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KOSOVO EFFECTIVE RULE OF LAW PROGRAM Quarterly Progress Report



US Ambassador Tracey A. Jacobson opened the Glogovc Basic Court's inauguration ceremony. Pictured: Ambassador Jacobson, the chair of the Kosovo Judicial Council (left), and the Pristina Basic Court president (right), took part in a panel discussing the role of the courts in a free and democratic Kosovo.

Year 3 Quarter 3
(October 1 – December 31, 2013)

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TABLE OF CONTENTS

| | |
|--|----|
| TABLE OF CONTENTS..... | 3 |
| PROGRAM PROGRESSES AND HIGHLIGHTS | 4 |
| CONTEXT: CHALLENGES & OPPORTUNITIES..... | 6 |
| ACTIVITIES..... | 6 |
| OBJECTIVE 1: EFFECTIVE OPERATIONS OF JUSTICE SECTOR INSTITUTIONS..... | 6 |
| 1.1 KOSOVO JUDICIAL COUNCIL..... | 6 |
| 1.2 KOSOVO PROSECUTORIAL COUNCIL..... | 7 |
| 1.3 MINISTRY OF JUSTICE | 8 |
| 1.4 OFFICE OF THE PRESIDENT OF THE REPUBLIC OF KOSOVO..... | 8 |
| OBJECTIVE 2: INCREASE THE EFFICIENCY OF COURT OPERATIONS | 9 |
| 2.1 ASSESS AND AMEND MODEL COURTS PROGRAM STANDARDS AND PROCEDURES | 9 |
| 2.2 SELECT AND IMPLEMENT MODEL COURTS PROGRAM IN THE COURTS..... | 12 |
| OBJECTIVE 3: IMPROVE PROFESSIONALISM OF JUSTICE SECTOR ACTORS | 12 |
| 3.1 KOSOVO JUDICIAL INSTITUTE (KJI) | 13 |
| 3.2 CONSTITUTIONAL COURT | 14 |
| OBJECTIVE 4: INCREASE CITIZEN AWARENESS AND ROLE IN ENSURING THE DELIVERY OF JUSTICE | 15 |
| 4.1 STRATEGIC ACTIVITIES FUND..... | 15 |
| 4.2 PUBLIC RELATIONS & OUTREACH | 16 |
| 4.3 SUPPORT MINORITY OUTREACH | 18 |
| ENVIRONMENTAL REGULATION COMPLIANCE..... | 18 |
| STATUS OF BUDGET EXPENDITURES | 18 |
| APPENDICES..... | 19 |
| APPENDIX A: LIST OF REPORTS & DELIVERABLES..... | 19 |
| APPENDIX B: SUMMARY OF YEAR 3 Q3 TRAINING AND CAPACITY BUILDING EVENTS..... | 20 |
| APPENDIX C: MONITORING AND EVALUATION..... | 24 |
| APPENDIX D: PMP SCORECARDS | 37 |

This document describes USAID Kosovo Effective Rule of Law Program (EROL) progress on completion of Year 3 activities and deliverables and expected contributions to life-of-program expected results during the period Quarter 3 (October 1, 2013 through December 31, 2013). The report also highlights selected project activities, outputs, results, successes, challenges, and opportunities. This report provides a snapshot of project accomplishments and the status of milestones as of the end of Year 3 Q3, and includes planned work for Year 3 Q4.

The purpose of the USAID Kosovo Effective Rule of Law Program (EROL) is to build upon USAID's prior activities to advance the rule of law in Kosovo. Specifically, EROL seeks to:

1. Strengthen the independence, accountability, efficiency, and effectiveness of the justice system; and
2. Bolster public confidence in the rule of law by increasing public knowledge of and participation in the justice system

The four objectives of the EROL project are to assist justice-related institutions in Kosovo to:

- i. Improve the effectiveness of justice sector institutions
- ii. Increase the efficiency of court operations
- iii. Improve the professionalism of justice system actors
- iv. Increase citizen awareness and role in ensuring the delivery justice

This report is broken down into the following sections:

- Summary of program progress to date and program highlights
- Description of the context within which EROL is carrying out activities, and both challenges and opportunities that might hinder progress or allow EROL to accelerate activities or deepen interventions to enhance results
- Component and sub-component activities broken down by the four programs (see above)
- Brief description of steps taken to ensure environmental regulatory compliance
- Updated information on the status of budget expenditures.

Following the main body of the report is a set of appendices that show the various deliverables, trainings, charts, and PMP scorecards.

PROGRAM PROGRES AND HIGHLIGHTS

Strengthening justice institutions' operational and organizational efficiencies rose to the forefront during the third quarter of EROL's third project year. Even though some senior counterparts were called again to Normalization Agreement meetings in Brussels for days at a time, EROL achieved significant success working with judicial sector institutions and staff throughout Kosovo, from the judicial and prosecutorial councils, to court clerks and president judges. Activities were fully supported by outreach – featuring four model court inaugurations showcasing new refurbishments, and substantive panel discussions focused on the courts' role building democratic values in Kosovo.

EROL re-doubled efforts this quarter to streamline Kosovo Judicial Council (KJC) and Kosovo Prosecutorial Council (KPC) operations, and council-secretariat cooperation at the KJC. Progress slowed toward adoption of the KPC's strategic plan, with the chair and chief prosecutor frequently in Brussels; however, even though the KJC secretariat's director and chair were summoned to the same meetings, the KJC's five-year strategic plan edged toward completion. EROL was instrumental in this process, guiding a working group through a series of meetings developing action items. EROL's contribution to improved KJC operations delved deeper into organizational decision-making, with a joint EROL-KJCS workload analysis estimating number of judges needed to fill court vacancies. The analysis resulted in a successful collaborative effort, using data generated from the EROL-developed database.

EROL support strengthening KJC and KPC operations took particular precedence this quarter. An STTA was engaged to improve council meeting management based on rules of order with a framework for conducting efficient KJC and KPC council meetings. By the end of the quarter, both councils had progressed toward expediting meeting business with small, yet significant accomplishments, such as circulating council agendas well before meetings were held.

EROL's work with the Ministry of Justice this quarter in large part focused on developing the Department of International Legal Cooperation's (DILC) competencies handling international civil matters. EROL conducted workshops for the DILC, introducing staff to legal and procedural obligations emanating from cross-border requests. EROL also supported the DILC's appeal for assistance drafting a concept paper for a new law governing international legal cooperation; this policy document will trigger the Assembly's subsequent action in this area. Two MOJ-driven initiatives were on hold this quarter – the first was the legal office's draft law on the Academy of Justice and Legal Education Reform, which was still under that office's review. The second was EROL training for the State Advocate's Office that was postponed because a state advocate has not yet been appointed. Once the appointment is made, EROL training will begin immediately.

"EROL training in international legal cooperation in civil matters was very productive. DILC has intensified contacts with judges who attended the training with foreign legal departments, which helped in the provision of legal services to the requesting authority. The EROL manual was also useful, and DILC is using the forms that have had fundamental relevance for the overall work of the DILC."
Gazmend Çitaku, MoJ Division for International Legal Cooperation in Criminal and Civil Matters.

Professional development targeting improved court operations defined EROL's training this quarter, touching all levels of court staff. A Pristina-based consultant conducted day-long sessions for administrative personnel on sharpening communication and customer service to the public. A new cadre of relatively inexperienced court of statisticians completed intensive Excel training. The president of the court of appeals joined in the instructional effort, conducting a live demonstration of the EROL-supported database for his peers. EROL training strengthening these basic technology skills – and more – will continue through 2014, as court staff graduate into more advanced proficiency.

At the Kosovo Judicial Institute (KJI), EROL promoted the institution's core mission with a trial practice course designed and taught by two judges who are KJI adjunct faculty. EROL developed the course with the judges, coaching them in the curriculum-building pedagogical skills. EROL will duplicate this successful approach with other KJI faculty next quarter with a new series of e-Learning courses. E-Learning timing is ideal, as the KJI this quarter officially launched its web portal/database developed in cooperation with EROL; the web portal will host the e-Learning courses, providing judges online access no matter where they preside in Kosovo.

Other technology initiatives continued forward progress with EROL support, furthering institutions' data organization and knowledge management initiatives. In addition to the KJI, the KPC introduced its web portal to prosecutors and the public - the KPC's initiative caps nearly a year-long partnership with EROL and a local vendor in the portal's design and development. At the end of the third quarter, EROL completed procurement for another technology project, this time a new database/web portal for the KJC. The KJC's project began just as preliminary development of the Norwegian-supported case management information system was underway.

EROL's model courts team surpassed expectations this quarter by hosting four court inaugurations. Ten "Phase I" model court refurbishments are now complete, including the Supreme Court. The newly-renovated courts are significant EROL achievements in partnership with the KJC – the renovated courts provide greater public access and more information than ever before. Inauguration ceremonies changed course, featuring panel discussions on topical issues pertinent to specific court regions; for example, the Dragash Basic Court's discussion highlighted the impact of court decisions on the environment in the heavily-forested Dragash region. Only six court refurbishments remain through the remainder of the EROL project, including the Mitrovica Basic Court. EROL will set in motion Mitrovica refurbishment immediately, once the situation in the north becomes clearer.

Building on last quarter's assistance to USAID-Forward sub-grantees, EROL provided a variety of technical support activities to the Advocacy Training and Resource Center (ATRC) and the Balkan Investigative Network (BIRN). ATRC in particular requested EROL facilitate its procurement process soliciting a second round of grant applications for a USAID project increasing citizen access to the courts. EROL also extended assistance to both ATRC and BIRN this reporting period, evaluating applications managing finance, human resources and sub-grantee activities.

Perhaps no other activity better demonstrated EROL's technical assistance to organizational operations than its work with the new Forum of Women Judges and Prosecutors. In cooperation with USDOJ/OPDAT, EROL orchestrated elections for the group's first slate of board members representing women judges and prosecutors throughout Kosovo. EROL assembled

election materials and ballots in three languages, and monitored the polls for more than 50 judges and prosecutors participating in elections that day. EROL will continue assistance to the Forum throughout 2014.

Each EROL component activity was implemented this quarter hand-in-hand with EROL outreach. EROL coordinated court inauguration panelists' discussions, and ensured journalists' participation in the first media and justice roundtable in Peja. EROL grew its library of brochures, adding two specifically designed for the general public. And outreach extended to high school and law students as well, with EROL-sponsored informational meetings in Pristina and several regional cities.

As activities devolved this quarter, EROL staff experienced two significant transitions, with the departure of its Model Courts Advisor and Legal Advisor. Both long-term staff returned to the US after about two years' service. EROL recruited new staff to fill these positions, both having broad experience in court administration, judicial education, as well as international and regional work.

As in last quarter, EROL stands ready to resume activities in the north, once the Normalization Agreement with Serbia is implemented. Mitrovica's court requires some renovation and its judges and court staff need updated training. EROL training and outreach activities there have been very limited, on hold because of the uncertain political situation. EROL will pursue a smooth transition once activities in the north resume, replicating successes in North Mitrovica that the project's work accomplished throughout Kosovo in 2013.

CONTEXT: CHALLENGES & OPPORTUNITIES

Protracted negotiations on the normalization agreement between Kosovo and Serbia diminished EROL's activities in North Mitrovica, and impacted EROL work at the KJCS and KPC. However, EROL increased activities at the courts, both in operational support and training, and model courts refurbishments and inaugurations so that only five court renovations remain through the end of the project.

ACTIVITIES

OBJECTIVE 1: EFFECTIVE OPERATIONS OF JUSTICE SECTOR INSTITUTIONS

1.1 KOSOVO JUDICIAL COUNCIL

The Kosovo Judicial Council held its 100th meeting this quarter. Although largely symbolic, the KJC reached this milestone with several tangible accomplishments reflecting its improved operations and transparent processes that are today markedly the norm, instead of the exception.

EROL kept the strategic planning committee's momentum driving forward this quarter with significant progress toward a final five-year strategic plan. When the KJC formed the committee's working group in Q1, it specifically requested EROL assistance with crafting agenda items, encouraging free and open discussion, and generally keeping meetings on track. The group accomplished that and more this quarter, developing action items implementing the plan, and creating responsibilities and indicators for each item. The process was notable, requiring the working group and its larger strategic planning committee to invest a significant amount of time and energy - an investment that greatly increases the likelihood that the final plan will be owned and executed by the KJC. Even though the chair and secretariat director were frequently absent for Normalization Agreement negotiations in Brussels, by the end of the quarter, the strategic plan - with input from EU's Human Dynamics Project and EULEX - edged closer to completion. EROL expects that the proposed plan will be considered and adopted by the council in the early part of Q4.

The council this quarter accomplished a first, engaging the EROL-developed case tracking database in a numbers-crunching exercise to project judicial vacancies. EROL during several meetings assisted the secretariat's director and the KJC's head statistician with generating case data using the database. This analysis - namely the number of backlog and existing cases per each basic court judge - yielded more accurate projections for numbers of new judges needed. On at least one occasion, basic court president judges had advocated basing the number of new vacancies on the norm or average number of cases each judge should carry; some president judges simply proposed that 100 or more judges should be added to basic court benches. EROL was instrumental in working with the secretariat and the chair to present the statistical analysis to the council and president judges, demonstrating that just over 40 new judges would sufficiently satisfy the courts' needs.

Notable also was the council's focus on strengthening the judiciary's disciplinary system. As 2014 drew to a close, the normative committee was finalizing proposed regulations on disciplinary committee performance, and the performance of the

Office of Disciplinary Counsel, responsibility for which is shared with the KPC. Once these regulations are in place, EROL cooperation can begin in earnest with Human Dynamics, which has the lead in this area under the MOU between its project and EROL. In addition, a report from the KJC's Performance Evaluation Unit is expected, which is probing the appropriateness of penalties levied against judges who had not complied with the financial disclosure laws.

During Q3, EROL focused on the council's meeting protocols, as well as its substantive agendas. EROL engaged an STTA to evaluate the functioning of the council and its committees, and council meeting management and protocol. Several important recommendations emerged, including the effective use of agendas and simplified use of internal rules of order to facilitate adoption of regulations and other sub-legal acts. Strikingly, immediate improvement was observed in council meeting discussions simply with the distribution and use of more informative agendas to council members well in advance. This modest change resulted in more productive and informed dialog among council members, whether at odds or in agreement. The STTA's recommendations will be in the basis for a manual for council members and committee chairs, and will be provided to the KJC in early in the fourth quarter.

Responding to a request by the Pristina Basic Court's president judge, EROL this reporting period organized a workshop on civil procedure in international child abduction cases. The Pristina Basic Court has the exclusive competency to handle such cases, a fact not clearly understood throughout Kosovo's judiciary. Support for these matters is also provided by the MOJ, and law enforcement's part locating children and families plays a significant role. One of the issues that emerged during the workshop was the judiciary's lack of understanding of the practical yet complex aspects of such cases, and responsibilities of the institutions involved. The workshop achieved its goal, bringing together all relevant players from the courts, MOJ and law enforcement in one room so that each left with a better appreciation of procedures to resolve child abduction cases.

Advancing KJC's mission to further the public's access to justice sector information, EROL this quarter selected a vendor to develop the organization's database and web portal. This web portal will replace the existing KJC website, providing a public bulletin board for KJC's activities, council meeting notices, operational information about the KJC and the courts, advertisements for openings for staff and judges, and a web page for each of the basic and appellate courts where decisions will be posted. The vendor by the quarter's end had already provided the KJC with page mock-ups, so that the project's development is well underway. Next quarter, the KJC will begin testing the page, with user training to follow.

Quarter four promises additional EROL activities strengthening KJC operations, such as continuing critical efforts advancing the strategic plan. EROL will also support legal reasoning and writing training for disciplinary committee members who draft the committee's decisions. Beginning mid-January, EROL will undertake a major program, developing comprehensive and interactive court administration training for court and secretariat staff, in cooperation with the KJI. This process will include court administration staff in the design stages of the training program, and will view court administration in an inter-related fashion as a unique profession, consistent with emerging best practices world-wide. EROL has the internal resources the secretariat's support for this critical effort in 2014.

1.2 KOSOVO PROSECUTORIAL COUNCIL

Akin to its KJC counterparts, the KPC's key personnel were drawn to Brussels several times this quarter for Normalization Agreement negotiations. Elections in early November and run-off elections in December meant KPC staff and resources were squeezed further, requiring prosecutors to be stationed around the country, prepared to investigate potential election law violations. The logistics necessary for this deployment stretched the KPC's ability to organize and oversee its operations, and as a result, council activities were severely curtailed.

The adoption of several regulations was stalled this quarter, including one governing the Office of Disciplinary Counsel, which is jointly overseen with the KJC. Likewise, the KPC fell short presenting its strategic plan to the council, even though the plan was completed last quarter. The KPC expects the council to consider the disciplinary council regulation and the strategic plan early next quarter.

In a significant acknowledgement that prosecutors are beginning to use mediation as a plea bargaining mechanism, the council issued an instruction to prosecutors on which cases are candidates for mediation and the mechanics of mediation. The Appellate Prosecution Office now monitors the use of mediation by basic court prosecutors, effectively endorsing this shift. A second notable KPC instruction to prosecutors this quarter came about per KJC request regarding the law on immunity of judges; another authorized an inquiry into whether or not confiscation of assets used in criminal activities was being properly used.

EROL's STTA working with the KJC on effective council meetings was also able to observe the KPC council in action. Although he was unable to meet separately with the chair or his chief lieutenants due to their meetings in Brussels, his observations and recommendations will be the basis for a council member and committee chair manual similar to the one under development for the KJC.

Next quarter, in what could be a significant development, the council faces the impending retirement of the chief state prosecutor who serves as the council chair. The consequences of this leadership change are uncertain; the KPC asked EROL along with Human Dynamics to draft a resolution filling the chief's vacancy. EROL will provide this support next quarter, to assist with the transition.

1.3 MINISTRY OF JUSTICE

Kosovo's evolution toward mutual international judicial cooperation in civil matters was the basis for EROL activities at the MoJ this quarter. Judicial cooperation minimizing obstacles emerging from various legal systems has been a focus of the EU since member states formed a union; the Ministry of Justice with EROL assistance renewed Kosovo's cooperative efforts by working toward eliminating judicial and administrative incompatibilities for citizens of other states approaching its courts.

To strengthen the Department of International Legal Cooperation (DILC) and the Kosovo judiciary's capacity to handle requests for assistance with international civil matters, EROL sought an STTA recognized in this subject to conduct a two-day seminar for DILC staff and court judges. Participants were introduced to key international treaties governing international legal cooperation in civil matters, namely, the Hague conventions regarding recognition and enforcement of foreign judgments. The program also included cooperative treatment of cases, such as methods of taking the evidence, service of documents and procedural time limits. To supplement the training, EROL prepared a manual to assist DILC with understanding and implementing their legal and procedural obligations with respect to cross-border requests to and from Kosovo. The manual supplemented DILC materials in this subject area, and was very well-received by the DILC and court judges - feedback confirmed that the manual better clarifies internal and inter-institutional processes for handling cases requiring international legal assistance. The workshop concluded with recommendations opening channels of communication between the requesting courts, in particular, regarding the need for official translation of international treaties and EU regulations governing procedures.

Continuing further support of DILC's international legal cooperation activities, EROL this quarter provided technical assistance to staff drafting a concept paper for a new law for international legal cooperation in civil cases. This policy document is a precursor necessary to the Kosovo Assembly's subsequent legislative action in this area. International cooperation in civil matters in Kosovo is today governed by the MoJ's 2009 administrative instruction; the instruction requires harmonization it with new, relevant legislation such as the Law on Execution Procedure. The outdated instruction, together with the notion of building increased legal certainty in the area of international legal cooperation in civil matters, has persuaded the MoJ to draft a new law instead of another administrative instruction. EROL's commitment to lending the DILC technical assistance will ensure the concept paper considers the potential law's advantages, any negative consequences, budgetary costs, and administrative and implementation feasibility. The MoJ will include preparation of the draft-law in the 2014 legislative strategy of the Government of Kosovo.

This quarter, DILC staff and the EROL-supported contractor building its web-based database, has completed data migration. The DILC is actively using the database, entering new case matters and updating existing cases daily. At the Office of State Advocate (SAO), final testing and training on its new web-based database was accomplished. IT staff there is contemplating the most effective manner to migrate case data from some 15,000 cases, approximately 70% of them open. Staff will likely migrate that data into the new system over some period of time, as the data was formerly entered into spreadsheets in a somewhat inconsistent manner. The State Advocate heading the SAO has yet to be appointed; further training or changes to the new database may be required when new leadership is named, possibly next quarter.

Preparation for the next iteration of training on international legal cooperation in civil law matters took place this quarter, with EROL conducting research and writing training materials along with the STTA advisor engaged to conduct the workshops. Training topics include the fundamentals of international treaties, the Hague Convention for the Recognition and Enforcement of Foreign Judgments, and the taking of evidence and delivery of judicial documents.

1.4 OFFICE OF THE PRESIDENT OF THE REPUBLIC OF KOSOVO

This quarter, EROL-developed legal English courses drew to a close at the president's office, while planning began for another substantively critical activity, an intra-governmental workshop to take place in early 2014.

Legal staff at the president's office successfully completed a series of intermediate-level legal English courses designed by EROL, and taught by Pristina-based instructors. Particular consideration in final classes focused on European Court of Human Rights jurisprudence, whose decisions are binding per Kosovo's Constitution. The classes contributed to increasing staff competences in comprehension and research skills using English legal texts and documents; the president's office is considering a second round of more advanced legal English classes next quarter.

With its legal advisors key to the legislative drafting process, EROL and the president's office will combine efforts early next quarter presenting a roundtable on legislative drafting. Since Kosovo's independence in 2008, its justice institutions have slowly begun developing more sophisticated drafting processes, although linguistic ambiguity, legal inconsistency and sometimes lack of big-picture policy considerations still compromise legislative integrity. EROL this quarter began designing a train-the-trainer program to prepare instructors to further advance institutional drafting capacities in Kosovo. The program, created and delivered by EROL's legal advisor and an international consultant, will include the president's office legal advisors, and representatives from the MoJ, KJC and KPC. The training will prepare justice sector counterparts to teach complex legal drafting skills to their peers. They will participate in three days' of workshops, studying substantive content, as well as presentation skills and reinforcing effective legislative drafting standards. The program will take place mid-January.

OBJECTIVE 2: INCREASE THE EFFICIENCY OF COURT OPERATIONS

2.1 ASSESS AND AMEND MODEL COURTS PROGRAM STANDARDS AND PROCEDURES

The Model Court Program's work this reporting period focused in large part on activities building and sustaining counterparts' technical skills and professional development. EROL conducted programs filling gaps in court staff core competencies, notably in areas the courts either had neglected or lacked capacity to manage. Small, yet significant improvements to staff day-to-day tasks improved the courts' overall environment, ultimately lending more effective service to the public and greater transparency for all Kosovo citizens.

A significant focus throughout 2013 was use of automation tools assisting court leadership to monitor and manage caseloads. Foremost among EROL technical training for court staff this quarter was an intensive series of EXCEL workshops. While EXCEL and its reporting features are relatively well-known among many staff, the court's new cadre of statisticians was for the most part deficient in this area. The statistician's position itself was new to the Kosovo Basic Courts as of January 2013; most of those recruited from within the courts had no previous experience in the field. EROL's training coached all statisticians on not only how to run the reports, but why the reports were critical to the work of the courts. The new statisticians took advantage of more than 20 hours of EXCEL from a Pristina-based consultant in Albanian language. All statisticians attended class at the same time so that each received uniform instruction. EROL had briefed the training consultant in advance on statisticians' work, and examples of data and reports that that work required daily. Participants' feedback was very positive, and EROL will support future workshops or roundtable discussions for statisticians, their chief clerks or court administrators, and their KJCS counterparts to improve existing reports and develop new ones.

Statistically Speaking: A Court of Appeals Success

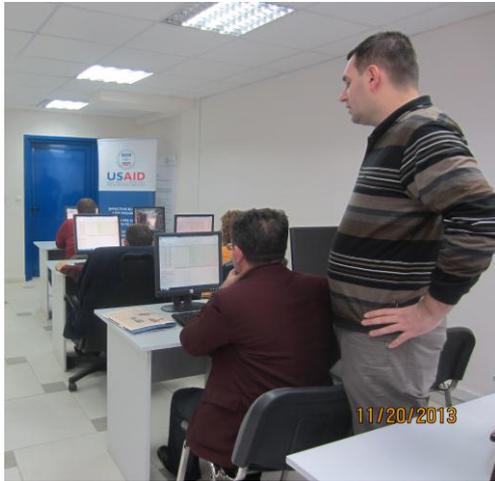
When Enver Beqiri walked into the Court of Appeals in January 2013, everything had changed. EROL had just completed the court's refurbishment. A new law had restructured the judicial system. And Beqiri, a 13-year court veteran, was now the court's statistician.

Beqiri immediately set to work, reining in the chaos of the first few months of the new year. He quickly developed a methodology for appeals court judges to track cases, including 7,600 new ones inherited from court restructuring. He dove into the EROL-supported database, generating data on case age and status so that judges could better manage workload. He advanced his professional skills at each opportunity, including EROL-supported intensive training this quarter in Excel for court statisticians.

"I now use automatic formulas to make my work much more efficient," Beqiri said. "Now I can easily calculate the court's statistics much faster than I used to."

Beqiri looks back on 2013 as a year that began with some uncertainty, but ended with great success. He is proud his detailed statistical reports have enabled judges to better manage backlog and current cases, and looks forward to continuing to strengthen the Court of Appeals' accountability into 2014 and beyond.

As automation increases in Kosovo's courts - all staff, no matter seniority or level - must develop and improve skill sets growing their technical proficiency. By the end of 2013, EROL published an RFP for three European Computer Driving License (ECDL) training modules for a group of court staff self-identified as having little to no computer skills. A vendor was selected and a regional training program of 11 sessions will begin early 2014. About 120 court and KJC staff will participate. EROL next quarter will develop a separate training program for judges, which will take into account the unique scheduling needs of judiciary, and judges' inability to be away from the bench for long periods of time.



Court statisticians and KJCS staff during an intensive Excel training class at the American University of Kosovo.

Technical training aside, EROL also paid close attention this quarter to developing what are sometimes called 'softer' skills sets. Recognizing that staff behind a window or desk may be the public's first contact with the courts, EROL planned a series of 10 day-long workshops this quarter on effective communication and customer service training. EROL had offered similar training early in 2013; feedback was so encouraging that EROL developed a second iteration of workshops, and this time included another 350 court staff, whom were president and supervisory judges, administrators, assistant administrators and chief and senior clerks. During this round, the Pristina-based training consultant invited the 23 court staff who had previously participated in an EROL-supported train-the-trainer program for effective communication and customer service, but unfortunately work schedules prevented those graduates from teaching. So that this staff maintains its ToT skills, EROL this quarter began working again with the training consultant so that this group provides instruction for an additional 10 sessions of the current program, as well as a modified program tailored specifically for court receptionists and security personnel. The modified program curriculum will be developed in the next quarter by the ToT graduates. Training will be conducted regionally, enabling the training corps to participate more easily and ensuring that they will be able to continue to provide similar workshops to other court staff in the future.

EROL multiplied efforts this quarter engaging court staff in case data entry and verification, the heart of the EROL-developed case tracking database. EROL conducted an intensive database review for president judges, court administrators, statisticians and regional court administrators, reinforcing staff understanding of the system's operation, and future development phases. The program featured a live database demonstration by the Court of Appeals president judge – the judge stepped through how he searches the database and generates caseload reports by judge by year. The president judge emphasized to his peers that their roles under the new court structure necessarily assumes greater responsibility for adopting performance standards and measures as they work toward strengthening court efficiency, effectiveness and transparency. EROL highlighted the database as one tool among many facilitating staff efforts to build modern court administration practices that include delegation, setting expectations, inclusion of all staff in the work of the court through cross training measures, and effective internal and external communication. President judges were encouraged to engage all staff in the work of the court, and to call upon the expertise available from their administrators, statisticians, and EROL's regional court liaisons.

In addition to database training, EROL, in collaboration with court presidents, supervisory judges and court administrators continued analyzing how the database could best serve courts' information needs. Judges were particularly keen on improved statistical reports identifying both general and targeted workloads. Reports were revised to parse data by court, by individual or groups of judges and case types. One report in particular now allows for year-by-year breakdown of caseloads by judge, and can be viewed in either a summary (total number of cases) or detailed format (all individual cases that make up the summary total). The reports empower judges from all levels to better understand workload and develop improved strategies tackling both current and backlog cases. EROL will continue to focus on using the information available from the database to create and continually monitor and update backlog reduction plans.

During 2013, EROL's data entry assistants were instrumental in populating and verifying EROL database information. As the data entry team's work at the project finished this quarter, EROL was confident their work contributed significantly to court staff training and continued timely and accurate data input. Recognizing that some data entry inaccuracies are inevitable, EROL developed search and filtering methods so that courts staff can readily identify the most common data entry errors. These mistakes might include illogical dates that result in negative values for case filing time to disposition, duplicate entry of cases and missing cases for which there is no entry in the database. When the courts assume full responsibility for the

maintenance of case data entry they, they will be able to continually scan for and correct errors. This exercise will increase the reliability of the data, and help to identify users who may require additional training or guidance using the database.

**Sample Report of Total Workload by Judge - Backlog and
Current Case Filings for the Court of Appeals**

| | | Kosovo Court of Appeals | | | | | | | | | | | | | | | | | | | | | |
|----|------------------|--|-------------|-------------|---|-----------|-----------|-----------|-----------|-----------|------------|------------|-----------------------------|-------------|-----------|-------------|-------------|------------|-------------|-------------|-----|--|--|
| | | Inherited (Transferred) Civil Cases 2012 and prior | | | | | | | | | | | Received and Resolved Cases | | | | | | | | | | |
| NR | Judge | Gj Lende | L.zgj. | L. pazgj. | Total of Backlog Cases By Year of Original Filing | | | | | | | | | | Pa nr. | Total | 2013 | | | | | | |
| | | | | | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | | | L.pranu | L.Zgj | L.Pzgj | Total | | | |
| 1 | Gani Avdiu | 439 | 239 | 200 | 0 | 0 | 0 | 0 | 2 | 0 | 7 | 32 | 55 | 101 | 2 | 199 | 250 | 75 | 175 | 374 | | | |
| 2 | Gezim Llulluni | 434 | 255 | 179 | 0 | 2 | 1 | 0 | 1 | 8 | 6 | 27 | 56 | 76 | 0 | 177 | 251 | 64 | 187 | 364 | | | |
| 3 | Murrse Ahmeti | 438 | 202 | 236 | 0 | 0 | 0 | 0 | 2 | 1 | 11 | 35 | 89 | 90 | 5 | 233 | 259 | 72 | 187 | 420 | | | |
| 4 | Mediha Jusufi | 444 | 203 | 241 | 0 | 0 | 1 | 0 | 1 | 6 | 3 | 26 | 36 | 158 | 6 | 237 | 267 | 84 | 183 | 420 | | | |
| 5 | Nenad Laziq | 427 | 200 | 207 | 1 | 8 | 3 | 5 | 18 | 4 | 13 | 22 | 2 | 122 | 2 | 200 | 270 | 66 | 204 | 404 | | | |
| 6 | Muhamet Rexha | 436 | 252 | 184 | 0 | 1 | 1 | 2 | 4 | 3 | 9 | 15 | 11 | 124 | 14 | 184 | 255 | 58 | 197 | 381 | | | |
| 7 | Makifete Saliuka | 437 | 209 | 228 | 0 | 0 | 0 | 4 | 15 | 5 | 15 | 57 | 61 | 67 | 4 | 228 | 256 | 66 | 190 | 418 | | | |
| 8 | Kujtim Pasuli | 442 | 278 | 164 | 1 | 0 | 0 | 0 | 2 | 0 | 1 | 24 | 17 | 115 | 2 | 162 | 254 | 39 | 215 | 377 | | | |
| 9 | Rame Hyseni | 439 | 231 | 208 | 0 | 0 | 0 | 1 | 0 | 9 | 6 | 6 | 96 | 81 | 4 | 203 | 249 | 46 | 203 | 406 | | | |
| 10 | Isa Kelmendi | 444 | 263 | 181 | 0 | 0 | 0 | 1 | 2 | 0 | 7 | 31 | 7 | 129 | 2 | 179 | 261 | 62 | 199 | 378 | | | |
| 11 | Muharem Shala | 424 | 179 | 245 | 0 | 2 | 2 | 3 | 8 | 28 | 31 | 36 | 8 | 102 | 23 | 243 | 247 | 56 | 191 | 434 | | | |
| 12 | Hasan Shala | 424 | 234 | 190 | 0 | 0 | 0 | 3 | 3 | 5 | 12 | 1 | 5 | 88 | 88 | 1 | 206 | 257 | 55 | 202 | 408 | | |
| 13 | Salih Mekaj | | | | | | | | | | | | | | | | 2 | 2 | | 0 | | | |
| 14 | Nysret Arifi | | | | | | | | | | | | | | | | 2 | 2 | | 0 | | | |
| 15 | Eulex-i | | | | | | | | | | | | | | | | 1 | 1 | | 0 | | | |
| 16 | Te Pandara | | | | | | | | | | | | | | | | | 927 | | 0 | | | |
| 17 | Lendet e pandara | 126 | 10 | 116 | | | | | | | | | | | | 116 | | | | 116 | | | |
| | Totali | 5354 | 2755 | 2579 | 2 | 13 | 11 | 19 | 60 | 76 | 110 | 316 | 526 | 1253 | 65 | 2567 | 4008 | 748 | 2333 | 4900 | | | |

| | | |
|------------------------|---------------|------------|
| Report prepared by: | | Prishtinë |
| Regional Court Liaison | Jehona Salihi | 16/12/2013 |
| Court Statistician | Enver Beqiri | |

The Model Courts team continues to focus on Pristina Basic Court as a top priority. EROL met on several occasions this quarter with the court's leadership to address the staff's continued lack of secure case file record-keeping. EROL recognizes the court is the largest in Kosovo, with a correspondingly burdensome caseload. Complicating matters, the court last year inherited record-keeping systems from the former municipal and district courts, and has struggled with a shortage of space for case file records and other mandatory administrative records. EROL, the court and the KJCS agreed this quarter that an empty building adjacent to the court's criminal registry section could be rented on a short term basis to inventory, organize, and where possible, purge and archive records. The KJCS has agreed to dedicate staff to support this effort, while court will assign staff for oversight and management. EROL will support the effort by acquiring the space and materials necessary for an efficient records move. EROL will ensure the move is on track through early 2014, with a deadline set for early February. The court will remove all files from publically accessible areas, clean up and organize all case record management offices so that it is fully prepared to move to the new Palace of Justice ensuring the security and control of case records.

As the first year of court re-structuring drew to a close, the KJC followed through on its promise to work closely with the courts to review the court administration re-structuring as well. In December, the KJC held a meeting of the Ad Hoc Committee to Review the Internal Organization of the Court Administration in Durres, Albania. The meeting agenda included a comprehensive review of the courts' organizational structures and allocation of staff within that structure. EROL observed meeting participants were much more engaged than usual, with all court regions and court levels represented by either president judges or court administrators. The KJC secretariat's office was also well-represented, with members of all relevant departments. The group held productive discussions, shared workload issues, staffing challenges and successes, and conducted a court-by-court review of structure and position assignments. The workshop's results will be presented to the KJC. Anticipated recommendations include the re-classification of two section head positions, effectively eliminating these positions and allowing the courts to reclassify them to functional areas in need of additional staff, and the re-titling of two positions furthering definition of the required knowledge, skills and ability for potential candidates. EROL anticipates the workshop's recommendations will be reviewed by the KJC in its first meeting of 2014.

As with past quarters, circumstances beyond EROL's control resulted in little progress in the effort to reinstitute judicial functions in North Mitrovica. In a small move forward, and in collaboration with EULEX and the State Prosecutor's Office, the basic court accessed the court facility in North Mitrovica, and reviewed case files subject to the new Law on Amnesty. Some of these files were subsequently moved to the Skenderaj Branch Court for review. EROL actively participated in the dialogue and planning leading to this effort, and provided appropriate case file record transport boxes. EROL continues to keep in close contact with the president of the Mitrovica Basic Court, maintaining and updating plans for moving case files, and adjudication of case files so that EROL, the court and the KJC are prepared to act the moment implementation of the Normative Agreement begins.

2.2 SELECT AND IMPLEMENT MODEL COURTS PROGRAM IN THE COURTS

EROL's core, four-member Model Courts team continues to achieve great success refurbishing courts throughout Kosovo; by the end of this quarter, the team's processes were practiced to near perfection. The team first conducts environmental assessments and drafts impact reports, ensuring refurbishment work complies with Kosovo and US regulations. The team manages IQC holders' procurements, studying proposals and conducting review panels selecting design and contracting firms. Refurbishment is generally conducted in two phases, with the EROL team managing contractors with as minimal disruption to the work of the courts as possible. Through each stage, EROL is in constant contact with the KJC and the court, coordinating joint efforts as appropriate. After nearly three years of court refurbishments, the Model Courts team is expected to accomplish renovation of all scheduled courts, with additional time left through project end to review its work since the first court refurbishment at the Court of Appeals in November 2012.

This quarter, EROL completed two additional court refurbishments in Dragash and Glllogovc, bringing the number of refurbishments to 12 courts. The Dragash and Glllogovc branch courts' refurbishments both showcased new records management offices, two new courtrooms, two detention rooms, two spacious archives areas, and modern offices for judges and administrative staff. The refurbishment work tackled these courts' operational and administrative challenges, transforming public space and official chambers into practical and secure spaces based on functional designs. As with other refurbishments, the team paid great attention to accommodating persons with disabilities, with ramps, lower public service windows and counters, and modified bathroom facilities. Both Dragash and Glllogovc courts' reception areas now offer public posting of case filing procedures, electronic displays with current court hearings, schedules and locations, and additional signage aiding litigants and attorneys navigating through the courts. Renovated archive space affords court staff more efficient record keeping areas, and provides citizens and attorneys prompt service when requesting case file information.

While completing refurbishment in Dragash and Glllogovc, five other courts were in various stages of design or renovation:

- Kacanik Branch Court (refurbishment begun)
- Decan Branch Court (CR company selected)
- Podujeva Branch Court (final design complete)
- Klina Branch Court (design in process)
- Malishevë Branch Court (design company selected)

In addition to work at the above courts, the KJCS approached EROL this quarter to work on the court building in Sterpce. The KJC had constructed the court, which now requires some adjustments to bring it in line with model court standards. EROL began reviewing work required to renovate records management offices, and add translation booths to the courtrooms. The courtrooms and records offices also need furnished. EROL next quarter will prepare Sterpce's design specifications.

As EROL's court refurbishment work moves forward throughout the country, in Mitrovica, the basic court's renovations remains on hold, postponed until implementation of the Normalization Agreement in the north. The court requires a number of repairs, although none are particularly extensive outside other court renovations EROL has already accomplished. EROL has completed the technical design and a bill of quantities for Mitrovica's repairs, including an environmental report drafted and submitted this quarter. EROL and its Model Court team are ready to begin this court's refurbishment immediately, the moment the Normalization Agreement is realized.

OBJECTIVE 3: IMPROVE PROFESSIONALISM OF JUSTICE SECTOR ACTORS

3.1 KOSOVO JUDICIAL INSTITUTE (KJI)

According to ABA-ROLI's recent Legal Education Reform Index, Kosovo's public and private law faculty instruction persistently lags behind others in the region. The index reports that law faculties still suffer deficiencies in the quality of teaching and student examinations, particularly in the area of professional ethics. Such reports underscore the need for a strong continuing legal education program, filling the gaps for new and long-time judges and prosecutors, most of whom are graduates of the Kosovo's law faculties.

Curriculum and instructional materials development, and training designed and implemented by the Kosovo Judicial Institute in cooperation with EROL are all the more imperative to building and sustaining an independent and transparent judiciary in Kosovo. Two programs anchor the KJI's core curriculum - the Initial Legal Education Program (ILEP) for judicial and prosecutorial candidates training and the Continuing Legal Education Program (CLEP), providing continuing legal education for judges, prosecutors, and other judicial professionals. This quarter, KJI's faculty made significant advances, assuming sole responsibility for delivering a number of courses for ILEP and CLEP that were co-developed and previously delivered with EROL assistance. The courses included Judicial Ethics, Case Management for Judges, Legal Reasoning and Writing for Judges, Communication Skills for Judges, Judicial Trial Practice and Legal Research for Judges.

EROL also joined instructional forces this quarter with two judges who are KJI adjunct faculty. Alongside a judge from Mitrovica and a judge from the Pristina Basic Court, at the KJI, EROL delivered a civil law Judicial Trial Practice program for judges. The interactive educational methodology was well-received by the judge-participants as reflected in the excellent evaluations. EROL facilitated the transition of teaching responsibilities from EROL to KJI instructors by meeting with the judges to discuss the curriculum and teaching methodologies. In response to weaknesses in civil proceedings identified by OSCE, EROL created additional case studies that have been added to the curriculum. The case studies provide KJI with a model of this important teaching modality designed to foster critical thinking skills in judges as they grapple with decisions and dilemmas judges deal with every day. Under the skillful guidance of the trainer, participants worked together to analyze and synthesize conflicting data and points of view, and to make tough decisions with uncertain information.

This reporting period, the KJI and EROL met on several occasions to plan next year's training and programs. Key development areas for the first quarter of 2014 are:

- **Faculty Development.** EROL will work with KJI to develop a holistic faculty development program built on the foundation of adult educational theory by: 1) evaluating the existing ToT curriculum; 2) developing and presenting training on modern adult pedagogy; and 3) developing a Faculty Handbook to acquaint new and experienced faculty with the adult education theories and practices followed at the KJI and provide a framework for needs assessments, curriculum development, e-Learning and the development of a court management curriculum.
- **Needs Assessment.** EROL will assist KJI in developing its capacity to conduct needs assessments by modeling needs assessment methodologies aimed at the development and delivery of various course modules for court administrative staff.
- **Curriculum Development.** EROL will collaborate with KJI to build their capacity to systematically design curricula that deals with the affective domain of judges and court staff, e.g., values and ethics, diversity, gender and other interdisciplinary competencies. This activity will flow out of the advanced faculty development training and needs assessment projects. In addition, EROL will develop and deliver a curriculum and training on stress management that models best practices taught in the advanced faculty training and curriculum development workshops.
- **E-Learning.** EROL will assist KJI in developing its capacity to design e-Learning programs that fit into the organizations vision/mission/strategic plan.
- **Court Management Curriculum.** EROL will support the KJC/KJI Court Administration Committee (CAC) in developing a court management curriculum. The proposed curriculum will assist the development of court management and administration in Kosovo with a corps of qualified court administrators who will individually and collectively oversee the administrative details of the courts. This KJI curriculum will be delivered in the context of EROL's collaboration with the KJC regarding implementation of the Law on Courts, and overlapping aspects of the Model Courts Program.

- **Legal Research.** EROL will provide technical assistance for KJI to enhance their legal and court related research capacity.

In addition to course development and training, EROL continued to advance KJI's library of secondary legal materials, with support to KJI's Benchbook Initiative. This quarter, the KJI, in collaboration with the KJC and EROL, assembled two working groups of experienced judges who will assume primary drafting responsibilities. EROL conducted initial workshops for the judges, who were largely unfamiliar with notion of the benchbook as a procedural guide assisting judges with disposition of cases. The judge/authors learned how to conduct substantive legal research, and draft, edit and schedule a production plan, reviewing benchbook models from other countries. EROL engaged a US judge with experience teaching for the Federal Judicial Center in Washington, DC; the advisor began working this quarter with the KJI to oversee the drafting effort, establish an editorial review process, and provide technical assistance to ensure that the judges follow best practices in benchbook composition. The civil and criminal law benchbooks will provide Kosovo's judges an important judicial resource standardizing judicial practice and decision-making in the courtroom.

Resources such as the benchbooks, and all KJI courses and course materials are now accessible to Kosovo's legal community via a new web site launched this quarter. With ongoing support from EROL, KJI officially debuted its database/web portal after nearly a year of design, development and testing. The database application and web portal is an advanced combination of internal repositories for human resources, finance and procurement records and reports, with a public-facing web site featuring training course materials and registration capabilities. Throughout 2013, EROL met with the KJI's management and IT staff, lending technical support and coordinating the work of the vendor who successfully met the database/web portal specifications. KJI officially launched the database/web portal just before the end of the year.

The database/web portal is a significant advancement for KJI in the use of technology and information management. EROL will continue to work with KJI on its web site communication strategies, supporting the sustainability and capacity of KJI as a judicial education organization and in doing so, EROL began providing the KJI assistance this quarter developing its e-Learning Initiative. EROL first examined how current and future modules may be adapted to a distance learning format. EROL also met with the EU team leader at the KJI, to coordinate e-Learning efforts that will be delivered by KJI's new web portal. Adaptation of the EROL/KJI judicial reasoning and writing training module into intermediate and advanced programs will be the centerpiece of the e-Learning platform rollout, taking place through 2014.

As EROL collaborated with KJI developing courses, materials and web sites, EROL kept an eye toward coordination with other donors. EROL participated in KJI's donor meeting mid-November and met with the EU Team Leader and EU Task Manager of a new EU/KJI Initiative, to facilitate mutual objectives in efforts strengthening the KJI's capacity for conducting effective judicial training activities. EROL also discussed KJI's e-Learning Initiative, programs for court support staff, judicial and prosecutorial training strategies, projects for the KJI program for research and publication, possible study tours, judicial research and writing, judicial trial practice and benchbook initiatives. And EROL continued to promote the professional development of KJI's director and program staff by supporting a visit to the Federal Judicial Center in Washington DC. The director's trip was primarily funded by the US Department of Commerce to conduct other business; EROL seized this opportunity to coordinate an orientation to the FJC's programming and resources.

EROL is prepared to advance full steam ahead into 2014 with KJI activities, as well as provide technical assistance to the KJI on its curriculum for the orientation of judges, including Kosovo Serb judges, who will serve in North Kosovo when the reinstatement of judicial functions occurs. The training would assist these judges in the adoption of best judicial practices, and a renewed understanding of applicable procedural and substantive law. EROL will ensure the orientation curriculum takes into consideration the sensitivity of the situation, in coordination with other donors, and the KJI.

3.2 CONSTITUTIONAL COURT

EROL's work with the Kosovo Constitutional Court this quarter focused on collaboration with court staff preparing for two key activities slated for early 2014. The court's second judicial conference was re-scheduled from last quarter, due to a variety program planning considerations; a workshop to amend the court's rules of procedure was likewise moved from its original fall date to accommodate participants' availability.

EROL completed planning for the Constitutional judicial conference this quarter with the court's president, securing a full agenda of topics and speakers from key judicial leadership posts in Kosovo. EROL also collaborated with the STTA judge/moderator who will facilitate speaker introductions and transitions between topics, and audience discussion. The conference topic is broadly the "Self-Executing Nature of Constitutional Court Decisions," and includes enforcement of

KCC decisions in Kosovo courts, disposition of Constitutional questions by Kosovo courts, and court requests for KCC advisory opinions. The court's president anticipates that attendance will include the Constitutional Court judges and staff, Supreme Court justices, basic courts judges, public and private law faculty professors, Chamber of Advocates members, law students, the media, and the public.

A second activity early 2014 is a two-day workshop for court staff to draft amendments to the court's rules of procedure. The court's president had requested EROL's technical expertise supporting sessions to study and revise changes to the court's procedural rules, and for crafting and finalizing the amendments. EROL this quarter engaged a US federal judge who has considerable experience with providing technical expertise to the KCC, and previously assisted the court with amending its rules. The visiting judge will conduct the workshop and develop materials for the court's judges and legal advisors.

On the technical side of court operations, the court's IT staff this quarter submitted a detailed request to EROL for assistance upgrading its case tracking application; the current system was designed several years ago has outgrown its usability. Instead of developing an entirely new system, the court proposed EROL evaluate its current database, then review design specifications written by its IT staff. EROL will assess those specifications early next quarter, and likely engage an outside developer to build the second iteration of the case tracking system.

Following an internal assessment, the KCC president this quarter asked EROL to assist the court with teaching legal English to court staff. Legal advisors in particular rely on the European Court of Human Rights decisions, written in English; the court's legal researchers likewise search for decisions in English. Classes will begin next quarter, with instructors recruited by EROL from a group of graduates of its Legal English Program.

OBJECTIVE 4: INCREASE CITIZEN AWARENESS AND ROLE IN ENSURING THE DELIVERY OF JUSTICE

4.1 STRATEGIC ACTIVITIES FUND

EROL this quarter extended wide-ranging technical assistance to USAID Forward grantees - the Advocacy Training and Resource Center (ATRC) and the Balkan Investigative Network (BIRN).

In October, ATRC asked EROL for support editing and revising an RFP launched during a second round of grant applications for USAID's "Increasing Citizens' Awareness and Participation in the Justice System" project. EROL met with ATRC on several occasions, advising its management on potential grantees' eligibility criteria and procurement procedures for selecting qualified organizations. As part of its procurement effort, ATRC published the RFP, and next organized a series of question-answer information sessions for potential grant applicants in Pristina and eight other cities. The USAID project aims broadly to increase Kosovo citizens' access to the courts, strengthen public awareness, and build the public's confidence in the justice system. ATRC received 69 project proposals; in its first proposal screening process, ATRC disqualified 19 project proposals as incomplete. The remaining 50 proposals were forwarded to an ARTC-selected three-member panel, including EROL. The panel will review and select proposal award winners early next quarter.

Concluding its first round of USAID's project "Increasing Citizens' Awareness and Participation in the Justice System," ATRC organized two meetings for sub-grantees to present findings from USAID Forward sub-grantee studies on court monitoring - EROL last quarter had assisted ATRC with report-writing workshops for sub-grantees to effectively present this data. Sub-grantees during these discussions presented reports on women's issues, specifically inheritance, and final reports on monitoring courts cases dealing with corruption in Kosovo, illegal forestry logging, general communication with citizens and anti-tobacco law implementation.

To strengthen internal operational activities, EROL assisted ATRC and BIRN with evaluating new technology to manage its project staff and workflow, and sub-grantees' activities. Following meetings with BIRN, EROL began evaluating its requests for web-based applications managing human and financial resources. EROL subsequently compiled a list of potential applications and features relevant for the organization's needs. Next quarter, EROL will collaborate with BIRN to close on a final list of application needs, next assisting the organization with procurement for a custom, locally-built solution.

ATRC also requested that EROL assist it with reviewing grants management software programs facilitating grants administration. EROL brought to ATRC's attention that off-the-shelf software costs generally include annual maintenance fees and licensing. ATRC, like BIRN, determined that a custom-built, locally-sourced application was likely the best fit for the organization. Next quarter, ATRC will begin evaluating local vendors with EROL's assistance.

Throughout the reporting period, EROL provided ATRC with support resolving programmatic issues sub-grantees occasionally encountered during project implementations. Reporting was one area requiring help, particularly drafting monitoring and final narrative reporting in Albanian, Serbian, and English. EROL maintained consistent contact with ATRC, as well as BIRN, and next quarter will continue to develop these organizations' administrative and operational capacities.

4.2 PUBLIC RELATIONS & OUTREACH

EROL's outreach this quarter bridged a series of activities that began early 2013. EROL staff or materials this quarter touched hundreds of court staff, students, civil society representatives and the public at large with a mix of meetings, roundtables, panel discussions, and events showcasing newly renovated model courts.

Kosovo's court re-structuring effective early this year was the impetus behind development of public outreach literature in 2013. By the end of the second quarter, EROL had followed through on its action plan to design "This is Your Court" brochures and distribute them to every court in the country, and 22 government offices. This quarter, another brochure grew from distribution of the "This is Your Court" literature. EROL while visiting branch courts heard anecdotally from judges and administrators that matters involving child abduction across borders were appearing with greater frequency in the courts. After a conversation with the president of the Pristina Basic Court, EROL designed the brochure 'Protecting the Rights of Children.' This brochure includes information on the exclusive competence of the Pristina Basic Court to deal with cases involving civil aspects of international child abduction. EROL printed 14,400 copies of this brochure in Albanian (5,600), Serbian (3,000), Bosnian (2,200), Turkish (1,900) and Roma (1,700). The brochure was distributed to all basic courts in October. Another brochure EROL drafted this quarter provided information on the new structure of the prosecutorial system, and competences of each prosecution office. This set included three brochures 1) "Kosovo Prosecutorial Council – Entrusted with Administration of Prosecution Service," 2) "Kosovo State Prosecution: Prosecutors Closer to the Citizens," and 3) "Kosovo State Prosecution: What Does a State Prosecutor Do?" The draft brochures were submitted to the KPC in Albanian and English for its review. The KPC will forward EROL its comments on the brochures next quarter.

EROL this quarter frequently used court visits to distribute literature as an opportunity to conduct interviews based on a questionnaire with court administrators and senior clerks. The interviews collected feedback on the brochures by the general public and court staff. EROL drafted a brief report based on the feedback, which will be used to inform future public information activities on behalf of the KJC and courts. EROL's outreach events were enhanced this reporting period by well-publicized court inauguration ceremonies for four newly refurbished court buildings. These events are no longer simply ribbon-cutting formalities – they feature dialogs among Kosovo's court and justice sector institution leadership, alongside the US Embassy or USAID representatives, the Embassy of Norway (USAID's partner in court refurbishment funding) and civil society representatives. The inauguration ceremonies attracted extensive media coverage, reported by local and national print, radio and television media. EROL hosted the inaugurations beginning in early October, opening the doors to the newly renovated Supreme Court, and the basic courts in Dragash, Glogoc, and Suharekë.



Chris Edward, the Deputy Director of USAID's Mission in Kosovo, shakes hands with the Prizren Basic Court president, while the Dragash supervisory judge looks on, to the left. During the inauguration of the Dragash Basic Court, EROL dedicated a tree (visible at rear) commemorating the event.

The Supreme Court's was the first inauguration of the quarter. The ceremony included a lively dialog between the court's president, the Norwegian Ambassador, EROL, the public information officer from the Court of Appeals, a representative from BIRN, and a group of law students from the University of Prishtina and Illyria College law faculties. The discussion theme was "Transparency and Accountability of the Judiciary," emphasizing the mission of the Kosovo courts to improve openness and citizen access to the courts. In Dragash, Chris Edwards, Deputy Director of USAID's Mission in Kosovo, joined a panel discussion with the court's supervisory judge, the president of the court of appeals and president of the Prizren Basic Court, and two non-governmental organizations. After a ceremonial tree planting dedication, the panel talked about how the courts

and other stakeholders protect and Kosovo's environment. In Suharekë, panelists were Tanya Urquieta, director for USAID's Office of Democracy and Governance, the president of the Prizren Basic Court, judges from the Bosnian and Roma

communities, and law faculty students representing minorities in Kosovo. This inauguration ceremony examined the role of the courts in protection of human rights and minority rights.

In Gillogvc, the US Ambassador Tracey A. Jacobson led a discussion on the role of the courts in a free and democratic Kosovo, focusing in particular on success of the country's fall elections. The ambassador was joined by the president of Pristina Basic Court, the KJC chair, and representatives from IFES and two Kosovo civil society organizations that monitored the November elections. The next inauguration event will take place for the Viti Basic Court in early January – its theme will be the role of the courts in Kosovo's economic development.

Last quarter, new and current court public information officers (PIOs) participated in a number of EROL-supported communications/media relations workshops. This quarter, EROL continued its assistance to PIOs with a media and justice roundtable for the Peja Basic Court. Roundtable participants were the court president, representatives of the prosecution service, police, the chamber of advocates, legal aid, the probation service, notary system and the media (eight journalists were from Albanian-language media outlets, one journalist was from a Serbian radio station). Significantly, Peja court's PIO followed the court president's opening with a presentation of court statistics – notably types of cases and backlog – she had researched this information with staff using the EROL-developed case tracking database. The discussion also centered around issues concerning access to court information, and instances where journalists were allegedly denied access to trials if they carried tape recorders or cameras in the courtrooms. The PIO responded to these concerns along with the court president. At least one journalist remarked that he was unaware the court had a PIO, and from that point on would call her first for court information. The media and justice roundtable series is the first of its kind in Kosovo, facilitating dialogue among court staff, civil society and media. EROL will support the next media roundtable in Prizren by the end of quarter four.

EROL activities not only made the news this reporting period, an article was posted on USAID web page about KJI training, and another on USAID's Facebook page featuring the Gillogvc basic court inauguration. Stories about inauguration ceremonies at the Dragash and Suharekë branch courts were published in USAID's bi-weekly e-newsletter dated December 12, 2013. In addition, EROL published articles these articles in Albanian, Serbian and English, cleared by USAID:

- Communication Skills Training Builds Public Confidence in Kosovo Courts
- TV Reporter Turned Court Information Officer: Bringing the Court's Work Closer to the Public
- Law Students Discuss Openness and Accessibility of Courts in Kosovo
- New Database Saves the Kosovo Judicial Institute Time Managing Training Programs (this story was also published on USAID's webpage at <http://www.usaid.gov/results-data/success-stories/making-data-work-you-judicial-institute-finds-key>).

EROL cooperated with USDOJ/OPDAT for another first this quarter – the new Forum of Women Judges and Prosecutors held elections for its founding board representatives - a chair, deputy chair and regional chairs and alternates. USAID's Mission Director Maureen A. Shauket opened the meeting before balloting began, marking the end of 2013 with the group's first elections. The mission director praised the group for its commitment, and underscoring the importance of mentoring new female members of the bench and bar. More than 30 judges and 20 prosecutors attended the Saturday meeting, successfully electing a chair (a Court of Appeals Judge), a deputy chair (a prosecutor from the Chief State Prosecutor's Office),

the Forum's new board, and regional chairs and their alternates. The board will convene in early 2014 for its first meeting. EROL will continue its support to the Forum next quarter, as the group will begin working on several foundational documents, such as its mission statement and bylaws, and election of a secretary. The event was reported on USAID Kosovo's Facebook page.

This quarter's statistics show EROL's website (<http://www.usaidrol.org>) increased activity over the last reporting period by nearly 5,000 hits. Monthly statistics show 26,101 site hits (October: 9,609; November: 8,767; December: 7,725) and 3,484 site visits (October: 1,050; November: 1,321; December: 1,113). While site hits grew, the number of site visits (3,484) held nearly



Prosecutor Beja Kajku (left) voting for the chair of the new Forum of Women Judges and Prosecutors during the group's first board elections.

even compared to last quarter's activity. Site hits best illustrate traffic because they are for the most part unique users; site visits may be the same user viewing the site several times. EROL's web site this quarter focused on significant EROL events, in particular, the project's four court inaugurations. All site information is available in Albanian, Serbian and English. In quarter four, EROL will consider fine-tuning the site's design, and additional content modifications to keep the site fresh.

4.3 SUPPORT MINORITY OUTREACH

EROL's focused messaging to high school and university students continued to be a top priority this quarter for its minority outreach campaigns. EROL was surprised on more than one occasion during roundtable discussions that many law students were not aware that Kosovo's courts had been re-structured per the Law on Courts. EROL meetings featured the Kosovo judiciary's new organization and discussions about careers in law. At the High School for Economy and Law in Pristina, students asked EROL to arrange a court tour, as none of the students had visited one before (17 females students and 15 male students attended this discussion; all were students were Albanian). EROL meetings also included the role of the KJC and KPC, and training provided by the KJI. Both high school and university students were most interested in employment opportunities in the justice sector, and training and education required for judges, prosecutors or notaries. EROL accompanied these discussions with a set of brochures on careers in law developed by USAID in cooperation with the KJC.

Outreach meetings were hosted this quarter in Gjilan (30 students plus the Gjilan Basic Court's public information officer), Ferizaj (57 students), Peja (27 students) and Gjakovë (27 students). EROL also organized a discussion roundtable in Mitrovica, with 11 students attending. This meeting included a legal officer from the Judicial Integration Division at the KJC secretariat. The ethnic breakdown of participants from both the high school and universities this quarter was nearly all Albanian – 183. Only one Serbian student attended. Gender breakdown of participants was closer, with 81 women and 103 men attending.

Next quarter, EROL is ready to extend its outreach to additional high school and law school students throughout Kosovo, including North Mitrovica. Once that area is open to project activities, EROL will be able to work with significantly more Serbian students than it has in recent quarters, particularly students who have been largely excluded from events due to the north's status.

ENVIRONMENTAL REGULATION COMPLIANCE

EROL completed a Model Court Site Specific Environmental Compliance Plan (SSECP) for Decan Branch Court, and an Environmental Report (ER) for the Mitrovica Branch Court. SSECPs for the next phase of model court work were in process this quarter. No additional environmental regulation compliance activities were completed this reporting period.

STATUS OF BUDGET EXPENDITURES

As of 31 December 2013, EROL had expended approximately \$15,186,000. During the reporting period, spending was approximately \$1,689,500. EROL anticipates the monthly burn rate to increase to approximately \$700,000-\$900,000 over the next quarter as additional court refurbishment work and program activities increase. [Note: Amounts are approximate as the December 2013 costs have not been finalized.]

APPENDICES

APPENDIX A: LIST OF REPORTS & DELIVERABLES

By the end of Q3/Y3, EROL had completed the following reports and deliverables:

Objective 1

- MoJ-DILC. Training on the International Legal Cooperation on Civil Matters 3-4 October 2013.
- Kosovo Guide for International Legal Assistance in civil matters 3-4 October 2013.
- Concept Paper for the draft Law on the International Legal Cooperation in Civil Matters

Objective 2

- Court Statistician Training on Excel Spreadsheet
- Customer Service and Effective Communication Training
- Database Usage Training
- Court Statistician Training (Intermediate)
- Court Statistician Training (Advanced)
- Court Operation's Strategic Implementation Plans
- Presiding Judge meeting on Database usage and Court statistics
- TO #09 - Dragash Branch Court - Final Acceptance
- TO #10 - Glllogvc Branch Court - Final Acceptance
- TO #12 - Decan Branch Court - Final Design
- TO #13 - Podujeva Branch Court - Final Design

Objective 3

- Kosovo Judicial Institute Judicial Trial Practice: Applying Legal Reasoning Techniques in Trial Proceedings (Civil) Module

Objective 4

- Brochure on International Child Abduction
- Fact Sheet Branch Court of Dragash Inauguration
- Fact Sheet Branch Court of Glllogvc Inauguration
- International Child Abduction Round Table
- Media and Justice Regional Workshop in Peja
- Supreme Court Inauguration

Ad Hoc Reports

- Effective Communication Success Story
- KJI Database Success Story
- Supreme Court Inauguration Success Story
- TV Reporter Turned Court Information Officer: Bringing the Court's Work Closer to the Public
- Effective Communication Success Story
- Suharekë Court Inauguration Success Story

APPENDIX B: SUMMARY OF YEAR 3 Q3 TRAINING AND CAPACITY BUILDING EVENTS

| Yr 3 Q3 Training and Capacity Building Events | | | | | | | |
|---|--------------|--------------|--------------|------------|--------------|-----------|----------------|
| Program/Event | Date | Total | Male | Female | Alb | Serb | Min/ Others |
| Negotiation and Implementation of Bilateral Agreements in Civil Matters | 3-4/10/2013 | 13 | 10 | 3 | 13 | 0 | 0 |
| Customer Service and Effective Communication Training | Oct-Nov 2013 | 363 | 187 | 176 | 344 | 14 | 5 |
| Database Usage Training | Oct-Nov 2013 | 494 | 248 | 246 | 474 | 13 | 7 |
| Court Statistician Training on Excel Spreadsheet | Oct-Nov 2013 | 164 | 79 | 85 | 154 | 10 | 0 |
| Kosovo Judicial Institute Judicial Trial Practice: Applying Legal Reasoning Techniques in Trial Proceedings (Civil) | 04/11/2013 | 13 | 9 | 4 | 13 | 0 | 0 |
| Quarter 3 Total | | 1,047 | 533 | 514 | 998 | 37 | 12 |
| Life of Project Total¹ | | 2,046 | 1,162 | 884 | 1,901 | 70 | 75 |

During the third quarter of the third year of EROL Program implementation 1,047 participants have participated on several Capacity Building events organized by all three components of the Program. The total number of unique individuals trained during the third quarter of the Program is 281 individuals, with Male = 111, Female = 170, with Alb = 259, Serb = 16, and Minority/Other = 6.

On **Oct 3-4**, 2013, EROL team delivered training on Negotiation and Implementation of Bilateral Agreements in Civil Matters. The aim of the training was to familiarize the staff of the DILC and the civil law judges with international standards of civil procedure and enforcement of bilateral agreements on civil matters. EROL engaged an internationally recognized advisor for the training, who prepared a manual on legal cooperation in civil matters, and led lively discussions among DILC staff and several judges from the Basic Courts. The participants found the workshop useful for the taking of evidence in civil matters, to regulate the methods of communication between the requesting court and the requested court, including the requirement for official translation of the main international treaties and EU regulations governing procedures of international legal cooperation in civil matters. This training was attended by 13 participants in total with Male = 10 and Female = 3 all Albanian nationality;

During the month of **Oct – Nov**, 2013, EROL staff conducted a series of trainings on Customer Service and Effective Communication. The objective of these trainings was to improve communication skills of the court staff. Trainings were attended by total of 363 participants, Male = 187, Female = 176, Alb = 344, Serb = 14, and Min/Others = 5.

¹ Life Project Total represents unique number of individuals trained with EROL Program.

During the month of **Oct – Nov**, 2013 EROL team conducted a series of workshops on Database Usage for court staff. The objective of these workshops was to increase skills of the court staff on using the database which will help increasing the efficiency in case flow and case processing. Total number of participants trained is 494 participants, Male = 248, Female = 246, Alb = 474, Serb = 13, and Min/Other = 7.

During the month of **Oct – Nov**, 2013 EROL team conducted a series of trainings on Court Statistician Training on Excel Spreadsheet for court staff. The objective of these trainings was to increase capacities to use Excel Spreadsheet. Total number of participants trained is 164 participants, Male = 79, Female = 85, Alb = 154 and Serb = 10.

On **Nov 4**, 2013 EROL jointly with Kosovo Judicial Institute (KJI) organized training on Applying Legal Reasoning Techniques in Trial Proceedings (Civil). The objective of this training was focused on the sustainability of training programs required building staff capacity to conceptualize, design, develop and conduct trainings using a modern adult educational methodology. To that end, EROL continues to work closely with the KJI in the development and application of training of trainers (TOT) methods, which include programs designed for the Initial Legal Education Program (ILEP), as well as the Continuous Legal Education Program (CLEP). In addition, legal skills for judges and their staff, including trial/litigation management and legal research, will be improved through targeted, practical exercises and practicums. EROL delivered a Judicial Trial Practice Best Practices program to Kosovo judges using an interactive methodology built around case studies reflecting the sort legal proceedings that current present challenges to the judiciary. Training was attended by 13 participants in total with Male = 9 and Female = 4, all of Albanian nationality.

Gender breakdown of EROL Capacity Building Events for Yr 3 Q3 represents satisfied representation between male and female participants. EROL staff across all four components has managed to engage 111 male and 170 female participants (Please, see **Figure 1**. Gender breakdown of EROL Capacity Building Events for Yr 3 Q3 on capacity building events provided during the third quarter of the third year of Program Implementation.

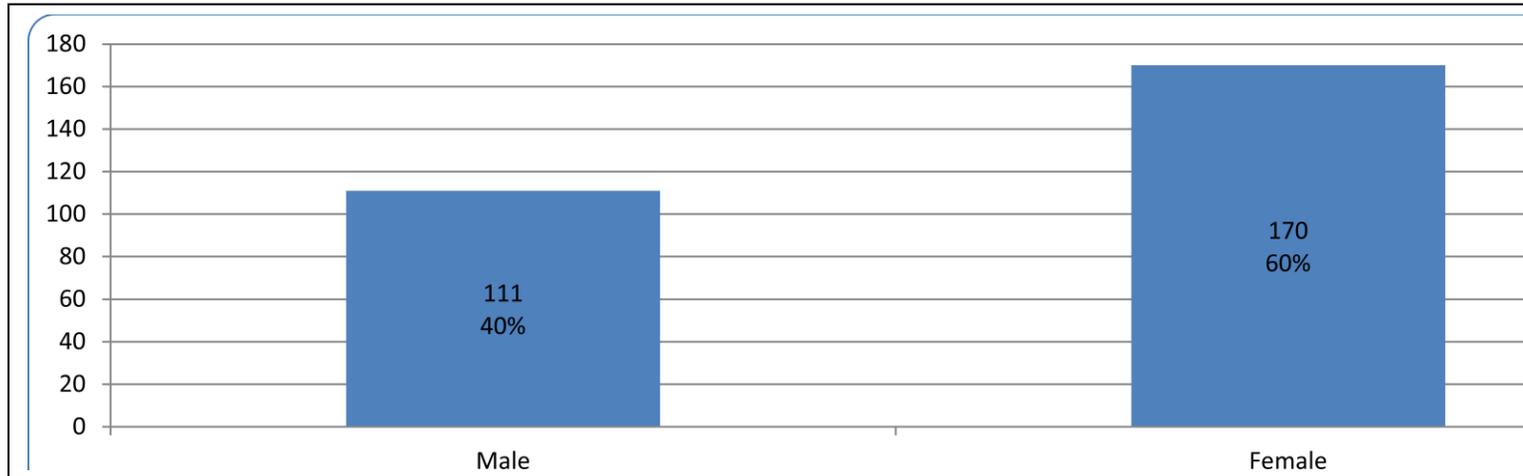


Figure 1 - Figure 1. Gender breakdown of EROL Capacity Building Events for Yr 3 Q3

Capacity Building Events organized by all four components of EROL Program included a total number of 281 unique individuals. Ethnicity representation on these events is provided under the **Figure 3**. Ethnicity breakdown of EROL Capacity Building Events for Yr3 Q3 with Albanian = 259, Serbian = 16 and Minority Community/Others = 6 participant participated.

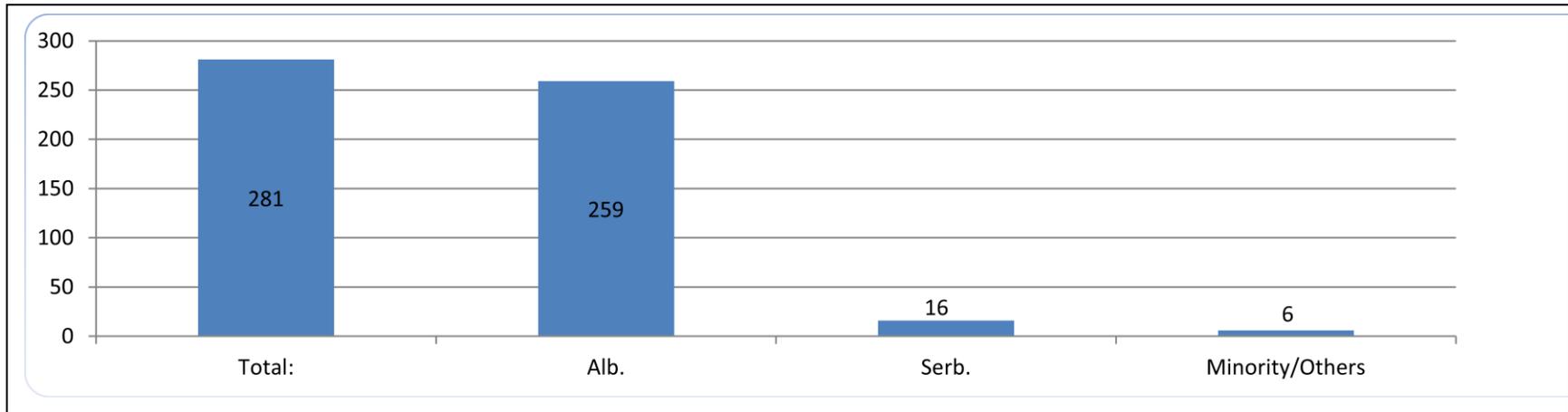


Figure 2 - Ethnicity breakdown of EROL Capacity Building Events for Yr3 Q3

Among participants that participated on EROL Program capacity building events there were 35 Judges, 242 Court Staff and 4 Executive Branch personnel. (Please, see **Figure 4** for reference.)

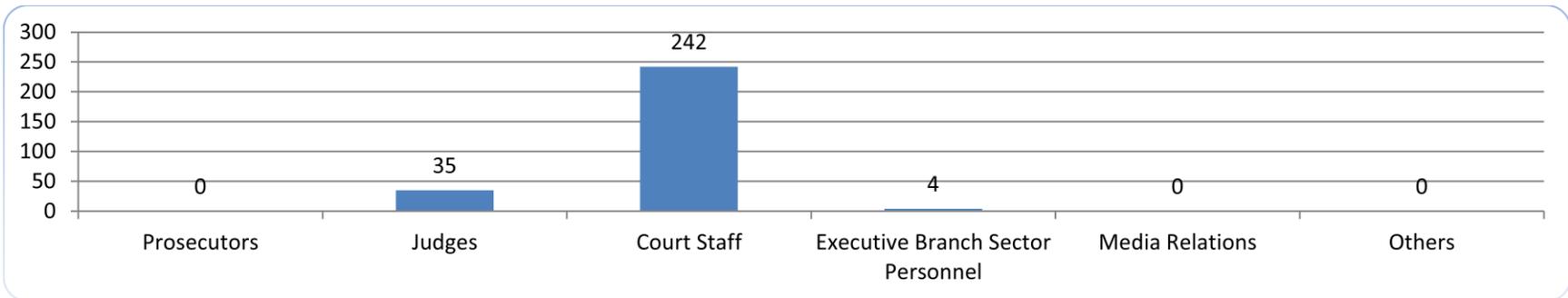


Figure 3 - Roles and Positions of Individuals trained during Yr3 Q3

During the period of Oct 1 – Dec 31, 2013 KJI provided Continuing Legal Education Program (CLEP) for sitting prosecutors, judges and court staff, including training courses for prosecutors, judges and other professionals working in the judicial system seeking promotion and to the newly selected candidates. The total of 193 participants participated on the Continuing Legal Education Program (CLEP) with Prosecutors = 51, Judges = 116, Court staff = 26 (Please, see **Figure 5** for reference)

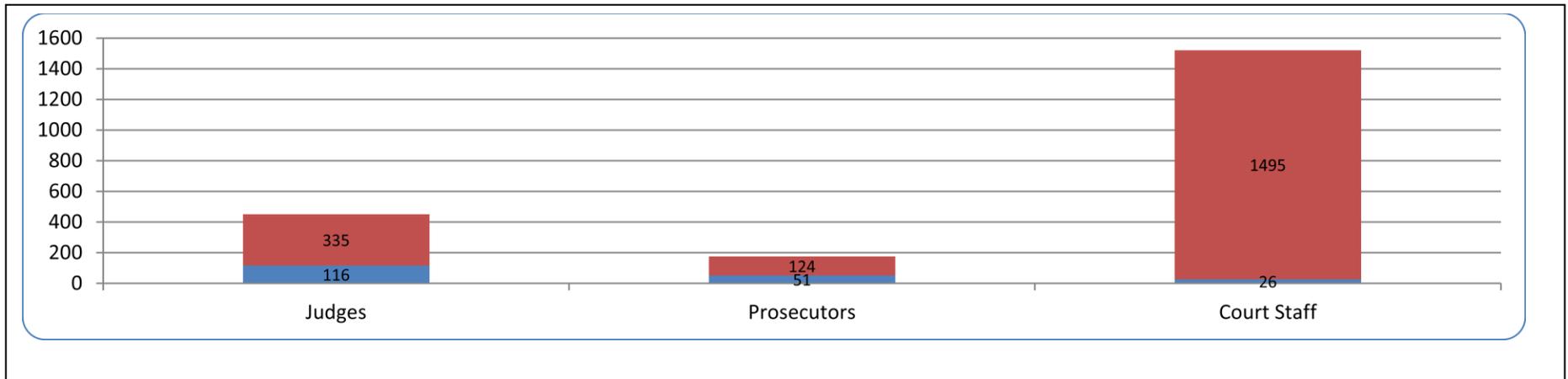


Figure 4 - CLE Program Participants for Yr3 Q3

Percentage participation on the KJI Continuing Legal Education Program (CLEP) was satisfactory with Prosecutors = 41.13 %, Judges = 34.63 % and Court staff = 1.74 % (Please, see Figure 6 for reference)

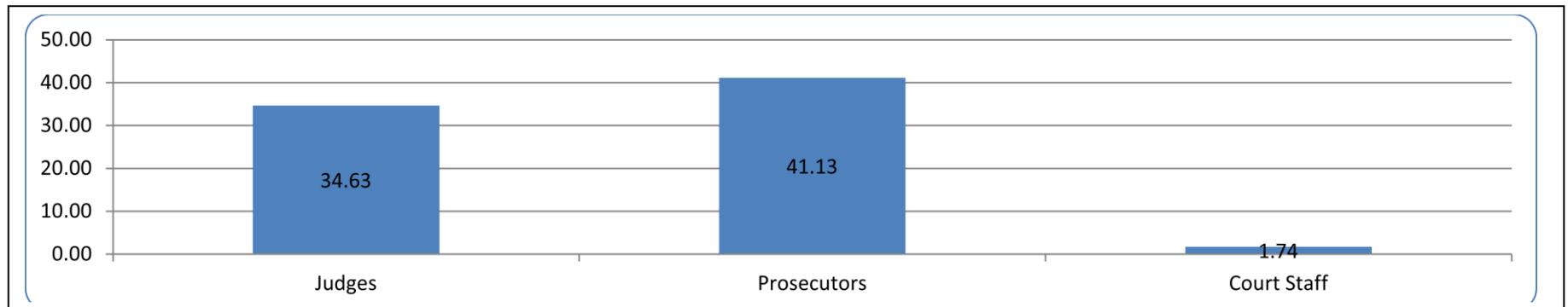


Figure 5 - Percentage participation of Judges, Prosecutors and Court staff on KJI CLEP for Yr3 Q3

APPENDIX C: MONITORING AND EVALUATION

| Result/Indicator/Unit of Measure | Definition/Rationale/Utility/Limitations | Baseline | Yr 1 Actual | Yr 2 Actual | Yr 3 Target | Program Year 3 Actual To date | | | | Comments |
|---|---|--|--------------------------------|-------------------------------|--|--|--|--------------------------------|--------------------------------|---|
| | | | | | | Q1 | Q2 | Q3 | Q4 | |
| IR2: IMPROVED DELIVERY OF JUSTICE | | | | | | | | | | |
| 1 | % of citizens and court users satisfied with the justice system Unit: %. Disaggregated by sex, region, rural/urban, and minority groups. | Public opinion poll to determine whether reform has an impact on satisfaction with and knowledge of the justice system Country-wide opinion change takes time, and factors outside the program's manageable interest can arise, overwhelming program effects | TBD with first data collection | TBD after study | -Court User Survey; -Citizen Satisfaction Survey. | Checchi has selected a Kosovo local company to conduct baseline and end-line surveys | Draft report submitted to EROL Program | 76% positive for court users | 76% positive for court users | To increase accuracy of results, the Program has proposed to separate the surveys into two separate activities. <i>Checchi has selected a Kosovo local company to conduct baseline and end-line surveys². Preliminary draft has been submitted to EROL. Final report to be submitted to USAID for approval</i> Satisfaction percentage of court users is assessed to be at 76% |
| 2.1. Increased capacity of justice sector professionals | | | | | | | | | | |
| 2 | # of justice sector personnel that received USG training Unit: #; disaggregated by sex and role | Standard F output indicator. Shows coverage when compared to the universe. Disaggregation by gender and minorities will measure against related targets. Also disaggregated by role (judges, prosecutors, court staff, etc.) Targets TBD in consultation with | | M=177 F=64 O=6 T=247 | M=810 F=448 O=65 T=1,258 | M= F= O= T= | M=222 F=256 O=6 T=478 | M=101 F=102 O=0 T=203 | M=111 F=170 O=6 T=281 | During the third quarter of the third year of EROL Program implementation 1,047 participants have participated on several Capacity Building events organized by three components of the Program. The total number of |

²The Objective of the survey is to measure perceptions of Kosovo court users in order to assess the relationship between the courts and court users and to identify potential improvements to court access and service delivery which might not be apparent from a strictly institutional analysis.

| Result/Indicator/Unit of Measure | Definition/Rationale/Utility/Limitations | Baseline | Yr 1 Actual | Yr 2 Actual | Yr 3 Target | Program Year 3 Actual To date | | | | Comments |
|----------------------------------|---|------------|-------------|-------------------------|-------------------------|---------------------------------|---------------------------------|---------------------------------|----|---|
| | | | | | | Q1 | Q2 | Q3 | Q4 | |
| | USAID/Kosovo as training plans are finalized. | | | | | | | | | unique individuals trained during the third quarter of the Program is 281 individuals, with Male = 111, Female = 170, with Alb = 259, Serb = 16, and Others = 6; |
| 2a | Number of people/person days of training | 9,500 days | 1,755 days | 3,629 days | 500 days | 4,049 days | 287 days | 1,206 days | | During the third quarter EROL Program provided 1,206 people/person days of training. |
| 3 | % of judges (J), prosecutors (P) and court staff (S) participating in CLE Unit: %; disaggregated by sex and status | | N/A | J=15% P=20% S=10% | J=30% P=20% S=10% | J=62.99% P=53.23% S=2.07% | J=25.97% P=15.32% S=0.60% | J=34.63% P=41.13% S=1.74% | | Target for Yr3 for the CLE Program is: J=30%; P=20%; S=10%; During the period Oct 1 – Dec 31, 2013 KJI provided Continuing Legal Education Program (CLEP) for sitting prosecutors, judges and court staff, including training courses for prosecutors, judges and other professionals working in the judicial system seeking promotion and to the newly selected candidates. The total of 193 participants attended the Continuing Legal Education Program (CLEP) with 116 Judges, 51 Prosecutors and 26 Court Staff. Currently Kosovo Judicial system consist of total ³ = 1954 individuals Total percentage of Judges, Prosecutors and Court Staff participating on Continuing Legal Education program provides us with huge participation of Judges = 34.63%, Prosecutors = 41.13% and Court Staff = 1.74%. |

³Status on the total number of Kosovo Judicial System staff updated on July 19, 2013. Source: Kosovo Judicial Council and Kosovo Prosecutorial Council

| Result/Indicator/Unit of Measure | Definition/Rationale/Utility/Limitations | Baseline | Yr 1 Actual | Yr 2 Actual | Yr 3 Target | Program Year 3 Actual To date | | | | Comments |
|----------------------------------|---|----------|-------------|-------------|-------------|-------------------------------|----|----|----|---|
| | | | | | | Q1 | Q2 | Q3 | Q4 | |
| | | | | | | | | | | |
| 4 | # of legal courses or curricula developed with USG assistance Unit: # | | 5 | 3 | 2 | 2 | 1 | 3 | | <p>Target for Yr 3 of the EROL Program is 2 legal courses or curricula.</p> <p>Y3 Target Completed In Y3/Q3, in collaboration with KJI, EROL developed an Information Technology Consideration Module and Applying Legal Reasoning Techniques in Trial Proceedings (Civil) Module for the Kosovo Judicial Institute.</p> <p>Training curriculum for Court Statisticians developed and implemented by AUK on behalf of EROL Program</p> |
| 5 | # of executive branch sector personnel trained with USG assistance Unit: # disaggregated by sex and role | | 9 | 6 | 0 | 0 | 0 | 4 | | <p>Target for Yr 3 is 0 staff member of the Office of the President.</p> <p>Target has been met during the previous two years of Program implementation. Four executive branch personnel have been trained during the third quarter</p> |

| Result/Indicator/Unit of Measure | | Definition/Rationale/Utility/Limitations | Baseline | Yr 1 Actual | Yr 2 Actual | Yr 3 Target | Program Year 3 Actual To date | | | | Comments |
|----------------------------------|---|---|----------|-------------|-------------|-------------|-------------------------------|----|----|----|--|
| | | | | | | | Q1 | Q2 | Q3 | Q4 | |
| 6 | # of USG-supported trainers receiving pedagogical training (ToT) for their role in KJI and other judicial trainings, and replicate skills learned Unit #: disaggregated by sex | Output and outcome indicator. Must attend 80% of ToT training and pass post-test of knowledge, which may include observation of training practices as well as testing. In later program years training will taper for this audience. | | 0 | 10 | 10 | 5 | 1 | 0 | | Target for Yr3 is 10 Train of Trainers (ToT). In Y3/Q3, EROL provided no (0) trainings for the ToT. Unit #: 0 Male and 0 Female |
| 7 | Simple case studies of persons trained by EROL or EROL-trained instructors (e.g., judge, prosecutor, PR staff, KJI instructor) | Qualitative cases of trainees, identified through instructors, to discover training impacts on job performance and occupational behaviors. Range of roles: judge, trainee judge, other trainees. Depending on role studied, cases can include interviews, observations, job performance data or other relevant metrics. | | 0 | 5 | 5 | 2 | 2 | 0 | | Target for Yr 3 is Five "Simple Case Studies". No simple case studies have been completed during the third quarter. The remaining one more simple case study for this year will be conducted during the fourth quarter |
| 8 | KJI Scorecard rating of EROL's progress with KJI goals | Benchmark outcome indicator. Progress on tab "KJI" toward approved activities in consultation with USAID and stakeholders. Total score possible: 68 over four years; cumulative in (#) | | 16 | 30(44) | 12(56) | 6 | 7 | 12 | | Target for Yr 3 is 12 out of 56. Most of activities are to be attained during the Yr3 and Yr4 of the Program that are on the "Ongoing=1" status as the support will continue throughout the Program. Please, see respective scorecard for the details of activities. Current score is 12 out of 12. |
| 2.2. | Increased independence and accountability of the judicial system | | | | | | | | | | |

| Result/Indicator/Unit of Measure | Definition/Rationale/Utility/Limitations | Baseline | Yr 1 Actual | Yr 2 Actual | Yr 3 Target | Program Year 3 Actual To date | | | | Comments |
|----------------------------------|---|----------|-------------|-------------|-------------|-------------------------------|----|----|----|---|
| | | | | | | Q1 | Q2 | Q3 | Q4 | |
| 9 | <p>Number of laws, regulations and procedures related to judicial independence supported with USG assistance</p> <p>Unit: #</p> | | 4 | 3 | 3 | 2 | 0 | 4 | | <p>Target for Yr 3 is 3 laws, regulations and procedures.</p> <p>During the third quarter following Regulations have been adopted: Regulation on Offices for the Protection and Assistance of Victims - adopted on October 18, 2013; Amendments of the Regulation regarding Appointment of Prosecutors and Training regarding the Appointment Process - adopted on October 18, 2013; Regulation on Assessing the Performance of Prosecutors - adopted on October 18, 2013; Administrative Instruction defining high-level corruption – adopted on November 1, 2013;</p> <p>The KJC was not able to complete work on several regulations and sub legal acts so that they were ready to submit to the Council for approval. Most, if not all of these acts are expected to be completed and submitted for approval in Y3Q4. The acts include regulations on the Disciplinary Committee, ODC, Structure of the KJC Secretariat, Official Stamps, Official Travel, and Security in the Courts</p> |

| Result/Indicator/Unit of Measure | Definition/Rationale/Utility/Limitations | Baseline | Yr 1 Actual | Yr 2 Actual | Yr 3 Target | Program Year 3 Actual To date | | | | Comments |
|----------------------------------|---|----------|-------------|-------------|-------------|-------------------------------|----|----|----|---|
| | | | | | | Q1 | Q2 | Q3 | Q4 | |
| 10 | Number of regulations and procedures that improve judicial transparency adopted with USG assistance Unit: # | | 10 | 3 | 3 | 2 | 0 | 4 | | <p>Target for Yr 2 was 3 regulation and procedures.</p> <p>During the third quarter following Regulations have been adopted: Regulation on Offices for the Protection and Assistance of Victims - adopted on October 18, 2013; Amendments of the Regulation regarding Appointment of Prosecutors and Training regarding the Appointment Process - adopted on October 18, 2013; Regulation on Assessing the Performance of Prosecutors - adopted on October 18, 2013; Administrative Instruction defining high-level corruption – adopted on November 1, 2013;</p> <p>The KJC was not able to complete work on several regulations and sub legal acts so that they were ready to submit to the Council for approval. Most, if not all of these acts are expected to be completed and submitted for approval in Y3Q4. The acts include regulations on the Disciplinary Committee, ODC, Structure of the KJC Secretariat, Official Stamps, Official Travel, and Security in the Courts</p> |
| 11 | Number of government media relations staff trained with USG assistance Unit:# Disaggregated by sex and office | | 10 | 10 | 0 | 0 | 5 | 0 | | <p>Target for Yr3 is 0 Media Relations staff.</p> <p>Target has been met and exceeded during the previous two years of the Program. No training for government media relations staff provided during the third quarter.</p> |

| Result/Indicator/Unit of Measure | Definition/Rationale/Utility/Limitations | Baseline | Yr 1 Actual | Yr 2 Actual | Yr 3 Target | Program Year 3 Actual To date | | | | Comments |
|----------------------------------|--|----------|-------------|-------------|-------------|-------------------------------|----|----|----|---|
| | | | | | | Q1 | Q2 | Q3 | Q4 | |
| | with the press. | | | | | | | | | |
| 12 | Constitutional Court scorecard rating of EROL's progress with CC's goals | | 19 | 24(34) | 14(46) | 9 | 11 | 11 | | <p>Target for Yr 3 is 14 out of 46.</p> <p>Most of activities are to be attained during the Yr3 and Yr4 of the Program that are on the "Ongoing=1" status as the support will continue throughout the Program. Please, see respective scorecard for the details of activities.</p> <p>Current score is 11 out of 14.</p> |
| 13 | Improved performance on scale considering key factors of an acceptable disciplinary system Unit: Scale of 0-3 | | 0 | 1 | 2 | 1 | 1 | 1 | | <p>Target for Yr 3 is 2 on the score from 0-3.</p> <p>In support of efforts to improve resources available to strengthen the effectiveness of disciplinary processes, the judges of the Constitutional Court adopted a Judicial Code of Ethics near the close of Y3/Q1, which had been proposed by a Working Group led by an EROL STTA⁴.</p> <p>Work began in the KJC in Y3Q3 on a regulation for the KJC Disciplinary Committee and on a regulation for the ODC in conjunction with the KPC. These regulations are expected to be</p> |

⁴ To be more efficient, EROL and ECLO/HD agreed in 2012 that HD would take the lead in developing regulations for the Disciplinary Council while EROL would take the lead in developing the Code of Ethics and Conduct for Judges. EROL prepared a research memorandum at the request of the KJC regarding the rationale behind the practice of publishing disciplinary final decisions.

| Result/Indicator/Unit of Measure | Definition/Rationale/Utility/Limitations | Baseline | Yr 1 Actual | Yr 2 Actual | Yr 3 Target | Program Year 3 Actual To date | | | | Comments |
|----------------------------------|---|---|-------------|-------------|-------------|-------------------------------|----|-------|----|---|
| | | | | | | Q1 | Q2 | Q3 | Q4 | |
| | | | | | | | | | | submitted to the KJC and KPC for approval in Y3Q4 and will have had input and support from EROL. Under EROL's MOU with HD, HD will take the lead in supporting the Discipline process in the KJC and KPC. But EROL will have input in the process. |
| 2.3. | More effective operations of the justice system | | | | | | | | | |
| 14 | # of USG-assisted courts w/ improved case management Unit: # Listed by site and type of court, as applicable | Standard F outcome indicator and defined by Model Court norms. KJC to provide operational definition of floor measurement for "improved case management." | 0 | 8 | 25 | 29 | 29 | 27 | | Note: During this quarter there was no activity in the Mitrovica BC or in the Branch Courts in Leposavic and Zubin Potok. Also during this quarter EROL staff developed and updated some of the statistical reporting features to the database. EROL conducted a workshop with all PJ's, SJ's CA's and AA's on database usage lessons learned. The Court of Appeals PJ presented and demonstrated the development and usage of the case load management reports. |
| 15 | Ratio of all dispositions to new case filings in courts assisted by USG in the area of case management Unit: Ratio | Standard F outcome indicator applied to the Model Courts. Shows whether backlogs are increasing. Speed and efficiency of the courts serve as proxies for effectiveness of the justice system and of justice sector actors as a whole. | N/A | N/A | N/A | -- | -- | 0.926 | | Note: Due to past court practice there was little ability to develop disposition rate data. As a result of the use of the EROL supported database disposition rates for 2013 will be available in January 2014. With the establishment of the 2013 data as a baseline disposition rate will be calculated on a more frequent basis. |
| 16 | % of cases heard and resolved within 24 months Unit: % | Mission Custom indicator. Similar to standard indicator above, although this one has a 2-year span before being counted. | N/A | N/A | N/A | -- | -- | 54.7% | | Note: Due to past court practice there was little ability to develop resolution time data. As a result of the use of the EROL supported database resolution times for 2013 will be available in January 2014. With the establishment of the |

| Result/Indicator/Unit of Measure | Definition/Rationale/Utility/Limitations | Baseline | Yr 1 Actual | Yr 2 Actual | Yr 3 Target | Program Year 3 Actual To date | | | | Comments |
|----------------------------------|---|----------|-------------|-------------|-------------|-------------------------------|-----|-----|----|--|
| | | | | | | Q1 | Q2 | Q3 | Q4 | |
| | | | | | | | | | | |
| | | | | | | | | | | 2013 data as a baseline resolution time will be calculated on a more frequent basis. |
| 17 | More efficient and professional Model Courts | | 9 | 189 (351) | 189 (540) | 202 | 205 | 208 | | During this quarter two out of eight courts (the Dragash Branch and Gillogovc Branch) are completed and one is undergoing (Kacanik). |
| | | | | | | | | | | Total score possible: 540 over four years; cumulative in (#) |
| 18 | Number of strategic plans for justice sector reform adopted with USG assistance | | 2 | TBD | 0 | 0 | 0 | 0 | | KJC Strategic Plan is almost completed and we expect to be adopted in early Y3Q4 EROL MCP initiated the process for Courts (Supreme Court, Court of Appeals and the Basic Courts) in developing Court Operational Strategic Plans. The COSP will address goals and objectives for improvements in area of the court operations. At the current stage EROL MCP and STTA developed first draft. |
| 19 | Mean case disposition time in courts assisted by USG in the area of case management Unit: Mean # months | | N/A | N/A | N/A | -- | -- | 605 | | Note: Due to past court practice there was little ability to develop mean disposition time. As a result of the use of the EROL supported database disposition rates for 2013 will be available in January 2014. With the establishment of the 2013 data as a baseline mean disposition time will be calculated on a more |

| Result/Indicator/Unit of Measure | Definition/Rationale/Utility/Limitations | Baseline | Yr 1 Actual | Yr 2 Actual | Yr 3 Target | Program Year 3 Actual To date | | | | Comments |
|----------------------------------|---|----------|-------------|-------------|-----------------|-----------------------------------|-----------------------------------|-----------------------------------|----|---|
| | | | | | | Q1 | Q2 | Q3 | Q4 | |
| | | | | | | | | | | frequent basis. |
| 20 | Improved administrative performance as defined from prosecutors' perspectives Unit: % improved | | N/A | 15.51% | TBD with Survey | Indicator to be reported Annually | Indicator to be reported Annually | Indicator to be reported Annually | | No Activity to report for this quarter However, KPC continues to receive support from EROL in adopting regulations for appointment of prosecutors, and evaluation of prosecutors. |
| 21 | Kosovo Judicial Council scorecard rating of EROL's progress with KJC goals | | 24 | 34(50) | 20(70) | 20 | 20 | 22 | | Target for Yr 3 is 20 out of 70. Most of activities are to be attained during the Yr3 and Yr4 of the Program that are on the "Ongoing=1" status as the support will continue throughout the Program. Please, see respective scorecard for the details of activities. (Please, note that several activities from Yr2 have been completed during the Yr3 Q1) Current score is 22 out of 20. |
| 22 | Kosovo Prosecutorial Council scorecard rating of EROL's progress with KPC goals | | 7 | 28(36) | 8(44) | 13 | 13 | 13 | | Target for Yr 3 is 8 out of 44. Most of activities are to be attained during the Yr3 and Yr4 of the Program that are on the "Ongoing=1" status as the support will continue throughout the Program. Please, see respective scorecard for the details of activities. |

| Result/Indicator/Unit of Measure | Definition/Rationale/Utility/Limitations | Baseline | Yr 1 Actual | Yr 2 Actual | Yr 3 Target | Program Year 3 Actual To date | | | | Comments |
|----------------------------------|---|----------|-------------|-------------|-------------|-------------------------------|-----|-----|----|---|
| | | | | | | Q1 | Q2 | Q3 | Q4 | |
| | | | | | | | | | | Current score is 13 out of cumulative 44. |
| 23 | Ministry of Justice scorecard rating of EROL's progress with MOJ goals | | 15 | 28(44) | 22(66) | 1 | 4 | 7 | | Target for Yr 3 is 22 out of 66. Most of the activities under this scorecard are under the preparation status and will be initiated during the second quarter. Please, see respective scorecard for the details of activities. Current score is 7 out of 22. |
| 24 | Chamber of Notaries scorecard rating of EROL's progress with CON goals | | 1 | N/A | N/A | N/A | N/A | N/A | | EROL ceased assistance to the Chamber of Notaries in accordance with USAID's agreement with the Swiss Government and introduction of activities to assist the KJC and courts to prepare for the transition to the notary system under the Law on Notary |
| 25 | Office of the President scorecard rating of EROL's progress with OP goals | | 9 | 12(18) | 8(26) | 3 | 5 | 6 | | Target for Yr 3 is 8 out of 26. Most of activities are on the "Ongoing=1" status as the support will continue throughout the Program. Please, see respective scorecard for the details of activities. Current score is 6 out of 8. |
| 2.3.1. | Courthouse infrastructure improved | | | | | | | | | |

| Result/Indicator/Unit of Measure | | Definition/Rationale/Utility/Limitations | Baseline | Yr 1 Actual | Yr 2 Actual | Yr 3 Target | Program Year 3 Actual To date | | | | Comments |
|----------------------------------|---|---|----------|-------------|-------------|-------------|-------------------------------|--|--|----|---|
| | | | | | | | Q1 | Q2 | Q3 | Q4 | |
| 26 | # of Court Improvement Plan refurbishment objectives achieved Unit: cumulative # | Outcome indicator. Tracks the impact of the Model Courts' Fund in terms of rehabilitated or improved infrastructure projects. Achievement is equal to completing the plans and being rated as a "true model court" by raters. | | 0 | 8 | 24 | 5 | 1 | 2 | | 24 MCP courts are scheduled for Yr 3. Two of eight courts from the second wave are completed |
| IR3: | STRENGTHENED MECHANISMS FOR CITIZENS TO REPRESENT THEIR INTERESTS AND HOLD THE GOVERNMENT ACCOUNTABLE | | | | | | | | | | |
| 27 | # of page visits per month on the MOJ interactive website for pending legislation Unit: # per month | Outcome indicator. The MOJ website invites citizen input on legislation. As citizen confidence increases, public participation and visits to website should increase. Difficult to determine whether increased knowledge of site or confidence is contributing to data. Website registration might request information on both. | | N/A | 9,376 | 500 | 57,040 clicks | 55,664 clicks | 41,151 clicks | | Target for Year 3 of the EROL Program implementation 500 clicks. The total number of clicks for the third quarter is 41,151 clicks. |
| 28 | Number of USG-assisted Civil Society Organizations that engage in advocacy and watchdog functions. Unit: # | Standard F outcome indicator. CSOs must be actively engaged in these functions, and be able to demonstrate that they are so engaged | | 0 | 4 | 6 | 13 | Ongoing activities with 2 grantees and 13 sub grantees | Ongoing activities with 2 grantees and 13 sub grantees | | Under USAID Forward, Two (2) grants have been awarded to local partners, Balkan Investigative Reporting Network – BIRN to implement a one year nationwide public awareness campaign to educate citizens about the roles and responsibilities of actors within the justice system and Advocacy Training and Resource Center – ATRC the USAID Forward grantee ⁵ awarded 13 Court Monitoring Initiative throughout Kosovo |

⁵ During the third quarter seven sub-grantees organized 34 events (Roundtables, Research, Broadcasts to radio, Meetings, Public discussions, Raising awareness and Interviews)

| Result/Indicator/Unit of Measure | | Definition/Rationale/Utility/Limitations | Baseline | Yr 1 Actual | Yr 2 Actual | Yr 3 Target | Program Year 3 Actual To date | | | | Comments |
|----------------------------------|--|--|----------|-------------|-------------|-------------|---|--|--|----|---|
| | | | | | | | Q1 | Q2 | Q3 | Q4 | |
| 29 | # of functioning Public Reception and Orientation Platforms (PROPs) in model courts Unit: # | The PROPs increase transparency and access to information while ensuring that court users are oriented in new systems. To be counted, a PROP must meet TBD standards as tested by auditors posing as court users. | | 0 | 7(13) | 7(20) | 0 | 0 | 0 | | No Activity to report for this indicator. As PROPs are related to the Model Courts we expect to have first functional PROPs during the next quarter. |
| 3.1. | Increased Professionalism of Citizen Groups and Journalists to Monitor Government Activity and Influence Policy | | | | | | | | | | |
| 30 | # of USG-assisted campaigns to enhance public understanding; NGO support/media coverage of judicial independence and accountability Unit: # | Standard F output indicator. Tracks inputs that strengthen those mechanisms focused on public understanding, NGO support and media coverage of judicial independence and accountability. Campaigns designed to support GOK initiatives. Definitions must be shared/vetted with all NGOs involved. Targets TBD as grant TORs are accorded with USAID. | | N/A | 112 | 350 | Twelve ⁶ (12) community meetings | Six (6) Public Outreach meetings with law students | Six (6) Public Outreach meetings with law students | | EROL staff conducted a series of Public outreach with law students reaching out 184 individuals in total with Alb = 183 and Serb = 1, Male = 103; Female = 81 |

⁶ **Name of the activity:** Public outreach meetings with law students. **Activity:** Distribution of brochures dedicated to the minority community youth who are either existing, graduate or potential law students. **Objective of the activity:** I) Distribution of the set of brochures developed by EROL in cooperation with KJC entitled: “Choose your profession”, “What is BAR exam?” and “Evaluation and Recognition of Diplomas”. Discussion on equal access to justice, minority employment/inclusion in Kosovo judicial institutions; and II) To provide to all participants more information on the new structure of courts and prosecution offices by giving to the audience a presentation of a combination of “This is Your Court” media campaign. Numbers of meeting organized during this quarter: 6 meetings (01.10.2013 - Secondary school – Pristina, 31.10.2013 - Mitrovica – CBM, 15.11.2013-Public University – Gjilan, 21.11.2013 - AAB University – Ferizaj, 10.12.2013 - College “Dukagjini”, 13.12.2013 - AAB University - Gjakove)

APPENDIX D: PMP SCORECARDS

KOSOVO JUDICIAL COUNCIL SCORECARD

| Kosovo Judicial Council Scorecard | Year 3 | | | | | Description |
|---|-----------------------------|--------|-----|-----|-----|---|
| | Target/Actual (per Quarter) | Target | Q 1 | Q 2 | Q 3 | |
| Support drafting of implementation plan LoC | Completed | | | | | Yr 1 Target Completed. |
| Rapid assessment to identify focus of efforts (Action Plan) | Completed | | | | | Yr 1 Target Completed. |
| TA to KJC committees | Completed | | | | | Yr 1 Target Completed. |
| TA to KJC for building strategic alliances | 2 | 2 | 2 | 2 | | Activity to be attained in Yr 3. EROL continued to assist KJC to build strategic alliance with Federal Judicial Center, Administrative Office of U.S. Courts, State Court Judges and Administrators in Minnesota during a U.S. judicial ethics study tour with a Kosovo Delegation of KJC, ODC, and Court representatives. EROL is supporting the KJC Secretariat through a comprehensive review of its organizational structure that will strengthen the infrastructure and ability of the KJCS to support administrative functions of the courts throughout Kosovo. EROL is providing significant oversight of the Implementation of the new Law on Courts through technical assistance and development of a methodology and strategic plan for ensuring successful implementation on January 1, 2013. Additionally, implementation-planning workshops were conducted for KJC, KJCS and national court administrators in order to strengthen internal strategic alliances between the Secretariat and subordinate court components/court leadership. National change management seminars were conducted for court administrators and presiding judges. The Regional Court Liaison Program is in the final stages of selecting the eight personnel who will be assigned to the Basic Courts. The KJC working group on court registries worked through the quarter and will enter the design phase during the next reporting quarter. |
| Support KJC in inter-Ministerial legislation working groups | 2 | 2 | 2 | 2 | | Activity to be attained in Yr 3 The MOJ has begun to consult on a high level with leaders of stakeholders. So far, however, no proposed changes have been made available to EROL or other advisors. |
| Support development of follow-on Strategic Plan | 2 | 2 | 2 | 2 | | Activity to be attained in Yr 3. With EROL's support, the KJC has nearly completed its 5 year Strategic Plan. EROL expects the KJC to adopt the plan in early Y3Q4 |
| Support HR functions of KJC | | | | | | EROL worked with KJC to establish a human resources work group that has proposed organizational structures for each court. |
| Define and standardize staff job descriptions | | | | | | |
| Staff recruitment/selection standards in place | | | | | | |
| Staff promotion standards in place | | | | | | |
| Staff discipline/dismissal standards in place | | | | | | |

AID-167-C-11-00001

Effective Rule of Law Program

| | | | | | | |
|---|------------------|---|---|---|--|--|
| Internship programs functioning successfully | 2 | 1 | 1 | 1 | | Activity to be attained in Yr 3. EROL hired two interns who provided significant support to the KJC's efforts with respect to the Implementation Plan. |
| Judicial selection procedures improved | Completed | 2 | 2 | 2 | | |
| Judicial evaluation procedures improved | Completed | 2 | 2 | 2 | | Judicial evaluations were successfully completed with EROL's assistance in Y3Q2. In Y3Q4 and in Y4, development of evaluation processes is expected to continue in the KJC. |
| Judicial promotion procedures improved | | 2 | 0 | 0 | | |
| Judicial disciplinary procedures improved | | | | 2 | | Draft regulations were prepared by the Normative Committee for the Disciplinary Committee. These are expected to be approved by the KJC in Y3Q4. |
| KJC database for judicial personnel in use | 2 | 0 | 0 | 0 | | This activity has not moved forward due to questions regarding funding of the database |
| Track legislation reviewed by legal office | 2 | 0 | 0 | 0 | | Activity to be attained in Yr 3 and Yr 4. The MOJ has draft amendments to the four Judiciary laws but has not yet shared them on a detail level with any other organizations. When it does, EROL will provide support for the amendments. |
| Track implementation of procedures for effective court admin | | | | | | |

| | | | | | | |
|---|-----------|-----------|-----------|-----------|--|--|
| Case flow, reception, assignment, management | 2 | 2 | 2 | 2 | | EROL has reinvigorated the model court program (MCP) improvement teams at 8 model courts scheduled for MCP initiatives this year. The procurement process for design and court refurbishment of the model courts is fully underway with 8 design tasks orders in progress, and 5 court refurbishment IQC contracts submitted to USAID for approval. Procedures for ensuring smooth transition to the new court structure under the LoC is well underway with working groups established and working on HR, court admin, public outreach, and logistics requirements. |
| Case files and records standards and procedures | 2 | 0 | 0 | 0 | | Activity to be attained in Yr 3 and Yr 4 |
| Attention to court users | 2 | 0 | 2 | 2 | | Activity to be attained in Yr 3 and Yr 4. Web portal assessments (web strategy and web development plans) have been submitted to the KJC for review. |
| Transparency and information access | 2 | 0 | 1 | 1 | | |
| Increased and more effective use of automation | | | | | | |
| Assess IT needs, CMIS' contributions/gaps, and failure to use | | | | | | EROL, working with the KJC sub working groups, has developed a electronic case inventory system to account for all pending cases in the country so that complete and precise transfers of cases can be accomplished as scheduled. |
| Provide recommendations for system operation | | | | | | Web portal contract awarded and work started on developing the Web Portal; estimated completion at the beginning of Y4 |
| Minority outreach efforts | | | | | | |
| Draft minority access assessment | | | | | | Draft report on Minority access submitted to USAID. |
| Draft outreach campaign | | 2 | 2 | 2 | | EROL distributed brochures to encourage minority community citizens to enter programs for professional positions in the judicial system – approved by KJC and USAID |
| Draft requirements for translator program | | 2 | 2 | 2 | | |
| TOTAL: | 20 | 20 | 20 | 22 | | |

KOSOVO PROSECUTORIAL COUNCIL SCORECARD

| Kosovo Prosecutorial Council Scorecard | Year 3 | | | | | Description |
|--|--------|----|----|----|----|--|
| Target/Actual (per Quarter) | Target | Q1 | Q2 | Q3 | Q4 | |
| Facilitate development of strategic plan | | 2 | 2 | 2 | | <p>EROL facilitated drafting of KPC Strategic Plan with Council and working group members. In Y3/Q1, a proposed strategic plan was revised and submitted to the KPC Normative Committee in anticipation for consideration and adoption by the full Council in Y3/Q2.</p> <p>The KPC suspended this activity in Y3/Q1 because of its commitment to the effort to develop a plan for implementation of the Normalization Agreement reached by the Prime Ministers of Kosovo and Serbia, which was ratified by the Kosovo Parliament (Assembly) at the close of Y3/Q1. This activity is expected to resume in Y3/Q4.</p> |
| Facilitate development of annual plans | 2 | 1 | 1 | 1 | | <p>EROL facilitated annual planning activities, including macro action plan development, sharing of template in connection with the creation of KPC’s Strategic Plan.</p> <p>The KPC suspended this activity in Y3/Q1 because of its commitment to the effort to develop a plan for implementation of the Normalization Agreement reached by the Prime Ministers of Kosovo and Serbia, which was ratified by the Kosovo Parliament (Assembly) at the close of Y3/Q1. This activity is expected to resume in Y3/Q4.</p> |
| Facilitate development of implementation plan and committees | | | | | | <p>The Implementation Plan was completed in Y2, and it was based on a simplified version of the draft developed by USAID/EROL. EROL facilitated the establishment of committees/commissions/working groups, which are included in an amended regulation on the organization and activity of the KPC.</p> |
| Instruction manual (SOP) with regulations, policies, procedures | | 1 | 1 | 1 | | <p>In Y2, EROL drafted various guidelines and plans in the spheres of PR communications and website design for the KPC. EROL also assisted in drafting/amending the Five Justice Sector Laws, several pieces of secondary legislation, Ethics Codes for KPC Members, Prosecutors, and Support Staff, and the KPC’s Strategic Plan. In Y3/Q1, EROL continued to support KPC drafting activities.</p> <p>The KPC suspended this activity in Y3/Q1 because of its commitment to the effort to develop a plan for implementation of the Normalization Agreement reached by the Prime Ministers of Kosovo and Serbia, which was ratified by the Kosovo Parliament (Assembly) at the close of Y3/Q1. This activity is expected to resume in Y3/Q4.</p> |

| | | | | | |
|---|----------|----------|----------|----------|--|
| <p>Support implementation of SOP across KPC</p> | <p>2</p> | <p>1</p> | <p>1</p> | <p>1</p> | <p>EROL participated in working groups that assisted KPC in drafting/amending regulations concerning discipline⁷ and prosecutor performance & evaluation, and an administrative instruction on setting annual performance norms, and amendments to amended regulation on the organization and activity of the KPC.</p> <p>The KPC suspended this sort of activity in Y3/Q1 because of its commitment to the effort to develop a plan for implementation of the Normalization Agreement reached by the Prime Ministers of Kosovo and Serbia, which was ratified by the Kosovo Parliament (Assembly) at the close of Y3/Q1. Some progress was obtained prior to the suspension, but this activity is expected to resume in Y3/Q4.</p> |
| <p>Develop job descriptions/TORs for KPC Secretariat staff</p> | | | | | <p>In Y2, job descriptions were developed and revised as part of the strategic planning process as part of a collaboration with ECLO and the KPC.</p> |
| <p>Train KPC in needs-based budgeting and justification</p> | | <p>1</p> | <p>1</p> | <p>1</p> | <p>In Y3/Q1, EROL and the KPC examined budget issues and identified specific needs through the strategic planning process. More concrete plans will be put in place with Action Plan development.</p> <p>The KPC suspended this activity in Y3/Q1 because of its commitment to the effort to develop a plan for implementation of the Normalization Agreement reached by the Prime Ministers of Kosovo and Serbia, which was ratified by the Kosovo Parliament (Assembly) at the close of Y3/Q1. This activity is expected to resume in Y3/Q4.</p> |
| <p>Legislative drafting support: secondary legislation</p> | | <p>1</p> | <p>1</p> | <p>1</p> | <p>In Y2, EROL participated in working group that assisted KPC draft/amend regulations concerning discipline⁸ and prosecutor performance & evaluation, and an administrative instruction on setting annual performance norms. In Y3/Q1, EROL continued to provide technical assistance in support of KPC drafting activities.</p> <p>The KPC suspended this activity in Y3/Q1 because of its commitment to the effort to develop a plan for implementation of the Normalization Agreement reached by the Prime Ministers of Kosovo and Serbia, which was ratified by the Kosovo Parliament (Assembly) at the close of Y3/Q1. This activity is expected to resume in Y3/Q4.</p> |
| <p>Development of new staff training module</p> | | <p>1</p> | <p>1</p> | <p>1</p> | <p>As part of strategic planning process, the KPC identified staff professionalization and training as a key objective. Concrete activities will be developed in the Action Plan.</p> <p>The KPC suspended this activity in Y3/Q1 because of its commitment to the effort to develop a plan for implementation of the Normalization Agreement reached by the Prime Ministers of Kosovo and Serbia, which was ratified by the Kosovo Parliament (Assembly) at the close of Y3/Q1. This activity is expected to resume in Y3/Q4.</p> |

⁷ By agreement, EUOK is responsible for the development of disciplinary regulations, and EROL is responsible for ethics matters.

⁸ By agreement, EUOK is primarily responsible for advising the KPC on disciplinary activities.

| | | | | | |
|---|----------|----------|----------|----------|--|
| <p>Draft public relations strategy</p> | | <p>1</p> | <p>1</p> | <p>1</p> | <p>EROL finalized and presented to KPC for consideration public relations strategy, media guidelines and a crisis communication plan. EROL transmitted a proposed Communications Plan to the KPC Normative Committee in Y3/Q1.</p> <p>The KPC suspended this activity in Y3/Q1 because of its commitment to the effort to develop a plan for implementation of the Normalization Agreement reached by the Prime Ministers of Kosovo and Serbia, which was ratified by the Kosovo Parliament (Assembly) at the close of Y3/Q1. This activity is expected to resume in Y3/Q4.</p> |
| <p>Draft public relations training modules and materials</p> | | <p>1</p> | <p>1</p> | <p>1</p> | <p>In Y2, EROL trained KPC staff/spokesperson. In Y3/Q1, EROL provided technical assistance to the KPC regarding training modules for a new KPC spokesperson and specially-designated prosecutors/public information officers.</p> <p>The KPC suspended this activity in Y3/Q1 because of its commitment to the effort to develop a plan for implementation of the Normalization Agreement reached by the Prime Ministers of Kosovo and Serbia, which was ratified by the Kosovo Parliament (Assembly) at the close of Y3/Q1. This activity is expected to resume in Y3/Q2.</p> |
| <p>Train public relations staff</p> | | <p>1</p> | <p>1</p> | <p>1</p> | <p>In Y2, EROL trained KPC staff/spokesperson. In Y3/Q1, EROL provided technical assistance to the KPC regarding training of a new KPC spokesperson and specially designated prosecutor/public information officers.</p> <p>EROL provided training for the KPC PIO along with PIOs for the KJC, KJI and each of the courts in Y3Q3</p> |
| <p>Support formulation of external/internal communication plans</p> | <p>2</p> | <p>1</p> | <p>1</p> | <p>1</p> | <p>In Y2, EROL finalized and presented to KPC for consideration public relations strategy, media guidelines and a crisis communication plan. In Y3/Q1, EROL transmitted a proposed Communications Plan to the KPC Normative Committee in anticipation of consideration and approval by the full Council.</p> <p>The KPC suspended this activity in Y3/Q1 because of its commitment to the effort to develop a plan for implementation of the Normalization Agreement reached by the Prime Ministers of Kosovo and Serbia, which was ratified by the Kosovo Parliament (Assembly) at the close of Y3/Q1. This activity is expected to resume in Y3/Q4.</p> |
| <p>Incorporate public messages into overall outreach activity</p> | <p>2</p> | <p>1</p> | <p>1</p> | <p>1</p> | <p>In Y2, EROL drafted media guidelines and conducted Media and the Criminal Justice Workshop attended by legal professionals and journalists. In Y3/Q1, EROL provided technical assistance to the KPC regarding the integration of a new KPC spokesperson and specially designated prosecutor/public information officers into KPC public outreach strategies.</p> <p>The KPC suspended this activity in Y3/Q1 because of its commitment to the effort to develop a plan for implementation of the Normalization Agreement reached by the Prime Ministers of Kosovo and Serbia, which was ratified by the Kosovo Parliament (Assembly) at the close of Y3/Q1. This activity is expected to resume in Y3/Q4.</p> |

| | | | | | |
|---------------|---|----|----|----|--|
| TOTAL: | 8 | 13 | 13 | 13 | |
|---------------|---|----|----|----|--|

MINISTRY OF JUSTICE SCORECARD

| Ministry of Justice Scorecard | Year 3 | | | | | Description |
|--|--------|----|----|----|----|---|
| | Target | Q1 | Q2 | Q3 | Q4 | |
| Legislative drafting | | | | | | |
| Draft training modules | | | | | | Yr 2 Target Completed. |
| Implement training program in legislative drafting | 2 | 0 | 1 | 1 | | Activity to be attained in Yr 3 and Yr 4. |
| Draft legislative enactment plans | | | | | | Yr 1 Target Completed. |
| Define guidelines for public participation | | | | | | |
| Capacity development for public participation | | | | | | |
| Support for secondary legislation drafting | 2 | 0 | 1 | 1 | | Activity to be attained in Yr 3 and Yr 4. No activities undertaken during the Q3 |
| International Legal Cooperation Department (ILCD) | | | | | | |
| Training needs analysis report | | | | | | Yr 1 Target Completed. |
| Develop training modules for ILCD | | | | | | Training Module developed and provided during the first year of Program implementation. |
| Develop international legal assistance manual | | | | | | Yr 1 Target Completed. |
| Training MOJ officials in implementation of roles | 2 | 1 | 1 | 2 | | Activity to be attained in Yr 3 and Yr 4. The training on the negotiation, conclusion and implementation of bilateral agreements on civil matters was successfully delivered on 3-4 October 2013. The training acquainted the DILC legal staff and the judges (assigned by the Presidents of the Basic Courts) with international and EU conventions, and regional and national laws governing cross-border service of documents and enforcement of judgments on civil matters. EROL provided a data base to the DILC in Y3Q3 which has been substantially populated with existing data. |
| Complete agreements with interested nations | 2 | 0 | 1 | 2 | | Activity to be attained in Yr 3 and Yr 4 To support the DILC in its efforts to conclude agreements with other nations, EROL has prepared a practice manual on international legal assistance in civil matters, Guide is designed to assist the legal practitioners in the Ministry of Justice in understanding and implementing their legal and procedural obligations with respect to requests to and from Kosovo. It is also designed to provide assistance to the DILC in developing and/or clarifying internal and inter-institutional processes for handling cases. |

AID-167-C-11-00001

Effective Rule of Law Program

| Exchanges with EJM and EuroJust | 2 | 0 | 0 | 0 | | Activity to be attained in Yr 3 and Yr 4. No Activity to report. |
|---|-----------|----------|----------|----------|--|--|
| Litigation Unit | | | | | | |
| Training needs analysis report | | | | | | Yr 1 Target Completed. |
| Develop training modules | | | | | | Activity to be attained in Yr 3 and Yr 4. EROL supported the MoJ in the preparation of the Draft Law on State Advocacy Office, which replaces the the Litigation Unit. Upon the adoption of the Draft Law in Y3 Q1, and the hiring of the state advocates, EROL will address the activities in this section, in Y3 Q1 or Q2. EROL completed the delivery of a data base to the Litigation Unit in Y3Q3. Due to the poor quality of some of the existing records, some of the older data cannot be migrated to the new system without considerable effort which the Unit has not been able to fund or man. |
| Training in inter-Ministerial coordination for litigation | 2 | 0 | 0 | 0 | | |
| Training in oral and written advocacy skills | 2 | 0 | 0 | 0 | | |
| ToT for local trainers | 2 | 0 | 0 | 1 | | |
| Training in administrative litigation | 2 | 0 | 0 | 0 | | Activity to be attained in Yr 3 and Yr 4 |
| Training in civil litigation | 2 | 0 | 0 | 0 | | Activity to be attained in Yr 3 and Yr 4 |
| Compilation of training into a reference book | 2 | 0 | 0 | 0 | | Activity to be attained in Yr 3. This activity is related to the above training activities. See above. |
| TOTAL | 22 | 1 | 4 | 7 | | |

CHAMBER OF NOTARIES SCORECARD⁹

OFFICE OF THE PRESIDENT SCORECARD

| Office of the President Scorecard | Year 3 | | | | | Description |
|--|--------|----|----|----|----|--|
| Target/Actual (per Quarter) | Target | Q1 | Q2 | Q3 | Q4 | |
| Report on justice-related competencies of OP | | | | | | The process of the revision of the five-justice sector laws has not been completed as planned by the Governmental Legislative Strategy. The draft report on Presidential competencies in the justice sector will be therefore updated in order for its content to adequately and comprehensively reflect the legal changes made. |
| Establish working group per Project design TORs | | | | | | Yr 1 Target Completed. |
| Support creation of coordination mechanisms | | | | | | Yr 1 Target Completed. |
| Intra-governmental roundtables | | | | | | Yr 1 Target Completed. |

⁹ EROL will cease assistance to the Chamber of Notaries in accordance with USAID's agreement with the Swiss Government and introduction of activities to assist the KJC and courts to prepare for the transition to the notary system under the Law on Notary

| | | | | | |
|--|---|---|---|---|---|
| Draft PR strategy | | | | | <p>Yr 2 Target Completed.</p> <p>EROL has finalized the drafting of the media relations guidelines for the Office of the President. The purpose of the guidelines is to give effect to democratic principles of transparency and public participation in the justice system of Kosovo in order to ensure judicial and prosecutorial independence, impartiality and integrity and the fair administration of justice in the Republic of Kosovo.</p> |
| Train public relations team members | | | | | <p>Yr 2 Target Completed.</p> <p>In Year 2, EROL conducted a series of PR training sessions for the OP team in order to empower the professional skills in media interaction and enhance thus the President's communication with citizens on justice related matters. The following activities were undertaken to accomplish this objective.</p> <p>EROL conducted on October 24, 2012, a workshop for OP public officers on the development of a communications strategy. The workshop introduced participants with the contemporary approaches and techniques in overcoming public communication barriers, ensuring qualitative message delivery, and strategies for communicating matters involving judicial and prosecutorial appointments.</p> <p>On February 22, 2013, EROL conducted the other workshop with the justice sector institutions, including the Office of the President to discuss the media relations guidelines as prepared by EROL STTA.</p> |
| Include outreach messages in overall PR strategy | 2 | 0 | 1 | 1 | <p>Activity to be attained in Yr 3.</p> <p>EROL has supported the Office of the President in the website re-design in order to increase the level of OP communication with the public with regard to the Presidential competencies in the justice sector and the rule of law. The OP's first step is the publication of the Presidential Decrees for the promulgation of laws after their adoption by the Assembly of Kosovo. The publication of the Presidential Decrees for the Judicial and Prosecutorial Appointments remains to be further discussed.</p> |
| Support drafting of written protocols/circulars/guidelines | 2 | 1 | 1 | 2 | <p>Activity to be attained in Yr 3. EROL continued to provide support for the Office of the President in the area of legal drafting and legislative review including but not limited to the development of procedures and protocols for the review of enacted legislation prior to its promulgation.</p> <p>EROL completed the Language English Program (LEP) for the legal team of the President's Office. The program will enable drafters to take into account legal materials and legislation that is available in English. This approach will improve the quality of legislative products and will ensure that that the draft-normative acts are in compliance with the best European practices.</p> |
| Support agencies to implement protocols | 2 | 1 | 2 | 2 | <p>Activity to be attained in Yr 3 and Yr 4.</p> <p>EROL in cooperation with NDI Kosovo hosted two Intra-Governmental Roundtables regarding challenges confronting the process of drafting secondary legislation and its implementation. Participants from the OP, the AoK, MoJ, KJC and KPC have highlighted a variety of technical problems in the process of drafting secondary legislation, including</p> |

| | | | | | | |
|-----------------------------------|----------|----------|----------|----------|--|---|
| | | | | | | <p>preparation of the fiscal and regulatory impact assessment as documents for ensuring efficiency, practicability and implementation of the draft legislation.</p> <p>EROL and NDI co-hosted the 3rd intra-governmental roundtable on the legal drafting process. Legal teams from the OP, the AoK, the MoJ, the KJC and the KPC attended the proceedings of the Roundtable and engaged actively into the discussion concerning the preparation of the Regulatory Impact Assessment and use of the Tables of Concordances for ensuring compliance with EU legislation. EROL STTA has also engaged legal officers into practical work in order to demonstrate how the text of the EU Directive is transposed with domestic legislation</p> |
| Train legal officers of OP | 2 | 1 | 1 | 1 | | <p>Activity to be attained in Yr 3 and Yr 4.</p> <p>EROL conducted the training on the process of drafting of secondary legislation, which was held on 4-5 July 2013. The training aimed at supporting the legal teams of the OP, the AoK, the MoJ, the KJC and the KPC to draft secondary legislation following the entry into force of a new regulatory framework on legal drafting in Kosovo</p> <p>Working further in support of the drafting capacities of the justice-sector institutions in preparing consistent and effective legislation through sustainable training programs, during Q3 EROL was engaged in designing the “Training of Trainers” program to prepare local instructors, who have the competences and the required skills and affinities, to effectively mentor, transmit and facilitate knowledge acquisition in the area of legislative drafting in Kosovo.</p> |
| TOTAL: | 8 | 3 | 5 | 6 | | |

MODEL COURTS PROGRAM SCORECARD¹⁰

| Model Courts Scorecard | The Supreme Court | Pristina District Court ¹¹ | Gjilan District Court ¹² | Lipjan Municipal Court ¹³ | Istog Municipal Court ⁴ | Viti Municipal Court ⁴ | Rahovec Municipal Court ⁴ | Suhareka Municipal Court ⁴ |
|------------------------|-------------------|---------------------------------------|-------------------------------------|--------------------------------------|------------------------------------|-----------------------------------|--------------------------------------|---------------------------------------|
| KEY STANDARD | | | | | | | | |

¹⁰ The MCP Scorecard 1 includes first eight participant courts on EROL MCP as per their operation under former courts structure.

¹¹ As foreseen by the new LoC the Pristina District Court Jurisdiction from January this year is converted to the Pristina Basic Court and Court of Appeals. As per KJC and USAID agreement the Pristina District Court building was refurbished and transferred to the Court of Appeals. The MCP activities were focused on supporting new courts, the Court of Appeals and the Pristina Basic court.

¹² As foreseen by the new LoC, the Gjilan District Court and Gjilan Municipal Court are converted to one court - Gjilan Basic Court. The MCP assisted both courts on reaching the MCP standards and also implementing the new LoC

AID-167-C-11-00001

Effective Rule of Law Program

| | | | | | | | | | |
|---------------|--|----|----|----|----|----|----|----|----|
| 1 | Reorganize administrative duties between Presiding Judge and Court Administrator | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 |
| 2 | Develop and implement a Court Training Plan | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 |
| 3 | Maintain and updated open and closed case files accurately and chronologically | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 |
| 4 | Develop and implement a plan for reduction of case backlogs in all types of cases | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| 5 | Develop and implement a plan for compliance with case processing time standards | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| 6 | Streamline procedures for effective procurement and use of court logistics and supplies | 2 | 2 | 2 | 1 | 1 | 1 | 1 | 1 |
| 7 | Enhance court communication with the public | 2 | 2 | 1 | 1 | 1 | 1 | 2 | 1 |
| 8 | Improve accessibility and security of court facilities | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 |
| 9 | Ensure that court proceedings are open and that all that appear before the court have the opportunity to participate effectively | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 |
| TOTAL: | | 15 | 16 | 18 | 17 | 16 | 16 | 16 | 17 |

MODEL COURTS PROGRAM SCORECARD¹⁴-II

| Model Courts Scorecard | | | | | | | | | |
|------------------------|----------------|----------------|---------------|---------------|---------------|------------------|---------------|-----------------|--|
| KEY STANDARD | Pristina Basic | Pristina Basic | Ferizaj Basic | Gjakova Basic | Gjakova Basic | Peja Basic Court | Prizren Basic | Mitrovica Basic | |

¹³ The Municipal Courts as are listed on the scorecard 1(Lipjan MC , Istog MC, Viti MC, Rahovec MC and Suheraka MC) starting from January 2013, as foreseen on the new LoC are converted to branch courts to their respective Basic courts.

¹⁴ The MCP Scorecard 2 includes second eight new participant courts that joint EROL MCP on the Yr2 Q4.

| | | Court -Podujeva Branch ¹⁵ | Court – Glogovc Branch ⁶ | Court –Kacanik Branch ⁶ | Court –Klina Branch ⁶ | Court –Maliseva Branch ⁶ | – Decan Branch ⁶ | Court – Dragas Branch ⁶ | Court – Vushtrri Branch ⁶ |
|---------------|--|--------------------------------------|-------------------------------------|------------------------------------|----------------------------------|-------------------------------------|-----------------------------|------------------------------------|--------------------------------------|
| 1 | Reorganize administrative duties between Presiding Judge and Court Administrator | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 |
| 2 | Develop and implement a Court Training Plan | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 |
| 3 | Maintain and updated open and closed case files accurately and chronologically | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 |
| 4 | Develop and implement a plan for reduction of case backlogs in all types of cases | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| 5 | Develop and implement a plan for compliance with case processing time standards | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| 6 | Streamline procedures for effective procurement and use of court logistics and supplies | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 7 | Enhance court communication with the public | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 8 | Improve accessibility and security of court facilities | 2 | 3 | 2 | 1 | 1 | 1 | 2 | 0 |
| 9 | Ensure that court proceedings are open and that all that appear before the court have the opportunity to participate effectively | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| TOTAL: | | 10 | 11 | 10 | 9 | 9 | 9 | 10 | 9 |

¹⁵ As foreseen on the new LoC the Branch Courts operate under the Basic Courts which

EROL MODEL COURT – PMP SCORING DESCRIPTION CRITERIA

| Key Standard | Scoring | |
|---|---------|--|
| | Score | Criteria |
| Reorganize administrative duties between Presiding Judge and Court Administrator | 0 | No formal description of court administrative responsibilities. |
| | 1 | Assessment of court administrative functions completed. |
| | 2 | Plan for division of responsibilities developed and implemented. With the endorsement of the new Regulation on Court Internal Operations EROL facilitated discussions to clarify the roles and responsibilities of President Judges and Court Administrator. Additionally EROL assisted the Supervisory Judges and Assistant Administrators in the Branch Courts understand the appropriate communication chain between the Branches and the main office of the Basic Court. |
| | 3 | Results of implementation reviewed, plan adjustments considered. |
| Develop and implement a Court Training Plan | 0 | No formal Court Training Plan. |
| | 1 | Assessment of training needs completed. |
| | 2 | Court Training Plan developed and implemented. During the Y 2 Q1, Q2 and Q3 EROL conducted a significant number of training programs for court staff relevant to the implementation of the new court structure. Trainings were focused on change management, case transfer, new case registers, communications, time stamps, data base use and statistics. |
| | 3 | Results of implementation reviewed. |
| Maintain and update open and closed case files accurately and chronologically | 0 | No written plan for file management. |
| | 1 | Status of current file management assessed and deficiencies noted. |
| | 2 | Plan for case record maintenance, updating, and routing with accountability noted adopted. EROL MCP developed a database program that will streamline the workflow, as well as enable the KJC Sec and Courts in collecting more reliable and accurate statistical data. |
| | 3 | Status of file management reviewed. |
| Develop and implement a plan for reduction of case backlogs in all types of cases | 0 | No formal plan for backlog reduction/prevention. |
| | 1 | Assessment of current case backlog completed. Through database and data entry personnel the EROL MCP is collecting data for all pending cases. At this stage the courts are able to identify cases by party name and filing date. |
| | 2 | Plan for reducing backlog, with targets and responsibilities, adopted. |
| | 3 | Case backlog reassessment completed and changes to the plan undertaken. |

| Key Standard | Scoring | |
|---|---------|--|
| | Score | Criteria |
| Develop and implement a plan for compliance with case processing time standards | 0 | No formal plan for compliance with case processing time standards. |
| | 1 | Assessment of case processing procedures completed. Through database and data entry personnel EROL MCP is collecting data of all pending cases as well as cases with a disposition date after 2013. At this stage the courts are not able to identify cases by disposition date since data entry process is ongoing. |
| | 2 | Plan for timely processing of cases and compliance with time standards developed and adopted. |
| | 3 | Case processing procedures reassessed and changes to the plan identified. |
| Streamline procedures for effective procurement and use of court logistics and supplies | 0 | No procedures for effective procurement and use of court supplies developed. |
| | 1 | Inventory of court logistics and supplies completed. |
| | 2 | Plan for tracking and managing use of supplies developed. As the new court internal structure was developed by the sub-working group on human resources and became effective January 2013, each basic court recruited a staff member who will deal with court logistic issues. This effort will improve the supply tracking system and enhance communications with KJC Secretariat. |
| | 3 | Evaluation of the supply and inventory system completed with problems identified. |
| Enhance court communication with the public | 0 | No organized public communication or community outreach. |
| | 1 | Identification of court outreach activities to enhance court/community relations. |
| | 2 | Plan for public communication and community outreach developed. EROL MCP, in conjunction with the EROL communication specialist and STTA, facilitated communication training for court information coordinators and court administrators. A court signage plan has been developed for all MCP courts undergoing refurbishment. Court directories and information booths are in place. Designing and printing of court brochures are in the process of finalization. |
| | 3 | Outreach activities monitored and changes made to the plan based on evaluation. |
| Improve accessibility and security of court facilities | 0 | Court is not safe and accessible. |
| | 1 | Facility evaluation completed for potential safety and accessibility improvements. |
| | 2 | Plan for improvements in facility safety and accessibility developed and construction activities started. The refurbishment design plans and specifications incorporate all necessary measures to increase safety in the courts. Additionally the designs improve access and transparency to all court operations. During this quarterly the refurbishment activities area completed in two courts; Gillogovc and Kacanik while refurbishment designs completed for Podujeva |
| | 3 | Facility improved and reassessment completed. In addition to last quarter where 2 courts completed the refurbishments, in this quarter 5 other courts completed refurbishments. With the refurbishment completion of these 5 courts the improvements increased the safety, access and efficiency of court operations. |

| Key Standard | Scoring | |
|--|---------|---|
| | Score | Criteria |
| Ensure that court proceedings are open and that all that appear before the court have the opportunity to participate effectively | 0 | Public access to court hearings is limited or haphazard. |
| | 1 | Barriers to access identified (including physical, language, gender, security, ethnic barriers). |
| | 2 | Plan for improvement to eliminate barriers to access developed. Designs for refurbished facilities increased the number of courtrooms by 100% over current court use. This increase will enable more members of the public to attend open hearings and court sessions. In each of the refurbishment designs is foreseen increase of the court rooms up 100% more that currently court use. So, the increase of the court rooms which enable courts to receive more public to the open hearings. |
| | 3 | Accessibility reassessed and plan modified based on new information. |

CONSTITUTIONAL COURT SCORECARD

| Constitutional Court Scorecard | Year 3 | | | | | Description |
|---|--------|----|----|----|----|---|
| | Target | Q1 | Q2 | Q3 | Q4 | |
| Target/Actual (per Quarter) | | | | | | |
| Needs Assessment - expertise and information needs of judges | | | | | | Yr 1 Target Completed. |
| Support program and materials for CC judges drafted | | | | | | Yr 2 Target Completed. EROL elicited and organized the presentations of eight formal presentations on substantive constitutional and legal issues for the international conference on Human Rights sponsored by EROL and Constitutional Court, on June 29-30. |
| Training modules developed for new CC judges | | | | | | |
| Support attendance at regional or international conferences | | | | | | |
| Needs Assessment - training needs for legal advisors | | | | | | Yr 1 Target Completed. |
| Training modules developed for legal advisors | | | | | | Yr 1 Target Completed. |
| Training provided to legal advisors | 2 | 1 | 1 | 1 | | In Y3/Q1, Y3/Q2, and Y3/Q3, EROL proposed training programs for KCC legal advisors. The KCC has asked that the training take place in Y3/Q4, so that EROL plans to provide two training sessions for Legal Advisors (and others). These courses are (1) a Legal Reasoning & Writing program adapted from a module prepared for the KJI; and, (2) a Constitutional Court Conference. |
| Exchanges with international jurists (visits to Kosovo or travel) | 2 | 1 | 1 | 1 | | In Y3/Q2 and Y3/Q3, EROL provided considerable technical support to the KCC for a Constitutional Court Conference that will include presentations by three to five legal experts or judges on the need for Kosovo's lower courts to dispose of Constitutional questions and/or to request advisory opinions from the KCC regarding Constitutional questions. In Y3/Q1, EROL and |
| Preparation of research papers for conference | | 1 | 1 | 1 | | |

Effective Rule of Law Program

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|--|-----------|----------|-----------|-----------|--|---|
| Conference on constitutional jurisprudence and adjudication | | 1 | 1 | 1 | | KCC began planning discussions regarding these activities, logistics arrangements were undertaken in Y3/Q2. The Conference will take place Y3/Q4, with an international jurist from the US advising participants, and moderating the conference. |
| Internship program launched (year 2) and monitored (2-4) | 2 | 1 | 1 | 1 | | The KCC instituted an internship program in Y2. In Y4, EROL expects to assist the KCC by providing training to strengthen relevant skills of the interns, including legal reasoning and writing. In Y3/Q1, Y3/Q2 and Y3/Q3 EROL proposed training programs for KCC legal interns, but the KCC Court President asked that training activities be postponed to Y3/Q4 due to other obligations of the Court. |
| Materials created and distributed as bench references | | | | | | Yr 2 Target Completed. EROL prepared summaries of the 93 cases decided in 2011, as well as a complete subject matter index, for inclusion in the Court’s Bulletin of Case Law 2011, which will be widely distributed to judges and other legal professionals for use and reference manual. |
| Library needs assessed and materials procured | | | | | | The Constitutional Court maintains, on its own, a full reference library and has not requested any assistance from EROL in this regard. EROL revisited this issue in Q4, with additional activities expected in Y3. |
| Training module developed for internet research | | | | | | Yr 2 Target Completed. The Legal English Program Legal Research Module, prepared in conjunction with KJI, will be offered to legal advisers and legal researchers with sufficient English language proficiency at Constitutional Court. |
| Reference manual created and distributed | 2 | 1 | 2 | 2 | | In Y3, EROL will provide reference manuals to KCC judges, legal advisors, and interns on relevant subjects, including legal reasoning and writing, and communications in judicial settings. As part of that process, in Y3/Q1, EROL and KCC representatives planned for distribution of a special international human rights edition of E Drejta, which is the result of a KCC/EROL/Law Faculty collaboration, and provides guidance on the implementation of international human rights mandated by the Constitution, which was released to judges of the Court, KCC legal support staff members, the “ordinary” courts and legal support staff members, law professors, students, lawyers, and members of the public in hard copy and in electronic format on institutional online Websites. Similarly, it is anticipated that another special edition of E Drejta will be released in Y4 based upon presentations made at the KCC Judicial Conference to be held in Y3/Q4. |
| ToT in adult learning principles | | | | | | Yr 2 Target Completed. Completed for the legal advisers in program year one. |
| Local and international trainers train advisors together | 2 | 1 | 1 | 1 | | In addition to KCC-related training provided during Y1 and Y2 by international and national trainers, international and national trainers will present programs on the self-executing nature of KCC judgments, and legal reasoning and writing during Y3/Q4. In Y3/Q1, Y3/Q2 and Y2/Q3, EROL and KCC began preparations for the programs. |
| Local trainers begin to train on their own | 2 | 1 | 1 | 1 | | KCC trainers will deliver legal reasoning and writing programs to interns in Y3/Q4. |
| Deploying software for full-text searchable decisions online | 2 | 1 | 2 | 2 | | In Y3/Q2, the KCC database/search engine was fully deployed. The full-text searchable feature is available in Word format, and is being debugged in the PDF format; the full-text search feature is expected to be available during Y3/Q3 or Y3/Q4. |
| TOTAL: | 14 | 9 | 11 | 11 | | |

KOSOVO JUDICIAL INSTITUTE SCORECARD

| Kosovo Judicial Institute Scorecard | Year 3 | | | | | Description |
|--|-----------------------------|--------|----|----|----|--|
| | Target/Actual (per Quarter) | Target | Q1 | Q2 | Q3 | |
| Assessment of KJI structure and curriculum, and their degree of alignment with LoP and LoC | | | | | | The Ministry of Justice proposed transformation of KJI into an Academy of Justice, which resulted in the postponement of the coordination strategy. Presuming that the decision on transformation will be made in Y3, EROL will proceed to work with KJI, KJC, KPC to develop National Legal Education Strategy in Y3. In addition, EROL and KJI Director conferred during Q4, and (presuming that the Justice Academy will be resolved in Y3) agreed to begin this initiative in Y3 after the KJC and the KPC complete the transition to the reorganization mandated by the new Law on the State Prosecutor and the new Law on Courts. |
| Draft training courses | | | | | | Yr 1 Target Completed. |
| Training of Trainers (TOT) | | | | | | |
| Training of trainers program developed | | | 1 | 1 | | The Information & Communications Technology (ICT) Considerations for the Kosovo Judiciary was completed during Y3/Q2. |
| ToT program carried out with KJI instructors | 2 | 1 | 1 | 1 | | Two KJI trainers were prepared to deliver the Workshop for Judges on Mock Trial (Civil) for the Kosovo Judiciary and the Information & Communications Technology (ICT) Considerations Module for the Kosovo Judiciary during Y3/Q3. |
| English language TOT training | | | | | | |
| Training of trainers program developed | | | | | | Yr 2 Target Completed. Legal English Program TOT Curriculum, Legal Research Module, Lower Intermediate Module, Intermediate Module and International Legal Cooperation in Civil Matters Curriculum conducted and completed during Q1, courses to be presented in the CLEP and ILEP Programs. |
| ToT program carried out with KJI instructors | 2 | 1 | 1 | 1 | | In Y3/Q1, an EROL trainer mentored a KJI trainers in the delivery of the ICT Considerations for the Kosovo Judiciary program. |
| Training program on OSCE recommendations prepared | | | | | | OSCE reports have been analyzed and administrative staff shortcomings are being addressed in a Best Practices course developed. In conjunction with KJI instructors selected by the Director, EROL is preparing a course module on court administration staff best practices. The course module development began in Q3, continued during Q4, and will continue in Y3. Delivery of the courses with KJI counterparts began in Q4. The Model Court Program delivered a series of professionalization classes to court support staff during implementation on the new law on courts. |
| STTA provided in holding judicial conferences | | | | | | In Y3/Q2, the EROL Model Court Program continued to assist the Court Presidents of the Supreme Court, Court of Appeals, and/or Basic Courts in conducting periodic judicial conferences, which were conducted on a monthly basis. The Judicial Training Advisor participated in numerous Model Court Program roundtable sessions with Court Presidents in Y3/Q2 regarding case management issues; these were documented by the Model Court Program. |
| Judicial conferences held | 2 | 1 | 0 | 1 | | Activity to be attained in Yr 3 and Yr 4. With support from OSCE, the KJI planned to present a Judicial Conference for Prosecutors in 2012 and a Judicial Conference for Judges in 2013; the KJI declined EROL's offer of the assistance in the presentation of such conferences. However, EROL supported roundtable conferences with judges of the Supreme Court and judges of the Court of |

| | | | | | | |
|---|-----------|----------|----------|-----------|--|---|
| | | | | | | Appeals on legal reasoning and writing; EROL sponsored a court management roundtable conference for Court Presidents of the Basic Courts and the Court of Appeals; the Model Court Program also began regular conferences with Court Presidents of the Basic Courts. Additional judicial conferences of this sort are planned throughout Y3. |
| Develop list of potential local and int'l partner institutions | | | | | | Yr 1 Target Completed. |
| Support development of relationships with institutions | 2 | 1 | 0 | 1 | | EROL's technical assistance is ongoing to assist KJI and KJCS in developing an effective working relationship. 2 meetings were held with KJI and KJCS to develop a collaborative work plan for developing a Court management curriculum. Activity to be attained in Yr 3 and Yr 4. |
| Support to attend international conferences | 2 | 1 | 0 | 1 | | Although the KJI Director and/or KJI staff members have participated in international conferences, EROL's technical assistance in this regard has been held in abeyance beyond the disposition of a proposal by the Kosovo Minister of Justice to transform the KJI into a Justice Academy, which will likely affect the purposes of EROL's implementation of this activity. Activity to be attained in Yr 3 and Yr 4. As reflected above, EROL is supporting a study tour for KJI representatives at the Federal Judicial Center in Washington DC. EROL and KJI Director conferred in Y3/Q2 regarding further development of this initiative for participation in additional international conferences (as a supplement to conference attendance funded by other donors); more activity is planned in this regard in Y3 after the proposal for transformation from the KJI to the Justice Academy is resolved. |
| KJI website enhanced | | | | | | |
| Include reference materials and legal information on site | | | | 1 | | Full deployment of the KJI software and website happened in Y3/Q2, and training of KJI staff was completed in Y3/Q3. |
| Develop test version of KJI website | | | 1 | 2 | | |
| Develop draft database of trainees | | | 1 | 1 | | |
| Develop distance learning demonstration course | | | 1 | 1 | | Discussions with KJI and other international donors about the implementation of a sophisticated distance learning platform will continue in Y3/Q4. |
| Distance learning platform and catalog deployed and in use | 2 | 1 | 1 | 1 | | Activity to be attained in Yr 3 and Yr 4. The Judicial Training Advisor will continue to provide KJI with technical assistance on implementing distance learning courses that apply best practices in adult education. |
| TOTAL: | 12 | 6 | 7 | 12 | | |