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**USAID/MACEDONIA
JUDICIAL STRENGTHENING PROJECT
(JSP)
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I. PROGRAM-RELATED ACTIVITIES AND TASKS

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

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

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

1.2 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 April 2015 that built on the implementation of the training program.

1.2.1 Other Support for LPAs

European Law Students Association (ELSA)

On April 2, on the occasion of the Open Day at Courts, the ELSA brochure on free legal aid was presented to high school and university students at the Basic Court (BC) Prilep and BC Bitola. See: “Open Day at Courts”, under 1.2.2.

Court Administration Association (CAA)

During April, the JSP and CAA started planning for the CAA’s Sixth Annual Assembly, scheduled for mid-May/early June. The JSP will support with financial assistance for accommodation of the CAA delegates.

This year’s Assembly will take place in the Skopje appellate region. The exact date and venue will be determined by the CAA after review of the best conditions and timing for holding the event. 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.

1.2.2 Broad-Based Coalition of LPAs

Rule of Law Council (ROLC) Public Awareness Campaign

On April 7, media vendor McCann organized a second informative meeting with journalists aimed at expanding the knowledge of journalists on the major innovations introduced with the revised Law on Criminal Procedure. The event was attended by three media outlets. The third and final informative meeting will be held on May 8-9 in Ohrid.

During April, the JSP and McCann finalized a brochure for the general public and another for the legal community. Printing is expected to be completed in early May. Thereafter, McCann will distribute the brochures, and flyers and posters to courts, public prosecution offices and penitentiaries according to the distribution plan.

Open Day at Courts

On April 2, the ROLC organized its second public awareness activity entitled “Open Day at Courts.” The Open Day was held in seven courts throughout the country: BC Ohrid, BC Prilep, BC Bitola, BC Tetovo, BC Struga, BC Veles and BC Strumica. The main objective of the event was to improve courts’ transparency and help reduce citizens’ fear and ignorance about the courts through understanding of basic court processes.

The Open Day was conducted through organized tours in the courts’ premises, guided by the public relations officers, who thoroughly explained the courts’ competences and judicial processes. The hosts also presented the work of judges and non-judicial staff, as well as the rights and obligations of the citizens before the court. The audience consisted of high school and university students and citizens who used this occasion to visit court and get acquainted with a court operations.

Considering the fact that the Open Day at Courts was also an excellent opportunity for the citizens to get familiar with the Law on Free Legal Aid, two ELSA members, Vasilij Berzecki and Maja Veljanova, conducted four presentations at the BC Prilep and BC Bitola of ELSA’s most recent thematic brochure on free legal aid, published with JSP support.

Support discussion on ROL perceptions in MK

The JSP in coordination with the founding members of the ROLC continued preparations for the roundtable on the “*Implementation of the new Law on Criminal Procedure - Perspectives, Challenges and (dis)Advantages*” scheduled on May 20. Five prominent legal professional panelists will address the participants and will provide an overview of the one-year 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; Mr. Zvonko Davidovic, Attorney at Law; and Mr. Boban Misovski, Assistant Professor at the Faculty of Law “Iustinianus Primus” Skopje.

Approximately 30 participants will be invited to the roundtable, including 20 members of civil society organizations active in the field of criminal justice, and 10 ROLC members.

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)

In April, the JSP and Judicial Council (JC) started preparations for the ninth meeting of the JBF, which will take place from May 26 to June 5, 2014. An invitation letter for soliciting topics for discussion at the Forum and determining a date for the event was sent on April 29. So far, the JSP has supported eight meetings of the top leaders of the judiciary, striving toward a more coordinated approach of judicial administration to the identified problems and challenges of the judiciary.

As envisioned, preparation and organization of the ninth JBF meeting will be transferred to the JC in an effort toward long-term sustainability of the JBF. The institutionalization of the JBF will fill a need for high level identification of problems and problem solving across key judicial branch institutions, leading to enhanced independence of the judiciary.

2.1.2 Support Amending the Law on Case Management (LCM)

As reported in the previous quarter, the JSP supported the efforts of the working group to draft changes and amendments to the LCM. The working group, consisting of members of the Judicial Branch Forum (JBF), drafted amendments focusing on the operations of the Working Bodies for Case Flow Management and the publishing of court decisions on court websites.

In April, the JSP sent the text of the changes and amendments along with elaboration to the Ministry of Justice (MOJ) for review and further processing. In coordination with the MOJ, the JSP will organize public discussion to obtain feedback from judges and practitioners, if such need is identified.

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

In order to facilitate the launch and proper functioning of two analytical offices at the Basic Court (BC) Skopje I and the JC, the JSP procured three furniture sets and three IT equipment sets for each of the above institutions. The furniture set includes a desk, a drawer and a chair, while the IT equipment set includes a personal computer, a monitor, a Microsoft license, antivirus software, a multifunctional printer, Open Office and a UPS.

On April 28, the JSP facilitated a working meeting for five employees of the Analytical Office at the BC Skopje I, at which the tasks of the Analytical Office were defined, as well as the required profile of its staff and their job descriptions. Added value at the workshop was the presence of the DCM consultant Mr. Ron Stout, who shared his extensive experience by giving an overview of the set up and tasks of similar offices in the New York court system.

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

Procurement of audio equipment

In April, the JSP finalized the procurement and installation of the audio equipment for six courtrooms in the BC Ohrid, BC Struga, BC Kicevo, BC Bitola, BC Prilep and BC Strumica. For the implementation of this activity, the JSP contracted the company ICS Consulting Engineering, also the original vendor that procured and installed the SRS Femida systems in 80 civil courtrooms in Macedonia and trained 300 judges in the usage of this recording equipment. The new audio equipment, PCs and extra monitors for the sitting judges were installed between April 15- 22.

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

During this month, three LCP trainings were completed for a total of hundred (100) judges in the Bitola and Gostivar appellate regions on April 2-3, April 16-17 and April 23-24. All three trainings included a very lively and interactive discussion, and were highly evaluated by the participants as they resolved many ambiguities of the law that had resulted with different practices among courts.

In May, three LCP trainings will be held for the Skopje and Shtip appellate regions and the ninth and last one is scheduled for June 4-5.

3.1.2 Two trainings for commercial law judges

As previously reported, the JSP committed to support the Academy for Judges and Public Prosecutors (JTA) in implementing two commercial law trainings: 1) the legal status of managers and different management levels according to the Law on Companies; and 2) legal aspects of risk management of companies, in light of the new European regulations. Dates for implementation of these trainings were proposed for April 24 and June 5. Trainers include the Judge of the Appellate Court Bitola, and a law professor from the American College, Skopje.

Because April-May is usually a very busy period for judges with regular judicial activities and trainings, an insufficient number of participants signed up for the first training. Therefore, in coordination with the JTA, it was decided that both trainings be combined in a two-day training, which is now scheduled for June 18-19 in Skopje.

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

From April 20-30, the JSP hosted US expert Mr. Ron Stout for development of a methodology for measurement of case weight and complexity. Mr. Stout worked closely with the members of the DCM working group and facilitated a workshop on April 24-25.

During the workshop, the judges reexamined and finalized the DCM tracks and primary criteria for assignment of cases as defined during the previous workshops. Also, modifications to ACCMIS¹ to support the new case management system were identified, and a document was developed outlining the events that extend the due date. These are events that are outside of the court's control and for which the court should not be held accountable. During these events, "the clock will be stopped" and the due date will be extended.

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 MAY 2015

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

- Hold the third informative meeting with journalists on May 8-9;
- Print and distribute the two brochures as part of the ROLC public awareness campaign;
- Complete the procurement process for developing strategic plan for the ROLC for 2016-2018;
- Conduct three LCP trainings: May 7-8, May 14-15 and May 21-22;
- Start the procurement process for implementation of the study tour to the US in late June /early July for members of the ROLC and other civil activists;
- Finalize preparations for the CAA Sixth Annual Assembly;
- Start the procurement process for implementation of Automated Budget Management System (ABMS) upgrade to calculate cost per case.

¹ Automated Court Case Management System