



USAID
FROM THE AMERICAN PEOPLE

**USAID/MACEDONIA
JUDICIAL STRENGTHENING PROJECT
(JSP)
MONTHLY REPORT: MAY 2015**

June 5, 2015

This publication was produced for review by the United States Agency for International Development. It was prepared by Tetra Tech DPK.

TABLE OF CONTENTS

I.	Program-Related Activities and Tasks.....	1
1.	Result 1: Strengthening Advocacy and Citizen Participation in Judicial Sector Reform.....	1
1.1	Requirement 1.1: A Short, Focused Assessment, Baseline Survey, and Resulting Action Plan on Justice Sector LPAs and CSOs and the Role they can Play in Strengthening the Rule of Law in Macedonia.....	1
1.2	Requirement 1.2: Per the Findings of Requirement 1.1, the Capacity of at Least Two Judicial Sector Professional Associations are Improved.....	1
2.	Result 2: More Independent, Efficient, and Consistent Application of Judicial Policies and Practices	2
2.1	Requirement 2.1: Legal Framework and Judicial Branch Policies Strengthen Independence, Effectiveness, and Accountability of the Judicial System	2
2.2	Requirement 2.2: Administration and Management Rules, Policies and Procedures, and Systems and Practices to Support a Modern Court System..	3
3.	Result 3: Increased Fairness and Efficiency of the Administration of Justice through More Effective Legal Personnel and Efficient Processes	4
3.1	Requirement 3.1: Develop and Implement Targeted Specialized Training for Judges, Court Administrators, Executives, and Court Staff	4
3.2	Requirement 3.2: Improve Caseload Processing and Reduce Backlog of Cases.....	4
II.	Problems and Remedial Actions	5
III.	Summary of Activities Planned for June 2015	5

I. PROGRAM-RELATED ACTIVITIES AND TASKS

RESULT 1: STRENGTHENING ADVOCACY AND CITIZEN PARTICIPATION IN JUDICIAL SECTOR REFORM

I.1 Requirement 1.1: A Short, Focused Assessment, Baseline Survey, and Resulting Action Plan on Justice Sector LPAs and CSOs, and the Role they can play in Strengthening the Rule of Law in Macedonia

The Judicial Strengthening Project (JSP) fulfilled Requirement 1.1 during its first two years of implementation.

I.2 Requirement 1.2: Per the Findings of Requirement 1.1, the Capacity of at Least Two Judicial Sector Professional Associations are Improved

Per the findings of Requirement 1.1, JSP designed, delivered, and completed a training program to build the capacities of the Macedonian Judges Association (MJA), Court Administrators Association (CAA), and other legal professional associations (LPAs), as well as civil society organizations (CSOs). The sections below outline the follow-up activities and events carried out during May 2015 that built on the implementation of the training program.

I.2.1 Other Support for LPAs

Court Administration Association (CAA)

During May, the CAA continued preparations for its Sixth Annual Assembly, scheduled for June 11-12 in the Skopje appellate region. The JSP will support with financial assistance for accommodation of the CAA delegates. A major part of this event will be devoted to the presentation of the CAA's ongoing advocacy efforts to change and amend the Law on Court Service.

I.2.2 Broad-Based Coalition of LPAs

Rule of Law Council (ROLC) Public Awareness Campaign

On May 8-9, media vendor McCann organized the third and final informative meeting with journalists aimed at expanding the knowledge of journalists on the major innovations introduced with the revised Law on Criminal Procedure. It was two-day training in Ohrid, which was attended by seven media outlets.

In addition, the printing of two brochures—one for the general public and one for the legal community—was finalized this month. McCann distributed the printed brochures, flyers, and posters to courts, public prosecution offices and penitentiaries according to the distribution plan. This activity concluded the three-month public awareness media campaign, launched on February 26.

The campaign reached 392,472 people through the TV spot posted on Facebook. 7,625 people visited the web page and the Facebook page received 3,510 fans and 3,926 post likes. Of the target audience of 18-35 years, 66.4 percent viewed the TV spot more than one time and 38.1 percent viewed the TV spot more than three times.

Public discussion on ROL perceptions in MK

On May 20, the ROLC implemented the roundtable on the “Implementation of the new Law on Criminal Procedure - Perspectives, Challenges and (dis)Advantages”, which was supported by the project. Four prominent legal professional panelists addressed the participants and provide an overview of the 18-month implementation of the law: Ms. Sandra Krstic, Judge at the Basic Court Skopje I; Mr. Lazar Nanev, Judge at Basic Court Kavadarci; Mr. Todor Vitlarov, High Public Prosecutor at High Public Prosecutor’s Office Shtip; and Mr. Zvonko Davidovic, Attorney at Law.

31 participants attended the roundtable, including members of civil society organizations active in the field of criminal justice, and ROLC members. As a result of the engaging discussions during the roundtable, participants showed a demand for another debate on the same topic, which will be organized by the ROLC later this fall. As envisioned in the JSP work plan, the second public debate on ROL perceptions will be held in September 2015.

RESULT 2: MORE INDEPENDENT, EFFICIENT, AND CONSISTENT APPLICATION OF JUDICIAL POLICIES AND PRACTICES

2.1 Requirement 2.1: Legal Framework and Judicial Branch Policies Strengthen Independence, Effectiveness, and Accountability of the Judicial System

2.1.1 Support Periodic Meetings of the Judicial Branch Forum (JBF)

Preparation and organization of the ninth JBF meeting was transferred to the JC in an effort towards long-term sustainability of the JBF. During May, the JC took responsibility of logistical preparations for this meeting, including invitation of participants, soliciting topics for discussion, and identification of agenda topics. Initially, the JBF was planned for late May/early June; however, due to the unavailability of a majority of the members, the forum was rescheduled to June 22-23 in Ohrid.

Thus far, the JSP has supported eight meetings of the top leaders of the judiciary, striving towards a more coordinated approach of judicial administration to the identified problems and challenges of the judiciary.

2.1.2 Support Amending the Law on Case Management (LCM)

As reported in the previous month, the JSP sent the text of the changes and amendments to the LCM along with elaboration to the Ministry of Justice (MOJ) for review and further processing. The text, which was prepared by a working group consisting of members of the Judicial Branch Forum (JBF), focuses on the operations of the Working Bodies for Case Flow Management and the publishing of court decisions on court websites.

In May, the JSP COP met with the Deputy Minister of Justice, Biljana Brishkoska-Boshkovski and the MOJ State Secretary to follow up on the status of the submitted document. The Deputy Minister indicated that the MOJ is in the process of reviewing the proposed changes and will inform the JSP on the further actions.

2.2 Requirement 2.2: Administration and Management Rules, Policies and Procedures, and Systems and Practices to Support a Modern Court System

2.2.1 Support establishment of Analytical Offices to perform applied research and analysis

Following the procurement of equipment to facilitate the launch and proper functioning of two analytical offices at the Basic Court (BC) Skopje I and the JC, on May 21, the JSP facilitated a working meeting for five representatives of the JC, including two JC members and three employees. During this meeting, the participants defined the tasks of the analytical office, as well as the required profile of its staff and their job descriptions. It was agreed that a second meeting will be held in early June to finalize the job descriptions for all staff members and define the protocol for operation and communication of the analytical office.

2.2.2 Provide support for implementation of two key elements of the strategic plan of the judiciary

ABMS upgrade to calculate cost per case

Following preparations undertaken in the previous quarter to support the upgrade of the Automated Budget Management System (ABMS) to calculate cost per case, JSP COP and DCOP held two meetings with Mr. Vlatko Danilov, Manager of BASME¹, Ms. Silvija Janevska, Head of the Administrative Office of Court Budget Council, Ms. Maja Hadzi-Kimova, IT administrator at the CBC, and Mr. Ljubomir Hristov, Chief Technology Officer of ULTRA². The purpose of these meetings was to discuss possibilities for the development of software for automatic calculation of cost per case, including features and functionalities.

On May 22, JSP organized a presentation on the methodology for calculating cost per case, delivered by Mr. Danilov for to the IT staff of ULTRA. This methodology should be built in the new ABMS module, which should extract data from ABMS and ACCMIS and will be administered by the JC. Once JSP receives the technical and financial proposal from ULTRA in order to finalize the procurement process, the ABMS upgrade to calculate cost per case will be implemented in two months, from approximately mid-June through mid-August.

¹ BASME implemented series of trainings for the courts on financial management, human resources management, projecting case workload, and calculating cost per case in April-May 2014, with support from the JSP.

² ULTRA created the ABMS during the previous USAID Macedonia Court Modernization Project (MCMP) in 2006, providing for standardization of the processes and procedures for budget planning, spending and control of its financial operation. ULTRA also implemented additional upgrades of two ABMS modules in 2014.

RESULT 3: INCREASED FAIRNESS AND EFFICIENCY OF THE ADMINISTRATION OF JUSTICE THROUGH MORE EFFECTIVE LEGAL PERSONNEL AND EFFICIENT PROCESSES

3.1 Requirement 3.1 Develop and Implement Targeted Specialized Trainings for Judges, Court Administrative Executives, and Court Staff

3.1.1 Continue Training Opportunities for Judges with the Academy for Judges and Public Prosecutors (JTA)

Support Systematic Trainings on the Law on Civil Procedure (LCP) for all Civil Judges, On May 7-8, the sixth LCP training was completed for a total of 37 judges in the Skopje and Shtip appellate regions. The remaining three LCP trainings scheduled for May 14-15, May 21-22 and June 4-5, were cancelled. The Supreme Court Justice trainers recently requested that the JSP provide them with honoraria for all LCP trainings, as they did not receive these payments from the Academy for Judges and Public Prosecutors. In accordance with the regulation on salary supplements for host government employees and guidance received from the USAID Regional Legal Advisor, the JSP informed the Supreme Court Chief Justice that the project cannot provide honoraria to the trainers.

3.1.2 Organize study tour

On May 12, JSP issued a request for proposals for the implementation of a study tour to the United States (US) for members of Macedonian LPAs and CSOs. The purpose is for study tour participants to learn how LPAs and CSOs in the US play a leadership role in justice system reform efforts, with an emphasis on advocacy for young civil activists, and correlation with media and citizen participation in ROL efforts. JSP considered it important to include other civil activists —potential ROLC members— and give them a chance at exposure to US best practices in the civil society area. The group will consist of eight participants and will take place in two states, District of Columbia and California or Massachusetts, for maximum of 10 days.

On May 26, JSP held an introductory meeting with the potential study tour participants to review the study tour scope of work, expectations, and outcomes. The deadline for submission of proposals is June 12, and the study tour is envisioned to be implemented from July 6-16.

3.2 Requirement 3.2: Improve Caseload Processing and Reduce Backlog of Cases

3.2.1 Finalize Strategies for Differentiated Case Management (DCM) and Determine National Time Standards (NTS) for Different Case Types

Following US expert Mr. Ron Stout's consultancy and the conclusions from the April 24-25 DCM and NTS workshop, JSP met with the ACCMIS vendor Edusoft to clarify the scope and extent of the required modifications to ACCMIS. An additional meeting was held on May 14 with the DCM working group, during which the specifics of the modification and required fields were further elaborated. Based on feedback from the meeting, Edusoft will prepare a cost estimate and preliminary specification for the proposed upgrade.

II. PROBLEMS AND REMEDIAL ACTIONS

Problems have been minimal and are of the type to be expected in the regular course of implementation.

III. SUMMARY OF ACTIVITIES PLANNED FOR JUNE 2015

A summary of activities planned for June 2015 is as follows:

- Hold the ninth JBF meeting on June 22-23;
- Hold the CAA Sixth Annual Assembly on June 11-12;
- Hold two commercial law trainings with the Academy on June 18-19;
- Start the implementation of activities for developing the 2016 – 2018 strategic plan for the ROLC;
- Complete the procurement process for implementation of the study tour to the US in July for members of the ROLC and other civil activists;
- Complete the procurement process for implementation of ABMS upgrade to calculate cost per case;
- Complete the procurement process for implementation of ACCMIS upgrade to introduce DCM in Macedonian judiciary.
- Complete second working meeting with BC Skopje I on developing protocol for work and communication of the analytical office
- Complete second working meeting with JC on developing protocol for work and communication of the analytical office