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Montenegro Judicial Reform Project

Court Administration Assessment

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by
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I. Executive Summary

The Republic of Montenegro has undertaken a large-scale effort to reform its judicial system. Playing a pivotal role in facilitating the change process, the US Agency for International Development (USAID)/Checchi Montenegro Judicial reform Project (the “Project”) has undertaken several preliminary studies to assess critical aspects of court operations and recommend improvements. This Court Administration Assessment is one of these initial studies.

The Project hired Michael Bayne, a Case Processing and Management Specialist, as a short-term advisor to conduct this assessment in addition to one of the other studies. Work began October 6, 2003, and continued for six weeks, ending on November 14, 2003. The assessment examined court administration processes and recommended improvements to position the court system to succeed in its efforts to implement its desired reforms.

This assessment examined intake and docketing, accounting, court reporter functions, records management, documentation of administrative procedures, facility signage, training, the delegation of duties by court presidents to subordinate staff, and plans for establishing the Appellate Court, Administrative Court, and the Administrative Office of the Courts. Data collection efforts included interviews with numerous judicial officers and court employees and an analysis of rules, statutes, and existing written operating procedures governing the administration of the judicial system.

This assessment revealed that current court administration processes and practices in Montenegro require improvements in many areas. For example: Poor caseload management procedures and a lack of automation inhibit the proper flow of cases; local management initiatives are often developed and implemented without coordination between and among courts; a lack of central coordination, evaluation, and control of local management practices exists; judges and court employees receive very little training; the courts experience serious case processing backlogs and no systems are in place to measure improvements countrywide; and the system lacks written procedures defining work processes and standards. Based on these and other findings, Montenegro’s court system requires a complete overhaul of its administrative processes.

In response to the identified deficiencies, this report includes 21 specific recommendations for effecting change, along with suggested activities for beginning the process of implementing them. Summarized on the following page, the recommendations attempt to help Montenegro’s court system achieve greater efficiency, enhance service to the public and the Bar, and improve the quality of justice.

II. Recommendations

To address the deficiencies in current court management processes, the following 21 recommendations have been developed:

1. Consolidate the Intake and Docketing Sections of the Supreme, Appellate, and Administrative courts.
2. Consolidate accounting functions of the three courts and assign accounting responsibilities to the Administrative Office of the Courts (AOC).
3. Combine court reporter functions of the three courts into a “pool” operation.
4. Install multi-track audio tape recorders in the courtroom.
5. Consolidate the records and archives functions of the three courts.
6. Review and revise existing retention schedules reflecting current technology and conditions.
7. Consider establishing a scanning, microfilm, or other technologically advanced centralized center within the courts.
8. Develop a program for the disposal of obsolete records or storage with the national archives.
9. Prepare a preliminary list of operational/procedural manuals to be developed.
10. Develop professional signage to improve the image of the courts for ease in locating a room or person.
11. Provide training in court management for every court president, court manager/secretary, and individuals aspiring to be court managers.
12. Conduct technology training for judges and expert associates in how to retrieve information and enter decisions in the court’s website.
13. Conduct continuous training for non-judicial employees in computer and basic English speaking and writing skills, and caseflow management.
14. Transfer administrative tasks and duties from court presidents to court secretaries and court managers, under the direction of the court president.
15. Appoint the President and judges and hire staff for the Appellate Court.
16. Appoint the President and judges and hire staff for the Administrative Courts.
17. Form a search committee under the direction of the President of the Supreme Court to recruit and hire the Director of the AOC.
18. Define the role of the AOC Director.
19. Determine the structure and responsibilities of the AOC.
20. Task the AOC Director with recruiting and hiring high-level staff members.
21. Place the Judicial Training Center under the direction of the AOC.

III. Introduction

This Court Administration Assessment is one of several studies initiated by the Project to assist the Republic of Montenegro's judiciary with implementing wide-ranging reforms in the way it administers justice. The study addresses primarily the Supreme Court and the proposed Appellate, and Administrative Courts, as well as the new Administrative Office of the Courts (AOC). Because of the AOC's importance, the report places a large emphasis on this new organization and the steps that should be taken to facilitate it becoming operational by July 1, 2004, as currently planned.

The assessment aims to:

- Educate stakeholders about court administration.
- Promote dialogue about court administration, particularly among the President of the Supreme Court, the Judicial Council, and Supreme Court administrative staff.
- Engender commitment and ownership.
- Present ideas and recommendations to facilitate the success of judicial reform efforts and to serve as a catalyst for the exchange of information.

Interviews with judicial officers and court staff were the primary means of data collection for this effort. In addition, information was obtained through analysis of rules, statutes, and existing written operating procedures governing the administration of the judicial system. (See Attachments A [List of Meetings] and B [List of Courts and Institutions Visited and Issues Addressed]).

The report begins by discussing opportunities for increased consolidation and coordination. There is a potential for improving efficiency and quality if the Supreme, Appellate, and Administrative Courts were to combine intake, docketing, accounting, and court reporter functions. The report then discusses records management, operational and procedural manuals, facility signage, training, and court presidents. The assessment concludes with a discussion of the proposed Appellate Court, Administrative Court, and Administrative Office of the Courts. The two new courts are required by the Law on Courts to be operational by July 1, 2004. However, commencement of operations is dependent upon funding and location of facilities. At the date of this report, it appeared problematic whether adequate time would be available to equip and establish the two new courts by July 1, 2004. An analysis and recommendations of this assessment are included for each topic.

IV. Court Administration Assessment Analyses and Recommendations

The judicial system in Montenegro could improve service quality and achieve greater efficiency by consolidating and coordinating certain activities. In section A below, this report discusses three specific areas—intake and docketing, accounting, and court reporter use—but opportunities may exist for other functions as well.

Consolidation and coordination involve organizing staff by function, rather than by jurisdictional division. The goal is to allocate staff to meet system-wide needs, rather than focusing on the needs of one particular court unit. Consolidation and coordination seek to eliminate the duplication of effort, inefficiency, and redundancies that occur when similar or identical activities are performed in numerous units of an organization.

Expected benefits associated with consolidation and coordination in Montenegro's judicial system include:

- Reduced backlogs because of improved calendars and case management practices.
- Greater consistency in quality due to use of standardized rules, policies, and procedures.
- Technological improvements that make the courts more responsive to user needs.
- Greater cooperation and teamwork between the judiciary, other branches of government, and the community.
- More uniformity and efficiency in case processing and timelier disposition of cases.
- Enhanced opportunities for innovation, self-evaluation, and reengineering of court operations.
- More coherence to the governance of the courts and greater understanding by other branches of government and the public.
- An increased ability for the courts to speak with one voice when communicating with the public, Republic agencies, and justice system partners.
- Greater public access and an increased focus on accountability and service.

As with any organizational restructuring, consolidating and coordinating court activities could be met by some resistance. Further, the system might experience inefficiencies during the initial stages, until the courts gain experience with new ways of operating. However, neither should deter the Republic of Montenegro from pursuing consolidation and coordination due to the expected benefits. Strong leadership is the energy behind every court system and court accomplishment. Montenegro's court system needs leaders who at once create, protect, and maintain routines and take risks, question the status quo,

and stimulate growth and change. An effective court leader creates, implements, and nurtures a clear and compelling vision for the court system.

Following section A on consolidation and coordination, this assessment presents a discussion of records management, operational and procedural manuals, facility signage, training, and court presidents (section B), and the new Appellate Court (section C), Administrative Court (section D), and Administrative Office of the Courts (section E).

A. CONSOLIDATION AND COORDINATION

1) Intake and Docketing

Analysis

During 2004 the Montenegro judicial system plans to begin operations of two new courts, Appellate and Administrative. A new Administrative Office of the Courts (AOC) may also be operational at or about the same time. Assuming the courts and the AOC will be located in the same building; certain non-judicial administrative functions should be coordinated and consolidated to prevent inefficiencies.

Currently, the Intake section of the Supreme Court handles the complete work of the Supreme Court, i.e., civil, criminal, commercial, and administrative. When an employee is absent, one of the other intake staff members substitutes and handles a particular type of Supreme Court intake issue or procedure.

Recommendation 1

Consolidate the Intake and Docketing Sections of the Supreme, Appellate, and Administrative courts: Assuming that the two new courts and Supreme Court are located in the same building, the intake sections for all three courts could be consolidated and coordinated under one head intake officer. The current Supreme Court intake staff would be able to train new employees in similar related areas. There are not enough differences to have these functions separated.

See Attachments D (Proposed Intake and Docketing for the Supreme, Appellate, and Administrative courts) and E (Proposed Office Flow for Intake and Docketing); See Attachments F, G, H, I, and J (Case Flow Diagrams/Charts).

Project	Intake and Docketing
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Location	Podgorica (Supreme, Appellate, and Administrative courts)
Position	STC to train staff dealing with the new processes and consolidation issues, with further ongoing training by the Training Center and on-the-job training.

Objective

Use modern management philosophies and coordinate and consolidate the functions of the three intake staffs of the Supreme, Appellate, and Administrative courts.

Activities

- 1) Submit report to Senior Working Group.
- 2) Define various functions and processes.
- 3) Prepare procedural manuals (See Case Processing Assessment for details).
- 4) Assign STC to train staff and train the trainers.

Expected Outputs

- 1) Better utilization of staff, e.g., consolidation, backup, reduction of overall staffing requirements.
- 2) Centralization of some functions.

Duration

Continuous.

2) **Accounting**

Analysis

Two accountants currently work in the Supreme Court. If the accounting sections of the three courts are separate, there would be a need for at least one or two accounting staff in each of the three courts, plus one at the AOC. In all likelihood, there could be as many as eight accountants.

In Article 24 of the proposed Judicial Rules of Procedure, it states “The accounting service may be organized for a number of courts or for the court and other judicial authorities.”

Recommendation 2

Consolidate accounting functions of the three courts and assign accounting responsibilities to the Administrative Office of the Courts (AOC): Such consolidation would reduce duplication of effort and mitigate security issues. Further, it would improve internal control procedures and accounting activities. Accountants could also perform overall finance and budget work for the AOC.

Article 24 of the proposed Judicial Rules of Procedure gives the court the authority to consolidate accounting functions.

Project	Accounting sections for the Supreme, Appellate, and Administrative courts, and AOC
Location	Podgorica
Position	STC (Financial Assessment Consultant)

Objective

Consolidate and coordinate accounting functions under one manager housed at the AOC to effectively handle all financial functions for the three courts and the AOC. Staff would handle all financial and budgeting issues for the Republic’s judicial system. Consolidating these functions would reduce risks associated with too many staff involved in accounting processes and avoid duplication of efforts.

Activities

- 1) Obtain approval of Judicial Council.
- 2) Obtain approval from court presidents.
- 3) Designate or hire staff.
- 4) Define and develop procedures, forms, and training materials.
- 5) Train staff.

Expected Outputs

- 1) Centralized staff and better utilization of limited staff resources.
- 2) Staff can perform accounting and budgeting functions for the courts and system as a whole.
- 3) Better management and internal financial controls.

Duration

STC for one week of training and four weeks for preparation of procedural manual, forms, and training materials.

3) Court Reporters and Judges Dictating Decisions to Court Reporters

a. Court Reporters

Analysis

Eight court reporters located in two offices at the Supreme Court currently handle court reporter functions for any type of case handled by the Supreme Court.

Recommendation 3

Combine court reporter functions of the three courts into a “pool” operation: The court reporter functions for the two new courts and Supreme Court should be consolidated, whereby all court reporters could provide services in all three courts.

b. Judges Dictating Decisions to Court Reporters

Analysis

When a judge summarizes the testimony of the attorneys or witnesses in the courtroom, it consumes valuable time and creates a distraction.

Recommendation 4

Install multi-track audio tape recorders in the courtroom: This would allow the minute keeper to monitor the proceedings at the time the testimony is given (to assure it is being recorded) and transcribe the testimony, either verbatim or relating to important areas. Once the transcript is listened to or prepared, the judge can read the transcript, or listen to the tape, and sign the document. If the matter is appealed, the transcript is sent to a higher court.

Project	Court Reporters (minute keepers)
Location	Podgorica
Position	STC to train for two weeks and will require two weeks for preparation of materials, procedures, and forms.

Objective

Establish a court reporter “pool” operation, whereby court reporters could perform their jobs in any of the three courts. Train and upgrade operations in using audio recording of court procedures. Use state-of-the-art technology to reduce the judge’s time away from deciding and hearing cases.

Activities

- 1) Obtain approval by the Judicial Council.
- 2) Determine feasibility of acquiring multi-track tape recorders for the courtroom and assess potential time savings for judges.
- 3) Task STC with preparing specifications for equipment and materials for manuals, forms, and training.
- 4) Procure equipment.
- 5) Install equipment.
- 6) Train judges and court reporters on equipment use.

Expected Outputs

- 1) Judges and court reporters that are well-trained on the use of audio recording equipment, forms, and procedures.
- 2) More time for judges to devote to hearing and deciding cases.
- 3) Detailed procedural manuals for current and future staff.
- 4) Improved quality of documenting court proceedings.
- 5) Improved efficiency of court reporters.

Duration

STC to train judges and court reporters in the three higher courts and two weeks for the preparation of a manual, forms, and training materials. Two weeks per year to collect and prepare report.

B. MISCELLANEOUS ISSUES

1. Records and Archives

Analysis

Records may affect the rights and duties of individuals for generations and their preservation over time is vital. Inaccuracy, obscurity, loss, or untimely availability of records seriously compromises the court’s integrity (which is currently very low), and subverts the judicial process. For most of Montenegro’s judicial system, record storage is a problem. Older files are placed in jeopardy of damage by the elements (e.g., dampness) under current storage processes. See Attachment H (Photographs of Supreme Court basement archives, Intake Section, and Library).

Recommendation 5 – 8

Consolidate the records and archives functions of the three courts: This would create efficiencies and reduce operating costs, while providing better service to the courts.

Review and revise existing retention schedules reflecting current technology and conditions: Schedules presently in use do not adequately consider needs.

Consider establishing a scanning, microfilm, or other technologically advanced centralized center within the courts: This would upgrade processes to reflect modern capabilities.

Develop a program for the disposal of obsolete records or storage with the national archives: This would free up court space.

Project	Records and Archives
Location	Podgorica and other regional locations, as necessary
Position	STC and Working Group over duration of the project

Objective

Consolidate the records and archives functions of the three courts. Review and make recommendations for the development of revised retention schedules. Develop a program for the courts to dispose of obsolete records or obtain storage with the national archives. Replace paper archives and solve problems of storage and adequate safekeeping of cases as part of a long-term strategy.

Activities

- 1) Obtain approval by the Judicial Council.
- 2) Prepare a feasibility study for establishing a microfilm or technologically advanced center.
- 3) Establish a committee to review and revise current retention schedules.
- 4) Develop a procedural manual to meet archival standards if the scanning of cases is approved.

Expected Outputs

- 1) Resolution to serious record-keeping problems that affect the court's integrity.
- 2) Updated and revised record retention schedules.
- 3) Better access to records.
- 4) Elimination of major fire hazards in the courts posed by stored records.

Duration

STC for four to six weeks. Work in this area will be continuous and over the life of the Checchi/USAID contract for judicial reform in Montenegro. Implementation of systems to replace paper archives should be part of a long-term strategy.

2. Operational/Procedural Manuals

Analysis

Court manuals are indispensable tools for creating and maintaining standardization in job functions and tasks performed by court personnel. They serve as a foundation for documenting the processes required to perform operations in a uniform manner throughout the judicial system. Without a standard set of procedures, over time the various courts will develop many different ways of performing the same function. Administrative manuals set forth in detail the various functions of the court and instruct administrative personnel how to perform their duties so that consistency and efficiency is achieved system-wide. The manuals are used to train new hires and also serve as reference materials for existing staff.

The Montenegro court system does not have instruction manuals providing guidance on administrative and job responsibilities. With the myriad changes presently occurring in Montenegro's judicial system, it is particularly vital that manuals be developed to document processes. Information manuals should be developed that reflect exactly what takes place in each function, with precise detail that includes each form or procedure used in the process. This would improve service to the public and the Bar, result in higher court productivity, and create learning opportunities for staff.

The Montenegro courts also lack an understanding of which functions could be performed with automated capabilities instead of manually. In addition, the forms currently in use have not been updated to link with the current computer system. Moreover, records and archival procedures date back over one hundred years; e.g., use of needle and thread, 31-bin filing systems, no disaster plans.

Recommendation 9

Prepare a preliminary list of operational/procedural manuals to be developed: Many of the manuals will need to be developed after the functions they describe have been reengineered over the course of the ongoing work of the Judicial Reform Project. Reengineered procedures will, in many instances, be able to be implemented only through regulatory change. The following manuals are suggested for new and existing courts:

1. Court Administration
2. Intake
3. Docketing
4. Records and Archives
5. Procurement
6. Finance and Budgeting
7. Facilities
8. Personnel and Training
9. Information Technology
 - a. Internal controls
 - b. Disaster/recovery plan

Project	Operational/Procedural Manuals
Location	The entire court system of Montenegro.
Position	STC and Senior Working Group over the duration of the project

Objective

Create reference manuals that clearly and concisely articulate court operations in sufficient detail to ensure consistency of performance of administrative tasks and functions. Improve service to the public, increase productivity, provide staff with the tools to do a better job, and provide learning opportunities for staff.

Activities

- 1) Obtain approval by Judicial Council.
- 2) Identify as a starting point the most essential operational/procedural manuals to be written.
- 3) Select STC to write manual(s).

Expected Outputs

- 1) Training for every non-judicial court employee in work-related areas.
- 2) Better job performance by non-judicial court staff.

Duration

Long-term and ongoing. Initial development of the required manuals could be a lengthy process. Maintaining and revising the manuals, and providing complementary training, would be an ongoing function.

3. Signage

Analysis

The signage at the Supreme Court building is in dire need of a professional upgrade. Many of the current signs are made of paper. Further, there is no main directory at the entrance or any floor directories.

Recommendation 10	
<p>Develop professional signage to improve the image of the courts for ease in locating a room or person: Consistent signage with Cyrillic and Latin lettering should be displayed throughout the entire Supreme Court building. Further, a main directory should be displayed at the building entrance. Also, daily computer-generated printed calendars should be placed at the entrance to the building with case names, case numbers, and type of action. A computer-generated calendar also should be placed outside of each courtroom listing the cases to be heard on that particular day. Additionally, each floor should have a directory with a diagram showing the location of offices and courtrooms.</p>	

Project	Signage at the Supreme, future Appellate, and Administrative courts, and the AOC.
Location	Podgorica
Position	Checchi staff

Objective

Present a more professional court image.

Activities

- 1) Obtain approval by Judicial Council.
- 2) Prepare computer-generated printed calendars and place them at the entrance to the building with case number, names of parties, and type of action being heard.

- 3) Design, purchase, and hang new signage.

Expected Outputs

- 1) Professional signage would be displayed throughout the building.
- 2) The public and Bar would be able to find trials/hearings more easily.
- 3) With the various changes in the buildings based upon computerization, it is critical that signage be visible to both the Bar and public.

Duration

Continuous.

4. Training

Analysis

Discussions with the Secretary of the Supreme Court and Supreme Court staff revealed that formal court staff training is virtually non-existent in Montenegro. The intake staff is the only group currently receiving training on a new automated case processing system.

It is widely apparent that judges and staff need training in many areas relating to their core job functions. The training should include content- and process-based courses. Content-based courses would provide knowledge and skills in areas such as supervision, management, and administration. Process-based courses would provide knowledge and skills in areas such as new intake procedures, case management processes, and records procedures. The manuals that this report recommends the courts develop could be used as key training materials, reinforcing the importance of a written document and the direct connection between job responsibilities and training.

A prospective list of training topics and audiences would be extensive. A comprehensive plan should be designed outlining specific topics, timelines, and methods of instruction, as well as an audience and evaluation methodology.

Recommendations 11-13

Provide training in court management for every court president, court manager/secretary, and individuals aspiring to be court managers: This training should be given a high priority.

Conduct technology training for judges and expert associates in how to retrieve information and enter decisions in the court's website: This will facilitate

efficiency and productivity. As a complementary effort, each court should appoint a trained information technology point-of-contact to support information technology activities.

Conduct continuous training for non-judicial employees in computer and basic English speaking, writing skills, and caseflow management: Heavy emphasis should be placed on this critically needed training.

Paramount to the success of the overall training program is the development of effective court procedural manuals (see Recommendation 9). Use of the manuals would ensure continuity and consistency. Judges and expert associates (research attorneys) need to be trained on how to retrieve information and enter decisions in the court's website.

All court employees and judges should be included in some form of training. At a minimum, all employees and judges should be made aware of the Judicial Reform Project and its goals, objectives, and training plans. The amount and type of training will depend on each employee's specific job responsibilities.

Project:	Training
Location:	Podgorica and other regional locations
Position:	STC, Checchi staff, and Working Group during life of the project

Objectives

Develop a curriculum reflecting the training needs of Montenegro's judges and staff. Deliver appropriate training based on a survey and other survey tools. Implement procedural and process changes relating to the administration of the courts. Institutionalize a court administration philosophy reflecting continuous organizational improvement, self-governance, and empowerment. Identify key court personnel to assist in developing manuals and training materials and to train others.

Activities

- 1) Obtain approval by the Judicial Council.
- 2) Conduct a survey, develop training programs, and plan schedule.

- 3) Determine training needed, trainer, location(s), materials, and cost per person.

The Judicial Training Center would be critically involved with the following: Curriculum development; development of trainers; interpreting Code of Judicial Conduct; and developing a training center website, and training materials.

Expected Outputs

- 1) Training for newly appointed and experienced judges, and judges with administrative responsibilities.
- 2) Training in some form for all non-judicial staff.
- 3) Standardization of operating procedures throughout the Republic of Montenegro.
- 4) Better understanding of job responsibilities.

Duration

Life of the project.

5. Court Presidents

Analysis

The presidents of courts are responsible for local administration. Currently, administrative personnel who report to the president lack decision-making authority and are underutilized. There is no tradition of delegating decision-making authority to a professional administrator or other staff as seen in other countries, and there is also a lack of organization and training of administrative staff. As a result, presidents must perform most, if not all, administrative tasks that would more efficiently be performed by staff.

<i>Recommendation 14</i>
Transfer administrative tasks and duties from court presidents to court secretaries and court managers, under the direction of the court president: Fully utilizing all court personnel will increase efficiency and productivity.

Project	Presidents of courts should delegate administrative tasks
Location	Every level of court in the Republic of Montenegro
Position	STC and Judges' Training Center

Objective

Reduce the amount of time court presidents spend on administrative tasks and duties.
Increase the ministerial/administrative duties of court secretaries/administrators.

Activities

- 1) Train court presidents in modern court administration procedures.
- 2) Prepare training materials (PowerPoint presentation).
- 3) Prepare court administrator's manual and training materials.
- 4) Select trainers.
- 5) Select location for training (at each court or regionally).

Expected Outputs

- 1) Training of all court presidents in court administration procedures.
- 2) Better use of some of the staff whom are law school educated.

Duration

One training day in each region and 15 days preparing documentation.

C. APPELLATE COURT

Analysis

Montenegro's new Appellate Court, expected to be operational by July 1, 2004, has no defined organizational structure or administrative duties. Enacted legislation establishes the court, but assigns no specific responsibilities. Further, the President of the new court has not yet been appointed and no consideration has been given to the hiring of administrative personnel and staffs prior to the proposed July 1, 2004 start date.

Recommendation 15

Appoint the President and judges and hire staff for the Appellate Court: The Project has been informed that the Appellate Court will consist of a President, eight judges, and staff. The President should be appointed as soon as possible. Once appointed, the President will hire the court's administrator and staff. The appropriate number of staff had not been determined at the time of this assessment; this should be decided as soon as possible so that space, funding, furniture, and equipment can be acquired prior to the court's opening date.

See Attachment K (Proposed Organizational Chart for the Appellate Court).

Project	Appointing President and judges and hiring staff of Appellate Court.
Location	Podgorica
Position	President of Supreme Court, Judicial Council, Parliament, and Checchi.

Objective

Appoint President and judges of the Appellate Court and hire staff. Secure location, furniture, and equipment necessary for operations.

Activities

- 1) Prepare the Appellate Court budget for operations for FY 2004-05.
- 2) Secure location, furniture, and equipment necessary for operation.
- 3) Appoint President and judges.
- 4) Hire staff.
- 5) Train judges and staff.

Expected Outputs

- 1) An Appellate Court that is fully operational.
- 2) Well-trained judges and staff.

Duration

Continuous.

D. ADMINISTRATIVE COURT

Analysis

This court shares the same status as the Appellate Court—it has no defined organizational structure or administrative responsibilities. Further, at the time of this assessment, its President had not yet been appointed, no consideration had yet been given to the hiring of administrative staff, and no space had yet been acquired.

Recommendation 16

Appoint the President and judges and hire staff for the Administrative Court:

The Project has been informed that the Administrative Court will consist of a President, four judges, and staff. The President should be appointed as soon as possible. Once appointed, the President will hire the court's administrator and staff. The appropriate number of staff had not been determined at the time of this assessment; this should be decided as soon as possible so that space, budget, furniture, and equipment can be acquired prior to the court's opening date.

See Attachment L (Proposed Organizational Chart for the Administrative Court).

Project	Appointing President and judges and hiring staff of Administrative Court
Location	Podgorica
Position	President of Supreme Court, Judicial Council, Parliament, and Checchi.

Objective

Appoint President and judges of the Administrative Court and hire staff. Secure location, furniture, and equipment necessary for operations.

Activities

- 1) Prepare the Administrative Court budget for operations for FY 2004-05.
- 2) Secure location, furniture, and equipment necessary for operations.
- 3) Appoint President and judges.
- 4) Hire staff.
- 5) Train judges and staff.

Expected Outputs

- 1) An Appellate Court that is fully operational.
- 2) Well-trained judges and staff.

Duration

Continuous.

E. ADMINISTRATIVE OFFICE OF THE COURTS

Analysis

A new organization, the Administrative Office of the Courts (AOC), is scheduled to be established Pursuant to the Law on Courts. Many important matters need to be addressed as soon as possible, such as appointing the AOC's Director, defining the Director's role, determining the AOC's responsibilities, and hiring staff.

Recommendation 17

Form a search committee under the direction of the President of the Supreme Court to recruit and hire the AOC Director: Hiring the AOC Director is of utmost importance and should be done as soon as possible, consistently with the defined role and structure described in Recommendations 18 and 19.. According to the Law on Courts, the President of the Supreme Court would select this individual, with the consent of the Judicial Council..

See Attachment M (AOC Director Job Description).

Recommendation 18

Define the role of the AOC Director: The President and Judicial Council must view the Director as a professional and main source of support, advice, and information on managerial matters facing the courts of Montenegro. Acceptance and support for the position would be achieved most easily if the role of the AOC Director were well defined. The Supreme Court and Judicial Council must be willing to delegate to the Director those duties that do not involve legal decisions. Further, they must understand that delegating duties and responsibilities does not constitute a loss of control. As policymakers, the President and Judicial Council would collectively control the activities of the AOC and its Director.

Recommendation 19

Determine the structure and responsibilities of the AOC: The Supreme Court, with Judicial Council consent, should define the AOC's structure and responsibilities. At a minimum, the AOC should perform the following:

1. Human Resource Management and Training
2. Fiscal Administration
3. Caseload Management
4. Technology Management
5. Information Management
6. Facility Management
7. Intergovernmental Liaison
8. Community Relations and Public Information
9. Research and Advisory Services
10. Archives and Records Management
11. Secretariat Services

See Attachment N (Functions of Montenegro's AOC).

Recommendation 20

Task the AOC Director with recruiting and hiring high-level staff members: As soon as the Director is hired, he should hire his immediate start-up staff, as listed below. The Director and staff must be on board and trained well in advance of the operational date.

1. Deputy Director (See Attachment O)
2. Manager, Judicial Information Systems (See Attachment P)
3. Manger, Finance and Budget Systems (See Attachment Q)
4. Manager, Human Resources and Training (See Attachment R)

Recommendation 21

Place the Judicial Training Center under the Direction of the AOC: The judiciary must provide basic training for new employees and judges, training on future initiatives that will affect the judiciary, and skill training to facilitate career advancement. Court leaders who oversee, fund, plan, and deliver judicial branch education are at the center of court advancement. Effective court leaders ensure that education, training, and development are viewed as essential and build a culture to support it. When education, training, and human resources are aligned, the court is better able to identify, develop, and retain its best employees.

Project	Recruiting and hiring AOC Director. Defining Director's role and AOC responsibilities. Hiring immediate high-level AOC staff.
Location	Podgorica
Position	President of the Supreme Court with consent of the Judicial Council. AOC Director.

Objectives

Begin establishing the start-up operations of the AOC by forming a search committee to recruit and hire the AOC Director. Define the AOC Director's role. Determine the AOC's responsibilities. Recruit and hire the AOC's immediate high-level staff members.

Activities

- 1) Secure funding for AOC operations for FY 2004-05.
- 2) Recruit and hire AOC Director.
- 3) Define Director's role.
- 4) Determine AOC responsibilities.
- 5) Recruit and hire immediate high-level staff for AOC.
- 6) Train Director and staff.

Expected Outputs

- 1) AOC is operational.
- 2) Well-trained Director and staff.

Duration

Continuous.

V. Attachments

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ATTACHMENT A

Meetings Held with Montenegro Officials

Date of Meeting	Montenegro Official
10/08/03	Dragan Rakocevic, President of Commercial Court
10/09/03	Routine visit to the Commercial Court
10/09/03	Ratko Cupic, President of Basic Court in Danilovgrad
10/14/03	Vesna Lakovic, Head of Archives
10/14/03	Blazo Jovanic, Secretary of Judicial Council
10/16/03	Routine visit to the Supreme Court
10/17/03	Blazo Jovanic, Secretary of Judicial Council
10/17/03	Round table on "Court Administration"
10/20/03	Routine Visit to the Supreme Court
10/28/03	Sasa Vujosevic, IT from Supreme Court
11/03/03	Dragan Djuretic, Secretary of Supreme Court
11/04/03	Dora Plavetic, USAID/Democracy and Governance Advisor Andrew Vonnegut, USAID, Private Sector Advisor Savo Djurovic, USAID, Program Specialist, Private Sector
11/05/03	Rada Zecevic, Head of Intake Office of Supreme Court Radojka Joksimovic, Intake Office, Milo Kaludjerovic, Intake Office Zoran Blecic, Intake Office
11/07/03	Dragan Djuretic, Secretary of Supreme Court
01/22/04	Stevan Damjanovic, President of Supreme Court

ATTACHMENT B

Courts and Institutions Visited and Issues Addressed

Commercial Court Podgorica

10/08/03	Dragan Rakocevic, President of Commercial Court
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Court workload indicators: There are 21,604 new law commercial enterprises registered in the country. More than 3,000 companies have not registered. The number of pending commercial cases is 21,604. With the new insolvency law, there are a total of 145 cases, of which 65 have been resolved. At the end of the year, 500 bankruptcy cases will be pending. Fourteen thousand old cases have to be re-registered according to the new law or liquidation will occur. Currently, there are 4,000 execution cases. It takes 44 days to start a new company

Archives: Archival file storage is in a very deplorable condition at this court. Part of the archives is in the Superior Court and the other portion is located under a movie theatre across the street from the Commercial Court.

Case assignment: The President is making random case assignments using manual processes.

Automation: By January 2004, the court expects to be fully computerized. The registration section is already computerized and fully functional, but still uses a manual back-up system. No scanning is occurring at this time; Bearing Point provided computers but no scanning equipment.

Basic Court Danilovgrad

10/09/03	Ratko Cupic, President of Basic Court in Danilovgrad
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Case assignment: New cases are held for a week before the Intake Section sends them to

the President for assignment.

Facilities: The President's chambers are extremely small, measuring 18' by 10.'

Fees: Fee collection is a problem at the court. Problems are that filing fees are based on a sliding scale and the Intake Clerks have to figure out how to convert from Deutschmarks to Euros, many non payments of fees, 5 Euro to appeal a case, no follow up on collection, and no comparison on if fees are paid at filing or at judgment.

Automation: No computers are currently being used in this court. Wiring and telephone line problems need to be resolved.

Appeal rates: The President reported a high appeal rate. About 20% to 30% of criminal cases are appealed; the rate for civil cases is higher.

Supreme Court Podgorica

10/14/03	Blazo Jovanic, Secretary of Judicial Council
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New organizations: Regarding the new Administrative Office of the Courts, Secretary Jovanic feels that the AOC Director should have a graduate degree in economics and some court training. The Judicial Council will determine the appropriate level of education and experience. Mr. Jovanic did not know when judges would be appointed and staff hired for the two new courts. He stated that there will be 50 new judges and employees, who will be funded from the Republic's reserve.

10/28/03	Sasa Vujosevic, IT from Supreme Court
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Automation: Mr. Vujosevic provided Checchi with relevant information on the Montenegro court system's information technology needs and problem areas of top concern.

11/03/03	Dragan Djuretic, Secretary of Supreme Court
----------	--

Administrative needs: Secretary Djuretic provided an overall assessment of the administrative needs for the judiciary of Montenegro. Training for judges and staff is of the utmost importance, as well as specific computer training. He also felt that training in basic English skills would assist staff in better understanding certain computer programs.

11/05/03	Rada Zecevic, Head of Intake Office of Supreme Court Radojka Joksimovic, Intake Office,
----------	---

	Milo Kaludjerovic, Intake Office Zoran Blecic, Intake Office
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Intake functions: The Intake staff of the Supreme Court assisted in assessing 50 each of the civil, criminal, commercial, and administrative cases. File storage both in the Intake Office and archives was shown to STA and Mr. Slaven Lekic.

**City Archives
Podgorica**

10/14/03	Vesna Lakovic, Head of Archives
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Archives: Mr. Rick Martin and STA met with Ms. Lakovic, Head of Archives, Podgorica. Files from the Podgorica Basic Court are stored at this location in quite an orderly manner. Staff was very impressed with the functionality of this archive.

10/20/03 and 11/05/03	Librarian, Supreme Court
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Libraries/archives: The STA consultant met twice with the Librarian of the Supreme Court. This library is kept in extraordinary condition and should be used as a model for other current and archival storage areas of the courts of Montenegro.

**ATTACHMENT C - Photographs of Supreme Court Basement Archives,
Intake Section and Library**



SUPREME COURT BASEMENT STORAGE.



SUPREME COURT BASEMENT STORAGE



SUPREME COURT BASEMENT STORAGE



SUPREME COURT INTAKE ACTIVE FILE STORAGE AREA



SUPREME COURT INTAKE ACTIVE FILE STORAGE AREA



SUPREME COURT INTAKE ACTIVE FILE STORAGE AREA



SUPREME COURT LIBRARY OFFICE AND LIBRARIAN



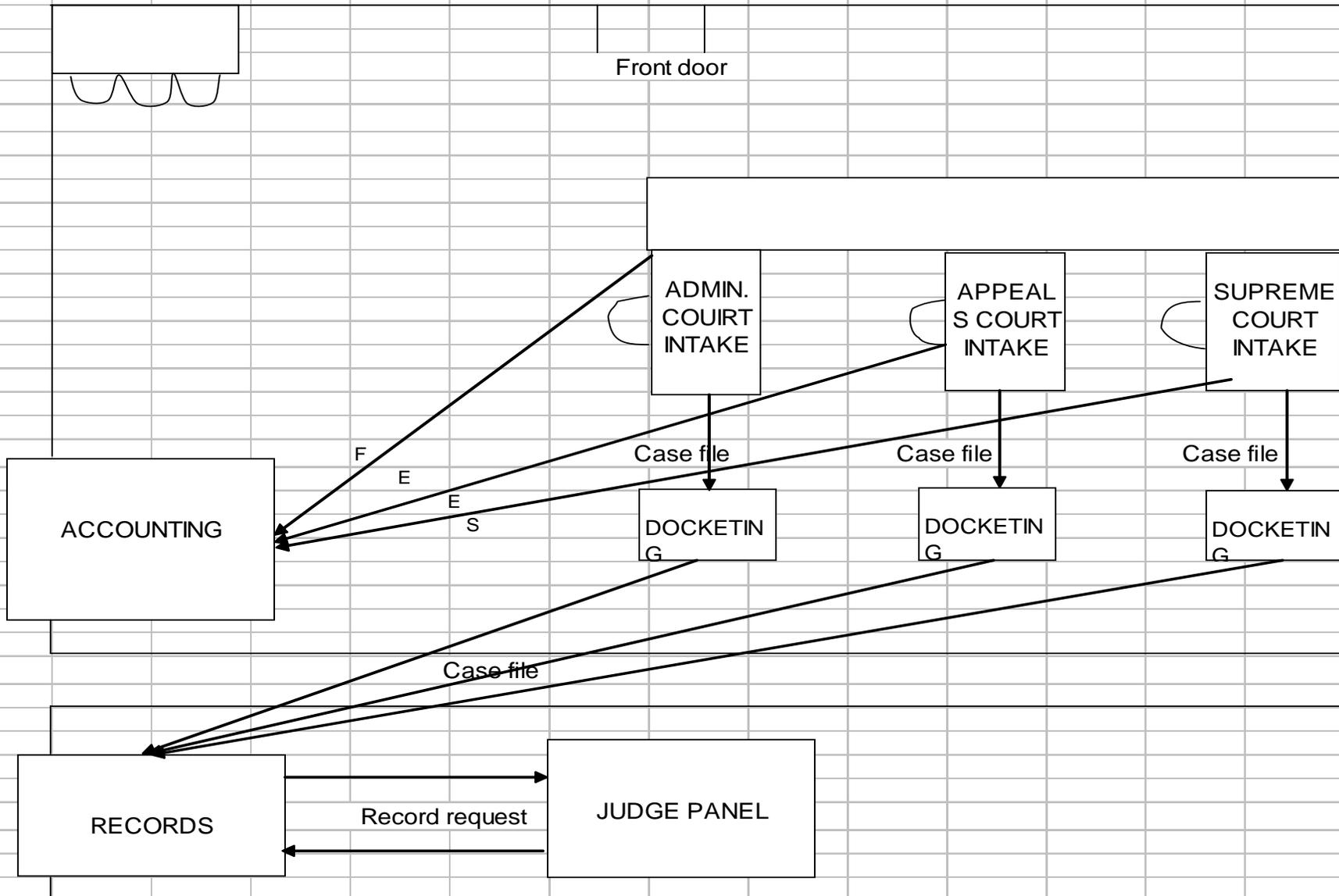
SUPREME COURT LIBRARY VIEWING AREA



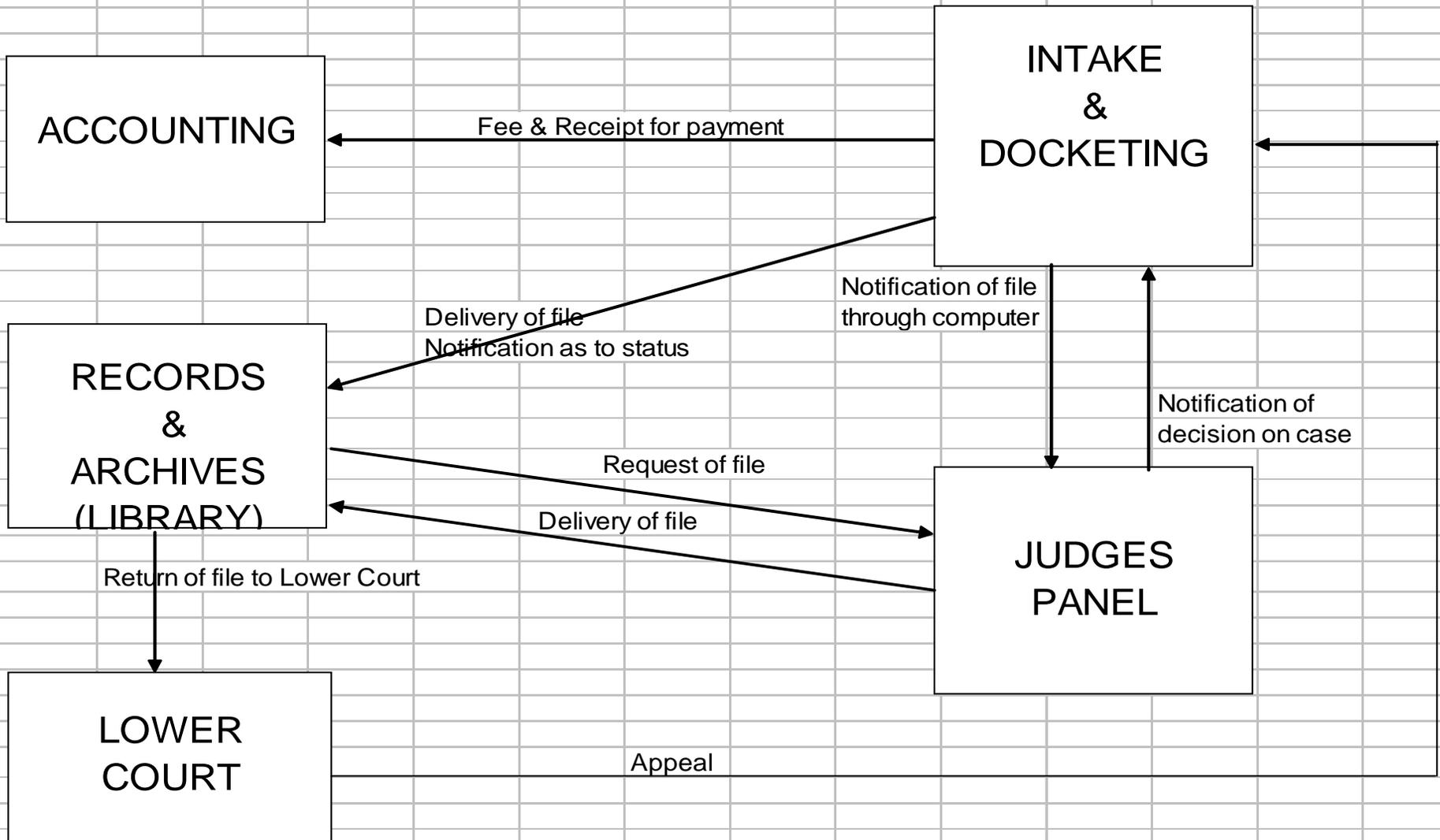
SUPREME COURT LIBRARY BOOK SHELF WITH BOOKS

Attachment D

INTAKE FOR SUPREME, APPEALS AND ADMINISTRATIVE COURTS



OFFICE FLOW



ATTACHMENT F – Case Flow Diagram/Chart for Civil/Commercial Actions

TYPICAL CIVIL CASE FLOW IN BASIC COURT

ACTOR	ACTION	TIME PERIOD	RULE
Plaintiff	Lodges complaint		Law on Civil Proceeding Article 185
Front desk clerk	Receives, registers, and forwards to the Intake Office	On daily basis	
Intake office	Register in P ledger and create a file		
President of court	Assigns case to a judge	According to monthly inflow of cases	
Judge	Does preliminary check of complaint, sends complaint to defendant for response and calls for preliminary hearing		Law on Civil Proceeding Article 277
Judge	Schedules main hearing, calls parties ,witnesses and experts		Law on Civil Proceeding Article 293
Judge	Conducts trial, makes a decision, announces it, and sends written form to parties	Within 8 days from date of hearing conclusion	Law on Civil Proceeding Article 325, 335
Judge	Sends written form of decision to parties	Within 8 days from the date of decision announcement	Law on Civil Proceeding Article 337
Intake office	Hands over a docket		
Parties	Lodges a complaint	15(8) days from the day when decision in written form is received	Law on Civil Proceeding Article 348
Judge	Sends complaint to the opposite party for response	Within 8 days from the day of response on complaint receipt	Law on Civil Proceeding Article 359
Judge	Sends complete docket with complaint and response to the intake office		Law on Civil Proceeding Article 360
Intake office	Hands over docket and sends to Superior court		

ATTACHMENT G – Case Flow Diagram/Chart for Criminal Actions

TYPICAL CRIMINAL CASE FLOW IN BASIC COURT

ACTOR	ACTION	TIME PERIOD	RULE
Basic Attorney	Request for conducting of investigation		Law on Criminal Proceeding, Article 158, paragraph 1
Front desk clerk	Receives, registers and forwards to the Intake Office	On daily basis	
Intake office	Register in KI Ledger, form a file and send to investigative judge on duty	ASAP	
Investigative judge on duty	Calls persons, renders resolution on investigation conducting and sends docket back to the Intake Office	ASAP	Law on Criminal Proceeding, Article 159
Intake office	Hands over docket and sends to front desk	ASAP	
Front desk clerk	Sends back to Basic Attorney	On daily basis	
Basic Attorney	Lodges Bill of indictment	15 days from the date of receipt resolution on investigation conducting	Law on Criminal Proceeding, Article 160
Front desk clerk	Receives, registers, and forwards to the Intake Office	On daily basis	
Intake office	Transfers docket from KI to K Ledger		
President of court	Assigns case to a judge	According to monthly inflow of cases	

Judge	Sends Indictment to accused	If is arrested - for 24 hours, if is not arrested, without delay	Law on Criminal Proceeding, Article 266
Accused	Lodges Complaint against indictment	8 days from date of indictment receipt	Law on Criminal Proceeding, Article 267
Judge	Schedules main hearing by order, sends summons	2 months from Indictment receipt	Law on Criminal Proceeding, Article 279
Judge	Conducts trial, announces decision, prepare it in writing, and sends it to parties	8(15 for more complex cases) days from decision announcement.	Law on Criminal Proceeding, Article 356
Intake office	Hands over a docket		
Attorney or accused(plaintiffs)	Lodges a complaint	15 days from decision receipt	Law on Criminal Proceeding, Article 359
Front desk clerk	Receives, registers and forwards to the Intake Office		
Intake office	Registers and sends to opposite party for response		
Attorney or accused(plaintiffs)	Sends response on complaint to the court	8 days from decision receipt	Law on Criminal Proceeding, Article 368, 369
Front desk clerk	Receives response on complaint , registers and forwards to the Intake Office	On daily basis	
Intake office	Adds complaint to the docket and forwards it to Superior Court		

ATTACHMENT H – Case Flow Diagram/Chart for Administrative Actions in Administrative Court

TYPICAL ADMINISTRATIVE DISPUTE FLOW IN ADMINISTRATIVE COURT (Law on Administrative Dispute, Official Gazette of Montenegro No 60/03)

ACTOR	ACTION	TIME PERIOD	LAW
Plaintiff	Files complaint by mail or directly	Within 30 days from date of receiving final administrative Resolution	Law on Administrative dispute, Article 15, 16 and 17
Head of Intake office	Receives complaint and forwards to intake officer		
Intake officer	Places case number, registers case, and forwards it to the Justice	On daily basis	
Justice	Considers a complaint, prepares request for second level administrative body that sends to the court docket, and gives it to the minute keeper.		Law on Administrative dispute, Article 27, paragraphs 1 and 3
Minutes keeper	Gives typed request to the Justice for signature, and later forwards it to the Intake officer		
Intake officer	Sends requests to the second level administrative body by mail or by court processor		
Second level administrative body	Sends docket to the Supreme court by mail or by processor	At least 8, and at most 30 days	Law on Administrative dispute, Article 27, paragraph 2
Intake officer	Registers in docket and gives it to the Justice	When Justice asks	
Panel session	Take a decision and make a minutes on voting		Law on Administrative dispute, Article 28
Minute keeper	Types decision and gives it to the member of panel for signatures, and later forwards to intake officer		
Intake officer	Sends decision directly to plaintiff and to first and second level administrative		Law on Administrative Dispute, Article 39 and Law on Court Fees, Article

	body. Docket clerk sends to second level administrative body, and keeps docket with activities which performed Supreme Court. If plaintiff loses a dispute, sends him reminder for court fee if not paid		
Intake officer	File stored until time to be sent to National Archives or when it can be destroyed		

Attachment I

TYPICAL ADMINISTRATIVE DISPUTE FLOW IN SUPREME COURT

(Law on Administrative Dispute, Official Gazette of Federal Republic of Yugoslavia No 46/96)

ACTOR	ACTION	TIME PERIOD	LAW
Plaintiff	Files complaint by mail or directly	Within 30 days from day of receiving final administrative Resolution	Law on Administrative dispute, Article 21,22 and 23,
Head of Intake office	Receives complaint and forwards to intake officer		
Intake officer	Puts case number, registers case and forwards it to the Justice	On the daily base	
Justice	Considers a complaint, prepares request for second level administrative body that send to the Court docket, and gives it to the minute keeper.		Law on Administrative dispute, Article 31,paragraph 1
Minutes keeper	Gives typed request to the Justice for signature, and later forwards it to the Intake officer		
Intake officer	Sends requests to the second level administrative body by mail or by court processor		
Second level administrative body	Sends docket to the Supreme court by mail or by processor	At least 8,and at most 30 days	Law on Administrative dispute, Article 31,paragraph 2
Intake officer	Registers in docket and gives it to the Justice	When Justice ask	
Panel session	Take a decision and make a minutes on voting		Law on Administrative dispute, Article 32 and 33
Minute keeper	Types decision and gives it to the member of panel for signatures, and later forwards to intake officer		
Intake officer	Sends decision directly to plaintiff and to first and second level administrative body. Docket clerk sends to second level administrative body, and keeps docket with activities which performed		Law on Administrative dispute, Article 43 and Law on Court fees, Article 5

	Supreme court. If plaintiff loses a dispute, sends him reminder for court fee if not paid		
Intake officer	File stored until time to be sent to National Archives or when it can be destroyed		

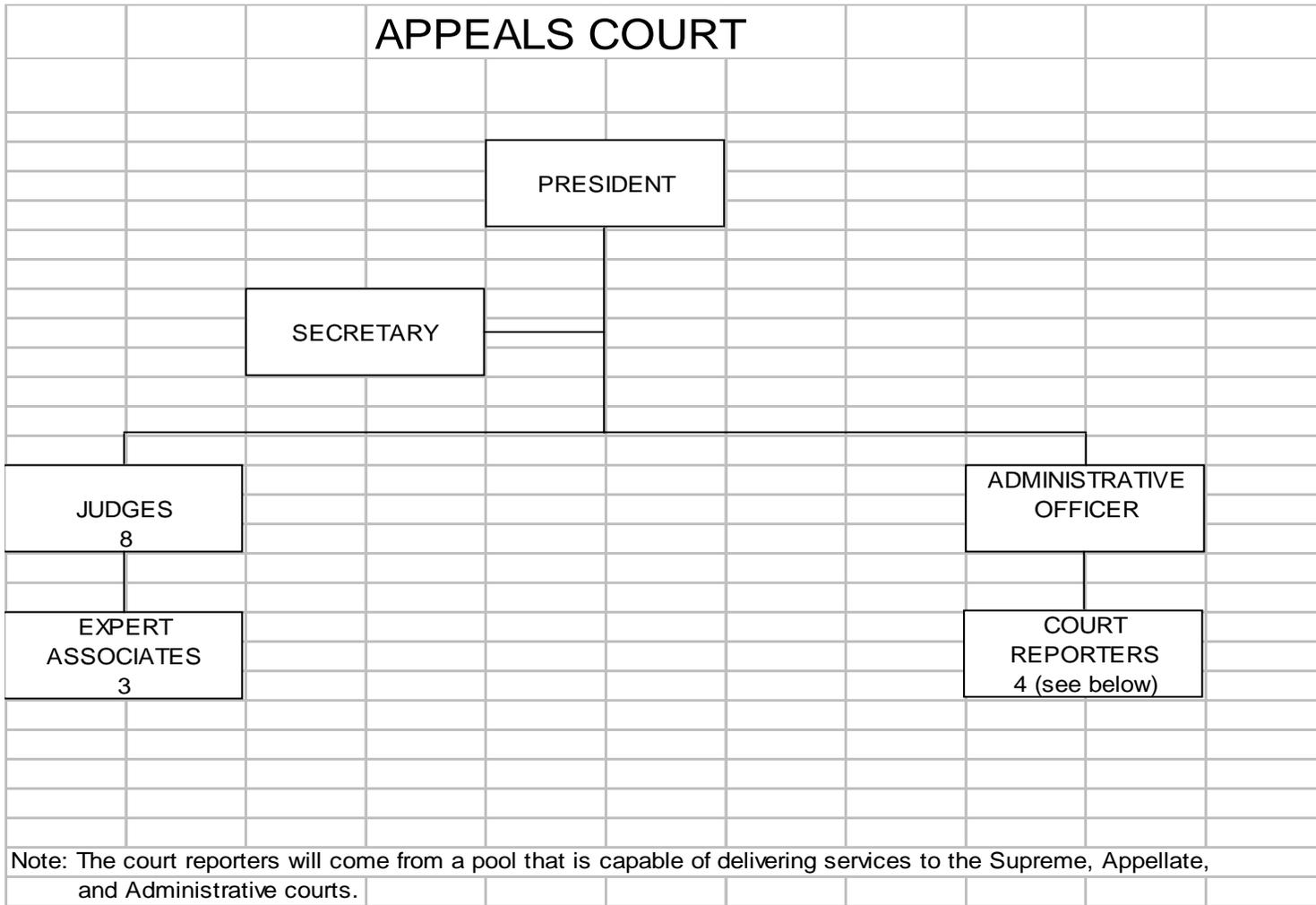
Attachment J

TYPICAL FLOW OF APPEALS BEFORE THE SUPREME COURT IN CIVIL, CRIMINAL AND COMMERCIAL CASES

Participant	Activity	Deadline	Law
Head of Intake Office	Receives submissions with appeal submitted either by mail or by courier and distribute them to intake clerks		
Intake Clerk	Registers the case number and assign it to a judge by ordeal number (procedure is different for civil and criminal cases)	Custody and bankruptcy cases are promptly assigned for processing	Law on Civil Proceedings, Article 361
Civil Cases ----- Chief Judge	Divide cases in groups according to number of judges so that each of them can chose one group		Law on Civil Proceedings, Article 361
Criminal Cases Head of Criminal Division	Assigns the individual case to determine judge for processing		Law on Criminal Proceedings, Article 370, pg. 4
Panel	Holds the panel meeting at which a judge and reporter reports on the case, and panel/judges consider it and vote on a decision and make minutes on the same provided that in the criminal cases the minutes on the panel session held are made as well		Law on Civil Proceedings, Articles 362, 363 Law on Criminal Proceedings, Articles 371, 372
Judge-Reporter	Prepare decision by which first instance ruling is either repealed, rejected, or confirmed; and		Law on Civil Proceedings, Article 366 Law on Criminal Proceedings,

	submits it to the typist office for preparing of typed version		Articles 382, 383, 384, 385, 386, and 387
Typist office	Hand over decision to the panel judges for signing and than forwards it to the intake office		
Intake office	Retains the case that was handled by the Supreme court and returns to the first instance court the case received from it, as to send out the decision to the parties to the trail		Law on civil proceedings, Art. 376

Attachment K



Attachment M

AOC Director Job Description

Administrative Office of the Courts

Job Code: _____

CLASS SPECIFICATION

Director

GENERAL PURPOSE

Under general policy direction, plans, organizes, integrates and directs the organization, administration and operations of an assigned country-wide program; consults and partners with court administrators, judicial officers, managers and employees at all levels to achieve country-wide goals and objectives; and performs related duties as assigned.

Major Duties:

This position involves highly responsible professional and administrative work. The individual in this position serves as primary support to the President of the Supreme Court and the court in their exercise of their constitutionally mandated management of the judicial branch of the Montenegro government, and, as such, may be delegated a wide variety of responsibilities related to planning, organizing, coordinating, and directing the administrative activities undertaken by the court.

Work involves the formulation and evaluation of administrative procedures and policies, and the development and maintenance of liaison with court officials, judges, outside agencies, and other government agencies. Constraints within which these functions will be performed, as well as general plans and objectives, are developed in meetings with the Chief Justice/President and other court personnel.

EXAMPLES OF ESSENTIAL DUTIES

- Represents the President of the Supreme Court and Judicial Council at meetings with other judicial branch officers, executive branch agencies, at Parliament, and with others as may be appropriate.
- Supervises the staff of the Administrative Office of the Courts and directs the efforts of that staff toward predefined objectives.
- Responds to Parliament or Department of Finance inquiries on fiscal impact and judicial branch activities of an administrative nature.
- Consults with the President of the Supreme Court, court personnel, and other involved parties on a wide range of activities within the judicial branch, including organization, planning, coordination, and communications.
- Prepares a budget for submission to the court, under the direction of the President of the Supreme Court, in consultation with other judicial branch officers.
- Identifies, evaluates, and tracks legislation which is of importance to the judiciary.
- Performs other tasks as may be assigned by the President of the Supreme Court.

Qualifications for the Job

Graduation in economics from the university or a law degree (preferred economics degree with legal background). This individual should have responsible supervisory and administrative experience that provides a thorough knowledge of model administrative and economic practices.

Knowledge, skills, and abilities required on the Job

- Extensive knowledge of the objectives and methods of administration.
- Thorough understanding of methods of supervision, public relations, administrative analysis, budgetary and fiscal management, and employee relations.
- Familiarity with the new structure and organization of the Republic's judiciary.
- Ability to apply professional knowledge, methods, and techniques to management problems.
- Ability to implement management decisions effectively.
- Ability to establish and maintain effective working relations with personnel at all levels.
- Ability to communicate both orally and in writing.

Principle Duties

1. Plans, organizes, directs and evaluates the performance of assigned managers and staff; establishes performance requirements and personal development targets; regularly monitors performance and provides coaching for performance improvement and development; provides compensation and other rewards to recognize performance; takes disciplinary action, up to and including termination, to address performance deficiencies, in accordance with Court human resources policies and labor contract agreements.
2. Works closely with Court management and judicial officers in setting and carrying out the mission and objectives; provides leadership and works with managers to develop and retain highly competent, service-oriented staff through selection, compensation, training and day-to-day management practices that support the Court's mission, objectives and service expectations; provides leadership and participates in programs and activities that promote a positive employee relations environment.
3. Serves as an internal consultant and advisor to Court management and judicial officers regarding strategies and initiatives within an assigned area; partners with other divisions and districts to identify and facilitate division process improvements.
4. Participates in the analysis of proposed legislation and regulation; participates in civic and governmental activities to influence legislative and regulatory change consistent with the Court's interests and needs; represents the Court with other public agencies, professional organizations and elected officials.
5. Participates in negotiating and administering of labor contracts after agreement is reached; advises Court elected and appointed executives, managers and others on labor relations and employee relations matters, including grievance and arbitration procedures and actions; works with managers and labor organizations to resolve problems; oversees development and administration of employee benefit policies and programs and the administration of leave programs.

OTHER DUTIES

1. Collaborates with other public and private sector professionals on a variety of issues.
2. Represents the Court in meetings with community and business organizations, county and state officials and legislators and other agencies; participates on the Court's behalf in meetings with professional organizations.
3. Monitors developments in areas of responsibilities; directs or conducts research and analysis of assigned area requirements, needs and issues.

MINIMUM QUALIFICATIONS

Knowledge of:

1. Principles and practices of public administration, including budgeting, financial planning, purchasing and the maintenance of public records.
2. Theory, principles, practices and techniques applicable to the assigned area of responsibility.
3. Principles and practices of organizational design and development.
4. Applicable laws, regulations, and court decisions applicable to areas of responsibility.
5. Court functions and associated management, financial, human resources, labor relations and employee relations issues.
6. Social, political and environmental issues influencing program/project development and implementation.
7. Research methods and analysis techniques.
8. Trends and practices in human resources, legal/litigation support, and facilities management.
9. Principles and practices of sound business communications.
10. Principles and practices of effective management and supervision.
11. Court human resources policies and labor contract provisions.

Ability to:

1. Plan, organize, integrate and direct an assigned comprehensive Court-wide program for a complex organization in a climate of change.
2. Plan, organize and direct the operations of a large, complex facilities services organization, including facilities and buildings, warehousing and storekeeping and mail services.
3. Develop and execute strategic objectives and supporting work plans and make sound recommendations on complex management issues for an assigned area of responsibility.
4. Analyze and make sound recommendations on complex management and administrative issues.
5. Understand the business needs of multiple customers and balance fulfillment of those needs with considerations of broader organizational, business, legal and community issues and requirements.
6. Serve as an effective facilitator and consensus builder with multiple stakeholders of diverse views and needs.
7. Understand, interpret, explain and apply Court, Republic law, policy, regulation and court decisions governing the assigned areas of responsibility.

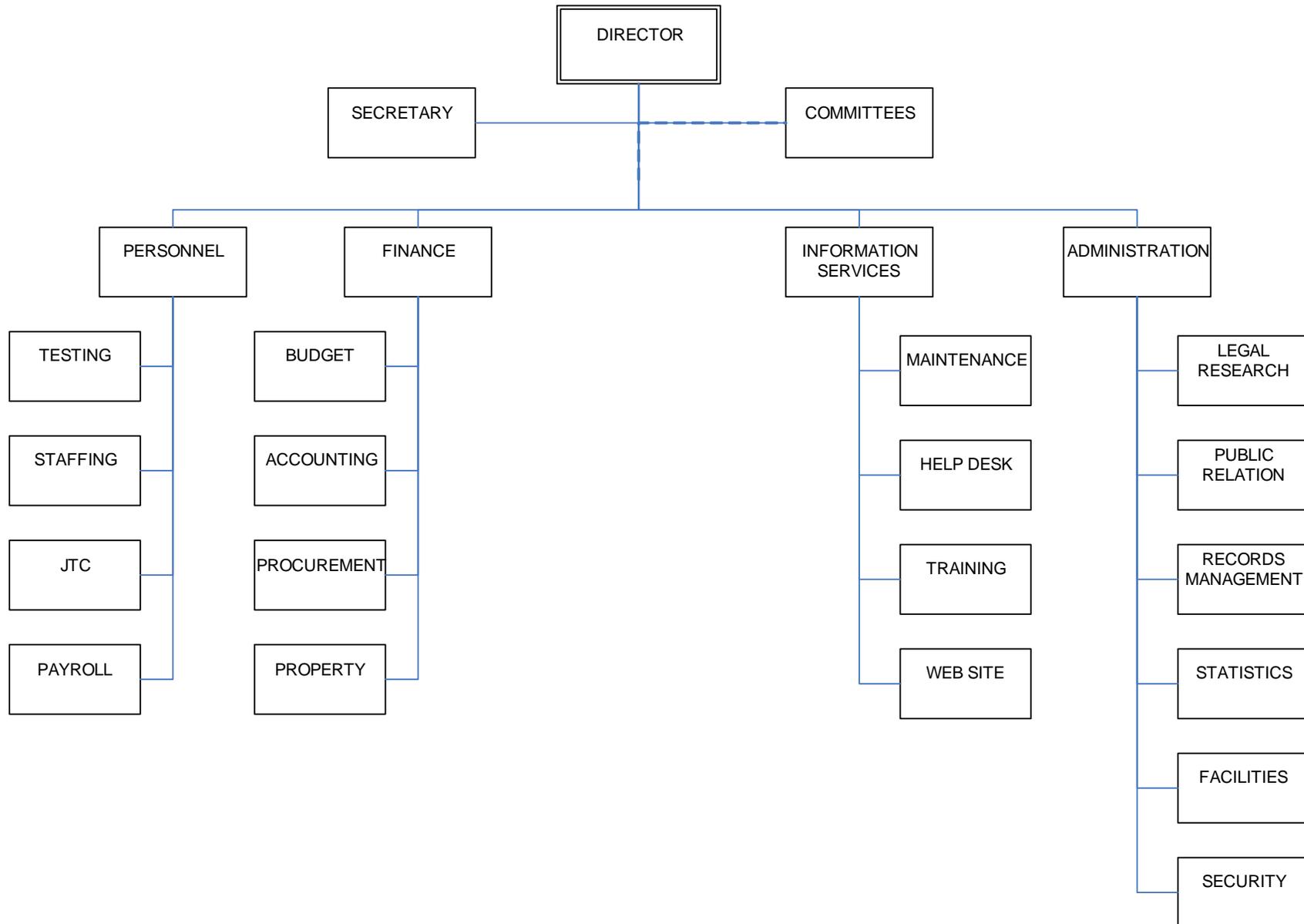
8. Communicate and present complex information, proposals, recommendations and/or ideas, logically and persuasively in public and closed meetings to wide variety of audiences.
9. Present the Court effectively in negotiations and other dealings on a variety of issues.
10. Evaluate management practices and make sound recommendations for improvement; develop and implement appropriate procedures and controls.
11. Prepare clear, concise and comprehensive correspondence, reports, studies and other written materials.
12. Exercise sound, expert independent judgments within general policy guidelines.
13. Exercise tact and diplomacy in dealing with sensitive, complex and confidential issues and situations.
14. Establish and maintain effective working relationships with all levels of Court management, judicial officers, other elected and appointed governmental officials, staff, consultants, contractors, developers, vendors and the public.

Training and Experience:

A typical way of obtaining the knowledge, skills and abilities outlined above is graduation from a four-year college or university with a major in law or economics, or a closely related field; and at least eight years of progressively responsible administrative or management experience, at least three years of which were in the management of relevant program operations; or an equivalent combination of training and experience. Experience in a judicial agency is preferred.

Attachment N – Proposed Organizational Chart

ADMINISTRATIVE OFFICE OF COURT



Attachment O

AOC Deputy Director Job Description Administrative/Executive

Administrative Office of the Courts

Job Code: _____

CLASS SPECIFICATION Deputy Director

GENERAL PURPOSE

Under general policy direction, assists in planning, organizing, integrating and directing the organization, administration and operations of an assigned country-wide program and division; assists in planning, directing and integrating the delivery of comprehensive country-wide human resources management programs in alignment with the Court's strategic human resources goals; assists in directing, integrating and coordinating the planning and maintenance of facilities and buildings, storekeeping and warehousing, mail services and security functions; assists in planning, directing and integrating the provision of juror staffing services in conformance with all legal requirements; assists in planning, directing and integrating the delivery of legal/litigation support services to ensure the efficient utilization of courtrooms; provides expert professional assistance and guidance to court administration on human resources, facilities, legal/litigation support and juror service issues; consults and partners with court administrators, judicial officers, managers and employees at all levels to achieve country-wide goals and objectives; and performs related duties as assigned.

DISTINGUISHING CHARACTERISTICS

Deputy Director assists in managing, directing and integrating broad, comprehensive human resources, legal/litigation support and facilities management programs and services to meet country-wide business and operational needs. Programs and services are delivered through staff assigned to support the human resources, facilities, legal/litigation support needs of Court operations. Responsibilities are broad in scope, allow for a high degree of program and administrative discretion and are evaluated in terms of overall program results and cost effectiveness.

Deputy Director is distinguished from Director in that incumbents in the latter class have the full responsibility for managing, directing and integrating broad, comprehensive human resources, juror, legal/litigation support and facilities management programs and services.

EXAMPLES OF ESSENTIAL DUTIES

The position in this class may not perform all the duties listed below, nor do the listed examples of duties include all similar and related duties that may be assigned to this class.

1. Assists and participates in planning, organizing, controlling, integrating and evaluating the work of an assigned division; with subordinate managers, develops, implements and monitors work plans to achieve judiciary's mission, goals and performance measures; assists in developing and monitoring performance against the division

budget; assists in managing and directing the development, implementation and evaluation of work programs, plans, processes, systems and procedures to achieve Court and division goals, objectives and performance measures consistent with the Court's customer service expectations.

2. Plans, organizes, directs and evaluates the performance of assigned managers and staff; establishes performance requirements and personal development targets; regularly monitors performance and provides coaching for performance improvement and development; provides compensation and other rewards to recognize performance; takes disciplinary action, up to and including termination, to address performance deficiencies, in accordance with Court human resources policies and labor contract agreements.
3. Works closely with Court management and judicial officers in setting and carrying out the division vision, mission and objectives; provides leadership and works with division managers to develop and retain highly competent, service-oriented staff through selection, compensation, training and day-to-day management practices that support the Court's and division's mission, objectives and service expectations; provides leadership and participates in programs and activities that promote a positive employee relations environment.
4. Assists in the development and execution of the division's vision, mission and strategic plan for the Court's human resources, juror services, legal/litigation support and facilities management functions, ensuring alignment with the Court's broader organizational and operational goals; participates in developing, implementing and administering comprehensive human resources, legal/litigation and facilities management programs, policies, guidelines, procedures and practices, consistent with Court provisions, Republic legal requirements and sound professional principles and practices.
5. Serves as an internal consultant and advisor to Court management and judicial officers regarding strategies and initiatives within an assigned area; partners with other divisions and districts to identify and facilitate division process improvements.
6. Participates in the analysis of proposed legislation and regulation; participates in civic and governmental activities to influence legislative and regulatory change consistent with the Court's interests and needs; represents the Court with other public agencies, professional organizations and elected officials.
7. Assists in managing and coordinating recruitment, testing and selection activities to fill all Court positions; participates in the development and maintenance of comprehensive classification and compensation programs; participates in the development and administration of Court human resources programs and practices; assists in developing and administering affirmative action and diversity programs; directs the investigation and resolution of discrimination and other complaints; represents the Court in dealings with state and federal agencies and in hearings and litigation on employment matters.
8. Participates in negotiating and administering of labor contracts after agreement is reached; advises Court elected and appointed executives, managers and others on labor

relations and employee relations matters, including grievance and arbitration procedures and actions; works with managers and labor organizations to resolve problems; oversees development and administration of employee benefit policies and programs and the administration of leave programs.

9. Assists in directing the assessment of Court-wide needs for buildings, facilities and office space; assists in directing and coordinating the planning, design, construction, alteration, rehabilitation, remodeling and maintenance of Court facilities, buildings, structures and offices with outside resources; participates in developing and administering warehousing and storekeeping services; participates in the administration of Court-wide mail services; assists in directing the development and management of telecommunications services; directs the negotiation, execution and administration of contracts, leases and agreements for office space and division services with other divisions, tenants and clients; participates in major negotiations with contractors, consultants, tenants, vendors and other public agencies.

OTHER DUTIES

1. Collaborates with other public and private sector professionals on a variety of issues.
2. Represents the Court in meetings with community and business organizations, county and state officials and legislators and other agencies; participates on the Court's behalf in meetings with professional organizations.
3. Monitors developments in areas of responsibilities; directs or conducts research and analysis of assigned area requirements, needs and issues.

MINIMUM QUALIFICATIONS

Knowledge of:

1. Principles and practices of public administration, including budgeting, financial planning, purchasing and the maintenance of public records.
2. Theory, principles, practices and techniques applicable to the assigned area of responsibility.
3. Principles and practices of organizational design and development.
4. Applicable laws, regulations, and court decisions applicable to areas of responsibility.
5. Court functions and associated management, financial, human resources, labor relations and employee relations issues.
6. Social, political and environmental issues influencing program/project development and implementation.
7. Research methods and analysis techniques.
8. Trends and practices in human resources, juror services, legal/litigation support and facilities management.
9. Principles and practices of sound business communications.
10. Principles and practices of effective management and supervision.
11. Court human resources policies and labor contract provisions.

Ability to:

1. Plan, organize, integrate and direct an assigned comprehensive Court-wide program for a complex organization in a climate of change.
2. Plan, organize and direct the operations of a large, complex facilities services organization, including facilities and buildings, warehousing and storekeeping and mail services.
3. Develop and execute strategic objectives and supporting work plans and make sound recommendations on complex management issues for an assigned area of responsibility.
4. Analyze and make sound recommendations on complex management and administrative issues.
5. Understand the business needs of multiple customers and balance fulfillment of those needs with considerations of broader organizational, business, legal and community issues and requirements.
6. Serve as an effective facilitator and consensus builder with multiple stakeholders of diverse views and needs.
7. Understand, interpret, explain and apply Court, Republic law, policy, regulation and court decisions governing the assigned areas of responsibility.
8. Communicate and present complex information, proposals, recommendations and/or ideas, logically and persuasively in public and closed meetings to wide variety of audiences.
9. Present the Court effectively in negotiations and other dealings on a variety of issues.
10. Evaluate management practices and make sound recommendations for improvement; develop and implement appropriate procedures and controls.
11. Prepare clear, concise and comprehensive correspondence, reports, studies and other written materials.
12. Exercise sound, expert independent judgments within general policy guidelines.
13. Exercise tact and diplomacy in dealing with sensitive, complex and confidential issues and situations.
14. Establish and maintain effective working relationships with all levels of Court management, judicial officers, other elected and appointed governmental officials, staff, consultants, contractors, developers, vendors and the public.

Attachment P

AOC Manager, Judicial Information Systems

Administrative Office of the Courts

Job Code: _____

CLASS SPECIFICATION Manager, Judicial Information Systems

GENERAL PURPOSE

Under general policy direction the Manager, Judicial Information Systems, has the overall administrative and technical responsibility for managing and integrating comprehensive information systems and technology programs, and services including planning, analysis, design, implementation, operation, and maintenance of new and existing automated systems, networking and data communication systems and technology. These systems include, but are not limited to case processing and management, legal research, and judicial support, support of administrative and financial functions, data collection and management reporting, and office automation.

DISTINGUISHING CHARACTERISTICS

Manager, Judicial Information Systems assists in managing, directing and integrating broad, comprehensive country-wide technological and operational needs. Programs and services are delivered through staff assigned to support the technology-related functions. Responsibilities are broad in scope, allow for a high degree of program and administrative discretion and are evaluated in terms of overall program results and cost effectiveness.

EXAMPLES OF ESSENTIAL DUTIES

The position in this class may not perform all the duties listed below, nor do the listed examples of duties include all similar and related duties that may be assigned to this class.

1. Assists and participates in planning, organizing, controlling, integrating and evaluating the work of an assigned division; with subordinate managers, develops, implements and monitors work plans to achieve judiciary's mission, goals and performance measures; assists in developing and monitoring performance against the division budget; assists in managing and directing the development, implementation and evaluation of work programs, plans, processes, systems and procedures to achieve Court and division goals, objectives and performance measures consistent with the Court's customer service expectations.
2. Plans, organizes, directs and evaluates the performance of assigned managers and staff; establishes performance requirements and personal development targets; regularly monitors performance and provides coaching for performance improvement and development; provides compensation and other rewards to recognize performance; takes disciplinary action, up to and including termination, to address performance deficiencies, in accordance with Court human resources policies and labor contract agreements.

3. Works closely with the Director and judicial officers in setting and carrying out the division vision, mission and objectives; provides leadership and works with division managers to develop and retain highly competent, service-oriented staff through selection, compensation, training and day-to-day management practices that support the Court's and division's mission, objectives and service expectations; provides leadership and participates in programs and activities that promote a positive employee relations environment.
4. Assists in the development and execution of the division's vision, mission and strategic plan for the Court's information-technology functions, ensuring alignment with the Court's broader organizational and operational goals; participates in developing, implementing and administering comprehensive information technology programs, policies, guidelines, procedures and practices, consistent with Court provisions, Republic legal requirements and sound professional principles and practices.
5. Serves as an internal consultant and advisor to the Director and judicial officers regarding strategies and initiatives within an assigned area; partners with other divisions and districts to identify and facilitate division process improvements.
6. Participates in the analysis of proposed legislation and regulation; participates in civic and governmental activities to influence legislative and regulatory change consistent with the Court's interests and needs; represents the Court with other public agencies, professional organizations and elected officials.
7. Assists in planning, directing, managing and administering information technology programs for the entire court system, in accordance with Republic's statute and court policies and procedures; monitors and evaluates operations of the system, determines trends and other issues and implements policy and procedural change to ensure the system meets court needs and requirements in an optimal manner; assists in directing the completion of research studies and implementation of program changes mandated by Republic law.

OTHER DUTIES

1. Collaborates with other public and private sector professionals on a variety of issues.
2. Monitors developments in areas of responsibilities; directs or conducts research and analysis of assigned area requirements, needs and issues.

MINIMUM QUALIFICATIONS

Knowledge of:

1. Principles and practices of information technology. Principles and practices of organizational design and development.
2. Social, political and environmental issues influencing program/project development and implementation.
3. Research methods and analysis techniques.
4. Principles and practices of sound business communications.
5. Principles and practices of effective management and supervision.

6. Experience in planning, acquisition and implementation of automated case management systems; managing and building information technology teams, working effectively across all levels of the organization, creating an end-user service orientation and optimizing limited resources; administering a computer center with extensive network systems; and working with other agencies in development and implementation of coordinated information systems.

Ability to:

1. Plan, organize, integrate and direct an assigned comprehensive Court-wide program for a complex organization in a climate of change.
2. Develop and execute strategic objectives and supporting work plans and make sound recommendations on complex management issues for an assigned area of responsibility.
3. Understand the business needs of multiple customers and balance fulfillment of those needs with considerations of broader organizational, business, legal and community issues and requirements.
4. Serve as an effective facilitator and consensus builder with multiple stakeholders of diverse views and needs.
5. Communicate and present complex information, proposals, recommendations and/or ideas, logically and persuasively in public and closed meetings to wide variety of audiences.
6. Present the Court effectively in negotiations and other dealings on a variety of issues.
7. Evaluate management practices and make sound recommendations for improvement; develop and implement appropriate procedures and controls.
8. Prepare clear, concise and comprehensive correspondence, reports, studies and other written materials.
9. Exercise sound, expert independent judgments within general policy guidelines.
10. Exercise tact and diplomacy in dealing with sensitive, complex and confidential issues and situations.
11. Establish and maintain effective working relationships with all levels of Court management, judicial officers, other elected and appointed governmental officials, staff, consultants, contractors, developers, vendors and the public.

Attachment Q

AOC Manager, Finance and Budget Systems

Administrative Office of the Courts

Job Code: _____

CLASS SPECIFICATION Manager, Finance and Budget Systems

GENERAL PURPOSE

Under general policy direction the Manager, Finance and Budget Systems, has the overall administrative and financial responsibility for managing and integrating comprehensive financial and budgeting systems and programs, and services including planning, analysis, design, implementation, operation, and maintenance of new and existing financial and budgeting systems. These systems include, but are not limited to finance and budgeting, legal research, and judicial support, support of administrative functions, and data collection and management reporting.

DISTINGUISHING CHARACTERISTICS

Manager of Financial Information Systems assists in managing, directing and integrating broad, comprehensive country-wide finance and budget operational needs. Programs and services are delivered through staff assigned to support the finance-related functions. Responsibilities are broad in scope, allow for a high degree of program and administrative discretion and are evaluated in terms of overall program results and cost effectiveness.

EXAMPLES OF ESSENTIAL DUTIES

The position in this class may not perform all the duties listed below, nor do the listed examples of duties include all similar and related duties that may be assigned to this class.

1. Assists and participates in planning, organizing, controlling, integrating and evaluating the work of an assigned division; with subordinate managers, develops, implements and monitors work plans to achieve judiciary's mission, goals and performance measures; assists in developing and monitoring performance against the division budget; assists in managing and directing the development, implementation and evaluation of work programs, plans, processes, systems and procedures to achieve Court and division goals, objectives and performance measures consistent with the Court's customer service expectations.
2. Plans, organizes, directs and evaluates the performance of assigned managers and staff; establishes performance requirements and personal development targets; regularly monitors performance and provides coaching for performance improvement and development; provides compensation and other rewards to recognize performance; takes disciplinary action, up to and including termination, to address performance deficiencies, in accordance with Court human resources policies and labor contract agreements.

3. Works closely with the Director and judicial officers in setting and carrying out the division vision, mission and objectives; provides leadership and works with division managers to develop and retain highly competent, service-oriented staff through selection, compensation, training and day-to-day management practices that support the Court's and division's mission, objectives and service expectations; provides leadership and participates in programs and activities that promote a positive employee relations environment.
4. Assists in the development and execution of the division's vision, mission and strategic plan for the Court's finance and budget functions, ensuring alignment with the Court's broader organizational and operational goals; participates in developing, implementing and administering comprehensive information technology programs, policies, guidelines, procedures and practices, consistent with Court provisions, Republic legal requirements and sound professional principles and practices.
5. Serves as an internal consultant and advisor to the Director and judicial officers regarding strategies and initiatives within an assigned area; partners with other divisions and districts to identify and facilitate division process improvements.
6. Participates in the analysis of proposed legislation and regulation; participates in civic and governmental activities to influence legislative and regulatory change consistent with the Court's interests and needs; represents the Court with other public agencies, professional organizations and elected officials.
7. Assists in planning, directing, managing and administering financial and budgeting programs for the entire court system, in accordance with Republic's statute and court policies and procedures; monitors and evaluates operations of the system, determines trends and other issues and implements policy and procedural change to ensure the system meets court needs and requirements in an optimal manner; assists in directing the completion of research studies and implementation of program changes mandated by Republic law.

OTHER DUTIES

1. Collaborates with other public and private sector professionals on a variety of issues.
2. Monitors developments in areas of responsibilities; directs or conducts research and analysis of assigned area requirements, needs and issues.

MINIMUM QUALIFICATIONS

Knowledge of:

1. Principles and practices of finance and budgeting. Principles and practices of organizational design and development.
2. Social, political and environmental issues influencing program/project development and implementation.
3. Research methods and analysis techniques.
4. Principles and practices of sound business communications.
5. Principles and practices of effective management and supervision.

Ability to:

1. Plan, organize, integrate and direct an assigned comprehensive Court-wide program for a complex organization in a climate of change.
2. Develop and execute strategic objectives and supporting work plans and make sound recommendations on complex management issues for an assigned area of responsibility.
3. Understand the business needs of multiple customers and balance fulfillment of those needs with considerations of broader organizational, business, legal and community issues and requirements.
4. Serve as an effective facilitator and consensus builder with multiple stakeholders of diverse views and needs.
5. Communicate and present complex information, proposals, recommendations and/or ideas, logically and persuasively in public and closed meetings to wide variety of audiences.
6. Present the Court effectively in negotiations and other dealings on a variety of issues.
7. Evaluate management practices and make sound recommendations for improvement; develop and implement appropriate procedures and controls.
8. Prepare clear, concise and comprehensive correspondence, reports, studies and other written materials.
9. Exercise sound, expert independent judgments within general policy guidelines.
10. Exercise tact and diplomacy in dealing with sensitive, complex and confidential issues and situations.
11. Establish and maintain effective working relationships with all levels of Court management, judicial officers, other elected and appointed governmental officials, staff, consultants, contractors, developers, vendors and the public.

Attachment R

AOC Manager, Human Resources and Training

Administrative Office of the Courts

Job Code: _____

CLASS SPECIFICATION Manager, Human Resources

GENERAL PURPOSE

Under general policy direction the Manager, Human Resources and Training, has the overall administrative and responsibility for managing and integrating comprehensive human resource systems and programs, and services including planning, analysis, design, implementation, operation, and maintenance of new and existing human resource systems. The manager will assist the AOC Director in establishing “leading edge philosophies and programs” that will unite the judiciary’s human resources offices into one innovative system. This position will be highly visible within the AOC and will provide excellent communication skills and the ability to build trust with diverse individuals. The manager will serve as an advisor to the Director on matters concerning human resource initiatives.

DISTINGUISHING CHARACTERISTICS

Manager of Human Resources assists in managing, directing and integrating broad, comprehensive country-wide operational needs. Programs and services are delivered through staff assigned to support the personnel-related functions. Responsibilities are broad in scope, allow for a high degree of program and administrative discretion and are evaluated in terms of overall program results and cost effectiveness.

EXAMPLES OF ESSENTIAL DUTIES

The position in this class may not perform all the duties listed below, nor do the listed examples of duties include all similar and related duties that may be assigned to this class.

1. Conducts recruitments; assists with training of employees and judiciary on matters; monitors employment practices and procedures on a continuous basis, including, but not limited to, recruitment, selection, hiring, training, promotions, transfers, discipline, discharge, demotion, layoff, re-employment after job layoff, job assignments and compensation; investigate complaints in a timely manner and recommends appropriate remedial action as necessary; and advise AOC Director and Deputy Director.
2. Assists and participates in planning, organizing, controlling, integrating and evaluating the work of an assigned division; with subordinates staff, develops, implements and monitors work plans to achieve judiciary’s mission, goals and performance measures; assists in developing and monitoring performance against the division budget; assists in managing and directing the development, implementation and evaluation of work programs, plans, processes, systems and procedures to achieve Court and division goals, objectives and performance measures consistent with the Court’s customer service expectations.

3. Plans, organizes, directs and evaluates the performance of assigned staff; establishes performance requirements and personal development targets; regularly monitors performance and provides coaching for performance improvement and development; provides compensation and other rewards to recognize performance; takes disciplinary action, up to and including termination, to address performance deficiencies, in accordance with Court human resources policies and labor contract agreements.
4. Works closely with the Director and judicial officers in setting and carrying out the division vision, mission and objectives; provides leadership and works with division managers to develop and retain highly competent, service-oriented staff through selection, compensation, training and day-to-day management practices that support the Court's and division's mission, objectives and service expectations; provides leadership and participates in programs and activities that promote a positive employee relations environment.
5. Assists in the development and execution of the division's vision, mission and strategic plan for the Court's finance and budget functions, ensuring alignment with the Court's broader organizational and operational goals; participates in developing, implementing and administering comprehensive information technology programs, policies, guidelines, procedures and practices, consistent with Court provisions, Republic legal requirements and sound professional principles and practices.
6. Serves as an internal consultant and advisor to the Director and judicial officers regarding strategies and initiatives within an assigned area; partners with other divisions and districts to identify and facilitate division process improvements.
7. Participates in the analysis of proposed legislation and regulation; participates in civic and governmental activities to influence legislative and regulatory change consistent with the Court's interests and needs; represents the Court with other public agencies, professional organizations and elected officials.
8. Assists in planning, directing, managing and administering human resource programs for the entire court system, in accordance with Republic's statute and court policies and procedures; monitors and evaluates operations of the system, determines trends and other issues and implements policy and procedural change to ensure the system meets court needs and requirements in an optimal manner; assists in directing the completion of research studies and implementation of program changes mandated by Republic law.

OTHER DUTIES

1. Collaborates with other public and private sector professionals on a variety of issues.
2. Monitors developments in areas of responsibilities; directs or conducts research and analysis of assigned area requirements, needs and issues.
3. Provides advice and consultation to a variety of individuals on judiciary rules, Republic laws, and rules and procedures; and develops personnel policies and procedures.

MINIMUM QUALIFICATIONS

Knowledge of:

1. Principles and practices of human resources, and principles and practices of organizational design and development.
2. Social, political and environmental issues influencing program/project development and implementation.
3. Research methods and analysis techniques.
4. Principles and practices of sound business communications.
5. Principles and practices of effective management and supervision.

Ability to:

1. Present self as an effective listener, a practical problem solver, and possess the ability to establish and communicate clear goals and objectives; and enjoy working in a team environment. The ability to withstand the pressure of a challenging workload is vital.
2. Plan, organize, integrate and direct an assigned comprehensive Court-wide program for a complex organization in a climate of change.
3. Develop and execute strategic objectives and supporting work plans and make sound recommendations on complex management issues for an assigned area of responsibility.
4. Understand the business needs of multiple customers and balance fulfillment of those needs with considerations of broader organizational, business, legal and community issues and requirements.
5. Serve as an effective facilitator and consensus builder with multiple stakeholders of diverse views and needs.
6. Communicate and present complex information, proposals, recommendations and/or ideas, logically and persuasively in public and closed meetings to wide variety of audiences.
7. Present the Court effectively in negotiations and other dealings on a variety of issues.
8. Evaluate management practices and make sound recommendations for improvement; develop and implement appropriate procedures and controls.
9. Prepare clear, concise and comprehensive correspondence, reports, studies and other written materials.
10. Exercise sound, expert independent judgments within general policy guidelines.
11. Exercise tact and diplomacy in dealing with sensitive, complex and confidential issues and situations.
12. Establish and maintain effective working relationships with all levels of Court management, judicial officers, other elected and appointed governmental officials, staff, consultants, contractors, developers, vendors and the public.