



**USAID**  
FROM THE AMERICAN PEOPLE

# USAID/MACEDONIA JUDICIAL STRENGTHENING PROJECT

**QUARTERLY REPORT: JULY – SEPTEMBER, 2014**



October 22, 2014

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

# USAID/MACEDONIA JUDICIAL STRENGTHENING PROJECT

**QUARTERLY REPORT: JULY – SEPTEMBER 2014**

**CONTRACT NO.: AID-165-C-12-00001**

**CONTRACTOR: TETRA TECH DPK**

**DATE: OCTOBER 22, 2014**

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

# TABLE OF CONTENTS

- LIST OF ACRONYMS** ..... 5
- INTRODUCTION** ..... 6
- 1. OBJECTIVES ..... 6
- 2. AREAS OF WORK ..... 6
- 3. PROJECT ACTIVITIES ..... 6
- 4. PROJECT RESULTS FRAMEWORK ..... 7
  - Project Results Areas ..... 7
  - USAID Results Framework ..... 7
- PROGRAM-RELATED ACTIVITIES AND TASKS** ..... 9
- RESULT 1: STRENGTHENED ADVOCACY AND CITIZEN PARTICIPATION IN JUDICIAL SECTOR REFORM** ..... 9
  - 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 ..... 9
  - 1.2 Requirement 1.2: Per the Findings of Requirement 1.1, the Capacity of at Least Two Judicial Sector Professional Associations Are Improved ..... 9
- RESULT 2: MORE INDEPENDENT, EFFICIENT, AND CONSISTENT APPLICATION OF JUDICIAL POLICIES AND PRACTICES** ..... 11
  - 2.1 Requirement 2.1: Legal Framework and Judicial Branch Policies Strengthen Independence, Effectiveness, and Accountability of the Judicial System ..... 11
  - 2.2 Requirement 2.2: Administration and Management Rules, Policies, and Procedures, Systems, and Practices to Support a Modern Court System ..... 12
- RESULT 3: INCREASED FAIRNESS AND EFFICIENCY OF THE ADMINISTRATION OF JUSTICE THROUGH MORE EFFECTIVE LEGAL PERSONNEL AND EFFICIENT PROCESSES** ..... 14
  - 3.1 Requirement 3.1: Develop and Implement Targeted Specialized Trainings for Judges, Court Administrative Executives, and Court Staff ..... 14
  - 3.2: Requirement 3.2: Improve Caseload Processing and Reduced Backlog Cases ..... 14
- RESULT 4: CRISIS-MODIFIER AND MATERIAL SUPPORT** ..... 15
- EVENTS AND ACTIVITIES** ..... 17

|                                                                  |    |
|------------------------------------------------------------------|----|
| <b>ADMINISTRATIVE AND PERSONNEL MATTERS</b> .....                | 18 |
| <b>FINANCIAL QUARTERLY REPORT</b> .....                          | 19 |
| <b>ISSUES AFFECTING THE DELIVERY OR TIMING OF SERVICES</b> ..... | 20 |

# LIST OF ACRONYMS

|                |                                                                                                    |
|----------------|----------------------------------------------------------------------------------------------------|
| <b>AC</b>      | Administrative Court                                                                               |
| <b>ACCMIS</b>  | Automated Court Case Management and Information System                                             |
| <b>BAR</b>     | Bar Association of the Republic of Macedonia                                                       |
| <b>BC</b>      | Basic Court                                                                                        |
| <b>CAA</b>     | Court Administration Association                                                                   |
| <b>COR</b>     | Contracting Officer's Representative                                                               |
| <b>CSC</b>     | Court Service Council                                                                              |
| <b>CSO</b>     | Civil Society Organization                                                                         |
| <b>DCM</b>     | Differentiated Case Management                                                                     |
| <b>ECR</b>     | Electronic Court Recording                                                                         |
| <b>ELSA</b>    | European Law Students' Association                                                                 |
| <b>ESE</b>     | Association for Emancipation, Solidarity and Equality of Women                                     |
| <b>IACA</b>    | International Association for Court Administration                                                 |
| <b>INL</b>     | Bureau of Narcotics and Law Enforcement                                                            |
| <b>IR</b>      | Intermediate Result                                                                                |
| <b>IT</b>      | Information Technology                                                                             |
| <b>JBF</b>     | Judicial Branch Forum                                                                              |
| <b>JC</b>      | Judicial Council of the Republic of Macedonia                                                      |
| <b>JSP</b>     | Judicial Strengthening Project                                                                     |
| <b>JTA</b>     | Academy for Judges and Public Prosecutors (also known as Judicial Training Academy or the Academy) |
| <b>LCP</b>     | Law on Civil Procedure                                                                             |
| <b>LPA</b>     | Legal Professional Association                                                                     |
| <b>MJA</b>     | Macedonian Judges Association                                                                      |
| <b>MOJ</b>     | Ministry of Justice of the Republic of Macedonia                                                   |
| <b>MYLA</b>    | Macedonian Young Lawyers Association                                                               |
| <b>NTS</b>     | National Time Standards                                                                            |
| <b>RFP</b>     | Request for Proposals                                                                              |
| <b>ROLC</b>    | Rule of Law Council                                                                                |
| <b>SC</b>      | Supreme Court of the Republic of Macedonia                                                         |
| <b>T&amp;P</b> | Trajkovski & Partners Consulting                                                                   |
| <b>ToT</b>     | Training of Trainers                                                                               |
| <b>Tt DPK</b>  | Tetra Tech DPK                                                                                     |
| <b>US</b>      | United States of America                                                                           |
| <b>USAID</b>   | United States Agency for International Development                                                 |
| <b>ToT</b>     | Training of Trainers                                                                               |
| <b>Tt DPK</b>  | Tetra Tech DPK                                                                                     |
| <b>US</b>      | United States of America                                                                           |
| <b>USAID</b>   | United States Agency for International Development                                                 |

# INTRODUCTION

The United States Agency for International Development (USAID)/Macedonia Judicial Strengthening Project (JSP) is an ambitious four-year endeavor that started in November 2011. The overarching objective of the project is to help the Macedonian judiciary to evolve as an independent, self-governing, effective, and accountable branch of government capable of meeting the needs of citizens, businesses, and organizations for prompt and impartial protection of their rights and adjudication of their legal disputes.

This quarterly report for July through September 2014 focuses on the progress and implementation of programmatic activities and tasks aimed at delivering the results required under the Tetra Tech DPK (Tt DPK) contract with USAID. A brief description of the objectives, areas of work, project activities, and expected results follow.

## 1. OBJECTIVES

The overarching objectives of the project are to strengthen the role of the judiciary in the separation of powers and to develop broad-based support for rule of law and judicial-sector reform. More specifically, the project focuses on supporting the development of professional associations in the justice sector, developing effective court governance systems and practices, and improving the efficiency and quality of justice.

## 2. AREAS OF WORK

The project's main components are outlined below.

### 2.1 Advocacy and Citizen Participation in Judicial Sector Reforms

The JSP supports the development of the capacities of professional associations in the justice sector to play a leadership role in efforts to reform the justice system and to advocate for the interest of their members, and increases public awareness and participation in justice-sector reforms and rule-of-law issues.

### 2.2 Independent, Efficient, and Consistent Application of Judicial-Sector Policies and Practices

The JSP develops effective court governance systems and practices, increases the role of the judiciary in preparing laws and policies governing the branch, establishes regular coordination and consensus-building on key issues among judicial institutions, promotes more effective and accountable operation of judicial-sector institutions and courts, improves court operations through innovation and technology, and designs and applies performance standards.

### 2.3 Effective Legal Personnel and Efficient Processes

The JSP improves efficiency and quality of justice by providing specialized trainings to judges, developing and applying national time standards for case processing, and building the capacities of court personnel to provide efficient services to court users.

## 3. PROJECT ACTIVITIES

The project provides technical and managerial experience to key counterparts in the judiciary, legal professional associations (LPAs), and civil society organizations (CSOs) active in the judicial sector.

The range of support includes a combination of targeted long-term technical assistance, advisory services, project initiatives, and other forms of assistance identified as necessary for each of the results prescribed. Key activities and tasks include the following:

- Identifying and supporting key civil society and professional associations in their efforts to promote civil society support for the rule of law and an independent judiciary
- Building capacity of designated LPAs
- Assisting designated LPAs and CSOs in supporting laws, policies, and practices that support judicial independence
- Identifying gaps and/or idiosyncrasies in policies and practices of judicial administration and management and support reform
- Building leadership and management capacities
- Supporting the development of needs-based budgets for the courts
- Supporting education for various sectors of the judicial sector, including president judges, court administrators, and court staff to enhance efficiency and timeliness

#### **4. PROJECT RESULTS FRAMEWORK**

The USAID/Macedonia JSP employs a results-driven approach to its planning and programming.

##### **4.1 JSP Results Areas**

In Year II, the project has continued to focus on five key results:

- Result 1: Strengthened advocacy and citizen participation in judicial sector reform
- Result 2: More independent, efficient, and consistent application of judicial policies and practices
- Result 3: Increased fairness and efficiency of the administration of justice through more effective legal personnel and efficient processes
- Result 4: Crisis-modifier and material support
- Result 5: Serving as *rapporteur* with justice sector

These five results areas contribute to the USAID Foreign Assistance Framework for Macedonia.

##### **4.2 USAID Results Framework**

The JSP supports the USAID/Macedonia Assistance Objective 1: Greater Checks and Balances in Democratic Processes. Under this Assistance Objective, the project supports Intermediate Result (IR) 1.2: Greater Equilibrium among the Three Branches of Government at the National Level. Specifically, JSP works toward Sub-IR 1.2.2: Greater Judicial Independence and Sub-IR 1.2.3: Increased Confidence in the Judicial System. The chart below illustrates the conceptual linkages between the JSP and the USAID/Macedonia Framework.

**USAID/Macedonia Assistance Objective 1: Greater Checks and Balances in Democratic Processes**



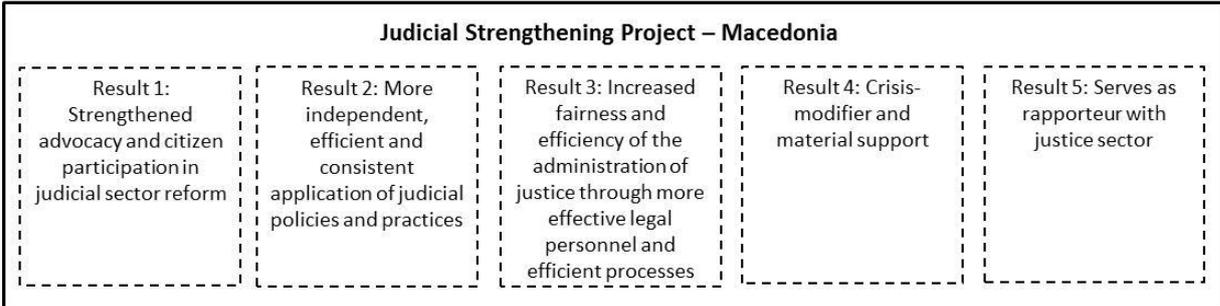
**Intermediate Result 1.2: Greater Equilibrium among the Three Branches of Government at the National Level**



**Sub-IR 1.2.2: Greater Judicial Independence**



**Sub-IR 1.2.3: Increase Confidence in the Judicial System**



# PROGRAM-RELATED ACTIVITIES AND TASKS

## RESULT 1: STRENGTHENED 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, the JSP designed, delivered, and completed a training program to build the capacities of the Macedonia Judges Association (MJA), Court Administration Association (CAA), and other LPAs, as well as CSOs. The sections below outline the follow-up activities and events carried out during June 2014 that built on the implementation of the training program.

#### 1.2.1 Other Support for LPAs and CSOs

##### ***Macedonian Young Lawyers Association (MYLA)***

During this quarter, the JSP and MYLA reviewed the status of current activities and planned future projects. MYLA President requested JSP support for maintenance of the MYLA website for the next year. Following the recommendation of the Mid-Term Performance Evaluation of the JSP, which considered websites and printed materials as passive advocacy efforts for raising public awareness, which are not expected to change broader public perceptions on judicial sector issues, the JSP decided not to embark on this activity.

**Swedish Center for Justice** - As a follow-up to the study tour in April 2013 to Estonia and Sweden, on August 8 the JSP sent an invitation letter to the Director of the Swedish Center for Justice, Mr. Clarence Crafoord, inviting him to conduct a workshop on Strategic Litigation for the MYLA and the European Law Students' Association (ELSA). The Swedish Center for Justice was one of the organizations that left a remarkable impression on the members of the group during the study tour. Its hands-on experience and success in the field of supporting the human rights of individuals were highly inspiring and motivating, especially for the representatives of the MYLA. Having not received a response from the Swedish Center of Justice, despite several attempts, the JSP approached Mr. Adam Weiss, current Director of the European Roma Rights Center and former Director of AIRE Center of London<sup>1</sup>, to get recommendations on consultants that can deliver the strategic litigation workshop for MYLA and ELSA. The project will follow up with Mr. Weiss in October to identify potential candidates and carry out the workshop activity during the following months.

**MYLA Analysis** - Upon completion of the review by a certified proofreader, the JSP proceeded with the procurement for the design of the **MYLA Analysis on the Challenges, Problems, and Perspectives of the Legal Profession in Macedonia**, a document generated at the project as a support for the 10th Anniversary of MYLA (December 5, 2013). The design was prepared in August by the JSP and was sent to the MYLA for comments and suggestions. The translation of the document into English was completed in

---

<sup>1</sup> Both the European Roma Rights Center and AIRE have extensive experience in assisting marginalized individuals and promoting awareness of European legal rights.

September. On September 24, the JSP received final approval from the MYLA. The JSP will move forward with the procurement procedure for printing the publication.

### **Court Administration Association (CAA)**

During July, the CAA President requested and the JSP committed its support for organizing a roundtable discussion on the new Law on Court Service. The roundtable is envisioned as an excellent opportunity for a detailed review of the new provisions of the law, and an occasion to better understand the process of preparing the law and its expected effects on the status of non-judicial personnel. JSP will organize the roundtable for a larger audience, including representatives from the Ministry of Justice of the Republic of Macedonia (MOJ), Supreme Court of the Republic of Macedonia (SC), Judicial Council of the Republic of Macedonia (JC), Court Service Council (CSC), MJA, CAA, and law professors. This one-day roundtable is planned to take place in early November in Skopje.

As requested by the CAA, the JSP covered the fee for participation of the CAA President at the Seventh International Conference of the International Association for Court Administration (IACA). The Conference was held on September 24-26 in Sydney, Australia and this year's focus was *International Perspectives on Justice Administration 10 Years on*. The topic presented by the Macedonian delegation at the Sixth International Conference last year in Dubai was *Roles of Judicial Officers & Court Administrators and How the Relationship May be Improved and Enhanced*. Multiple presenters elaborated on this theme again this year. The Macedonian delegation consisted of two CAA members.

Since the inception of this Project, the JSP has also financially supported the participation of the CAA at the International Conference of the IACA in Dubai in 2013 and The Hague in 2012.

### **European Law Students Association (ELSA)**

The ELSA website, officially launched in June, is fully functional and is continuously being populated with content by ELSA members. During the reporting period, ELSA members who are responsible for populating and administering the web-site held several meetings with the vendor to resolve some small technical issues and to finalize the interface of the website. Additionally, a user's manual was prepared by the vendor for future reference and was included in the administration section of the site.

In September, a working group of several ELSA members will be created to prepare a fourth thematic brochure. This brochure will address free legal aid in Macedonia, by providing analysis of the current legislation and by reviewing current practices in this field. As the MYLA has extensive experience in this field since 2007, the working group will collaborate with MYLA members regarding the content of the brochure. This is a good example of two of the most active justice sector LPAs working collaboratively in Macedonia to enhance the effectiveness of civil society organizations in the country. This is a direct result of the JSP's capacity building activities over the last 3 years.

The JSP and ELSA discussed possible projects to be supported during the Year IV Work Plan. The ELSA's President expressed interest in working on issues that are not covered by the university's curriculum, such as cyber-crime, environmental law, intellectual property law, advanced aspects of commercial law, etc. Also, the ELSA showed interest in organizing a joint event with the Bar Association of the Republic of Macedonia (BAR), regarding the development of the legal career and the everyday challenges that a lawyer encounters during the course of work. Upon review of the One Year Operational Plan of ELSA, the JSP will decide which activities to support.

### **Bar Association of the Republic of Macedonia (BAR)**

**BAR Website** - In this quarter, a local vendor, Frigde Check, presented the functionalities of the new BAR website to the JSP and the President of the BAR. The BAR approved the website's functions and format and acknowledged that they comply with the needs of the BAR. The vendor made final adjustments to the design and functionalities of the website in compliance with the needs of the association and

proceeded with populating the website with data received from the BAR. Although a training program on updating the content for BAR staff and the official launch of the website were expected in September these events were not organized by the end of this reporting period, due to the busy schedule of the President of the BAR.

### ***Association for Emancipation, Solidarity and Equality of Women (ESE)***

**Bench Book on Domestic Violence for Judges** - On September 25-26, the working group for developing the *Bench Book* for judges presiding over domestic violence cases held the third workshop for finalizing the structure and text of the *Bench Book*. During the workshop, the working group of five judges and two representatives of the ESE reviewed and edited the texts for civil and criminal court protection from domestic violence and agreed upon the final version of the *Bench Book*.

The text will now be sent to representatives from the courts of higher instance for further comments and approval.

**Domestic Violence Media Campaign** - On September 5, the JSP met with the Executive Director of the ESE in order to plan the media campaign to promote the concept of court protection as an effective mechanism for safeguarding victims of domestic violence. This was the follow-up to the conclusions from the Judge Kavanagh consultancy (May 11-22). The ESE representatives have prepared a concept note for the campaign and based on that outline, the JSP has started drafting the request for proposals (RFP) for the domestic violence media campaign. It was agreed that the campaign will be launched in late October. At the regular coordination meeting with the Contracting Officer's Representative (COR), the JSP expressed its concerns about the availability of funds for two parallel media campaigns, this domestic violence media campaign and the Rule of Law Council (ROLC) awareness-raising campaign on the new Law on Criminal Procedure (LCP), in the last year of the project. The COR advised the JSP to inform the ESE that the campaign should be organized under the auspices of the ESE's three year USAID grant and will be more effective if it is implemented after new Law on prevention and protection of the domestic violence is enacted (January 2015). The JSP sent the letter to the ESE (October 9) and informed them about this new development.

### **12.2 Broad-Based Rule of Law Coalition of LPAs**

During this quarter, ELSA members prepared a new brochure to promote the ROLC and present its vision and mission. The text was shared with the other two ROLC organizations, the CAA and MYLA, for comments. The brochure is currently under JSP review and is awaiting approval of the MYLA and CAA.

MYLA members prepared the text describing the creation of the ROLC for posting on the websites of each of the three founding organizations. The JSP reviewed and approved the text, which will be posted on the websites of the founding members. It is envisioned that the ELSA, MYLA and CAA will have a separate section on their respective websites referring to the ROLC until a ROLC website is created.

In coordination with the ROLC, the JSP commenced preparations for the procurement of services to develop and implement an awareness-raising campaign on the new LCP. A key activity of the ROLC's strategic plan is to support a campaign to inform citizens of their rights and duties under the new LCP and the associated procedures. The target audience is citizens as potential victims, perpetrators of crimes, witnesses, court staff, and the legal community.

## **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 Review and Advocacy of Laws by the Judiciary**

### **Judicial Branch Forum (JBF)**

As a follow-up to the conclusions of the sixth JBF, the JSP, SC, Academy for Judges and Public Prosecutors (JTA) and other stakeholders continued preparations for future trainings on the LCP. The SC nominated two Justices to coordinate the team for preparing the trainings.

On July 16, the JTA hosted the first meeting of the coordination team at which trainers were identified for the following topics:

- Disclosure of evidence and burden of proof;
- Court procedures upon objections against decisions of enforcement agents and notaries;
- Expenses of court procedures;
- Revision – extraordinary legal remedy at the SC;
- Determination of value of the case;
- Service of process.

Despite the extensive planning for the systematic LCP trainings, at the meeting on August 20, the JTA Director decided to postpone these activities until December 2014.

In September, the JSP started planning the next (seventh) meeting of the JBF, which will take place on October 21-22 in Berovo. Invitations were sent to all members asking them to suggest topics for the meeting.

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

### **2.2.1 Strategic Plans for the Basic Court Skopje I, Basic Court Skopje II, and JTA**

During this quarter, consultants from Trajkovski & Partners Consulting (T&P) continued the activities in the development of strategic plans.

**Basic Court (BC) Skopje I** – During this quarter T&P met twice with the President of the BC Skopje I. The consultants introduced a workbook of questionnaires for the President and other employees to complete regarding the current status of the court, relevant laws, the vision and mission of the court, and desired project results. A working group of 15 (a mix of judges and non-judicial staff) was created to work on the next steps of the strategic planning process.

On September 9, T&P submitted to the JSP the Analysis of the Operations of the BC Skopje I. Due to the busy schedule of the President of this court, the general strategic planning session was scheduled for October 2-3.

**BC Skopje 2** – In early July, the Acting President of the BC Skopje 2 provided T&P with a list of nine employees to comprise the working group for preparing a *Strategic Plan* for the court. On July 10, the working group met with the consultants and completed the self-assessment questionnaire about relevant laws, the vision and mission of the court, and the desired project results. On July 30, T&P submitted to the JSP the Analysis of Operations of the BC Skopje 2.

The general Strategic Planning Workshop for BC Skopje 2 was held on August 24-26 in Berovo. During this workshop the following results were achieved:

- New vision, mission, and work principles for the BC Skopje 2 were discussed;
- Strategic priorities and strategic projects in compliance with the priorities were determined;
- Projects were identified and categorized according to their characteristics;
- Project stakeholders, partners, and timetables identified; and
- Plan for implementation and evaluation was developed.

Based on the accomplishments of the general strategic planning session, strategic programs and subprograms were formulated and further developed at the first in-house session, on September 2.

**JTA** – During the reporting period, the development of the Strategic Plan for the JTA was concluded. Starting from July 1, when T&P held a working meeting with seven JTA employees to complete the self-assessment questionnaire, the strategic planning process continued with the general Strategic Planning Workshop, on July 8-9 in Mavrovo. Seventeen participants attended the workshop, including eight JTA staff, two members of the JC, one SC Justice, one Appellate Court Judge, two Public Prosecutors, one BC Judge, and two JSP representatives. The Workshop's results defined initial projects and activities for the next three-year period, framed in timetables and divided by priority. Based on the collected data and review of the relevant documents T&P completed the Analysis of Operations of the JTA and submitted it to the JSP on July 17.

Following the workshop, T&P completed three half-day in-house meetings with different JTA employees, on July 17, August 4, and August 20. During these meetings, the working group reviewed and edited the proposed activities, determined the new vision, mission and goals of the JTA, and thoroughly discussed the financial framework of the Strategic Plan, i.e., considered possible sources of financing for implementing their specified projects.

On August 16, T&P submitted to the JSP a draft Strategic Plan for the JTA for review and further processing. After receiving feedback from the JSP and the JTA Director, T&P made the necessary modifications and submitted a revised version of the Strategic Plan, which was sent to the JTA on September 15. It is expected that the JTA will share this draft with the Executive Board for comments and enactment.

The strategic planning process for the three institutions will be implemented through November 20, 2014.

### **2.2.2 Establish Analytical Office in the JC, BC Skopje I and Appellate Court Bitola**

In September, the JSP started planning the consultancy of US consultant, Judge Joseph J. Traficanti to support the establishment of Court Operations Support Offices (Analytical Offices). The JSP will host Judge Traficanti from September 30 until October 9, 2014, to support the Judicial JC and the BC Skopje I, to establish internal offices to perform applied research and analysis. Judge Traficanti is expected to assist these institutions in developing the missions and goals, concepts, protocols, and descriptions of tasks and activities for the Analytical Office. He will also support the development of an action plan that includes next steps and resources needed for establishing a fully operational Analytical Office.

This activity is envisioned to address the deficit in governance systems and management capacities of the Macedonian judicial system. The major priority task is improving overall courts operations and management, including planning, budget management, human resources management, and evaluation of results and accomplishments.

### **2.2.3 Assist Courts to Improve Transparency and Communication with Public and Media**

The JSP continued to support publications that contribute to increased transparency of the judiciary and communications with the public. In August, 700 copies of the Judicial Practice Bulletins prepared by the Appellate Court Shtip and the Appellate Court Bitola were printed and distributed to the appellate courts for distribution to all judges.

These reports contain data on the number of judges, number of cases for the current year, and highlight courts' achievements per appellate region. These publications were prepared entirely by the appellate courts to increase communication between the judiciary and the public and media.

## **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 JTA**

In July, the JSP approached a potential consultant, US expert Ms. Diane Bosse, to assist the members of a working group designated by the JTA, to develop a questionnaire for the entrance exam for candidates seeking enrollment at the JTA. During a JSP-organized conference call for the JTA Director and Ms. Bosse, it became apparent that the Macedonian entrance process is not similar to the US Bar examination system. The JTA Director announced that the multiple-choice questions and grading answers of the Macedonian model may be changed, and the JSP committed to take further steps for engaging the consultant if that happens.

On July 31st, the JSP met with the Deputy Minister of Justice, the Director of the JTA and US Embassy-Bureau of Narcotics and Law Enforcement (INL) Justice representatives regarding the possible engagement of a consultant to assist a JTA-designated working group to develop a questionnaire for the entrance exam for candidates seeking enrollment at the JTA. Deputy Minister of Justice Biljana Brishkoska-Boshkovski clarified that the MOJ does not intend to change the newly introduced model of multiple-choice questions and grading answers at this stage, and it might happen only after the MOJ evaluates the initial results of its implementation after October 1, 2014. However, she expressed interest in hosting a US expert in September or October who could explain the methodology for preparing the questionnaire and the case studies for the bar examination. Only after that, will the MOJ consider whether the Law on the Bar Exam needs to be changed or modified and subsequently the rule book for passing the entrance exam for the JTA.

The INL representatives announced that in the meantime they have approached two US consultants who are interested in this task. It was concluded that INL should move forward with the experts.

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

#### **3.2.1 Analyze Performance and Support Solutions for Improved Case Processing and Addressing Other Problems in the Administrative Court (AC)**

During this quarter the short and focused Analysis of the Operations and Performance of the AC (Analysis) was completed by the local consulting company BASME and submitted to the JSP. BASME began the Analysis in May and, in the following two months, has held a number of meetings with the President and designated staff of the AC, the President of the JC, and other relevant stakeholders. Also, BASME has analyzed the data provided by the AC regarding the performance of court operations in the past years.

The JSP approved and translated the Analysis. Future steps will be identified for implementing solutions and recommendations and the priorities.

#### **3.2.2 Develop Strategies for Differentiated Case Management (DCM) and Determine National Time Standards (NTS) for Different Case Types**

As part of the consultancy of USN court administration expert, Mr. Marcus Zimmer, the JSP organized a workshop for members of the working group on DCM, on July 4 and 5. Following up on the June study tour to the US, the workshop concentrated on identifying the initial steps necessary to implement a DCM system and the procedures and criteria needed to establish NTS for disposing of cases. The participants shared lessons learned from the US study tour and discussed potential obstacles to DCM and NTS implementation.

The following conclusions were reached:

1. Define the necessary procedural events for all types of cases, and, based on the deadlines between events, establish four separate tracks and assign cases to the tracks.
2. Establish a sub-working group from among the judges that participated in the US study tour, along with judges of higher courts, appellate courts and SC, who will work on development of NTS.
3. Develop an action plan for introducing DCM and NTS to the courts, and establish timeframes for all of the planned activities developed and adopted in the study tour action plan.
4. Develop and adopt a national continuance policy. Establish an analytics group that will monitor the implementation of the standards and prepare reports indicating whether courts are in compliance with the standards. Develop potential incentives/warnings for the judges that do not comply with the continuance policy.
5. In addition to the time standards for disposing of cases set forth in the LCP, establish standards for deadlines between case events and overall duration of the case, based on case complexity.
6. Prepare a list of needed modifications to the Automated Court Case Management and Information System (ACCMIS) that will provide for monitoring of the deadlines in several different tracks and prepare statistical reports for compliance with the time standards.
7. Propose tasks for the other members of the judge's team, such as the intake office, the judge's assistant, the typist, and the court clerk.

Following the July workshop, the DCM working group held its second two-day workshop on September 12-13 in Mavrovo. As an outcome of this workshop, all civil cases filed before basic courts with extended jurisdiction were classified into eight categories and were assigned to four case-processing tracks based on specific criteria drafted at the workshop. Also, the participants prepared model national continuance policy and suggested members for a separate NTS working group.

### **3.2.3 Electronic Digital Recording of Court Hearings and Trials**

During this quarter, the JSP implemented on-site technical training of trainers (ToT) sessions for appellate region court typists and information technology (IT) staff. The trainings for the court typists were held on September 18-19 for the appellate regions of Skopje and Shtip, and on September 25-26 for the appellate regions of Bitola and Gostivar. Both trainings were delivered by the Electronic Court Recording (ECR) consultant Saso Aleksoski. The ToT session for the courts' IT staff is scheduled for October 2-3. These trainings were intended to enhance the skills of select typists and court staff to become local ECR resources for their colleagues.

## **RESULT 4: CRISIS-MODIFIER AND MATERIAL SUPPORT**

### ***Conversion of a Shtip Faculty of Law Classroom into a Trial Courtroom***

USAID and INL are jointly supporting the conversion of a classroom at the Goce Delcev University Faculty of Law in Shtip into a trial courtroom to be used for mock trial trainings and sessions of the Shtip Appellate Court. The JSP is managing the conversion work while INL is focusing on equipping the venue. The project experienced delays in the implementation of this work due the cancelation of the original solicitation<sup>2</sup>, implementation of a new procurement process to select a qualified contractor, and price negotiations with selected bidder Arbor Dizajn to ensure the best price for the US Government. The JSP signed a contract with Arbor on September 19 and commenced the conversion work on September 22. The project expects to complete the activity by the end of October.

---

<sup>2</sup> The original solicitation was cancelled because none of the four competing bidders submitted complete proposals as per the RFP issued on July 8, 2014.

### ***Court Entrance Remodeling at the BC Skopje 2***

During the reporting period, the JSP commenced planning activities to support the remodeling of the entrances in the BC Skopje 2, in order to provide easier access to the court. In the past quarter, the BC Skopje 2 has asked for the JSP's support in the adaptation and renovation of the entrance which is being used by the court staff, judges, and citizens and the renovation of two other entrances that are not currently in use. The adaptation would result in shifting the intake office to another part of the building, which will enable a separate entrance only for the intake office.

Another entrance will also be adapted for use only by the court staff and a device for registration of the working hours will be integrated as well. The existing entrance into the court will also be subject to modifications and adaptations as a mean to achieve uninterrupted movement of people. The JSP expects to issue an RFP for the court entrance adaptation between late October and early November after confirming the required environmental compliance requirements with USAID.

In July 2014, Ms. Penka Zafirova-Trajkovska, an architect, was engaged as a short-term consultant to develop an RFP for remodeling entrances in the BC Skopje 2 and will oversee the completion of this project.

# EVENTS AND ACTIVITIES

The project is aware of how important it is to accurately report and document events. This quarterly report includes a matrix summarizing each event, training, forum, seminar, roundtable, etc., along with pertinent descriptive information.

## Year III: July – September 2014

| No. | Event                                                                              | Date                    | Counterpart                                                           | Number of Participants | Gender    |           | Result Requirement | Evaluation of Training Events (1 – 5) |
|-----|------------------------------------------------------------------------------------|-------------------------|-----------------------------------------------------------------------|------------------------|-----------|-----------|--------------------|---------------------------------------|
|     |                                                                                    |                         |                                                                       |                        | M         | F         |                    |                                       |
| 1.  | Workshop for Introduction of DCM                                                   | July 4 – 5, 2014        | JC, DCM Working Group                                                 | 11                     | 4         | 7         | 3.2                | N/A                                   |
| 2.  | General Strategic Planning Workshop – JTA                                          | July 8 – 9, 2014        | Working group of JTA and stakeholders                                 | 15                     | 4         | 11        | 3.1                | N/A                                   |
| 3.  | General Strategic Planning Workshop – BC Skopje 2                                  | August 24 – 26, 2014    | BC Skopje 2 Working Group                                             | 9                      | 4         | 5         | 2.2                | N/A                                   |
| 4.  | Second Workshop for DCM                                                            | September 12 – 13, 2014 | JC, DCM Working Group                                                 | 8                      | 5         | 3         | 3.2                | N/A                                   |
| 5.  | ToT for court typists on use of ECR system – appellate regions Skopje and Shtip    | September 18 – 19, 2014 | Basic and appellate courts from appellate regions Skopje and Shtip    | 29                     | /         | 29        | 3.2                | N/A                                   |
| 6.  | ToT for court typists on use of ECR system – appellate regions Gostivar and Bitola | September 25 – 26, 2014 | Basic and appellate courts from appellate regions Gostivar and Bitola | 22                     | /         | 22        | 3.2                | N/A                                   |
| 7.  | Third Workshop for Preparation of Domestic Violence Bench Book                     | September 25 – 26, 2014 | Domestic Violence Working Group, ESE                                  | 7                      | 3         | 4         | 1.2                | N/A                                   |
|     |                                                                                    |                         | <b>Total:</b>                                                         | <b>101</b>             | <b>20</b> | <b>81</b> |                    |                                       |

# ADMINISTRATIVE AND PERSONNEL MATTERS

On July 1, Ms. Ana Velkovska became a permanent employee of the JSP as a court administration assistant, after successfully completing her probationary period.

On August 17, Ms. Anne Mulhern completed her assignment with the JSP as a Tt DPK Global Law and Development Fellow, which started on May 19, 2014.

On September 2, Ms. Ljupka Naumovska began her internship assignment with the JSP and will assist the project until October 31, 2014.

# **ISSUES OR PROBLEMS AFFECTING THE DELIVERY OR TIMING OF SERVICES**

Problems have been minimal and confined to what is to be expected in the regular course of business. None have been extraordinary and all have been addressed and resolved.