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**JUDICIAL REFORM & GOVERNMENT
ACCOUNTABILITY PROJECT (JRGA)**

JUDICIAL REFORM AND GOVERNMENT ACCOUNTABILITY PROJECT

Annual Report – Year 4

July 1 2014 – June 30 2015



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On the cover (left to right): Ambassador of the United States of America, Michael Kirby, Minister of Justice of the Republic of Serbia, Nikola Selakovic, President of the Higher Court in Pirot, Sveta Mancic and Norwegian Ambassador to Serbia Nils Ragnar Kamsvag, on the occasion of the opening of the renovated Higher, Basic and Misdemeanor Court premises in Pirot, on April 1, 2015.

DISCLAIMER

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

JUDICIAL REFORM AND GOVERNMENT ACCOUNTABILITY PROJECT (JRGA)

Annual Report Year 4

TABLE OF ACRONYMS

AC	Administrative Court
ACA	Anti-Corruption Agency
ACS	Anti-Corruption Strategy
AMJ	Association of Misdemeanor Judges
APP	Association of Public Prosecutors
CAFV	Counseling Against Family Violence
CeSID	Center for Free Elections and Democracy
CfI	Commissioner for Information
COI	Conflict of Interest
COP	Chief of Party
CSO	Civil Society Organization
DCOP	Deputy Chief of Party
EPC	European Policy Centre
HCC	High Court Council
HMC	Higher Misdemeanor Court
IAs	Independent Agencies
IAD	Income and Asset Disclosure
IT	Information Technology
JA	Judicial Academy
JAS	Judicial Association of Serbia
JRGA	Judicial Reform and Government Accountability [Project]
LOM	Law on Misdemeanors
MC	Misdemeanor Court
MCCMS	Misdemeanor Court Case Management System
MOJ	Ministry of Justice
NGO	Non-Governmental Organization
NJRS	National Judicial Reform Strategy
NA	National Assembly
PC	Partner Court
RfA	Request for Applications
SAI	State Audit Institution
SBRA	Serbian Business Registry Agency
STTA	Short-Term Technical Assistance
TS	Transparency Serbia
USAID	United States Agency for International Development
WP	Work Plan
WB Law	Whistleblowers Law

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EXECUTIVE SUMMARY

The USAID Judicial Reform and Government Accountability Project's fourth year of operation was highly impactful. Many of the long-term strategic plans and activities started in the Project's earlier years bore substantial fruit during the year and are well on their way to timely completion. Our partnerships with Serbia's judiciary, Independent Agencies, and CSO community are strong and productive. The Project is well positioned for a productive fifth year that will yield substantial, tangible and sustainable results.

Judicial Reform

The new Law on Misdemeanors (LOM), developed with technical and legal drafting assistance from JRGA, has had a dramatic impact on the efficiency and effectiveness of the Misdemeanor Courts and its justice system partners in managing misdemeanor caseload and improving enforcement. In the sixteen months from the effective date of the new Law in March, 2014, the misdemeanor order has streamlined case processing for authorized agencies and MCs, significantly reducing processing time and the level of effort for processing routine misdemeanors, allowing greater focus on more complex cases. The expanding use of such new procedures as plea bargaining has allowed rapid disposition of selected traffic, customs, and tax cases with fewer resources from both misdemeanor courts and authorized agencies; and eliminated the burden of enforcement in those cases.

Voluntary compliance with routine misdemeanors has increased dramatically as a result of the LOM diverting those cases from MC enforcement caseload, allowing judges and court staff to focus their effort on more complex and difficult enforcement matters. In the year following implementation of the new LOM, voluntary compliance reached 74% in comparison to a 30% voluntary compliance rate for routine mandatory fine cases in the preceding year. An estimated 11 million Euros in state revenue were collected through voluntary compliance.

JRGA continued its intensive training and technical assistance program to misdemeanor courts and justice system partners to ensure optimal implementation of the new Law.

As with any fundamental change in institutional processes, the efforts towards implementation have highlighted the need for adjustments to the new Law, as well as the need for corresponding changes in related laws. The Ministry, based on recommendations of JRGA, will create a working group for additional amendments to the LOM, and has requested technical and legal drafting assistance from JRGA legal staff. During the year, JRGA also provided technical and drafting assistance for drafting required amendments to the Court Rules of Procedure, development of draft amendments on the Law on Enforcement and Security, and amendments in instructions for service of process by the Post Office.

The Minister of Justice has announced the formation of a multi-purpose commission in collaboration with the Ministry of Interior, the Ministry of Labor and the Ministry of Health to address family violence. The commission will evaluate current criminal and family laws relating to family violence, and on ensuring coordinated local response to family violence patterned after the inter-institutional cooperation model, supported by JRGA through its Grants Program. JRGA has been asked to provide technical and legal drafting assistance.

As part of the effort to implement provisions of the National Judicial Reform Strategy, JRGA provided technical assistance and logistical support to two workgroups of the Implementation Commission, helping to develop recommendations for analyzing and prioritizing the need for facility investment using the facility inventory assessment model developed by JRGA early in the Project, and recommendations relating to improving service of process, reducing excessive legal fees and resolving issues relating to taxation of court fees.

The NJRS Implementation Commission has formed a working group to revise the Law on Administrative Disputes. At the AC's request, JRGA will participate in the initiative, providing technical and drafting assistance for the development of the amended Law and technical assistance in preparing for its implementation.

In Year 3, JRGA developed and implemented the initial module of the Misdemeanor Court Case Management System (MCCMS) that provides electronic registries of sanctions and unpaid fines required by the new LOM. During Year 4, worked with the MOJ and advisory groups of judges and court staff, the registries module of MCCMS was updated and implemented, and a new module implementing enforcement was developed and deployed to all MCs. JRGA's classroom and on-site training program continued, complemented with on-site technical assistance to adapt their business processes to use of automation and prepare for implementation of the full MCCMS application. By the end of June, the MCCMS database over 900,000 cases, with over 485,000 cases included in the central registry of sanctions, and over 200,000 cases listed in the central registry of unpaid fines (representing the potential of over 13 million Euros in *additional* revenue for the State).

JRGA legal and IT staff completed software for the full MCCMS application, which will include registries, misdemeanor case and records management, event tracking, document generation, automated the enforcement and payment processing, appellate case management, and statistical and management reporting. The completed software will be tested in pilot courts during the summer of 2015 and rolled out to all courts in the fall.

The MCCMS is a centralized system, allowing for more efficient and effective management of users, application and system software, network resources and workload data. The central data base supports electronic data exchange with justice systems partners such as the National Police, Central Registry of Compulsory Social Insurance, etc., and will allow MOJ and HCC ready access to statistics regarding the workload and performance of MCs. During the year, JRGA worked with the MOJ to develop and implement expansion of the state network to ensure that all MCs were connected, including 105 MC court units.

The National Police began streaming misdemeanor order data to MCCMS in March of 2015 through a portal implemented by the JRGA IT staff, eliminating the need for MC staff to manually enter data regarding misdemeanor order cases. Technical requirements to allow Police and other authorized agencies and licensing agencies to access data in the registries of sanctions and unpaid fines was developed. This will allow authorized agencies to view prior sanctions against misdemeanor defendants, and allow licensing agencies to enforce withholding of licenses and registrations for persons with outstanding fines and costs. A data exchange link to the Central Registry of Compulsory Social Insurance was also implemented, which will automatically deliver up to date information on defendant employment to MCs via the MCCMS system.

JRGA Legal staff, with assistance of a working group of AMC and MC judges, completed the development of 300 forms for use by misdemeanor courts. The forms have been incorporated into the MCCMS to enable automated generation. The completed set of standardized forms will be included in updates to the compendium of forms and Bench Book to be made available in Year 5.

JRGA completed five facility upgrades during the year, and continued to provide technical assistance to the MOJ in identifying opportunities and priorities for state investment in improvement of MC and Administrative Court facilities. Facility renovations and improvements were made for the MC in Sabac, the MC in Pirot, the AC central facility in Belgrade, the AC unit in Kragujevac, and the AMC unit in Nis. JRGA continued its technical assistance to the MoJ and Belgrade MC in planning renovations for a consolidated facility for the Belgrade MC continued through the year. JRGA began an upgrade of the facility's windows, and replacement of the facility's roof, to complement MoJ's facility renovation. Work is scheduled to be completed in the fall of 2015. JRGA legal staff is assisting the Belgrade MC in planning for the move of its personnel and equipment from its current 14 locations to the centralized facility.

An Enforcement Working Group was established by JRGA to assist in the continued development of enforcement best practices. The Working Group's conclusions regarding best practices, including a model for graduate enforcement were circulated to all misdemeanor courts. JRGA will continue work on improving enforcement practices in Year 5 with the collaboration with the Working Group, using new provisions of the LOM and the application of the MCCMS, in particular focusing on wage and bank garnishments.

JRGA undertook a multi-faceted, integrated approach to increasing public understanding of and confidence in the judiciary. Open Court Day events were held in nine MCs to inform the public on the role and work of misdemeanor courts. Through grant supported efforts, lectures on the structure and operation of the misdemeanor judiciary were delivered to 10 high school students across Serbia. Training on public relations and effective communication with media was developed and delivered court presidents and staff to improve their capacity for public outreach, and customer service training for MC staff was delivered to improve the delivery of services to the public. JRGA also developed and disseminated various public information materials, including brochures, booklets, and posters, to further improve public understanding about the work of MC and the new procedures ushered in by the revised LoM.

Independent Agencies and Government Accountability

The Law on Whistleblowers (LOW) was adopted and came into force on June 5, 2015. The adoption of the Law is the culmination of a two-year effort of JRGA working collaboratively with MoJ's Working Group on the Whistleblower Law. JRGA provided technical assistance in developing the provisions of the Law, through an internationally respected expert on the subject. The new Law incorporates international best practices and has been described as among the world's strongest national whistleblower laws, and promises to become a key tool in the fight to eliminate public corruption.

To ensure effective implementation of the new Law, JRGA conducted a comprehensive training program across the country for approximately 1000 judges during the year, in advance of the Law's effective date, working with the MoJ and the Judicial Academy (JA). A second round of practical training for judges will continue in Year 5. To increase public

awareness and encourage public participation in the fight against corruption, JRGA developed a one-month long promotional campaign, “Whistleblowers are Stronger Now,” in collaboration with the MoJ.

JRGA provided extensive technical assistance to both the MoJ and the ACA in implementing and monitoring the National Anti-Corruption strategy. JRGA provided practical training for MoJ and ACA staff on implementing and monitoring effective anti-corruption activities. JRGA provided recommendations to improve effectiveness in implementing the National Anti-Corruption Strategy, as well as for coordination of the implementation of the Strategy at the central government level.

JRGA provided extensive technical assistance to strengthen ACA’s management capacity and operational effectiveness. With assistance from JRGA, ACA Board and senior management developed strategic priorities for preventing systemic corruption, and to define the organization’s key short, mid and long-term priorities. JRGA recommended sweeping changes to the Agency’s internal procedures, which were adopted and incorporated into an internal procedures manual. JRGA developed and delivered a tailored client relations training program to improve staff capacity in working with counterparts. Supplemental on-the-job training was delivered throughout the second half of the year. JRGA staff and experts provided technical assistance in the preparation of the Agency’s 2014 campaign financing report, and assisted with training for the representatives of political parties on political finance rules. JRGA facilitated a workshop for ACA management staff on improving methods for communication recommendations of the ACA to the National Parliament, and provided technical assistance to ACA in preparing its Annual Report on the Implementation of the Anti-Corruption Strategy for submission to the National Parliament. A working group has been established to revise the Law on the ACA, to improve its capacity to carry out its role in implementing the National Anti-Corruption Strategy. JRGA has been enlisted to provide technical and legal drafting assistance in developing the new Law.

The National Anti-Corruption strategy requires that civil servants and other public employees undergo training. JRGA assisted the ACA in developing a strategy for anti-corruption training, incorporating an integrated distance learning and classroom approach. JRGA will continue to provide technical and material assistance in the development of a series of educational videos, and preparations for the delivery of training.

JRGA staff and experts continued providing intensive support to the SAI to develop its capacity to conduct performance audits and to effectively communicate findings and recommendations from its audits to the National Assembly and audited agencies. STTA Expert Joseph Christoff made five visits to Serbia throughout the course of the year to provide expert assistance to the SAI in designing and crafting key messages of the SAI’s second performance audit report on the management of property and real estate owned by the Government of Serbia. In support of improving the working relationship between the SAI and its stakeholders, JRGA’s STTA expert delivered two lectures to the Ministry of Finance’s Sector for Budgeting and the National Assembly’s Committee on Finance, State Budget and Control of Public Spending. Towards the end of the program year, JRGA assisted the SAI in developing a strategic audit plan for upcoming years.

In Year 5, JRGA will assist the SAI and the ACA in coordinating their efforts and sharing expertise to prepare for the planned SAI audit of political entities.

JRGA continued work with other Independent Agencies as well. JRGA initiated bi-lateral roundtable discussions between staff members of the Commissioner for Protection of Equality (CPE) and judges from Misdemeanor Courts and the Appellate Misdemeanor Courts to improve cooperation and improve judges' capacity to address discrimination issues. Following up on recommendations from those discussions, JRGA developed a manual on laws regarding discrimination for use by Misdemeanor Judges.

Working with the Ombudsman's Office, JRGA facilitated training for close to 200 patients' right councilors on the topics of reporting to the Ombudsman, personal data protection mechanisms and fight against corruption in the health sector was delivered by the Project.

In order to ensure continued improvement in relations between the National Assembly and IAs, the Project, in cooperation with other international donor organizations, supported an orientation session for new MPs with the Heads of IAs to discuss their scope of work and the roles of their respective agencies.

Grants Program

JRGA continued to engage a broad spectrum of civil society organization in initiatives to improve the effectiveness and accountability of the judiciary, combat corruption, and increase the accountability of government.

Under JRGA Competitive grants program, the project's sixth and final grant solicitation was conducted during the final quarter of Year 4, attracting 33 grant proposals. Six new grants were awarded for projects addressing the elimination of public corruption, increasing transparency in the judiciary and government agencies, and ensuring the protection of personal information collected and processed by public entities. All grantees began their work in the last quarter.

Two grant projects were successfully completed during the year. Counseling against Family Violence successfully launched a network of 40 lawyers providing legal aid and assistance to family violence victims across Serbia in 22 under-served localities. Lawyers were given specialized training and their work was overseen by an experience family law attorney. Eutopia successfully launched a helpline for whistleblowers and potential whistleblowers, supplementing Eutopia's web-based Whistleblower Resource Center. Two attorneys provided legal and assistance to whistleblowers on procedures to follow for reporting corruption and abuse of office, and ensuring protection against retaliation. Eutopia's lawyers provided recommendations for development of the new Law on Whistleblowers, based in part on their work in assisting whistleblowers.

JRGA developed a new grant program for supporting and developing the capacity and sustainability of selected CSO organizations working on judicial reform and government accountability. Long term partnership agreements, called "framework agreements," were established to increase the sustainability of these organizations as partners in improving Serbia's judicial system and increasing the accountability of Serbia's governmental institutions. In two instances, framework agreements established bi-lateral working relationships between organizations with similar program objectives and complementary capacities.

A framework agreement established with the Association of Misdemeanor Judges (AMJ) and Alterfact is designed to strengthen AMJ's governance structure to support long term judicial reform objectives, support improvement in case management and sanction enforcement, and increase public awareness of the role and operation of the misdemeanor judiciary. An agreement established with Counseling against Family Violence (CAFV) and the Association of Public Prosecutors (APP) is designed to strengthen CAFV's management infrastructure, to improve the delivery of legal and vocational services to victims, and ensure an integrated response to family violence by local justice, public health, and social service systems. A third framework agreement was established with Eutopia, and is designed to improve and sustain services to whistleblowers and potential whistleblowers and encourage broader public awareness and participation in efforts to eliminate corruption and abuse of authority in public institutions.

HIGHLIGHTS FROM YEAR 4

Component 1: Judicial Reform

Partner Court Program:

- JRGA provided ongoing technical assistance to courts in implementing systemic changes and improving the administration of justice was provided to all MCs, the AMC, and the AC. Knowledge transfer, best practice exchange, joint problem solving and court-to-court dialogue promoted through topical partner court meetings.
- In Year 4, JRGA supported the organization of the Annual Conference of the Association of Misdemeanor Judges, and support provided to the Supreme Court of Cassation in the organization of its Annual Judges Conference.

Legislative Reform:

- JRGA provided extensive technical assistance to MCs and external justice system partners for the full implementation of the new LoM provisions. Twenty seven roundtables were organized for approximately 770 authorized petitioners to ensure that the procedural changes introduced by the new Law on Misdemeanors are being implemented effectively.
- Implementation of the Misdemeanor Order continued to have a significant impact on enforcement. Voluntary compliance reached 74% in the first 16 months of implementation (March 2014 to June 2015) on the new Law on Misdemeanors (LoM) in comparison to less than 30% compliance rate for mandatory fines under the old Law. Approximately 11 million euros were voluntarily paid in that period for fines and fees based on Misdemeanor Orders. Currently an additional 13 million euros are owed by those listed in the Registry of Unpaid Fines, all of which is highly collectable.
- In cooperation with the MoJ, the Project worked with authorized petitioners to establish electronic exchange protocols between the Misdemeanor Court Case Management System (MCCMS) and key external partners. In year 4, JRGA successfully established data exchange mechanisms with the Ministry of Interior, the Ministry of Finance's Department of Payments Administration and the Central Registry of Compulsory Social Insurance. These agreements will significantly strengthen enforcement of monetary sanctions, and the ability of courts to collect outstanding debts owed by misdemeanants.
- The Ministry of Interior (MoI) commenced with electronic transmission of information related to misdemeanor orders to the MCCMS data base. To date, the MoI has electronically transferred misdemeanor order data for close to 300,000 cases.

Facility Upgrades and Renovations:

- In Year 4, JRGA completed five facility upgrade interventions. Facility upgrades were completed in MCs in Sabac and Pirot, the Administrative Court's facilities in Belgrade and Kragujevac, and the Appellate Misdemeanor Court facility in Nis. The upgrades optimized functional organization of the courts and improved operational efficiency, and increased public access and safety.
- Work continues on the consolidation of operations of the Belgrade MC in a single location. JRGA and the MoJ have coordinated resources a comprehensive upgrade of Ustanicka court facility that will house over 400 judges and court employees. In addition, the Project provided technical assistance in planning for the establishment of specialized departmental divisions in the MC in Belgrade in order to improve overall court efficiency and practices, and initiated planning for the move of personnel and equipment to the consolidated facility.

Court Automation:

- During Year 4, JRGA designed and implemented a newly refined and enhanced Registry module, a more user-friendly interface, and an enforcement module. The IT infrastructure to support MCCMS was implemented, providing centralized efficient management of user access and software as well as capacity for electronic data exchange with justice system partners. JRGA completed the development of the full MCCMS application which will be tested in summer of 2015. The application includes registries, misdemeanor case and records management, event tracking, document generation, automated the enforcement and payment processing, appellate case management, and statistical and management reporting.
- JRGA, in cooperation with AMC and MC judges, created 300 new and revised forms for facilitating the implementation of the new LoM, which will be incorporated in the MCCMS application to allow automatic generation of forms within the application.
- Intensive training and on-the-job support, including telephone and e-mail assistance, provided to all MC's and MC units for the use of the MCCMS application. In Year 4, in cooperation with the JA, JRGA organized 41 "classroom" trainings and 47 hands-on "elbow" trainings on the case management system.

Judges Training 2014-2015:

- Misdemeanor judges and staff trained on topics covering the new Law on Misdemeanors, the Juvenile Justice Law, the new Law on the Protection of Whistleblowers, legal drafting, public relations and outreach and the MCCMS application, in close cooperation with the HCC, the Ministry and the Judicial Academy.
- Administrative court judges trained on the Law on the National Councils of National Minorities and Law on the Protection of Whistleblowers.
- Approximately 1000 judges from the Supreme, Appellate, Higher, Basic and Administrative Courts were trained on the new Law on the Protection of Whistleblowers.

Component 2: Government Accountability

Institutional Support for the Anti-Corruption Agency

- JRGA assisted ACA in strengthening management and operational procedures and capacities of the ACA. The Project developed an operational manual on the Agency's internal procedures, increasing the ACA's overall responsiveness and efficiency. Intensive management skills training was provided to all senior management staff, and client-relations training was provided for ACA departmental staff to improve their skills in communicating with public servants.
- In February 2015, the MOJ established a working group led by the Director of ACA to prepare a new Law on the ACA. The Project provided expert support to the Working group in developing the draft law that is targeted for adoption by the end of 2015.
- Expert assistance was provided to establish an effective approach for the implementation of the Anti-Corruption Strategy. Technical and planning assistance was delivered to the ACA to develop a viable strategy to train all public servants on anti-corruption, ethics and integrity matters; and for planning the production of educational videos which are a part of the strategy.

Strengthening Capacities of the State Audit Institution

- Expert assistance was provided to SAI senior management and performance audit team on leadership and strategic management issues, basic principles of performance auditing, and identifying priorities for future assistance.
- JRGA STTA expert Joseph Christoff delivered five three-day training programs on "Interviewing for Information – Tools and Techniques for Effectively Interviewing Ministry Officials" for the SAI performance audit team. The STTA expert also developed an outline and structure for the SAI's first and second performance audit reports, and provided technical guidance with crafting key messages based on the findings of the audits.

Whistleblower Protection

- JRGA provided extensive technical and drafting assistance to the MOJ working group on the Law on Whistleblowers. The National Assembly adopted the Law on December 4, 2014.
- In an effort to prepare judges of all courts for the new Law on the Protection of Whistleblowers entering into force on June 5, 2015, the Project worked with the MOJ and the Judicial Academy to implement a comprehensive training program for over 1000 judges.
- JRGA worked with the MOJ to prepare and implement a nation-wide public outreach campaign to ensure awareness of the new Law on the Protection of Whistleblowers.

Capacity Building for Ombudsperson Office Staff

- JRGA provided assistance to the Ombudsman's office to improve its performance in monitoring the work of healthcare institutions in Serbia. JRGA, in cooperation with the Ombudsman's office, organized and delivered 12 regional, one-day training sessions for close to 200 municipal counselors for patients' rights and health council members on how to collect and report standardized information pertaining to patient care and treatment.

Institutional Support for the Ministry of Justice

- JRGA provided expert support to the MOJ to establish an effective approach for the implementation of the Anti-Corruption Strategy, proposing measures that will improve the MOJ's effectiveness in implementing the Strategy, and in coordinating the implementation at the central government level.

Supporting Cooperation between IAs and MCs

- The Project organized bi-lateral roundtable discussions between staff of the Commissioner for Protection of Equality (CPE) and judges from MCs and AMC to improve mutual cooperation and improve judges' abilities to preside over misdemeanor cases dealing with discrimination.
- In cooperation with the Commissioner for the Protection of Equality (CPE) and the Appellate Misdemeanor Court, JRGA prepared a Manual on Anti-Discrimination in misdemeanor proceedings for use by misdemeanor court judges to ensure that laws and regulations prohibiting discrimination are implemented.
- The Project organized a cross-component coordination meeting between MCs and the SAI to discuss the Law on the Budget System and the new Public Procurement Law, and to address requirements of the Anti-Corruption Strategy Action Plan for courts to track corruption-related cases.

Supporting Cooperation between Independent Agencies (IAs) and Parliament

- In July 2014, in cooperation with the National Democratic Institute (NDI) and the United Nations Development Program (UNDP), JRGA assisted with an orientation session for new Members of Parliament (MPs) elected during the general election in 2014. JRGA organized a panel discussion with the heads of IAs to educate new MPs on the work and roles of each agency and the types of reports the IAs submit to Parliament for review and action.
- JRGA STTA expert, Joseph Christoff, held discussions with the National Assembly Committee on Finance, State Budget and Control of Public Spending and the Ministry of Finance's Sector for Budgeting on how the Parliament and the SAI can work together to promote greater transparency in government.

Grants Program:

- JRGA conducted a sixth round for competitive grants during the year, and awarded 5 new grants. During the life of the Project, JRGA has completed six competitions for grants, and has awarded 37 competitive grants (including three framework agreements). JRGA introduced a new concept of long-term grantee partnerships in Year 3, and implemented three framework agreements involving 5 CSOs. JRGA continued to oversee these framework agreements between partner organizations in Year 4, and issued five new Task Orders for framework grantees Counseling against Family Violence and the Association of Public Prosecutors. This approach is designed to contribute to building and reinforcing the sustainability of the CSO grantees in addition to supporting work to improve the administration of justice and the effectiveness of independent agencies.

COMPONENT 1 – JUDICIAL REFORM



Renovated Misdemeanor Court Opening Event in Šabac, December, 2014.



Press Conference on the New Law on the Protection of the Whistleblowers, June 2015



Partner Court Meeting in Nis, 2015

Task 1.1 Establish baselines for indicators in the Performance Monitoring Plan

1.1.1. Capture Progress Data and Update Targets

During Year 1, JRGA developed a Performance Monitoring Plan (PMP) to document project performance and monitor impact using indicators, baselines and targets to measure results achievement. During Year 4, the Project collected data, monitored progress and updated results in line with the PMP.

The PMP indicators for Year 4, along with targets for Year 5, are presented in Annex B of the Annual Report Year 4.

Task 1.2 Assist the High Court Council, the judiciary and any other relevant bodies or actors to make open hearings of all Administrative, Misdemeanor and High Misdemeanor Courts routine, dignified, accessible, safe, efficient, and promote fairness for all parties

In Year 4, JRGA continued implementing facility upgrades in selected MCs, with the aim of reaching out to those courts which were deemed suitable for sustainable interventions (buildings owned by the MOJ) and which were in most need of upgrades. JRGA continued to hold consultations with the Ministry to identify MC facilities which should receive priority for investment in facility renovations. In cooperation and agreement with the MoJ, in Year 4, the Project completed facility upgrade interventions in the Misdemeanor Court (MC) in Sabac, the MC in Pirot, the Administrative Court (AC) in Belgrade, the Administrative Court (AC) unit in Kragujevac, and the Appellate Misdemeanor Court (AMC) in Nis. JRGA maximized the return on use of project funds, leveraging MOJ planned investments in the MCs.

In Year 4, JRGA also continued technical assistance to the MoJ in architectural planning and cost estimation for consolidation of operations of the Belgrade Misdemeanor Court at the Ustanicka facility that previously housed the Belgrade Basic Court. The Project also provided technical assistance to the management of the Belgrade MC in planning for the centralization of operations in a single facility, and JRGA selected two vendors through a competitive process to undertake construction work to complement the work of the MoJ on renovating the Ustanicka facility for the consolidation of the Belgrade MC.

JRGA continued worked with PCs to identify and implement best practices to promote open hearings and fairness through the Court Assistance Program.

1.2.1 Facility Inventory, Upgrade and Renovation

Facility Inventory: During Year 2, JRGA completed a full review of MC facilities that provided the MOJ decision-makers with an accurate picture of the legal and functional status of facilities. During Year 4, JRGA continued working on updating the *Assessment of the buildings of the Misdemeanor Courts in the territory of the Republic of Serbia* (Annex C). Information regarding facility upgrades, including the Sabac MC and the Administrative Court in Kragujevac, were incorporated into the Assessment along with information on changes to the property ownership status and the new spatial organization of the facilities. Information pertaining to other MC facility upgrades throughout Year 4 will be included in the 3rd edition of the *Assessment* which will be issued in Year 5. JRGA will continue to update the document for all courts which will undergo facility interventions for the duration of the Project.

Facility Upgrades and Renovations: During Year 4, JRGA continued implementing facility upgrades in selected misdemeanor courts in order to improve transparency and access to justice, increase operational efficiency and improve the image of MCs with the citizens of Serbia. Facility upgrades were carried out in the Misdemeanor Courts (MCs) in Sabac and Pirot, the Administrative Court (AC) in Belgrade, the AC unit in Kragujevac, and the Appellate Misdemeanor Court (AMC) in Nis. In all facility-related matters, JRGA coordinated its work with the Ministry and took advantage of opportunities for leveraging of USAID funds to encourage and support MoJ facility investments, in order to achieve the maximum impact of investments.

All facility upgrades were carried out with the aim of optimizing the physical space and improving the facility within the limitations imposed by the structure of each building/space,



One-stop-shop counter in Sabac MC

thereby improving operational efficiencies and public convenience. JRGA’s approach to designing upgrades focuses on optimizing the functional organization of space in order to support effective and efficient business processes, and to improve customer service and operational transparency. This includes the creation of “one-stop-shop” information and intake counters that allow the court users and the citizens to complete all their administrative tasks at one place. This design approach has

collateral benefits of improving the public perception of the judiciary and increasing staff efficiency.

JRGA completed a facility upgrade in the MC in Sabac at the start of August 2014. The Project installed a ‘one-stop-shop’ intake and information counter and re-engineered other physical space in the courthouse to allow for improvements in workflow and more efficient execution of court functions. The transformed court facility in Sabac now includes customer service-oriented registry offices, renovated courtrooms, and an improved public reception area with signage and scheduling information readily available to court users. The space is more efficiently used, better organized and allows for better workflow and interaction with court users.



One-stop-shop counter in Pirot MC

JRGA completed a facility upgrade intervention in the MC in Pirot in mid-December 2014 (Annex O). The upgraded facility includes a new court room to enable open hearings, a ‘one-stop-shop’ counter in the pre-existing registry room, new furniture, and a Local Area Network (LAN) to enable computer connectivity within the court and court-wide internet access. The facility now includes a separate room for archiving court documents, and a new room to accommodate

judicial assistants. The reorganization of the existing space, coupled with the relocation of the judicial assistants to the new office, opened up space to separate the judges’ chambers from the court room. The MC in Pirot will also benefit from the renovation work conducted by the Norwegian Ministry of Foreign Affairs in the Higher and Basic Courts in Pirot, which are located in the same building as the MC in Pirot. The renovation of these two courts included the reconstruction of the building’s roof and attic space, installation of a fire protection system across the entire building, and the installation of a wheelchair ramp at the building’s

entrance. JRGA and the Norwegian Ministry of Foreign Affairs jointly organized the official opening of the Higher, Basic and Misdemeanor Courts in Pirot (*c.f. Task 1.8*).

During Year 4, JRGA, in consultation with the MoJ and the President of the Administrative Court (AC) agreed to complete a facility upgrade in the AC in Belgrade and the AC unit in Kragujevac. JRGA completed the facility upgrade intervention in the Administrative Court (AC) in Belgrade in February, 2015. The Supreme Court of Cassation, housed in the same building, allocated additional space for use to the Belgrade AC, paving the way for the upgrade. The JRGA staff architect analyzed the existing space allocation and the new space made available by the Supreme Court to develop a plan for re-engineering the design of the offices. JRGA converted the newly acquired space into a registry office to accommodate up to 24 employees, which opened up space to accommodate newly appointed judges as well as judicial assistants in separate offices. The renovation also included the installation of a Local Area Network (LAN) to enable computer connectivity, and new furniture was procured for the court offices and courtroom.

JRGA completed a facility upgrade in Administrative Court unit in Kragujevac in September 2014. The intervention included re-organization of the work space to provide room for offices for an additional two judges and installation of new, more functional furniture and other equipment for the entire court unit.

Late in Year 4, in May 2015, JRGA completed a facility upgrade intervention in the Appellate Misdemeanor Court (AMC) in Nis. The Higher Court in Nis, located in the same building, allocated an additional space for use by the AMC. JRGA's converted the newly acquired space into an office to accommodate up to nine judicial assistants. In addition to the physical upgrade, JRGA procured new furniture to improve productive use of the new and renovated space, and a Local Area Network (LAN) was installed to enable computer connectivity within the court and court-wide internet access. The transition of judicial assistants into the new refurbished and renovated space opened-up room for several judges recently appointed to serve in the AMC unit.

All facility upgrade efforts are coupled with JRGA's ongoing direct technical assistance to courts to improve operational procedures and efficiency. To date, JRGA has completed 16 facility upgrades or renovations in Appellate Misdemeanor, Misdemeanor and Administrative Court buildings, and the Judicial Academy facility in Belgrade.

Belgrade MC:

The Misdemeanor Court in Belgrade has been operating out of 14 separate facilities dispersed throughout the City of Belgrade. The Ministry of Justice has long understood the importance of centralizing the operations of the Belgrade MC, the nation's largest misdemeanor court, based on discussions with the Presidents of the AMC and Belgrade MC, and on an analysis conducted by JRGA experts. According to a JRGA-supported functional analyses conducted in Year 3, it was determined that consolidation of the MC in Belgrade will allow for optimization of business processes and increased efficiency, enable economies of scale to expedite case management and reduce backlog reduction, allow implementation of specialized judicial divisions to improve timeliness and quality of judicial services, and eliminate redundant non-judicial personnel and lower facility maintenance costs.

The MoJ identified the Ustanicka Basic Court building as the site for centralization of the Belgrade MC. The space was determined to be large enough to provide room for current judges and employees for 12 of the MC Belgrade's 14 locations to a single facility, with the two remaining locations to serve as "on call" locations maintained for handling urgent and emergency situations. In September 2014, the MoJ completed renovations on the Aero-

engineering building to which Basic Court judges and staff were planned to be relocated from the Ustanicka building. It was agreed that once the Ustanicka building was fully vacated, the Project would work jointly with the MoJ on renovating the court building in order to prepare the space for a new, consolidated location for the Belgrade MC. Following the relocation of the Basic Court, in consultation with the MoJ, JRGA contracted a consultant to conduct a furniture assessment and itemization process to take account of the furniture left behind by the Basic Court. The furniture assessment was intended help the MoJ plan how the remaining furniture might be assigned for use by the Belgrade MC in the renovated facility, and to assess the need for additional furniture. Unfortunately, planning by the MoJ and Basic Court for furniture needs of the Basic Court in its new facility was inadequate, resulting in a last minute decision by MoJ and the Basic Court to transfer furniture remaining at the Ustanicka facility to the new Basic Court facility. Accordingly, new arrangements will be needed to meet the needs of the Belgrade MC in the Ustanicka building.

Early in Year 4, JRGA worked with the MoJ and the Belgrade MC management to provide technical assistance to the MoJ in designing the renovation of the Ustanicka facility, and to determine how the Project could most effectively supplement the MoJ's renovation of the Ustanicka building. JRGA agreed to install new windows in the facility, and to undertake a full roof replacement for the building. At the end of January, and in mid-February 2015, JRGA issued two separate Requests for Qualifications (RfQs) for the procurement of the facility upgrade projects in Blic daily, Serbia's highest circulated daily newspaper, to ensure broad-based competition within the local construction market. The procurement processes were conducted through a two-stage selection process. The RfQ for the installation of windows resulted in 14 vendor submissions, while the RfQ for replacement of the roof resulted in 12 vendor submissions. JRGA's evaluation committee determined that 4 out of the 14 vendors were qualified to bid on a subcontract for the windows installation, and 6 out of 12 vendors were eligible to bid on a subcontract for roof replacement. These vendors were invited to participate in the second stage of the selection process, and provided with a Request for Proposals (RfP). The evaluation committee reviewed all technical proposals to ensure the proposals technical approach was sound and met the requirements for the project, and selected vendors for the two projects.

Following the finalization of the subcontracts by JRGA and completion of the MoJ procurement for building renovation, the construction work on the Ustanicka building commenced in mid-May. It is projected that the construction work will be finalized during the second quarter of Year 5. The JRGA staff architect will continue to provide technical assistance to the MoJ in monitoring and managing the progress of building renovation. Managing the move of the judges, personnel, and equipment from Belgrade's current facilities to the Ustanicka consolidated facility later this year will be a complex undertaking, involving 92 judges, 305 non-judicial staff, and equipment from 12 locations. To ensure that the move is well planned, and minimizes disruption of court services, JRGA developed a preliminary outline in May 2015 to help in guiding the planning for the move (see Annex D). Simultaneously, JRGA began working directly with key staff appointed by the Belgrade MC President to begin planning for the eventual move.

Commission for Implementation of the National Judicial Reform Strategy:

During Year 4, at the request of the Ministry of Justice, the Project began providing technical and logistical assistance to the working groups of the Commission for the Implementation of the National Judicial Reform Strategy (NJRS) 2013-2018. JRGA provided assistance to the working group tasked with the responsibility for analyzing the legal property status and

physical infrastructure of court and public prosecutor's offices. The work of this working group will be important in establishing a baseline of information to facilitate the transfer of budgetary competence for facilities from the MoJ to that HCC that is contemplated to take place in 2016 by the National Judicial Reform Strategy.

Throughout the year, at the JRGA premises, the Project hosted meetings of the working group. Participants met several times to develop a plan on how to assess and analyze the current state of infrastructure of court and public prosecutor's facilities, in terms of physical and functional conditions, as well as the legal property status of these buildings. To assist with this process, JRGA staff presented the methodology and the structure of the Project's 2nd edition of the *Assessment of the buildings of the Misdemeanor Courts in the territory of the Republic of Serbia*, and emphasized how it contributes to establishing the priorities and goals contemplated in the NJRS by providing the MoJ with a basis for planning future facility upgrades. It was agreed that a methodology similar to that used by JRGA to assess MC buildings will be employed to analyze the current infrastructure of other courts and public prosecutor's offices.

JRGA staff will continue to provide technical and logistical support to this working group in Year 5.

Impact: Information counters, improved court layouts, and signage will directly improve public access to relevant information and different court functions, while ensuring that judges and other court staff are able to focus on their tasks. Posted and publicly available information about hearings will encourage public attendance.

Task 1.3 Assist the High Court Council, the judiciary and any other relevant bodies or actors to reduce backlogs and improve case processing times and procedures in the Administrative, Misdemeanor and High Misdemeanor Courts

In Year 3, the adoption and implementation of the new Law on Misdemeanors (LoM) marked an important milestone in JRGA's efforts for enabling more efficient and effective misdemeanor procedures and better tools for the work of misdemeanor courts. Beginning in Year 3 and throughout Year 4, JRGA provided intensive technical assistance and capacity building to MOJ, AMC and MCs in order to ensure that provisions of the new LoM are implemented to ensure optimum benefits for improving courts' efficiency and increasing access to justice for court users. The Project also invested significant effort working with justice agencies interacting with MCs to ensure alignment of their procedures with the requirements of the new LoM and improved business practices established in MC. JRGA organized roundtables with agencies authorized to file charges, focusing on the use of the newly created misdemeanor order and new responsibilities of authorized agencies under the revised Law on Misdemeanors. These interactive working sessions help to smooth out the practical issues with implementation and ensure that procedures of the authorized agencies are aligned in the new Law on Misdemeanors. The Project also continued in parallel to work on legislative and regulatory reform, the Project continued to work on the programming and development of the full Misdemeanor Court Case Management System (MCCMS) application. The initial module of the case management system, the registry module became

operational on March 3, 2014, the first business day following the effective date of the revised LoM to meet the statutory provisions requiring the implementation of an electronic registry of misdemeanor sanctions and a registry of persons owing fines and other financial obligations in misdemeanor cases. JRGA staff attorneys worked with programmers on improving the registry module, finalizing and implementing the MCCMS enforcement module, and developing the remaining modules of the MCCMS application, which will include appellate cases processing, adjudication case management, document generation, calendaring, event and task tracking and management, and statistical and management reporting. An intensive, ongoing IT training program consisting of both classroom training and direct on-site assistance (also known as “elbow trainings”) was conducted by JRGA legal and training staff.

To improve MC efficiency, eliminate redundant information processing and optimize the use of the Misdemeanor Court Case Management System, JRGA established electronic data exchange mechanisms with the Ministry of Interior – Traffic Police, the Treasury Administration of the Ministry of Finance, and the Central Registry of Compulsory Social Insurance. JRGA expects to establish similar data exchange mechanisms with Belgrade Communal Police early in Year 5, and will continue to explore the possibility of implementing with other agencies which exchange information with MCs, including, for example, the National Bank of Serbia, the Bureau of Customs, the Business Registry Agency and the Post Office.

JRGA continued working with individual courts to assist with the implementation of best practices in case management and backlog reduction. As in prior years, JRGA hosted periodic meetings of selected partner courts to discuss and identify best practices.

In Year 4, the Project also provided assistance to HCC and the MOJ by providing technical and logistical assistance to sub-committees of the Commission for Implementation of the National Judicial Reform Strategy (NJRS) addressing space and facilities and the position of misdemeanor judges.

1.3.1 Regulatory Reform for Improved Case Processing

Law on Misdemeanors:

The new Law on Misdemeanors entered into force on March 1, 2014. In Year 4, since the passage of the revised Law, JRGA focused its efforts on assisting the Misdemeanor Courts, the Ministry of Justice, and justice system partners to implement the Law, assess its impact, and identify barriers requiring regulatory, policy and practical interventions. The procedural novelties introduced by the Law affecting service of process, enforcement options, and the introduction of the misdemeanor order have particularly improved efficiency in Misdemeanor Court case processing and increased enforcement of court sanctions, resulting in more efficient case processing and increased collections.

After one year of implementation, the impact of the novelties and provisions introduced by the new Law on Misdemeanors has had a transformative effect across the misdemeanor court system and beyond. The introduction of the misdemeanor order - a key innovation in the law - has dramatically impacted the efficiency of authorized petitioners and MCs, and has provided a convenient and easy to understand process for defendants to accept responsibility or demand a court hearing. In the first 16 months of implementation of the new Law (March 2014 – June 2015), there was a 74% voluntary compliance rate in comparison to a less than 30% compliance rate for mandatory fines under the old Law. The high voluntary compliance rate is also directly translating into significantly improving public revenue collection: over 11

million Euros have been generated through voluntary compliance, without any enforcement intervention required by Misdemeanor Courts.

Another mechanism introduced by the new Law, the plea bargain, has begun to have an impact in expediting the resolution of misdemeanor cases in MCs. Early in Year 4, both misdemeanor judges and the Traffic Police recognized the potential of offering plea bargains to selected misdemeanants to avoid time-consuming adjudication and enforcement procedures. Early in the year, in July 2014, at the Palace of Serbia, the Association of Misdemeanor Judges (AMJ) with support from JRGA and in cooperation with the AMC and the Belgrade MC and authorized petitioners, organized a press conference to announce their initiative for promoting wide-spread use of the plea agreement in misdemeanor proceedings. The event successfully raised public awareness on the benefits of voluntary plea agreements to resolve misdemeanor violations. Soon after the event, the National Police finalized internal regulations regarding the use of the plea agreement in traffic cases. Towards the end of 2014, JRGA, in collaboration with the Ministry of Interior (MoI) and AMJ, organized a series of regional trainings for the traffic police on the procedural novelties introduced by the new LoM. In total, eleven roundtable training sessions were held Novi Sad, Valjevo, Nis, Zajecar (twice), Kraljevo and Cacak. These sessions focused on the use of the misdemeanor order to for charging misdemeanor offenses, the application of the plea agreement in traffic cases based on the Law on Traffic Safety, and on methods to improve service of process for misdemeanor charges. Since that time, the plea agreement went into widespread use for traffic violations. By the end of Year 4, over 6,300 plea agreements have been accepted in traffic matters. Both instruments - the misdemeanor order and plea agreements - generate increased revenues and considerable time-savings in the court procedure leaving misdemeanor judges more time to handle more complex cases.

Throughout Year 4, the Project worked also worked with counterpart institutions to ensure that the procedural changes introduced by the new Law on Misdemeanors are being implemented effectively by authorized petitioners. In November 2014, JRGA, with support from the National Alliance for Local Economic Development (NALED) and the MC in Belgrade, organized a roundtable discussion for MC Judges and representatives of various inspection agencies and the Bureau of Customs to resolve practical problems with the implementation of the revised LoM. In view of the success of this roundtable, and the importance of increased understanding among authorized petitioners about the procedural changes in misdemeanor proceedings, JRGA, with cooperation with NALED, developed and delivered a full cycle of these training roundtables starting in 2015. A total of 12 roundtables were held through the end of June 2015. These roundtables helped to ensure that the procedures of authorized petitioners are aligned with the new LoM. In addition, the roundtables helped facilitate the use of the plea agreements in tax administration and customs cases. By the end of the year, the application of the plea agreement began to take hold, with over one hundred plea agreements recorded in tax administration and customs cases.

The expedited charging process and high voluntary compliance rate resulting from the use of misdemeanor orders allows MC's to focus its efforts on more complex cases and on improving enforcement in cases without voluntary compliance. MC's are tasked with adjudicating cases ranging from straight-forward traffic violations to more complex cases ranging from work-related discrimination to matters dealing with the work of a broad range of inspection issues, to complex customs and finance cases. The increased efficiency of the misdemeanor order process means fewer routine cases require the attention of misdemeanor judges, leaving more time for those judges to devote to adjudicating these more complex cases. This will lead to more timely resolution and increased quality of decisions in those complex cases. Similarly, judges and enforcement staff will have more time to focus on

difficult enforcement cases. Equally important, the improved efficiency and quality of the adjudication and enforcement processes will increase public trust and confidence in the misdemeanor courts, as well as the entire judicial system.

The creation of the Registry of Unpaid fines was an important provision incorporated in the new Law on Misdemeanor, designed to provide an effective “passive enforcement” tool to ensure efficient collection of monetary sanctions. The LoM provides that persons who owe outstanding fines and other financial obligations in misdemeanor cases will be listed in the central registry, and be ineligible to obtain or re-new certain licenses and registrations granted by state authorities (such as driver licenses and vehicle registrations, and business registrations). Work continued during the year on preparing for implementation of the consequences of the Registry of Unpaid Fines, assisting counterpart institutions to develop protocols to ensure implementation of consequences required by the LOM, and facilitating automated data exchanges to support the operation, maintenance and use of the Registry of Unpaid fines and Registry of Sanctions (which provides misdemeanor sanction records for use by judges and authorized agencies).

JRGA staff monitored and assisted MC’s with the entry of data to the Registry module of MCCMS, monitoring the progress of MC’s in entry of data and the allocation of defendants with unpaid fines to the Registry of Unpaid fines. A new release of the Registry module of MCCMS was launched in February, which enabled greater efficiency in the entry of data to the MCCMS Registry data base. At the end of the Year, the MCCMS data base contained over 900,000 case records. The Registry of Unpaid Fines listed over 200,000 individuals owing fines and costs of approximately 13 million Euros.

JRGA held consultative meetings with the Minister of Justice Nikola Selakovic to discuss a strategy for encouraging the Ministry of Interior and other state authorities to implement the consequences of the Registry of Unpaid Fines. The Minister endorsed the Project’s efforts to work with the Ministry of Interior and other state entities implementing consequences to improve enforcement procedures. JRGA successfully implemented electronic transmission of misdemeanor order data to the MCCMS. However, the implementation of the denial of drivers’ licenses and auto registration and renewal for persons listed in the Registry of Unpaid fines has been delayed. The Ministry of Interior has requested legislative clarification of its authority regarding driver licensing and auto registration prior to implementation. It is anticipated that the necessary changes in the law will be adopted in the first quarter of Year 5.

In Year 4, JRGA established a working group consisting of the leadership of three MCs (Uzice, Kikinda, and Prokuplje), to monitor the impact of the new Law. With the input of the working group, JRGA identified relevant data to be collected, and a methodology for collection of the data. Collection of data regarding service of process, and analysis of data regarding timeliness of case resolution, has been hampered due to the fact that the Post Office has yet to implement service of process procedures aligned with the new LOM (see further discussion on the issue below, *Other Laws and Regulations*). JRGA will re-evaluate the data collection and analysis initiative during Year 5, based on the status of Post Office changes to accommodate the LOM service of process procedures and based on the availability of alternative data from other sources (such as MCCMS).

In March 2015, JRGA facilitated a meeting between Misdemeanor Court Judges and the Minister of Justice to discuss the experience of the preceding year with the implementation of the new LOM, to identify steps required to remove obstacles to full implementation of the LOM, and identify other obstacles hindering misdemeanor case management. Key issues addressed in the meeting included persistent problems with the service of process due to the

Post Office's failure to implement new service procedures proscribed in the LOM, inordinately high legal defense costs billed to MCs resulting from intentional dilatory tactics causing discontinuation due to statutory limitations, the need for changes in the schedule of court costs, and the delays in implementing consequences of the Registry of Unpaid Fines by the Ministry of Interior, and the need for electronic data exchange to increase efficiency and reduce redundancy in managing information (*cf. 1.3.3, below*).

As a direct result of the meeting, the Minister determined to take a multi-phased approach to improving the revise Law. First, a "short list" of urgent changes for introduction in the near term was developed, with the goal of consideration by the Parliament. JRGA provided a list of recommended changes to the LOM for consideration by the Ministry (see Annex AF). Many of these recommendations were incorporated into the MoJ's short list of "urgent changes," which are expected to be adopted quickly by the Parliament. Second, the Ministry of Justice determined the need to establish a working group to consider other desired improvements to the Law on Misdemeanors.

JRGA prepared a draft order for creation of the working group, for consideration and adoption by the Minister of Justice. It is anticipated that the working group will begin its work early in Year 5 of the project. JRGA will provide technical and legal drafting assistance and logistical support for the working group in Year 5, as was the case during the drafting of the revised Law on Misdemeanors. The preparation of amendments will be based on the experience with the practical implementation of the LOM and the results of the LOM monitoring by JRGA and the LOM working group. This will continue to involve substantial staff support, including facilitation of roundtables, work sessions and drafting, planning for implementation and implementation technical assistance.

The MoJ also indicated, based on concerns of the misdemeanor judges and JRGA's assessment of services of process barriers, its intent to take a unified approach to improving service of process for all courts. As an initial step, an informal working group of judges has been tasked to consider elements of unified instructions for service of process by mail for all cases where service by post is permitted under the law. This information will be used to draft a new joint instruction for joint approval by the Post Office and MoJ. It is anticipated that a modified instruction will be available for consideration and adoption in early in Year 5. After completion of the revised agreement, the MoJ will consider whether modifications to service of process laws are required, and if so, a single working group will be formed to consider unified service of process provisions. JRGA has been asked to provide technical and legal drafting assistance for the effort.

Other Laws and Regulations:

In Year 4, JRGA legal staff continued to provide technical and legal drafting assistance to the MoJ working group for revision of the Court Rules of Administration. JRGA staff identified two additional changes required to the rules, based on ongoing assistance to MCs in implementing provisions of the revised Law and technical assistance to MC's on business process. The first includes required changes to provisions regarding the form for service of process. Second, a recommendation was made to change requirements for case archiving, clarifying that cases discontinued due to limitations should be archived.

The draft rules were to be circulated for public comment towards the end of 2014; however, publication has been delayed, due to internal discussions between the HCC and MoJ regarding the division of authority and responsibility court rules. JRGA will continue to

monitor the status of consideration of court rule changes and will be available to provide ongoing technical assistance as needed in Year 5.

JRGA legal staff provided technical and legal drafting assistance to a Ministry of Justice working group convened to draft amendments to the Law on Enforcement and Security, which has system-wide application regarding enforcement of judgments. The working group has substantially concluded its initial drafting work, and is now being circulated for public comment (see Annex A). JRGA will continue to assist the working group in the analysis of public comments and will provide assistance in making any changes to the draft resulting from that analysis. Notably, provisions have been included which will allow MCs to refer enforcement cases directly to private enforcement officers for attachment of assets to satisfy outstanding financial obligations to MCs, which will simplify and expedite procedures for attachment of non-monetary assets. Another important provision would allow MCs to contract with private enforcement officers for service of process. Ineffective service of process is one of the most significant barriers to timely adjudication and enforcement of misdemeanor cases. Providing for alternatives to service via the Post Office has the potential to significantly improve efficiency, particularly for cases in which a defendant's official address is outdated, or where a defendant is intentionally evading service. It is anticipated that the amendments to the Law on Enforcement and Security will be considered for adoption in the fall of 2015.

During the third quarter, amendments to the Law on Customs were drafted, with input from JRGA legal staff. Amendments included changes to align the Law with the revised Law on Misdemeanors, including amendments which will allow greater use of the misdemeanor order for charging customs violations. The amendments have been forwarded for consideration by the Government, and it is now anticipated that the Law will be considered for adoption in the fall of 2015. The chief legal counsel for the Bureau of Customs has requested that JRGA assist with the development of a manual on the revised Customs law for use by judge's and Customs staff, after adoption of revisions.

The incidence of family violence is a growing concern in Serbia. During May, 2015, there were a series of news articles published on the issue of domestic violence in the Blic daily newspaper. In one article, details of the deaths of 15 domestic violence victims during 2015, and in another, it was reported that the number of deaths stemming from domestic violence had, by May, nearly reached the total numbers of domestic violence related deaths in all of 2014. The newspaper also published a story regarding the concerns expressed by the EC Commissioner for Human Rights. Several articles highlighted the services provided by JRGA grantee Counseling against Family Violence.

The Minister of Justice has announced the formation of a multi-purpose commission in collaboration with Ministry of Interior Minister, the Ministry of Labor and Ministry of Health to improve the response to family violence (Annex X). The commission will evaluate current criminal and family laws and regulations relating to family violence, and will assess the practical implementation of the law and protocols at the local level, focusing in particular on coordination of efforts by agencies involved in prosecuting family violence matters and providing services to victims and potential victims. The intention is to require and enable a coordinated local response to family violence patterned after the "Zrenjanin Model" of inter-institutional cooperation, identified by JRGA early in the project as a "best practice." JRGA has provided grant and technical support to the Association of Public Prosecutors to assist local justice and social service systems implement the inter-institutional model (*cf. Task 1.6.1, Coordination in Domestic and Family Violence Cases; and Task 1.10.1. Grants Program*). JRGA legal staff will participate in the work of the commission, and has been

asked to provide technical and legal drafting assistance. Initial meetings took place in June, 2015, and it is anticipated that the commission will work through the summer of 2015.

1.3.2 Misdemeanor Court Case Management System

In Year 4, JRGA made major strides in its efforts to support the implementation of new technology in the misdemeanor system in Serbia. A major focus of JRGA's assistance to the Misdemeanor Courts is to automate court functions to improve court efficiency and effectiveness. The Misdemeanor Court Case Management System (MCCMS) will be an operational and management tool designed to support optimized business processes. The automated case management system will improve case management, record-keeping and sanction enforcement processes in the Misdemeanor Courts, and provide timely performance data at the court and individual judge level. The MCCMS is a computerized record management and case event tracking system that will allow judges and court staff to use on-line information to monitor case progress, instead of having to rely on cumbersome registry books and paper files. Automation of record-keeping will eliminate redundant data-entry, allow for electronic receipt and transmission of information, and provide for automatic document generation, creating savings in judicial and administrative staff time and improving timeliness of required functions. The case management system will help to reduce case processing delays, increase the transparency of court operations and reduce the potential for case neglect or corruption. Increased efficiency, transparency, and reducing the opportunity for corruption will improve the public credibility of the judiciary as a professional and accountable organization.

Software Development:

The first module of the MCCMS, implementing the automated registries of sanctions and unpaid fines required by the new LOM was developed and deployed in Year 3 in order to meet the deadline of March 1, 2014 when the new LOM came into effect. The two centralized electronic registers provide important tools to assist MC's and other project counterparts. The Registry of Sanctions provides judges with information regarding sanctions previously imposed on defendants appearing before them, aiding them in making decisions on appropriate sanctions. The Registry of Unpaid Fines provides a central source of information regarding persons who have outstanding, unpaid financial obligations in misdemeanor proceedings. Agencies with responsibility for issuance of licenses and certificates are required to access this data to deny licensing, license and certification renewals until outstanding fines are paid. JRGA has established protocols and technical requirements for a portal for those agencies to use to determine whether applicants have outstanding financial obligations. The establishment of technical provisions for access in Year 4 represents a major step towards the full implementation of consequences of the registries. However, implementation of licensing penalties has yet to be implemented. JRGA enlisted the support of the Minister of Justice to encourage the MOI to implement procedures for denial of driver licenses and vehicle registrations during Year 4. The MOI has committed to implementing consequences, but implementing has been delayed as the MOI has requested a clarification in the Law on Traffic Safety regarding auto registrations which it believes is necessary prior to implementation. It is anticipated the requested changes will be adopted by the fall of 2015, clearing the way for implementation of license and registration penalties. Denial of driver licenses and auto registrations will have the most significant impact on enforcement of fines and costs, since it will impact the largest segment of the population. Full implementation of this provision of the LOM is anticipated to provide a powerful tool for passive enforcement of monetary sanctions, which in turn will increase the integrity of the courts' orders and increase public revenue collection for the State.

Early in the year, JRGA IT staff established technical requirements for the electronic import of data from the National Police on misdemeanor orders. In the 3rd Quarter of Year 4, the National Police began streaming data electronically to misdemeanor courts. The electronic import of data will save thousands of hours of record-keeping by misdemeanor court registry staff.

Programming work on enhancement of the initial Registries module and the development of the remaining modules of the MCCMS continued throughout Year 4 with input of the MCCMS Advisory Group and Expert Sub-Group, consisting of MC judges and staff, JRGA continued to work on the enhancement of the initial module and the development of new modules of the Misdemeanor Court Case Management System (MCCMS), focusing on the enforcement module, the appeals module, and the development of documentation generation and task and event tracking functions. The Expert Sub-Group continued to provide practitioner advice on an ongoing basis via telephone contacts and one-on-one meetings.

At the end of January 2015, JRGA implemented a revised and enhanced version of the Registry module, based on feedback from users and the Expert Advisory Group. The new version includes a new graphical layout and structure developed for the front-end of the system, in order to improve navigation and usability and to make the system more responsive and user-friendly. Fonts and icons were enlarged and screen scalability was adjusted to accommodate various types of screen sizes. Prior to release, a revised user manual was circulated to all courts. In the initial week after the roll-out of the updated software, an increased number of calls were received by the user hotline, and a reduction in entry of cases was noted. However, by the end of the first week, user calls had dropped back to a “normal” level, and the rate of entry of new cases reached and exceeded prior levels of entry.

In February 2015, the enforcement module of MCCMS, which includes payments tracking and tracking of enforcement actions, was implemented. An intensive training program was implemented for Misdemeanor Court staff to enable them to take advantage of the new module. JRGA conducted 30 MCCMS “classroom” trainings across the country for approximately 450 enforcement staff in MC’s and MC units (*cf. Task 1.3.2, IT Training and Technical Assistance, and Task 1.72, Training Curriculum Development and Delivery*).

JRGA staff and developers completed the software design of modules which will implement event tracking, document generation, automated enforcement and payment processing, appellate case management, and statistical and management reporting. Software for all modules of the MCCMS is scheduled to be tested in pilot courts during July and August, and implemented system-wide in the fall.

In late 2014, JRGA staff engaged a sub-group of the MCCMS advisory group, comprised of MC and Appellate MC judges, to review key information related to case management, sanction enforcement, individual performance management, and system quality and quantity control. This module, once developed, will be incorporated into a dashboard that will enable authorized users to automatically create management reports to assist president judges, judges and staff to actively manage and monitor case flow and enforcement, the performance of judges and staff. Using input from this sub-group, JRGA legal staff and a STTA Court Management Expert developed specifications for 28 Performance Management and Workload Management reports for managing caseload and workload in Misdemeanor Courts and the Appellate Misdemeanor Court (Annex K). These reports will be programmed to be available in the MCCMS application for the High Court Council, the Appellate Misdemeanor Court, President Judges, judges and staff, and will include options for automatic generation and on-demand generation. These reports will be in addition to quarterly, semi-annual and

annual reports currently required by the High Court Council, which will be a standard feature of the MCCMS application. Additional provisions will be made for a query capability to allow judges and court managers to generate custom reports for management and policy analysis.

Parallel to the development of the MCCMS application, JRGA staff continued to provide help desk assistance to system users through the MCCMS telephone helpline. Hands-on assistance with data entry to MCCMS, transfer of defendants into the registries of sanction and unpaid fines, log-on issues, incomplete information pertaining to a specific court, and bug reporting and resolution was provided to MC court staff. To date, 4,110 support requests have been addressed since the first module of the MCCMS application was deployed on March 1, 2014

The provision of help desk assistance to system users, coupled with regular analysis of data base statistics has enabled the Project to carefully track and monitor the progress of the implementation of the registry modules by individual MCs, and take follow-up action as indicated. As potential problems were identified, JRGA contacted the courts to determine if court staff was keeping current and/or whether the court was experiencing problems with data entry or use of the system. If needed, these inquiries were followed up through contact with the President Judge, on-site training (“elbow training”), or technical assistance from JRGA legal staff. This approach proved to be very useful not only to ensure optimal use of the MCCMS Registry and enforcement modules, but to ensure that court business processes are efficient and aligned with the new Law on Misdemeanors, and to prepare for eventual implementation of the full MCCMS application. On several occasions, JRGA legal staff assisted courts in re-aligning staff for efficiency, and to help court managers plan for anticipated roll-out of the remaining modules of MCCMS. As new, more complex modules and functionalities of the application are deployed in courts, this type of assistance is expected to become even more important, and the Project will plan accordingly to ensure that the future needs of application users are addressed appropriately in Year 5.

In Year 4, the number of cases entered into the Registry of Sanctions and the Registry of Unpaid Fines continued to grow. The rate of growth increased throughout the year, as a result of increased capacity of courts users, ongoing training and technical assistance from JRGA staff, and the maturing of cases filed pursuant to the new Law. As of the end of the Year, over 900,000 cases have been entered into the MCCMS database, and approximately 485,548 cases have been included in the Registry of Sanctions. Offenders in over 200,000 unpaid cases have been listed in the Registry of Unpaid Fines, owing a total of approximately 13 million Euros in fines and costs.

Throughout Year 4, in collaboration with the MoJ, JRGA IT staff continued to invest efforts on developing electronic data exchange protocols with key external system partners (*cf. 1.3.1*). The MCCMS has been designed to readily accommodate electronic data exchange; however, agreements must be reached at the policy level with each agency in order to agree upon the data to be shared, stored and updated, and how the data is to be used. These policy agreements (protocols) must be carefully drawn to ensure sustainability and alignment with existing procedural law and laws protecting privacy.

As noted above, the Ministry of Interior (MoI) commenced with electronic transmission of information related to misdemeanor orders to the MCCMS data base during the third quarter of Year 4. Implementation of this electronic data exchange has significantly reduced redundancy in data entry by court staff, and will allow for re-allocation of the limited staff

resources of the Misdemeanor Courts to other tasks. To date, the MoI has electronically transferred misdemeanor order data for over 300,000 cases.

In May 2015, data exchange policy agreements were adopted by the President of the Appellate Misdemeanor Court and the Director of the Central Registry of Compulsory Social Insurance (Registry). The Registry contains employment information and other demographic data reported by employers to various agencies providing pension and insurance benefits to employees. Working with Registry technical staff, JRGA has developed technical specifications for software which will import demographic data from the Registry database, and allow misdemeanor court staff to retrieve demographic data on employed persons with pending misdemeanor charges on demand. The software was included in the final MCCMS software, which will be tested in pilot courts during the first quarter of Year 5, and implemented system wide in the fall. Once the technical mechanism is fully operational, it will enable electronic access by misdemeanor courts to employment and address data of misdemeanor defendants. This information exchange will greatly improve the capacity of MCs to take advantage of wage garnishments, which in turn will improve enforcement of judgments and increase revenue from MC judgments, as well as significantly improve service of process options.

Discussion with the National Bank regarding electronic data exchange with misdemeanor courts was renewed late in Year 4. Earlier discussions with the National Bank indicated a willingness to establish a means for electronic delivery of court orders for garnishment once MCCMS enforcement modules were in place. The National Bank, however, has refused to honor requests for garnishment of individual bank accounts as contemplated in the new LOM. In Year 5, JRGA will pursue the development of data exchange technical procedures to enable electronic delivery of garnishment orders for legal entities and entrepreneurs (the National Bank acknowledges its authority to effect garnishment of these accounts), and separately work with the MOJ in addressing the National Bank's legal authority and responsibility regarding accounts of natural persons.

Hardware procurement:

In the first half of the year, JRGA developed and sent a comprehensive questionnaire (Annex AH) regarding employees and their assignments, current IT hardware, and current networking to all 44 MC's, and analyzed the results (Annex AH). Analysis of the survey permitted JRGA to determine the needs of courts and court units, particularly in reference to networking within the court units. JRGA used the survey to assist the MoJ in planning for the connection of court units to the judicial network and the Internet, in order to ensure access by court units to MCCMS (see Networking, below). JRGA is continuing to use the survey analysis to assist the MoJ in planning for IT hardware procurements.

On May 11, JRGA issued a Request for Proposals for procuring and delivering computer hardware equipment to Misdemeanor Courts and the Appellate Misdemeanor Court (Annex X). Three bid proposals were received from vendors by the submission deadline. Each vendor was asked to provide a sample workstation to the Project in order to be subjected to technical testing to ensure the equipment has the computing power to handle the requirements imposed by the MCCMS application and other requisite software. Following the testing period, in June, JRGA selected a vendor to procure and deliver over 450 workstations to MCs and AMC. In Year 5, in consultation with the MoJ and based on the analysis of the survey, the Project will coordinate with the vendor to deliver the computer hardware equipment to courts on an as needed basis.

In Year 5, JRGA anticipates conducting additional IT hardware procurements. These procurements may include additional quantities of computer hardware as well as necessary network equipment in order to provide courts and court units with internal LAN networking and full internet access. The procurements may also include servers and other equipment required for the operation of the MCCMS, and equipment required to enable video conferencing.

Networking:

At the start of Year 4, the Ministry agreed to take responsibility for the installation of necessary wiring and networking equipment in the AMC and MCs, as well as MC units, with JRGA providing technical assistance. JRGA also on ensuring availability of IT equipment required for operation of the MCCMS, and coordinating hardware availability with network requirements. In selected situations, in order to take advantage of opportunities to leverage the impact of other technical assistance and renovations, JRGA assumed direct responsibility for the installation of Local Area Networking.

Based on the analysis of the survey of hardware and network needs reference above, JRGA assisted the Ministry in planning the WAN network infrastructure for connecting MC's and enabling system-wide connectivity. MoJ's network provider, with technical assistance from JRGA's IT staff, worked throughout the year to complete WAN and Internet connectivity across the judiciary. At the end of the year, all 105 MC units were connected to the judicial network and the Internet, to allow access to MCCMS.

In March 2015, JRGA IT staff upgraded the IT infrastructure of Kikinda MC, including its court units, in order to implement the requisite MCCMS hardware and network infrastructure for the entire court. The Kikinda MC has been a leader in innovation among misdemeanor courts, including in the application of technology. The experience of the Kikinda MC will facilitate implementation of required infrastructure upgrades in all misdemeanor courts.

The IT Infrastructure implemented by JRGA to support the implementation of the MCCMS is unique in Serbia, providing benefits in the form of greater data and system security, increased efficiency in the management of hardware and network connectivity, vastly increased efficiency in the management and update of software (allowing software updates to be distributed centrally via network), and centralized management of user access rights. The infrastructure permits a system-wide data base, which will permit judicial system managers immediate access to performance and management statistics regarding the misdemeanor courts, facilitates electronic data exchange with justice system partners such as the National Police, and permits and real-time data access for judges and court, and authorized justice system partners. To date, the updated MCCMS IT infrastructure has been installed for over 800 court users. By fall of 2015 when the full MCCMS software is implemented, the infrastructure will cover the entire misdemeanor court system, with approximately 2000 court users.

IT Training and Technical Assistance:

In Year 4, in conjunction with the maintenance of the Registry module of the MCCMS and the newer versions of the application as it was rolled out throughout the year, JRGA initiated a large-scale incremental training program to prepare judges and staff for the use of the software application. The Project continued to employ a multi-pronged approach to this training: a) traditional classroom trainings providing instruction on basic concepts of the application modules and their use; b) "elbow-training" involving on-site visits to misdemeanor courts where JRGA staff work with court staff in the field providing direct

training and support in the use of the application; and, c) more intensive on-site support through technical assistance to selected courts in adjusting business processes to optimize use of the case management software application, and to develop strategies for staff re-allocation to ensure timely data entry and optimized use of the MCCMS application.

Throughout November 2014, after 80 out of the 105 MC units were connected to the judicial network and the Internet to allow access to the MCCMS, the Project organized and delivered “classroom” trainings for court staff in MC units to prepare them to use the application. In total, 112 court staff responsible for data entry and update of the registry module of the MCCMS from MC units participated in 11 “classroom” trainings held at the Judicial Academy facilities across the country. Later in the year, in conjunction with roll out the new enforcement features of the MCCMS in late February 2015, JRGA developed and organized two rounds of “classroom” trainings for registry and enforcement staff of misdemeanor courts and MC units across the country. Again, JRGA organized a series of “classroom” sessions at the Judicial Academy (JA) in Belgrade and JA seats in Kragujevac, Nis, and Novi Sad, for enforcement officers in MC’s and MC units to provide training on the newly introduced enforcement module features of the MCCMS application. In total, during March and April 2015, JRGA organized 30 MCCMS “classroom” trainings across the country for approximately 450 enforcement officers (*cf. Task 1.7*). In total, in Year 4, JRGA organized 41 “classroom” trainings to support MC staff in learning to use the MCCMS application.

In addition to this comprehensive training effort, in Year 4, JRGA training and legal staff made 22 on-site visits to misdemeanor courts which were in most need of direct assistance with day-to-day use of the software. These 22 supplemental “elbow” trainings helped MC court staff to adjust to the use of the MCCMS application. JRGA staff also continued with field visits to other locations that requested assistance with certain aspects of the work process using the application. Separately, in an effort to assist the Belgrade MC with its backlog reduction in December 2014, JRGA developed a data entry plan in collaboration with the Belgrade MC President Judge and management team (Annex AI). JRGA training staff made 25 visits to the MC in Belgrade to provide hands-on support to a broad range of staff, including all registry, enforcement, intake, and typist staff based in the central court location, in the use of the MCCMS application. As a result, the Belgrade MC was brought current on entries required for the Registry of Unpaid fines by March 2015.

In a separate effort to ensure currency in the Belgrade MC, JRGA provided a team of training interns to provide hands on assistance in the initial entry of other pending cases to the MCCMS database.

JRGA’s legal staff participated in selected “elbow” training visits and made separate visits to selected courts in order to provide technical assistance to courts to prepare for eventual implementation of additional modules of MCCMS, and to assist in making changes in local business processes, such as case flow and enforcement, to ensure full use of the MCCMS as its modules are rolled out. Legal staff also took the opportunity during visit to provide technical assistance on implementation of the new procedures required in the new Law on Misdemeanor.

JRGA’s multi-pronged training approach combining “classroom” and “elbow” trainings, together with the MCCMS telephone hotline, is helping to ensure that users are being incrementally prepared for the transition to the full MCCMS application once it is rolled out in Year 5. The results of this intensive capacity building effort are evident by the improved usage and understanding of the MCCMS application in all misdemeanor courts. Cumulatively, in Year 4, JRGA training staff organized and delivered 47 “elbow” trainings to

MC staff across the country. Trained staff in the courts is, and will continue to be, a critical requirement for the successful implementation of the full MCCMS application in Year 5.

1.3.3 Technical Assistance; Best Practices

Best Practice Implementation and Backlog Reduction:

In Year 4, the Project continued to provide technical assistance to MCs in the implementation of best practices for improving court operations in alignment with best practices developed by Partner Courts and those documented in the Compendium of Best Practices, as well as those identified in the course of optimizing business processes for development of the MCCMS. In conjunction with visits to MCs to provide hands-on training for use of the Registry modules of the MCCMS, JRGA legal staff worked with MC leadership and staff to identify changes in organizational structure and processes to optimize use of the MCCMS. The training and technical assistance visits were also used as an opportunity to align court processes with the revised LOM, and to identify opportunities for implementation of best practices, particularly those relating to improved service of process, case management, and enforcement.

In March 2015, JRGA hosted a Partner Court Meeting for judicial leadership of misdemeanor courts from across the country to discuss progress on a variety of court improvement topics, and to help facilitate formulation and dissemination of best practices. President Judges, Judges and court managers discussed the implementation of the MCCMS application and its supporting IT infrastructure, and discussed court management best practices. MC judges and court staff made presentations and engaged in discussions on a variety of specific topics, including practical experience of local IT and registry/enforcement staff in the implementation of MCCMS software, IT training, findings and conclusions of the Enforcement Working Group on enforcement best practices, implementation of plea agreement protocols, and developments in the implementation of the revised Law on Misdemeanors and potential revisions to the LOM and other regulations to improve the efficiency and effectiveness of Misdemeanor Courts (see Annex AL).

Forms Design and Management:

During Year 3, JRGA, in collaboration with a forms management work group, developed over 100 forms for use in conjunction with the Bench Book and to assist courts in implementing the provisions of the revised LOM. Over the course of Year 4, JRGA continued work on the design of forms for core business processes for incorporation into the MCCMS application. The Forms Committee, comprised of misdemeanor court judges and JRGA staff, continued to meet on a regular basis to continue the development and re-design of forms for use in misdemeanor courts in Serbia, and to provide input on the development of performance, management and workload statistical reports for use by judicial system leaders, President judges, and court managers in managing the case flow and enforcement activities of Misdemeanor Courts.

In May 2015, JRGA facilitated a three-day Forms Committee meeting in Vrsac. At the retreat, JRGA staff and committee members reviewed and finalized the content of all court forms and documents that have been designed or re-designed to meet the needs of misdemeanor courts. Final design was completed by JRGA legal staff in June. The majority of these forms and templates will be incorporated into the case management system. The comprehensive forms design effort was undertaken in order to standardize the approach to the implementation of the new Law on Misdemeanors, streamline business processes in MCs, ensure uniformity of data within the case management application, and prepare the MCCMS

for automatic generation of documents. In total, 300 new and re-designed forms have been completed.

In Year 5, the full complement of new and revised forms will be incorporated in an updated Compendium of Forms for circulation to all misdemeanor courts, and incorporation into the Misdemeanor Judges Bench Book. The new forms will be indexed by topical area, affected laws, and date of revision. This will allow users to ensure use of the most up to date versions of forms, and permit easier identification of forms requiring revisions when regulatory changes occur. During Year 5, JRGA will develop a sustainable, continuing process to update and modify forms to accommodate regulatory changes, and changes in practice based on experience with implementation of the law.

Belgrade MC:

JRGA staff continued throughout the year to meet regularly with the Belgrade MC management team to follow-up on recommendations made by JRGA consultants and staff during Year 3 regarding steps for preparing the organization for transition to a new, consolidated building in the Ustanicka facility.

Early in the Year, the JRGA architect provided substantial technical assistance in developing technical specifications for renovating the Ustanicka facility for occupancy by the Belgrade MC. To assist with this process, JRGA continued technical assistance to the MoJ in architectural planning and cost estimation for consolidating the operations of the Belgrade Misdemeanor Court in the Ustanicka facility. In consultation with the MoJ, JRGA agreed to undertake upgrade of the roof and windows of the new facility, complementing the renovation of the facility being undertaken by the MoJ. During March 2015, JRGA selected vendors for undertaking the construction work, and in May the contracting process was concluded (*cf. Task 1.2*). By the end of Year 4, work on the consolidated Ustanicka facility had begun. It is anticipated that facility work will be completed in the fall of 2015.

Managing the move of the judges, personnel, and equipment from Belgrade's current facilities to the Ustanicka consolidated facility later this year will be a complex undertaking, involving 102 judges, 305 non-judicial staff, and equipment from 12 locations. To ensure that the move is well planned, and minimizes disruption of court services, JRGA developed a preliminary outline in May 2015 to help in guiding the planning for the move (see Annex D). Simultaneously, JRGA began working directly with key staff appointed by the Belgrade MC President to begin planning for the eventual move. In early 2015, STTA Court Management Expert Nial Raaen (Mr. Raaen holds a professional certification from the Association of Records Managers and Administrators, International) returned to continue working with the Belgrade management staff in planning for organizational and business process changes to be made in connection with the consolidation of judges and staff to a single facility. During his visit, Mr. Raaen consulted with the Belgrade management staff to provide assistance in determining the most effective allocation of registry and enforcement staff in space allocated for administrative operations to ensure efficient use of space and to optimize service to litigants and other court visitors. Mr. Raaen also provided technical assistance in the analysis of the records archiving needs of the Belgrade MC based on an inventory conducted previously by JRGA and Belgrade MC staff (pursuant to guidelines provided earlier by Mr. Raaen), and determining an approach for ensuring optimal use of available archive space in the facility.

During previous quarters, JRGA developed a plan in collaboration with the Belgrade MC management team to bring the MC current on entry of cases reaching judgment and new enforcement cases, and to train a broader cross section of staff for the eventual

implementation of new modules of MCCMS when they become available. A broad range of staff, including all registry, enforcement, intake, and typist staff located in the central court location were trained to enter cases into the system.

Following the commencement of the backlog reduction plan by the MC in Belgrade in September 2014, JRGA continued to monitor implementation results and consulted with court leadership on a regular basis to track the court's progress. JRGA legal and training staff and the court administrator of the Belgrade MC continued to monitor the data entry plan to ensure that the predefined targets were being met accordingly. As a result, in December 2014, the Belgrade MC became current with entry of Misdemeanor Order cases and with entries required for the Registry of Unpaid Fines. Throughout the remainder of the year, JRGA continued to provide assistance to the Belgrade MC to ensure that the MC can maintain currency of the Registry as an increasing number of non-Misdemeanor Order cases began to enter the enforcement phase.

During March, Court Performance Management Expert Dr. Matthew Kleiman returned to Serbia to work with JRGA legal staff and the Belgrade MC to develop a relative case weighting system to enable the Belgrade MC to establish specialized divisions for improved case processing. The Belgrade MC is the largest MC in Serbia, receiving over 200,000 new cases annually. Establishing specialized divisions (for example, divisions to handle labor inspection cases, economy and finance cases, which involve more complicated fact scenarios) will allow the court to implement customized case management "tracks" (also known as differentiated case management) and allow judges assigned to divisions to develop expertise in specific areas of the law, leading to improved efficiency and higher quality decisions.

Using data from 2012, 2013, and 2014, a survey of all judges of the Belgrade MC, and interviews with the President Judges and seven additional judges selected by the President judge based on judicial experience, the STTA expert constructed a model for relative case weights of ten categories of misdemeanor cases. The model was endorsed by the President and Deputy President Judge, and will be used in developing specialized case divisions in the MC and allocating judges to those divisions to ensure balanced workloads. Dr. Kleiman's written report on the relative case weight model was made available in May 2015 to the Belgrade MC. Using the model as a basis, JRGA will assist the Belgrade MC to develop options for reconciling the case allocation scheme with the High Court Council's regulation regarding judicial performance evaluation, which is scheduled to be put into force in July 2015.

1.3.4 Assistance to the High Court Council

Technical and Advisory Assistance:

Early in Year 4, the High Court Council (HCC) adopted draft procedures for evaluating the work of judges and court presidents across the entire judiciary system. HCC selected 15 courts to implement a pilot project to test the performance management process. The Appellate Misdemeanor Court and MCs in Pirot, Novi Sad and Cacak are among the 15 pilot courts. To assist with this process, JRGA provided technical assistance to the HCC, the AMC and three pilots MC's in implementing and evaluating the pilot performance evaluation process. In addition, throughout the year, JRGA continued to provide technical assistance to the AMC Commission. The AMC Commission delivered its report to the HCC and included several recommendations regarding the judicial performance evaluation process (Annex AG)

Assistance to the Commission for Implementation of the National Judicial Reform Strategy

Throughout Year 4, at the request of the Ministry of Justice, JRGA provided technical and logistical assistance to two working groups of the Commission for the Implementation of the National Judicial Reform Strategy (NJRS) for the period 2013-2018.

JRGA provided technical and logistical support to the Commission's working group on analyzing the normative framework to improve the position of misdemeanor judges. JRGA staff participated in the meetings of the Commission's working group throughout the year. At the last meeting of the WG organized in April 2015, participants completed the development of the final set of recommendations on improving service of process, reducing excessive legal fees and resolving issues relating to taxation of court fees. The recommendations were subsequently presented to the Commission for the Implementation of the National Judicial Reform Strategy for the period 2013-2018 (Annex X). The recommendations for improving the working conditions and procedures of misdemeanor judges will assist the Commission in advocating for measures to improve efficiency and effectiveness of the misdemeanor judiciary (*cf. Task 1.7*).

JRGA also provided technical and logistical assistance to the working group tasked by the Commission with the responsibility to evaluate the legal and functional status of court and public prosecutor's facilities. At meetings hosted by JRGA, participants met several times to develop a plan on how to assess and analyze the current state of infrastructure of court and public prosecutor's facilities, in terms of physical and functional conditions, as well as the legal property status of these buildings. To assist with this process, JRGA staff updated data on the condition and status of misdemeanor facilities. JRGA also presented the methodology and the structure of the Project's 2nd edition of the *Assessment of the Buildings of the Misdemeanor Courts in the Territory of the Republic of Serbia*, and explained its value in establishing the priorities for planning future facility requirements. It was agreed that a methodology similar to that used by JRGA to assess MC buildings will be employed to analyze the current facility infrastructure of other courts and public prosecutor's offices (*cf., Task 1.2*).

JRGA staff also participated in two other Commission working groups, including the working group for the analysis of the position of judicial and prosecutors' assistants, and the working group for Constitutional analysis and changes in relation to Judiciary by participating in their work and providing the premises for the meetings.

Impact: National-level interventions on changing the legal and regulatory framework for the misdemeanor procedure (the adoption and implementation of the new Law on Misdemeanors) combined with local-level Court Assistance activities on process reengineering and optimization will contribute to achieving systemic change and improving the administration of justice in MCs. Full court automation will ultimately result in greater case processing efficiency, reduced backlog and stronger credibility for the Misdemeanor Court system. Best practice identification and systematization will lead to a more unified court practice and higher standards of court operations.

Task 1.4 Assist relevant official bodies and actors to increase the percentage of assessed court costs and fines from the Misdemeanor and High Misdemeanor Courts which are collected

1.4.1 Regulatory Reform for Improved Collection

Law on Misdemeanors

The new LoM provides for significant new tools for improving collections, including garnishment of bank accounts and income, and the implementation of the Registry of Unpaid Fines. In Year 4, JRGA continued to provide technical assistance in the implementation of these provisions.

The Registry of Unpaid Fines is required to be maintained by the MoJ in electronic form pursuant to the revised LoM. It is designed as a means to ensure enforcement of financial penalties imposed in misdemeanor cases, by barring issuance of licenses and certificates by state agencies to persons with unpaid obligations listed in the centrally maintained Registry. The Registry module was launched in Year 3, on March 3, 2014, the first business day after the effective date of the new LoM.

Throughout the year, JRGA continued to monitor data entry of cases to the MCCMS and the timely transfer to the Registry of Unpaid Fines. Extensive on-site IT training and assistance was provided to courts that have been identified by JRGA staff as needing assistance. In addition, JRGA legal staff worked with courts to align business practices with MCCMS Registry functions and with the new Law on Misdemeanors, and to implement new enforcement business practices.

JRGA continued to meet with the Minister of Justice Nikola Selakovic throughout the course of the year to discuss a strategy for implementing the consequences of the Registry of Unpaid Fines. Early in the Year, the Minister agreed to support the Project's efforts to establish operating agreements and data exchange protocols between partner agencies and the MCCMS application. The Minister also pledged his support to assist the Project's work with authorized petitioners and other agencies, which grant licenses and certifications, with the goal of implementing consequences and improving enforcement procedures. The Minister renewed his commitment to implementation of consequences in a meeting with JRGA President of the Appellate Misdemeanor Court, the Association of Misdemeanor Judges, and key president judges of the Misdemeanor Courts,

Early in Year 4, the Project established data exchange capability with the Ministry of Interior to enable electronic import of data on misdemeanor orders to the MCCMS data base, and access to the registry of unpaid fines for the National Police to facilitate implementation of restrictions on issuance of driver licenses and auto registrations for persons with outstanding fines to misdemeanor courts listed in the MCCMS Registry of Unpaid Fines. The MOI began streaming misdemeanor order data to MCCMS in March of 2015. To date, the MoI has electronically transferred misdemeanor order data for over 300,000 cases.

Though MOI has committed to implementing consequences and JRGA has implemented technical requirements for National Police to access data in the Registry of Unpaid Fines, implementation of consequences has been delayed by the MOI. The National Police have requested a clarification in the Law on Traffic Safety regarding auto registrations which it believes is necessary prior to implementation. It is anticipated the requested changes will be adopted by the fall of 2015, clearing the way for implementation of license and registration penalties. Denial of driver licenses and auto registrations will have the most significant impact on enforcement of fines and costs, since it will impact the largest segment of the

population. In Year 5, full implementation of this provision of the LOM is anticipated to provide a powerful tool means to increase for passive enforcement of monetary sanctions, which in turn will increase the integrity of the courts' orders and increase public revenue collection for the State. As of June, over 13 million Euros were owed by persons listed in the Registry, with over 800,000 Euros being added monthly. It is expected that a significant portion of the fines and costs owed by offenders listed in the Registry of Unpaid Fines can be collected when consequences are fully implemented, based on experience with similar mechanisms in courts in the U. S. and other countries.

Since the revised LoM entered into force, the introduction of the misdemeanor order has had a significant impact on enforcement. Voluntary compliance with misdemeanor orders reached 74% in the year following the implementation of the revised LoM (March 2014 to March 2015), in comparison to the voluntary compliance rate of 30% for mandatory fines in previous years. It is estimated that over 11 million Euros were collected through voluntary compliance, without any enforcement intervention required by Misdemeanor Courts. At the request of the Ministry of Justice, JRGA legal staff provided technical assistance to a Ministry of Justice working group convened to draft amendments to the Law on Enforcement and Security, which has system-wide application regarding enforcement of judgments. The working group has concluded its initial drafting work, and the draft amendments are being circulated for public comment. JRGA will continue to assist the working group in the analysis of public comments and will provide assistance in making any changes to the draft resulting from that analysis. Notably, provisions have been included which will allow MCs to refer enforcement cases directly to private enforcement officers for attachment of assets to satisfy outstanding financial obligations to MCs, which will simplify and expedite procedures for attachment of non-monetary assets. Another important provision would allow MCs to contract with private enforcement officers for service of process. Ineffective service of process is one of the most significant barriers to timely adjudication and enforcement of misdemeanor cases, and providing for alternatives to service via the Post Office has the potential to significantly improve efficiency, particularly for cases in which a defendant's official address is outdated, or where a defendant is intentionally evading service. It is anticipated that the amendments to the Law will be considered for adoption in the fall of 2015.

1.4.2 Monitoring and Information Tracking

Tracking Collections

Enforcement and payment tracking functionality has continued as a key focus of MCCMS development during the year. The enforcement module of MCCMS, which includes payments tracking and tracking of enforcement actions, was implemented in February. An intensive training program was implemented for Misdemeanor Court staff to enable them to take advantage of the new module. In Year 4, JRGA conducted 30 MCCMS "classroom" trainings across the country for approximately 450 enforcement staff (*cf. Task 1.3.2, IT Training and Technical Assistance, and Task 1.72, Training Curriculum Development and Delivery*). The final version of the enforcement module and other modules of the MCCMS (including payment tracking) will be implemented and tested in two pilot courts during the first quarter of Year 5.

1.4.3 Partner Court Best Practices

Implementation of Best Practices:

As noted previously (*cf. Task 1.3.2 IT Training and Technical Assistance, 1.4.1 Regulatory Reform for Improved Collection*), JRGA legal staff have provided extensive hands on, on-site technical assistance in the implementation of provisions of the new LOM, including those related to enforcement, in parallel with on-site visits to monitor the implementation of the MCCMS Registries module.

Early in Year 4, JRGA formed an Enforcement Workgroup, consisting of enforcement judges, enforcement officers, and president judges from around Serbia to identify issues confronting the MC's in effective enforcement and fine collection practices, identify best practices in enforcement generally and specifically with respect to new enforcement provisions in the new LOM (for example, collection through garnishment of bank accounts and wages, substitution of community service, etc.), and make recommendations regarding improvements in enforcement business practices. The workgroup met again in January 2015 to continue identifying best practices in enforcement business processes. Conclusions and recommendations from both meetings were documented by JRGA legal staff and circulated to all MC's (Annex AD).

Based on the discussions of the first meeting of the working group, and the provisions regarding garnishment in the revised Law on Misdemeanors, JRGA developed a revised guideline for a graduated enforcement process. The guideline is intended to reflect a graduated approach to enforcement, beginning with the least invasive and lowest cost mechanism (mailed notice or electronic notice) to more costly alternatives. Using the approach is intended to make the enforcement process predictable, and employ an approach which will match remedies with the level of enforcement required, leaving higher cost alternatives, such as conversion to prison, for cases requiring a high degree of leverage. The draft process, "Enforcement against Natural Persons - Graduated Enforcement Process" (Annex AE) was discussed and endorsed by the working group.

Enforcement judges from Nis presented the work of the Enforcement Working Group at the Partner Court meeting held by JRGA in Nis on March 19th and 20th.

In Year 5, the Working Group will continue to meet to identify best practices for enforcement, and to identify recommendations for changes in the LoM and other regulations and rules that will enable more effective enforcement of Misdemeanor sanctions.

In May 2015, with JRGA support, the policy agreements were reached between the President of the Appellate Misdemeanor Court and the Director of the Central Registry of Compulsory Social Insurance (Registry). An agreement was signed approving the protocol to enable data exchange between the Registry and the MCCMS application. The Central Registry database contains employment information and other demographic data reported by employers to various agencies providing pension and insurance benefits to employees. The data exchange mechanism will enable electronic access by misdemeanor courts to employment and address data of misdemeanor defendants. MCCMS software, which will be tested in pilot courts this summer, will automatically query the Central Registry for current information on the employment and employers of misdemeanor defendants, and import that data to the MCCMS database. MC staff will also be able to make targeted queries of the Central Registry database for employment and employer information when required. This information exchange will greatly improve the capability of MCs to successfully service process when service at defendants' listed residence address is unsuccessful, and will allow MC's to readily employ wage garnishments for collection of unpaid judgments

Promotion of Voluntary Payment:

In Year 4, JRGA continued to provide assistance to Misdemeanor Courts in increasing voluntary payment through the use of reminder notices. These initiatives are designed to make use of SMS text messages to prompt litigants to make timely payments of outstanding fines. Pilot SMS noticing initiatives implemented by JRGA in Kikinda, Arandjelovac and Belgrade in Year 3 proved to be a low-cost, high-impact enforcement mechanism. In Year 4, with assistance from JRGA, the Misdemeanor Courts in Nis, Kraljevo and Becej began using SMS text noticing to remind defendants of their outstanding debts to the court. In Year 5, SMS messaging will be incorporated into a future release of the MCCMS enforcement module.

Similarly, in Year 4, JRGA assisted the Belgrade MC in expanding its use of regular mail noticing to facilitate payment of fines and costs. In Year 3, the use of regular mail reminder notices was pilot tested in Novi Sad, Belgrade and Kikinda MC's with success. With technical and material assistance from JRGA, the Belgrade MC renewed the use of regular mail notices beginning in the last quarter of Year 3 and extending through the first quarter of Year 4. Approximately 5,700 notices were mailed, at a cost of approximately 1,200 €. Approximately 20% of the fines and costs due for the cases noticed were collected, a total of approximately 138,000 €.

An earlier assessment made of the use of SMS and Regular mail noticing has shown that the use of noticing is effective and has a high cost benefit ratio. Every Euro invested for notices sent by SMS text messages resulted in 315 Euros collected. Every Euro invested for notices sent by regular mail resulted in 60 Euros collected, according to the assessment.

<p>Impact: Improved procedures and clearer rules will lead to increased collection of fees and fines. Increased efficiency in enforcement and collection will ultimately contribute to enhanced court credibility and respectability.</p>
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Task 1.5 Assist relevant official bodies and actors to increase the physical safety of victims of family and domestic violence cases in all the Misdemeanor and High Misdemeanor Courts, including persons appearing in court

The incidence of family violence is a growing concern in Serbia. During May, 2015, there were four articles published on this issue of domestic violence (Annex M). In one article, details of the deaths of 22 domestic violence victims during 2015, and in another, it was reported that the number of deaths stemming from domestic violence had, by May, nearly reached the total numbers of domestic violence related deaths in all of 2014. The newspaper also published a story regarding the concerns expressed by the EC Commissioner for Human Rights.

The safety of victims of family and domestic violence is a concern for all courts, including the MCs. Throughout the project JRGA has supported increased focus by the courts and justice partners on the physical safety of victims, and meeting the needs of domestic violence victims for support in escaping violence.

In Year 4, JRGA continued to support efforts by the Association of Public Prosecutors and Deputy Public Prosecutors (APP) in expanding the use of the successful model of inter-agency cooperation (the “Zrenjanin model”), which brings together justice and social service agencies at the local level to ensure a timely, integrated approach to supporting the needs of victims for protection, shelter and other social services, and economic independence; while fashioning an appropriate approach to dealing with the batterer. In addition, JRGA continued to work with Counseling against Family Violence (CAFV) on implementation of a legal aid network offering legal assistance to victims of family violence. JRGA also worked closely with APP and CAFV on the integration of their complementary grant activities and increasing the organizational capacity of the CAFV.

1.5.1. Partner Court Best Practices

Facility Upgrade and Renovation: Facility limitations in many courts make it impossible to create physical separation between parties involved in family/domestic violence cases. As facilities are renovated, JRGA identifies opportunities for enhancing the safety of vulnerable victims, and where possible, designs court layouts with consideration given for ensuring safety of vulnerable parties, including family violence victims. In Year 1, JRGA formulated a set of recommendations for courts on safety protocols and continued to disseminate these among partner courts during Year 4.

1.5.2. Cooperation with Safe Houses

Legal Aid Network:

Late in Year 3, JRGA provided grant and programmatic support to CAFV in establishing a network of lawyers to provide legal aid to victims of domestic/family violence. A network of 40 lawyers was formed for providing low cost legal services to family violence victims in 22 towns across the country. The attorneys within the legal network provide a diverse range of legal services ranging from pressing criminal charges to drafting petitions for protection and for child support and custody. In Year 4, with JRGA support, CAFV has continued to manage the legal aid network, and coordinate and monitor the delivery of legal aid to victims. Early in Year 4, in an effort to further improve the work of the network lawyers, APP organized a two-day training seminar for the attorneys within the network to increase their capacities to provide assistance and support to victims of family violence. The training seminar, held from November 28-29, in Srebrno Jezero, provided legal aid lawyers with information on the social dynamics of family violence, the need for integrated services to address the multi-faceted needs of victims, and the operation of the inter-institutional service model. The training provided them with an improved understanding of how victim protection mechanisms work in practice, the specific roles of relevant institutions, and some of the challenges in providing services in order to enable better legal protection and overall support for the victims. Speakers from a broad range of institutions and sectors working with domestic violence victims, including representatives and officials from the judiciary, police, health institutions and civil society provided information on the roles of their institutions, and provided advice on how to improve support services targeting domestic violence victims.

In Year 4, legal advice was provided to 246 victims of family violence (217 women and 29 men). The network’s lawyers drafted a total of 218 lawsuits and other writs and filed 90 criminal charges for family violence. Legal support services were provided by the network’s lawyers from 19 of 22 cities and towns where the network operates (45 from Krusevac, 34 from Valjevo, 31 from Kraljevo, 19 from Sabac, 23 from Zajecar, 15 from Nis, 18 from Gamzigrad, 10 from Velika Plana and Cacak, and to ten or fewer vulnerable individuals in Pozarevac, Kucevo, Loznica, Belgrade, Vranje, Jagodina, Smederevska Palanka, Kragujevac

and Zabari). No family violence cases were reported in the other three cities. Late in Year 4, demand for services from the legal aid network increased dramatically, and grant funds planned for support of the CAFV legal aid network were depleted, and JRGA staff began working with CAFV to identify alternative sources of funding to sustain the highly successful program.

With JRGA support, CAFV also provided financial support for vocational training opportunities to increase victims' potential for employment and economic independence from their abusers. Early in the year, CAFV signed a contract with the Bozidar Adzija University to send 10 women victims staying in CAFV-supported safe houses to vocational training, such as beautician classes, craft lessons, etc. Later in the year, due to operational problems at the University, the institution was temporarily closed down. Despite this setback, 3 out of the 10 women completed their coursework at the University. CAFV decided to suspend vocational training opportunities in light of the close of the training program.

Awareness Raising:

Throughout Year 4, as part of public outreach efforts to increase awareness of the problem of domestic violence and promote the legal aid network, CAFV Director Vesna Stanojevic made multiple guest appearances on national and local television stations throughout the course of the year, especially in May 2015, at which point, in the span of 48 hours, seven fatalities occurred due to domestic violence incidences. Mrs. Stanojevic discussed the work of the network on popular based in Sid, Kraljevo, Cacak, Subotica and Prijepolje. She used these opportunities to speak about the problem of family violence in Serbia and to promote the activities funded under the grant, including the assistance being provided through CAFV's free legal aid network and its impact. Issues concerning the social implications of family abuse, difficulties associated with reporting cases, implementing adequate protection mechanism, and enabling conditions for victims to separate from abusers were discussed to better inform the public. Ms. Stanojevic also held a lecture at a newly opened safe house in Vranje on the topic of "Significance, role and standards of the work of safe houses." At this event, she discussed the problem of family violence in Serbia and promoted the activities of CAFV's legal aid network. In addition attorneys from the legal aid network made guest appearance on local television stations to address the problem of domestic violence and to discuss the legal assistance being provided to victims of family violence. To further increase public awareness regarding domestic violence and the regarding the shelter and support services provided by CAFV, JRGA assisted CAFV in developing brochures and posters on domestic violence and available services to victims. The promotional material, published by JRGA, contains practical information for victims and information on how to contact CAFV and the network's lawyers. In total, 10,000 brochures and 300 posters were printed. The promotional materials were distributed to centers for social work, police stations and health institutions in all 22 cities where the network operates. Brochures and posters were also distributed to Misdemeanor Courts, Basic Courts and Public Prosecutor Offices in these cities. The promotional materials were also provided to the Belgrade City Center for Social Work for further dissemination to centers for social work in Belgrade's 17 municipalities. Due to these efforts, CAFV received a significantly higher number of telephone calls from victims of family violence, and the number of victims that have received legal assistance from the network's lawyers has significantly increased.

<p>Impact: Dissemination of the inter-service cooperation model existing in Zrenjanin and improving access to legal aid for victims of domestic/family violence is contributing towards a reliable legal and judicial protection framework.</p>
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Task 1.6 Assist relevant official bodies and actors to improve the coordination of cases involving related issues and/or parties, including those pertaining to family violence

During Year 4, JRGA invested efforts on strengthening inter-institutional coordination at the local level between key institutions working to support victims of family and domestic violence. JRGA continued to facilitate joint roundtables to facilitate MC dialogue and coordination with external partners. JRGA supported cross-component coordination between MC's and the Commissioner for the Protection of Equality (CPE) and the State Audit Institution (SAI), as well as with other external stakeholders.

1.6.1. Coordination in Domestic and Family Violence Cases

In Year 4, JRGA continued to support the coordination of domestic and family violence cases, and the coordination of services to victims between justice and service agencies through its grant framework agreement with the Association of Public Prosecutors (APP) and Counseling against Family Violence (CAFV). Under their grant partnership, the two organizations worked to improve coordination of family/domestic violence and increase availability of legal assistance to victims. As part of the Task Order 1, APP worked with Public Prosecutors, and other justice and social service agencies in five additional cities (Kragujevac, Valjevo, Kraljevo, Nis and Vranje) to implement the "Zrenjanin" model for inter-institutional cooperation between institutions, including the judiciary, the police, social and healthcare centers, and civil society organizations working with family and domestic violence victims. In each of these cities, APP organized multilateral coordination meetings between these institutions. The Zrenjanin inter-institutional coordination model is a tested approach to establishing a sustainable and comprehensive framework for an integrated justice and social service system response to family violence addressing the needs of victims for protection, shelter and other social services, and economic independence; while fashioning an appropriate approach to dealing with the batterer. As a result of APP JRGA funded efforts, in total, the "Zrenjanin model" has been instituted in 10 communities through signing protocol agreement among local actors and promoted in 22 communities across the country.

In addition, during Year 4, as part of the framework agreement, APP provided assistance to CAFV to strengthen its organizational capacities and long-term sustainability. A working group was formed in April 2015, comprised of CAFV staff, APP representatives and JRGA staff, to develop a long-term strategic organizational plan for CAFV. The strategic plan was finalized in March 2015. The main facets of the plan include fundraising to support CAFV's operations, strengthening the CAFV capacity to manage projects and grants, and activities in supporting family violence victims. To this end, APP assisted CAFV in developing relationships with potential domestic and international donors. In Year 5, JRGA and APP will continue to work to expand the ability of the CAFV to raise funds and attract support for its direct victim support activities, and for efforts to increase public awareness and improve advocacy efforts to address family violence and meet the needs of family violence victims.

1.6.2. Coordination of Cases Filed by Independent Agencies (in coordination with C2)

Throughout Year 4, JRGA continued its successful series of roundtables between independent agencies, Misdemeanor Courts, and other agencies. In September 2014, JRGA facilitated the fifth bi-lateral coordination meeting between MC's and the State Audit Institution (SAI), focusing on the Law on the Budget System and the new Public Procurement Law. The coordination meeting was also attended by representatives from the Republic Commission for the Protection of Rights in Public Procurement Procedures (Commission). The meeting was attended by the leadership and key staff of the SAI and the

Commission, and MC judges, including the President of the MC in Belgrade. The roundtable helped to clarify the role and responsibilities of the Commission in the public procurement process, and to clarify competencies of the MCs and the Commission under the new Law. The meeting also provided the opportunity for the SAI and MCs to learn about the procedures of the Commission in carrying its role in the public procurement procedures and about the novelties of the new Public Procurement Law and key provisions of the Law on the Budget System.

Later in Year 4, the Project organized the first in a series of new bi-lateral coordination meetings between Misdemeanor Courts and the Commissioner for Protection of Equality (CPE) to strengthen mutual cooperation between these institutions, to improve judges' abilities to preside over misdemeanor cases dealing with discrimination, and to become sensitized to avoiding potential bias or discrimination in misdemeanor proceedings. The meeting was opened by the Commissioner for the Protection of Equality, and Milan Marinovic, President of the MC in Belgrade. At this meeting, participants agreed to support the development of a practical guide for the implementation of anti-discrimination legislation in misdemeanor proceedings. JRGA's legal staff, with assistance from a judge from the Appellate Misdemeanor Court, and the CPE, developed the Guidebook, which was completed in March 2015. It elaborates the legal processes required for safeguarding equality of parties in legal proceedings and the principles of non-discrimination. In Year 5, JRGA will explore the potential of developing a comprehensive training program for judges based on the instructions and guidelines elaborated in the Guidebook.

Impact: Improved coordination between MCs and external stakeholders will contribute to the more efficient and fairer administration of justice.

Task 1.7 Assist relevant official bodies and actors to increase the competency of judges in all the Misdemeanor and High Misdemeanor Courts

During Year 4, JRGA continued to assist project partners, including the Administrative Court and Misdemeanor Courts, to develop substantive training materials and to deliver training to increase the competency of judges and staff in these courts. Building on the four-module training program for misdemeanor judges delivered in Year 3 on the most important procedural changes of the revised LoM, JRGA, in consultation with the Judicial Academy (JA), developed a legal training curricula on drafting first instance decisions. JRGA also supported an intensive training program to prepare judges from all courts for the enactment of the new Law on the Protection of Whistleblowers. Additionally, the Project assisted in the delivery of trainings for specialized judges on the Juvenile Justice Law.



Chamber of Commerce Training, April 2015

In cooperation with the Judicial Academy, JRGA developed and delivered trainings for Chamber of Commerce representatives on the impact of the new LoM on legal entities and the responsibilities of legal entities under the Law. JRGA also used STTA experts and staff to deliver targeted training to increase the capacity of MC staff and judges to improve community outreach and improve public understanding of the Misdemeanor Court system, focusing particularly on media relations, public

speaking and outreach, and customer service. JRGA continued delivery of its intensive IT training program to MC's and MC units to optimize use of updated electronic registry modules and to prepare judges and court staff for rollout of all modules of the automated system in Year 5.

JRGA At the request of the Administrative Court (AC), JRGA developed and delivered a training program on the Law on the National Councils of National Minorities for AC judges. In addition, the Project, in consultation with the AC management team, developed a modification to the AC's case law system, which incorporates second instance decisions from the Constitutional Court, the Supreme Court of Cassation and the European Court of Human Rights in the system's searchable database.

1.7.2. Training Curriculum Development and Delivery

Misdemeanor Judge Curriculum Development and Delivery:

In Year 4, JRGA's training efforts focused on providing misdemeanor judges and staff with knowledge and skills necessary to ensure the sustainability of the overall reform efforts taking place in the misdemeanor court system in the past years. JRGA staff continued to work with individual courts to address practical issues arising in those courts related to the implementation of the new LoM, and to deliver on-site training for optimized use of the MCCMS Registry module. Early in Year 4, building on a program developed in Year 3 by Judge Gregory Mize, the Project developed a more extensive legal drafting course, particularly targeting sitting misdemeanor court judges. JRGA identified four local experts and lecturers to assist in curriculum development and delivery of the training. The legal training course on drafting first instance decisions consisted of four main topics: 1) basics of proper legal drafting, 2) mandatory elements of a misdemeanor decision, 3) key parts of a decision, and 4) a case study. From September 2014-April 2015, this legal drafting training program delivered 19 times for approximately 522 judges and judicial assistants at the Judicial Academy in Belgrade and the JA seats in Nis, Novi Sad and Kragujevac.

The new Law on the Protection of Whistleblowers was adopted in December 2014, and entered into force on June 5, 2015. Immediately after adoption, JRGA began working with the MoJ and the Judicial Academy to develop a comprehensive training program on the new Law for the judicial sector. The new law prescribes that all judges presiding over future whistleblowing cases must undergo training on the new Law, and be certified by the Judicial Academy. In January, JRGA brought STTA expert Tom Devine to work with the JA and a select group of judges to develop a training curriculum on the provisions of the new Law, develop a qualified team of local trainers, and to deliver initial training sessions.

The STTA expert and the local training team delivered five training seminars to Supreme Court and Appellate judges in late January 2015. Following the departure of the STTA expert, the local training team continued to deliver training sessions throughout the course of the year. The training seminar presented the new procedures introduced by the new Law on the Protection of Whistleblowers, including court protection mechanisms, addressed implementation of the new Law with respect to labor disputes, and examined misdemeanors prescribed by the new Law. In total, during the year, JRGA organized and delivered 40 training sessions on the new Law for 968 judges and judicial assistants of the Appellate Misdemeanor Court and Misdemeanor Courts, Higher Courts, and Basic Courts (*c.f. Task 2.6*). Late in Year 4, on June 22, JRGA began a second round training sessions on the new Whistleblower Law. JRGA will continue to assist JA Year 5 in delivering a second round of more practical training on the new Whistleblower Law for judges from all courts.



Training on the New Law on the Protection of Whistleblowers, January 2015



*Juvenile Justice Law Training,
March 2015*

Also in Year 4, building of the Project’s training efforts from the previous year, JRGA, in cooperation with the Judicial Academy, developed and delivered training for MC judges on the Juvenile Justice Law. The purpose of these trainings was to improve the professional capacities of MC judges handling juvenile cases to effectively apply the new legal provisions regarding minors under the LoM. The training focused on improving MC judges’ application of the regulations governing the treatment of minors and the enforcement of sanctions in cases involving minors. In total, 8 training sessions were delivered for 138 MC judges during Year 4.

Administrative Judges Curriculum Development and Delivery:

In Year 4, JRGA worked with the Judicial Academy to develop and deliver training for Administrative Court (AC) judges. At the start of the year, the Administrative Court requested assistance from the Project to develop a training curriculum for its judges and judicial assistants on the Law on the National Councils of National Minorities, as elections for these councils were scheduled to take place in mid-October 2014. Since AC judges were tasked with the responsibility for overseeing cases related to National Minority Councils, AC management wanted its judges to be prepared to adjudicate cases involving this law. In August 2014, JRGA worked with the AC to develop a new training curriculum on the Law. During the period prior to the elections, JRGA organized and held three one-day training seminars for AC judges and judicial assistants on the topic of the new Law on National Councils of National Minorities. The training focused on the competencies of representatives to the National Minority Councils (NCMs) and procedures for their appointment, of and the role of the Administrative Court in relation to the NCMS. The training sessions held in September and October, 2014.

As noted above, judges and judicial assistants from the Administrative Court also participated in the JRGA-supported training on the new Law on the Protection of Whistleblowers. In total, 82 AC judges and judicial assistants participated in training on the new Whistleblower Law in Year 4.

IT Training:

In 2014, JRGA conducted a large-scale, intensive training program on the use of the MCCMS Registry module, which was implemented at the beginning of March 2014 as the new Law on Misdemeanors took effect. Subsequently and throughout the course of Year 4, JRGA continued to employ a multi-pronged approach to IT trainings: a) traditional classroom trainings to transfer information and instruction on basic concepts of the application and its use; b) supplemental “elbow-trainings” involving on-site visits to misdemeanor courts to provide hands-on assistance with the application; and, c) delivery of more intensive technical assistance to those courts with the most difficulties in adjusting to the use of the software application.

Throughout the year, as new versions of the MCCMS application were deployed, JRGA continued its multi-pronged training program on the application. This approach ensured that the users would be able to optimize use of the application. Following the roll out of the new enforcement module in late February 2015, JRGA developed and delivered a new round of “classroom” trainings for registry and enforcement staff of Misdemeanor Courts and MC units across the country. JRGA’s multi-pronged training approach combining “classroom” and “elbow” trainings, together with the MCCMS telephone hotline, ensured users could

adjust to incremental changes as they were introduced. In total, in Year 4, JRGA organized 47 “classroom” trainings and JRGA staff made 50 visits courts to provide on-site elbow training and technical assistance.

Other Topical Training:

In October 2014, upon the request of the Belgrade Chamber of Commerce (CoC), the Project organized and implemented a new cycle of three trainings on the new LoM for Chamber of Commerce representatives. The training targeted small- and medium-sized businesses, entrepreneurs and business associations to learn about the most important practical implications and procedural changes introduced by the new Law. At the training all participants received JRGA’s training booklet explaining how the new Law impacts legal entities. Later in Year 4, in March 2015, following the successful implementation of the initial cycle of trainings on the new LoM for CoC members, the Chamber requested from JRGA to provide a new cycle of training for its members. In response, JRGA organized a second round of five trainings for CoC members. In total, during Year 4, JRGA delivered 7 training sessions on the new LoM for 252 CoC members.

AMJ Annual Conference:



AMJ Annual Conference, October 2014

As in previous years, JRGA provided technical and material assistance for Annual Conference of the Association of Misdemeanor Judges. The annual event, which was held October 29-31 2014 in Kladovo, brought together over 400 misdemeanor judges and appellate misdemeanor court judges. Other participants included the Deputy Director of the Ministry of Interior’s Traffic Police Department, the Director of the Judicial Academy, representatives of the Department of Customs, as well as misdemeanor judges from the Balkan region, including Montenegro, Bosnia and Herzegovina and Croatia. The year’s conference served as an opportunity for misdemeanor judges to look back on the achievements and developments of the past year, and to identify challenges and best practices specifically related to the implementation of the new Law on Misdemeanors. The event also served as an opportunity for judges to discuss best practices in managing MCs, and to discuss ideas for new approaches to increase efficiency, improve access to justice for citizens, and increase transparency of misdemeanor courts.

The conference opened with remarks from Azza El-Abd, USAID Mission Director; Janko Lazarevic, Deputy President of the Supreme Court of Cassation; Zoran Pasalic, President of the Association of the Judges of the Misdemeanor Courts; Biljana Pavlovic, State Secretary of the Ministry of Justice, Nenad Vujic, Director of the Judicial Academy, and Laurence T. Vetter, JRGA Chief of Party.

Key topics of discussion at the conference included: the misdemeanor order, the plea agreement, process of filing community service orders, enforcement of fines via bank account and wage garnishment, problems associated with the use of languages of national minorities in misdemeanor proceedings, novelties of the Law on Tax Procedure and Tax Administration, comparison of the misdemeanor laws of Serbia and Bosnia- Herzegovina, among other topics (see Conference Agenda, Annex E). The conference continues to serve as an effective platform for joint problem solving and dialogue exchange among misdemeanor judges.

ICSR Conference on Juvenile Justice:

In June, the Institute for Criminal and Sociological Research (ICSR), with support from JRGA, organized an event bringing together international and domestic experts, academia,

policy-makers, and judges to discuss the juvenile justice system, and juvenile delinquency as a social phenomenon. The event, marking the publication of ICSR's research "Juveniles as Perpetrators of Criminal Offences and Misdemeanors," was opened by the following keynote speakers: Biljana Pavlović, State Secretary at the Ministry of Justice; Nenad Vujić, Director of the Judicial Academy; Laurence T. Vetter, JRGA Chief of Party; Novica Peković, Chief Judge of the Appellate Court in Novi Sad; Ferenc Molnar, Chief Judge of the Higher Court in Subotica; and Maglai Jene, Mayor of Subotica.

Participants at the event had an opportunity to learn about trends and social responses to juvenile delinquency world-wide and in Serbia; various approaches to enforcement of criminal sanctions against minors; how amendments to the new Law on Misdemeanors will harmonize misdemeanor offenses and juvenile justice; alternative measures and misdemeanor sanctions provided for in the revised Law on Misdemeanors; and about the types of diversionary programs being employed in other countries in the region aimed at social reintegration and rehabilitation of juvenile offenders. JRGA provided material support for printing a brochure on these topics, which was disseminated to participants at the event.

1.7.3. Legal Resources

Misdemeanor Judge Bench Book:

In Year 3, JRGA developed a first of its kind Bench Book for misdemeanor judges in order to facilitate implementation of the changes in procedure introduced in the revised Law on Misdemeanors. The Bench Book was distributed to judges via compact disks to aid their day-to-day work.

The Bench Book is structured as a document to be used primarily in electronic format. Hyperlinks are embedded in the practical procedure guidelines, which link relevant articles of the new Law, standardized forms for judicial decisions and orders, checklists and charts illustrating the work flow for steps in the procedure. The forms are the product of joint efforts of JRGA staff attorneys and the forms working group (*cf. Task 1.3.3.*). Development of new forms for inclusion in the Bench Book was an on-going process throughout the year. In Year 4, JRGA convened the Forms Committee, comprised of misdemeanor judges and JRGA staff, several times to continue working on the Compendium of Forms for MC's in Serbia. From May 18-20, in Vrsac, JRGA conducted a three-day Forms Committee Retreat to finalize a complete set of forms and templates for use in misdemeanor proceedings. At the retreat, misdemeanor court judges and JRGA staff reviewed and finalized the substance of all court forms and templates. These forms will be incorporated into the Bench book in Year 5 and will be incorporated in the Misdemeanor Court Case Management System (MCCMS) application. The forms were developed in order to standardize the approach to the implementation of misdemeanor procedure, streamline business processes in MCs, ensure uniformity of data for reporting and included the case management application, and to facilitate automated generation of documents. In total, approximately 300 new and re-designed forms have been completed. An updated version of the Forms Compendium was made available to misdemeanor courts, and required forms will be incorporated in an update to the Bench Book in Year 5.

Compendium of Best Practices:

In Year 3, the Project finalized work on the Compendium of Best Practices. The Compendium consists of best practices in records management, case flow management, and other core business practices. Throughout Year 4, as the Project identified new best practices through technical assistance to project counterparts and misdemeanor courts in implementation of the new LoM, work on the development of the MCCMS application, and

the work of the Enforcement Working Group, as well as AMJ's work on the plea agreement. Information pertaining to these practices was disseminated to MC's throughout the year. The new best practices identified during the year will be incorporated into an update to the Compendium in Year 5.

In Year 4, in September 2014 and January 2015, JRGA organized two meetings of the Enforcement Working Group to exchange experiences and best practices on enforcement of judgments, focusing particularly on the impact of the new LoM. Each meeting resulted in a list of conclusions and practical guidelines to support enforcement of misdemeanor court decisions, which were circulated to all misdemeanor courts. The conclusions capture various work obstacles preventing effective enforcement and fine collection practices and ways to overcome them, and highlight effective enforcement mechanisms, including wage garnishment, bank account garnishment, community service, seizure of personal property through basic courts, etc..

Access to Case Law and Ensuring its Uniformity:

Early in Year 4, JRGA created a new feature for the automated system previously developed by the Project to create a searchable database of the AC's judgments and legal opinions. The new feature expanded the system to include a searchable database of decisions from the Constitutional Court, the Supreme Court of Cassation and the European Court of Human Rights. The enhanced case law database was immediately put to use by AC judges in Belgrade and the court units in Novi Sad, Nis and Kragujevac. It allowed them to easily review and access past legal decisions and principles and/or interpretations of the law. Administrative law is a dynamic and constantly evolving body of law. The improved AC database allows judges to quickly identify review relevant cases from the Constitutional Court and the Supreme Court of Cassations, and the European Court of Human Rights, in addition to similar cases from the AC. Throughout the Year, the AC staff input decisions from these three courts into the AC system. Simultaneously, AC staff continued to anonymize and input AC decisions. At the end of Year 4, there were over 809 publically available anonymized decisions posted to the data base on AC's website.

JRGA provided technical assistance to the Appellate Misdemeanor Court in implementing a system for improving the uniformity of and access to misdemeanor case law, at the request of the AMC President Judge. After consultation with JRGA legal staff, the President Judge appointed judges in the Appellate Misdemeanor Court to have responsibility for overseeing case law standardization, and identified case law coordinators in Misdemeanor Courts. In March 2015, JRGA hosted a roundtable to address implementation of case law coordination. Following the roundtable, conclusions and practical guidelines were developed and circulated to all misdemeanor courts. JRGA will continue to work with the AMC and MCs in implementation of procedures for increasing the uniformity misdemeanor case law and its availability to and application by MCs.

Commission for Implementation of the NJRS:

In the first quarter of Year 4, upon the request of the Ministry of Justice, JRGA commenced technical and logistical assistance to the Commission for Implementation of the National Judicial Reform Strategy (NJRS) working group for analyzing the normative framework to improve the position of misdemeanor judges. JRGA hosted several meetings of the working group. Participants discussed ways to improve service of process, reduce high court fees and resolve issues of arbitrary taxation. The WG developed a final set of recommendations on these issues, and the recommendations were subsequently presented to the Commission. The recommendations for improving the working conditions and procedures of misdemeanor

judges will provide a foundation for improving the competency of misdemeanor judges and the effectiveness of the misdemeanor court system.

Impact: Training directly contributes to the task of increasing judicial competency, efficiency of the courts and enforcement of Independent Agency decisions. Wide participation in a range of capacity building opportunities offered by JRGA will have a multiplier effect on knowledge and experience sharing among all levels of the judiciary.

Task 1.8 Assist relevant official bodies and actors to develop practical and user-friendly information for court users about the operations of all the Administrative, Misdemeanor, and High Misdemeanor Courts and to inform the public about the availability of the information

During Year 4, JRGA continued with the implementation of activities to increase the availability of user-friendly print and electronic information on court operations, services, and procedures. To this end, the Project worked on the creation of informative brochures and pamphlets to assist court users and the general public with information regarding MC's and MC procedures, as well as to distribute and promote grantee's promotional materials to the public. In addition, the Project worked to promote accessible service in courts where facility upgrade interventions occurred.

1.8.1. Access and Information

Facility Upgrade and Renovation: The Project continued to work with courts undergoing renovation (cf. Task [1.2](#)) to promote accessible services and integrate informational signage and brochures. The concept design for the facility upgrade of the Sabac and Pirot MCs included the creation of 'one-stop-shop' information and intake counters to make service to litigants, court users and the general public more accessible and efficient. This has proven to be a successful model applied in previously renovated misdemeanor courts and has generated positive feedback from court users as it allows easier access to information. In addition, the functional organizational designs in the Sabac and Pirot MCs provided clear spatial separation between the administrative services of the courts and the judges' chambers/courtrooms and were further reinforced by appropriate signage that JRGA provided to the courts. Since the MC in Pirot is located in the same building as the Higher Court, the Basic Court and the Public Prosecutors' Offices, JRGA installed a bulletin board in the main entrance of the building to enable these institutions to better inform citizens about important court operations and events and to post other pertinent notices about the work of these institutions. The Project also installed directional signage above the entrance of the building housing all three courts to help guide citizens to the appropriate court and their offices.

The designs for facility upgrade work in the Administrative Court in Belgrade, the AC unit in Kragujevac, and the Appellate Misdemeanor Court in Nis involved reorganization of the space to make service to litigants and the public more accessible and efficient. Additional space provided to the AC in Belgrade and the AMC in Nis from other courts located in the same building enabled physical re-design of the facilities to provide physical separation between the administrative services of the courts and the judges' courtrooms.

Distribution of Print Information Materials:

Throughout Year 4, JRGA disseminated various printed public information materials, including brochures, booklets, posters, etc. produced by the Project or by JRGA grantees. In Year 4, under its Framework Agreement Task Order 1, Alterfact created a new educational brochure highlighting the key provisions of the new Law on Misdemeanors, which features an easy-to-understand visual illustration of the misdemeanor procedure from case initiation to enforcement. This brochure was distributed to secondary school students that took part in the nine Open Court Days held throughout Serbia, and in lectures on the Misdemeanor Court system organized by Alterfact in 10 high schools (Belgrade, Novi Sad, Nis and Kragujevac). In total, 9000 copies were printed and distributed. The brochure was posted in electronic form on Alterfact's "Understanding the Judiciary" website.

JRGA assisted CAFV in the development of leaflets and posters addressing domestic violence and promoting CAFV's support services offering legal aid to family/domestic violence victims. JRGA printed 10,000 copies of the brochure and 300 posters. Brochures were disseminated to local centers for social work, police stations and health care centers in 22 cities where CAFV's network of attorneys are operating. Posters were also disseminated to basic courts, misdemeanor courts and public prosecutor's offices, as well as to the Belgrade City Center for Social Work for further dissemination to centers for social work in Belgrade's 17 municipalities.

Early in Year 4, JRGA, in collaboration with the Administrative Court, developed informative brochures and posters regarding the ACs newly introduced e-mail filing service (Annex G). JRGA provided technical and material assistance in the production and design of promotional materials to raise public awareness about the new service, which allows court users to submit filings, such as lawsuits, appeals, requests, etc. through e-mail. This procedure for low-cost and efficient delivery of pleadings has helped to improve case resolution times, reduce litigants' costs, and increased access/service for court users.

Internet Information for MCs:

During previous years, JRGA worked with the AMC to make required information directories developed by MC's available to the public on-line through the AMC website. Throughout Year 4, AMC continued to work with MC's on developing websites for their courts. As a result, 13 new websites were developed and added to the AMC website throughout the year. By the end of the year, 22 of the 44 misdemeanor courts, or half of all MC's in Serbia, had their own official websites available to provide basic information to the public.

In Year 4, the AMC IT office took steps to upgrade its website listing of MC courts seats. The website now features basic contact information for each court, which includes a recent photograph of the court seat. The most current Information Directory (required by the Law on Free Access to Information of Public Importance) is available for each court as a downloadable file.

All state institutions are required to prepare, regularly update and make publicly available directories of information regarding services, procedures for using services, and contact information. Many of the directories published by courts and other state agencies are difficult for members of the public to use, as they are often recitations of the law in language not readily understood by persons without legal background and training, and most are not interactive. Many are not updated on a regular basis.

In Year 4, in an effort to ensure better access to easily understood information regarding court procedures and operations, ensure consistency in appearance and quality of public information, avoid duplication of effort by individual courts (each individual court must,

according to the law, create its own information directory), and ensure currency of information, JRGA began work on developing an Internet ready template for use by MC's to develop and maintain information directories that comply with legal requirements and which present information in an easy to navigate format. In September 2014, JRGA organized a meeting of the working group, comprised of court staff from MCs in Cacak and Kraljevo, the Appellate MC in Belgrade, and the IT system administrator Appellate MC, to discuss the development of a court information directory template. Prior to the first meeting of the working group, JRGA prepared a draft organizational framework for the templates and shared it with the working group members (Annex H). Throughout the year, the working group continued to meet with JRGA staff to discuss additional informational fields to be added to the template, such as workload, performance, budgets and other required operational information, and on ways to better organize information related to court structure and MC procedures. A draft model template has been developed, and will be circulated for comment and finalized in the first quarter of Year 5. It will be disseminated to all MC's to use as a tool to develop information directories with information specific to their courts. Information directories for all MCs will be available through the AMC website in early 2015. Courts with their own website will make the information directories on their own website. The information directories will help to improve public understanding of court procedures and operations.

MC Brochures:

In Year 4, the Project continued to work on the creation of informative brochures and pamphlets to assist court users and the general public with information regarding MC's and MC procedures, with input from judges and staff of MCs. During previous years, brochures were printed and distributed to MC's with equipment for promotional display and distribution of brochures in public areas. The brochures were also made available in electronic form on the AMC website. A total of seven brochures were developed covering topics such as misdemeanor court procedures, preparation for appearances in court, court fees, information on your case, compliance with summonses, domestic violence services, and organizational and contact information for individual courts.

During Year 4, two new brochures were developed, and two old brochures were revised in light of the new Law on Misdemeanors. A new brochure was developed to provide information regarding Misdemeanor Orders (Annex G), and a new brochure regarding enforcement was developed (Annex G). Revisions were made to the brochure on preparation for appearing in court and the brochure on obtaining information on your case (Annex G respectively). In Year 5, revisions are also planned to be made to the brochure on summons procedure once anticipated changes are made in MoJ and Post Office regulations to implement changes to document service procedures contemplated in the revised Law.

Both the revised and new brochures were printed and distributed to MCs in Year 4.

<p>Impact: Better information availability will reduce demands on court staff. User-friendly information will educate the public about their rights and court procedures. Increased availability of timely, accurate information will lead to increased trust in courts and the judiciary.</p>

Task 1.9 Assist relevant official bodies and actors to improve the reputation of all the Misdemeanor and High Misdemeanor Courts among court users and the public

During Year 4, JRGA continued to collaborate with local counterparts to raise public awareness about the operation and importance of the misdemeanor court system. All facility upgrade activities and the roundtables with authorized petitioners were publicized with media on both the national and local level. In an effort to raise the profile of misdemeanor courts in their local communities, JRGA organized Open Court Day events in misdemeanor courts. The Project also created an outreach and communication campaign for the promotion of the new Law on the Protection of Whistleblowers among the general public, and launched it in June 2015.

1.9.1. Reputation among Court Users

Facility Upgrade and Renovation:

In Year 4, the Project continued to work with Partner Courts undergoing renovations (*cf. Task 1.2*) to promote accessible service and integrate informational signage and brochures. The facility upgrades of all five courts- the Misdemeanor Courts (MCs) in Sabac and Pirot, the Administrative Court (AC) in Belgrade and the AC unit in Kragujevac, and the Appellate Misdemeanor Court (AMC) in Nis- involved renovations to areas where the court interacts with the general public. The facility upgrades in the Sabac and Pirot MCs include the creation of “one-stop-shop” intake and information counters, where the general public can perform all administrative tasks and obtain necessary information related to court services.

The improved customer service capacity, and enhanced operational effectiveness resulting from the facility improvements, and improved public appearance of the premises in these courts will positively influence public and litigants perceptions of these courts, which, in turn, will improve the overall reputation and public image of the courts.

1.9.2. Reputation among the General Public

Court Information, Communications, and Outreach Strategies and Actions:

In Year 4, JRGA continued to work with project counterparts on promoting joint achievements and raising awareness among the general public on the improvements to the functioning of the misdemeanor court system.

In late October 2014, JRGA supported and facilitated the organization of the Annual Conference of Misdemeanor Court Judges. As in previous years, JRGA recognized the importance of this event in reaching out to all misdemeanor judges and facilitating dialogue regarding the implementation of the system-level changes that affected the MCs with the introduction of the new Law (*cf. Task 1.7*), and regarding improved community outreach and education of the public regarding misdemeanor court operations and procedures. The Project also provided support to the Supreme Court of Cassation in the organization of its Annual Judges Conference, from October 4-7, in Vrnjacka Banja. Both events received excellent media coverage in national, regional and local level media outlets. The positive media coverage about these events helped to further improve the reputation among the general public regarding initiatives of court officials to improve the effectiveness and transparency of the judiciary.

JRGA organized two high-profile public ceremonies marking the renovation court premises of the Misdemeanor Courts in Sabac and Pirot. On December 2, 2014, at the opening of the

Sabac MC, the audience in attendance was addressed by Nikola Selakovic, Minister of Justice; Michael Kirby, US Ambassador to Serbia; Zoran Pasalic, President of the Appellate Misdemeanor Court; and Dragan Sindelic, President of the Sabac MC. Later in Year 4, on April 1, 2015, JRGA and the Norwegian Embassy held a joint public ceremony marking the official opening of the renovated court space of the Higher, Basic and Misdemeanor Courts in Pirot. This event was also opened by Minister of Justice Nikola Selakovic and US Ambassador to Serbia Michael Kirby. Other speakers included the Norwegian Ambassador to Serbia Nils Ragnar Kamsvag; President of the High Court Council and the Supreme Court of Cassation Dragomir Milojevic, among others. Both events received excellent media coverage in both national and local level media outlets.

Late in Year 4, on June 3, 2015, at the Government of Serbia building, the Project, in cooperation with the Ministry of Justice, held a press conference to announce the kick-off of the PR campaign to promote the new Law on the Protection of Whistleblowers. The one month campaign will inform the public about the implementation of the new Law on Whistleblowers and emphasize the new safeguards the Law creates for citizens who report corrupt activity or misuse of authority, in order to encourage increased public participation in the campaign against corruption. The new Whistleblower Law took effect on June 5, 2015. The audience in attendance was addressed by Minister of Justice Nikola Selakovic and the US Embassy's Deputy Chief of Mission Gordon Duguid. The event generated extensive media coverage in national and local-level media outlets.



Open Court Day, November 2014

Throughout Year 4, JRGA also continued technical and material assistance to MCs in the organization of Open Court Days. Events were held in nine misdemeanor courts, including: Ruma (October 24), Sremska Mitrovica (November 6), Novi Sad (November 14), Cacak (November 20), Valjevo (December 12), Sabac (December 15), Nis (April 24), Lazarevac (April 29), and Paracin (June 2). Open Court Days have proven to be an effective means to introduce the local community to basic concepts of

the role and importance of the judiciary, attract the interest of students in a career in the justice system and provide an opportunity for increasing public awareness of misdemeanor courts and their operations. Judges and staff of the misdemeanor courts invite secondary school students and media representatives to tour the court premises, and present information about the jurisdiction and operation of the misdemeanor court. Participants are provided with printed information regarding the structure and operation of the judicial system. Students are cast in the role of lawyers, witnesses, judges and court staff, and conduct mock trials of hypothetical misdemeanor cases. Open Court Days give students the opportunity to learn first-hand how the justice system works, and gives them an opportunity to work as a team to apply their analytical, debate and public speaking skills. Many of the events have included presentations on traffic safety by police representatives. At two Open Court Events during the year, JRGA arranged presentations regarding the important work of partner independent agencies. Representatives from the Commissioner for Information of Public Importance and Personal Data Protection and representatives from the Commissioner for the Protection of Equality provided lectures on the mandates of these their institutions. All Open Court events received extensive positive media coverage through local level media outlets. In many cases, mock trials were broadcast in their entirety.

In mid-December 2014, JRGA also provided technical and logistical assistance to the Commissioner for the Protection of Equality in the organization of the second national

competition for law school students. Eight three-member teams took part in simulated court proceedings dealing with a discrimination case based on sexual orientation. Student participants were required to draft briefs and present oral arguments to a panel of judges from the Supreme Court of Cassation, lawyers and law school professors. The event was organized at the Administrative Court in Belgrade.

Public Relations Training:

JRGA continued work with local counterparts to improve their outreach and public relations capacities.

As part of the framework agreement with AMJ-Alterfact, Alterfact contracted a PR expert to develop a two-day tailor-made communications and public relations skills training for 20 selected members of the Association of Misdemeanor Judges (AMJ) and one of the Association's Commissions (the Commission for International cooperation and Communications). In February, the expert delivered a PR and communications training to improve the capacity of AMJ commission members to present the Association, its purpose and role and misdemeanor matters to a public audience. The training also focused on improving cooperation with the media, through the development of a press kit package, with contact information for the media and information designed to raise public awareness about the Association and promote efforts being undertaken to improve the operations and efficiency of the misdemeanor courts, such as the plea agreement. The training was well received and positively reviewed by all training participants.



Communication Training, March 2015

During March, JRGA STTA expert Alisa Vrabac developed a tailored communications curriculum for MC president judges to increase their ability to effectively interact with media, and to improve their public speaking skills. The STTA expert delivered 8 communications skills trainings for a total of 17 MC president judges. The first day of the trainings emphasized the basic concepts of PR within the context of MCs, and how MCs can strengthen relations with the media by preparing key messages,

well-written press releases, and organizing effective public conferences, etc. The second day of the trainings focused on preparations for public appearances, key body language tips for public speaking, and advice for effectively presenting key messages to the public. Participants took part in simulated public speaking exercises in front of a camera, and received critical feedback from the Expert and other group participants. The training helped to transfer skills and know-how to judges to become more effective public spokespersons for their respective courts. In Year 5, JRGA will repeat this training seminar for additional MC judges.

Publication of Improvements:

In Year 4, JRGA continued to assist counterpart institutions, including the AMC, MC and authorized petitioners, to publicize regulatory improvements to increase the visibility and credibility of these organizations with the judicial community and with the general public. On July 24, 2014, at the Palace of Serbia, the Association of Misdemeanor Judges, with support from JRGA and in cooperation with the Appellate Misdemeanor Court, held a press conference titled 'Make an Agreement on a Misdemeanor'. At the event, AMJ announced their initiative for system-wide use of the plea agreement in misdemeanor proceedings and took the opportunity to raise awareness about the benefits of the plea agreement procedure in

streamlining judicial operations. The event also served as an opportunity to provide public information on the new Law on Misdemeanors and the positive impact of the Law in its initial months of implementation. The event generated extensive coverage in national, regional and local-level media outlets.

To mark the International Day for the Elimination of Violence against Women, CAFV organized a press conference titled “Family Violence from the Perspective of Relevant Institutions.” The event was opened by Zorana Mihajlovic, Deputy Prime Minister of the Republic of Serbia, who emphasized support for the work of the CAFV and discussed her visit to CAFV-supported safe houses. The event brought together representatives from various institutions working to prevent gender-based violence to discuss their perspectives and to examine concrete measures and steps that can be taken to combat this phenomenon. The event helped to raise public awareness about the problem of family violence in Serbia.

Impact: Strategic approach towards communicating with the public on the position of judges and the misdemeanor system within the judiciary shall help send out positive messages on their credibility and respectability thus improving their public image.

Task 1.10 Encourage reform of Serbia’s judicial system by assisting local organizations supporting and advocating for improvement in the rule of law, the judicial sector, and the culture of personal responsibility/respect for the law through the provision of Grants under Contract, comparative information on substantive issues, and technical assistance on the institutional development of the organization

1.10.1. Grants Program

Grant Administration: During Year 4, JRGA continued the administration of a grants program supporting the activities of CSOs to support of the Project’s strategic goals. JRGA monitored the finalization of the implementation of two grants awarded previously under the fourth and fifth grant rounds, and the implementation of two long-term partnership framework agreements.

The project implemented by the Judges Association of Serbia titled “Enhancing integrity of courts in Serbia,” originally scheduled to be completed during Year 3, was extended due to logistical difficulties presented for some of the courts and judges targeted to participate in the research as a result of the massive flooding that hit Serbia in May 2014, and due to internal association management issues. An extension was granted, and JAS finalized the project in September 2014.

During Year 4, one grant awarded under the 5th grant round to the Counseling against Family Violence continued to be implemented. CAFV’s project aimed at establishing a network of affordable and readily available legal aid for victims of family and domestic violence victims, as well as enabling vocational education opportunities to victims in CAFV-support safe houses (*cf. Task 1.5*). The project was extended in part due to the catastrophic flooding that hit Serbia in May 2014, and due to a protracted lawyer’s strike.

An overview of completed grants is provided in Annex J, while all grantee reports and deliverables can be found in Annex K.

Competitive Grant Awards:

Judicial Association of Serbia

The 13-month project, “Enhancing the Integrity of Courts in Serbia” aimed to assess vulnerability of the judicial system corruption and assess the development and implementation of integrity plans as an effective means of preventing and reducing corruption. JAS analyzed the internal development process for integrity plans in the Court of Appeals in Belgrade, the High Courts in Nis and Sabac, the Basic Courts in Ivanjica, Uzice, Cacak and Velika Plana. Through working with court representatives in these courts, JAS identified barriers and problems in developing court integrity plans and examined court procedures for developing, implementing and monitoring court integrity plans. JAS conducted a comparative analysis of similar practices in the judicial systems of EU nations. JAS and the Bureau of Social Research prepared recommendations and guidelines for developing and monitoring court integrity plans based on lessons learned from these courts and EU best practices.

Judges’ Association of Serbia (JAS) and the Bureau for Social Research (BIRODI), with JRGA support, organized a roundtable discussion at the Institute of Comparative Law on September 17. Based on the discussions at the roundtable, JAS and BIRODI developed a recommended template for court integrity plans and finalized its recommendations and guidelines for future development and implementation of integrity plans for Serbian courts. Its final report, and the integrity plan template, has been disseminated to relevant courts, the ACA and international institutions in Serbia. Court integrity plans are an important tool that will contribute to reducing corruption and strengthening independence and accountability of the judiciary.

Counseling Against Family Violence – Legal Aid Network

JRGA grantee Counseling against Family Violence (CAFV) established a network of lawyers to provide legal aid to victims of family and domestic violence in May 2014, CAFV continued to monitor the work and results of the legal aid network. Throughout the course of the year, 40 lawyers provided low cost and pro bono legal services to family violence victims in 22 towns where the network operates. Since the establishment of the network a total of 246 (217 women and 29 men) victims of family violence have received legal aid through CAFV’s network of lawyers. By the end of Year 4, the network’s lawyers drafted 218 lawsuits and other writs and filed 90 criminal charges for victims, providing free legal aid to family and domestic violence victims in 19 out of 22 cities.

A break-down of the victims by city that received legal advice through the legal aid network follows: 45 from Krusevac, 34 from Valjevo, 31 from Kraljevo, 19 from Sabac, 23 from Zajecar, 15 from Nis, 18 from Gamzigrad, 10 from Velika Plana and Cacak, and to ten or fewer vulnerable individuals in Pozarevac, Kucevo, Loznica, Belgrade, Vranje, Jagodina, Smederevska Palanka, Kragujevac and Zabari.

Over the course of the year, as part of outreach and public education efforts, CAFV’s Director Vesna Stanojevic appeared multiple times on national and local television stations to promote the various support services provided through the legal aid network, particularly late in the year during May when domestic violence incidences peaked. Mrs. Stanojevic discussed statistics and trends regarding family violence in Serbia, actions that are being taken by

competent local authorities and institutions, and various obstacles preventing effective support to family and domestic violence victims. All television appearances were broadcast live and as re-runs on local television stations. The TV debates helped to raise public awareness about domestic violence issues and to inform the public about the services provided through CAFV's legal aid network.

At the start of 2015, due to operational problems of the partner educational institutions (the National University of Bozidar Adzija), CAFV decided to suspend vocational training opportunities for victims of CAFV-supported safe houses. In February, a no-cost extension of the grant was made to continue support for the legal aid network.

Development of Long-Term Grantee Partnerships:

In Year 3, after consultation with USAID, JRGA introduced a new concept for grant implementation and management focused on developing the sustainability of selected grantees. The Project developed long-term partnership relationships with selected grantees to develop the capacity for selected CSOs to sustain judicial reform and anti-corruption activities. Framework agreements were established partnering organizations with similar objectives and complementary capacities, allowing grantee organizations to pursue mutual objectives and simultaneously increase their own organization capacities. Two separate framework agreements were established by JRGA, one partnering the Association of Misdemeanor Judges and Alterfact, and the other partnering Counseling against Family Violence and the Association of Public Prosecutors.

Association of Misdemeanor Judges – Alterfact

In Year 4, as part of the first task order agreement between AMJ and Alterfact, Alterfact continued to organize and deliver lectures for high school students to educate them regarding the role of the judiciary in a democratic society and about the operations of the Misdemeanor Court system in particular. At the start of the academic school year, Alterfact identified a potential list of 20 schools for participating in the program. Seven schools opted to participate in the program.

Alterfact held lectures in 10 high schools in Belgrade, Novi Sad, Kragujevac and Nis. The lectures focused on informing students about the role of the judiciary in a democratic society, the history of misdemeanor courts, the jurisdiction of Appellate Misdemeanor Courts and Misdemeanor Courts, the various rules of conduct and procedural rules in these courts, recent changes of the new LoM, as well as information regarding the most common offences committed by minors and the sanctions given for these types of offenses. In all schools where lectures were held, Alterfact distributed educational leaflets with an easy-to-understand visual illustration of the misdemeanor procedure from case initiation to enforcement, and highlighting the key provisions of the LoM. The materials included links to Alterfact's "Understanding the Judiciary" website, in order to provide students with information supplemental to the information presented during the lectures. In total, approximately 463 students participated in these 10 lectures.

To support and supplement the lectures, Alterfact expanded the content of the "Understanding the Judiciary" website in order to make additional educational materials available to students. The finalized content for the website included the following topics: History of Misdemeanor Court, Organization and jurisdiction of MC's, Rules of conduct, Procedural rules, Deterrence, Role and Jurisdiction of the Police and other Relevant Institutions in Misdemeanor Proceedings, Proceedings with Juveniles, Most Common Offenses for Offense Committed by Youth, and Changes in the New LoM. In order to bolster community outreach efforts, Alterfact also worked with a PR Agency to develop a

Facebook campaign. The Facebook campaign, which started in December and continued through the end of May, targeted youth between the ages of 16-20 years old. By the end of Year 4, the Facebook campaign had been accessed over 12,653 times.

JRGA Grantee AMJ expanded its efforts to develop practical guidelines for application of the plea agreement mechanism for a broader range of misdemeanors. At the start of Year 4, experts began work on an updated edition of the Manual for the Plea Agreement (Manual). The National Police finalized an internal instruction regulating police procedures for initiating plea agreements for traffic misdemeanors on August 20, 2014. Later in Year 4, the internal instructions regulating police procedures for initiating plea agreements was expanded to include more offences in the field of transportation. At the suggestion of the AMJ, the application of the plea agreements was expanded to include traffic accidents with minor material damages. The new article entered into force starting on February 1, 2015. To date, since the beginning of the implementation of the plea agreement in August 2014 through July 2015, the Traffic Police successfully completed 6,300 plea agreements throughout the entire country.

AMJ also worked with the Bureau of Customs and the Tax Administration on the development of similar internal regulations regarding customs and tax matters. To facilitate the use of plea agreements and to help guide the development of internal regulations and instructions to initiate plea agreements, representatives of the Bureau of Customs and the Tax Administration were involved in JRGA-supported roundtables on the plea agreement throughout the course of the year. A draft version of the instructions for the plea agreement by the Bureau of Customs was developed in February, and is expected to be approved by early in Year 5. The draft instruction, in combination with information provided during roundtables, served as a basis for applying the plea agreement on an ad hoc basis in matters involving customs offenses. The Tax Administration adopted an instruction regarding internal regulations for establishing plea agreements in November. Through the end of the year, 14 plea agreements have been signed related to tax cases. In addition, plea agreements have been signed in 97 customs cases.

Representatives of the Labor Department and local inspection agencies also participated in the roundtables on implementing plea agreements, and plea agreements in labor and inspection cases are being implemented on an ad hoc basis. Throughout the Year, the AMJ also continued to work on the development of the second edition of the Manual for the Plea Agreement (Manual). The content of the Manual was expanded to include two additional sections: 1) plea agreement orders for Tax Authorities; and 2) plea agreement order for Customs. The content of the Manual was finished in May 2015. The revised Manual will be disseminated and publicly presented early in Year 5.

In order to increase the capacity of the Association of Misdemeanor Judges, Alterfact undertook two collaborative initiatives.

First, an assessment of AMJ's capacity for achieving key goals in its strategic plan was conducted by Alterfact. Based on that assessment, training in public speaking and advocacy was provided by Alterfact experts to selected members of AMJ's executive board and members of AMJ's Commission for Increasing Membership and Professional Development and Commission for International Cooperation and Communications. In addition, Alterfact recommended the implementation of a regional governance and communication model for the Association, to increase member participation AMJ activities. The regional model will be implemented in Year 5, after appointment of regional representatives.

Alterfact provided mentoring assistance to the AMJ in the development of a proposal for a project to increase the capacity of misdemeanor judges to adjudicate consumer protection matters. The proposal was developed in collaboration with the Republican Union of Consumers and submitted to the Norwegian Embassy. The grant proposal was approved by the Norwegian Embassy in May, 2015.

Association of Public Prosecutors – Counseling Against Family Violence

Building on APP's efforts in Year 3 to improve local-level coordination and response to support domestic violence victims, which resulted in the signing of memoranda for inter-institutional cooperation in 10 jurisdictions, JRGA grantees APP and CAFV continued efforts in Year 4 on expanding and strengthening the implementation of inter-institutional coordination and service delivery in the handling of domestic violence cases, in coordination with the implementation of the legal aid network established by CAFV with JRGA grant support. The memoranda of understanding among participants relate to the methodology to be used to coordinate services in the future, and serve as an agreement for organizing periodic meetings between participating institutions to analyze relevant cases, especially more complex ones, and to further improve mutual communication and cooperation in supporting family and domestic violence victims. At the start of the year, APP and CAFV worked on preparing for the organization of coordination meetings between local level institutions to develop and establish the "Zrenjanin" inter-institutional cooperation model. The inter-institution cooperation model brings together justice and social service agencies at the local level to ensure a timely, integrated approach to supporting the needs of victims for protection, shelter and other social services, and economic independence; while fashioning an appropriate approach to dealing with the abuser.

Throughout the course of the year, as part of task order one, APP and CAFV organized five coordination meetings between representatives of CSOs, PPOs, local police stations, centers for social work, CAFV lawyers and other relevant local-level stakeholders support victims of violence. Meetings were held in Nis, Krusevac, Cacak, Valjevo, and Vranje. The meetings were an opportunity for networking, exchanging information and experience, and discussing best practices and lessons learned, as well as a means to improve the effectiveness of the response system as a whole. As a result of the coordination meetings in Valjevo, public prosecutors, police and the social services center began to organize coordination meetings on a weekly basis; in Nis, as per APP's recommendations, the public prosecutor's office started to implement measures based on the Family Law, providing temporary protection to victims prior to the end of court proceedings, and local level coordination meetings are taking place on a weekly basis; in Vranje, no meetings have yet taken place, but a new safe house was opened, which will significantly contribute to the victim protection process by providing accommodation to victims; in Krusevac, public prosecutors are also implementing measures based on the Family Law, and good cooperation has been established between CAFV's lawyers, the center for social work and public prosecutor's offices, resulting in better access to legal assistance to victims; and in Cacak, one coordination meeting has occurred between local actors. As these meetings continue to take place, it is expected that cooperation among competent institutions at the local level will further improve the overall effectiveness of the provision of protection services to victims, help support prevention of new family violence incidences, and provide greater expediency in the resolution of cases involving family violence.

Pursuant to the second task order issued under the framework agreement in March 2015, APP and CAFV continued to expand the inter-institutional coordination in four pilot communities

(Pancevo, Valjevo, Cacak and Pirot). Specifically, under the second task order, APP and CAFV plan to get the public prosecutor's offices (PPOs) in these communities to assume a leadership role in the process of establishing and initiating inter-institutional cooperation to improve services to family violence victims, in order to establish a sustainability mechanism for the organization of coordination meetings on regular basis. Efforts invested early in the year in Cacak and Valjevo, under the first task order agreement, will be consolidated in the year ahead. Following the selection of these communities, initial meetings with each local PPO were organized in April. The meetings served to present the methodology to public prosecutors, and agreements were reached with public prosecutors in these cities to develop joint action plans for PPOs and representatives from the basic court and the misdemeanor court to further work on improving the inter-institutional response to family violence cases in these cities, and to develop guidelines for the handling/treatment and protection of family violence victims. As a result, follow-up meetings were held in all four communities throughout May, where specific cases of family violence were discussed and next steps identified. It was agreed that expediting the processing of family violence-related cases will be included as a key focus of the institutional collaboration in Year 5.

In an effort to further strengthen the effectiveness of the legal aid network, on November 28, in Srebrno Jezero, APP and CAFV organized a two-day seminar at Srebrno Jezero for lawyers of the CAFV legal aid network. The seminar was an opportunity for CAFV's network lawyers to learn about the social dynamics of family violence, the need for integrated services to address the diverse needs of victims, and regarding the operation of the inter-institutional service model. It also served as a networking opportunity for lawyers to discuss mutual cooperation with representatives of other competent institutions working to support victims. APP and CAFV brought representatives from the judiciary, police, health institutions and CSOs to share insights on a broad range of topics related to family and domestic violence issues.

Also, in Year 4, CAFV organized established a working group for the development of a five-year strategic plan for the organization. JRGA and APP continued to provide assistance to the CAFV to develop a long-term strategic plan, to assist in achieving organizational sustainability. In March 2015, the adopted its first strategic plan. The strategic plan outlines key strategic areas and objectives in support of its vision to reduce the incidence of domestic violence and to ensure provide support to family violence victims in Serbia. The plan will guide CAFV's future efforts in raising funds from diverse sources to support the sustainability of the organization going forward.

In an effort to raise awareness about the problem of domestic violence, and efforts to expand inter-institutional cooperation and to promote CAFV's network of attorneys offering legal aid to victims of family violence, CAFV's Coordinator Vesna Stanojevic appeared on several local television stations. These guest appearances provided an opportunity to provide advice and information to viewers to whom family violence victims can turn to for help, the purpose of safe houses for victims of domestic violence, and information about various other institutional protection mechanisms available to victims.

COMPONENT 2 – GOVERNMENT ACCOUNTABILITY



ACA conference on campaign financing, Belgrade, November 2014



Orientation Seminar for new National Parliament members, Belgrade, July 2014



Press Conference on the New Law on the Protection of Whistleblowers, June 2015

Task 2.1 Establish baselines for indicators in the Performance Monitoring Plan

2.1.1. Capture Progress Data and Update Targets

During Year 1, JRGA developed a Performance Monitoring Plan (PMP) to document project performance and monitor impact using indicators, baselines and targets to measure results achievement. During Year 4, the Project continued to collect data, monitor progress, and update results in line with the PMP.

Reporting against PMP indicators, as well as targets for Year 5, is presented in Annex B to this Report.

Task 2.2 Assist the Anti-Corruption Agency and its Board to:

- a) enforce conflict of interest and property registration provisions in the Anti-Corruption Agency Act;**
- b) detect violations of those provisions of the Act;**
- c) initiate and conduct proceedings to establish if violations of the Act have occurred; and**
- d) order measures under Article 51 of the Act as it read on January 2, 2010, when appropriate.**

Throughout Year 4, JRGA continued its close and productive working relationship with the leadership of the Anti-Corruption Agency. JRGA provided technical assistance to the Anti-Corruption Agency (ACA) geared towards improving the Agency's overall responsiveness and efficiency. Early in Year 4, as part of the Project's wider institutional capacity building efforts, JRGA supported a management retreat for the ACA management team. Preceding the retreat, the Project engaged STTA expert Sandra Damijan to analyze and review the Agency's internal operating procedures. Ms. Damijan provided expert assistance to review all of the ACA's internal procedures and provide recommendations for improvement. By the end of her three-month long assignment, Ms. Damijan developed a draft operational manual covering all core competencies of the organization (Annex N), based on current ACA procedures and international and regional best practices, including those of the Slovenian Commission for the Prevention of Corruption.

The retreat, held in Vrtnik from October 2-3, 2014, allowed members of the ACA Board and senior management to reflect on the Agency's strategic priorities for preventing systemic corruption, and to define the organization's key short, mid and long-term priorities for 2015 and beyond. Following the retreat, JRGA continued to work with the ACA during the quarter to revise and finalize the internal procedures manual. In late November 2014, the Agency adopted an internal procedures manual governing the competencies of the organization, including the rules of internal procedures for the Agency's services and the work of its Complaints and Income and Asset Declaration Departments (Annex N).

Following the management retreat, the Agency worked to implement the updated procedures, and considered what additional assistance was needed. In January, the ACA management team requested assistance from the Project in developing a tailor-made training program to support the work of three of the ACA's Conflict of Interest, Complaints and Income and Asset Declaration Departments. JRGA contracted two STTA experts to develop a customized training curriculum to address the needs of these departments.

A key challenge faced by all ACA staff is working with citizens that report corruption and sometimes have unrealistic expectations from ACA, whistleblowers, government officials who are defensive and reluctant to work collaboratively with the ACA. To address this

challenge, JRGA's two STTA experts developed a training program focusing on techniques for coping with difficult clients, and for diffusing difficult situations. In mid-February 2015, the experts delivered a two-day client-relations training to staff from the three departments. The first day of the training focused on communication techniques to overcome common complaints from citizens and institutions, and the second day focused on strategies for improving internal communication between team members and external communication with counterpart institutions. After this initial classroom training, the experts provided supplemental on-the-job training to support ACA staff to better perform their day-to-day duties. In total, 4 on-the job training sessions were held.

2.2.1. Conflict of Interests

Staff of the ACA's Conflict of Interests Department work with government officials (at all levels) who request rulings from the ACA on potential conflicts of interest with respect to new functions or job responsibilities. Concurrently, the Conflict of Interest Department frequently files misdemeanor charges for violating provisions that forbid performing another public office duty without the consent of the Agency, performing other work or activity, and failure to report a conflict of interest matter, among other issues. The Agency's newly adopted procedures establish a basis for effective coordination and harmonization of the work of different ACA sectors, and have helped the institution to redefine its view of conflicts of interest based on international best practices. Accordingly, the procedures have helped the Agency to establish a consistent approach for governing conflict of interest issues, and to better assess conflict of interest issues in individual cases in the context of the work of other functions within the ACA, such as Income and Assets Declaration Department.

As the staff of the ACA's Conflict of Interest Department frequently interact with government officials to request additional information, explanations and documentation, the client relations training organized in mid-February helped departmental staff to improve their communication and conflict resolution skills to more effectively interview government officials and obtain information required. The training also helped ACA staff to learn techniques to overcome adversity and the occasionally challenging behavior of public official who are reluctant to respond to inquiries and questions of ACA staff.

2.2.2. Complaints Process

The ACA's Complaints Department acts upon complaints submitted by legal entities and natural persons covering areas ranging from irregularities in the work of administrative and judicial authorities to complaints related to the work of public administration bodies such as those in the health care, education, public procurement, urban planning sectors. This department is a key point of the Agency's initial interaction with citizens. This department also deals with whistleblowing issues. The newly internal procedures manual, developed with JRGA's assistance, has strengthened the methodology through which the ACA manages and resolves complaints. The improved procedures provide for greater transparency and accountability in the complaints process. The procedures include a more effective process for triage of complaints, allowing for greater efficiency and responsiveness in dealing with substantive complaints. Based on solutions proposed by JRGA expert, this department introduced new division of responsibilities within its structure by establishing a team for efficient triage of cases and separate teams for handling the most complex cases.

In order to increase the ACA's internal capacities for efficient and effective relations with complainants, and public institutions which are subjects of complaints, JRGA experts provided training to staff of the ACA's Complaints Department in effective interviewing, and

including communication skills, conflict resolution, etc.); dealing with challenging behavior; dealing with staff of agencies that are the subjects of complaints - standards for building mutual respect and improving communication; and dealing with whistleblowers. These newly acquired techniques and skills will help departmental staff to better manage the complaints process.

2.2.3. Income and Asset Disclosure

The ACA receives income and asset disclosures (IADs) from government officials when they begin a new position, when their assets materially change while in office, when they depart from a position, and for two years after departure. The ACA maintains a registry of approximately 25,000 government positions to meet this requirement, and it is estimated that 4,000 IADs are received per year. The Agency publishes redacted information for all officials online. JRGA's technical assistance in the development of the internal procedures governing the core competencies of the Agency helped strengthen the department's ability to evaluate the final disclosures of public officials. The procedures draw on best practices and establish selection criteria for review of income and asset disclosures, and provide standards to verify the accuracy of declarations. Additionally, the new procedures incorporate risk assessment techniques to make better use of resources by focusing on individuals in positions at high risk for conflict of interests or with access to substantial funds.

Staff members of the ACA's Income and Asset Declaration Department are responsible for verifying IADs of public officials. Due to the sheer size of the number of government positions for which this department has oversight, along with the sensitive nature of the work, the verification process is time-consuming and often subject to resistance by individuals whose reports are being examined. JRGA's client relation training helped departmental staff to better communicate with public servants and to overcome the reluctance of public officials in working with the ACA. The training also provided staff with communication skills to better handle the resistance frequently put forth by public officials, and to defuse the suspicions of public officials who do not fully understand or appreciate the importance of the legal mandate of the department.

Task 2.3 Assist in developing and implementing investigative, monitoring and enforcement procedures governing the financing of political parties and election campaigns.

During Year 4, the Project helped the Anti-Corruption Agency (ACA) to finalize reporting on the spring 2014 elections, to institutionalize lessons learned over the course of two national and several local elections held over the past few years, and to incorporate changes to the political finance law. Following the March 2014 elections, the ACA received a large volume of political finance reports. In an effort to assist the Agency in assessing and analyzing political finance data, JRGA contracted STTA expert Djordje Vukovic to provide technical assistance to the ACA in this area. From April to July, Mr. Vukovic helped the Agency to develop a logical plan for analysis of reports of receipts and expenditures received from political entities, and to improve procedures for oversight of regular and campaign financial statements, incorporating lessons learned from the 2012 and 2014 elections. These efforts helped the ACA to develop and issue the full comparative report on campaign finance from the 2014 elections in record time. The report was issued in November 2014 seven months after the 2014 elections were concluded. In prior years, reports on financing of election campaign took as long as an entire year to be prepared and published. The preparation of the final analytical report on election campaign financing requires collection, and detailed

analyses of all data received from political entities, verification of data received with other state entities and companies that provided services to the parties as well as statistical and analytical assessment.

With JRGA assistance, on November 7, 2014, the ACA publicly presented its analytical report on political entities' campaign finances from the general elections in March 2014 and on regular (non-campaign) financing of political parties in the first half of 2014. The event was attended by representatives of key government bodies and prominent civil society organizations. Participants at the event discussed ways to improve the legal framework governing political parties and how to exercise effective control and oversight of political financing.

In Year 4, the Serbian Parliament amended the Law on Financing Political Activities. The amendments resulted in the reduction of budget funds allocated to political parties by more than 30%. These changes subsequently initiated modifications of other relevant by-laws that political parties are bound by when filing annual financial reports. This brought to fruition the previous efforts of JRGA-supported grantees, CESID and Transparency International (TI), to usher in improvements in political party funding, and represents a major step towards comprehensive overhaul of the political system. CESID and TI's previous measures to improve the legal framework were incorporated into more than a half of the amendments to the Law on Financing of Political Activities.

Following the adoption of the Law, in an effort to broaden understanding and to adequately prepare political parties for submitting financial filings in April 2015, JRGA organized and delivered a series of six training sessions for political party representatives across the country focused on the procedures and the key information required for filing annual financial reports with the National Assembly and the ACA under the amended Law. The training sessions were delivered between late February and early March in Novi Sad, Nis, Vranje, Novi Pazar, and two times in Belgrade. The training emphasized the key elements of the financial report for "campaign" and "regular" (non-campaign) activities, how the new Law will be applied in practice and other relevant by-laws that political parties are bound by.

Task 2.4 Assist Independent Agencies to achieve more timely and stringent enforcement of their decisions and implementation of their recommendations by other government agencies, and to track the relevant processes

Task 2.5 Assist relevant official bodies and actors to develop and implement procedures to increase coordination between courts and relevant government agencies that reduce the processing times of selected administrative provisions and procedures

Task 2.6 Assist with improving ability of Independent Agencies to work with each other to monitor and improve administrative practices and other government operations

During Year 4, the project continued to focus on promoting dialogue between independent agencies and enforcement bodies, helping independent agencies and other governmental agencies with which they work, and courts improve their procedures and collaboration on processes relating to governmental accountability. Efforts included the organization of cross-

component roundtables to strengthen inter-agency cooperation between the counterparts of the Project's two components, and government initiatives with a substantial impact on accountability, such as the Law on Whistleblowing and improved coordination of anti-corruption efforts.

2.X.1. Dialogue

Building on the successful experience of previously organized bi-lateral coordination meetings between Independent Agencies and Misdemeanor Courts, the Project continued to improve cooperation among the judiciary and independent regulatory bodies in Year 4. These cross-component roundtables have helped to reinforce the effective dialogue and strong links between these bodies, and to focus discussion on shared concerns. During Year 4, JRGA organized three coordination meetings: the first one between misdemeanor courts (MC), the State Audit Institution and the Commission for the Protection of Rights in Public Procurement Procedures; the second between the Commissioner for Protection of Equality (CPE) and MC judges; and the third between the Anti-Corruption Agency and MC and AMC judges.

On September 23, 2014, JRGA organized a coordination meeting between misdemeanor courts and the SAI to discuss the Law on the Budget System and the new Public Procurement Law. The event was attended by representatives from the Commission for the Protection of Rights in Public Procurement Procedures to help clarify the role and responsibilities of the Commission in the public procurement process. The SAI and MCs learned more about the work of the Commission in relation to protecting bidders' rights and the public interest in public procurement procedures. The meeting also helped to address requirements of the Anti-Corruption Strategy Action Plan that that courts track corruption-related cases, and that cooperation between the SAI and MCs be further improved.

On November 28, 2014, the Project organized the first in a series of roundtable discussions between staff members of the CPE and judges from Misdemeanor Courts and the Appellate Misdemeanor Courts to improve mutual cooperation and improve judges' abilities to preside over misdemeanor cases dealing with discrimination. Because few misdemeanor cases have been tried under domestic anti-discrimination laws, and that discrimination has an impact in a broad array of social interactions, such as employment, social and medical services, law enforcement and the administration of justice, it was agreed at the meeting that a practical guide would be developed as a guide for MC judges in the application of anti-discrimination law in misdemeanor proceedings.

By mid-March 2015, JRGA's senior staff attorney and a judge from the AMC prepared a Manual on Anti-Discrimination (Manual) in cooperation with the CPE for misdemeanor court judges to ensure that existing laws and regulations prohibiting discrimination are properly applied in practice.

The first half of the Manual, prepared by the CPE, discusses universal legal provisions guaranteeing the right to equality before the law and the right to non-discrimination, as well as provisions of relevant international case law in this domain. The second half of

the Manual, prepared by JRGA and AMC legal staff, provides an examination of misdemeanors for violations of anti-discrimination laws. The Manual covers a broad array of existing domestic laws and regulations prohibiting discrimination in order to ensure that



Manual on Anti-Discrimination, March 2015

discriminatory acts are adequately and consistently processed in the future. The Manual was made available to all misdemeanor judges across the country in electronic format.

On May 7, JRGA organized a cross-component roundtable between representatives of the Anti-Corruption Agency (ACA) and Misdemeanor and Appellate Misdemeanor Court judges to discuss improved processing of misdemeanor cases filed by the ACA. The discussion was led by Vladan Joksimovic, Deputy Director of the ACA, and Milan Marinovic, President of the MC in Belgrade. The ACA is an independent state authority with competences in many anti-corruption areas, including party financing, conflict of interest, supervision of the application of the anti-corruption strategy, etc. The roundtable provided an opportunity to share and experiences on misdemeanor cases initiated by the ACA, and to discuss barriers preventing the effective implementation misdemeanor procedures initiated by the ACA. These forums are providing an opportunity to coordination and improve cooperation between the ACA and misdemeanor courts in ensuring effective and efficient processing of misdemeanor cases brought by the ACA. This, in turn, has improved MC case management of corruptions cases and is improving ACA's effectiveness in enforcing anti-corruption legislation.

2.X.2 Response to Independent Agency Recommendations

At the start of Year 4, the Project built on previous efforts to strengthen the National Assembly's ability to read and act on Independent Agency reports. JRGA's efforts were focused on continued improvement in relations between independent state agencies and parliamentary bodies, and the ability of parliament to track the implementation of Agencies' recommendations. In cooperation with NDI and UNDP, JRGA organized and implemented an orientation session for new Members of Parliament (MPs). From July 2-3, 2014, with technical assistance from JRGA, the National Assembly held an event to educate new MPs on what is expected from them during their term in office, to acquaint them with the structure of various parliament organizations and committees, and to inform them about the work of IAs and various international organizations supporting Serbia's EU accession process (Annex P). On the first day of the event, with JRGA support, a panel discussion was conducted on IAs and their work. The panel included Sasa Jankovic, Ombudsperson; Rodoljub Sabic, Commissioner for Information of Public Importance and Personal Data Protection; Nevena Petrusic, the then-Commissioner for Protection of Equality; and Vladan Joksimovic, Deputy Director of the Anti-Corruption Agency. Speakers presented the scope of work and roles of their respective agencies and the types of reports the agencies submit to Parliament. At the event, MPs received a guide developed by JRGA with basic information on each of the IAs (Annex Q).

During the third quarter of Year 4, JRGA supported the organization of a workshop for ACA board members, senior ACA management and key ACA staff on improving methods for communicating the recommendations of the ACA to the National Assembly. JRGA assisted the management team developing strategies to ensure that MPs have a better understanding of the work of the ACA and its findings, in order for the ACA to effectively exercise its oversight role, and for MP's to have a basis on which to make policy decisions relating to the elimination of corruption in public institutions. The workshop also resulted in the preparation of the final version of the ACA Annual Report for 2014, which was submitted to the National Assembly in March, along with the ACA Annual Report on the Implementation of the Anti-Corruption Strategy.

2.X.3 Anti-Corruption Coordination

Early in Year 4, in August 2014, the Serbian Government established a new executive branch coordination body for the implementation of the 2013-2018 Anti-Corruption Strategy and Action Plan. The coordinating body is intended to complement the work of the MoJ and the ACA in the coordination of the Anti-Corruption Strategy implementation and oversight process. The creation of this body created some tension between the MoJ and the ACA due to somewhat overlapping roles in the anti-corruption coordination and oversight process. The MoJ is responsible for coordinating the implementation of the strategy and action plan, while the Anti-Corruption Agency is responsible for monitoring implementation. The coordination body is tasked with the responsibility of coordination, awareness-raising and oversight of the implementation of the Anti-Corruption Strategy. It also serves to review administrative procedures and processes, and to make recommendations for reforms to decrease vulnerabilities to corruption.

Throughout Year 4, JRGA continued to provide support to the MoJ and the ACA in an effort to improve overall coordination of efforts between them in relation to the implementation of the Anti-Corruption Strategy Action Plan (*c.f. Task 2.7.2 for ACA assistance*). To this end, JRGA STTA Expert Stuart Gilman visited Serbia on several occasions throughout Year 4 to work with both organizations to improve coordination and help clarify the roles for each in implementing the Action Plan. In early December 2014, Mr. Gilman worked with MoJ and the ACA establish an effective approach to operationalizing and monitoring the Anti-Corruption Strategy and coordinating efforts between the MOJ, ACA and other entities. The STTA expert advised MoJ's State Secretary for the Fight against Corruption on how to overcome challenges in coordination of anti-corruption efforts, and prepared recommendations regarding coordination of the AC Strategy.

On December 17, Mr. Gilman held a training for MoJ staff titled "Key Principles and Mechanisms for Combating Corruption – Examples of Successful Models" (see Annex R). The practical training provided information on basic principles, international standards, measuring the presence of corruption and methods used in these anti-corruption models. Mr. Gilman presented different organizational models used by selected state governments and in the U.S., and specific tools for successful implementation of anti-corruption strategies. The training also provided an opportunity to present recommendations for the MoJ's coordination mechanism. The MoJ's AC Strategy Implementation Department and State Secretary will use the proposed measures to improve effectiveness in implementing the National Anti-Corruption Strategy, as well as to coordinate the implementation of the Strategy at the central government level.

During Year 4, late in 2014, the Anti-Corruption Agency formally proposed significant changes to its organic law, and an official Working Group was formed to develop a draft law on the ACA. In an effort to support the strategic reformulation of the ACA's body of rules, Mr. Gilman returned to Serbia during the week of February 23, 2015. The STTA Expert held a series of meetings with the MoJ's and ACA's senior management to discuss how to improve coordination and monitoring of the implementation of the 2013-2018 Anti-Corruption Strategy and Action Plan at the central level, and how to improve the Model Law on the ACA prepared by MOJ.

Mr. Gilman first met with the WG for the preparation of the draft Law on the ACA to review all relevant documentation prepared by the WG, and to provide his recommendations and comments to the WG.

Mr. Gilman also met with MoJ's State Secretary for the Fight against Corruption to discuss the MoJ's plan regarding the implementation of the AC Strategy Action Plan, and to discuss his recommendations for the WG on the ACA Law. Mr. Gilman also met the ACA's Assistant Director for Prevention to discuss the preparation of the ACA's plan for monitoring implementation of the AC Strategy Action Plan, based on his recommendations provided during previous visits.

During his visit, meetings were also held with the ACA Director and Deputy Director to discuss his review of and comments on the Model Law on the ACA prepared by ACA. At the end of this trip, Mr. Gilman met again with the WG to provide final recommendation on the draft ACA Law. The recommendations are intended to strengthen the ACA Law in order to improve the overall effectiveness and efficiency of the Agency. During his February visit, Mr. Gilman also provided guidance to two local STTA experts working on the development of the management skills training for ACA management (*c.f. Task 2.7.2 for ACA assistance*).

2.X.4 Government Accountability Topics

In Year 4, the Project continued to provide technical and logistical support to the MoJ to finalize the Law on the Protection of Whistleblowers. The Law is the product of a collaborative drafting process within the working group formed by the Ministry of Justice, which began in 2012, with technical and logistical assistance from JRGA. JRGA's STTA Expert Tom Devine, an internationally respected authority on the subject of whistleblowing, provided expert assistance throughout the drafting process. JRGA also assisted the MoJ with facilitating public hearings and other opportunities for public input for the draft Law.

In July 2014, to finalize the drafting process, JRGA organized and facilitated an intensive three-day working session for the MoJ's Whistleblower Law Working Group in Palic. Participants included members of the MoJ Whistleblower Law Working Group, the representatives from the US Department of Justice, JRGA staff, Eutopia and Whistleblower STTA Expert Tom Devine. On October 2, the Government of the Republic of Serbia adopted the final version of the new Whistleblowers Law and sent it to Parliament for adoption. The National Assembly adopted the Law on December 4, 2014 and its implementation started on June 5, 2015.

The Law on Protection of Whistleblowers is the first law of this kind in Serbian history that incorporates added protection mechanisms to shield whistleblowers from retaliation. The new Law provides strong judicial protection measures, including expedited hearing procedures and provisions shifting the burden of proof once a court establishes that actions taken against a whistleblower are at least in part retaliation. Other key provisions provide for the rules on internal and external whistleblowing and rules regarding whistleblowing in matters involving classified information. The new Law, in addition to providing protections for whistleblowers, provides an important tool in preventing and sanctioning corruption, in support of Serbia's new National Anti-Corruption Strategy.

At the start of 2015, in order to ensure that judges from first instance and appellate courts are prepared to implement the new Law, JRGA worked with the MoJ and the Judicial Academy to develop and implement a comprehensive training program for the judicial sector. In January 2015, JRGA developed a handbook (Annex S) on the new Law for use in the training, and brought STTA expert Tom Devine to conduct initial training for judges, and to develop a local training team. During the initial training sessions on the Whistleblower Law, the training team, comprised of Mr. Devine and four local judge trainers, presented the key elements required for implementation of the new Law, including: court protection mechanisms for whistleblowers, implementation of the new Law on labor disputes, and misdemeanors prescribed by the Law. Mr. Devine made a presentation comparing features of Serbia's new Whistleblower Law with international best practices. Following the departure of

Mr. Devine, the training continued to be implemented by the local trainers. In total, in Year 4, JRGA held 32 trainings on the new Law for 970 judges and judicial assistants of the Supreme Court. The training program was tailor made for judges of courts of general jurisdiction (the Basic Courts, Higher Courts, Appellate Courts) , the Administrative Court, the Appellate Misdemeanor Court and the Misdemeanor Court, in order to prepare judges for the enactment of the Law on June 5, 2015.

In March 2015, Mr. Devine returned to Serbia to continue to provide technical assistance to the MoJ on the Whistleblower Law. The STTA Expert held consultations to discuss the MoJ's draft Rulebook on Internal Whistleblowing to the Employer (Annex T). Mr. Devine provided comments and recommendations for template forms (information to employees, complaints forms, etc.) to be included in the Rulebook. In addition, Mr. Devine met with the local training team to discuss the first round of trainings on the new Law, and to prepare simulations and case studies for the next round of practical training sessions on the Whistleblower Law that will be implemented in summer and autumn of 2015.

During Year 4, in consultation with the MoJ, the Project agreed to hire a PR agency to develop a public outreach campaign aimed at educating and informing the public regarding the new Law on the Protection of Whistleblowers. In December 2014, JRGA issued a request for proposals to solicit bids from PR agencies to create a concept for the PR campaign. In March 2015, a PR Agency was selected to develop and implement the promotional campaign. The objectives of the campaign were defined to include raising general awareness about the fairly new concepts of "whistleblowing" and "whistleblowing," to educating the public about the provisions of the new Law, and increasing awareness about support services available to whistleblowers from government entities, courts, the Ministry of Justice, and from various civil society organizations.



Promotional Material for "Whistleblowers are Stronger Now" Campaign, June 2015

who stressed the importance of strong protections for whistleblowers in Serbia's campaign to eliminate corruption as well as the legal advisor at Eutopia SCO that JRGA supports through a grants program. A one -minute promotional video about the new Law developed as a part of the public educational campaign was premiered for participants in the kick-off event. Throughout the month of June and in the first half of July, the promotional video was broadcast on national, regional and local-level media outlets across Serbia, followed by educational posters in public busses and specialized web-site (Annex U). It is expected that the PR campaign will empower a greater number of citizens, in both public and private institutions, to come forward and to report potential corruption, abuse of resources, and other wrongdoing to appropriate authorities.

To coincide with the enactment of the new Law on the Protection of Whistleblowers on June 3, 2015, JRGA, in cooperation with the MoJ, organized an event to promote the kick-off of the one month-long campaign to promote the new Law. The event was opened by Minister of Justice Nikola Selakovic, who emphasized the merits of the new Law and the collaborative efforts of the Ministry of Justice and USAID in drafting the legislation. The audience in attendance was also addressed by the US Embassy's Deputy Chief of Mission Gordon Duguid,

During Year 4, the Project also provided assistance to the Ombudsman's office to improve its performance in monitoring healthcare institutions in Serbia. Changes to the Law on Patients' Rights introduced new protection mechanisms. According to the new provisions of the Law, members of municipal health councils are responsible for protecting patients' rights. In addition to reviewing patients' complaints, every municipal council is required to submit an annual report outlining the measures taken to protect the rights of patients to the local self-government, to the Ministry of Health, and to the Ombudsman's office. With assistance from JRGA, the Ombudsman's Department for Healthcare introduced a template report with uniform reporting standards, for local health councils, in order to facilitate reporting and to provide for standardized data that will be collected and reported by local health councils and patient's right councilors. This will help to improve the Ombudsman's ability to monitor and improve protection of patients' rights by municipal health councils.

Starting in October 2014, JRGA, in cooperation with the Ombudsman's office, commenced with one-day training sessions for municipal counselors for patients' rights and health council members on how to collect and report standardized information pertaining to patient care and treatment. Participants learned about the role and authority of the Ombudsman, and how the Ombudsman's work contributes towards improving public health management and represents citizens in ensuring their rights to health care. The training helped to enhance the protection of patients' rights across Serbia, particularly through protecting access to healthcare services for various vulnerable groups, such as children, women, Roma, persons with disabilities, etc. In total, during Year 4, JRGA organized 15 training sessions across the country for municipal counselors and health council members.

In addition to that, JRGA used this training program to expand knowledge of this target group on protection of patient's personal data and corruption prevention in health sector, by involving lecturers from the office of Commissioner for Freedom of Information and Personal Data Protection and the Anti-Corruption Agency.

Task 2.7 Encourage improvements in governance and official integrity, and to reduce corruption, to monitor political party financing (including financing of local and national elections), and to promote compliance with EU norms, through the provision of: Grants under Contract; comparative information on substantive issues, and technical assistance on the institutional development of the organizations.

2.7.1 Grants Program

Grant Administration: During Year 4, JRGA continued to administer and monitor a broad grants program targeting the strategic goals and objectives of the Project's second component. JRGA monitored the finalization of the implementation of grants awarded previously under the fifth grant round. An overview of completed grants and all grantee reports and deliverables can be found in Annex J.

Competitive and Direct Grant Awards:

During Year 4, one grant awarded to CSO Eutopia during the 5th grand round was successfully completed. Eutopia established a helpline for whistleblowers and potential whistleblowers as part of a "Whistleblower Resource Center." Eutopia's lawyers provided callers with assistance on how to properly report corruption and wrongdoing in public and private institutions, and how whistleblowers can protect themselves from retaliation. In November 2014, JRGA signed a framework agreement with CSO Eutopia and a task order to

continue to support through the helpline, raise public awareness regarding whistleblowing procedures and protections, and to develop the internal capacities of Eutopia to provide whistleblowing-related services.

In November 2014, JRGA published its 6th Request for Applications (RfA) soliciting project proposals from CSOs. The RfA invited interested CSOs to submit project proposals targeting the challenges of corruption, transparency and government accountability. Notice of the solicitation was published in national newspapers and was made available on JRGA's website and Facebook page. The Project received 33 completed applications for consideration. A grant evaluation committee was formed to review the project proposals. In March, JRGA awarded grants to Serbia on the Move, Partners for Democratic Change, Transparency Serbia, Education Center – Leskovac, and the Share Foundation. These selected CSOs were awarded grants to implement 10-12 month projects. More information about these activities will be reported on in the first quarter of Year 5.

A brief overview of the five projects follows:

Serbia on the Move was awarded a twelve-month project titled “Right to Know!” The purpose of this project is to educate citizens about anti-corruption mechanisms and patients' rights, and engage them in a participatory campaign to increase the level of transparency and accountability of the Serbian health care system. Key components include advocating for publication of lists of licensed doctors and sharing information on medical malpractice and corruption-related decisions issued by courts with the Serbian Medical Chamber.

A partner for Democratic Change Serbia was awarded a twelve-month project titled “Transparency and Privacy in Court Decisions”. The principle purpose of the project is to improve transparency and public access to court decisions in Serbia while implementing personal data protection standards. Specifically, *Partners for Democratic Change Serbia* will assess the existing procedures for anonymisation of court decisions, provide recommendations for courts and other institutions in ensuring adherence to personal data protection standards, and improve public access to court decisions in Serbia.

Transparency Serbia was awarded a twelve-month project titled “Improvement of the Administrative Court's role in the fight against corruption”. *Transparency Serbia* will help further improve the work of the Administrative Court (AC), one of the key institutions for ensuring governmental accountability, and will facilitate collaborative discussion between the AC and independent state bodies regarding implementation of improved procedures for administrative court litigation related to anti-corruption law. They will also help citizens and CSOs recognize the role of the AC in the implementation of anti-corruption legislation, and will assist them in submission of cases to the AC, particularly in the area of free access to information.

Education Center - Leskovac was awarded a ten-month project titled “Better Use of Serbian Independent Agencies' Data by Civil Society, Journalists and Citizens for Corruption Prevention, Transparency and Accountability in Public Sector”. *Education Center - Leskovac* will develop a means for presenting, in a more accessible form, data and information contained in the reports of two Serbian Independent Agencies (Anti-Corruption Agency and the Commissioner for Information of Public Importance and Personal Data Protection). This will better enable CSOs, journalists and citizens to analyze available data, providing greater ability to detect and prevent corruption, and helping to increase transparency and accountability in the public sector. The Center will develop software to enable publication of agency data in Open Data form, and develop a web-application to facilitate better public use

and understanding of agencies' reported data. The web application will include infographics and data visualization tools allowing improved analysis and presentation of agency data.

Share Foundation was awarded a twelve-month project titled “Personal Data in the Public Sector: Mapping Public Data Processing Infrastructure in Serbia”. Share will help improve the implementation of the Law on Personal Data Protection by increasing civil servants’ knowledge about the Law and by providing recommendations to public institutions and data processors on how to best implement it. *Share* will help strengthen the capacity of the Commissioner for Information of Public Importance and Personal Data Protection’s staff to systematically review implementation of the Law on Data Protection in the public sector. *Share* will raise public awareness about personal data collection, how personal data is processed by public institutions and the risks associated with these procedures and processes.

Completed Direct Grant Awards:

JRGA’s grant to award pursuant the Project’s fifth grant solicitation was completed in Year 4. A follow-up award was made under a framework agreement signed with Eutopia in November 2014.

Eutopia

During Year 4, Eutopia continued to provide whistleblowers and potential whistleblowers with legal support through the helpline to report corrupt practices in private and public institutions, and established contacts with other regional and international whistleblowing advocacy organizations. Based on experience with operation of the “Whistleblower Resource Center,” and specifically with legal assistance provided to whistleblowers during the year, Eutopia’s lawyers developed recommendations to the MoJ regarding the development of the new Law on Whistleblowers.

Eutopia provided access for whistleblowers to legal assistance through an online form was made available over the Pitaljka website in early July 2014, and a special telephone hotline was established in August to resolve whistleblowers’ questions and to offer legal advice and consultation via Eutopia’s two attorneys. By the end of Year 4, Eutopia had provided more than 200 whistleblowers with legal advice and assistance. According to data collected by Eutopia representatives, lack of knowledge regarding the law and the role of key enforcement agencies is among the main reasons why whistleblower cases, in both private and public institutions, go unreported. These services offered through the helpline empowered citizens to come forward with allegations of fraud, abuse of authority and organizational wrongdoing.

An analysis of the work of the legal counseling helpline indicated that the largest number of citizens sought advice about cases of corruption (44%) and abuse of office (24%). The complaints primarily related to public administration (20%), the judiciary (14%), the private sector (11%), the educational sector (11%), as well as in healthcare (10%), public services and police (9.5%). Eutopia's lawyers provided written advice to over half of all respondents (56%), while the remaining respondents were assisted in other ways, including, for example, to referral to the Anti-Corruption Agency.

From the opening of Whistleblower Helpline in May 2014, a total number of 219 cases were worked on. Helpline was contacted from Belgrade (32%), Novi Sad (6%), Niš (2%), and other cities from Serbia (60%). Mostly men (72%) contacted Helpline, working in public sector (81%), who had prior activity in reporting (50%), mainly to ACA (27%), inspections (26%), courts (13%), and prosecutors (8%).

Eutopia, as a member of the MoJ's working group for the development of the new Law on the Protection of Whistleblowers, contributed to the drafting of the law by providing recommendations based on their three years' work of experience and one-on-one work with whistleblowers under the grant. The final draft incorporated most of the changes proposed by Eutopia. The National Assembly adopted the new Law on the Protection of Whistleblowers on December 4, and the Law was enacted on June 5, 2015.

Eutopia representative participated in an event organized by the MoJ and the JRGA project in June 2015 to mark the enactment of the new Law on Whistleblowers, and increase public awareness of the new protections for whistleblowers, and encourage public participation in the fight against public corruption. The event was opened by Minister of Justice Nikola Selakovic, the Deputy Chief of Mission of the US Embassy in Serbia, and Eutopia's two lawyers providing legal assistance to whistleblowers. The event also served to announce the kick-off of the one-month long promotional campaign on whistleblowing. The event generated extensive positive media coverage in all national-level media outlets.

Throughout Year 4, Eutopia continued to work on establishing alliances with regional and international whistleblowing organizations. In March, Eutopia staff met with JRGA STTA expert Tom Devine, an expert on whistleblowing legislation from the Washington D.C.-based Government Accountability Project (GAP), to discuss the operation of the helpline, and to learn how GAP has provided advisory services for whistleblowers. The meeting also served as an opportunity to discuss work on the development of a Whistleblowing Manual. The new whistleblowing law stipulates that all employers with 10 or more employees are required to make information about whistleblowing available to their workers. Eutopia finalized the content of the Manual in June. The manual will be published on Eutopia's website and made available to the MoJ and other state institutions.

In April 2015, Eutopia's chairman Vladimir Radomirovic, and board member, presently participating in a Nieman fellowship at Harvard University in the U.S., travelled to Washington D.C. to meet with GAP representatives. This study trip provided an opportunity to discuss Eutopia's business plan and to learn from GAP's experiences in this field. Mr. Radomirovic also met with representatives from the National Whistleblowers Center (NWC) to discuss best practices in whistleblower protection mechanisms, with a focus on further developing Eutopia's internal capacity to provide for-profit legal advice and consultation to private companies and government agencies. Later in June, in an effort to establish contact with other whistleblowing advocacy organizations from the region, Eutopia staff participated at the annual meeting of the International Whistleblowing Research Network (IWRN) and Blueprint for Free Speech (BFS) in Sarajevo, Bosnia. At the event, Eutopia staff participated in a meeting of Balkan-based non-profits working on whistleblowing issues, and discussed a plan to create a regional structure that would be part of an international network. Eutopia will seek itself as a regional resource center for whistleblowers in the coming year.

Eutopia also promoted its work in traditional media Eutopia's attorneys participated in radio discussion programs to discuss the importance of the new Law on the Protection of Whistleblowers, and the purpose and operations of the helpline. Eutopia developed a Facebook campaign to publicize the work of the organization and to raise public awareness regarding the new Law.

2.7.2. Comparative Information – governance related policies and regulations

Reporting and Outreach:

In Year 4, JRGA worked with the Anti-Corruption Agency's Education Department to plan for the training of public officials, civil servants and other public sector employees on integrity and elimination of corruption. The Action Plan for Implementation of the National Anti-Corruption Strategy introduced an obligation for public officials, civil servants, and other public sector employees to attend training in the field of anti-corruption, ethics. Over 700,000 public servants are required to undergo training. JRGA agreed to assist the ACA in delivery of the training by working collaboratively with the Agency to develop a series of educational videos that will be used to quickly and cost-effectively deliver training on issues related to anti-corruption and integrity to all eligible employees, and to assist with development and planning for required follow on training.

In December 2014, JRGA STTA Expert Stuart Gilman organized a workshop for the ACA's Education Department to develop a plan for the training program. At the workshop it was agreed that a multi-pronged distance learning and classroom approach was the effective way to quickly and effectively reach such a large diversified audience. Initial training will be delivered via educational videos and that the training would be followed and complemented by a more detailed training provided by selected trainers that would participate in a ToT program prepared by the ACA.

The RfA for soliciting bids from video production companies was distributed on December 10, 2014 (Annex V). Four companies responded to the tender. JRGA formed an internal committee for technical evaluation of the submitted bids. Together with ACA staff, JRGA interviewed all four bidders in March 2015. After review of the proposals, JRGA selected a vendor to produce the educational video. JRGA and ACA staff worked with the vendor to develop the content of the videos.

The selected vendor produced and delivered the video content in June 2015. The educational videos address various corruption risks in the working environment and demonstrate good practices based on the Code of Conduct of Civil Servants. They cover key integrity and anti-corruption standards that should be upheld by civil servants at all levels of Serbian public administration. The videos cover values and roles of civil servants; demonstrate frequent ethical dilemmas encountered by public officials; and capture common corruption risks at the workplace. In order to facilitate the implementation of the training program, in Year 5, the ACA will distribute the educational videos to all sectors of the public administration for use by civil servants. This approach for the delivery of the training program will ensure that all public servants will undergo the requisite training program as stipulated in the Action Plan for the Implementation of the National Anti-Corruption Strategy.

Based on consultation between JRGA STTA expert Stuart Gilman and the ACA's management team, it was agreed that the training program on integrity and corruption issues would first be piloted in the judiciary (precisely in the system of misdemeanor courts), as successful implementation of the training across the judiciary system would serve as a good example for other, less structured institutions. To this end, on June 15, the Anti-Corruption Agency, with support from JRGA, organized a three-day Training of Trainers (ToT) course for 16 judicial personnel from misdemeanor courts to conduct follow on anti-corruption and

integrity classroom training for judicial sector employees. In addition to providing subject matter knowledge on integrity and antic-corruption, the ToT training focused on techniques to effectively conduct adult learning workshops for large groups, including methods for engaging audiences in productive dialogue, effective presentation skills, utilizing audio-visual tools to transfer knowledge, etc. In Year 5, these trainers will use the educational videos as tools administer anti-corruption and integrity classroom training for judges, judicial assistants and court administration personnel across the judiciary.

Strategy and Management:

Throughout Year 4, JRGA continued working with the Agency to address the need for strengthening its management capacity. As mentioned above, JRGA supported a management retreat for ACA leadership in October 2014. The retreat brought together the leadership, departmental senior management, and ACA Board Members for practical discussions about internal procedures, and priorities in 2015 (*c.f. Task 2.2*).

The Project provided tailored technical assistance for the Agency's senior management. In December, in an effort to support the Agency with its mandate to monitor the MoJ's work on coordinating the implementation of the AC strategy and action plan, JRGA STTA Expert Stuart Gilman met with ACA's Director, Deputy Director and Assistant Director for Prevention to provide technical assistance on the best approaches for monitoring the implementation of the Anti-Corruption Strategy and improving the ACA's efforts in delivering tangible results in anti-corruption processes. Mr. Gilman provided ACA management with recommendations regarding potential changes to the Law on Anti-Corruption Agency, and advised the ACA's Corruption Prevention Department and senior management to develop a systemic assessment of the implementation of AC strategy on the level of all Serbian state bodies.

Throughout Year 4, JRGA also held discussion with the ACA's senior management to identify and determine possible management skills trainings to support the work of the Agency. As the ACA continues to struggle with the problem of limited management capacity, it was agreed that the Project would assist the Agency in strengthening its operational and managerial know-how. In February, JRGA contracted two local STTA Experts to develop a tailor-made training to educate the ACA's leadership team in these areas. The STTA experts met with the ACA's Director, Deputy Director, assistant directors and ACA board members to assess their needs, and to get a broader understanding of the ACA's legal and operational framework. Through consultations with the ACA leadership team, and with input from Expert Stuart Gilman, local Experts developed a customized management skills training program. Based on the needs assessment, the training program was divided into seven modules: Delegating and Empowering Employees; Managing Effective Meetings; Managing communications; Feedback, Praise and Handling Criticism; Change Management; Focusing on Results and Solutions; and Measuring Change.

From April to May 2015, the STTA experts delivered four on-the-job management skills trainings covering these topics, helping ACA management to enhance their operational and managerial capacities. The management training was well received and the ACA management expressed an interest to continue with additional training. In Year 5, JRGA will explore the possibility of engaging the same local STTAs to expand the training program to cover additional management topics and skills.



In Year 4, JRGA also continued to provide technical support to the Commissioner for Protection of Equality (CPE). In January, JRGA staff and ^{Management Skills Training, April 2015} with CPE Nevena Petrusic to discuss how to broaden public understanding and awareness about the importance of combating discrimination and the importance of upholding the principles of equality, particularly in underserved local communities across the country. It was agreed that the STTA Expert would develop a customized communication plan to assist the CPE with this activity. In December, the STTA expert delivered a strategic communication plan (see Annex K) that identified targeted audiences, relevant topics, and implementing partners; and provided the Commissioner with a set of specific activities and procedures to improve PR and outreach efforts in this area. The plan also addressed activities to promote the Commissioner's recently established regional office in multi-ethnic community of Novi Pazar.

Counterpart Capacity:

During Year 4, the Project continued to provide technical assistance to the State Audit Institution (SAI). Building on previous efforts in Year 3, JRGA STTA Expert Joseph Christoff made five visits to Serbia throughout the course of the year to provide expert assistance to the SAI management team and performance audit teams.

At the end of June 2014, JRGA STTAs Joseph Christoff and Judy England Joseph traveled to Serbia to work with SAI senior management on identifying leadership and strategic management issues (Annex K). At the start of July, Mr. Christoff and Ms. Joseph delivered a four day training program on leadership and management for the SAI president, members of the governing Council, the State Supreme Auditors, Chief of Staff, and Heads of the IT, HR and Finance departments. The first day of the training focused on strategic leadership issues, including: key tenets of strategic planning; selecting auditing assignments based on risk-based management practices and key strategic goals; maintaining independence as an organization and ensuring staff adherence to ethical standards; HR and staff development issues; establishing key protocols with the National Assembly and the entities it audits; and organizing external peer reviews and internal audits. The remaining days of the training dealt with basic principles of performance auditing, relying on the experience and best practices of the US Accountability Office (GAO). The Experts also facilitated a discussion on SAI's priorities for future assistance, which helped guide the provision of expert assistance throughout the remainder of the year.

During the second week of July, Mr. Christoff continued to work with SAI's performance audit team on improving the design of its second performance audit, based on lessons learned from their first performance audit. The STTA expert worked with participants to teach them how to identify key factors to consider in conducting a successful performance audit, how to collect sufficient evidence and appropriately analyze data, how to develop key elements of a finding, and how to develop a powerful message in their reports. Participants also learned about the GAO approach to using design matrices and case studies as practical methodological tools to designing effective and efficient audits. Mr. Christoff also reviewed and commented on SAI's second performance assessment related to the management of government assets based on the immovable assets (land and property) of the Republic of Serbia.

Mr. Christoff delivered two lectures to SAI's stakeholders. On July 10, in coordination with USAID's Business Enabling Project (BEP), the STTA expert gave a presentation to the Ministry of Finance's Sector for Budgeting on the relationship between performance auditing and program budgeting and how these two concepts are complementary, as both relate to the

impact and effectiveness of particular programs. On July 11, Mr. Christoff gave a presentation to members of the National Assembly’s Committee on Finance, State Budget, and Control of Public Spending on building productive relationships between the Parliament and the SAI, and how both can work together to promote greater transparency in government.

Toward the end of October 2014, Mr. Christoff returned to Serbia to continue working with SAI’s performance audit team. Prior to the visit, the Mr. Christoff developed a training program entitled “Interviewing for Information (IfI) – Tools and Techniques for Effectively Interviewing Ministry Officials.” The IfI course was delivered from October 20-25. The program was divided into three components: planning the interview, conducting the interview, and documenting the interview. Each day focused on one of the three components (Annex W). The training provided an extensive overview of various tools and techniques for interviewing public officials, including a methodology for developing post-interview write-ups and methods for using testimonials in an audit.

Christoff again worked with performance auditors on their second performance audit (on the management of assets). Mr. Christoff reviewed the data and information collected, helped refine the audit objectives, and developed strategies for collecting and analyzing additional data.

During his visit, the Christoff met with SAI President Sretenovic to provide feedback on SAI’s first performance audit report on the management of vehicle fleet, and to discuss the development of a new SAI strategic plan and next steps for mentoring of the performance audit team. At that time, it was agreed that Mr. Christoff would continue to provide technical assistance to support the work of the SAI’s performance audit team on their second performance audit.

Mr. Christoff made three additional visits to Serbia in Year 4. From January 30-February 6, in an effort to further improve auditors’ abilities to effectively perform audit assignments, the Expert delivered two three-day training programs on “Interviewing for Information” to two more groups of 20 performance audit team members. In parallel to the trainings, Mr. Christoff worked with the audit teams to develop an outline for their second performance audit.



Interviewing for Information Training, March 2015

The STTA expert returned in late March 2015 to deliver three-day training on “Interview for Information” to SAI’s performance audit team. Also, during this visit, Mr. Christoff provide support on the second performance audit, through provision of guidance on writing the audit report and crafting key messages based on the findings of the second performance audit.

Finally, at the end of June 2015, Mr. Christoff returned to Serbia for the fifth time in Year 4 to deliver three additional sets of three-day trainings on Interviewing for Information for SAI’s performance auditing teams.