16	13	13	14	16	12	10

¹⁸ The MCP Scorecard 2 includes second eight new participant courts that joint EROL MCP on the Yr2 Q4.

¹⁹ As foreseen on the new LoC the Branch Courts operate under the Basic Courts which

²⁰ During this year EROL added Ferizaj Basic Court – Branch of Sterpce to the MCP activities.

EROL MODEL COURT PROGRAM– PMP SCORING DESCRIPTION CRITERIA

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

Key Standard	Scoring	
	Score	Criteria
	2	Plan for reducing backlog, with targets and responsibilities, adopted.
	3	Case backlog reassessment completed and changes to the plan undertaken.
Develop and implement a plan for compliance with case processing time standards	0	No formal plan for compliance with case processing time standards.
	1	Assessment of case processing procedures completed. Through database and data entry personnel EROL MCP is collecting data of all pending cases as well as cases with a disposition date after 2013. At this stage the courts are not able to identify cases by disposition date since data entry process is ongoing.
	2	Plan for timely processing of cases and compliance with time standards developed and adopted.
	3	Case processing procedures reassessed and changes to the plan identified.
Streamline procedures for effective procurement and use of court logistics and supplies	0	No procedures for effective procurement and use of court supplies developed.
	1	Inventory of court logistics and supplies completed. Under the new court internal structure significant improvements were achieved across the courts in Kosovo. Merge and consolidation of the Basic Court logistic offices and inventory and update of the listed information are positive highlights that deserve to be acknowledged as improvements toward accountability on the maintenance and use of court inventories and equipment
	2	Plan for tracking and managing use of supplies developed. As the new court internal structure was developed by the sub-working group on human resources and became effective January 2013, each basic court recruited a staff member who will deal with court logistic issues. This effort will improve the supply tracking system and enhance communications with KJC Secretariat.
	3	Evaluation of the supply and inventory system completed with problems identified.
Enhance court communication with the public	0	No organized public communication or community outreach.
	1	Identification of court outreach activities to enhance court/community relations. During the quarter 3 and this quarter as well, EROL successfully managed to develop and finalize the design plans for refurbishment on branch courts of Klina, Decan, Podujeva, Malishevo and Sterpce. The developed design plans successfully address all standards for improvements in area of communication, access, transparency and safety.
	2	Plan for public communication and community outreach developed. EROL MCP, in conjunction with the EROL communication specialist and STTA, facilitated communication training for court information coordinators and court administrators. A court signage plan has been developed for all MCP courts undergoing refurbishment. Court directories and information booths are in place. Designing and printing of court brochures are in the process of finalization.
	3	Outreach activities monitored and changes made to the plan based on evaluation.
Improve accessibility and security of court facilities	0	Court is not safe and accessible.

Key Standard	Scoring	
	Score	Criteria
	1	Facility evaluation completed for potential safety and accessibility improvements.
	2	Plan for improvements in facility safety and accessibility developed and construction activities started. The refurbishment design plans and specifications incorporate all necessary measures to increase safety in the courts. Additionally the designs improve access and transparency to all court operations. During this quarter the refurbishment activities were completed in Kacanik court;
	3	Facility improved and reassessment completed. In addition to last quarter where 2 courts completed the refurbishments, in this quarter 5 other courts completed refurbishments. With the refurbishment completion of these 5 courts the improvements increased the safety , access and efficiency of court operations.
Ensure that court proceedings are open and that all that appear before the court have the opportunity to participate effectively	0	Public access to court hearings is limited or haphazard.
	1	Barriers to access identified (including physical, language, gender, security, ethnic barriers).
	2	Plan for improvement to eliminate barriers to access developed. Designs for refurbished facilities increased the number of courtrooms by 100% over current court use. This increase will enable more members of the public to attend open hearings and court sessions. In each of the refurbishment designs is foreseen increase of the court rooms up 100% more that currently court use. So, the increase of the court rooms which enable courts to receive more public to the open hearings. Courts successfully continued publishing court hearings through the monitors on public area.
	3	Accessibility reassessed and plan modified based on new information.