



USAID | West Bank Gaza

FINAL REPORT

West Bank and Gaza

Rule of Law Program - Justice and Enforcement
(*NETHAM* – “ORDER” IN ARABIC)

Rule of Law Program – Justice and Enforcement

(Netham – “Order” in Arabic)

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Message from the Netham program Chief of Party, Nabil Isifan

Ramallah, West Bank
September 2010

When the Netham program commenced in September 2005, the still fledgling Palestinian Authority (PA) was attempting to build a viable and responsive government for Palestinian citizens. The justice leadership was at a deadlock as to roles and responsibilities. Citizens were frustrated with many aspects of government services and lacked confidence in public officials. The PA was aware of these issues and sought to reform the Palestinian judicial system. The Netham program was instrumental in helping the PA achieve that objective.



The overall goal of the Netham program was to improve the judicial institutions, enforcement of court decisions, and build a culture of respect for the rule of law. The program addressed a broad range of judicial issues, such as systems and organization development, automation, training, public outreach, law school curriculum reform, facility renovations, and improving the civic education curriculum.

Through proactive efforts to build support and confidence among justice sector leadership the Netham program was able to successfully attain these goals. The Netham program worked with the Chief Justice, Minister of Justice, and Attorney General to resolve differences and build consensus among the parties. After significant efforts the Netham program was able to achieve judicial leadership buy-in for an aggressive modernization program. The judiciary demonstrated a commitment to make considerable efforts to build a reliable system. The program became a trusted partner of the justice sector bodies.

The period of reduced activity from February 2006 to June 2007 due to the election results was a challenge for our staff. The Netham program sought to make the best use of the time, conducting analyses, planning activities, and developing a comprehensive report on the Palestinian Justice Sector. When restrictions were lifted in the summer of 2007 and as the program scope of work and budget expanded, the program staff was eager to be working again without limitations. The Netham program shifted once again into high gear with the preparatory work during the reduced activity period paying dividends.

"The Judiciary has taken off and been able to achieve many breakthroughs."

- Head of the Palestinian Bar Association at the 2009 Judiciary Day event

Despite some political obstacles, the results of the program have been gratifying – various justice sector institutions have been transformed, physically and institutionally. Whereas gains are numerous and concrete, we are proud and believe that the program has achieved significant institution building and culture change. We are confident that the performance and capacity upgrades should have staying power despite changes in counterpart staff and even leadership.

One program guiding philosophy our staff followed and preached when working closely with counterparts was to help improve the justice sector's public image and improve services to the public. We believe we have instilled these values into our counterpart staff and cultures such that they will be enduring institutional standards that drive the institutions and their staff to continuously improve.

We knew that in order for our counterparts to buy into the concept of pursuing high performance for its own sake, we had to practice what we were advocating. Throughout the program, we

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sought to continuously challenge ourselves to perform professionally and at an ever higher level of efficiency, quality, and effectiveness. We are confident that a major reason for our success was the professionalism and problem solving approach we aimed to model to our partners.

The Netham program sought to target initiatives that have real meaning to ordinary Palestinians such as speeding up processes at the notary public and conviction certification processing. These were sources of major frustration to all citizens regardless of economic status. We are rewarded to observe the highly positive response and sense of hope and encouragement of citizen users of these improved services.

We are proud of our work with civil society and the creative and impressive efforts of our NGO grantees. We have seen visible progress in the past 5 years. For example, when the Netham program began, rule of law and justice sector issues were rarely reported in Palestinian media. Now, local newspapers have regular stories on justice issues and often the stories are the most read stories of the day. The long-term, generational changes involved in building a culture of rule of law are in motion through work with the law schools, schools, and NGOs.

Windows of opportunity became a defining feature of the program as counterparts came to value the Netham program's effectiveness, and began to submit regular assistance requests. We believe that the acceleration of assistance requests is a positive indicator not only of the Netham program's image, but also that our counterparts became more capable of identifying improvement needs and became more focused on self-improvement, problem assessment, and solution identification.

We attribute much of our success to the determined and efficient work of our staff. The Netham program's staff worked diligently to develop innovative program management systems, organizational and technical approaches that were instrumental to the program's efficient technical work. The Netham program's administrative staff deserves credit for making the Netham program's success possible.

With the Netham program, we believe we also succeeded in creating a program culture of achievement and continuous improvement. We built the capacity of our own staff (including dozens of interns) as well as that of our counterparts. The increased capacities of individuals is a primary achievement of the Netham program that we are confident will pay dividends in the West Bank for years to come, in the justice sector and beyond.

We are appreciative of the Netham program's partners including local construction, information technology (IT), research and other firms and consultants, as well as our NGO grantees. We are hopeful that working with us benefitted these organizations and individuals, as the Netham program engaged them in challenging projects, such as creating modern citizen service center facilities.

Much credit for the progress to date is attributable to justice leadership. Many of our counterparts in the judiciary have focused in on performance and accountability of justice system units and employees, and this fact has been communicated to personnel at all levels with meaningful effect. Performance is now being measured and recognized, and a culture of professionalism is taking root, making the justice sector a more appealing place to work for highly skilled professionals.

We owe our gratitude to DPK home office staff who provided tremendous support to the program over the years. Finally, we are thankful to our client, USAID, who has actively supported us at every step.

- Nabil Isifan
Netham Program Chief of Party

THE NETHAM PROGRAM FINAL REPORT
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Acronyms

ADR:	Alternative Dispute Resolution	MOJ:	Ministry of Justice
AG:	Attorney General	MOP:	Ministry of Planning
AMAN:	Coalition of Accountability and Transparency	MOU:	Memorandum of Understanding
AMIDEAST:	American Mideast Education and Training Services, Inc.	NJRS:	National Justice Record System
AQU:	Al-Quds University	NMS:	Notification Management System
AWRAD:	Arab World for Research and Development	NP:	Notary Public
CAD:	Court Administration Department	OAG:	Office of the Attorney General
CDU:	Central Document Unit	OTI:	USAID Office of Transition Initiatives
CEP:	USAID-funded Civic Engagement Program	PA/PNA:	Palestinian Authority/Palestinian National Authority
CJ:	Chief Justice	PDA:	Personal Digital Assistants
COP:	Chief of Party	PID:	Public Information Department
COTR:	Contracting Officer's Technical Representative	PJI:	Palestinian Judicial Institute
CSOs:	Civil Society Organizations	PLC:	Palestinian Legislative Council
DMS:	Documents Management System	PP:	Public Prosecutors
EC:	European Council	PRDP:	Palestinian Reform and Development Plan
EU:	European Union	PR:	Public Relations
EUPOL-COPPS:	European Union Police Coordinating Office for Palestinian Police Support	SOW:	Scope of Work
HJC:	High Judicial Council	SIDA:	Swedish International Development Agency
HR:	Human Resources	SPU:	Ministry of Justice Strategic Planning Unit
ICDL:	International Computer Driving License	UNRWA:	United Nations Relief and Works Agency
IT:	Information Technology	USAID:	United States Agency for International Development
JID:	Judicial Inspection Department	WAN:	Wide Area Network
MOE:	Ministry of Education	WBG:	West Bank and Gaza

EXECUTIVE SUMMARY

The USAID-funded Rule of Law Program – Justice and Enforcement (locally known as the Netham Program) commenced on October 1, 2005 and is scheduled to conclude on October 31, 2010. The purpose of the program was to enhance adherence to and respect for rule of law in the West Bank and Gaza.

The program's scope of work (SOW) and geographical focus evolved over the five year period due to changes in local implementing conditions and windows of opportunity. The initial program SOW was revised three times. A first revised SOW was adopted in late 2006, a second in late 2007, and a third revised SOW in the spring of 2008. It is helpful to view the program's work in several phases:

- **Phase 1:** Start up (October 2005 to January 2006), the short time period prior to the program suspension, which was governed by the program's first annual plan. In this period the program engaged justice leadership on a strategic level to overcome discord and strategize on a way forward. Specific program components for work in both West Bank and Gaza included: Component 1: Professionalize the Formal Justice Sector through Ministry of Justice (MOJ) institutional strengthening; court administration; and windows of opportunity/rapid response, and Component 2: Strengthen the Enforcement of Laws and Court Decisions.
- **Phase 2:** Suspension period (February 2006 to July 2007) in which the program was required to limit its activities due to the Hamas election victory. During this period, the Netham program reduced program expenditures to a minimal level and engaged in analytical, justice sector media tracking and reporting, and planning activities.
- **Phase 3:** Second start up (August 2007 to November 2007), the brief period after the suspension was lifted and prior to the adoption of a second revised program scope of work and work plan. Program activity was restricted to West Bank due to Hamas' control of justice institutions in Gaza.
- **Phase 4:** Second revised SOW (December 2007 to March 2008)
- **Phase 5:** Third revised SOW (April 2008 to March 2009)
- **Phase 6:** Extension (April 2009 to September 2010)

Summary of Results

The Netham program has had impact on strengthening the judiciary through introduction of upgraded and improved court departments and public services, improving operating systems and procedures, increasing accountability and transparency, and raising public confidence in the judiciary. Illustrative results include:

Justice Reform Consensus Building and Strategic Planning

At program initiation, the Netham program facilitated a process that bridged longstanding divisions among the Chief Justice, Minister of Justice, and Attorney General regarding the direction of reform and institutional division of responsibilities, allowing justice reforms to move forward. In particular, the process allowed the Netham program to assist the High Judicial Council (HJC also known as the Supreme Judicial Council or SJC) to commence capacity building activities critical to judicial independence and separation of powers.

The program worked with key justice sector counterparts to produce the first-ever National Justice Sector Strategic Plan for 2008 - 2010 which outlined the pillars and strategy to improve judicial functions including the right to a fair and speedy trial, capacity building, and building public confidence. Under a second revised SOW, the Netham program activities were shifted to support the initiatives in this Plan, ensuring alignment of the program's efforts with counterparts' own priorities. The Netham program subsequently assisted in developing the new National Justice Sector Strategy for 2011 - 2013.

Building Public Confidence through Enhancing Facilities and Public Services

Recognizing the importance of building confidence and respect for the judiciary and rule of law, the program focused much of its efforts on improving public services. The Netham program assisted the HJC to renovate and upgrade four Notary Public and Civil Judgment Departments and the First Instance and Conciliation Courts in addition to the Chief Justice's Offices and High Court chambers as well as the HJC Library and the Judicial Media Center.

Notary Public and Civil Judgment Departments are the most widely visited departments by court users as typically they are visited by hundreds of citizens. Previously these departments were located in small, cramped space, with little room for the public and no clear waiting queues. Today, these departments enjoy spacious public waiting areas, while utilizing automated queuing systems which were the first for the Palestinian Authority. This success in public service enhancement is being replicated by other USAID programs who are applying the same methodology to upgrade various PA ministries and departments.

As a result of program support, the public now has access to several publications and information on the judiciary including annual High Judicial Council reports, comprehensive surveys on the judiciary, judicial newsletters, and court publications on unified procedures and other topics.

The Netham program assisted the Ministry of Justice in establishing the new National Justice Records Department as an office that issues certificates of non-conviction to citizens upon request. These certificates are often a requirement for citizens when applying for travel visas, jobs, and other transactions. This service had previously been part of the Ministry of Interior and caused much public angst due to the long delays in receiving certificates and unclear procedures. Now, clear systems are in place; a new software system was developed to help track and issue the certificates; and the Ministry of Justice staff is trained on how to effectively deal with the public.

Strengthening System Leadership through HJC Institutional Capacity Building

The Netham program assisted the judiciary in forming new court departments that are essential to effective court operations including: 1. the Court Administration Department to oversee the

The Netham program Support for Advancement of the Rule of Law in Palestine

"There's no doubt that the activities implemented by the Netham program in the Palestinian Justice Sector in coordination with the Ministry of Justice and the High Judicial Council contributed significantly towards laying out the foundations of justice and rule of law in Palestine. I view the accomplishments in this field, such as reducing the judicial backlog, rapidity of case disposals, training of judges and court employees, as greatly enhancing the image of justice in Palestinian society."

Dr. Basri Saleh, Assistant Deputy Minister for Planning and Development at the Ministry of Education

courts' administrative and financial functions; 2. the HJC Media and Public Relations Department to help present a better public image of the judiciary; and 3. the Strategic Planning Department to provide for policy planning and system management based on objective data analysis.

Training and Case Management Upgrades in Support of Fair and Speedy Trials

The judiciary cannot be effective in serving justice without well trained staff and judges. The Netham program implemented training plans whereby hundreds of court staff and judges were trained to improve their skills. The program sponsored training for all newly appointed and other sitting judges at the Jordanian Judicial Institute. In addition, over 300 court staff was trained on financial and administrative systems, case management, customer service, and other areas.

To help institutionalize judicial training, the Netham program in collaboration with other justice sector donors supported the establishment of the Palestinian Judicial Institute (PJI) to serve as the address for judicial training and continuing education.

In a program trademark that is now also being replicated by many other USAID programs, program interns, who are recent college graduates, were hired by the program to serve in judicial institutions to help improve case management in courts, notary public and notification offices, and other judicial units by filing, archiving, and sorting thousands of case files. Interns were also placed at the Ministry of Justice to assist with data entry of the justice record system. This effort has been noted as a major USAID success story.

Ministry of Justice Capacity Building

The Netham program assisted the Ministry of Justice to better perform its functions related to administration of justice. The Netham program conducted training on legislative drafting for MOJ staff. To help meet the technology of the 21st century, the Netham program helped develop a Document Management System at the Ministry of Justice to automate workflow between MOJ departments in order to reduce and eliminate unnecessary practices for storing, retrieving, and circulating information.

Public Outreach, Networking, and Citizen Engagement on Rule of Law Issues

The program helped improve knowledge, understanding, and respect for the judiciary through working with the non-formal justice sector which includes civil society organizations, the Ministry of Education and law schools.

The small grants program promoted activities to address rule of law and judicial awareness/education, as well as encouraging public oversight of the judiciary. The Netham program awarded a total of 14 grants valued at \$750,000 in the West Bank and Gaza. The results contributed to increasing knowledge and education of rule of law among thousands of citizens with a focus on women, children, and marginalized communities. Through grants, more than 220 news pieces on the judiciary were reported in Palestinian news agencies and 100 radio and TV reports were aired.

In an untraditional event, the Netham program awarded a grant to an NGO to produce a fictional film addressing the rule of law theme. The product was a film "Shibak Al-Ankabout" or "Spider Web," an entertaining drama that addressed issues of corruption, absence of rule of law, and repercussions of security chaos in a Palestinian village. Other grants focused on educating youth on rule of law, promoting women's understanding of the judiciary and their rights, and educating tribal leaders on the formal justice system.

Civic Education Achievements

As civic education plays a significant role in shaping students personalities and preparing them to become active citizens of the future, the Netham program worked with the Ministry of Education to develop a program enhancing civic education learning. Through this initiative the Netham program completed a comprehensive Civic Education Review and Evaluation Report of the Civic Education curriculum for the grades 19-.

The Netham program supported Rule of Law and Creative Writing Awards where more than 70 youth, teachers, and schools were honored. The Netham program assisted teachers in teaching civic education, by developing a Teachers Reference Manual to expose them to new and innovative methodology. The Netham program conducted Training of Trainers session for teachers who will train other teachers in order to create a core of expert trainers in teaching Civic Education.

Legal Education Achievements

The bar plays a critical role in rule of law, efficient justice, and justice reform. The Netham program worked closely with Al-Quds University (AQU) School of Law on curricula development, teaching strategies, and course materials. The Netham program supported the legal clinic at AQU which is the first of its kind in Palestine. The program also developed new curricula and helped the university teach the classes including moot court; law and society; legal writing, legal ethics; and legal information technology classes.

To reinforce the new curricula, the Netham program sponsored a study tour to the US for key law school faculty in order to assist them in learning new teaching methodology. In addition, to help improve the law school's infrastructure, the Netham program assisted the Law school in establishing a new modern computer lab for students. The Netham program expanded the law school library to twice its existing space and renovated old classrooms including a moot court room. Other program support included assisting in development of a five year strategic plan and a law school guide for the School of Law at Al-Quds University.

1. INTRODUCTION

The 5-year USAID Rule of Law -Justice and Enforcement Program (the Netham program), implemented by DPK Consulting, a Division of ARD, Inc., began in October 2005 and is scheduled to close in October 2010. The program came under USAID Strategic Objective 2 –“Promote Democratic Reform.”The overall purpose of the program as stated in the original program Statement of Work was:

“NETHAM” is the Arabic word for “order”

“To enhance adherence to and respect for rule of law in the West Bank and Gaza. The objectives of the program are to increase confidence in, and respect for, the Palestinian formal justice sector, through undertaking efforts aimed at professionalizing institutions and bodies within the sector; and to enhance the ability of formal institutions to enforce laws and judgments, by improving the enforcement of laws and court decisions in the West Bank and Gaza.”

The program has worked to strengthen the judiciary through upgrading court departments and public services and modernizing operating systems and procedures. The result has been strengthened accountability and transparency and increased public confidence in the judiciary. Over the past 5 years, justice sector reform has been cited as a Palestinian success story.

Under the original work plan, the program was divided into two major components. The objective of Component 1, Professionalize the Formal Justice Sector, was to assist in improving the justice sector through targeted assistance to core justice sector institutions such as the courts, Ministry of Justice, public prosecutors, and any judicial training institutes that were to be established.

Component 2, Strengthen the Enforcement of Laws and Court Decisions, aimed to work with justice sector institutions to strengthen the enforcement mechanisms in West Bank and Gaza to improve the credibility of the judicial process and overcome disregard for the law.

Hamas’ election victory in early 2006 disrupted implementation of the initial work plan for approximately 18 months as USAID issued a “no contact” order with the Palestinian government. When USAID authorized work to resume in the summer of 2007, the Netham program implemented an expanded scope of activity.

This Final Report of the Netham program reviews the program backdrop and implementing environment, overall program results, and activities and results by the six chronological program phases as well as by component area.



2. SITUATION ON PROGRAM COMMENCEMENT

When the Netham program began, the Palestinian Authority (PA also known as the Palestinian National Authority or PNA) had been in existence for 12 years, endeavoring to create a legitimate and effective government in West Bank and Gaza (WBG). Challenges included: Israeli control over the territory and governance of WBG; military conflict with Israel; polarized politics and power struggles within the PA; the powerful influence of factions in the territories; a siege on the PA President's compound and the death of the President Yasser Arafat in 2004 with a resulting power transition. Free elections within the PA had not been held since 1996.

Aside from the challenge of creating a basic government, the PA faced challenges of organizing free elections, reducing crime, improving the business environment, addressing high levels of corruption, and achieving a state of normalcy, progress, and hope for average citizens. A culture of rule of law was non-existent, with many Palestinians distrusting the police and justice institutions and their ability to enforce legal infringements.

The PA faced an urgent need to achieve a degree of political stability and public support for the PA as a legitimate and effective representative government. Achieving such stability and legitimacy was in turn a prerequisite to improving economic conditions and social normalcy for Palestinians. Strengthening of the justice sector and the rule of law became a necessity.

The Request for Proposals for the USAID Rule of Law program as well as other sources noted that a lack of confidence in the justice institutions was a major factor in Palestinian's discontent with the PA. Many citizens surveyed reported that dealing with the justice sector was frustrating, and often futile. Many citizens chose to avoid the justice sector, and opted to use informal and tribal justice mechanisms.

When the Netham program began, the formal justice sector in West Bank/Gaza was comprised of the following institutions: the High Judicial Council (HJC), the Office of the Attorney General (OAG) which was responsible for overseeing the public prosecution, and the Ministry of Justice (MOJ). At the time of program commencement, recent achievements included introduction of several new recordkeeping systems and creation of a court case management system called Al-Mizan, during the previous 2000 - 2004 USAID rule of law program.

However, justice institutions were plagued by a systematic scarcity of resources, lack of skilled personnel, and poor infrastructure. In addition, though the legislative groundwork had been laid for judicial independence, a history of executive interference in decision-making had negatively impacted the functioning of the judiciary.

Exacerbating these problems was the competition and struggle for power among the various justice sector institutions, namely the Ministry of Justice and the High Judicial Council. This relationship was imbalanced with the former being too weak and the latter too strong. One of the more contentious issues was which institution had administrative oversight of the Office of the Attorney General.

The HJC had not yet commenced building its institutional capacities to their full potential due to the political impasse and was unable to effectively administer the justice sector. Moreover, the MOJ lacked a modern organizational structure, with key departments absent from the structure of the MOJ, namely media and planning departments. A breakthrough at the leadership level was needed for reform to progress and judicial independence to develop under the HJC's leadership. Visibly improving justice service delivery was needed to establish public confidence in the justice system.

3. OVERALL RESULTS HIGHLIGHTS

Despite the obstacles of suspension shortly after start-up and a total program performance period post suspension of just over 3 years, the Netham program managed to assist with the achievement of notable results.

- Development of key new departments at the HJC, including the Planning Department, the Media and Public Relations Department, and the Court Administration Department
- Support to the HJC in absorbing more than 250 new staff during the life of the program
- Renovation of 7 courthouses and 33 justice sector departments
- Justice Sector strategic plans developed for 2008 - 2010 and 2011 - 2013
- Implemented 3 phases of training for court administrators and staff
- Conducted capacity building training for newly appointed and sitting High Judicial Council judges and management training for Ministry of Justice staff
- Developed a Notification Management System (NMS) that has improved speed, efficiency, and reliability of court noticing
- Established in partnership with the EC and Canada, the Palestinian Judicial Institute (PJI) which oversees training for judges, court staff, and prosecutors in the West Bank in areas of identified need
- Developed capacity of the Ministry of Justice (MOJ) in the areas of public services, IT, and administrative and financial procedures. MOJ achievements include:
 - Establishing a uniform justice records system to serve the newly established National Justice Records Department
 - Performing an in-depth, comprehensive needs assessment
 - Organizing a strategic planning unit
 - Helping draft the Ministry's Justice Sector Strategy
 - Developing financial and administrative manuals for the MOJ administration
 - Developing an automated document management system
 - Training MOJ staff in management skills and on the legislative process
- With the Netham program's support, the MOJ and HJC became more interconnected and cooperative at the professional staff level, supporting improved inter-agency relations that can better withstand changes in institutional and political leadership.



4. ACTIVITY AND RESULTS HIGHLIGHTS BY PHASE AND COMPONENT

This section describes activities and results by program component area for each of the six main program periods of the Netham program:

- Phase 1: Start up (October 2005 to January 2006)
- Phase 2: Suspension and first revised SOW (February 2006 to July 2007)
- Phase 3: Second start up (August 2007 to November 2007)
- Phase 4: Second revised SOW (December 2007 to March 2008)
- Phase 5: Third revised SOW (April 2008 to March 2009)
- Phase 6: Extension (April 2009 to September 2010)



THE NETHAM PROGRAM PHASE 1: START UP (OCTOBER 2005 TO JANUARY 2006)

The start-up period was approximately four months long. The Netham program started its work in an environment in which the structure of the justice institutions was complex and the legal framework was not clear cut. Different governmental institutions were carrying out the same tasks and failed to coordinate their work. In the Ministry of Justice, reporting chains of command were illogical. For example, the Diwan-al-Fatwah (legislative office) and the Office of the Attorney General operated as satellite units although they were under MOJ jurisdiction. Program counterparts were unable to travel between the West Bank and Gaza.

Program Launch and Work Planning.

Most of the Netham program staff were working and a draft work plan was developed within 30 days of contract award. In developing the program's work plan and strategic approaches, DPK leveraged its USAID program in neighboring Jordan which is perceived to have a more evolved justice system than Palestine. Acting Chief of Party and DPK Principal Robert Page traveled to Jordan to participate in strategy meetings with former Jordanian Minister of Justice and DPK consultant Salaheddine El-Bashir and Judge Ali Al-Masri (proposed Component 2 leader). Their feedback was incorporated in developing the work plan. This was the beginning of the creation of a beneficial partnership among Palestinian justice officials and their Jordanian counterparts. The Netham program was able to help foster this relationship over the life of the program.



The first annual work plan developed for the Netham program focused on the following activity areas:

Component 1:

- Strengthening formal justice sector institutions

Component 2:

- Strengthening Enforcement of Court decisions

The program established working relations with counterparts and DPK opened its offices in the West Bank and Gaza in October 2005. Within one month the program had both offices staffed and functioning. The Netham program was officially launched at an event at the Grand Park Hotel in Ramallah on December 5, 2005. The event was held under the patronage of PA President Mahmoud Abbas. The key speakers included the President's Chief of Staff, Rafiq Al-Husseini, who spoke on his behalf; Jacob Wallis, the U.S. Consul General in Jerusalem; James Bever, USAID Mission Director; Zuheir Sourani, Chief Justice; Farid Jallad, Minister of Justice; Ghassan Al-Khatib, Minister of Planning; William Davis, DPK Principal, who presented the Netham program; and Salaheddine Al-Bashir, who spoke about the justice sector strategic planning process.

Over 100 guests attended the launching event, including PA Cabinet Members, officials from the Ministry of Justice, judges, attorneys, donor organizations, civil society organizations, and the media. The event received significant and positive press coverage from both local and international media and helped generate awareness of the Netham program and its objectives. Moreover, it renewed enthusiasm for the reform process.

The first newsletter was developed and distributed within the first 3 months of program activity, as part of an important effort to build awareness about the Netham program and its purposes, and to raise its profile.

Overcoming National Justice Reform Impasse. A defining activity of the four month pre-suspension period was the program's efforts to overcome political disagreement about the direction of justice sector reform. This political deadlock had stalemated reform efforts. On program start-up there was tension and lack of communication and cooperation among the different justice institutions: Ministry of Justice, HJC, and the AG.

Traditionally the MOJ had primary authority over judicial branch administration yet lacked resources and capacity to effectively serve in this role. The Netham program and informed commentators considered the expansion of the HJC's authorities and capacities to be fundamental to judicial independence in Palestine. Additionally, because the Chief Justice was a progressive reform leader, the Netham program believed that support to the HJC presented the best prospect for achieving judicial modernization during the life of the program.

The Netham program from the outset recognized that the impasse among the Chief Justice, Minister of Justice, and Attorney General about institutional roles and responsibilities would impede intensive work to build each institution's capacities. Forward progress required at least a minimum level of consensus about division of roles and responsibilities for matters such as authority over court administration and oversight of prosecutors. The program's strategy was to create a space for different parties to work towards common goals.

The Netham program worked from the outset to address the entrenched conflict existing among justice leaders by using impartial, respected international leaders to facilitate a high level dialogue. In October 2005, the Netham program met with the Chief Justice of the High Judicial Council and the Ministers of Planning and Justice to discuss the roles and responsibilities of the judicial institutions. The meeting resulted in the creation of a Strategic Planning Committee under the auspices of the Minister of Justice, specifically chartered to work with the Netham program and other judicial sector institutions, to assess the needs of the judicial sector.

In early December, the Netham program held a roundtable discussion on the judicial sector strategic planning process. This groundbreaking discussion brought together key stakeholders from the sector including the Chief Justice and eight Supreme Court judges, the Minister of Justice, Minister of Planning, Attorney General, and the Legal Advisor to the President. Simply bringing the parties together was noted as an accomplishment by figures in the judicial sector. Based on the recommendations of the roundtable, a task force from the Steering Committee on the Judiciary and Justice was established to alleviate differences among the justice sector institutions.

Although no formal agreement was made about increasing the HJC's authorities, the reduction of tensions allowed the Netham program to engage with the Chief Justice and undertake significant HJC institutional development activities. Over the life of the program, developing the HJC's capacity and performance, and creating public support for its work, strengthened the HJC's authority and debate over the scope of HJC's authorities in judicial administration subsided.

Action Planning with the HJC. During the pre-suspension period, the Netham program met with the new Chief Justice, Issa Abu Sharar to plan USAID support in strengthening the HJC. The Chief Justice's vision for the development of the judicial system included seven major points:

1. Develop a strategic plan for the judicial system and the justice sector and strengthen the ability of the Council's General Secretariat to implement this plan by creating operational planning systems for each department.

2. Strengthen the institutional structure of the High Judicial Council's General Secretariat including its organizational configuration, human resources, job descriptions, financial management, and internal procedures.
3. Establish an office commission that works directly with the Chief Justice to supervise the development process.
4. Develop a strong court administration department within the Judicial Council to provide services to the judicial system and to staff in the different types of Palestinian courts, in accordance with the Presidential Decree issued on February 5, 2006.
5. Upgrade the professional capabilities of court administrators and processors, including the clerks and notification departments.
6. Develop the execution process of the courts' judgments, in accordance with the functioning laws, through the development of enforcement departments, by strengthening their capabilities, and activating the Judicial Police.
7. Enforce the principle of rule of law, through launching public awareness campaigns stressing the importance of compliance with court judgments and the role an independent judicial system plays in society's development and security for the average Palestinian citizen.

Action Planning with the Office of the Attorney General. By Presidential Decree more responsibilities were given to the OAG to manage the Public Prosecution and to establish a Criminal Enforcement Department within the OAG. The Netham program met with the Attorney General (AG) and his assistants in the West Bank and Gaza to discuss possible cooperation and support, especially in the area of enforcement. The AG was based in Gaza and continued to operate in Gaza until the Hamas control of the Gaza Strip.

The Netham program received a letter from the AG requesting that the program support the institutional development process of the Public Prosecution in general, and specifically in the establishment of a Criminal Enforcement Unit. The letter outlined the development of a general framework to support the Public Prosecution and build upon previous successful USAID work with the AG to develop the Public Prosecution as an independent institute, by issuing new regulations, procedures, and guidelines; developing the execution process of criminal judgments within the Office of Public Prosecution; and reducing corruption.

The AG also named members of a steering committee from the Public Prosecution to work with the Netham program team in the implementation and development process of the AG. The Netham program developed a plan of action that identified potential areas of support.

Action Planning with the Ministry of Justice. In the pre-suspension period, the Netham program submitted a letter to the Minister of Justice with the program's Annual Work Plan for review and feedback. The Netham program requested a meeting with the Minister to discuss activities already implemented and to prepare for upcoming activities including strategic planning and institutional development of the MOJ. A workshop for MOJ staff was planned for February 6th but these activities were ultimately canceled after the elections.

Action Planning related to Inter-agency Cooperation. In January 2006, the Netham program met with the judicial stakeholders, including police, prosecutors, judiciary, the AG and his assistants, the HJC Director General, the newly appointed MOJ Deputy Minister, and the Netham team, to discuss the relations and work procedures between all related organizations and the judicial police. The key issues of this meeting were:

1. The strategic perspective of the judicial police and other related institutions.

2. The professional relationship between the judicial police, the courts, and other related institutions.
3. Tools and mechanisms that facilitate the functions of the parties.
4. The safety and security needs for the courts, judiciary, and prosecution.
5. Inter-agency information flow.

The meeting concluded by forming a task force of representatives from all affected institutions including the Public Prosecution (PP), the MOJ, the HJC and the judicial police. The Netham program sent a letter to all parties asking them to nominate their representatives to this task force. The January elections put these planned activities on hold.

Other Activities and Results during the Pre-Suspension Period. By the end of the brief pre-suspension period, the Netham program had achieved other results including:

- An IT needs assessment was conducted to establish network connectivity requirements at the three MOJ headquarters in Ramallah, Gaza, and Nablus, and other IT needs for the MOJ.
- A large IT tender was advertised in local newspapers and on the Small Business Association's Sub-Net in the US to procure IT equipment for the MOJ and the Netham program offices.
- The Minister of Justice named a five-member Strategic Planning Committee to work with the Netham program on the strategic planning process for the MOJ.
- The Netham program, with the High Judicial Council, began assessing the needs for establishing a Central Notification Department.
- A workshop with public prosecutors and HJC administration was conducted via video conferencing in Gaza.
- A detailed proposal was developed to create a judicial police force.
- Due to the Netham program's efforts, the Director General of the Police appointed the Director of the Judicial Police force and two assistants, one in the West Bank and another in Gaza.
- Two international program consultants, an American and a Jordanian, worked with the Director of the Judicial Police and his staff to develop an action plan for the Judicial Police.
- Plans were finalized for International Computer Driving License training courses in Ramallah and Gaza for MOJ and court administration staff. ICDL (The International Computer Driving License) is a basic computer training course with optional certification which is meant to enhance the capabilities and knowledge of computer novices on basic computer applications needed for day-to-day business running.
- A successful study tour to Jordan was completed by the Judicial Police Director and his two assistants where they met with Jordanian counterparts and studied the Jordanian experience in working with the judicial police.
- Two consultants, a Jordanian and an American, worked closely with the judicial police team during the Jordanian study tour and helped finalize a plan of action for developing the Judicial Police force. The American consultant, Michael Hayes, traveled from Jordan to Ramallah with the Acting COP to provide hands on training for the Judicial Police.
- The Netham program team worked with the Judicial Police Director, who appointed two officers to work with the Netham program to finalize the structure and job descriptions for the judicial police.

- A workshop was held via video conferencing between Ramallah and Gaza for Enforcement Officers, HJC and MOJ representatives to discuss the needs of Enforcement Officers and how they can improve their work and the enforcement process.
- A training session was conducted for 12 judicial police officers by Mr. Hayes on courthouse security and search procedures.
- A public awareness campaign on courthouse security and ban on weapons was conducted in the local press for five consecutive days.
- Courthouse security equipment was procured and installed in Ramallah and Gaza and staff trained on its use. Equipment included metal detector, hand wands, and a Closed Circuit TV system.
- A needs assessment was conducted for Notification Department and Enforcement Units.

The successful start-up of the program followed by efforts to achieve some key results were important factors contributing to later program success. During this period, the program helped set the direction forward and lay the foundation for improved cooperation among justice actors.

No Contact Order. In January 2006, political election results and subsequent political developments resulted in an order from USAID/West Bank Gaza not to undertake new tasks, quickly followed by "no contact" instructions in early February to cease all activities involving contact with the Palestinian Authority. In April 2006, USAID suspended all work with Palestinian governmental institutions, including the Ministry of Justice and the High Judicial Council.

USAID restrictions on providing direct assistance to the PA limited the Netham program's assistance to the MOJ. Despite these difficulties, the Netham program expressed an interest to collaborate with the USAID Mission to restructure the program and work with the HJC and the OAG, which are considered independent bodies. The Netham program outlined to USAID how program activities can be restructured to re-direct support from the MOJ to the HJC and AG. Even prior to the election results, the Netham program was planning to recommend this shift to USAID based on the Constitutional Court's decision to revert to the 2002 Judiciary Law which grants authority over the courts to the HJC.

In late March 2006, the Mission issued "no contact orders" between contractors and all government institutions, including the HJC.

Overall it was unfortunate that program activities were significantly limited in February 2006, since the program had already gained momentum in its first 4 months of operations. Political will for reform had become favorable especially with the HJC and OAG. The Netham program entered the suspension period with the objective of doing whatever it could to maintain the positive momentum.

THE NETHAM PROGRAM PHASE 2: SUSPENSION PERIOD AND FIRST REVISED SOW (FEBRUARY 2006 TO JULY 2007)

When the elections occurred in January 2006, the Netham program team sought to maximize the down time and developed a detailed status report that helped the program team, USAID, and others better understand the current reform situation, areas of needed focus, and how to approach them. These efforts helped enable the program team to undertake more rapid and precise technical work and budget, HR, resource, and activity planning. The Netham program minimized its costs and maintained good relations with the judiciary during this time period and worked to be as useful as it could be for USAID.

Suspension Period Activities. During the suspension period, the Netham program staff conducted ongoing preparation for activities to be undertaken with the independent HJC and OAG should the suspension orders be lifted and activities resume. The Netham program staff conducted internal program planning sessions and prepared a draft revised program work plan, focused on office administration and conducted legal awareness sessions to educate the Netham program staff on some judiciary laws.

In an effort to prepare for submitting a revised work plan, the Netham program met with the Chief Justice, Attorney General and his staff, as well as the European Union's Empowering the Palestinian Judicial System program in order to determine the scope of proposed future program activities. Both the Chief Justice and the Attorney General were forging ahead with plans for reforming the judiciary and their efforts were receiving public praise and generated good press coverage.

During the first quarter of the suspension the Netham program sought to remain productive:

- The Netham program produced a comprehensive report on "The Status of the Palestinian Judiciary" and submitted it to USAID in a full report as well as summary format. This document addressed the status including current operations and laws governing the various institutions in the justice sector including the HJC, MOJ, and PP. Since that time, this report has been used a reference guide for USAID as well as program consultants and others interested in learning more about the judiciary. The report examined various aspects of the Judiciary and judicial institutions including:
 - Legal framework of Judicial Authority—pre- and post-Oslo Agreement;
 - Laws regulating the Judicial Authority;
 - Independence of the Judiciary;
 - The High Judicial Council—its formation, structure, court structure, administration and information management;
 - The Attorney General and Public Prosecution—function, organizational framework, administrative and financial management; and
 - Automation systems at the HJC and OAG.

The Netham program translated numerous documents in preparing the report such as laws, decisions, and the Judicial Code of Conduct.

- The Netham program prepared a Suspension Plan based on an April 26, 2006 USAID notice which requested that a Suspension Plan be prepared and presented to USAID.
- The program met with the Chief Justice in Ramallah and the Gaza-based Attorney General and his staff via videoconferencing to discuss future program support to be provided to these independent judiciary organizations and areas on which this support should focus.
- The Netham program monitored all three key local Palestinian newspapers and translated all relevant judiciary news and sent to USAID for review.

- The program held donor coordination meetings including with the European Union's Empowering the Palestinian Judicial System Program to discuss areas of cooperation and avoiding future overlap in assistance.
- The Netham program strengthened the program's internal administrative systems.
- Program members attended workshops organized by the legal civil society organization Mosawa in Jericho.
- The program facilitated coordination with the High Judicial Council and the Office of the Attorney General, based upon a request by the USAID Contracting Officer's Technical Representative (COTR), in order to issue travel permits for judges and public prosecutors so that a High Judicial Council meeting could be held in addition to senior level meetings during this sensitive time.
- The Netham program conducted public awareness sessions to educate staff on judiciary laws.
- In anticipation of lifting the suspension order and new USAID guidelines for the program, the program prepared a draft annual program work plan, budget, and consultant plan focused on support to the independent HJC and PP.

The Netham program monitored closely and kept USAID informed of Rule of Law developments. Developments during the suspension period included:

1. Movement by the Palestinian Legislative Council's Legal Committee (PLC) to review and amend the Judicial Authority Law.
2. A year-long judicial employee strike in which most staff went unpaid and courts were operating on a minimal basis contributing to the case backlog.
3. Changes in relations among key actors in the Ministry of Justice, Ministry of Interior, AG, and HJC.
4. Security breakdowns, changes in public perceptions of the judiciary, and other trends based on attacks on the Judiciary including court complexes as well as judges and judicial staff.
5. Efforts by the HJC and Public Prosecution to protect judicial independence in the face of such attacks, including a strike calling for court staff and property to be properly protected.

First Revised Program Statement of Work (SOW). In late 2006, during the suspension phase, USAID provided a new SOW for the Netham program. From October to December 2006, the Netham program submitted a revised 12-month program work plan and budget to USAID based on the new USAID SOW. The work plan was carefully tailored to identify justice sector needs and the priorities of justice counterparts. Activities in the work plan supported the independent formal justice sector institutions including the HJC and the Office of the Attorney General as well as the courts.

The objective of the revised SOW was to increase confidence in and respect for the Palestinian formal justice sector through undertaking efforts aimed at professionalizing institutions and bodies within the sector as well as enhancing the ability of these formal institutions to enforce laws and court judgments. The formal justice sector was identified as the Office of the Attorney General (OAG) including the Public Prosecution, the HJC, and other court bodies under control of these institutions. At the time that Hamas came to power, the Ministry of Justice as part of the PA Cabinet was considered part of the Hamas controlled government and not an independent judicial body. It was not until Salam Fayyad came to power as Prime Minister that work resumed with the PA ministries and the Ministry of Justice.

In carrying out activities in this work plan, the Netham program would provide expert and technical assistance to professionalize the HJC and OAG as well as strengthen the enforcement of laws and court decisions. The two program components remained the same as the original SOW but the sub-components were revised, as follows:

- Component 1: Professionalize the formal justice sector through targeted assistance to the High Judicial Council, court administrators, and other bodies.
 - 1.A. Engage and build capacity of High Judicial Council
 - 1.B. Upgrade skills and empower court administrators
 - 1.C. Engage and build capacity of the Public Prosecution
 - 1.D. Support and build capacity of the Notary Public
- Component 2: Strengthen the enforcement of laws and court decisions.
 - 2.A. Support the civil enforcement of court decisions
 - 2.B. Support the criminal enforcement of court decisions
 - 2.C. Support the development of the Anti-Corruption Department

Lifting of No Contact Order. In the quarter from April to June 2007, as USAID had begun preparing an expanded SOW that would allow the Netham program to also commence activities with non-formal justice sector actors, Hamas took military control of Gaza. The Fatah government formally banned Hamas from the government in the West Bank. President Mahmoud Abbas appointed Salam Fayyad to lead the government and an emergency government was quickly sworn into office in the presence of Chief Justice Issa Abu Sharrar. When the international community and the Quartet recognized the new government (which consisted mostly of technocrats and independent Palestinian figures) USAID lifted its "no contact" policy with the PA.

This change in events had a direct impact on program direction. Discussions took place with USAID with respect to potential resumption of program activities supporting the formal justice sector including the HJC and the OAG. Intensive planning for program activities began to take place.

Submission of Draft 60-Day Action Plan. The Netham program submitted to USAID a proposed 60-day action plan and budget to cover activities until a new SOW and annual work plan could be developed. To ensure quick mobilization in implementing the 60-day plan, during the process of plan development, USAID and the Netham program met with the Chief Justice to brief him on the latest developments and discuss his priorities for assistance to the judiciary. The Netham program submitted requests for country clearance, waivers, and Terms of Reference approvals for various short-term consultants including local, third country nationals, and international consultants.

These documents were prepared in anticipation of receiving authorization for re-mobilization of the program in early July 2007. A meeting was held on June 21, 2007 in Jerusalem with USAID, the Netham program, and the Chief Justice to discuss areas of priority assistance to the judiciary that could take place upon the resumption of formal programming. Despite the fact that the Netham program was not in direct contact with the HJC and Chief Justice for over a year, the Chief Justice expressed enthusiasm at the potential of program resumption and working with USAID.

THE NETHAM PROGRAM PHASE 3: SECOND START-UP (AUGUST 2007 TO NOVEMBER 2007)

In the summer of 2007, USAID resumed assistance to PA institutions in the West Bank only. The Netham program accordingly resumed its activities in support of justice sector institutions. To overcome the difficulties that resulted from the separation of Gaza and the West Bank, the Netham program simplified its work plan along institutional lines focusing first on the HJC and secondly on the MOJ. USAID and the Netham program saw the opportunity to help the MOJ by improving its services to the public and by upgrading its capacities to enable it to regain its position as a leading Justice Sector Institution.

Activities from this point forward were limited to West Bank – no further activities took place in Gaza except for grants to NGOs. The Netham program's Gaza Office was closed during this period.

With a lifting of the hold status in July 2007, USAID asked the Netham program to pursue quick impacts to build confidence of the Palestinian governmental counterparts and the public.

60-Day Action Plan Implementation. As mentioned, at the end of Phase 2 the Netham program developed a 60-Day Action Plan for the second start-up period. During the 60-Day Action Plan period, commencing in August 2007, the program focused efforts on various key activities:

- Upgrade the Notary Public Department
- Improve the notifications process
- Support the development of improved Judicial Case Management
- Carry out court renovations
- Launch the institutional development and capacity building processes at the HJC
- Support the process of developing improved Public Prosecution services
- Establishment of the Palestinian Judicial Institute (PJI)
- Justice sector strategic planning
- Support to the bar association
- High level stakeholder meetings
- Program work planning

Assistance to Strengthen Notary Public Services. The Netham program gave early focus to a high visibility activity – support to the Notary Public Departments – a key judicial interface with the public and bridge to the judicial system for the average Palestinian. Notary Public offices were often overcrowded with users who faced chaotic queues and unclear instructions and documentation requirements. As a result, ordinary Palestinians were often frustrated with the notary process in particular and the judicial system in general.

Problems included inadequate and poorly planned physical layout, suboptimal department workflow, and inadequate filing and data retrieval systems.



A pre-improvement survey showed that only 20.8 percent of users were very satisfied; 49.1 percent were moderately satisfied; and 28.3 percent were not satisfied at all.

Ramallah Notary Office. Due to the Notary Public (NP) Department's importance to the public, the Netham program worked with the HJC to select a pilot location for targeted development assistance. The Ramallah office was chosen due to its relatively high average monthly workload (up to 150 land deeds processed daily) conducted in a small physical space.

Within a short timeframe of 60 days, the Netham program managed to help the HJC renovate the physical space in accordance with international best practices, upgrade the filing system to allow for quick and effective processing and retrieval of files, and improve overall workflow. The Netham program worked with the HJC to re-locate the Notary Public Department to a new space measuring 150 square meters available in the same building but on the ground floor. The Netham program carried out the renovation of the new space in terms of providing basic construction work as well as upgrading the tiles, windows, doors, paint, installation of air conditioning and restrooms, and renovation of the entrance of the building (see photos). In addition to the renovation work, some equipment and furniture were procured including shelves, counters, seats for the waiting room, computers and filing cabinets as well as automated queuing system which was the first in PA government services.

A major part of the development of the Notary Public Department focused on upgrading the archiving system, which was disorganized and chaotic. The Netham program worked with the HJC on re-engineering the flow of information, and supporting an archiving project. The program contracted short-term university graduates to serve as interns providing assistance in organizing, updating the department archives, and assisting in saving the department's workload through the electronic and manual data filing. The efforts resulted in a speedy retrieval of documents which saved valuable time of the department's personnel and better customer service for users of the Notary Public services.

Improvements included a new public information window, a dedicated cashier's window, and new employee work stations, an electronic filing system to enhance the efficiency of filing and retrieval of information. Most importantly, the Notary Public departments throughout the West Bank have harmonized their procedures: the public can read clear and uniform instructions about the notarizing process in a brochure made available at all Notary Public offices in the West Bank. The HJC hired more employees for the Notary Public after the improvements.

Less than two months after the hold was lifted, on September 11, 2007, the Chief Justice Issa

Donor and Stakeholder Coordination

Donor and stakeholder cooperation was a common thread of the Netham program. Examples included:

- Cooperating with Palestinian Economic Council for Development and Reconstruction and the Malaysian Government on the renovation of the Bethlehem Court House.
- Coordination with Canadian Karama and the EU's Seyada programs in first identifying all needed assistance and then dividing up concrete assistance areas for PJI institution building
- Cooperation with USAID's Ruwwad youth program and Aswatona media program in activities with youth and media, respectively
- Information sharing with the U.S. State Department's INL Justice Sector Assistance program including introduction of the courts' Mizan software in the Jenin public prosecution office

Abu Sharar; Dr. Howard Sumka, USAID Mission Director; Mr. William Davis, DPK Principal; Minister of Justice Dr. Ali Khashan; a number of judges and judicial specialists, and the Netham program team celebrated the inauguration of the newly renovated and upgraded Notary Public Department in the Ramallah Courthouse. This event received significant press coverage and was noted as a major success story for the judiciary.



The newly improved Notary Public offices, equipment, and work procedures were met with overwhelming support and helped to solidify working relations between The Netham program and the HJC. These changes immediately allowed NP Officers to better serve the public and program a positive image of this high-profile department. The post-improvement survey showed a 19.7 percent increase in user satisfaction with notary services. The survey found that the time to process requests for powers of attorney decreased by over 50 percent.

Nablus Notary Office. In October 2007, the Netham program built on accomplishments undertaken in the prior 60 day period with the Ramallah Notary Public offices. In this period, attention focused on implementation of the second pilot location for development, the Nablus Notary Public Offices.

The Notary Public office in Nablus previously did not have a public seating area, nor counter areas for staff leading to unorganized queues and little privacy for processing deeds. This assistance included complete renovation of the Notary department with furniture and equipment for the offices and the public waiting area, developing an automatic numbered queuing system, a well organized, modernized archiving room, and providing the public with clear signs and instructions on processes and procedures.

Systems and procedures were also unified across all Notary offices during this period. Previously each Notary office was implementing its own procedures.

The Netham program supervised each step of the implementation of construction work and provided six data entry interns and the Notary Public staff in data entry and organization of archiving files in order to facilitate the smooth retrieval of documents for the public as well as the department. The Netham program also closely supervised the delivery of all equipment, including the queuing system, ensuring its proper functioning, and training staff on its use. Notary Public equipment and furniture were procured through the USAID Office of Transition Initiatives (OTI) program.

One notable visible change to the public was the queuing system. The previous system raised

Notary Services in Palestine

Notary Public offices are available in most Palestinian courts and serve as the most publicly utilized offices in the judicial system. Due to their wide range of services, almost all Palestinians have had an occasion to visit a Notary office—either to process a deed including land, car or property registration or to notarize a series of official documents. These offices were frequently packed with dozens and sometimes hundreds of citizens who have had to endure time-wasting chaotic queues and unclear documentation requirements, leaving citizens with repeat visits to the Notary offices before finalizing a simply procedure. Due to the department's importance to the public, The Netham program worked with the High Judicial Council on assisting and developing the NP sites in Ramallah and Nablus—two of the most served sites in the West Bank.

questions as to the order of serving customers and alleged staff "favoritism" in serving clients. The Netham program introduced for the first time in Palestinian courts a clearly understood numbering system for serving the public.

On November 14, 2007, weeks of work on the PJI and the Nablus Notary resulted in two high profile launch events, which were attended by various Palestinian and U.S. Government officials. The PJI ribbon-cutting ceremony was attended by Prime Minister, Salam Fayyad; Minister of Justice, Ali Khashan; Chief Justice, Issa Abu Sharar; Attorney General, Ahmad Mghani; and the USAID Mission Director, Howard Sumka. Later in the day, the Nablus Notary Public event took place with the U.S. Consul General, USAID Mission Director, Prime Minister and Chief Justice attending. Both events received substantial press coverage in the local press and on Arab satellite news channels and provided a boost to the public's perception of the judiciary. The Prime Minister and other officials were quoted in the press as stating that these initiatives have taken place in order to better serve the Palestinian public and address judicial reform.

Notifications. Planning meetings were conducted with Chief Clerks, Chief Judges, and the Head of the Notification Department at the Ramallah Court regarding how to improve the judicial notification delivery procedures and enhance the capacities of the processors to enable them to carry out their duties more efficiently. Data was gathered for the development of an improved Central Notification Department using the Ramallah Central Notification Department as a pilot location.

Case Management. The Netham program held a series of meetings with the various justice sector stakeholders including the Chief Justice, Bar Association, Judges Association and other justice sector-related institutions to discuss potential areas of cooperation and assistance in improving the judicial case management in the Palestinian courts. Based on these meetings, the Chief Justice and the Netham team contacted the Chief Judges in both courts and carried out site visits to the selected courts to identify and develop the needed outline for the development of a judicial case management implementation plan at the two selected pilot locations.



Court Renovations

- **Bethlehem Court.** After a site visit, during a meeting the Bethlehem Chief Judge requested the Netham program's assistance in developing a suitable design and sketch for the intended construction of the Bethlehem courthouse. The Netham program arranged for an architect to visit the Bethlehem Court to develop a suitable sketch for renovations, using DPK's Court Facilities Design Guidelines.
- **Nablus, Jenin, and Tubas Courts.** The Netham program team



accompanied the Chief Justice in a number of his site visits to the courts including Nablus, Jenin, and Tubas to assess the needs of the courts and their various departments including facility renovation needs. The Netham program received the Chief Justice's approval on the proposed design modifications.

Initiation of Institution Building Assistance to the HJC. Since its establishment in 2000, the HJC had struggled with a number of operational challenges including the insufficient operational and human resource capacity of the HJC's administrative units and the departments under the HJC. The Netham program commenced its intensive assistance in capacity building and institutional development of the HJC. Assistance in the first 60 days following the suspension period focused on:

- **Needs Assessment of Human Resources:** The first priority for improving the institutional capacities of HJC was working with the HJC to review the human resource needs to include required qualifications for each position and develop an HR needs assessment for the judiciary. This needs assessment was developed and sent to the Prime Minister/Minister of Finance, Salam Fayyad who had shown interest in meeting these needs. Based on this needs assessment, the Ministry of Finance began the process of filling 200 judicial positions.
- **Financial and Administrative Systems of Court Administration Department at HJC:** The program worked with the Chief Justice and HJC senior management to upgrade the systems and procedures at the various departments of the HJC. The program team and the Chief Justice agreed on specific program assistance to the Courts Administration Department at the HJC. The Netham program conducted an assessment of the current financial system and practices and assisted in improving managerial tasks of planning, organizing, directing and controlling; developing the policies, procedures and operational manuals in the department; and improving staffing plans and performance.
- **Strategic Planning for the HJC:** The program started gathering the information needed for a strategic planning process for the HJC and other future studies. This information included the number of court personnel (judges and non judges), the total number of pending cases in the Palestinian courts, and other related information.



Support to the Public Prosecution. While awaiting final USAID approval to work with the PP, the team held meetings with the Ramallah Public Prosecution to assess the PP needs that could be integrated within the Netham program's Annual Plan. The program team collected information related to the newly-established Anti-Corruption Department, in addition to the Public Prosecution Clerks' Office. Needs identified included supporting the investigation processing at the PP offices, in addition to needed training sessions for the Heads of Prosecution in advanced investigation techniques. The program held additional meetings with the PP Clerk's Office to gather additional information needed in terms of the available space, number of administrative staff members, number of public prosecutors, available computers and other equipment, use of Al-Mizan software, and the number of software users including administrators and public prosecutors.

In early November, the Netham program provided assistance to the Public Prosecution in

developing a needs assessment, training plan, manuals, and a plan to improve civil enforcement. The Netham program met with the Attorney General, his assistants, and heads of prosecution and developed a training plan for the Public Prosecution that took into consideration the needs of prosecutors that fell under the program's SOW of building the capacity and enhancing the efficiency of the Attorney General and Public Prosecution.

A series of stakeholder questionnaires were developed to assess the needs of the OAG and PP and distributed during a workshop in November 2007 attended by all public prosecutors in the West Bank. Following the workshop, results were statistically analyzed.

Establishment of the Palestinian Judicial Institute (PJI).

Following the suspension period, support to the PJI was a core Netham program activity. After nearly 15 years of disputes between many groups about who was responsible for training of judges, the Netham program working closely with the Chief Justice and MOJ helped negotiate an arrangement which led to the establishment of the



PJI in the MOJ, thus creating institutional capacity to respond to the training needs from within the judicial system. As a solution to dispute over which institution should oversee the PJI, it was established as an independent institution which is chaired by the Minister of Justice and three judges sit on its board.

At the end of the suspension period, the Netham program began a comprehensive assistance plan to support the PJI's founding and development, which began with the allocation and renovation of space for the PJI facility. The PJI was responsible for training and enhancing the skills of more than 500 judges, Public Prosecution members, and court administrators, giving them the administrative, judicial and legal training that has been identified as necessary to conduct their duties more efficiently.

With the Netham program's support, consensus was reached to move forward with establishing the PJI under the auspices of the Ministry of Justice, providing the MOJ another meaningful responsibility in justice sector management. The Netham program's Chief of Party and USAID's Contracting Officer's Technical Representative (COTR) held a series of meetings with the Minister of Justice to discuss the establishment of the PJI at the MOJ, and assist the Minister in implementing this activity, which had been enthusiastically endorsed by the Minister. Key activities during the period included:

- **Planning and Donor Coordination Activities.** In collaboration with the Minister of Justice, the Netham program convened a justice stakeholders meeting that included the Chief Justice, an advisor from the MOJ, and donor programs such as EU- funded Seyada program, and the Canadian Judicial Training program (Karama), in addition to other justice key stakeholders. The purpose of this meeting was to define, clarify, and discuss the roles, responsibilities and contributions of each stakeholder in regards to the establishment of the PJI. Based on an implementation plan approved by the Minister of Justice, the Netham program was assigned to focus on (1) the Institute's infrastructure needs and (2) the Institute's legal and organizational structure.

The Netham program held continuous meetings with the EU-funded Seyada program and the Canadian-funded Karama program to coordinate the assistance provided to the PJI in order to avoid any overlapping of efforts. The meetings aimed at sustaining consensus on the activities each program would be implementing.

- **Facility Renovation.** The Netham program submitted a request for approval of renovation of the PJI space in Ramallah and received the COTR's approval on August 17, 2007. The renovation aimed to enable the institute to provide legal and judicial training services that enhanced the capacities and skills of judges, prosecutors, and administrators of courts and the public prosecution to carry out their duties more effectively and efficiently. In total, the institute would target approximately 145 judges, 450 court administrators, 112 prosecutors, and 100 prosecution clerks. In addition, the institute was tasked with providing the preparatory legal training aimed at developing the skills of newly-appointed judicial personnel.

The renovation involved an unused space on the ground floor of the MOJ building and included some construction work as well as a proposal to install the tiles, windows, doors, paint, installation of air conditioning and restrooms, renovation of the separate entrance to the Institute, and provision of equipment and furniture. As of Day 60 after the hold was lifted, preliminary construction work and needed electrical infrastructure preparations had begun. In response to the needs of equipment and furniture to the institute, the Netham program coordinated efforts with the USAID-funded Civic Engagement program (CEP).

By the end of November 2007, the site was renovated into a modern institute that includes reception areas for judges and legal staff, PJI staff offices, and training and lecture labs. The Netham program's IT staff installed PCs, LCD projectors, printers, wireless Internet, and other IT equipment.

- **Legal Framework and Organizational Structure.** Regarding support to the PJI's legal and organizational framework, the Netham program gathered needed information, including a comparative study and legal review needed to assist in developing the legal framework of the institute. The Netham team held an internal workshop to identify bottlenecks and obstacles facing the institute's legal framework. These obstacles dealt mainly with the roles and responsibilities of the PJI. In coordination with the various stakeholders, the Netham program finalized the first draft of the legal framework (by-law) for the establishment of the PJI to be submitted to the various key stakeholders including the MOJ, HJC, and other institutions for further comments and feedback.

Justice Sector Strategic Planning. During this second start-up phase, the Netham program also supported strategic planning for the justice sector. The National Plan for Reform and Development is a national strategic plan that aims at identifying the needs and status of the various PA institutions. The preparation of the plan requires high commitment by the various PA institutions to adopt a new, more modern methodology for policy development and drafting, which in return requires time and financial planning, one of the most challenging issues to all PA institutions. Sectoral plans were required to be developed to



establish the first ever National Plan for Reform and Development in Palestine to serve for the years 2008 - 2010.

The Ministry of Planning (MOP) assembled a team of experts to develop the needed forms for the strategic plan to assist the targeted ministries and other institutions in developing their own plans and completing the forms. Given the limits of time and expertise, this assistance to covered institutions was still insufficient and inadequate. The three formal justice sector institutions requested the Netham program's assistance in developing their sector strategic plans for 2008 - 2010. The MOP requested the Netham program to assist with this task, citing the team's qualifications, performance record, and reputation in the rule of law sector among the various Palestinian justice sector institutions. The program provided rapid response expert assistance to the various justice sector institutions including the HJC, MOJ, and AG offices in submitting their respective Sectoral National Plans to meet the mid-October 2007 deadline.

This Plan contained two primary strategic objectives. The first was strengthening and enabling the civil and criminal legal system. This objective highlighted the need for complementary relations among justice sector institutions and for fair and speedy trials. An emphasis was also placed on promoting greater cooperation between justice sector institutions. The plan addressed the need to prepare a Memorandum of Understanding (MOU) between the judiciary and the Executive Branch to identify the relationship between the HJC, MOJ, the OAG, Ministry of Interior, Ministry of Finance, Bureau of Personnel, Office of Oversight, and the Prime Minister's Office to define roles and lines of authority.

Other key goals of the Plan included:

- Preparation, development, and modernization of judicial legislation that would cover a review of laws, by-laws, and proposed legislative amendments.
- Establishing the HJC's Court Administration Department as the central basis on which to follow-up on court management and administration.
- Raising the efficiency of judges and prosecution members and their assistants through working on establishing a judicial training institute, developing basic and continuing training programs, and activating the role of the HJC Technical Office.
- Strengthening the oversight and accountability systems by carrying out a review for the inspection systems at the OAG and the judiciary, increasing the number of qualified inspectors, establishing the Quality Assurance Office at the Court Administration Department, and developing a code of conduct for the members of justice sector institutions.
- Upgrading the legal profession to match the requirements of the justice sector development plan.

The second strategic objective called for strengthening justice sector institutions. This objective highlighted supporting strategic planning, developing financial, administrative, and technical systems, upgrading human resources, and providing equipment to justice sector institutions. A fundamental element of this objective included safeguarding citizen's rights and fundamental freedoms by focusing on improving public services, activating inspection of prisons, as well as developing alternative means of dispute resolution. A final element included working with civil society and media organizations on public outreach and educational programs.

Support to the Bar Association. The Netham program received a request of assistance from the Head of the Bar Association to support and finance the printing of 4,000 copies of a lawyers' diary (agenda). The printing of this diary is an annual activity that the Bar Association typically provides for its members. The Bar Association has approximately 3,000 members in the West Bank and Gaza. The diary was to be distributed to all members for their use, and the remaining

copies distributed to judges, court clerks and other stakeholders. In response to the request, the Netham program commenced a procurement planning process for the printing and distribution activity.

High Level Stakeholder Meetings. Close cooperation with justice counterparts on various accelerated activities contributed to an atmosphere of coordination and cooperation among judicial institutions that had rarely come to agreement previously on major issues concerning judicial development. Building on this positive will for better cooperation and coordination between key justice sector leaders, the Netham program sponsored a three-day retreat in mid-November with the Minister of Justice, Chief Justice, and Attorney General that took place after a series of preparatory meetings were conducted to foster good will and cooperation among the leading judicial institutions.

The different institutional leaders agreed on the need to provide judges and prosecution members with adequate training despite the shortage of resources and the commitment to work together to prevent any interference in the judiciary's work that might affect their independence. They also agreed to address institutional development and provide their institutions with needed logistical support and human resources to upgrade their capacities. They recognized the role of the Ministry of Justice in coordinating between the Judicial and Executive Authorities. Emphasizing the need for more and better coordination and communication among institutions, they agreed to re-activate the High Judicial Council, recognizing the necessity of convening periodic meetings for the council, in addition to holding periodic bilateral and collective monthly meetings. Many recommendations became incorporated into the justice sector strategic plans.

Second Revised SOW and Program Work Planning. In addition to the numerous technical activities, at the end of September 2007, the Netham program submitted to USAID its upcoming third annual work plan along with the proposed budget, an expanded staffing plan, and the program's Branding and Marking Plan. The work plan focused on three major components:

- The professionalization of the formal justice sector including the MOJ, the HJC, and the OAG.
- Strengthening the enforcement of civil court decisions.
- Engaging and building capacity of informal justice sector institutions.



At the end of November 2007, under a second revised SOW, the program's expanded work plan and augmented staffing plan were finalized and approved by USAID. The work plan consisted of the following elements:

The Netham Program Second Revised SOW Approved November 2007	
Component	Sub Components
1. Professionalize the Formal Justice Sector through Targeted Assistance to Justice Sector Institutions and Other Bodies	<p>1.1 Supporting Justice Sector Strategic Planning</p> <ul style="list-style-type: none"> ▪ Supporting Coordination Among Justice Sector Institutions ▪ Establishment of MOJ Planning Unit <p>1.2 Engaging And Building Capacity Of The MOJ</p> <ul style="list-style-type: none"> ▪ Establishment of a Judicial Training Institute <p>1.3 Enhancing MOJ Public Services</p> <ul style="list-style-type: none"> ▪ Strengthen Criminal Registry <p>1.4 Upgrading The Capacity Of The HJC And Courts</p> <ul style="list-style-type: none"> ▪ Improving the Administrative and Financial Capacities of the HJC ▪ Support and Build Capacity of the Notary Public ▪ Wide Area Network (Wan) and Time Attendance System ▪ Strengthening the Capacity of Court Administrators, Clerks, and Other Court Staff <p>1.5 Strengthening the Capacity of the Public Prosecution (PP) Services</p>
2. Strengthening the Enforcement of Laws and Court Decisions	Enhance Civil Judgment Units
3. Support Public Outreach, Networking, and Citizen Engagement on Rule Of Law Issues	<p>3.1 Public Outreach Campaigns</p> <p>3.2 The Netham program's Newsletter</p>

Key results and progress in the 4 month second start-up period helped build confidence, cooperation, and reform momentum. Public launch events with high media coverage, attendance, and praise from key PA leaders helped create strong momentum as the program began work under its second revised SOW.

THE NETHAM PROGRAM PHASE 4: SECOND REVISED SOW (DECEMBER 2007 TO MARCH 2008)

With the second revised SOW and expanded work plan, and new program staffing plan approved, the Netham program worked to build up to full capacity. The new work plan defined the basic outline of priority needs-based activities that, with some changes, would generally govern the work for the remainder of the life of program.

During the latter part of the December 2007 to March 2008 period, contract modification discussions took place requiring submission of a new work plan. The purpose of the modification was to incorporate additional programming areas including support to civil society organizations and law schools. While awaiting the modification and potential supplemental funding, the Netham program operated on a somewhat restricted budget causing the program to prioritize activities. Only high priority and high impact activities were initiated during that period, nevertheless, much progress occurred.

There were several challenges in implementing program activities. While there had been pronounced good will between justice sector counterparts, these relationships were not void of competition and friction at times. This was largely attributed to the lack of clearly defined roles and responsibilities of the key institutions in the sector.

To help alleviate and address some of these issues, judicial counterparts continued to turn to the Netham program for support and guidance. The program staff, composed of Palestinian professionals, understood how to use informal channels to secure positive outcomes when they encountered difficulties. Behind the scenes, the program also played a role in partnership with Dr. Azmi Shu'abi of the Coalition of Accountability and Transparency AMAN to help address some of the friction. Dr. Shu'abi on many occasions acted as a mediator between the justice sector institutions and the Executive, particularly the President's Office. This input was able to produce temporary results; however, redefinition of the legislation framework of the justice sector continues to be necessary for a more lasting resolution.

Most notably, this issue came to a test in matters related to ownership of the Justice Sector National Plan and overall responsibility for procuring the furniture and equipment at the new Jericho courthouse. While in the end these issues were resolved amicably, both the HJC and the MOJ viewed their institution as the one to have control over these issues. Development of the Justice Sector Strategy finally became a joint endeavor while the Jericho courthouse issue was resolved by having the MOJ lead in supervising the construction of the courthouse and the HJC lead regarding issues of receiving furniture and equipment for the new courthouse.

The following sections summarize specific program activities during the period, by component.

COMPONENT 1: PROFESSIONALIZE THE FORMAL JUSTICE SECTOR THROUGH TARGETED ASSISTANCE TO JUSTICE SECTOR INSTITUTIONS AND OTHER BODIES

1.1 Supporting Justice Sector Strategic Planning

The Netham program worked closely with the MOJ and specifically the Minister of Justice to support the establishment of a Planning Unit at the Ministry that would lead the planning process for the entire justice sector. The Netham program provided an advisor and assistant along with office furniture and equipment. The Ministry worked with other donor programs to provide additional staff positions for this department.

As discussed, during Phase 3, a 2008-2010 Justice Sector National Plan was developed with the Netham program's support. In Phase 4 the Netham program focused on assisting with its implementation, including development of more detailed plans for each of the HJC, MOJ, and OAG. The Netham program aligned its subsequent work plan with the Justice Sector Strategy pillars which include the right to a fair and speedy trial, capacity building, and building public confidence.



At the beginning of Phase 4, the Netham program assisted the HJC to develop its individual strategic plan, consistent with the overall National Justice Sector Plan. The HJC Strategic Plan was based on four primary pillars including the development of integrated and harmonious relations with the Executive and Legislative Branches; ensuring fair and just trials; strengthening, supporting, and empowering the judiciary; and protection of citizen's rights and fundamental freedoms. Parties following and working with the judiciary hailed this development as a key milestone because it was the first time since the judiciary was established that a clear and defined strategy was developed and officially adopted for implementation.

Key elements of the HJC's plan were:

- The plan outlined concrete steps to achieve a fair and just trial with immediate focus on countering the case backlog at the courts, one of the public's greatest grievances with the court system. The strategy document proposed creation of a "Claims Administration Department" to hinder the accumulation of cases at courts.
- To empower the judiciary, the plan proposed the acceleration of the establishment of the HJC's Court Administration Department to effectively assume responsibility for the intensive administrative and financial processes associated with court proceedings.
- In an important area of protecting human rights, the strategy strongly emphasized the principle of access to justice in order to enable the public to resort to the courts in seeking justice as opposed to other means.
- The continuation of the public services enhancement process that began with the Notary Public played a strong role in the plan as enhancement of public services, with the aim of improving the public's appreciation of the judiciary.
- The plan called for the Notification and Enforcement Departments to be fully re-organized due to their importance in the efficiency and effectiveness of the litigation process.
- The plan included public outreach campaigns to educate the public of the importance of the judiciary and its role in achieving Rule of Law in an effort to gain public trust and confidence in the judiciary.

Working with the MOJ's Strategic Planning Unit, a first draft of an MOJ Strategic Plan was also collaboratively developed during the December 2007 to March 2008 period. Similar to the HJC Plan, the MOJ Plan called for the development of integrated and harmonious relations with the Executive and Legislative branches; ensuring fair and just trials; strengthening and empowering the MOJ; and protecting citizens' rights and fundamental freedoms.

Following are some focus areas of the MOJ's plan:

- Complete an MOU with the relevant institutions in order to overcome obstacles facing the relationship between the Ministry and its counterparts in the justice system and to ensure cooperation in bridges of trust. Understandings would be reached with the HJC, OAG, and the Ministry of Interior.
- Increase cooperation with civil society organizations (CSOs) and the media in order to raise public awareness and promote understanding of the judiciary.
- Participate in reviewing, evaluating, and proposing legislative policies related to the development of the justice sector including participation in developing and implementing the National Legislative Plan for the Justice Sector.
- Oversee the PJI.
- Activate the Institute of Forensic Medicine and establish the criminal forensics lab.
- Establish and oversee operations of the Judicial Police.
- Strengthen strategic planning within the Ministry.
- Activate and develop administrative, financial, and technical systems.
- Provide qualified human resources.
- Automate systems and procedures to the extent that resources allow.
- Improve public services including the National Justice Record.

1.2 Engaging and Building Capacity of the Ministry Of Justice.

Under the Palestinian Reform and Development Plan (PRDP), each Ministry should have a strategic planning unit. In January 2008, the Netham program embedded a strategic advisor and one assistant in the MOJ to organize a strategic planning unit and implement the strategic plan, including establishing performance indicators. The strategic advisor also helped the MOJ work with the Ministry of Planning, the donor community, and other justice institutions to plan how to best carry out the objectives in the Justice Sector Strategy.

For the first time, the Ministry of Justice was able to present a coherent and harmonized vision for its role in the justice sector with the other justice institutions. This strategy contained individual sections that fit within the governing framework for all constituents of the justice sector. The strategy was officially launched by official stakeholders and was submitted to the government and the President in a special ceremony. Since then, the document has served as a guide for international donors' activities in support of the MOJ and the justice sector. The strategy adopts the current reality on the ground where the HJC and in particular the CAD leads court administration.

MOJ Strategic Planning Unit (SPU). During this period, a key area of assistance was to the MOJ's SPU. With the Netham program's support, by the end of March 2008 the SPU had been established. In addition:

- The unit was staffed with two members including director and assistant. Funding of positions took place through the USAID-funded Civic Engagement program (CEP).
- Furniture and equipment were procured through the USAID-funded Civic Engagement program (CEP).

- Organizational structure was proposed for the Unit and job descriptions were developed.
- A work plan was formulated for the Unit.
- An MOJ Strategic Plan was developed in draft form for internal discussion.
- The SPU developed a list of program ideas along with a description, and funding needs as part of proposed capacity building activities which was submitted to the Ministry of Planning within a development program for PA institutions.
- Internal coordination meetings were held with all related departments at the MOJ to help ensure a smooth launch of the MOJ strategic planning operation.
- After residing in temporary offices, the MOJ assigned permanent office space for the SPU.

Palestinian Judicial Institute (PJI). During the 4 months, the Netham program continued support to the PJI, which had been officially inaugurated in November 2007, helping develop the basic legal framework of the PJI. After a series of modifications based on the judiciary's feedback, the Netham program helped the MOJ finalize the draft law in December 2007. This law was submitted to the PA cabinet by the Minister of Justice for approval and promulgation. The law supports the PJI as an independent entity serving the judiciary, the Public Prosecution and other legal departments. The Board of Directors consists of the Minister of Justice as the head of the board and others that sit on the board include two HJC judges, the head of the BAR Association, two law professors, and the PJI Director who is also a judge. The PJI supports initial and continuous training for the justice sector.



Simultaneous to work on the legal framework, the Netham program assisted the MOJ in developing the PJI's organizational structure and identifying the various steps necessary to begin operations of the PJI. Taking into account the limited administrative and financial resources of the MOJ, the Netham program provided an interim organizational structure with basic functions, and key staff positions that could be in place with the beginning of operations. The Netham program assisted the MOJ in developing its strategic vision for the PJI and identifying areas of support among donor programs to avoid potential overlap.

1.3 Enhancing MOJ Public Services.

National Justice Records System. The Netham program commenced work on a priority and high visibility area: improving the PA's Justice Records System. The public often accesses this registry when requesting certificates of "good conduct" or "non-conviction" which are required

The Netham program - By the Numbers

60% Percentage of 2008 - 2010 National Justice Strategy objectives that The Netham program helped the HJC and MOJ accomplish. Other donors were tasked with helping implement the remaining 40 percent.

in a number of cases including applications for international visas or requesting travel permits, or even filing for job interviews, among other cases. The MOJ had identified enhancement of the current registry system as a priority due to the public's persistent complaints regarding inconsistent procedures, and the lengthy processing in granting "good conduct" and "non-conviction" certificates.

The Netham program set out to study the system in terms of efficiency, effectiveness, authenticity of information, and reviewed the process in terms of time allocated in order to accelerate processing of services to the public. Working hand-in-hand with the MOJ, the Netham program helped prepare a report that included a description of the current status of the system and processes, major bottlenecks, and potential areas of improvement.

The study revealed that many different institutions are involved in the certificate issuance process and the solution would require agreement and involvement of many different actors. Given the solution depended on agreement and support from many actors, the risk of failure of the system improvement was deemed high. To mitigate the risks, a consultative session was held in order to solicit feedback from employees whose work involves accessing and working on this system including representatives from the Ministry of Interior, a Judicial Police representative, legal consultants from the Ministry of Interior and the MOJ, and representatives and legal consultants of the Independent Commission for Citizens Rights. In addition to these staff representatives, on the leadership level, the Minister of Justice, the Minister of Foreign Affairs and Media, and the Attorney General took part in the session.

In early 2008, after discussions among the MOJ and other key stakeholders, the Minister of Justice signed a Memorandum of Understanding with the Ministry of Interior to facilitate the processes of the new system development. This understanding included defined mechanisms of work among the two ministries and the technical staff on the ground. The Netham program began preparing for the next phase of the system technical development process, including systems analysis and design necessary for an implementation of a fully operational system. A draft systems analysis report was produced.

MOJ Document Management System (DMS). When the needs assessment was conducted by the Netham program in cooperation with the MOJ IT team, a major problem was identified at the Ministry: the lack of a centralized and well-tracked document management system. The inputs and outputs of the Ministry were scattered among different departments and correspondence was not tracked or processed. In addition, the Ministry's documents, whether in hard copy or soft copy, were not preserved according to modern standards and the minister's orders and requests for staff were not properly followed up or tracked. The Netham program proposed to develop and implement an optimized document management system based on the MOJ's needs.

The DMS design aimed to capture all the vital documents of the MOJ, process them, retain them when necessary, and preserve them in different formats. The Netham program worked with the MOJ to analyze the MOJ departments' processes and design a structure of the system and begin system implementation including creation of a Central Document Unit (CDU), necessary to the proper function of the DMS.

To improve the MOJ's internal efficiency and overall performance, at the beginning of 2008, the Netham program worked with the MOJ to carry out a systems analysis which included a business process analysis and process re-engineering for the Judicial Record and the Document Management System (DMS) at the MOJ. By the end of January 2008, a full report was completed on the Judicial Record that included a vision of the proposed system, complete analysis of the use cases (including suggestion of new ones), data flow diagrams (DFD's) and Entity Relationship Diagrams (ERD's) that completely describe the functionalities of the Judicial Records within the MOJ, the information flow, and the levels of authorization within the Ministry.

The systems analysis for the DMS, once fully completed, aimed to cover all the activities within the Ministry, their functions and a description of levels of authorities and information flow within the entire Ministry. The automated DMS would allow the MOJ to automate various actions and turn the internal paper process at the Ministry to an electronic system.

1.4 Upgrading the Capacity of the High Judicial Council (HJC) and Courts.

Administrative and Financial Capacity of the HJC. As administrative and financial reform of the HJC had been recognized as a priority area by the Chief Justice, the Netham program administrative and financial experts supported the HJC to strengthen the financial and administrative capacity of the institution. By December 2007 the Netham program and HJC staff completed an assessment report of the current administrative system and practices that included human resource systems and practices, communications, files and archives, correspondence management, and quality functions.

The Netham program and the HJC also completed an assessment report by December 2007 on the HJC's financial system and practices that included accounting systems and practices, revenue management, purchasing and fixed assets management, payroll analysis, and financial planning.

The Netham program - By the Numbers

280	Number of HJC staff in 2005 at the Netham program's commencement
580	Number of HJC staff in 2010 (<i>not including donor funded consultants</i>)

Both assessments addressed key aspects of technology requirements in terms of software and hardware, human resource requirements for the financial department, and infrastructure requirements. Along with the assessment report, the consultant submitted concrete recommendations for the HJC and a development plan for administrative and financial issues, respectively.

In relation to the planned upgrades, the assessment noted a shortage in the number of qualified employees at the HJC and lack of proper training and training programs. The Netham program also noted unclear criteria for promotions; weakness in internal and external communications; and no clear duties and responsibilities among employees in addition to unclear reporting requirements.

From January to March 2008, the Netham program helped the HJC produce two procedural manuals to serve as a cornerstone in developing financial and administrative systems at the HJC based on detailed diagnostic study of the HJC's current systems. The Netham program helped



the HJC present in a workshop newly proposed systems and procedures to ensure a common understanding among the HJC staff serving within the two departments in addition to gathering feedback from participants before finalizing the systems and procedures.

This workshop was attended by the Chief Justice who considered the newly developed systems a concrete step in building a professional institution. The workshop addressed re-engineering administrative and financial procedures according to the regulations of the PNA (e.g., Civil Service Law, Procurement Law) and administrative and finance best practices. The HJC began planning for the hiring of over 200 employees over the next several months that would be directly impacted by these new systems.

HJC Staff Capacity Building. After intensive planning with the Chief Justice and an HJC appointed committee, a detailed capacity building and training plan was developed for the HJC to build the capacity and skills of Court Administrators, Court Clerks, Enforcement, Notification, and Notary Public staff to give these staff members skills that would allow them to provide better and more efficient services to the public using the court system.

The capacity-building plan called for incorporating individual training needs based on both the employees' and the supervisors' feedback. While developing the plan, special consideration was given

to the importance of unifying procedures adopted in the various departments. The capacity building plan involved training almost 250 - 260 HJC staff including judges and court staff in both senior and mid-level positions. Some specialized training was also proposed to be conducted in Jordan and facilitated through the USAID Mission in Jordan as well as DPK's Rule of Law program and judiciary contacts in Amman.

In accordance with the Netham program's work plan objectives regarding the initiation of a developmental plan at two selected pilot courts, the Netham program carried out a site visit to courts to assess their suitability for launching the development activity. The assistance focused on enhancing the skills of court personnel to enable them to improve their service delivery, along with renovation and re-engineering of the courts' workflow processes and procedures to assist in improving court procedures and renew citizens' confidence in the system.

HJC FINANCIAL AND ADMINISTRATIVE SYSTEMS

Based on staff feedback and the Netham program input regarding international best practices, the following HJC procedures and systems were developed and/or modified, in efforts to make them more transparent and effective.

Human Resources System

- Employee recruitment
- Attendance control including vacations
- Employee file management
- Employee appraisals
- Training management
- Employees' satisfaction survey

Internal and External Communications System

- Internal meetings management
- Internal correspondence
- Reporting and follow up procedures

Documentation and Archiving Control System

- Documentation control
- Archiving control

Financial System

- Accounting system
- Revenues' collection and auditing
- Deposits collections and payments
- Payments and expenditures management
- Procurement management
- Cash management
- Internal Financial Auditing

Notary Public Offices. To follow-up on the Notary Public upgrading, the Netham program staff conducted regular site visits to both offices ensuring that the equipment was being properly utilized, and that the systems and procedures were working efficiently. The Netham program-sponsored data entry interns continued to enter data related to archive files at the Ramallah and Nablus Notary Public Offices. The data entry interns were contacted through USAID's Youth Empowerment Program "Ruwwad."

In order to measure the public's perception of these changes, the Netham program commissioned a study to measure the satisfaction of lawyers and members of the public with the services provided in the Notary Public Department prior to as well as post improvements. The study reflected a major increase in high satisfaction with services received, regardless of the type of service. The percentage in those reporting "high satisfaction" increased from 18.4 percent pre-improvements to 55.2 percent post-improvements.

With two Notary Public sites already upgraded, the Netham program worked with the Chief Justice to select a third site. The Netham program and the Chief Justice conducted a site visit to Jenin where a meeting was held with engineers of the Jenin Courthouse, which was under construction and discussed the design of the Notary Public space to best serve the public's needs.

IT Networking of the Courts. The Netham program worked with the HJC on efforts to provide connectivity between the HJC and all court sites throughout the West Bank by establishing a Wide Area Network (WAN). The WAN was aimed to allow the courts and the HJC to exchange information such as e-mails and court files; enable court notifications to be electronically transferred from and to the concerned court in addition to allowing exchange of financial and administrative information between the courts and the HJC. To pay for this system, the HJC received a grant from the USAID-funded Civic Engagement Program (CEP).

The WAN once installed, allowed for the following activities:

- Synchronize Mizan database records between all courts and the HJC (after database records were unified).
- Build up the required connectivity for Mizan 2.
- Enable the courts and HJC to exchange information such as emails and to share files.
- Enable notifications to be electronically transferred from/to the court within its respective governorate.
- Enable the public and other institutions to access public information via the web.
- Enable the exchange of financial and administrative information between the courts and the HJC.
- Transfer time attendance for each court to the administration in Ramallah to enable time logging for all employees.

From January to March 2008, the Netham program coordinated efforts with the HJC IT unit and the CEP to conduct a needs assessment pertaining to the WAN in terms of servers, routers, and network items including switches and firewalls for security. After ARD received bids, the Netham program was involved in the bid analysis and selection process.

Judicial Personnel Time Attendance Tracking. The WAN allowed for the implementation of an automated time attendance (clocking) system. The time attendance system was designed to allow for the first time electronic clocking of attendance of all HJC and court employees and the systematic exchange of time attendance from each court to the Administration Department in Ramallah.

HJC Database Unification. The purpose of the HJC database unification effort was to allow all court databases to be placed into one master database in Ramallah which would make it simple to track HJC records. Previously all records did not follow the same record numbering system and formats. The HJC-Netham program team developed a nationally unique case file numbering system essential for the integration of data from the automated case management system for the judiciary, Al-Mizan, into a centralized research and statistics database for the purpose of generating management information on a national level according to national standards.

Establishment of New Court in Jericho. Based on a request from the Prime Minister to the Minister of Justice, the Netham program assisted the MOJ with planning a new Jericho Courthouse. During the period, the Netham program provided advice on the interior design of the court chambers, the main entrance, and the clerk's office based on work by an interior designer/architect. The court construction commenced at the end of the Phase 4 period and was funded by the USAID-funded CEP.

1.5 Strengthening the Capacity of the Public Prosecution (PP) Services.

After helping develop a training plan for prosecutors in the prior period, the Netham program in December 2007 focused attention on updating the legal, administrative and financial manuals developed during the previous DPK Rule of Law program in the West Bank and Gaza. The AG formed a special committee to review the manuals, in order to re-publish them taking into consideration any amendments that might be necessary due to new laws and regulations.

The manuals included the Code of Ethics, Homicide Crime Investigation, and the Trial Advocacy Manual. These manuals had been under review by a committee established in the Gaza Strip. In early 2008, the three manuals were reviewed and revised by a Public Prosecution Committee established in Gaza by the Attorney General. Based on USAID guidance to limit activities with the Office of the Attorney General, additional follow-up was not conducted on these manuals.

In the first months of 2008, The Netham program hired a statistician to analyze results of questionnaires that were carried out for the Public Prosecution (PP) staff in an effort to develop a full report on needs of the PP regarding training, human resources, and equipment. The consultant was tasked with preparing an analysis of data identifying the continuous education and training needs of the PP members; the human resources, equipment and furniture needs in each PP office, and the training needs of the Attorney General's Assistants and Heads of Public Prosecution.

Future assistance to the OAG was put on hold by USAID since the Regional Legal Advisor determined that public prosecutors were criminal law enforcement agents hence should not be receiving USAID assistance since USAID does not work with the criminal justice sector.

COMPONENT 2: STRENGTHENING THE ENFORCEMENT OF LAWS AND COURT DECISIONS

Several site visits were carried out to courts during the December 2007 to March 2008 period, one in the company of the Chief Justice, to identify the needs of the courts in terms of needed equipment and furniture, and assess potential areas of assistance that could be provided to assist the courts, including the Enforcement Departments.

As the Ramallah Civil Enforcement Department was selected by the Chief Justice as a pilot location for the Netham program to initiate a needs assessment identifying the obstacles facing the enforcement of civil court decisions, the program team began work on data collection of the Department's workload. This information was received through the adoption of a questionnaire developed by the program.

The Netham program team and program-sponsored interns began electronically filing information on enforcement cases in a software program in order to assist in analysis of enforcement department performance, workload, work processes, and bottlenecks and obstacles. The data analysis would support ultimate development of a six-month plan of action to address the obstacles facing the civil enforcement of court decisions.

COMPONENT 3: SUPPORT PUBLIC OUTREACH, NETWORKING, AND CITIZEN ENGAGEMENT ON RULE OF LAW ISSUES

3.1 Public Outreach

Justice Day. During this period, the Netham program prepared a concept paper on the implementation of a public outreach campaign. The concept paper proposed that as follow-up to the adoption of the Justice Sector National Plan a public outreach campaign be implemented under the name "Justice Day." This campaign would be adopted by the three key stakeholders, including the MOJ, HJC, and PP and would highlight key concepts in the Justice Sector National Plan including emphasizing citizens' rights to a fair trial, and protection of citizens' basic rights. This concept was initially discussed with the Minister of Justice who was enthusiastic about undertaking this effort.

The concept called on the three stakeholders to proclaim a date as Justice Day. On this date a series of activities would be implemented highlighting the concept of justice and the judiciary through newspaper, TV, and radio advertisements and public service announcements, in addition to interviews. The three judiciary institutions would jointly sponsor events, which could also be held under the auspices of the President and Prime Minister. In coordination and approval of the Ministry of Education, visits by judicial officials would take place to schools across the West Bank to provide simple, and easy to understand information on the judiciary, rule of law, and judicial process.

It was envisioned that civil society organizations would also participate in the campaign. A meeting was also held with USAID's Aswatona Media Program to discuss potential collaboration. By March 2008, initial plans were being made to conduct a public event around the signing of the Justice Sector National Plan.

HJC Annual Report. In order to promote greater public understanding of the judiciary and in particular the HJC, its specific functions, and accomplishments, the Netham program began working with HJC staff and the Chief Justice to produce the HJC's 2007 Annual Report. After gathering data and statistics from various HJC departments, as well as holding numerous meetings and interviews with HJC staff and the Chief Justice, a draft report was produced for review by the Chief Justice.

The report was designed to address:

- Legal framework for the formulation and jurisdictions of the HJC
- Court types and jurisdiction
- Judicial inspection at the HJC
- Judicial training at the HJC
- HJC Technical Office
- Relationship between the HJC and the Legislative authority
- Relationship between the HJC and the



Executive Authority

- Achievements of the HJC during the year 2007 and planned accomplishments for 2008
- HJC Strategic Plan

In an effort to provide capacity building assistance to HJC staff so that the institution can produce future reports with limited assistance from donors, the Netham program worked closely with assigned staff members at the HJC Technical Office to provide the team with the skills and knowledge needed to develop future informational reports. By March 2008, a second version of the report had been submitted to the Chief Justice.

PHASE 5: THIRD REVISED SOW (APRIL 2008 TO MARCH 2009)

Early in 2008, USAID processed a contract modification for the Netham program reflecting changes incorporating three components of assistance to the judiciary, as opposed to the original two components. The three new components were:

- Professionalizing the formal justice sector through targeted assistance to the Ministry of Justice (MOJ), High Judicial Council (HJC), Court Administrators and other bodies
- Strengthening the enforcement of laws and court decisions
- Support public outreach, networking, and citizen engagement on rule of law issues

Also supplementing prior SOWs was added emphasis on building the capacity of the HJC, Notary Public offices, supporting improved case management, and strengthening mechanisms of inter-institutional cooperation. The new, third revised SOW also eliminated work in the criminal enforcement area under the OAG due to statutory issues and USAID regulations. A budget realignment was requested and approved in relation to the changed SOW which covered April 2008 to September 2009.

The new work plan for the third revised SOW included the following components and sub-components:

The Netham Program Third Revised SOW Work Plan Adopted April 2008	
Component	Sub Components
1. PROFESSIONALIZE THE FORMAL JUSTICE SECTOR THROUGH TARGETED ASSISTANCE TO JUSTICE SECTOR INSTITUTIONS AND OTHER BODIES	1.1 JUSTICE SECTOR STRATEGIC PLANNING 1.2 SUPPORTING THE PROCESS OF DEVELOPING THE HJC 1.3 ENGAGING AND BUILDING CAPACITY OF THE MOJ
2. Strengthening the Enforcement of Laws and Court Decisions	
3. Support Public Outreach, Networking, and Citizen Engagement on Rule Of Law Issues	

COMPONENT 1: PROFESSIONALIZE THE FORMAL JUSTICE SECTOR THROUGH TARGETED ASSISTANCE TO JUSTICE SECTOR INSTITUTIONS AND OTHER BODIES

1.1 Justice Sector Strategic Planning

Three (3) Year Strategic Plans for the HJC, MOJ, and OAG. In continuation of the program's prior efforts, 20082010- Strategic Plans for each of the MOJ, HJC, and OAG were finalized, consistent with the National Justice Sector Plan 20082010-. The 20082010- National Justice Sector Plan included the following key elements:

Justice Sector Strategy Objective	Strategy/Activity
Objective 1: Organize and Develop Complementary Relations among the various Justice Sector Institutions	1 HJC: Activating the High Judicial Council and convening its meetings to ensure the proper administration of justice.
	2 HJC: Reaching understandings with the related institutions without creating any inconsistency with respect to the philosophy of judicial independence so as to determine the basis for work and communication with each of the following groups:
	1 MOJ: Completion of Agreements with Relevant Institutions
	2 MOJ: Developing the Legislative Plan of the Justice Sector
Objective 2: Ensure a Fair and Speedy Trial	1 HJC: Improving Case Management and Reducing Delay
	2 HJC: Upgrading the Skills and Capacities of Judges and Administrators
	3 HJC: Strengthening Accountability and Oversight Systems
	4 HJC: Establishing a Special Quality Assurance Unit at the Court Administration Department
	5 HJC: Reviewing a Package of Judiciary-Related Legislation
	1 MOJ: Judicial Training Institute
	2 MOJ: Activation of the Institute of Forensic Medicine
	3 MOJ: Establishment of the Criminal Lab
Objective 3: Support and enable the justice sector institutions	4 MOJ: Establish and Operate the Judicial Police
	1 HJC: Adopting an Integrated and Appropriate Organizational Structure for the Judiciary
	2 HJC: Forming the General Secretariat of the High Judicial Council
	3 HJC: Establishing a Court Administration Department
	4 HJC: Supporting and strengthening strategic planning at the High Judicial Council
	5 HJC: Developing and establishing a Judicial Information Center
	6 HJC: Automating Courts and Managing Case Files
	7 HJC: Creating an Adequate Litigation Environment
	1 MOJ: Strengthen Strategic Planning within the Ministry
	2 MOJ: Activation and Development of Administrative, Financial, and Technical Systems
	3 MOJ: Provision of Needed Qualified Personnel
	4 MOJ: Upgrading and Developing the Capacities of the Human Resources
5 MOJ: Provide Needed Buildings and Equipment	
6 MOJ: Automation	

Justice Sector Strategy Objective	Strategy/ Activity
Objective 4: Safeguard the citizens' rights and fundamental freedoms	1 HJC: Raise Public Awareness on the Importance of the Judiciary and its Role in Ensuring Rights and Justice
	2 HJC: Improve Public Judicial Services
	1 MOJ: Improve Public Services
	2 MOJ: Activation of the Complaints System
	3 MOJ: Establishment of the Human Rights Unit
	4 MOJ: Establishment of a Gender Unit
	5 MOJ: Activation of the Ministry's Inspection of Reform and Rehabilitation Centers
	6 MOJ: Reviewing Legislation Related to Citizens' Rights
7 MOJ: Activate Means of Alternative Dispute Resolution	
8 MOJ: Enable Citizens to Access Information	

The Plan included practical and achievable activities and served to prioritize reform activities and put all stakeholders and donors on the same page regarding reform assistance. The strategic plans were developed in a participatory and inclusive manner by a representative national committee including members from the Ministry of Justice, the Office of the Attorney General, Palestinian Non-Governmental Organizations, the High Judicial Council, the Ministry of Planning, and the Institute of Law at the Birzeit University as well as the International Center for Human Rights. This methodology ensured wide understanding and support for the final adopted Strategic Plan, facilitating its implementation.

Subsequent to the approval of those plans by the various stakeholders, the Netham program assisted in translating and compiling these strategic plans and the National Justice Sector Plan that was produced in Arabic and English, published, signed, and adopted officially during a signing ceremony that took place on the May 29, 2008 Justice Day under the patronage of Prime Minister Dr. Salam Fayyad.

Performance Indicators for the HJC and MOJ. In continuation of the Netham program's efforts to enhance the HJC's and MOJ's planning capacities, and based on the request of the Justice Sector Working Group, in late 2008 the Netham program worked closely with the staff of the Planning Units at the HJC and MOJ to develop performance indicators for the HJC and the Ministry of Justice in compliance with the Strategic Plan for the years 2008-2010.

1.2 Supporting the Process of Developing the High Judicial Council (HJC)

To help the HJC implement its new Strategic Plan, the Netham program undertook numerous assistance activities as follows.

Financial and Administrative Systems and Procedures. A key need of the HJC to improve its effectiveness was to enhance its internal financial and administrative procedures. The Netham program helped the HJC develop sound financial and administrative systems and procedures and capture them in procedural manuals, including forms and templates. An internal auditing manual was also developed in relation to the new systems and procedures. The development of the manuals resulted from a series of consultative meetings with the Director of the Finance and Administration Department at the HJC.

These manuals helped organize and institutionalize the work of the HJC and assist HJC employees to execute daily tasks more efficiently and deliver higher quality services to the public—in addition

to providing more transparency and accountability. The Netham program worked on a daily basis with relevant HJC staff to assist in institutionalizing the new procedures, receive feedback, and make adjustments. The Netham program conducted intensive follow-up on implementation of the new systems and procedures through one-on-one training, group training, and further in-depth training including for 19 Chief Clerks of various courts of different levels.



Early after the procedures were developed, the Netham program worked with the HJC to conduct an audit to evaluate the level of implementation of the new procedures, and the results showed that approximately 80 percent of the financial procedures and 75 percent of the official administrative procedures were being implemented at the HJC. These numbers provided a baseline to measure progress as the Netham program continued support to the implementation of the procedures.

Media and Public Relations. In late 2008, the Netham program assisted with the establishment of the Media and Public Relations (PR) Department at the HJC to play a key role in promoting public awareness and respect for the judiciary by informing citizens of the ongoing roles and accomplishments of the judiciary. The Netham program helped develop job descriptions for department staff including the department director. Upon hiring, the Netham program worked closely with the director to help establish and promote activities of the department—in addition to developing their strategy. The strategy focused on: website updates, publishing press releases, producing TV and radio spots, promoting regular meetings with the editors of daily newspapers, and providing more court access to journalists.

The Netham program helped the Media and Public Relations Department prepare a draft action plan to increase public awareness of the judiciary. The draft action plan recommended an increase in staffing at the HJC's Media and Public Relations Department, holding public relations training for the Chief Justice and other judges, and the use of the HJC's website as an important tool for public awareness. The Netham program also provided the department with computers, a digital camera, a projector, and a flash memory as well as assisting in the production of the HJC monthly and quarterly newsletters and printing 500 judges' agendas and 400 desk calendars.

In early 2009, the Netham program began working with the Media and PR Department on implementation of the adopted media strategy and action plan. Activities included specific initiatives to raise public awareness about the HJC and its accomplishments, public relations training for staff and judges, recruiting new department staff with needed skill sets, and developing the HJC Media and Public Relations Department website, in the same regard Netham provided a Media & PR consultant to assist the Media and PR Department at the HJC.

The Netham program assisted the HJC in organizing a bus tour for about 20 journalists representing various print, radio, and television media outlets to a site visit to the Jenin and Nablus courthouses in order to educate journalists on the role and function of the judiciary, and encourage local press coverage of the courts. The site visit was hailed as a success by the participating journalists as this was the first such activity organized by the HJC to provide the media with information on the courts.

Also in early 2009, as part of its activities to encourage journalists to report on court news and familiarize them with common court terms, the HJC's Media and Public Relations Department, in cooperation with the Netham program, worked on producing a terminology booklet. The pocket size glossary contains more than 50 legal terms that are commonly used in courts and help familiarize reporters with legal terminologies and their proper usage. The booklet was prepared in cooperation with the USAID-funded Aswatona Media program and distributed through the HJC to major media outlets in the West Bank.

In early 2009, the Netham program supported the HJC's Media and Public Relations Department in developing the first issue of a new HJC quarterly newsletter. The newsletter, titled Qadaona, which is the Arabic word for 'our judiciary' was produced and distributed in both Arabic and English. The Netham program assisted in printing 5,000 Arabic and 1,000 English copies of the newsletter. The newsletters were distributed to various justice sector organizations, as well as public and government institutions. The newsletter covered stories including the functions of the High Court and a biography on High Court judges. In addition, the newsletter was distributed as a supplement to a leading local newspaper.

The Netham program helped sponsor a number of radio ads with local and national stations to inform the public of the opening of the newly renovated Jenin Courthouse. Al Balad and Al Ahlam radio stations, both based in Jenin, and the national radio station Ajyal Radio broadcast the informational spots in March 2009. All three radio stations in West Bank reported live on the opening of the Jenin Courthouse. On the day of the event, morning reports on these stations ran a story on the HJC's strategic plan, its achievements, and aired an interview with the Chief Justice.

The radio campaign reached thousands of citizens and helped raise awareness of the work done at the Jenin Courthouse, which had been renovated by UNDP with funds from the Japanese Government. The Netham program helped to furnish and equip the first floor of the building which included the Notary Public, Civil Judgment Departments and the First Instance and Conciliation Courts.

Court Administrator Training. As part of efforts to upgrade the capacities of court administrators, the Netham program worked with the HJC and PJI to implement a capacity building and training plan to upgrade the skills of various Court Administrators, Court Clerks, and Enforcement, Notification, and Notary Public staff to improve efficiency and client service in the court system. The 7 week training program for approximately 306 court staff members was tailored to identified priority needs (see text box).

Thirty-four (34) Chief Clerks and Deputy Chief Clerks attended training on the new Court Unified Procedures system developed by the Court Administration Department with the Netham program's assistance. Several sessions were conducted, on issues such as enhancing the effective utilization of Al-

2008 COURT ADMINISTRATION TRAINING PROGRAM TOPICS

- Electronic stenography for court stenographers, including training on mechanisms to record the minutes of the hearing sessions.
- Training on the automation system in use at the Civil Judgment Departments, and methods of promoting the full use of this software in the department's financial work.
- Unification of procedures on enforcement of judicial decisions among West Bank Civil Judgment Departments.
- The consolidation of Notary Public Department's work processes and procedures.
- Rules and regulations of judicial notifications for the West Bank Judicial Notification Court Processors.
- Enhancement of administrative capacities of the West Bank courts' Chief Clerks and Deputy Chief Clerks.

Mizan automation system, practical training on methods of generating, reading and analyzing Al-Mizan reports, and the use of the new Notification Management System being piloted at that time in the Ramallah Notification Department.

Judicial Training in Jordan. Given the success of the training and regional training held in Jordan for seven court administrators, the Chief Justice requested the Netham program's assistance in facilitating the training of 50 newly appointed judges, including initial training at the Jordanian Judicial Institute and the Justice Palace of Jordan, and practical training at the Jordanian courts.

To make use of the Jordanian judicial experience, the Netham program worked with the USAID MASAQ rule of law program in Jordan to secure commitment from the Jordanian Judicial Institute and key judges to support judicial training and reform in Palestine. The Netham program initially assisted in sending seven of the HJC staff to participate in a two-week training program that was held on the premises of the Jordanian Judicial Institute in June 2008. Training topics included communication skills, court case management, judicial conduct, notary services, notification, and Enforcement Department tasks and responsibilities, and practical training for the Notary Public, Civil Judgment, and Notification Department staff.

The Netham program- By the numbers

306

Number of court administration staff trained in a 7 week training program at PJI in 2008

6,000

Copies of the HJC newsletter The Netham program helped print and distribute including in local newspapers in 2008

9

Number of years of closed files on shelves in Jenin Courts that the Netham program interns helped arrange in serial number order in 2008

In early 2009, the Netham program facilitated training for 40 newly appointed HJC judges, who had already received seven weeks of new-judge theoretical training at the USAID-supported Palestinian Judicial Institute. In Jordan, the judges took part in training at the Jordanian Judicial Institute on applicable law and litigation and practical judicial procedures. Field visits were carried out to the Forensic Medicine and Criminal Investigation Departments in Amman, the Jordanian capital. This training aimed to familiarize the judges with judgment procedures and to build capacities and empower the newly appointed judicial cadre. Following the training in Jordan, the new judges were assigned to various courts in Palestine.

In total, the Netham program facilitated the initial training for 40 newly-appointed judges at the Jordanian Judicial Institute and the Justice Palace of Jordan. The training was applauded by the Chief Justice and the participating judges who according to evaluation reports found the training and teaching methods extremely useful and relevant to their new tasks. Judge Fadel Najajreh, who participated in these trainings, stated, "The Netham program played a pioneering role in following up the needs and requirements of the courts and trainees.... As far as the training of trainers course, the training constituted an opportunity for me personally and allowed me to learn from the experiences of others and enabled me to perform as a good judge and a good trainer as well."

English Language Training for Judges. The Netham program responded favorably to a request by the Chief Justice for the facilitation of English training programs tailored specifically for judges in order to enable them to communicate at multinational forums, attend international conferences, and benefit from reports and research papers written in English.

In order to ascertain their English language skills, AMIDEAST was contracted to conduct placement tests for around 70 judges from all over the West Bank. The placement tests were conducted in three locations: Ramallah, Bethlehem and Nablus. Based on the results of those

placement tests, AMIDEAST divided the judges into classes appropriate to their level. Based on the results of placement tests in early 2009 10-week trainings began in Ramallah, Nablus and Bethlehem. Each class provided 45 credit hours of training.

IT Networking of Courts, Time Attendance, and Database Unification. In furtherance of its efforts to improve IT systems of the HJC, as previously stated, the Netham program secured funding support from the USAID-funded CEP for installation of the Wide Area Network (WAN) infrastructure in the courts, and time attendance (clocking) system to monitor the attendance of HJC personnel. The Netham program's efforts concluded with the installation of the WAN system in the Ramallah administration offices and in the various West Bank courts.

The HJC IT support personnel were for the first time able to access local court computers from Ramallah. Using the recently installed WAN between Ramallah and Nablus, they could reconfigure and repair data entered locally and transmitted to Ramallah. The new capacity for remote work is especially useful in the West Bank given the unique logistical challenges due to the ongoing Israeli occupation.

Following the installation, the Netham program staff assisted the vendor of the WAN in providing the HJC staff with needed training on the utilization of the equipment. The Netham program also assisted in unifying the various databases of the courts and various departments through writing the needed script for the unification process. Working closely with the HJC IT Department, the Netham program helped develop the needed scripts for the unification. In early 2009, a unified database housed in the Ramallah courthouse was completed and implemented for the database unification in all the West Bank. The database unification effort integrates all information into one master database, allows collection of accurate information, centralizes data, and assists in producing statistical reports and enabling users to track HJC's case records and all activities of Notary Public and Civil Judgment Departments.

The Netham program sponsored an HJC IT delegation study tour to Jordan to review Al-Mizan 2 court automation software that is used in the Jordanian courts. The study tour was based on a consensus that the Palestinian Mizan version could not meet the increasing requirements of the court activities in the West Bank. The delegation met with the IT Manager from Optimiza, the Jordanian company that built Mizan 2 to discuss technical issues. After the study tour, the Netham program and the HJC carried out a review of a vision for Mizan 2 in Palestine. An extensive vision document was developed that the HJC is working on implementing.

Upgrading of Central Archiving. Based on a request by the Chief Justice, in late 2008 the Netham program assisted with renovation work at the Central Archiving of the Ramallah First Instance Court. This help included electrical work, plastering, painting, and shelving. The Netham program interns helped organize case files at the renovated premises, allowing for better retrieval and classification. In addition, the renovation created space for material evidence so it now can be kept organized on shelves instead of being piled on the ground, as was the prior practice due to lack of proper storage space.

HJC Library Renovation. In late 2008, the Netham program helped complete renovation work at a new HJC library site, and supplied the needed furniture and equipment. Software was installed at the library, and books and legal references



were provided by the EU-funded Seyada program. A new librarian was appointed and the library is being used of HJC staff and judges.



Implementation of New Case File Archiving System.

Led by interns, the Netham program assisted with implementation of a new system for archiving documents for all pending cases at the courts. The new archiving system assigns a serial number to each case and files hard copies of documents according to that number. One component of the system is the simultaneous updating of paper copies of files, replacing the old covers and labeling files for better storage and retrieval. This new method of archiving decreases the number of missing files and make retrieval simple and efficient.

Notary Public Services. With respect to notary services, in follow-up to the efforts of upgrading the Ramallah and Nablus Notary Public Departments, the Netham program staff conducted regular site visits to both offices ensuring that the equipment installed at the two departments including the computers and queuing systems were properly utilized, and that the systems and procedures were working efficiently. The Netham program contracted six data entry interns to complete archiving of files in both offices. The assistance focused on entering data files into Al-Mizan software. By March 2009, 7,450 documents had been entered in Ramallah, 11,609 in Nablus, 6,011 in Jenin and 7,729 in Hebron.

Judicial Notifications. In early 2008, according to the HJC's Judicial Inspection Department (JID), the delay in processing notifications was the primary obstacle contributing to case backlog. The Netham program staff conducted a number of site visits to the Notification Department to carry out a needs assessment, obtain figures on the caseload of the department and to identify the number of personnel. The most noteworthy observation is that the daily average of notifications is about 2,000 while the number of personnel (processors) is 10, a key factor in notification process delays.

The Netham program contracted three additional interns in coordination with USAID's Ruwwad Youth Program to assist in organizing and archiving the workload of the department electronically and manually to accelerate the judicial notification processing at the selected department. In the second quarter of 2008, the Netham program began to lay the groundwork for an application upgrade of the Notification Management System (NMS).

An alternative workflow design of the notifications systems was prepared for a proposed upgrade of the automated NMS. In an effort to begin the automation process for notifications, the Netham program staff developed three new notification workflow designs that include Notary Public notifications, court notifications, and enforcement notifications.

New Excel spreadsheets and data entry activities were implemented, designed to efficiently track received and issued notifications. As of late 2008, the assistance had led to a 70 percent improvement in performance at the Hebron Notifications Department according to the HJC Inspection Department.



In early 2009, the Netham program prepared an action plan for a Notification pilot program and after deliberations the Chief Justice and Chief Clerks selected Ramallah and Jenin Court to participate in the pilot program. The pilot program focused on implementing a more efficient and effective notification system using a new notification software program and improved procedures.

The Netham program conducted a study to determine the time between issuance of a court notification and receipt. This study was conducted in the Hebron and Jenin Notification Departments. The results of the study show that over 95 percent of notifications involved in the study were delivered within 15 days of issuance and prior to scheduled hearings.

In addition, a training plan on the new NMS was created for all Ramallah notification staff and processors. The Netham program assisted the Chief Notification Clerk in providing training for new notification processors on notification law, procedures, communication skills, and administration issues which will bring all new employees up to date on how notifications are processed.

The Netham program conducted a Notification Department pilot program baseline survey in Ramallah and Jenin. This was a pre-implementation survey to measure the satisfaction of relevant parties with the functioning of Notification Departments. This survey targeted samples of lawyers, judges, clerks and courts users in pilot locations, and results indicated that most of those surveyed were unsatisfied with the work of the Notifications Department.

In early 2009, the Netham program helped install at the Ramallah Notification Department an improved, automated NMS, designed to help monitor and track court notifications. Training for staff on the use of the notification system was conducted and the Netham program-supported interns helped enter data.

Court Financial Deposits. In late 2008, the Netham program initiated assistance to the HJC to explore financial procedures that would transfer accumulated deposits into revenues at the Civil Judgment Departments. These accumulated deposits typically consist of funds deposited by citizens at the Civil Judgment Departments for bail, debt, child support, etc., which had not been claimed in more than five years. The Netham program prepared a detailed plan with recommendations to address the unclaimed financial deposits. The Netham program also helped collect data from the Nablus, Ramallah, and Hebron Civil Judgment Departments regarding the financial deposits and to prepare a report explaining the results and the recommended procedures to be adopted.

The Netham program led discussions with the Ramallah, Hebron, and Nablus courts to review the results and recommended procedures and generate a comprehensive model for this pilot program to address this issue. As a result of this feedback, the Netham program generated forms for the procedure to facilitate the entire deposits and disbursements process. The Netham program interns helped separate the case files and enter deposits into the database.

In early 2009, The Netham program worked with the Ramallah, Hebron, Bethlehem, Jenin, Tulkurem, and Qalqilya Civil Judgment Departments to identify the accumulated financial deposits by auditing files, reports, and documents which resulted in finding approximately \$757,200 US dollars in financial deposits. In addition, the Netham program assisted in developing an accumulated financial deposits study and report to be used as the mechanism to identify all accumulated financial deposits for Civil Judgment Departments. With the Netham program's

The Netham program - By the Numbers

\$757,200

Unused financial deposits the Netham program helped the courts in Ramallah, Hebron, Bethlehem, Jenin, Tulkurem, and Qalqilya identify and provide recommendations for re-allocation to the judicial budget (in USD)

help, a unified financial deposits management system was developed in order to assist in managing all deposits made.

Case Management and Delay Reduction. The Netham program helped conduct a caseload study analysis in late 2008 in West Bank Conciliation and First Instance Courts. The study aimed to assist the HJC in improving case management in West Bank courts by analyzing current judicial filings and identifying reasons for case backlogs and delay, pinpointing specific challenges to efficient and effective case management and proposing solutions.

The Netham program assisted with the review of case files at the Ramallah and Hebron First Instance and Conciliation Courts which were selected as pilot sites in consultation with the HJC. As part of the review process, cause of delay of each case was corrected in the Al-Mizan software, with 2,929 such amendments made to files in Hebron and 1,461 in Ramallah. Correcting and updating the Al-Mizan data supported more reliable performance based management and policy and resource allocation decisions, using computerized data analysis.

Major findings of the study showed that:

1. West Bank courts had achieved remarkable results despite significant obstacles including political instability, limitations to physical access due to curfews and roadblocks, inefficient court processes, and lack of coordination within the justice sectors. In this difficult environment, case filings and dispositions still increased in all courts between 2007 and 2008, especially in areas controlled by Palestinian security.
2. Large backlogs existed with both internal and external reasons for delay. Pending court cases had an average of 12–15 hearings per case with delays caused mainly by absent parties to the case, non-notifications, and lack of readiness by attorneys and prosecutors. Courts were generally disposing of cases at the same rate as new filings, yet a significant backlog existed. Between 36 to 58 percent of pending survey cases in Conciliation and First Instance Courts were found to be 2 to 5 years old, and 14 to 28 percent were over 5 years old.
3. Viable solutions for improving case management and reducing backlogs were identified. These solutions included adopting improved case-management practices, enacting new legislation to increase efficiency and speed the disposition of cases, and improving coordination among justice sector partners.

Justice Sector Baseline and Public Perceptions Survey. As a further effort to assess the performance of the courts, court staff, judges, and lawyers, as well as measure public satisfaction with the judiciary, in late 2008 the Netham program contracted Arab World for Research & Development (AWRAD) to carry out a Justice Sector Baseline Survey. The study aimed to help the Netham program and the justice sector institutions make developmental recommendations to improve the judiciary, in addition to providing accurate statistics and objective analysis of the HJC's performance.

Some 1,010 face-to-face interviews were conducted, using a comprehensive sample representing all the West Bank governorates. AWRAD surveyed over 2,250, court users, judges, lawyers, court staff, and members of the general public. The results were finalized in early 2009, and included data on more than 35 survey questions (see text box).

Illustrative Justice Sector Baseline Survey Questions

- Fairness of court verdicts
- Respect given by court staff
- Safety in the court room
- Trust in judges and lawyers
- Trust in police and prosecution investigation procedures
- Court staff effectiveness

Among other key findings, the survey showed that participants expressed the most trust in judges and least trust in the police. The majority of the public viewed court decisions as reasonable, with about 66 percent believing that court decisions were fair. According to the survey findings judges felt a critical need to improve the court's physical infrastructure, including better maintenance, acquiring more suitable furniture, and mounting information signs to direct court users to the appropriate departments.

Based on these findings, AWRAD made recommendations, including recommended activities to enhance the judicial system's credibility. The Netham program printed and circulated the report in addition to holding a public event to present the findings.

HJC Court Administration Department. In early 2009, the Netham program began assisting the Court Administration Department (CAD), a key HJC Department responsible for fostering and maintaining accountability and transparency at court institutions. As part of efforts to support the CAD, the Chief Justice in early 2009 appointed an Appellate Court judge to serve as the first Director of the new HJC Court Administration Department. (Note: there continues to be conflicting opinions regarding what body should oversee court administration, the HJC or the MOJ, because the existing laws are contradictory and ambiguous.)

Within months, working with the Netham program, the CAD had developed its by-laws, organizational structure, and work plan. The Netham program assisted the Director of the CAD in implementing administrative and financial systems based on the systems developed for the HJC with the Netham program assistance.

HJC Management Reporting, Statistical Analysis, and Performance Based Management. In connection with developing the HJC Annual Report, the Netham program worked with HJC staff in the Financial and Administrative Department, Technical Department, and the Director of the Office of the Chief Justice to provide guidance and support with respect to statistical analysis and development of periodic management reports. The Netham program also assisted in gathering figures and statistics concerning number of employees, number of judges, and their distribution.

In early 2009, the Netham program helped initiate regular Judicial Court Administration meetings within the HJC attended by all Chief Judges that continue to this day. The meetings addressed a range of topics including major challenges in court administration and ways to address those challenges.

To support the High Judicial Council decrease the very large pending criminal case backlog in Palestinian courts, the Netham program began a case purging activity in early 2009. The Netham program-supported interns assisted judges in various courts to identify cases that were candidates for final review and disposition and worked with the courts to draft the needed documentation to properly close the case files.

Enhancing Al-Mizan Case Management System Implementation. The Netham program helped the courts in Nablus, Ramallah, Jenin, and Hebron complete a comparison between the number of paper files on shelves and the number of files recorded in the registers and in Al-Mizan First Instance and Conciliation Courts. The matching process revealed several problems that required corrective action including:

- Cases were transferred to other courts, but the information was not updated in the system.
- Some cases were recorded only in one type of file, meaning that the case existed only on paper or in the Al-Mizan database.
- Case processing had been temporarily suspended in some cases and the cases had not been updated appropriately.
- A few files were found misplaced inside the covers of other files.

- Numerous pending Civil First Instance cases were found to be eligible for disposition.
- Several pending files were found with no next hearing date specified.

The Netham program provided the High Judicial Council IT Department with the findings and a list of cases needing to be corrected and updated. The Netham program also supported review of 2,230 pending cases in the Ramallah Conciliation Criminal Court and 109 in Jenin First Instance Court. The Netham program assisted with correction of the cause of postponements in the court computer system to ensure that statistics were accurate and reliable and to enable data analysis, problem diagnosis, and solution identification.

In early 2009, the Netham program-supported interns continued to help improve the filing system in courts. In the first three months, the interns updated 1,175 files in the Hebron Conciliation Court, 1,340 files in Hebron First Instance Court, 3,010 files in the Jenin Conciliation Court, 1,047 files in Jenin First Instance Court, 1,320 files in Ramallah First Instance Court and 600 in the Ramallah Conciliation Court. This effort was implemented in parallel with the development and implementation of a unified case filing system across all West Bank courts.

Unified Case Flow Procedures. As part of activities that aim to improve court administration, case management and services provided to the public, a focus group consisting of the CAD team, the Netham program staff, and selected chief clerks worked to develop unified case flow procedures for First Instance and Conciliation courts. The developed Unified Procedures for the First Instance and Conciliation Courts address all case flow from initial registry to disposition and archiving and includes a unified procedural checklist and guidelines.

Case Management Workshops. In early 2009, the Netham program assisted in conducting the first of four three-day workshops for 25 Conciliation and First Instance Court Judges on Criminal Case Management. The workshops were led by two senior Jordanian High Court Judges and covered numerous topics of interest to the Palestinian judges including filing, registration and procedures of criminal cases; detention and preservative arrest; evidence in criminal cases; application of the Criminal Procedures Law and issuing judgments. The aim of the workshops was to bolster participants' skills and techniques in the efficient utilization of a variety of applicable laws and procedures governing criminal case proceedings in Palestinian courts.

The Netham program - By the Numbers

17

The Netham program-supported facility renovations completed at courts, notary offices, enforcement departments, and other justice facilities

184

Library books purchased for the AQU law library

Chief Justice's Office Upgrades. In early 2009, the Chief Justice requested the Netham program to provide a technical assistance consultant to support and increase the capacity of the Chief Justice's Office. Upon receiving USAID approval, the Netham program helped carry out site visits to Jericho, Bethlehem, Hebron, Dura, and Halhoul courts to observe operations and assess needs. Following the visits, the Netham program helped prepare a detailed report for the Chief Justice outlining observations, needs, and actions to be taken.

The Netham program then began assisting the Chief Justice in a host of key tasks, such as implementing new administrative procedures, training office staff on administrative tasks, organizing and institutionalizing the relations between HJC departments, overseeing the preparation of the HJC annual reports, managing the preparation of the Chief Justice circulations to the judges and HJC employees, and organizing the information flow at the HJC.

The technical assistance had a marked effect on the effectiveness of the Chief Justice's Office. The amount of correspondence from the office increased by 54 percent, indicating greater, and more frequent, communication of instructions and requests. Training was provided to staff of the Chief Justice Office on drafting correspondence and conducting daily affairs at the office.

Other areas of improvement included a review of the Execution Law allowing the HJC to be better equipped to handle related complaints and communiqués. Working closely with the Chief Justice, the Netham program helped establish bi-weekly meetings between the CAD and IT departments to regularly discuss and tackle mutual responsibilities of these two key HJC departments. These meetings are now officially conducted on a regular basis and are part of the Chief Justice's agenda.

1.3 Engaging and Building Capacity of the Ministry of Justice

MOJ Institutional Needs Assessment. Early in the Phase 5 period, the Netham program worked with the Ministry of Justice to carry out an MOJ Institutional Development and Capacity Building needs assessment. The report focused on the administrative areas practiced at the Ministry including the organizational structure, employee job descriptions, powers of authority, qualifications of human resources and their capabilities, and administrative affairs systems and procedures. In addition the report addressed the financial systems requirements in terms of accounting procedures, financial internal infrastructure and financial controls.

Based on the assessment findings, in late 2008 the Netham program developed an action plan of potential areas requiring immediate assistance at the Ministry of Justice, discussed with and endorsed by the Minister of Justice. Most prominent on the list was the development of the administrative and financial systems of the MOJ to provide a transparent and accountable system.

MOJ Strategic Planning. During Phase 5, the Netham program assisted the Ministry in the development of its portion of the Justice Sector Strategic plan. In January 2008, the Netham program retained and imbedded a strategic Palestinian advisor and one assistant in the Ministry to organize a strategic planning unit to implement the strategic plan. The strategic advisor also helped the Ministry work with the Ministry of Planning, the donor community and other justice institutions to plan how to best carry out the objectives in the Justice Sector Strategy. Later the Netham program imbedded an international advisor to assist the Ministry in further implementation of its strategic objectives.

MOJ Facility Renovations. Due to the fact that the Ministry of Justice expected to receive additional employees, The Netham program worked with the MOJ on developing proper space and creating new work areas to enable the MOJ to absorb newly appointed staff through support from the USAID-funded CEP.

Completion of Jericho Courthouse. In the third quarter of 2008, the Prime Minister inaugurated the new Jericho courthouse that the Netham program and the CEP had supported. The opening of the Jericho courthouse received front page coverage in the Palestinian press.

Systems Development and Training for the MOJ. In early 2009, the MOJ approved the Netham program's training and action plans for assisting the MOJ to improve its performance, based on the needs assessment conducted by the Netham program.



In coordination with donors such as the European Union Police Coordinating Office for Palestinian Police Support (EUPOL COPPS) and the Swedish International Development Agency (SIDA), in early 2009, the Netham program contributed to the development of improved financial procedures for the MOJ. These procedures were published in an MOJ Financial Manual. The Netham program helped train MOJ staff on financial procedure expenses, revenues, cash management, purchasing, budgeting, and the accounting system.

MOJ National Justice Records System. The Netham program provided needed technical assistance to the establishment of the MOJ's National Justice Records System. The system primarily focuses on the production of a "non-conviction certificate" that is often a requirement in applying for Palestinian Authority jobs, as well as a number of international visas and other transactions.



Centralizing the National Justice Records System was challenging since it required full cooperation of multiple agencies that maintained the necessary data for the system. The Netham program helped facilitate consensus building and a memorandum of understanding was signed between MOJ and the Public Prosecution Office in relation to proceeding with the establishment of the National Justice Records automated system at the Ministry.

In late 2008, the data collection process to power the Justice Records System was determined and approved by the Netham program and the MOJ. The new system was designed to allow paper copies of judgment documents and, if available, judgment briefs to be photocopied and stamped at the Public Prosecution Office before being transferred to the Justice Records Office at the MOJ for scanning and data entry. The equipment needed for the data entry, including a temporary server for the database, was supplied by the Netham program. Six interns were also hired by the Netham program through USAID's Ruwwad youth program to input the data.

To house the Justice Records System, in late 2008, the Netham program began work with the MOJ to create a new, modern National Justice Records Office. In early 2009, the Netham program's assistance included: renovation work of the Justice Records Office and other public services at the new location at the Ministry of Justice; the establishment of the National Justice Record Systems software; the installation of a modern queuing system; and placing of signage at appropriate locations to make the National Justice Records Office easily accessible and user-friendly. In addition, the Netham program procured equipment and furniture, including 120 shelving units for the archiving of the Justice Records documents.

The National Justice Records System was installed at the Justice Record Office and user manuals and source code were delivered for the Ministry of Justice. The Netham program hired six data entry interns to begin working at the Justice Records Office. They were tasked to clean, classify and filter the judgment briefs and then enter information into the Justice Records System. Additionally, MOJ staff received training on the system, able to produce non-conviction certificates for the public.

MOJ Document Management System. The cornerstone of professional public sector institutions is a modern information management system. Poorly managed documents and information can cripple an organization and certainly prevents it from achieving its maximum performance potential. Effective information systems save time and enable organizational staff to give adequate focus to data-driven planning, problem solving, communicating with stakeholders, and generally fine tuning and upgrading institutional performance. The Netham program recognized

that the MOJ's document management system was preventing the MOJ from reaching its full potential.

The process of designing an automated Document Management System (DMS) for the MOJ began in late 2008. The DMS is an IT-based system by which all documented activities within the MOJ are captured and saved in a database for further processing or for final archiving. The DMS captures document workflow between and within MOJ departments, leading to more efficient and improved information management.

To introduce the system's design and functions, the Netham program delivered a presentation for the MOJ IT and administrative staff in early 2009 at the PJI. The Netham program also submitted a draft Software Requirement Specification (SRS) report, which contained some of the critical items needed to carry out the software implementation.

As part of efforts to strengthen the IT skills of MOJ staff, the Netham program provided training at the PJI for MOJ staff members, tailored to those with no or basic computer skills through focusing on the International Certificate Driving License (ICDL) courses. The second part of the training, on CISCO networking technologies including network security systems, was tailored to the MOJ IT manager.

In early 2009, a local company was subcontracted to provide training on software development. The training centered on various advanced programming languages needed to maintain the new Justice Record System and the Document Management System at the MOJ. Training focused on SQL Server 2005, UML and ASP.NET. In addition, the MOJ IT Manager was provided Cisco Certified Network Associate training. Training on network security and management was the key focus of this training aimed at improving the IT skills of the MOJ IT Manager.

Palestinian Judicial Institute (PJI). After a Council of Ministers decision was issued appointing a Director of the PJI, the Netham program worked with the director to design and launch training activities. With help from an Institutional/Judicial Training Consultant from Jordan, the Netham program assisted the PJI with the assessment and development of the organizational structure, budget, function requirements for the continuing education database, and the preparatory training registration software.

The Netham program also worked in cooperation with the EU's Seyada program to finalize the internal regulations for the PJI based upon the PJI Director's request and assisted in developing a system for a continuing education needs assessment. A Continuing Education Needs Assessment Report and a Career Plan for judges were developed in consultation with the PJI Director and PJI stakeholders.

The Netham program and Seyada program experts worked together on the PJI's candidate admission regulations, faculty regulations, and diploma regulations. The consultant provided his comments on the draft regulations and recommended best practices. The drafters of the regulations were influenced by USAID's previous work with the Judicial Institute of Jordan.

The Netham program collaborated with the PJI staff to develop a proposed Organizational Structure (OS) for the PJI including descriptions of PJI department functions, objectives, and tasks. The Netham program also met a request from the PJI Director to provide the Institute with urgently needed equipment, including shelving, a shredder, a video camera, a microphone and sound system, and a digital recorder.

In late 2008, the Netham program worked closely with the PJI Director in developing its financial system, administrative procedures, and manuals for each that were then used for training of PJI staff. An advisor seconded to the PJI assisted the PJI Director with implementing the financial and administrative systems and procedures. The Netham program helped the Director prepare the

PJI budget and organize the PJI Board of Directors meetings. The Netham program also assisted in finalizing the proposed organizational structure and job descriptions for PJI's staff that were approved by the PJI's Board of Directors.

Given the increased workload, the PJI Director requested the Netham program's assistance to provide executive assistants to assist in logistics and training activities support to the PJI. In early 2009 two assistants started work and was involved in a number of activities including accompanying the PJI Director to meetings and providing logistical and administrative support. In addition, the executive assistant consultant provided technical assistance to the PJI by archiving, filing, and providing administrative support to the PJI Director and staff.

In early 2009 the Netham program also assisted the PJI to develop the departments' functional description document which outlines each PJI department's objectives and tasks.

Commercial Law Assessment. The Netham program's work plan included conducting a commercial law assessment that would inform future assistance in the commercial law field by a follow-on project or other donors. In late 2008, the program hired a US commercial law consultant to carry out an assessment of the legal business environment and investment opportunities in the West Bank. The consultant met with key individuals in the economic and commercial field including banking, public and private works, and telecommunications, as well as the judiciary. Four areas were identified for potential focus and donor technical assistance:

1. In cooperation with the judiciary, develop specialized training for judges in commercial law.
2. Build up an automated lien registry on moveable property.
3. Empower alternative dispute resolution (Arbitration and Mediation).
4. Unify the applied practices and procedures at the Enforcement Departments of the courts.

The Netham program prepared a report for USAID with the assessment findings, expanding on programming activities that could be carried out by a follow-on program or other donors. The report included a draft proposed action plan for next steps.

COMPONENT 2: STRENGTHENING THE ENFORCEMENT OF LAWS AND COURT DECISIONS

During the Phase 5 period of April 2008 to March 2009, the Netham program continued activities to support improved performance in the enforcement of laws and court decisions.

Ramallah Pilot Program. At the Ramallah Civil Judgment Enforcement Department, the Netham program-supported interns carried out data entry work. During this time, interns worked with the judge of the department to correct case file errors and clear the system of erroneous files and data. Interns also assisted in entering 5,000 financial deposits into the database.

The Netham program worked with the HJC to re-locate the Civil Judgment Department to a new, larger space on the ground floor of the same building, making it more easily accessible. The existing Civil Judgment Department was located in a very small space, its processing procedures were chaotic, and data retrieval for the department's files was challenging. These working conditions made the new larger space a pressing necessity. The Netham program renovated the

The Netham Program - By the Numbers

32

Number of interns working for counterparts with The Netham program's support (highest number at one time)

700

Number of AQU law students served by AQU computer lab's 24 computers

new space and provided the necessary equipment and furniture, vastly improving the customer service capabilities of the Department.

Nablus Pilot Program. In coordination with the Chief Justice, the Nablus Civil Judgment Department was selected as a second pilot location. The Netham program appointed several interns to assist in launching an archiving project for the department's caseload. The archiving project included the organization and filing of the records electronically as well as manually. As per the Netham program's request, the courthouse provided the Civil Judgment Department with a scanner for this task. The Netham program also procured shelves, hangers and dividers for the department to facilitate proper filing, archiving, and retrieval of files.

Case Filing and Data Entry. In late 2008, the Netham program-supported interns working at the Jenin court assisted the Civil Judgment Department personnel by entering some 1,300 files into Al-Mizan software and labeling some 150 files. Additionally, they entered 350 of the Notary Public Department's documents into the electronic system. In Jenin interns classified 4,924 files and amended the status of 2,350 pending cases to that of inactive cases. Also, as part of the classification process, interns in Jenin separated the files and arranged them on the shelves. As previously stated, at the Ramallah Civil Judgment Department interns assisted in entering 5,000 financial deposits into the database.

Civil Judgment Monthly Reporting. In early 2009, the Netham program's support to the Civil Judgment Department continued with the development of a new monthly reporting format. The new format indicated the real workload of the department by providing separate designations for active and inactive pending cases to enable the HJC to easily identify human resource needs.

COMPONENT 3: SUPPORT PUBLIC OUTREACH, NETWORKING, AND CITIZEN ENGAGEMENT ON RULE OF LAW ISSUES

May 29th - National Justice Day. With the Netham program's support, Palestinian Justice Day was commemorated on Thursday, May 29, 2008, with a signing ceremony for the National Justice Sector Plan 20082010-. This public event was held in Ramallah under the patronage of the Prime Minister, Dr. Salam Fayyad. The Chief Justice, the Minister of Justice, and the Attorney General attended this ceremony. They highlighted key accomplishments of their institutions over the prior year and pledged to meet again next year on this date to report on justice sector accomplishments of this year.

The Netham program - By the Numbers

1,500	Justice Day posters distributed by Ministry of Education in schools
10,000	Brochures on rule of law and judicial independence distributed through local Newspapers on Justice Day
60,000	Jawwal mobile phone subscribers receiving a Justice Day text message which congratulated the Palestinian people on the occasion of Justice Day

The Justice Sector Plan was signed by the Prime Minister and the Chief Justice and subsequently was submitted to the Palestinian Authority President. Over 200 guests attended this event including donor and international organizations, diplomats, senior judges, lawyers, representatives of the Bar Association, and representatives of civil society organizations.

The Netham program played a key role in organizing the event including the printing of the strategy document for distribution. This event received significant press coverage in the local press, as well as on the Arab satellite channels.

The program also produced various public outreach materials for the event including two brochures and a school poster. The Netham program assisted in preparing a Justice Day briefing package that included a one-page summary of Justice Day in both Arabic and English.

While Justice Day was officially designated for May 29 each year, Justice Day activities and the distribution of the school poster took place for a week prior in order to raise awareness among students before schools were closed for the summer. Posters were distributed by the Ministry of Education to 1,500 United National Relief and Works Agency (UNRWA) schools (providing education to refugees) and government schools across the West Bank. A one-page information sheet on the Palestinian judiciary was also distributed with the poster to enable teachers to discuss the principles of justice and equality with their students.

The Ministry of Education chose the Ramallah Girls Secondary School to officially launch the school poster. The school organized an event for the students to talk about justice and Justice Day. The event was attended by the Minister of Justice, the Minister of Education, and the Minister of Information. There was good press coverage of this event on local radio, television including WATTAN TV and Palestine TV as well the three local newspapers including Al-Quds, Al-Ayyam, and Al-Hayat Al-Jadida.

To raise public awareness and knowledge regarding the concepts of rule of law, independence of the judiciary, and respect for these concepts by citizens and officials, 5,000 copies of a brochure on the rule of law, and another 5,000 copies of a brochure on independence of the judiciary were distributed through local newspapers on May 29, 2008. In addition, a newspaper advertisement campaign took place on May 28 and May 29 in the three local newspapers -Al-Quds, Al-Ayyam, and Al-Hayat Al-Jadida with two quarter page advertisements on each of these days.

Public Outreach material was designed by Sky Advertising with Netham program assistance. The first advertisement included the text of Article 6 of the Palestinian Basic Law, which states that: "The principle of the rule of law shall be the basis of government in Palestine. All governmental powers, agencies, institutions, and individuals shall be subject to the law."

The second advertisement highlighted Article 9 of the Basic Law that stipulates: "Palestinians shall be equal before the law and the judiciary, without distinction based upon race, sex, color, religion, political views, or disability." These advertisement messages were also disseminated to the public through billboards that were placed at the entrances of major cities in the West Bank including Nablus, Bethlehem, Ramallah, Jenin, and Hebron.

Palestinian press covered the Justice Day event extensively including front page newspaper coverage on May 30th. In addition, Arab satellite channels and BBC covered the event. On May 29, Al-Hayat Newspaper included a lengthy interview with the Chief Justice to commemorate Justice Day. The Palestinian mobile telecommunications company Jawwal distributed a Justice Day message to 60,000 subscribers free of charge which congratulated the Palestinian people on the occasion of Justice Day.

The Netham program also assisted the MOJ to prepare a video presentation highlighting the ministry's achievements during the prior year, particularly focusing on the newly developed e-Government component. This presentation was shown when the Minister of Justice, in the presence of the Prime Minister, met with the Palestinian Authority President and his senior staff. The President's Office was impressed with the Justice Day presentation.

HJC Annual Report. In order to build the capacities of the HJC and increase public engagement on rule of law issues, the Netham program worked with the HJC in 2008 to produce its annual report for the year 2007. The report focused on the HJC accomplishments, highlights, purpose, and function. The report was produced in both Arabic and English, for distribution to the public, governmental institutions, donor organizations, and individuals seeking additional information on the judiciary.

The final report was officially submitted to the Palestinian Authority President by the Chief Justice and contained key information on HJC and court achievements during 2007 as well as the strategy for developing the Palestinian judiciary in the coming years. The Netham program provided funding for related printing and design expenses.

In issuing the report, the Chief Justice noted that strengthening the Palestinian judiciary assists in creating stability, supports development, and enhances public trust in the Palestinian Authority. He also stressed that the President had been fully supportive of the judiciary, providing all possible support to enhance its capacities.

Support to Law Faculties. In calendar year 2008, the Netham program expanded its activities to include assistance to law schools. The Al-Quds (Jerusalem) University (AQU) Law Faculty, one of the primary law schools for West Bank citizens, was the recipient of this assistance. A needs assessment of the existing legal education was conducted. In October 2008, the Netham program officially launched the Legal Education Program at Al-Quds University with a large public event.

The inauguration ceremony was attended by the university President, USAID Mission Director and the Netham program's USAID COTR in addition to over 300 students and various universities, legal, and public officials. An MOU was signed between AQU and USAID to expand legal education opportunities at the university. During the ceremony new offices at AQU Faculty of Law building were officially opened to house the Netham program staff working on the Legal Education Program. The inauguration event was covered extensively in the Palestinian press.

English Language Training. AMIDEAST was subcontracted to conduct testing for law students and law faculty members to assess English abilities of 300 second year law students in order to develop a training course to meet the English language needs of students. Based on the results, students were assigned to a 10-week course divided into three levels. AMIDEAST conducted six English training courses for 78 second year law students and two courses for 14 law faculty members.

Legal Writing Course. In support of creating a much needed legal writing course at AQU, the Netham program supported a legal writing team, consisting of five Palestinian lawyers (three of whom are graduates of an AMIDEAST/Open Society Institute LLM program in the US), to help AQU develop the course curriculum and materials. The team produced a draft legal writing book and a two-day workshop was held to discuss the adaptation of the US legal writing knowledge to the needs of Palestinians.

In order to assist this team in developing the curricula, the Netham program supported two legal writing team members to participate in a one month US study tour with the aim of developing a Palestinian legal writing course, including curriculum, materials, and teaching strategies. The Lewis and Clark University Law School in Oregon hosted the team. By early 2009, the Netham program had helped AQU produce a first draft of the legal writing book, and through a workshop with faculty members in early 2009, specific recommendations for preparing a course plan and teaching the course in the fall of 2009 - 2010 were adopted.

Legal Clinics. Another identified need at AQU was enhancement of the existing legal clinics to develop

The Netham program - By the Numbers

10,000	Creative writing and rule of law script brochures distributed to West Bank schools
5,000	Posters about the Rule of Law Awards initiative created and distributed
\$12,000	Corporate sponsorship for the Rule of Law Awards from Jawwal mobile telecommunications firm

Rule of Law Program - Justice and Enforcement (NETHAM - "ORDER" IN ARABIC)

Rule of Law Program - Justice and Enforcement (NETHAM - "ORDER" IN ARABIC)

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practical skills of law students. In late 2008, international consultants hired by the Netham program worked with the legal clinic at Al-Quds University to introduce the Street Law hands-on legal skills development program to AQU clinical faculty and students and then supported upgrading of the clinic's syllabus.



A workshop on Street Law was also held for legal clinic students titled 'Law for Average Citizens.' The Netham program's statistician produced a questionnaire to evaluate the workshop titled 'Introduction of Street Law' to AQU clinical faculty and students. In early 2009, an international consultant was brought in to work with the clinic's students and help develop methodologies for the use of clinic students to teach law in high schools in the West Bank.

Law Library Upgrades. Based on a needs assessment conducted by the Netham program in late 2008, it was recommended that the Al-Quds University Legal Library expand so that more reference material could be accommodated. The renovation work included upgrading the Law Library and purchasing books.

A list was compiled for the purchase of law books to be bought locally, including books on legal statistics in English and books on women's rights from Al-Quds University's Insan Center for Gender Studies. By early 2009, the Netham program had purchased 184 of the books on the list. The books were handed over to the university after USAID branding was completed.

Computer Laboratory Development. In early 2009, renovation work for an Al-Quds University computer laboratory located in the Faculty of Law building was completed. The computer laboratory serves approximately 700 AQU law students allowing students to do research and access electronic files and the internet. The renovation included an internal redesign of the laboratory, installing air conditioning, painting, and fixing the electricity network. In addition, the Netham program procured 24 computers, a printer and office furniture, including computer desks and chairs. The Netham program's IT staff spent considerable time following up on the networking and electrical work conducted to ensure that the computer laboratory ran efficiently. An opening ceremony for the computer laboratory was held in spring 2009.



AQU Handbook. After receiving a request from AQU's Dean of the Law School, the Netham program agreed to support the development of a handbook on AQU's Faculty of Law detailing the faculty's history, activities, curricula, faculty members, facilities, degrees, programs, and departments. In early 2009 the Netham program helped AQU revise, edit, and design the draft guide. The final version of the guide was published in Arabic and English and distributed to visitors and potential students interested in AQU's Law School.

Legal Ethics Course. The Netham program hired a US consultant to assist AQU law professors to

develop a course on the ethics standards required for the legal profession. The consultant worked with the law faculty to develop the course in a three-day workshop that took place from March 9 to 11, 2009. To share their experience, some practicing Palestinian lawyers and judges were invited to participate. The course was successfully launched during the 2009 - 2010 academic year and taught by AQU law faculty member Abdalraouf Alsenawi.

Legal Terminology in English Course. Given the wide range of international legal documents and contracts that are prepared in English, in early 2009 a course plan on Legal Terminology in English was developed with the Netham program's support, and approved by AQU. The Netham program staff supported teaching this course in the spring semester of 2009. Fifty four students attended the course. During the 2009 - 2010 academic year, AQU law lecturers Wael Abu Neamah and Laith Arafah began independently teaching this course utilizing the course design and materials developed by the Netham program.



Law and Society Course. With the Netham program assistance, a Law and Society course was developed and taught in the spring 2009 semester for non-law students of AQU. The course was continued during the 2009 - 2010 academic year supported by AQU lecturers Rima Jaber, Miran Arafat, Yassar Abidat, and Bassam Sawalha.

Moot Court. The moot court is an activity in AQU Law School's Human Rights course. In late 2008, a US consultant worked with the law faculty on the initial preparation for the moot court exercise. A US consultant then assisted the faculty in developing cases and prepared the organizational standards of the moot court as a preparatory step for the actual moot court activity which was conducted in May 2009. Based on the materials developed during this activity, Moot Court was added as an official course during the 2009 - 2010 academic school year.

Legal Information Technology Course. At the request of AQU Law School, the Netham program hired a local IT expert to teach an IT course for law students. During the Phase 5 period, the consultant taught two classes for approximately 60 students and recently was re-hired by the AQU Law School to teach the same course for new law students

Supporting Improved Civic Education. In the final years of the Netham program, strengthening civic education in schools became another program focus area. Research shows that civic education of youth is one of the better means for empowering citizens to hold their governments accountable and to promote necessary reform in rule of law and other good governance areas. Properly designed civic education programs provide youth the perspective they need to be active and engaged citizens, to feel empowered as opposed to fatalistic, to understand what good governance involves, to understand how they can positively influence their government. Civic education can inspire future leaders and instill a sense of duty and public service.

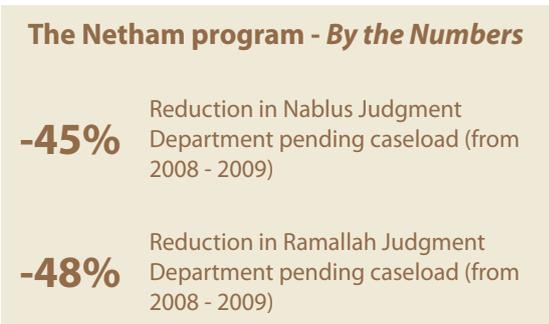
The purpose of strengthening civic education was to create improved understanding of civic values, citizen activism, and rule of law and good governance principles among youth as the future of Palestine. As a first step, the Netham program worked closely with the Ministry of Education (MOE) to assess existing civic education programs. The Netham program provided an international expert who conducted several meetings with MOE personnel, teachers, students, and civil society organizations to gather relevant information for the needs assessment. A series

of meetings were then held with the MOE and the Deputy Minister for Planning and Development in order to kick off this effort.

First on the agenda was a workshop with sixteen MOE staff members consisting of team leaders who worked closely with the Netham program on implementation of the civic education strengthening activities. The workshop was headed by the MOE Assistant Deputy Minister for Planning and Development. The Netham program team presented its civic education work plan, proposed activities, and brainstormed ideas with the MOE team including their vision, needs, and perceptions for implementing initiatives.

As an outcome of the workshop, the Netham program team and the MOE team established four joint committees to implement different aspects of the Civic Education Program: Review and Evaluation, Training, Rule of Law Award, and Other Rule of Law Activities. In late 2008, the four committees began meeting on a weekly basis to carry out the following activities:

- **Review and Evaluation:** Review and evaluate the civic education program content for grades 1 to 9, the Netham program-supported studies on civic education curriculum, and international studies on best practices.
- **Training:** Building on the existing capacity of teachers, create a pool of civic education experts by providing training of trainers, develop a teachers' guide for civic education, and conduct focus groups and brainstorming sessions with students, parents, teachers, schools headmasters, supervisors, and selected number of trainers to identify training needs. Print 5,000 copies of civic education teacher's guides developed by the MOE with the Netham program's support.
- **Rule of Law Award:** Establish a Rule of Law Award to acknowledge and reward Rule of Law initiatives that have had an impact in schools and local communities. The award competition was open to all Palestinian schools. Finalize the implementation plan and develop the award's application form. Develop the associated media campaign which included illustrative material such as posters, brochures, and other promotional items which were sent to schools as well as billboards and TV and radio spots.
- **Other Rule of Law Activities (creative writing, ROL play, summer camps):** Disseminate Rule of Law awareness information to Palestinian youth by holding 30 summer camps throughout West Bank for more than 1,800 school students as well as develop and carry out a Rule of Law creative writing and illustration contest.



Civic Education Review and Evaluation. The MOE asked for the Netham program's help in this evaluation process and in identifying ways to strengthen civic education more generally. To meet this demand, The Netham program mobilized an intensive effort in close partnership with MOE staff. The Netham program worked with the MOE to launch a first



ever methodical evaluation of civic education in the schools. Twenty MOE staff, including teachers and supervisors, were engaged in the process and trained on curriculum content review and analysis. The training was conducted by the Netham program's consultant, a leading Palestinian educational expert, who presented the definition of content analysis, the history behind this concept, and mechanisms, methodologies and stages of performing it. The consultant also presented the mechanisms for drafting the learning objectives that should be stated for each chapter or lesson in the civic education books. So as to build skills and capacity, the evaluation was performed by the MOE staff with the the Netham program expert's support.



The evaluation involved literature review and development and implementation of a perception survey for teachers and principals as well as knowledge, skills, and attitudes survey for 9th grade civic education students in their last quarter. The questionnaires were conducted in 100 sample schools (10 percent of all schools containing 9th grade) for the purpose of review and evaluation. The evaluation team held interviews and class observations with students, principals and teachers to examine teaching technique and student perception of Civic Education.

The results were captured in a 200 page Civic Education Comprehensive Review and Evaluation (Study) Report that included the following findings among others:

- Lack of common understanding of civic values among teachers, traditional teaching methodologies based on memorization away from interactive activities, due to the lack of a reference manual that presents unified concepts as well as provides different teaching methodologies and methods of evaluation.
- Civic education curriculum is looked at as "not important" among principles, teachers, students, and parents.
- A sizeable gap exists between the civic values taught to students and modeled behavior (actions of teachers, principals, students, parents and the local community).
- There is weak linkage among students between civic education values and concepts, for example most students surveyed were not aware of the linkage between democracy, justice, rule of law, and equality.

The MOE acknowledged that the evaluation was the most professional curriculum evaluation ever carried out by the

Civic Education Defined

Civic Education aims at imparting the knowledge and skills that we need for effective participation in the community, government, and politics.

"The main objective is to help students acquire positive skills which reflect upon their behavior and their relationship with their peers, family and the people surrounding them. . . equality, non-discrimination, respect for the other's opinion, tolerance, respect for rule of law, concepts of justice, democracy, accountability and rights – teaching these concepts serve one goal which is for students to acquire positive skills and attitudes that would help them in their lives."

Dr. Basri Saleh, Assistant Deputy Minister for Planning and Development

MOE and will be used as a standardized evaluation methodology. The evaluation process also built new capacity at the MOE: a cadre of curriculum evaluators capable of replicating the evaluation methodology in other subject areas. The MOE presented the evaluation report to the Council of Ministers.



Using the Report’s findings as a guidepost, the Netham program then worked with the MOE to develop the outline for a civic education improvement action plan. The Netham team worked with MOE staff to develop a 200 page teacher civic education reference manual that teachers can utilize to improve their teaching of civic education topics regardless of changes in the specific teaching curriculum or textbooks. The manual includes interactive practical exercises, methods of linking the material to real life situations, and skills building.

The MOE recognized that such a reference manual is the first of its kind in Palestine and provides an excellent model for other subject areas. The MOE plans to revise the manual after one year of field testing.

Other Netham program activities included assistance in training of 42 trainers. To date they have trained 75 teachers using the civic education reference manual and plan to continue to train hundreds more. The feedback from teachers was highly positive. The Netham program is highly encouraged by the receptivity of the vast majority of teachers to the new material and teaching methodologies.

As in other program areas, the Netham program served in a facilitative role, aiding the Ministry of Education to review options and relevant regional models and experiences and to organize a stakeholder discussion to build consensus about how international experience could be adapted to the Palestinian circumstances. The Netham program also helped build the Ministry of Education’s capacity by supporting initial design of an action planning outline that the MOE determined they would develop into a full action plan without external assistance.

By the Numbers	
Rule of Law Awareness Program Results	
Youth Creative Writing Program Submissions	Teachers Trained in Civic Education
910	75

Rule of Law Awards. The Rule of Law Award Committee supported the establishment of a Rule of Law Award to acknowledge and reward rule of law initiatives that have positively impacted on schools and local communities. To that end, the Netham program assisted the Committee in producing and printing 7,000 brochures and 5,000 posters to distribute to schools throughout the West Bank. The posters and brochures helped promote the Rule of Law Award.

In addition, the Netham program supported the Committee in holding an orientation meeting with 16 coordinators who were tasked with follow up on the distribution of the printed materials. During the orientation meeting, discussions included an overview of the targets for the award, the selection criteria, and the eligibility of applicants.

The Ministry of Education also issued a circular to its departments in all the governorates to inform

them about the activity and the posters and brochure that were distributed. The Committee planned to name the Rule of Law Award winner during the 2009 Justice Day events. After several meetings with Jawwal, the leading Palestinian telecommunications provider, Jawwal agreed to co-sponsor the Rule of Law Award. Jawwal's contribution included \$12,000 in cash and prizes.

The application process was through the MOE's web site. Out of 46 applicants, the MOE recognized five schools and four teachers for their exemplary efforts to raise awareness and promote rule of law in their communities. Corporate sponsorship of \$12,000 funded prizes of laptops to teachers and cash to schools. The activity was considered a major success and the MOE will repeat the Rule of Law Awareness Awards initiative annually.

Examples of winning Rule of Law Award initiatives include:

Teacher Awards

- A teacher in Nablus raised students' awareness on the importance of respecting school rules and regulations as part of respecting rule of law. The students identified issues that adversely affect respect for school regulations, pointing out the positive side of respecting regulations by developing flyers and posters about school regulations. They also used the method of awarding disciplined students.
- A teacher in Tubas District tasked students with looking into environmental problems in Aqqaba village especially uprooting village trees, and to look into articles related to the Palestinian Constitution. Interviews with citizens and land owners as well as officials were conducted to raise awareness on the necessity of protecting the environment.
- A teacher in Ramallah District taught civic education and democracy concepts through creating a children's parliament in the school going through all stages of the election process with students.
- A teacher in Salfit District worked with her students on assisting the municipality in collecting debts from the citizens as part of the national obligation according to the Palestinian Basic Law. Activities included an awareness campaign in the village and distribution of posters and brochures, which urged citizens to pay some of their debts.

School Awards

- A school in Hebron established a mothers' committee in a boys' school to assist the school in the difficulties faced with students' attitudes and disrespect for school laws and rules. Mothers assisted in the educational process as well as changing the attitudes of the students and enhancing their respect for the school and the laws.
- A school in Tulkarem created a model school with enhanced human rights and concepts of international treaties and civic education, and the relation between rights and obligations. The positive effect of implementing laws on individuals and communities was highlighted.
- Another Tulkarem school raised students' awareness on the laws and elections process through interactive methodologies and role-playing of the entire elections process in a democratic manner.
- A school in Bethlehem raised students' awareness on Human Rights Law and the relation of human rights protection to rule of law, and highlighting the role of human rights organizations.

The quality and ingenuity of the programs that teachers and schools developed on their own initiatives are a positive indication about the future in Palestine.

Creative Writing Competition.

The Netham program in coordination with the MOE's Activity Department conducted a parallel competition for creative writing for youth ages 10 to 15. The Netham program and the MOE produced and printed 10,000 copies of a brochure explaining the Rule of Law creative writing competition. The brochure, which was distributed to schools throughout the West Bank, was a guide for students interested in participating in the rule of law activities. Prior to distributing the brochures, the Netham program and the MOE held an orientation workshop for 16 MOE Directors of Students' Activities throughout the West Bank in order to supervise and follow-up progress made in the schools and coordinate with the MOE on the creative writing activities. The orientation workshop detailed all phases of implementing the creative writing activities as well as detailing the role of the directors in orienting teachers in schools.



The students were invited to write short stories about rule of law issues in their daily lives. Most impressive and encouraging about the future generation of Palestine was the overwhelming response: 900+ creative writing pieces were submitted, including short stories and plays focused on rule of law in the community, democracy, and civic education. An MOE evaluation committee made the awards decisions. A high profile Awards Ceremony was held to give the Creative Writing awards, which included corporate sponsorship. The event was also covered extensively in both international and local media outlets. Fifty winners were chosen and were awarded with certificates and prizes courtesy of the corporate sponsor. The prizes were required to have an educational purpose such as digital cameras and digital dictionaries. The Ministry of Education's increased role in raising students' awareness on Rule of Law issue, and having such programs endorsed and implemented in schools as part of the educational programs will contribute to a democratic Palestinian society.

Award winning student writing pieces included "Democracy in the Forest" by a 7th grader and "Is Freedom of Opinion Our Right?" by a 6th grader. A post-activity questionnaire distributed to participating students of the creative writing activity found:

- 83 percent of students believe in the importance of respecting the law under all circumstances.
- 84 percent of students believe that disputes cannot / should not be resolved by force.

97 percent of students believe that the law is above all, and when all citizens are equal, to obey and respect the law is an important factor for achieving democracy and rule of law

A committee from the MOE was set up to select winning stories. After selecting the winning stories, two of the winning stories were published in the civic education brochure which was distributed during the rule of law award ceremony and the creative writing competition ceremony. The brochure was also distributed to West Bank schools through the MOE.

Other rule of law activities in early 2009 included cooperation with the MOE to organize creative writing and rule of law interactive theater activities in schools to help promote rule of law awareness among Palestinian youth. The Netham program assisted the MOE with distribution of pre- and post-activity questionnaires to participating students to assess the impact of the activities on the students' knowledge, attitudes and performance. The questionnaires were given before and after the creative writing activity .A report on the results was compiled and results showed that the students participation in this activity had an effect on their attitudes and skills,

whereas the effect on their knowledge was minimal, which is quite understandable given the short period of time students were exposed to many of these concepts. Below are the major findings:

- The percentage of students who believe in the importance of respecting the law under all circumstances: Before: 80% / After 83%.
- The percentage of students who believe that disputes cannot / should not be resolved by force: Before: 76% / After 84%.
- The percentage of students who believe that the law is above all, and when all citizens are equal, to obey and respect the law is an important factor for achieving democracy and rule of law: Before: 95% / 97%.

Students are not yet aware of the importance of telling the truth when appearing as witnesses in courts, as one third of the sample analyzed said that they are not willing to appear as a witness against colleagues.

Judiciary-Media Relations. To enhance openness and public understanding of the judiciary, the Netham program worked during Phase 5 to improve judiciary-media relations and build the media's understanding of and reporting on the judicial system. As a starting point, after a series of coordination meetings with USAID's Aswatona Media Program, in late 2008 a joint workshop was conducted along with the HJC's Media and Public Relations Department to address the decision to open the court hearing sessions to the press and public. The workshop titled "A Special Media Session" included participation of more than 20 key Palestinian media managers across the West Bank including representatives from independent radio, television, and newspapers.

The main agenda of the media session included a presentation by the Media and Public Relations Director of the HJC on court coverage guidelines for journalists. The HJC Media Director encouraged journalists to take advantage of the law which allows media to report on court hearings and outlines mechanisms to improve court coverage. The Chief Justice provided an overview of key accomplishments of the judiciary and addressed some of the obstacles facing the sector. There was also a question and answer session in which journalists expressed their thoughts and the difficulties they had faced related to reporting court hearings.

This workshop was widely covered in the news including Wattan TV as well as in Al-Hayat Al-Jadida and Al-Ayyam daily newspapers. Additionally, Maan and PNN news reported the event.

Youth Developed Film on Judicial Accomplishments. In early 2009, the Netham program, with assistance from USAID's Youth Empowerment Program, Ruwwad, supported the HJC to produce a documentary to highlight the HJC's achievements. As part of the production of the documentary, the Netham program and the HJC arranged for a number of field visits to various courts with the Ruwwad team so the team could begin documenting the HJC's achievements. The documentary, which included interviews with HJC senior staff and the Chief Justice, was filmed at Jericho, Nablus, and Jenin Courthouses.

PHASE 6: EXTENSION (APRIL 2009 TO SEPTEMBER 2010)

The Netham program contract was modified to extend the period of performance to September 2010. In the final 18 months of the Netham program, the SOW became:

COMPONENTS AND SUB COMPONENTS
1. PROFESSIONALIZE THE FORMAL JUSTICE SECTOR THROUGH TARGETED ASSISTANCE TO JUSTICE SECTOR INSTITUTIONS AND OTHER BODIES 1.1 Justice Sector Strategic Planning 1.2 Engage and Build Capacity of the High Judicial Council and Courts 1.3 Engaging and Building Capacity of the MOJ
2. Support Public Outreach, Networking, and Citizen Engagement on Rule Of Law Issues

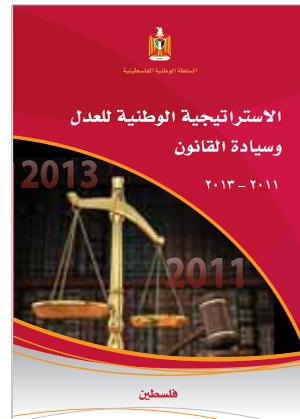
COMPONENT 1: PROFESSIONALIZE THE FORMAL JUSTICE SECTOR THROUGH TARGETED ASSISTANCE TO JUSTICE SECTOR INSTITUTIONS AND OTHER BODIES

1.1 Justice Sector Strategic Planning

In late 2009 and early 2010, the Netham program worked with its justice sector counterparts to develop a new 2011 - 2013 Justice Sector Strategic Plan.

The 2011 - 2013 Strategic Plan was framed around the following priority goals:

- Guaranteeing respect for human rights, basic freedoms and rule of law
- Securing just and fair trials
- Strengthening justice sector institutions
- Stabilizing the legal system by reviewing and upgrading the current legislation.



The several months long strategic planning process itself was highly inclusive, consultative, and structured to create capacity and institutionalize effective justice sector wide strategic planning processes. A methodical process was followed, including a SWOT (Strengths, Weaknesses, Opportunities, Threats) analysis, used to inform the plan development.

The guidelines used to develop the plan were provided by the Ministry of Planning and the HJC's Planning Unit took a leadership role in the planning efforts, reflecting the capacity gains that have been made in PA governing bodies and adding to the ownership over the planning process.

The Netham program provided targeted assistance to the process including conducting workshops for HJC and other personnel. The two main goals of these workshops were: strategic plan development techniques; and data collection approaches to ensure the strategic plan is grounded in research and data analysis. USAID issued certificates of achievement to the Netham program staff who put in extra effort to support completion of the 2011 - 2013 Plan by the target deadline in January 2010.

1.2 Engage and Build Capacity of the High Judicial Council and Courts

During the final 18 months of the program, the Netham program continued its strong partnership with the HJC, helping it implement its strategic plan objectives and advance its effectiveness in overseeing the judiciary and delivering quality and accessible services to the public. By doing so, the HJC further consolidated its position in the political system and the judicial independence it had worked hard to develop. Specific activities and achievements during Phase 6 are outlined below.

HJC Strategic Planning Unit. During Phase 6, the Netham program helped the HJC establish a Strategic Planning Unit at the HJC responsible for HJC strategic planning, development, and implementation of projects, and donor relations and coordination. In coordination with UNDP, the Netham program assisted with developing the organizational structure and by-laws for the Unit. The Netham program team helped mentor staff assigned to the Unit and worked with Planning Unit members in preparing the Unit's work plan.

Once operational, the Netham program assisted the HJC Planning Unit to develop a 3 year Strategic Plan grounded in systematic data analysis. The Netham program also helped the HJC update the plan for 2010 - 2011.

A modern strategic planning methodology has been institutionalized at the HJC. The Plan includes a timeline of all steps in the process, coordinating with financial staff to update budgets, developing indicators, and developing a more detailed annual work plan for each year of the Plan.

Public Surveys and Performance Based Management. A major accomplishment has been empowering the HJC to focus on judicial performance by measuring it and using measurement data to manage it. The Netham program helped institutionalize customer satisfaction surveys for the Notary Public, Civil Judgment, and First Instance courts. Once the survey results are analyzed, a report with results and recommendations, such as needed adjustments to staffing, is developed and circulated for action.

The Netham program activities such as improving the filing systems and hiring interns to enter detailed data such as on postponements into the Al-Mizan database helped provide the HJC with accurate and reliable statistics and reports to identify and solve problems and increase the timely disposition of cases.

With the Netham program's help, the HJC is systematically using performance measurement, both quantitative and qualitative. Quantitative measures of system productivity are obviously important from a resource efficiency perspective. However, since a key measure of the justice system's performance is the satisfaction of the system's "customers," the public, the use of public perceptions data is of particular interest. During the Phase 6, the Netham program aided the HJC to develop and utilize a perceptions survey with support from the Arab World for Research & Development (AWRAD).

These public surveys help determine whether the reform

Chief Justice Statement on the National Public Perceptions Survey

"This broad, comprehensive survey of key groups' perceptions of the Judicial Authority can be considered a major strategic development. It is in line with international best practices for effective management, and reflects the willingness of the Judicial Authority to proceed with the reform and development process not only based on the HJC's considerations and plans but also in response to the needs and perspectives of the public.

The Netham program and the HJC strongly believe that this approach is ideal to achieve critical reforms. This survey will be not the last as many others will complete the picture, and contribute to assessing developments in the Judicial Authority."

Issa Abu Sharar, Chief Justice, High Judicial Council, April 2009

efforts are having the desired impact. The survey design is detailed enough to support identification of which areas are having shortcomings and why. Conducting of the survey puts HJC members and staff in the mindset of using measurement tools systematically to manage judicial and HJC performance. The results of the survey enable the HJC to focus targeted attention and planning on certain areas.

The partnership between the HJC and AWRAD has helped the HJC better understand when and how to outsource discrete research and other tasks. Following the example of other leading judicial administration bodies around the world, the HJC is learning to leverage available private resources.

Public survey results showed reforms have had significant impact.

The Netham program By the Numbers			
Court Users Perceptions Survey Results			
Year	Trust in Court Administrative Staff	Courtesy of Court Staff	Judiciary's Fairness
2009	66%	59%	19%
2010	77%	68%	32%

Another key element of the survey is the assessment of the perceptions of justice system personnel. An important goal of justice reform, that is not often given full consideration, is the development of a positive, professional working environment for justice institution employees.

The Netham program worked with Court Administration Department (CAD) staff to properly utilize the results of the Perceptions Survey, which includes feedback from judges and other court employees about the quality of the HJC's support to their work, as a continuous improvement resource.

Strengthening the HJC Court Administration Department (CAD). One important Netham program priority was to help establish and build the capacity of the HJC's Court Administration Department (CAD), which has an important role to play in court system performance management. The CAD is responsible for planning and oversight of the administrative and financial operations of local courts, including caseload management. It is the main body responsible to monitor courts, hold them accountable for their performance, and organize the resources and other support they need to improve their performance. CAD also is positioned to lead continuous court improvement programs and identify training needs of justice institution employees.

With the expansion of the HJC's authorities, a specialized CAD was needed with capacity and expertise to handle the greatly increased judicial administration responsibilities. The Netham program helped develop the by-laws, organizational framework, and first annual work plan for CAD. As of 2010, CAD now has over 14 trained staff. The Netham program established effective working relations with CAD's Director and organized intensive, multi-dimensional support to CAD.

Assisting the CAD in Developing Court Administration Guideline Manual. In cooperation with the HJC and CAD the Netham program conducted training in March 2010 on "Activating the Roles and Procedures of the Court Administration Department." The training served as a forum to discuss the newly developed Court Administration Guideline Manual. The guide, developed with the Netham program's assistance, addresses administrative practices to decrease the time involved in the litigation process while also increasing the public's confidence in the Judiciary.

The Chief Justice, the Netham program's USAID COTR, the Netham program's Chief of Party, and the CAD Director attended the training.

Assist Court Administration Department to Develop its 2010 Work Plan. The Netham program assisted the CAD with its 2010 Action Plan. Building upon the 2009 CAD Action Plan and other materials, the Netham program developed a comprehensive action plan to be implemented at the High Judicial Council.

Support Development of HJC Administration Systems. The CAD and the Netham program worked together to activate the Archiving and Correspondence Division at the HJC. The Archiving and Correspondence Division is a division that holds files, which are organized, classified and labeled for CAD use. The improvement of administrative system procedures helped the HJC's Court Administration Department to become more transparent and efficient, and improve the level of services that are provided to the public.

Assisting the CAD in Preparing the HJC's Annual Report. The Netham program continued to assist the Court Administration Department in writing the HJC's 4th and 5th Annual Reports during Phase 6. This report is an annual publication that the HJC issues to the public to provide highlights on the developments of the judiciary and HJC achievements. These reports include statistical information, accurate case judgments, the number of incoming and outgoing files of the Notary Public and Civil Judgment Departments, and the financial revenues and expenditures for the HJC as well as achievements accomplished in HJC departments during the year.

Uniform Court Procedures. The Netham program staff worked with the CAD team and selected Chief Clerks of the courts to develop Unified Procedures in all areas of the court and increase the capacity of court administrators, captured in a Unified Procedures Manual for First Instance and Conciliation Courts. The manual includes examples on how to register a new case, how to follow procedures for case management and the filing system, as well as providing time standards for these procedures.

Court Personnel Performance Monitoring System. To strengthen court human resources system wide, the Netham program helped the CAD implement an employee performance monitoring system. On the job training on procedures included work with personnel and archiving systems, internal auditing, and evaluation based on user satisfaction. Further training was provided on the use of employee evaluation and attendance forms. An auditing matrix checklist was developed to monitor levels of implementation so that the CAD can assess successes and shortcomings in system implementation, and adjust training accordingly.

Court Performance and Financial Management Systems. The Netham program mentored the CAD Director and staff on modern performance and financial management systems and practices including effective performance and financial reporting systems for courts and notary public offices, court audit and inspection, financial management and oversight, and uniformed financial deposits procedures. The Netham program helped the CAD establish more modern financial management systems and develop an auditing matrix checklist to verify the level of implementation of the financial system.



Unified Judicial Fees Schedule. The Netham program, at the request of the CAD, assisted the HJC in the development of a unified fee schedule for all West Bank Courts. A Unified fee schedule contributes to increased transparency of the courts and reduced corruption opportunities. The process of developing the fee schedule supported local ownership. The Netham program helped the CAD gather and compile questions and information from Chief Clerks regarding court fees that need updating. The questions served as a basis for discussion and drafting of the fee schedule in a workshop attended by 45 Chief Clerks. The draft schedule was distributed for comment before final HJC approval and distribution. The Netham program trained HJC and court staff on the new fee schedule.

Training of Court Administrators. To complement the institution building and systems development activities, the Netham program supported extensive training of court administrators, in coordination with the CAD. Training topics for court, notary public, civil judgment, and notification department staff included Uniform Notification Procedures, Monitoring and Evaluation Skills, Communication and Customer Relations Skills, Personnel Management, and Unified Procedures for HJC court staff.

In follow up to Phase I and Phase II of the Training Plan for Court Administrators, the Netham program assisted conclusion of Phase III of the Training Plan. The training plans aimed to strengthen court administrators' skills in management, planning, and quality assurance as well as enhancing communication skills to improve performance. The training also assisted in teaching court administrators how to deal more professionally with the public and taught new unified procedures to increase efficient management of court cases and processes.

The Phase III Training Plan included training on Uniform Notification Procedures, Monitoring and Evaluation Skills, Communication and Customer Relations Skills, Personnel Management, and Unified Procedures for HJC court staff. The training targeted over 300 trainees throughout the West Bank and assisted in increasing the capacity of staff in the First Instance and Conciliation Courts, Notary Public, Civil Judgment, and Notification Departments.

Annual Judicial Conferences. The Third Annual Judicial Conference was held in Bethlehem July 29- 31, 2010. The conference was conducted under the patronage of President Mahmud Abbas and Chief Justice Farid Jallad. During the conference, the Chief Justice confirmed that the judicial authority has many achievements that were objectives in the HJC strategic plan 2008 - 2010. These accomplishments were due to the efforts of judges and judicial staff. The conference

Increasing Judicial Transparency

In 2008, the Chief Judge issued a decision to open court hearings to the media. In December of 2008, the Netham program worked with USAID's Aswatona Media Program to sponsor a media session where the Chief Judge and HJC's new Media and Public Relations Director discussed the decision with members of the media...

The Netham program also worked with the SJC to organize a site visit for various media outlets to the Jenin and Nablus Court houses to educate journalists on the role and function of the judiciary and to encourage local press coverage of the courts. «The most important thing about this trip is that it broke the barrier between the media and judges in Palestine» said Mohammed Rajoub, from Ajyal Radio and Al Jazeera Net.



addressed several topics related to judicial independence, integrity, transparency, and accountability. Attendees also formulated various recommendations to improve the efficiency of the judiciary.

Improvements to the Chief Justice's Office. In the Chief Justice's Office, the Netham program helped establish systems and procedures to ensure the efficient operation, e.g., document management and office paper flow procedures for the Chief Justice's staff; procedures for the preparation of Chief Justice Circulations (legal/policy opinions) to judges and HJC employees; and the establishment of regular meetings for HJC Departments and Units to facilitate the flow of information and institutionalize relations between the Chief Justice's Office and HJC Departments and Units. The Netham program also provided an embedded editor to assist the Chief Justice with correspondence and reporting.

Upgrading the HJC Building. The Netham program installed a heavy duty canopy at the entrance of the HJC headquarters, to protect the public from the rain as they await security checks at the entrance of the court. In addition the Netham program installed a security camera for the Chief Justice's Office and the High Court. The security system monitors the grounds making the area more secure.

Unified Case Filing System. The Netham program helped develop and implement a unified case filing system across all West Bank courts with upgraded case files. The new filing system reduced the number of missing files and made retrieval simple and efficient by assigning serial numbers to each case and filing hard copies of the documents according to the serial numbers. The more reliable case filing system supports accountability through more accurate performance measurement and management.

HJC Judicial Media Center at the Public Information Department (PID). In January 2010, the Netham program supported the opening of the HJC Judicial Media Center at the Public Information Department. The Judicial Media Center allows the media to cover the judiciary and provide better transparency and accountability of the judiciary. The press conference room, which is equipped with the latest technology, enables the HJC to invite the media to cover HJC news. This exchange with the press aims to increase public access to information about the courts.

HJC Regulation Booklet. With Netham program assistance, the HJC published an HJC decision and regulations booklet. This publication includes court decisions and regulations developed by the HJC that ease access to judges and court staff to these decisions. In addition, the booklet assists in reducing the time needed in locating decisions that have already been issued. CAD distributed the booklet.

Translate and Design of HJC Newsletter -QADAOUNA. The Netham program assisted in the publication of five volumes of QADAOUNA "Our Judiciary." QADAOUNA is the HJC's newsletter and includes various success stories as well as quarterly achievements by the HJC. This newsletter was published both in Arabic and English and widely distributed to judges, lawyers, court staff and the public.

Promoting Judicial Reform

A focus for the HJC's Media and Public Relations Department was the production of a 17-minute documentary film that highlighted HJC's 2008 - 2010 Justice Sector Strategy and what has been accomplished pursuant to it, including the creation of new HJC departments for training, media, court administration and judicial inspection, as well as enhancement of existing departments such as for IT. The film as well set forth the HJC's goals for the next year as those are outlined in the Justice Sector Strategy.

Other Assistance to the HJC. Other illustrative Phase 6 milestones in the Netham program's work with the HJC included:

- Preparing a judicial desk calendar
- HJC IT training to create capacity to maintain and upgrade automated systems
- Study exchanges and organizing attendance at an international court administration conference for key judicial personnel
- Court processors motorcycle training
- Enhancing international judicial coordination among Jordan, UAE, and Palestine
- Establishment of a more efficient procedure by which the Chief Justice may receive and address complaints from lawyers and citizens
- Work with the HJC's Media and Public Relations Department to organize annual Justice Day events and to develop high quality videos about Justice Day and the HJC's accomplishments, functioning, and reform plans
- Work with the HJC's Media and Public Relations Department to hold workshops for journalists and prepare a "Guide on Legal Terminology for Journalists"
- Creating a legal library at the HJC in cooperation with the EU Judicial Strengthening Program, Seyada.
- Support for the first Court Administration Conference aimed at familiarizing HJC departments and court staff with the Court Administration Department and its roles and responsibilities, after the introduction of the new court post of Chief Court Administrator and creation of a new HJC Quality Assurance Department.
- Assistance to the CAD in developing the Palestinian Court Administration Guidelines Manual.
- Support to the newly appointed Chief Court Administrators and members of the CAD team by developing tools and mechanisms to help them to execute new duties, in the areas related to Chief Court Administrator's work and Quality Assurance.
- Working with the CAD staff to implement systems developed with Netham program assistance relating to archiving, correspondence, human resources, employee evaluation, training, meeting management reviews, document management procedures, and quality records.
- Supporting the follow-up survey to the 2008 baseline survey on Perceptions of the Palestinian Judiciary, involving over 1,000 questionnaires.
- The Netham program helped the HJC develop a simple Case Analysis Software that allows the HJC Technical Office to enter case data including the number of cases per court, number of new cases per month, number of disposed cases, and number of pending cases. The software assists in reducing the errors in data entry and aids HJC judges and managers to obtain accurate statistics.

The Netham program- By the Numbers

65% Increase in national case disposition rates from 2009 to 2010 based in part on efforts by HJC CAD

SUPPORT SPECIALIZED TRAINING FOR JUDGES. As with any system, a judicial system is only as good as the people within the system; therefore, quality training of judicial personnel is essential.

Upon program start-up in 2005, the state of judicial training in the West Bank was ad hoc and donor-driven. Over the past 5 years, the Netham program has supported a comprehensive

upgrading of training for judges in the West Bank in close coordination with the HJC Training Department, the PJI, and other stakeholders. The curriculum at the PJI is now more varied and courses reflect a higher level of quality, with modern teaching methods including case studies and practical applied skill exercises.

In addition to expansion and upgrading of curriculum, the Netham program supported institutional capacity building measures that will help assure sustainability of the improvements. Facility renovations have complemented the capacity building activities.

The Netham program supported both initial training and continuing education for Palestinian judges. In the area of initial training, a seven week program of new-judge theoretical training was developed. The Netham program also assisted the PJI to organize training in Jordan for new graduates of the initial training program to supplement the PJI training.

The Netham program helped the HJC and PJI develop the first ever Continuing Education Training Plan and Continuing Education Curriculum for Palestinian judges. The Curriculum includes design of course plans and syllabi, and gathering training materials for the HJC Continuing Education Training Plan in both criminal and civil subjects. The Continuing Education Training targets all judges serving in the Palestinian Conciliation, First Instance, and Appellate Courts.

In addition, to training within Palestine, the Netham program supported extensive training opportunities for judges in Jordan, expanding horizons by offering exposure to other international practices and solutions. Programs often involved a mix of classroom training, site visits, and discussion sessions with Jordanian judicial colleagues. Jordan offers advanced methods and facilities in important areas relevant to Palestine such as criminal forensics, handling of land disputes, decision writing, and case management.

Both civil and criminal case management training was an important program activity and achievement. Studies have found that court delay does not necessarily correlate with case volume, court size, or other structural features. To reduce and avoid delay in a sustainable manner, courts must have a long-term commitment to active management of the pace of litigation.

Whereas work remains, in the latter phase the Netham program supported case management training in coordination with the HJC's Training Department. The intensive trainings centered on four 3 day workshops for criminal case management and four 3 day workshops on civil case management principles for judges conducted initially by two Jordanian Judges. Focus of the trainings was on:

- Early and continuous court control of case progress
- Differentiated case management
- Meaningful events and realistic schedules
- Firm and credible trial dates
- Trial management¹

The result was judges more confident and proactive in managing their caseloads.

¹ A 45-hour English language training course was also offered to Palestinian judges, implemented by subcontractor AMIDEAST.

"Now I feel more confident as a Judge and I look positively to a better future. The training course was of a high standard and the judges conducting the training are very knowledgeable in their field especially the High Court Judges."

Judge Falastin Abu Roumi, after completing a two week training course on applicable laws and litigation skills in Amman, Jordan

The case management training supported by the Netham program is one step in a long term effort to strengthen case management practices. Development of specialized, professional court administrators in the courts is a key part. Creation of case management departments as in Jordan is another option where staff in courts are assigned specific responsibility for developing and maintaining effective case management practices.

Judges Trained in Jordan. With the Netham program's support 14 HJC judges were trained on reviewing mediation cases. The two-week training course which took place from January 24 to February 4, 2010 assisted in building the judges' capacities to serve as settlement judges in pilot courts. The Netham program also supported seven Palestinian Judges to travel to Amman, Jordan for a two-week "Training of Trainers" program on Civil Case Management Training. The Jordanian Judicial Institute that conducted this training focused on civil case management, civil procedures, notification procedures and management techniques. General topics covered during the training also included case flow management principles- methods of early intervention and control, legal issues affecting timely disposition of cases, drafting final judgments and case study examples. The seven Palestinian judges who completed the training received graduation certificates and will train other Palestinian judges.



IMPROVE JUDICIAL NOTIFICATIONS. With the Netham program's support, progress has been made in solving the notifications problem in Palestine. A pilot approach was initially used to demonstrate that proposed solutions were workable and to allow for fine tuning of the model before national rollout. The core of the new model was creation of an innovative, automated Notification Management System (NMS) that operates on handheld Personal Digital Assistants provided to processors.

The system has improved efficiency, transparency, and accountability of the processors' work. The NMS allows for tracking of the status of each notification delivered by court processors. Other activities have included development of a Notification Unified Procedural Manual that supports improved case management at the Notification Department, training for staff involved in notifications, motorcycle training, and procurement of standard uniforms for court processors which create an image of official business and professionalism, increasing cooperation of citizens and ensuring safety and protection for the officers when delivering notifications to citizens. The Netham program performed ongoing implementation follow-up including additional training, diagnosis of IT hardware needs, and user feedback surveys to identify ways to streamline the NMS software.

Notification customer satisfaction surveys were conducted in Jenin, Nablus, and Bethlehem. The customer satisfaction survey indicated that those surveyed are generally satisfied with the services provided by the department. Responsiveness survey results were Nablus 82%, Jenin 92%, and Bethlehem 55%, and efficiency perceptions were Nablus 73%, Jenin 88%, and Bethlehem 43%.

Court Processor Motorcycle Training. With the Netham program assistance, 38 court processors from Jenin, Salfeet, Ramallah, Qalqilia, Nablus, Jericho, Bethlehem, and Hebron received motorcycle training in order to assist court processors to deliver court notifications.

The training was provided in support of the HJC's plan to purchase motorcycles for the Notifications Department, which assist in facilitating the notification delivery process in the West Bank. The motorcycles aid in the speedy delivery of court notifications.

Notification Procedures Manual. The Netham program helped publish the Notification Procedures Manual which was delivered to the CAD Department for distribution to all notification processors in the West Bank. The manual included unified procedures for distributing notifications to the public as well as unifying the process for filing delivered notices. This enables better tracking of those receiving a notice from the Notification Department as well as improved case management at the department.

Notification Department Uniforms. The Netham program provided the Notification Department staff uniforms. As a result, the Notification Department processors who deliver court notifications are more easily identifiable. These uniforms also contribute to an image of professionalism, improve citizen cooperation, and ensure safety and protection for the officers when delivering notifications to the public.

Support Implementation of Automated Notification Management System (NMS). To distribute and track the status of each notification delivered by court processors to persons that need to attend a court hearing the Netham program supported the development of the NMS for the Notification Department. The Netham program delivered the final NMS application to the HJC IT Department as well as delivering the source code, user manual, and programmer’s manual. In addition, the 20 Personal Digital Assistants (PDAs) to register the notifications on the NMS application were tested and put in use while delivering notices. Notification processors from Nablus, Ramallah, and Jenin received training on the use of the NMS and the PDAs. The pilot program in these locations produced more timely notifications and improved judicial case management.

Notification Management System Software. The Ramallah Notification Department was renovated and upgraded in early 2010. The renovation work included equipment for many areas and the installation of the new NMS software. This will better assign and track the delivery of notices as well as improve the use of Personal Digital Assistants (PDAs) to assist in controlling and accelerating the notification process by enabling processors to input data in the field.

In a survey conducted after the implementation of the pilot Notification program in Ramallah, the Netham program found that the services had definitely improved. The results showed that 56 percent of the 107 service users in Ramallah surveyed were “moderately satisfied” or “highly satisfied.” Prior to the upgrades and renovation only 9 percent of those surveyed were “moderately satisfied” or “highly satisfied.”

SUPPORT AND BUILD CAPACITY OF THE NOTARY PUBLIC

Improve File Archiving. Assisting in Notary Public Department filing and archiving is a capacity building activity that aims to improve processes and procedures in Notary Public Departments to increase access and services for the public. The Netham program continued to provide support with the data entry and filing assistance to Notary Public Departments. Interns entered 3,588 documents in Hebron, 1,910 documents in Ramallah, 12,462 documents in Jenin, 3,977 documents in Bethlehem, 10,012 documents in Qalqilia, 2,370 documents in Tubas, 4,950 documents in Salfeet, 6,200 documents in Jericho, and 688 documents in Dora into the *Al-Mizan* software. Entering the notarization documents in *Al-Mizan* will allow for improved efficiency and increased capacity as well as reduce case backlog.

By the Numbers		
Public Satisfaction with Key Judicial Services		
Year	Notifications	Notary Services
2008	46%	50%
2009	89.1%	92.6%

Illustrative Training Topics Provided to HJC and Court Staff	
<ul style="list-style-type: none"> ▪ Court administration ▪ Case management ▪ Communication and Customer Relations ▪ Enhancing Use of Automation ▪ Use of Automation for Management Purposes ▪ Court Unified Filing System ▪ Court Unified Procedures ▪ Civil Judgment Unified Procedures ▪ Al-Mizan and NMS System Training 	<ul style="list-style-type: none"> ▪ English Language Training ▪ Financial System & Unification of Case Registration Procedures Training ▪ Notification Procedures Training ▪ Notary Public Procedure Training ▪ Training on Current Fee Law ▪ Unified Fees Training

STRENGTHEN THE CIVIL JUDGMENT DEPARTMENT

Improve File Archiving at Civil Judgment Departments. With Netham program support, significant progress was made in labeling files in the Civil Judgment Department. These activities were part of establishing the new filing system in all West Bank Civil Judgment Departments and updating all cases in the computer system to strengthen the efficiency of the Civil Judgment Departments and provide better justice services to the public.

The Netham program installed the final version of the continuous training software program into the server at the Palestinian Judicial Institute. The Netham program developed the software application to track registration and continuing education for applicants and students taking PJI courses.

Improving the Justice Sector's Image

"Previously, the service area was very bad and I couldn't know the right procedures. The process was very complicated and I was obliged to hire an attorney to accomplish the issue on my behalf . . . I think the upgrades we witness today in the services at the MOJ are very important as they ease the publics' ability to accomplish needed transactions.

We hope to witness more improvements, and wish that such initiatives could reach other services in the Palestinian Authority."

Ahmed Hardan, 37, Ramallah

1.3 ENGAGE AND BUILD CAPACITY OF THE MINISTRY OF JUSTICE

Strengthen Technical Capacity at MOJ. With the support of an embedded international advisor, who served for one year in Phase 6, The Netham program continued its capacity building support to the MOJ. The program focused its assistance on areas that would have the highest impact on the MOJ's long term institutional development. The Netham program focused on empowering MOJ staff to problem solve and make more informed managerial and policy decisions.

Building on past planning work with the MOJ, after the appointment of the new Deputy Minister of Justice in spring 2010, the Netham program organized a three-day retreat for MOJ key personnel. The purpose of the retreat was to introduce the new Deputy Minister and give him an opportunity to work with the heads of departments and to discuss needs and the MOJ's strategic plan, in addition to developing an action plan for future activities and programs.

The Netham program helped the MOJ to prepare their 2009 Summary Report for the Ministry of Planning. The Netham program also provided commentary on the governance and human rights

portion of the Annual Progress Report for the three year EU/Palestinian Authority Action Plan that was originally adopted in 2005 as part of the European Neighborhood Policy, based on the European Neighborhood Agreement.

In 2010, the Netham program embedded two qualified Palestinian staff at the MOJ in the Office of the Deputy Minister. The embedded staff assisted the Deputy Minister in policy and strategic planning development and provided administrative support in terms of translation and other general support necessary for the Deputy to accomplish his duties effectively. The staff also helped develop operational policies and procedures for the Deputy Minister’s Office. The Netham program also provided three laptops and a multi-function printer for the Deputy Minister’s office.

Capacity building activities with the MOJ also included developing a Financial and Administrative Procedures Manual, reflecting modern organizational management principles. Procedures include HR systems, training, document and records management, archiving and correspondence, and complaints management. The Netham program supported implementation of the manual through program completion. The implementation plan included training of financial staff, developing a fixed assets inventory to register all fixed assets according to serial numbers, preparation of financial reports, and the proper application of the financial forms as set forth in the manual. The Netham program trained MOJ financial employees on relevant topics and supported development of cash flow statements and use of monthly and annual income reports.

Interactive Training for MOJ Staff. The Netham program organized training for MOJ staff in legislative impact analysis, policy consultation processes, and legislative policy development. The legislative impact training was highly interactive with participants analyzing the impact of recently adopted PA laws including the Handicapped Law, Non-smoking Law, and Traffic Law. The training on legislative consultation reviewed good practices and identified guidelines that could be used at the MOJ to identify a list of stakeholders in different policy areas from whom to solicit comments, determine if proposed legislation has significant public impact, and the processes for advertising the legislation and seeking comments.

These practical trainings helped change the mentality of MOJ staff and give them specific skills to be more effective in their work as well as improved their job satisfaction as many now perceive themselves to be agents for positive change, and find the work to be more rewarding for this reason.

Illustrative Training Topics Provided to MOJ Staff	
<ul style="list-style-type: none"> ▪ International Computer Driving License (ICDL) Ramallah ▪ IT Software Development ▪ Justice Record System Source Code Training ▪ Cisco Certified Network Associate ▪ Financial Budget Preparation ▪ MOJ Interns on Data Entry 	<ul style="list-style-type: none"> ▪ Data Treatment Training ▪ Arbitration Training ▪ MOJ Finance Training ▪ Record System Training ▪ Advanced IT Training ▪ English Language Training ▪ MOJ Customer Relations Training ▪ DMS Training

National Justice Records Department. A traditional source of frustration and negative perception of the MOJ has been the process of obtaining certificates of non-conviction, a common requirement for citizens when applying for civil service jobs, visas, and other transactions. Previously the process was confusing, time consuming, unpredictable, and could

take weeks plus require citizens to present themselves to numerous agencies. The Netham program set out to solve this problem. The Netham program helped the MOJ design a software system, draft a subsidiary regulation governing the operations of the Justice Records system, procure equipment, renovate the space to make it user-friendly, and train the staff. The Netham program hired interns to enter the required data into the system.



The department opened to the public in June 2009. The automated, nationally centralized National Justice Records System (NJRS) now allows immediate printing of non-conviction certificates. It involved compiling data from different institutions. Part of this task was the entry of voluminous amounts of data into the new system, admirably performed by the Netham program's interns. The Prime Minister attended the opening of the MOJ's renovated National Justice Record Department which includes a modern queuing system, minimizing waiting times. With the Netham program's assistance, in 2010, a new service center was opened in Hebron whereby the NJRS employees were enabled to issue non-conviction certificates directly from Hebron. The Netham program interns also provided assistance to the Justice Records Department by entering all criminal records of the districts.

Promoting Judicial Reform
 At a widely publicized event in 2009, the first non-conviction certificate was issued to the Prime Minister using the newly developed National Justice Record System.

The new automated NJRS not only helps provide citizens with faster and more predictable and professional service, the NJRS provides data on criminal activity that the MOJ is now using to develop crime statistics and conduct analyses of crime trends. The NJRS software has advanced capabilities such as integration of legislative criminal records expunging periods. It also is connected to the prison information database, an example of efficient inter-agency information sharing on par with the most modern justice systems in the world.

The Netham program - By the Numbers
93% Satisfaction with the NJRS post-improvements

ENHANCE MOJ PUBLIC SERVICES

Document Management System. The Netham program continued its work in support of the reengineering of MOJ workflow and records management processes and the design and development of a comprehensive electronic Document Management System (DMS) that automates workflow among five MOJ departments – Complaints, Arbitration, Translation, Endorsements, Office of the Minister, and the Diwan, the Legislative Affairs Bureau in the PA – and internal administration generally. This system substantially reduced personnel time spent storing, retrieving, and circulating information within the Ministry, leading to more efficient internal information systems and helping develop an e-Government nucleus at the MOJ.

Linked to the Netham program -supported trainings for MOJ staff, the DMS enabled the MOJ to use the system for automated generation of management reports and data-driven performance management. The development of the DMS included process and system analysis, system design, system implementation, and building a document control unit (DCU). The Netham program provided the MOJ with the IT infrastructure, a server, and IT training. The Netham program renovated a suitable area at the Ministry, furnished it with the necessary equipment and furniture, and installed an automated queuing system.

The Netham program worked with the MOJ's systems and network administrator to optimize and restructure the network environment at the MOJ (servers, software installations, database and email server installations, users and shared folders, printers). This assistance helped the MOJ in managing the NJRS and ensuring that the DMS operates efficiently. The Netham program assisted in the procurement of firewall hardware installed in the MOJ's Ramallah, Nablus, and Hebron offices. These firewalls helped protect each of the three networks and allowed only secure access between the sites and the main server.

Support for Expansion of Mediation. Another activity with the MOJ was legislative policy planning for development of mediation and alternative dispute resolution in Palestine. Given the major cultural change involved in introducing new forms of ADR, such as court-annexed mediation, the Netham program recognized the long-term nature of the process of expanding ADR in West Bank. For ADR to really take root in Palestine, the Netham program determined it was essential to initiate a wide and measured dialogue about ADR, including a close review of international practices and experience, to build understanding about ADR's potential value in Palestine. This process was designed to build local ownership and leadership around ADR development and allow ADR to be appropriately tailored to the culture and legal environment in Palestine.

To this end, the Netham program partnered with the MOJ's ADR Directorate on numerous conferences and workshops to begin an open dialogue about whether ADR, including mediation, is right for Palestine. Practical outcomes were a draft national policy and Mediation Law. The Netham program also participated in an ADR working group consisting of representatives from the Office of the Attorney General, the judiciary, the President's Office and the MOJ.

Positive Culture Change at the MOJ

"The presence of the [NJRS] system broadened the Legal Department's scope of work, requiring more dedication of the working team and adding more value to our work."

Majdi Mohamed, Legal Assistant at the MOJ Legal Department

"The new [NJRS] system not only influenced the quality of services offered to the public, but it improved the performance of the MOJ in general. Internally, the Justice Records Office encouraged the staff to perform and upgrade their legal and IT knowledge. It also created common language among the working team where expertise and knowledge were exchanged for the benefit of the work.

The system also urged direct coordination with the Public Prosecution offices and ministries involved in the process such as the Ministry of Interior. Indirectly, the office positively influenced the dialogue and coordination between the Public Prosecution offices and the Judiciary regarding the criminal verdicts execution process and the delivery of the rendered verdicts to the Public Prosecution."

Mohamed Abdullah, Director of the National Justice Records Office (NJRO)

Settlement Case Management Training for Judges.

The Netham program assisted the HJC in organizing and implementing Mediation Settlement Training for seven Palestinian judges, including the Director of the PJI. The training assisted the HJC in reviewing mediation cases at the Conciliation and First Instance Court. The training focused on a set of theoretical and practical exercises that enabled judges to settle cases in the presence of a settlement judge instead of using court litigation channels and procedures. Through the introduction of settlement courts in Palestine it is expected that the number of court cases will decrease and the disposition rate of pending cases will increase making the court process less congested and more efficient in dealing with cases that need to be presented in a court setting.



The theoretical training focused on enhancing the skills of judges to become effective settlement judges. The workshop included definition of settlement in legal, social, and scientific perspectives as well as conducting role playing and exercises using settlements and mediations cases. The second part of the training addressed practical skills. The Palestinian judges visited the courts in Jordan and observed case management procedures in front of settlement judges. They also had the opportunity to act as settlement judges under the supervision of a Jordanian Settlement Judge to receive firsthand experience in settlement and mediation cases.

The training supports the Netham program’s work plan efforts to strengthen the justice sector, assist the development of the judiciary, and support the development of improved case management by building the capacity of judges to effectively and efficiently manage cases.

This training was the fifth regional training that the Netham program sponsored since 2008.

Supporting Development of the Palestinian Judicial Institute (PJI). The Netham program consultants continued work to strengthen the PJI’s financial and administrative systems during Phase 6 of the program. Building on the institution building work at PJI during Phase 6, the Netham program worked in Phase 6 to develop and implement registration software to help the PJI manage its training activities effectively. The Chief Justice and the Director of the Palestinian Judicial Institute (PJI) have cooperated and coordinated the training programs held at the PJI. The PJI will now track and monitor all training allowing for more transparency and efficiency in the use of the renovated institute. In addition it will allow the continuing education program for judges to become more effective under the PJI Director and will expand the program to encompass the judiciary’s needs according to the judicial career plan.

PJI Mission Statement

“Creating a legal and judicial generation that consolidates the culture of law and citizenship in the Palestinian Community.”

COMPONENT 2: SUPPORT PUBLIC OUTREACH, NETWORKING, AND CITIZEN ENGAGEMENT ON RULE OF LAW ISSUES

As the original terms of reference for the Netham program emphasized, respect for the law and law enforcement institutions was lacking in Palestine when the the Netham program started in 2005. The Netham program "supply side" interventions to improve performance of legal institutions were complemented with "demand side" activities to increase public awareness and engagement in rule of law reform issues. The activities in this component were guided by the goal of building a more informed citizenry and more meaningful public oversight of the justice sector, promoting access to justice, and gradually improving a culture of the rule of law.

As justice sector performance improved during the program period, the Netham program sought to support public outreach to improve the justice sector's image and align public perceptions with new realities. Other goals included building civil society capacity in relation to rule of law issues.

The key activity areas were a grants program, civic education program, and work with law schools. The Netham program was pleased to see that in the last five years the public's image of the justice sector in Palestine has improved significantly. One indicator of progress is increased usage of and confidence in the formal justice sector.

GRANTS PROGRAM

A core element of the program's outreach, networking and citizen engagement activities was an innovative rule of law grants program. The purpose of the grants program was to promote activities addressing rule of law and judicial awareness/education, as well as encouraging public oversight of the judiciary in both the West Bank and Gaza. Fourteen grants were awarded in two phases to Civil Society Organizations (CSOs) ranging from youth organizations, to advocacy groups, to research organizations, to media entities.

Building a culture of the rule of law is a long term undertaking. If youth can be educated on concepts of rule of law and international models and experiences, there will be much improved prospects for positive reforms in the coming years. Grants aimed at promoting the rule of law among youth included creative programs such as the Young Artists Forum (YAF)'s "Conveying Law through Art" that targeted children ages 12 to 15, including in the Al-Jalazoun Refugee Camp. The program aimed to enhance concepts of the rule of law and public oversight and focus on the right to a fair trial, equality and accountability before the law. YAF used a Training of Trainers approach for artists that maximized the reach of the program for the available resources. The program was highly interactive in the sense that students were tasked with expressing their concept of the rule of law through art and then, at an art exhibition event, acting out their concepts.

The community organization Bani Naim implemented an awareness campaign to increase the respect for the rule of law in the Hebron District by working with extended family leaders and citizens. The campaign promoted the importance of resorting to the formal justice system in solving legal disputes. Bani Naim held 27 workshops, meetings, and trainings for family, community, and political leaders as well as teachers, resulting in the signing of a Memorandum of Understanding by 57 tribal/clan leaders to make a commitment to respect and resort to

Grants in Gaza

The Netham program hired and trained a grants coordinator in Gaza and grants were issued to four CSOs that aimed to promote the rule of law. The grants programs were successful in their results and impact.

the formal justice sector in solving disputes. Around 100 tribal/clan leaders and 300 guests attended this event. Speakers included the Hebron Governor's Office, the Tribal Affairs Unit in the Ministry of Interior, the Chief of Police, and a Netham program representative. The Bani Naim grant focused on tribes/clans in the three villages of Bani Naim, Al Shyoukh, and Sa'er. This result by a 3 month grant program was recognized by the non-governmental organization (NGO) community as a groundbreaking accomplishment. Many NGOs from around Palestine contacted the Netham program to obtain a copy of the MOU to seek to replicate the result in other regions.

Selected sections of the 31 point MOU included:

- This Memorandum of Understanding was formulated to defend human rights. It addresses all good people in Palestine, in general, and people of Hebron, in particular. It came as a result of numerous unjust and unfair rulings that have become the norm in this area. . . The efforts of the people of Bani Na'im, Sa'er and Shyoukh villages who rebelled against some of these negative customs culminated in this memorandum which aims to enrich discussions on the public and private levels. This Memorandum aims to give the public a clear picture of some of the negative practices in the tribal system and hopes to wake the tribes out their long-lasting sleep.
- Point 1. The law is the only means that shall organize people's life. Consequently, legal culture shall be enhanced in the community; at schools, and organizations. It will be necessary to introduce the subject of law in the curriculum, and to issue publications and periodicals on rights, obligations and penalties as stipulated by the law, especially civil law.
- Point 3. Activate the role of courts and not stalling in issuing rulings in the accumulated cases.
- Point 6. Reduce tribal punishments and documenting them, and incorporating the positive elements of the tribal system into the law.
- Point 17. In cases of moral crimes such as adultery, rape and acts contrary to modesty, the perpetrator shall be repudiated by his family. The family of the victim shall not attack the perpetrator's family or their funds or properties as a reaction to the crime. The Executive Authority and Judiciary are requested in this case to apply the law and punish the criminals.
- Point 24. Women are mothers, sisters and daughters. They cannot be subject to expulsion or to punishment. However, a woman who commits a crime shall be held solely legally responsible.
- Point 26. A girl or a woman who is subjected to an assault or rape and then informs her family or the authorities shall deserve our respect and protection. Criminals shall be punished and victims shall not be repudiated. This also is applicable to children.
- Point 31. Tribal leaders shall try to deal with small problems before they exacerbate.



Response to "With Arts We Promote Law"

"I loved the play, it taught us a lot about school and street behavior, especially respecting traffic laws," said Omar. He also added that he wished to become a policeman so that he would be able to apply the laws when he grows up.

Another student, Hala, commented that she liked the play because she learned new things emphasizing the information related to the laws in her civic education book. She went on to say, "I want to become a lawyer to defend victims" and "violence doesn't lead anywhere; however, the law does."

Dar Al-Fonoun, a Nablus-based grassroots organization, with its grant, "With Arts We Promote Law," conducted more than 60 performances of a play for more than 8,500 children ages 7-14 to develop their knowledge of basic concepts related to rule of law, justice, non-violence, and children's rights. Dar Al-Fonoun targeted marginalized areas in Nablus, including surrounding refugee camps and villages. The play's performance follows the "shadow theater" format, where the show stopped at certain points to draw the audience's attention to critical points and engage students to re-perform the act. Discussion was also conducted at the end of the performance and led by a group of lawyers and civil society activists. Among the key themes addressed in the play were students' and teachers' behavior in school, respect for traffic laws, and overall respect for rule of law. Final scenes tackled the prevalent issues of child labor and selling expired goods. In addition Dar Al-Fonoun produced a poster and a snakes and ladder game on the rule of law theme that was distributed to the children during the performance.

In awarding grants, the Netham program gave preference to programs that included creation of change agents and practical, interactive, and skills building approaches to maximize the impact of the programs. For instance the program by Human Rights and Democratic Participation Centre (SHAMS) titled "Youth for the Rule of Law" supplemented trainings with interactive field visits and in-depth debates with decision makers on issues such as the history of the Palestinian judiciary, tribal justice, the Handicapped Law, and the separation of powers. One panel included youth with physical, mental, sight and hearing disabilities. The panel discussed the Handicapped Law and issues of access to justice. This event was certain to create new perspectives among the youth involved. Some programs for youth involved school staff and parents, widening the circle of individuals reached.

The grants program also took account of the critical role of the media in educating the public and influencing the public perceptions. When the Netham program commenced, media reporting on justice issues suffered due to a lack of journalists trained on justice sector issues. Programs such as Amin Internews' "Judiciary System in Palestinian Media: Towards Specialized Palestinian Law & Court Reporting" worked to build the rule of law research and reporting capacity of young journalists. In the first phase of the grants program, experienced journalists were engaged. In the second phase, experienced journalists were paired up with young journalists in a mentoring approach.

Amin produced over 200 reports including radio and TV reports on the judiciary as well as feature stories that were published in local newspapers and on Amin's website. Specialized radio and TV programs on the judiciary were created including "Town Issues," "Court's Adjourned," and "Street Talks."

Spider Web

Tam , Women, and Media implemented a grant to produce a film on "Raising Awareness of Rule of Law." The 90-minute TV film titled "Shibak Al-Ankabout" or "Spider Web" depicts the importance of rule of law to Palestinian society. The film emphasizes the importance of protecting the Palestinian society from corruption, in a period when Palestinians are facing challenges on all fronts. . . . Tam worked extensively with 47 Palestinian actors/ actresses to produce the film. . . . The premiere was attended by over 350 guests including the Minister of Justice, Chief Justice, and the Attorney General and sparked a debate in the media and on the internet that lasted for several months as to the extent of corruption depicted in the film and what is the reality on the ground. The film received positive reviews and was screened on ten local TV channels, some satellite channels, at universities, and in cinemas.

"Spider Web represents a resounding scream for the need to treat everyone equally before the law, regardless of age and social status," said author and script writer Salim Dabbur. . . .

A highlight on the program "Al-share' Bihki" or "Street Talks" included interviews with the Chief Justice, Issa Abu Sharar, and the Prime Minister, Salam Fayyad. "During the sessions, the Netham program tried to draw the reporters' attention to certain perspectives in writing and media coverage to take the human and social dimension into consideration. Journalists received technical training on the Palestinian law, media law and international laws, as well as addressing the ethics of reporting, and the importance of building positive relations with judiciary staff," said AMIN Program Manager Saida Hamad. AMIN reporter Naela Khalil, who writes for Al-Ayyam newspaper noted high readership of her coverage of the judiciary. One article on municipality courts was the most widely read Ayyam article for that day. Khalil noted: "I was pleasantly surprised when I found that my article was the most read piece on that day. Although coverage of judicial issues is really new, it managed to draw the readers' attention which I consider progress on the personal as well as the professional level."



Grantee Holy Land Trust (HLT) worked to increase awareness among college students in the Bethlehem area about the judicial system and respect of law by conducting workshops, training, street actions, and TV and media campaigns. HLT produced and broadcasted five TV episodes that were aired on several local TV stations. The programs focused on judicial independence, citizen engagement in the judiciary, and the importance of obeying the law beginning with minor laws such as traffic laws.

Complementary to the work with media, the Netham program also supported grants programs that elevated the profile of the rule of law, judicial reform, and judicial independence in policy discussions in Palestine. One example was the Arab Thought Forum's "Principle of Separation of Powers and the Structure of the State in Palestine" program which organized a large conference to promote the concept of "Separation of Authorities" and factors that influence judicial independence.

Other themes of the grants program were women's rights such as the Center for Women's Legal Research and Consulting program's "Legal Protection of Vulnerable Women in the Gaza Strip" that used a Training of Trainers approach to promote community education and awareness on family law. More than 50 awareness workshops and five community forums were conducted in different areas of Gaza to raise community awareness on rule of law and women's issues.

The grants program helped build rule of law research capacity of Palestinian NGOs, critical to sustainability of civil society reform promotion efforts. The CWLRC grant involved the preparation of 5 research papers on topics including divorce, early marriage, legal education and women, women labor rights and gender roles that will be used in community discussions.

The grants evaluative process emphasized objective criteria including level of interactivity of the proposed programs, geographic coverage, number of people that would be impacted, achieving a diversity of approaches, etc. To help ensure success of the grants programs, the Netham program held grants orientation meetings and provided financial management training to all selected grantees.

Regional Grants

The Netham program sought to use grants to build positive rule of law awareness in areas hard hit by the intifada and with refugee camps and tribal justice. Grants focused on Nablus, Hebron, Qalqilya as well as Gaza. In Nablus alone, over 7,000 children were reached at more than 60 interactive shadow theater performances during a 3 month grant program.

Rule of Law Program - Justice and Enforcement (NETHAM - "ORDER" IN ARABIC)
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 Rule of Law Program - Justice and Enforcement (NETHAM - "ORDER" IN ARABIC)

THE NETHAM PROGRAM GRANTS PROGRAMS	
Grantee	Program Description
Young Artists Forum (YAF)	<p>"Conveying Rule of Law through Art" targeted children between the ages of 12-15. The Program took place at the Al-Jalazoun Refugee Camp, Abu Shkheidem, Jifna and Qarawa Bani Zeid villages. The activities enhanced concepts of rule of law, public oversight and the right to fair trial.</p> <p>Key activities included an art exhibit at the Palestinian Red Crescent Society. The exhibit showcased the art work completed by the children who took part in YAF's program. Two short drama performances were conducted and focused on children's rights to an education, right of expression, issues related to early marriage, right to inheritance, and gender equality. A Palestinian debka (traditional) dance performance was also conducted by a group of children. Each of the children was then awarded a school bag and art supplies. The ceremony concluded with the attendees touring the exhibition which presented 40 creative drawings related to rule of law. YAF brochures, newsletters, and posters regarding grant activities were distributed during the event.</p> <p>YAF conducted field visits to human rights organizations. The purpose of the visits was to familiarize the children with human rights work and to give them an opportunity to ask questions regarding children's rights.</p>
Bani Naim	<p>Implemented an awareness campaign to increase the respect for the rule of law in Hebron District. The campaign promoted the importance of resorting to the formal justice system in solving legal disputes. It held 27 workshops, which resulted in the signing of an MOU by 57 tribal leaders. These were leaders from Bani Naim, Al Shyoukh, and Sa'er villages in Hebron governorate.</p>
Dar Al-Fonoun	<p>"With Arts We Promote Law" play developed knowledge of basic principles of law, justice, and non-violence. The NGO targeted 8,500 children from the ages 7-14 in Nablus.</p>
Human Rights and Democratic Participation Center (SHAMS)	<p>"Youth for the Rule of Law" supplemented training with interactive field visits and debates with decision makers on the history of the Palestinian judiciary, tribal justice, Handicap Law and separation of powers. SHAMS successfully conducted four workshops in Qalqilia, Habla, Jayyous and Azzoun which are in the Qalqilia governorate. The workshops were titled "The Judicial System in Palestine Reality and Aspiration," "Relationship between Citizen and Judiciary," "Obstacles of the Judicial System" and "Role of Youth in Supporting Rule of Law." Over 200 participants took part in the workshops where the attendees articulated the need for developing the judicial system and for improving the relationship between the citizens and the judiciary.</p>
Amin Internews	<p>"Judiciary System in Palestinian Media: Towards Specialized Palestinian Law & Court Reporting" worked to build the rule of law research and reporting capacity of young journalists. "Judiciary System in Palestinian Media: Towards Specialized Palestinian Law & Court Reporting" assisted in the creation of better cooperation between local media and judicial institutions and created a group of reporters who are specialized in covering the judiciary. The program also increased public awareness of rule of law and the judicial system in Palestine.</p> <p>AMIN concluded recording 12 episodes, 30 minutes each, of the radio drama program "Court Proceeding" or "Rufia't Al Jalsa" in Arabic. The episodes focused on a variety of issues facing Palestinians including the Insurance Law, medical flaws, the judiciary, honor killings, alimony, and military courts among other topics.</p> <p>Amin also completed recording and aired 20 TV episodes, 51 minutes each, of "Street Talks" or "Al-share' Bihki." The program covered critical issues and topics facing Palestinian citizens.</p> <p>In addition, the first "Judiciary News" bulletin was broadcast on Ma'an Radio News Network through the program "Hadeeth Al-Watan." AMIN interns also published numerous articles and reports. Amin conducted a closing conference titled "Towards a Palestinian Media Specialized in Covering Issues of Judiciary and the Courts." During this event the Chief Justice announced that the High Judicial Council will ask all heads of courts and clerks to facilitate the work of journalists who carry membership cards of the Press Syndicate in order to advance their coverage of the courts.</p>

THE NETHAM PROGRAM GRANTS PROGRAMS	
Grantee	Program Description
Holy Land Trust (HLT)	Increased awareness among college students in Bethlehem area about judicial system and respect of law. HLT conducted workshops, training, street action, and a media campaign. HLT produced and broadcasted five TV episodes.
Arab Thought Forum (ATF)	<p>"Principle of Separation of Powers and the Structure of State in Palestine" was a program to organize a conference to promote the concept of "Separation of Authorities" and judicial independence.</p> <p>ATF held the conference in April, 2010 focused on "Separation of Powers." The agenda included an opening session, three sessions addressing separation of powers: Elements and Functions, and Specific Framework in addition to separation of powers in the Palestinian case, and the last session addressed the Impact of separation of powers on Rule of Law and Human Rights. The conference included around 200 participants including justice sector personnel, law school faculty, and law students.</p>
Center for Women's Legal Research and Counseling (CWLRC)	<p>"Legal Protection of Vulnerable women in Gaza Strip" used a training of trainers approach to promote community education and awareness on family law. More than 50 awareness workshops were conducted in different areas of Gaza to raise community awareness on rule of law and women's rights.</p> <p>CWLRC's "Legal Protection of Vulnerable Women in the Gaza Strip" contributed to the legal protection of vulnerable women in the Gaza Strip through promoting community education and awareness on family law.</p> <p>CWLRC implemented 50 awareness workshops targeting 1,800 citizens. Trained lawyers facilitated discussions which increased community awareness on women's legal status, women's rights in light of the current Palestinian domestic law and the international agreements mainly the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).</p> <p>Additionally, CWLRC produced two legal publications on family law and international agreements. CWLRC also completed research papers on early marriage, divorce, the role of NGOs in supporting women, women in the labor force and women's legal education. Results of this research were presented during a final conference. CWLRC held a close-out conference of the program in May, 2010.</p>
Al Hares	Implemented four initiatives in Bethlehems' Hussan and Nahaleen villages. The initiatives focused on traffic issues, mural paintings, and street cleaning. "Improve the culture of the law among school students in two villages in the Bethlehem Governorate" has targeted 80 school students in the villages of Husan and Nahaleen located in the Bethlehem area so as to improve the culture of respect for rule of the law among school students.
Palestinian Commission for Human Development (CHD)	<p>Completed 20 workshops, which raised awareness on the rule of law, violence against women, quota and political participation, family law and inheritance. About 618 youth in the Gaza strip attended these workshops. CHD's "Enhance Rule of Law among Youth" played a role in enhancing the culture of rule of law among university students in Gaza and contributed to promoting a better understanding of the importance of rule of law.</p> <p>CHD implemented 20 awareness workshops. The workshops aimed to bring rule of law awareness to youth in the Gaza Strip.</p> <p>Additionally, three focus group meetings were conducted and attended by human rights experts and professionals who highlighted the issues of the rule of law. The experts also assisted in designing and developing the training manual that was produced by CHD titled "Rule of Law, Citizenships and Democracy Manual." The Netham program reviewed and approved the manual. Three workshops were held and youth were trained on the best ways to use the training manual for promoting rule of law to youth.</p> <p>CHD printed and distributed 1000 copies of their 2010 calendar as well as 1000 copies of the rule of law training manual.</p>

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THE NETHAM PROGRAM GRANTS PROGRAMS	
Grantee	Program Description
National Society for Democracy and Law (NSDL)	<p>National Society for Democracy and Law (NSDL)'s "Educating school students on rule of law through non formal activities program" educated 160 male and female school students ages 912- on the culture of rule of law through conducting non-formal activities and spreading the culture and concept of rule of law among school students.</p> <p>NSDL successfully conducted 8 workshops targeting children and parents on rule of law awareness, children's rights and teaching civic education based on the principle of the rule of law. In addition NSDL implemented the four activity corners in which children participated on a weekly basis. The four corners targeted 160 children in both Khan Younis and Rafah areas of Gaza and ran three times a week. In each location NSDL facilitators ran three hours of activities in four corners titled: promoting tolerance, family dialogue, recreation (conveying law through art) and supporting education. The goal of the corners was to give the children a place to express feelings and thoughts regarding rule of law and family issues.</p> <p>NSDL also printed and distributed 500 copies of the program's calendar and 500 copies of the NSDL newsletter.</p>
The Palestinian Commission for Refugees (CPR)	<p>PCR's "Enhancing Behavioral Change and Attitudes of the Public towards the Rule of Law and Enforcement" used a multi-approach modality in enhancing behavioral change and attitudes of the public towards the rule of law and its enforcement, and particularly in relation to women's issues.</p> <p>PCR successfully conducted 25 workshops that screened their documentary addressing custody issues which includes a first-hand account of custody issues based on the story of a young mother in Gaza.</p> <p>Five lawyers who received 30 hours training through PCR conducted the workshops that targeted 635 citizens. In each workshop the lawyers first screened the documentary followed by a general discussion including why Ola (the main figure in the documentary) did not ask about her right to Nafaqa (alimony); custody conditions for both the mother and the father, the legal custody age for both girls and boys and the possibility of extending this age. Discussions focused on custody in the four Islamic schools of law, international laws, and domestic law. The workshops presented legal options in regard to custody and women's rights in Palestine. It became very clear that using the audio-visual media in raising women's issues increased the impact and the publics' understanding of the issues. PCR printed and distributed 1000 copies of its 2010 calendar and 1000 copies of the program's brochure.</p>



RAISE AWARENESS OF RULE OF LAW ISSUES WITH MINISTRY OF EDUCATION PROGRAMS

Closeout Ceremony of the Civic Education Program.

The Netham program wrapped up the Civic Education Program by preparing and conducting a closing ceremony. In addition to completing two of the program's major publications including *The Review and Evaluation Report*, and the *Civic Education Reference Manual*. Both publications will be used in the schools by the teachers as a guide to assist in teaching civic education in the classrooms for grade 19- in West Bank schools.



On February 11, 2010 the Netham program along with the Minister of Education and Higher Education Ms. Lamees Al Alami hosted the Civic Education closeout ceremony. Guests included the USAID Administrator's Special Assistant for the Middle East Mr. George Laudato, USAID Mission Director Dr. Howard Sumka, Chief Justice Farid Al Jallad, and officials representing judicial, legal, and education sectors as well as the donor community, civil society organizations and media agencies.

The Netham program screened a 15-minute presentation on the program's achievements. At the end of the ceremony training certificates were awarded to 43 teachers who took part in the "Training of Trainers" session and appreciation certificates for five MOE trainers who co-trained during the training of trainer's course. In addition four MOE departments who worked closely with the Netham program in implementing the Civic Education Initiative were awarded laptops to enable them to continue their efforts in enhancing civic education. The ceremony concluded with the Minister of Education and Higher Education presenting a plaque of appreciation to USAID and addressing the positive role that the Ministry of Education and Higher Education is playing in strengthening modern democratic concepts through enhancing civic education programs offered in Palestinian Schools. During the event The Netham program distributed the newly developed "Review and Evaluation Report" and the "Civic Education Reference Manual."

Assistance to Al Quds University Law School.

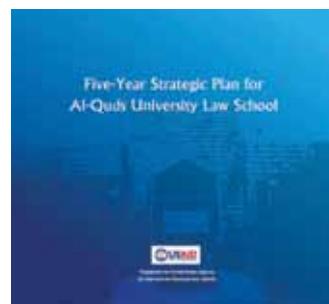
Through the Netham program's assistance, the vast majority of law faculty at AQU were exposed to modern, practical skills oriented law teaching methods through study tours, teaching method workshops, and co-teaching of programs with the Netham program consultants. The faculty have gradually embraced modern teaching concepts. For instance, the Netham program supported introduction of a Legal Writing course, which included drafting of legal correspondence, contracts, claims, and legislation, utilized modern teaching methods unfamiliar to AQU faculty. The program was initially resisted by faculty who, once they became more familiar with the course and the methods, came to embrace the course. Students also gave high reviews for the courses that followed the advanced teaching methodology and commented that they wished all courses followed the method.



With program's assistance, AQU introduced modern approaches for monitoring and evaluating the law courses and student performance, and making needed adjustments based on student and faculty feedback. In 2010, the Netham program also renovated the university's extension building in Ramallah to serve as a branch office for the law school.

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Law School Strategic Plan. The Netham program assisted in the development of the Strategic Plan for the law school in both Arabic and English language. The five-year strategic plan is the first in the history of the law school. This strategic plan aims to assist the university in promoting the legal education at Al-Quds University until it meets the highest standards. The Dean of the law school also intends to distribute the strategic plan to all the universities that were visited in the United States during the study tour that took place in October 2009 through USAID and the State Department.



Law Professor Study Tour to Lewis and Clark University. In fall of 2009, the Netham program sponsored a study tour to the United States for five Al-Quds University faculty members in order to assist in developing teaching skills and materials for the new legal ethics and legal writing course added to the curriculum through the Netham program's support. The aim of the tour was to assist in building the capacity of the AQU Law School faculty and improving course curriculum and teaching methodology. Al-Quds University faculty members visited Lewis and Clark School of Law in Portland, Oregon and attended a week-long program arranged by the State Department in New York and Washington, D.C.

The tour included the Dean of the AQU Law School and four Al-Quds Law Faculty members. The group observed legal writing and legal ethics classes and met with the professors who teach the classes and exchanged best practices regarding teaching methodologies and material preparation. Also the study tour group met with the president and members of the disciplinary commission at the Oregon State Bar and received input on handling legal ethics complaints filed against lawyers. In addition the group observed a moot court class, legal clinic class, and visited both Federal and State Courthouses in Portland. The second week, the State Department organized visits to Washington, DC, Virginia and New York to meet with law faculty at William and Mary, Benjamin and Cardozo and Fordham Law Schools. The group discussed future relations between the law schools as well as the idea of developing future exchange programs.



5. CROSS-CUTTING ACTIVITIES AND ACHIEVEMENTS

Renovations and Equipment

The Netham program has conducted an extensive renovation and material support program to strengthen the efficiency, accessibility, and public image of the courts, judgment enforcement departments, and notary public offices. The renovation work has been closely linked to other technical assistance such as systems reengineering, records management improvements, and case management training. Examples of renovations are centralizing intake counters on the ground floor, court room renovation and refurbishment, modern queuing systems, PJI training facilities and offices, file storage cabinets, shelving, canopies for outdoor waiting areas, and surveillance cameras.

The Netham program is pleased that the renovations and procurements proceeded quickly and without any major cost overruns. The feedback on the facility improvements from judicial institution staff and users has been highly positive. Users were especially satisfied with the level of cleanliness following renovations as well as the effectiveness of new queuing line systems and ease of procedures. As ease of use and employee and procedural efficiency are key factors to increasing public trust and confidence in the justice sector, these results confirm a significant step to improving the public's perceptions of the judiciary.

The Netham program staff is appreciative of the local architects, engineers, construction firms, and supply companies that made for strong partners in the improvement activities, supporting the creation of high quality, professional, and aesthetically pleasing judicial buildings, a key in shaping public impressions of the judiciary.

The Netham program- By the Numbers

Selected Netham program-Supported Facility Renovations

- 2 Court Buildings (Bethlehem and Qalqilya)
- 5 Notary Public Offices
- 4 Archiving Rooms
- 1 Training Institute Offices (PJI)
- 5 Civil Judgment Departments
- 1 Press Conference Room
- 1 Chief Justice's Office

Justice and Health

The Chief Justice of the Bethlehem Court announced that the renovated Bethlehem Courthouse would be a non-smoking environment.

By the Numbers		
Netham Program Material Support Program		
PDAs Procured for Processors	Uniforms Provided	Computers Purchased
20	88	25

The Netham Intern Program

Starting in 2007, the Netham program organized a structured intern program that greatly stretched the reach of the program's resources and built capacity of university students and recent graduates. The concept of interns initially faced resistance and the Netham program had to reassure counterparts to try it. Now the counterparts have embraced the concept and regularly asked the Netham program for more interns as the program progressed.

The Netham program employed more than 30 interns at most times and a total of 43 people went through the intern program. The Netham program hired not only law students and graduates but interns with IT, social science, and administration backgrounds and utilized their specialized backgrounds to the benefit of the program. The impact of the interns cannot be overstated.

Ranging from data entry to matching of data in electronic and manual files, data clearing, and archiving, the interns achieved time consuming but important work. The entry of data into automated systems is essential to the effective use of those systems as well as system performance monitoring and management. It could not have been done without the interns. Interns gained strong practical experience and exposure to justice reform issues and the rewarding nature of being involved in making a difference in building good, efficient governance and public service delivery in Palestine.

The Netham program used structured planning, monitoring, and evaluation processes, including annual workshops, to fine tune and continuously improve the intern program. Workshops included an overview of the year's accomplishments, evaluation, and round-table discussion of intern progress, challenges, solutions, and a planning session to gain input for the Netham program annual work plans.

The Netham program also honored the interns for their excellent work. In the third quarter of 2008, the intern's notable achievements were highlighted at a special event, under the patronage of the Chief Justice. In collaboration with USAID Mission Director, he awarded each intern a certificate of appreciation for his/her contribution to the development of the Palestinian judicial institutions. The intern program was also a good example of synergies among USAID programs. In selecting interns, the Netham program worked closely with the USAID-funded Ruwwad Youth Program which provided the Netham program with names of potential interns from their volunteer database. Other donors and other USAID-funded programs are now replicating the Netham program's intern program in other sectors in Palestine because it is a win win situation, providing needed cost effective labor while providing "jobs" for recent graduates.

Netham Program Newsletter

The Netham program issued six editions of a program newsletter during the contract period. The first newsletter was developed and distributed within the first 3 months of program activity, as part of an important effort to build awareness about the Netham program and its purposes, and to raise its profile. The newsletters included detailed information on the program's activities and counterparts' achievements. The newsletter served as a tool to build public awareness of the rule of law and justice system reform achievements as well as to recognize and encourage performance improvement of counterparts.

6. CONCLUSION

The Netham program achieved numerous results during the 5 year contract period that have positively impacted justice sector performance, strengthened civil society capacity, and improved public awareness of and respect for the justice system and the rule of law. The program has achieved close partnerships between USAID and justice system counterparts and NGOs in the West Bank and Gaza. Despite obstacles such as an approximately 18 month "no contact" period, numerous measurable accomplishments can be cited with the courts, MOJ, PJI, pre-existing and new HJC departments, law schools, the Ministry of Education, and civil society organizations.

As the Netham program comes to a conclusion, the courts and judicial offices such as the notary public, civil judgment enforcement, and notifications units enjoy new respect and confidence of citizens. Whereas at the commencement of the program, many citizens were reluctant to resort to the courts, leading to extrajudicial resolution of disputes, now a vast majority of citizens turn to the judiciary to settle legal matters. This increase in use of and trust in the formal justice system is an important outcome that will promote legal certainty and predictability, increase commercial activity, as well as enhance political and social stability by strengthening public support for the PA government.

Physical infrastructure and service delivery improvements have been complemented by an improved culture of professionalism within the judiciary that will contribute to sustainability of performance gains. Unlike in the period prior to the Netham program, changes in leadership should now have less of an impact on the quality of institutional operations and service delivery. As judicial bodies' reputation for professionalism has improved, higher qualified individuals have shown interest in working in the sector, which in turn has further raised institutional performance.

Positive results have been seen through a multi-dimensional approach to justice system modernization. The Netham program supported the development of effective justice sector strategic planning processes to promote ownership of system operations and improvement initiatives. With the Netham's program's high level interventions, relations among justice system actors have improved significantly. Systems, policy, and procedural development in the HJC, MOJ, PJI, courts, and other bodies ensured sustainability of capacity building assistance, notwithstanding changes in institutional staff. Introduction of modern court administration practices and principles has enabled the judiciary to operate in a more efficient and businesslike manner. The Netham program supported implementation of existing justice sector systems such as *Al-Mizan* case management software and introduction of new systems and procedures has contributed to uniformity, efficiency, and responsiveness of justice operations.

The program worked closely with its counterparts to strengthen human and institutional capacities in a locally owned and sustainable manner. Extensive training of judges and justice system personnel has enabled current staff of justice sector bodies to implement improved systems and practices. Physical infrastructure programs have complemented the human capacity building and systems development work, enhancing service delivery, pride of justice system employees, and the public's image of the justice sector. Establishment of partnerships with external bodies such as the Jordanian Institute of Justice will encourage sustainable, continuous improvement of the judiciary. The justice institutions have become more open and accessible to the public and communicate regularly and effectively with the media. National Justice Day is but one example of the justice sector becoming more proactive in promoting civic engagement with the justice sector.

On the demand side of justice reform, work with NGOs has built a civil society better able to advocate for rule of law and judicial reforms and hold the justice sector accountable. Through extensive public awareness efforts, citizens including children have gained exposure to concepts of rule of law and its importance to Palestine's future. The media is better able to report on

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the judiciary and the number of news pieces on the judiciary has risen substantially. Through an intensive analysis of civic education curriculum in schools, the Ministry of Education has a basis on which to plan more impactful civic education programming in schools, contributing to a culture of personal responsibility and respect for the law among the next generation of Palestinians. Law schools are now using more modern teaching techniques and are generating better qualified legal professionals with strong, practical skills.

The positive results in the last 5 years are evidenced in statistical measures of justice sector efficiency, increased use of the judicial system by citizens, and public perception surveys which show improved confidence and trust in the Palestinian justice sector bodies. While further work remains to be done to deepen reforms and prevent backsliding, the program helped establish momentum for positive justice reform and contributed to increased public confidence in the justice system, its leadership, and the direction of its reforms.



**U.S. Agency for International Development
West Bank and Gaza Mission**