

NATIONAL CENTER FOR STATE COURTS

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SERBIA RULE OF LAW PROJECT

**QUARTERLY REPORT
OCTOBER 1 – DECEMBER 31, 2004**

**Contract Number
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Quarterly Report
Serbia Rule of Law Project
Reporting period: October 1 – December 31, 2004
IQC Contract AEP 00-00-00011-00, Task Order No. 809

This is the third quarterly report for the Serbia Rule of Law Project, covering the period from October 1 to December 31, 2004. It is prepared in five sections: Progress Summary; Overall Project Development; Project Activities; Financial Status; and Obstacles Encountered.

A. PROGRESS SUMMARY

This quarter, the primary accomplishments include:

- A new Program Manager, Randy Hansen, was approved;
- A new Program Director, Scott Carlson, was approved;
- Four new local staff were hired, including two Staff Attorneys for Court Operations, a Staff Attorney for Legal Education, and an Administrative Assistant;
- The Assessment Team continued working in the Municipal and District Courts in Belgrade, Kragujevac and Novi Pazar collecting pending and closed case data from the court registers and case files;
- An Informational Meeting for updating donors and stakeholders on project activities was held on October 28;
- NCSC held a one-day workshop on Introduction to International Law and Moot Court at the Metropol Hotel on 29 October, led by Prof. Vojin Dimitrijevic and Christian Jensen;
- Prof. James Moliterno worked with the NCSC team and professors from the Belgrade Law Faculty and Business Law Faculty from 15-23 October to develop a new course on Legal Research and Writing for those two faculties;
- Prof. Jan Winter worked with the NCSC team and the Novi Sad Law Faculty from 28 October through November 4 to develop the course on EU Law;
- The first in a series of three case management seminars, “Effective Court Performance, Learning From Experience,” was held on 12 November led by NCSC consultants Katie Fahnestock and Barry Mahoney;
- NCSC fielded a Court Library Consultant, Ms. Julie Tessmer, from the Wisconsin State Court Library, to assess the project court libraries from 16-25 November;
- NCSC fielded a second library consultant, Ms. Lesley Dingle, from Cambridge University Law School, from 16-25 November to assess the law faculty libraries’ resource needs with an emphasis on EU Law materials;
- A number of meetings were held this reporting period for the purpose of coordinating activities with the various law faculties, USAID, local counterparts, implementing partners, and other donor agencies.

B. OVERALL PROJECT DEVELOPMENT

Project Planning and Management

The NCSC Home Office in October proposed a new Program Manager, Randy Hansen, who was subsequently approved. A new Program Director, Scott Carlson, was also approved for the project in November to replace Dr. Heike Gramckow.

A number of consultants were proposed and approval was received for their activities relating to both court operations and law faculty improvements. These activities are described in detail throughout this report.

Regarding support to the court operations activities, NCSC hired two members of the detailed assessment team, Aleksa Ognjanovic and Bojan Stanivuk, as full-time employees. Both will begin working as Staff Attorneys for Court Operations in January 2005. Mr. Ognjanovic will serve as the senior leader for court operations during the absence of the Senior Program Coordinator for Court Operations during her maternity leave, which will begin in January 2005.

Following the resignation of the Junior Coordinator for Law Faculties, another member of the detailed assessment team, Aleksandar Dimitrov, was hired as Staff Attorney for Legal Education. He will begin working as a full-time employee in January 2005. Mr. Dimitrov has worked extensively with the Young Lawyers Association developing internship and training programs for young lawyers in Serbia, including efforts to improve linkages between law faculties and the courts.

The NCSC team continued its search for a second Senior Program Coordinator to oversee activities in the law faculties. Two viable, local candidates were identified. However, each is available only on a part-time basis. NCSC decided to end its search for a full-time candidate and to utilize the two final candidates as consultants as needed on specific activities. One of the candidates, Ana Knezevic, who currently works for the Institute of Comparative Law, will assist with development of the EU Law course materials and revised syllabus, as well as assisting to oversee implementation of the course at the Novi Sad Law Faculty next semester.

This quarter, the NCSC team advertised for the positions of Administrative Assistant to support the Office Manager, and Writer/Editor to assist with development of the project website and newsletter. The position of Writer/Editor was offered to one qualified candidate who subsequently declined the position. As a result of not identifying satisfactory candidates for the position of Writer/Editor, the search for Administrative Assistant was revised to place more emphasis on candidates with strong English skills to assist with writing and editing needs. In December, the position of Administrative Assistant was offered to Milena Piosijan. Ms. Piosijan has worked as Administrative Assistant for the GTZ and a local law firm, as well as working as an English tutor.

Despite the change in positions and search for several staff members, the management and organization of the project has continued efficiently without delays or impact on deliverables.

C. PROJECT ACTIVITIES

Regular meetings with USAID, local counterparts, implementing partners, and other donor agencies continued this quarter as outlined below:

1. *Initial Assessment of Caseloads and Backlogs*

Court efficiency and backlog reduction

NCSC Consultant, Katie Fahnestock, continued coordinating the detailed assessment and training and supervising a detailed assessment team of six young Serbians. This quarter, the detailed assessment team completed data collection and began analysis of 200 disposed cases and 500 pending cases from six registers (Criminal Investigation; Criminal; Civil Litigation; Labor; Civil Appeals, Criminal Appeals) in six project courts for the time period of January 1 through June 30, 2004. Initial data from this phase of the assessment was presented to the courts at the first seminar on case management held on November 12.

A chart of progress of the detailed assessment of case registers at the end of this quarter follows:¹

Court / Register	Caseload Profile	200 Disposed Cases	Aged Pending	500 Pending Cases
Belgrade Municipal / Ki	done	done	done	done
Belgrade Municipal / K	done	done	done	done
Belgrade Municipal / P & P1	done	done	done	done
Novi Pazar Municipal / Ki	done	done	done	done
Novi Pazar Municipal / K	done	done	done	done
Novi Pazar Municipal / P & P1	done	done	done	done
Kragujevac Municipal / Ki	done	done	done	done
Kragujevac Municipal / K	done	done	done	done
Kragujevac Municipal / P & P1	done	done	done	done
Belgrade District / Ki	done	done	done	done

¹ Ki = Criminal Investigation;
 K = Criminal (Trial);
 P = Civil Litigation;
 P1 = Civil Litigation involving Labor Issues (Municipal Court only);
 Gž = Civil Appeals (District Court only).

Belgrade District / K	done	done	done	done
Belgrade District / GŽ	done	done	done	done
Belgrade District / KŽ	done	done	done	done
Novi Pazar District / Ki	done	done	done	done
Novi Pazar District / K	done	done	done	done
Novi Pazar District / GŽ	done	done	done	done
Novi Pazar District / KŽ	done	done	done	done
Kragujevac District / Ki	done	done	done	done
Kragujevac District / K	done	done	done	done
Kragujevac District / GŽ	done	done	done	done
Kragujevac District / KŽ	done	done	done	done

English versions of the pending and closed case assessment forms used by the assessment team for the first phase of data collection from the court registers are attached at Appendices 4 and 5 respectively.

Following the assessment of pending and closed cases from the registers, the team began forms design and examination of 100 closed case files to collect additional information not available from the registers. Additional information collected from the case files include, among others: availability of counsel (defense and prosecution), changes of counsel, notices sent, number of witnesses, expert witness reports and dates requested, failures to appear, number of hearings, number of continuances, and reasons for continuances. For criminal cases, the team is also collecting data concerning pre-trial and investigation events and procedures.

A chart of progress of the assessment of closed case files at the end of this quarter follows:²

Court / Cases	100 Disposed Cases
Belgrade Municipal / K	87 cases completed
Belgrade Municipal / P & P1	90 cases completed
Novi Pazar Municipal / K	done
Novi Pazar Municipal / P & P1	done
Kragujevac Municipal / K	done
Kragujevac Municipal / P & P1	done
Belgrade District / K	34 cases completed
Belgrade District / GŽ	done
Belgrade District / KŽ	done
Novi Pazar District / K	71 cases completed ³
Novi Pazar District / GŽ	done

² See above.

³ A number of these cases are presently located in the Supreme Court. The assessment team will complete the diagnostic of those cases in the Supreme Court.

Novi Pazar District / KŽ	done
Kragujevac District / K	68 cases completed ⁴
Kragujevac District / GŽ	done
Kragujevac District / KŽ	done

English versions of the forms used by the assessment team for data collection from the closed case files are attached at Appendix 6.

Four contractors were identified based largely on recommendations from the DFID project to assist with the substantial data entry tasks. Data entry for information collected from the municipal and district courts will be completed in early January 2005. Specialized software described below will then be utilized to begin a more complex analysis of the data next quarter.

November 12, 2004 Seminar

A number of meetings were held this quarter to plan the November 12 seminar and the assessment of case files. These included meetings with criminal and civil judges to validate observations and planning.

The first in the series of three seminars on case management was held at the Palace Hotel in Belgrade on November 12. The seminar, entitled “Effective Court Performance, Learning from Experience,” was designed to:

1. Review preliminary findings from the diagnostic study in six project courts;
2. Identify additional data needs for the study;
3. Identify key values and characteristics of a well-functioning judicial system; and
4. Identify key factors relevant to court improvement, e.g., strengths and obstacles.

There were 35 participants in attendance, including: one representative from the Ministry of Justice (MOJ); five court presidents, twelve judges, five court secretaries, and twelve court registry staff.

Judge Janko Lazarevic, Acting President of the Supreme Court, provided an opening address during which he was highly complementary of the project strategy and activities to date. The remainder of the meeting was divided into three sessions. NCSC consultant Katie Fahnstock spent the first morning session informing the participants on the preliminary research results from the municipal courts’ K (criminal cases), P and P1 (civil and labor cases) registers, and the district courts’ litigation registers in Belgrade, Novi Pazar, and Kragujevac. In the second session, Dr. Barry Mahoney provided a presentation on the purpose of courts, the value and characteristics of a well-functioning judicial system, and common obstacles to court system improvement. Dr. Mahoney continued with the third session on “Developing Effective Court Planning and Management,” including the key components for developing effective court planning and

⁴ See above.

management, and the key elements of successful courts and court organizations. After each session the participants worked in small groups, answering specific questions relating to the session topics. The participant groups presented their responses in plenary, sharing their insights and opinions on the presentations and necessary changes to the court management structure in Serbia. A thorough report on the November 12 seminar is attached at Appendix 3. The seminar materials are attached at Appendix 3a.

In preparation for the next scheduled seminar on February 3-4, each participant has been asked to complete a case management self-assessment questionnaire for their court.

Statistical Program for Social Sciences

This quarter NCSC purchased the Statistical Program for Social Sciences (SPSS) to analyze data collected by NCSC's detailed assessment team. This software will be transferred to the Ministry of Justice or Supreme Court, in consultation with USAID, at the conclusion of the project. On December 20-21, five members of the assessment team, along with appointed representatives Mirijana Vojvodic, Chief of the Supreme Court Registry Office, and Marija Popovic, from the MOJ's statistics office, received basic training on the SPSS software. This training will be followed by advanced SPSS training for the same participants on January 10-11.

Meetings this quarter relating to court operations

Regular meetings with USAID, local counterparts, implementing partners, and other donor agencies have continued to address consultant assessments to date, implementation of project tasks, timetables, and to ensure effective coordination among projects. Specific meetings are listed below under Donor Coordination and at Appendix 1.

Court Library Resources

From November 16-25, NCSC fielded a Court Library Consultant, Julie Tessmer, from the Wisconsin State Court Library, to assess the project court libraries. This assessment was conducted in conjunction with an assessment of the law faculty libraries by a second consultant at the same time (described later in this report). The assessment of the court libraries included: Belgrade First Municipal, District, and Magistrate Courts, Kragujevac Municipal and District Courts, Novi Pazar Municipal and District Courts, and the Supreme Court, in addition to visits to the Belgrade and Kragujevac Law Faculties to examine opportunities for sharing resources and specific preservation and storage needs that the law faculty library consultant was unable to address. Following these visits, Ms. Tessmer visited the Serbia National Library to identify information resources that also may be available to the courts. Specific activities relating to these assessment visits are described in detail, along with the other court activities, at Appendix 1. Ms. Tessmer's report and recommendations will be completed early next quarter, and included with the next quarterly report.

2. Law Faculty Activities

Moot Court

On October 29, NCSC held a one-day workshop on Introduction to International Law and Moot Court at the Metropol Hotel. Prof. Vojin Dimitrijevic, an internationally recognized scholar on international law and Director of the Belgrade Center for Human Rights, provided the morning presentation on international law. The afternoon presentation on preparing for the Jessup International Law Moot Court Competition was led by Christian Jensen, teacher of Legal Research and Writing and moot court at Central European University in Budapest. This workshop included essential materials on competing in moot court, including: an introduction to international law translated into Serbian; essential international treaties; sample written pleadings from the best teams in last year's international competition; video tapes of oral pleadings from the international rounds of previous competitions; and copies of the *ILSA Guide to International Law Moot Court Competition*.

Following the October 29 workshop, the Chief of Party and other members of the NCSC team met with the teams individually to assist them in preparing for the competition. With the assistance of the organizers of the international competition, International Law Students Association (ILSA), NCSC also secured the assistance of a lawyer, Heba Fatma Morayef, to assist all the teams by e-mail to prepare their written pleadings.

To increase interest in the competition this year, ILSA agreed to waive the participation fees for all Serbian teams this year. Also, the Serbia Rule of Law Project and the US Embassy have agreed to jointly fund the costs of travel for the winning team to participate in the international rounds of the competition in March in Washington, DC. The US Embassy has agreed to fund the costs of per diem and visas for five team members, the team coach, and faculty advisor. The project will fund the cost of transportation to the international rounds.

European Union Law

On November 3-4, Professor Jan Winter, from the Free University of Amsterdam and NCSC's consultant for the EU Law course, completed his initial visit to Novi Sad and Belgrade to begin development of the course syllabus and materials for the 14-week course. The materials for this course will be completed next quarter.

To assist in developing the materials, NCSC will contract with a local consultant to work with Prof. Jan Winter and Prof. Maja Stanivukovic at Novi Sad. This consultant will also assist with implementation of the course and introducing it at other law faculties.

The Business Law Faculty has agreed to introduce this course in the 2005-2006 academic year. NCSC will be meeting with other faculties next quarter, most notably Niš,⁵ to

⁵ The Niš Law Faculty has announced that EU Law will become a mandatory course for all law students in 2006. The Niš Faculty is the first in Serbia to take this step.

discuss implementation of materials and approaches developed by NCSC for this course at their faculties.

Legal Research and Writing

From November 14-24, Professor James Moliterno, from William and Mary Law School and NCSC's consultant for development of the Legal Research and Writing course, worked with NCSC staff, Judge Radmila Dacic, Prof. Zorana Kostic from the Business Law Faculty, and Prof. Radmila Vasic from Belgrade Law Faculty to create a course syllabus and materials for this new 14-week course. These materials were completed and translated into Serbian in December. The final version of the course materials will be available early next quarter.

The Kragujevac Law Faculty and Novi Sad Law Faculties have already both expressed interest to NCSC in introducing this course at their faculties next academic year.

Meetings this quarter relating to Law Faculties

A number of meetings were held in this reporting period for the purpose of coordinating activities with the various law faculties. These included meetings with professors from the Business Law Faculty, Belgrade Law Faculty, and Novi Sad Law Faculty to plan courses on Legal Research and Writing and EU Law. Specific meetings this quarter relating to Law Faculty activities are listed at Appendix 2.

NCSC attempted on a number of occasions to meet with representatives from the Ministry of Education and Sport to discuss the new draft Law on Universities, which introduces substantial reforms. An unofficial translation of the law was completed by NCSC in December. NCSC will continue efforts next quarter to meet with Ministry representatives and engage them in the law faculty reform efforts.

Law Faculty Library Resources

As described above under court activities, NCSC fielded a library consultant to assess the court libraries. At the same time, NCSC fielded a second consultant, Ms. Lesley Dingle from Cambridge University Law School, to assess the resource needs of the law faculty libraries, with an emphasis on EU law resources. Ms. Dingle visited the Belgrade, Business, Kragujevac, Niš, and Novi Sad Law Faculties. She also met the court library consultant, Ms. Julie Tessmer, to discuss opportunities for sharing resources and standardization of law collections in Serbia. Specific activities relating to this assessment are listed at Appendix 2. Ms. Dingle's report and recommendations will be completed early next quarter, and included with the next quarterly report.

3. Other Project Activities

Project website

The project website went online in December in both English and Serbian. The address for the website is: www.ncsc.org.yu. Next quarter additional study resources will be added, including the Legal Research and Writing and EU Law course materials. An index of relevant laws in English and Serbian will also be added next quarter.

Newsletter

The first project newsletter will be issued next quarter.

4. Donor Coordination

On October 28, an Informational Meeting was held at the Metropol to introduce key Serbian stakeholders and other donors to the project, provide information about ongoing project activities and expected results. Donors in attendance included: CIDA, DFID, EAR, and the European Council, in addition to USAID implementing partners: Booz-Allen and ABA/CEELI. The Serbian representatives in attendance were: the Acting President of the Supreme Court, Janko Lazarevic; Deputy Minister Gordana Paulic and her assistant, Svetlana Stanivukovic, from the Ministry of Justice (MOJ); the Assistant Minister for Higher Education, Miroslav Pilipovic, and Secretary, Svetlana Radosavljevic, from the Ministry of Education and Sport (MOE); Vice Dean Miodrag Jovanovic, from the Belgrade Law Faculty; and Professor Vesna Rakic Vodinelic, from the Business Law Faculty. The Acting President of the Supreme Court and MOJ Assistant Minister complemented NCSC's approach. The MOE Assistant Minister was equally supportive and stated his Ministry's intention to submit a new law on higher education to Parliament by the end of the year. He was supportive of the proposed project meeting on the Bologna Declaration in spring 2005, and asked that it serve as a platform for planning implementation of the Bologna Declaration in the law faculties. All participants in attendance were complementary of the meeting and called for ongoing meetings to ensure effective collaboration among donors and stakeholders. In consultation with USAID, NCSC would like to identify a strategy to continue promoting these meetings to share information on the project and to help coordinate donor activities.

A second Informational Meeting will be held next quarter on Wednesday morning, February 2, at the Metropol Hotel.

In addition to the Informational Meetings, the following meetings were held with USAID, donors, and implementing partners this quarter to discuss donor coordination issues, among other project activities:

- On October 4, the NCSC local team discussed the Serbia Rule of Law Project and opportunities for collaboration with Ms. Caroline Meilleur, Project Director for the Canadian section of the International Commission of Jurists, which will begin implementing a project to implement ADR in the courts under a contract with the Canadian International Development Agency (CIDA) in 2005;
- Also on October 4, the NCSC local team met with Mr. Gennady Pilch, Senior Counsel for the World Bank Legal Department to discuss the World Bank-funded assessment of the Serbian courts;
- On October 5, David Anderson and Ljiljana Urzic Stankovic attended the ABA/CEELI Roundtable on Judicial Contempt Powers and Disciplinary Responsibility of Judges at the Hotel Intercontinental, Belgrade;
- On October 6-7, David Anderson and Ljiljana Urzic Stankovic attended the MOJ Conference on Platform for the Strategy for Judicial Reform with Emphasis on Court Administration Reform at the Hyatt Hotel in Belgrade;
- Following the October 6-7 MOJ Conference, as requested by the MOJ, NCSC developed responses to assist the MOJ in planning;
- On October 26, the NCSC local team met with Mr. Peter Bach, along with Mr. Axel Schwarz and Prof. Dr. Tsvetana Kamenova (from the Institute for Legal Studies in Bulgaria), who will be working with PROGECO, a new contractor under the European Agency for Reconstruction (EAR) to focus on assisting the Judicial Training Center to become fully operational, including establishing regional centers, curriculum development, and increased linkages with the Serbian law faculties.
- On November 8, David Anderson and Ljiljana Urzic Stankovic met with Mr. Thomas Meyer of GTZ to discuss collaboration on work at the private Business Law Faculty, since that faculty is receiving considerable support from the GTZ.
- On December 6, the COP and NCSC Executive Director of International Programs met with Mission Director Keith Simmons, Deputy Director Ronnie Harrington, Ellen Kelly and Jan Emmert at USAID.
- On December 10, the COP and Senior Program Coordinator met with Craig Dicker, of the US State Department Office of English Language Programs for Southeast and Central Europe, to discuss development of Legal Research and Writing trainings in Southeast and Central Europe.
- On December 13, the COP and Senior Program Coordinator attended the Judicial and Legal Reform Coordination Meeting at the office of the OSCE.

D. FINANCIAL STATUS

Project accruals for the end of this quarter (December 2004), as reported in mid-December 2004, are as follows:

CATEGORY	Budget	Projected Cumulative Total	Projected Balance
U.S. NATIONALS	1,246,704	339,761	906,943
TCNs & CCNs	823,379	122,278	701,101
MATERIALS (Other Direct Costs)			
Travel & Per Diem	380,065	118,571	261,494
Differential & Allowances	117,485	30,600	86,885
Equipment	226,400	77,090	149,310
Other Costs	630,268	75,595	554,673
Material Burden	62,294	13,885	48,409
Total Materials (ODCs)	1,416,512	315,741	1,100,771
TOTAL USN, TCN/CCN & MATERIALS (ODCs)	\$ 3,486,595	\$ 77,780	\$ 2,708,815

E. OBSTACLES ENCOUNTERED AND EFFORTS UNDERTAKEN TO OVERCOME THEM

Because of variations in practice among the courts, the NCSC team identified a number of data collection issues in reviewing the registers, such as differences in definitions among the courts, how and where information is recorded in the registers, and the limited capacity of outdated automated systems to track and provide information. For example, the inflexibility of the automated register in the Municipal Court in Kragujevac to collect and generate requested data led to delays which prevented completion of the work on time in October. Ultimately, however, the assessment of the Kragujevac registers was completed in late November.

Examination of closed case files also has been problematic due to problems in locating a number of case files that are on appeal in the District Court or Supreme Court, or moved to archives. The NCSC team expects to complete the assessment of closed case files in early January.

Some problems were experienced during data entry due to computer software problems and data entry errors. These were identified during the data quality review process. The software problems were fixed, and one data entry consultant was replaced. All problems in the data have been corrected, and the project should begin analyzing the data with the SPSS software in January 2005.

APPENDICES

- Appendix 1. Visits relating to court activities.
- Appendix 2. Visits relating to law faculty activities.
- Appendix 3. Report on November 12 case management seminar.
- Appendix 3a. Materials from November 12 case management seminar.
- Appendix 4. Pending case forms for assessment of court registers.
- Appendix 5. Closed case forms for assessment of court registers.
- Appendix 6. Closed case forms for assessment of case files.

APPENDIX 1.

Visits this quarter relating to court activities included:

- On October 4-8, the assessment team began working in the First Municipal Court in Belgrade with the Ki, K, P, and P1 registers;
- On October 11-15, the assessment team worked in the Municipal and District Courts in Novi Pazar collecting the same data as above, plus the Gž register in the District Court;
- On October 18-22, the assessment team continued working in the First Municipal Court and began working in District Court in Belgrade;
- On October 25-29, the assessment team worked in the Municipal and District Courts in Kragujevac.
- From November 6-14, Dr. Barry Mahoney assisted the NCSC team in planning and facilitating the November 12th meeting on case management.
- On November 8, Judge Radmila Dragicevic Dacic met with David Anderson, Barry Mahoney, Kathryn Fahnestock, Ljiljana Urzicic Stankovic and the assessment team to discuss criminal processes for purposes of planning the assessment of case files.
- On November 9, Ms. Mirijana Pavlovic, an attorney and ex-civil judge met with David Anderson, Barry Mahoney, Kathryn Fahnestock, Ljiljana Urzicic Stankovic and the assessment team to discuss civil processes for purposes of planning the assessment of case files.
- Also on November 9, Barry Mahoney, Kathryn Fahnestock, David Anderson and Ljiljana Urzicic Stankovic met with Ellen Kelly and representatives of the First Municipal and District Courts in Belgrade to review civil and criminal case files for purposes of planning the assessment of case files.
- On November 12 the first seminar on case management was held.
- On November 15-18, completed review of data collected (data cleaning) from the registers.
- On November 19-23, collected data from the K (criminal) case files in the Belgrade First Municipal and District Courts.
- On November 22-26 and 29, collected data from the criminal case Kž register (criminal appeals) in the Belgrade District Court.
- On November 30 through December 1, collected data from the criminal case Kž register in the Kragujevac District Court.
- From December 3-11, NCSC's case management consultant, Katie Fahnestock, was in Belgrade assisting with coordination of the data collection from case files.
- On December 12-17, collected data from the Novi Pazar Municipal and District Courts case files: K cases in the Municipal and District Courts, P and P1 cases in the Municipal Court, and Kž and Gž (civil appeals) cases in the District Court.
- On December 21-24, collected data from the Kragujevac Municipal and District Courts case files: K cases in the District Court, P and P1 from the Municipal Court, and Gž cases in the District Court.

- On December 27-30, collected data from the Belgrade First Municipal and District Courts case files: K cases in the District Court, P and P1 cases from the Municipal Court, and KŽ and GŽ cases from the District Court.

Court Library Assessment

- On November 17, Julie Tessmer and Dijana Jelovac met with Municipal and District Courts in Novi Pazar to assess their resource needs.
- On November 18, Julie Tessmer and Dijana Jelovac met with Municipal and District Courts in Kragujevac, as well as the Kragujevac Law Faculty.
- On November 19, Julie Tessmer and Dijana Jelovac met with the First Municipal and District Courts in Belgrade, as well as with the Belgrade Law Faculty.
- On November 20, David Anderson, Dijana Jelovac, and Julie Tessmer met with the Deputy of the Magistrate Court, Ms. Ivana Vlaovic, and Secretary of the Magistrate Court, Ms. Mina Borota to discuss the Serbia Rule of Law Project, plans to work with the magistrate court, and to assess the Belgrade Magistrate Court's information resource needs.
- On November 23, Julie Tessmer and Dijana Jelovac met with the Supreme Court librarian to discuss their library resources and needs.

APPENDIX 2.

Visits this quarter relating to law faculty activities included:

- On October 6, the COP and Junior Coordinator for Law Faculties attended the opening ceremony for the freshman class at the Business Law Faculty in Belgrade, which included a presentation by the Dean of the proposed activities of the Serbia Rule of Law Project;
- On October 12, the NCSC team met with Mr. Saša Gajin and Professor Zorana Kostic from the Business Law Faculty to discuss planning and coordination of the course on Legal Research and Writing;
- On October 20, Judge Radmila Dacic met with NCSC local staff to discuss planning activities in the law faculties;
- On October 21, the NCSC team met with Prof. Miodrag Jovanovic, the new Vice Dean for Science at the Belgrade Faculty of Law, to orient him on project activities to discuss future collaboration on EU law courses.
- On November 4, Prof. Jan Winter and the NCSC team met with Prof. Zlatko Stefanovic, professor for EU Law at the private Business Law Faculty, Judge Radmila Dragicevic Dacic, and Mr. Miodrag Jovanovic, Vice Dean at the public Belgrade Law Faculty to plan future EU Law courses.
- On November 15-23, Prof. James Moliterno and the NCSC team met with Prof. Radmila Vasic, from the public Belgrade Law Faculty, Prof. Zorana Kostic, from the private Business Law Faculty, and Judge Radmila Dragicevic Dacic to plan future Legal Research and Writing courses.
- Also on November 22, Prof. Moliterno and the NCSC team met with Prof. Saša Gajin at the Business Law Faculty to discuss improvements in law faculty administration
- On November 24, the NCSC team, Prof. James Moliterno, and Prof. Zorana Kostic met with Ellen Kelly at NCSC's office to discuss development of the Legal Research and Writing course at the Business Law Faculty and public Belgrade Law Faculty.
- On December 16, the COP and Senior Coordinator visited with Prof. Maja Stanivukovic to assist with preparations for the course on EU Law.
- Also on December 16, the COP and Senior Coordinator met with the Jessup moot court team at the Novi Sad Law Faculty to assist with their preparations.
- On December 20, the COP met with the Jessup moot court team at the Business Law Faculty to assist with their preparations.
- On December 21, the COP met with the Jessup moot court team at the Kragujevac Law Faculty to assist with their preparations.
- On December 22, the Senior Coordinator met with Judge Radmila Dragicevic Dacic to discuss development of the course materials for Legal Research and Writing.
- On December 27, the Senior Coordinator and Staff Translator met with Judge Radmila Dragicevic Dacic and Prof. Zorana Kostic to further discuss development of the course materials for Legal Research and Writing.

Law Library Assessment

- On November 17th-18th, Lesley Dingle and Danijela Barjaktarovic met with the librarian and Prof. Miodrag Jovanovic at the Belgrade Law Faculty
- On November 19th, Lesley Dingle and Danijela Barjaktarovic met with the librarian and Prof. Maja Stanivukovic at Novi Sad Law Faculty
- On November 22nd, Lesley Dingle and Danijela Barjaktarovic met with the librarian and Dean Radovan Vukadinovic at Kragujevac Law Faculty
- On November 23rd, Lesley Dingle and Danijela Barjaktarovic met with the librarian various professors at the Niš Law Faculty
- On November 24th, David Anderson, Julie Tessmer and Lesley Dingle also met with Ellen Kelly at the US Embassy to discuss the assessments of the libraries in the courts and law faculties. Thereafter, Julie Tessmer visited the US Embassy's library (American Corner) and Lesley Dingle met with the Institute of International Politics and Economics.

APPENDIX 3.

Effective Court Performance: Learning from Experience Belgrade, Hotel Palace, November 12 Serbia and Montenegro

This report summarizes the seminar on Effective Court Performance: Learning From Experience on November 12, 2004, which was organized by the National Center for State Courts (NCSC) on the USAID-funded Serbia Rule of Law Project. There were 35 participants in attendance, including: 1 representative from the Ministry of Justice (MOJ); 5 court presidents, 12 judges, 5 court secretaries, and 12 court registry staff.

The objectives of this seminar were to bring judges and court staff together to begin to:

1. Review preliminary findings from the diagnostic study in six project courts;
2. Identify additional data needs for the study;
3. Identify key values and characteristics of a well-functioning judicial system;
and
4. Identify key factors relevant to court improvement, e.g., strengths and obstacles.

Seminar materials are attached at Appendix 1.

INTRODUCTION

At the beginning of the seminar, the participants introduced themselves and identified their individual opinions on the biggest problem in performing work in the court. The main answers from the participants were as follows:

- Court presidents must think about everything, including the administration of the court. Many critical court problems often remain unsolved because of competing demands of the court presidents, or the administrative duties take too much time.
- The biggest problem is court management. Judicial assistants cannot perform management duties because courts lack a sufficient number of judicial assistants, or they are too young and lack the authority necessary for such a job.
- There is a high volume of cases. Because of an insufficient number of courtrooms, judges must share one courtroom, taking turns holding trials every other day.
- Media reports often diminish the reputation of the courts. Reporters and politicians often comment negatively on the courts or the performance of the judiciary.

- Irregular delivery of court subpoenas, decisions, sentences, etc. Mail service is unreliable and courts lack staff to accomplish personal delivery of mail in all instances.
- Working conditions are a problem, e.g., inadequate space for working and assisting parties at the registry offices, a large workload, and a small number of workers.
- Inaccuracy of information from the administrative organs and other institutions that coordinate with the courts, or the courts may have to wait for responses for even a couple of months.
- The courts often lack expert opinions from adequate professionals. The same experts are often engaged, and their reports frequently arrive late, even a couple of months after they are due.

Following the introductions, Judge Janko Lazarevic, Acting President of the Supreme Court, gave an opening address. In his speech, he expressed his appreciation to NCSC for organizing for the first time a thorough research on court efficiency. Judge Lazarevic voiced his opinion that the project courts participating in the detailed assessment (Novi Pazar, Kragujevac, and Beograd) were well chosen. He added that the biggest problems judges face are: inadequate court facilities; low quality of judiciary work performance, especially among judges with no prior experience; document delivery problems; and insufficient preparation of judges for their work.

SESSION ONE

Following Judge Lazarevic's speech, Kathryn Fahnstock, Senior Case Management Consultant to the Serbia Rule of Law Project, informed the participants on preliminary research results from the Municipal Courts for K (criminal cases) and P and P1 (civil and labor cases) registers, as well as second instance litigation registers at the District Courts in Belgrade, Novi Pazar and Kragujevac. The overheads are included in Appendix 1.

The participants were then asked to work in small groups to answer the following questions. These questions will be addressed over the course of the next two seminars.

- * **What three findings in the preliminary research results are significant or surprising to you? Why?**

GROUP 1

We are not surprised by the results. The reasons for these are the problems already described, both objective and subjective, which courts face on a daily basis.

GROUP 2

1. Criminal investigations are two times shorter than criminal cases. Is this because of an abuse of procedural rights or judicial professionalism during the criminal investigation?
2. Labor cases last longer than ordinary litigation in Novi Pazar.
3. There is a surprising number of pending Ki (criminal investigation) cases in Novi Pazar.

GROUP 3

1. It is surprising that the Belgrade District Court, which has the widest territorial jurisdiction and the largest number of complex cases, has a similar number of defendants per criminal case as other municipal and district courts.
2. It is surprising that even though the conditions in the Belgrade courts are most difficult, with the largest number of cases, the number of days to disposition is drastically smaller in comparison to other courts.
3. It is interesting that from the chart (on page 23 of the materials) we can conclude that the Novi Pazar District Court has more disposed criminal investigation cases compared to other courts in the mentioned chart, but less disposed criminal cases in comparison to the same courts.

GROUP 4

1. The number of pending labor cases in the Belgrade Municipal Court over two years old is 42.3%.
2. There is a large number of pending cases aged more than two years in civil litigation.

- * **What further questions come to mind as a result of the preliminary research results? What questions would you like to ask the database? List two or three items.**

GROUP 1

The essential purpose of this project is to make a realistic picture and offer models and effects of the present judicial system in Serbia. We are interested in knowing the experiences of other countries in transition? What kinds of solutions were used there?

GROUP 2

1. Was the Gž (second instance civil cases) register research done separately for P (civil litigation) and P1 (labor cases)?
2. What are the reasons for the large number of pending cases in the Novi Pazar Municipal Court?
3. Is the workload distributed evenly among the judges at the same courts?

GROUP 3

1. Why do investigation procedures last longer even though criminal acts in the municipal courts' jurisdiction are easier? They should require less work than cases in the district courts' jurisdiction, which face far more complex and difficult criminal acts.
2. Is the K and Ki register research done by the number of defendants, or by the number of criminal acts, or are they combined?
3. Was NCSC suggesting that courts should be disposing of cases out of their turn, i.e., first the easier ones that require less time and effort and afterwards the harder ones? Is it supposed to be that way, and is it allowed?

GROUP 4

1. Have the reasons for the pending caseload over one year old been considered in the diagnostic?
2. What are the numbers of cases per judge and per the number of assistants?
3. Is the application of Article 236 (continuances) and Article 237 (refusal of criminal complaint for the reason of little importance) of the Criminal Procedure Code important for court efficiency?
4. What are the American standards for number of cases per judge? i.e., What is the number of cases assigned to an individual judge by the type of case, and what is the normal duration of the procedure?

GROUP 5

1. Regarding calculating the number of cases in relation to number of defendants, is that a standard relevant for future reform or is it just for analytical purposes?
2. Regarding the two-year detention period given as an example in the investigation procedure, please explain.
3. Were the labor case samples taken randomly? Was the fact that the litigant represented himself or herself, or whether he or she was represented by counsel taken into consideration? This can be a question for the litigation cases as well.
4. When an investigation supplement is requested in a certain case, is that case then treated in the same way as a criminal case with several defendants.

SESSION TWO

Dr. Barry Mahoney, Senior Consultant to the Serbia Rule of Law Project, began his presentation on: "Learning from Experience," which included the following topics:

- Purpose of Courts
- Value and characteristics of a well – Functioning Judicial System
- "Traditional" Court System

- Common Obstacles to Court System improvement

After his presentation the participants were asked to work in small groups to answer the following questions:

- * **What are the three major obstacles to court improvement in Serbia (aside from inadequate funding and the legal framework)?**

GROUP 1

1. Inadequate personnel selection, in all judicial structures
2. Bad working conditions:
 - work space
 - inadequate technical conditions
3. Lack of an adequate educational program for the employees

GROUP 2

1. Public apathy and distrust of the legal system
2. Limited staff capability
3. Extra-judicial political influences

GROUP 3

1. Lack of space for judges, associates, and employees, resulting in a huge caseload and workload so individuals are not capable of completing and concentrating on each case individually in a manner that would lead to its efficient disposition
2. There is a need for more standardized case law within one court as well as among different courts of equal jurisdiction
3. Distrust in our judicial system for many reasons

GROUP 4

1. Instability of public institutions
2. Lack of judicial independence
3. Considerable personnel changes
4. Insufficient court influence on judge selection
5. Insufficient public understanding of possibilities the current legislation offers

GROUP 5

1. Inadequate assistance of other bodies and institutions (police, welfare, etc.) in obtaining information substantial for procedure (takes a long time)
2. Insufficient attention to selecting court staff, especially in higher courts. The basic criteria should be: work results; and work experience

3. Public distrust of the judge's authority

* **What external institutions and factors can affect (for better or worse) improvement of the judiciary?**

GROUP 1

1. Executive authority
2. Legislative authority
3. Media
4. Bar Association

GROUP 2

1. Media (objective and professional reporting)
2. Raising criteria for judge selection
3. Stronger interrelation between scientific institutions (e.g., law faculties) and judges
4. Exchange of information (e.g., court practice) among judges
5. Strengthening obligation of other bodies to act according to court findings

GROUP 3

1. Several organizations that would seriously approach judicial problems and make efforts to solve them
2. Media

GROUP 4

1. State institutions should respect the court which would influence others (public) as well
2. Material status of the court should not depend primarily on the government
3. The media, and the judiciary's relationship with them
4. The bar association, and its relationship to the courts

GROUP 5

1. Executive authority interference in judicial policy
2. Lack of cooperation with other institutions, i.e., the Ministry of Justice, Ministry of Interior Affairs (Police Department), etc.
3. Need to create a positive mood towards judiciaries, i.e., authority strengthening

SESSION THREE

Dr. Barry Mahoney continued his presentation: “Developing Effective Court Planning and Management,” which included the following topics:

- Key components of developing effective court planning and management
- Key elements of successful courts and court organizations

The presentation is provided at Appendix 1. Work in groups followed with participants answering the following questions:

* **Which components [of effective court planning and management] now exist?**

GROUP 1

Goals

GROUP 2

1. Judicial commitment
2. Registry recordkeeping

GROUP 3

1. Leadership
2. Caseload management procedures
3. Backlog reduction/inventory control

GROUP 4

1. Leadership
2. Goals
3. Backlog reduction

GROUP 5

1. Leadership
2. Goals
3. Information
4. Communications
5. Caseload management procedures
6. Judicial commitment
7. Staff involvement
8. Education and training
9. Mechanisms for accountability
10. Backlog reduction/inventory control

*** Which key components need improvement?**

GROUP 1

1. Leadership
2. Information
3. Communications
4. Caseflow management procedures
5. Judicial commitment

GROUP 2

Judicial commitment

GROUP 3

1. Goals
2. Judicial commitment
3. Staff involvement
4. Education and training
5. Mechanisms for accountability

GROUP 4

1. Information
2. Communications
3. Judicial commitment
4. Staff involvement
5. Mechanisms for accountability

GROUP 5

1. Leadership
2. Goals
3. Information
4. Communications
5. Caseflow management procedures
6. Judicial commitment
7. Staff involvement
8. Education and training
9. Mechanisms for accountability
10. Backlog reduction/inventory control

*** Which key components are absent?**

GROUP 1

1. Education and training
2. Mechanisms for accountability

GROUP 2

1. Structures for Consultation and Feedback
2. Financial Management Capability

GROUP 3

1. Information
2. Communications

GROUP 4

1. Caseload management procedures
2. Education and training (especially inland)

GROUP 5

1. Leadership
2. Goals
3. Information
4. Communications
5. Caseload management procedures
6. Judicial commitment
7. Staff involvement
8. Education and training
9. Mechanisms for accountability
10. Backlog reduction/inventory control

CONCLUSION

At the conclusion of the seminar Kathryn Fahnestock informed the participants about the schedule of future meetings in February and March. The participants were asked to complete the Case Management Self-Assessment Questionnaire and to return it to NCSC by e-mail or fax by December 31, 2004. This questionnaire will assist the NCSC team to think about the issues and needs to be discussed at the next case management seminar in February.

Effective Court Performance: Learning From Experience
November 12, 2004

Agenda

- 9:00 Welcome
David Anderson, Chief of Party, Serbia Rule of Law Project
Janko Lazarević, Acting President, Supreme Court of Serbia
Meeting Objectives and Introduction of Participants
Kathryn Fahnestock, Senior Consultant to Serbia Rule of Law Project
Introduction of Observers
David Anderson
- 10:10 Break
- 10:25 Preliminary Research Results
Kathryn Fahnestock
Small Group Discussion
Short Break
Report Back and Discussion
Kathryn Fahnestock
Dr. Barry Mahoney, Senior Consultant to Serbia Rule of Law Project
- 12:15 Group Lunch
- 13:15 Learning from Experience
Dr. Barry Mahoney
Small Group Discussion
Report Back and Discussion
Dr. Barry Mahoney
Kathryn Fahnestock
- 14:45 Break
- 15:00 Developing Effective Court Planning and Management
Dr. Barry Mahoney
Small Group Discussion
Short Break
Report Back and Discussion
Dr. Barry Mahoney
Kathryn Fahnestock
- Preparation for January Meeting
Seminar Schedule
Kathryn Fahnestock
- 16:30 Adjournment
David Anderson

INFORMATION ON NATIONAL CENTER FOR STATE COURTS (NCSC)

The National Center for State Courts (NCSC) was established in the United States in 1971 at the behest of the Chief Justice of the Supreme Court, Warren Burger. Its membership is comprised of all US state courts. The mission of NCSC was, and continues to be, to improve the administration of justice through leadership and service to the courts, and serve as an information clearinghouse so that innovations in one court can benefit all courts. Since its creation, NCSC has played a key role in the development of court administration worldwide, serving as a comprehensive resource to governments, courts, and related justice system components seeking innovative solutions to justice system problems. Important NCSC initiatives include:

- Improving case management and court administration;
- Developing the skills of justice system leaders, judges, and court staff;
- Promoting the use of technology to improve court operations;
- Developing in partnership with courts standards for evaluating performance of the courts and how well they serve the public, such as the Trial Court Performance Standards;
- Working to improve public trust and confidence in the courts;
- Promoting partnerships throughout the justice system; and
- Applying experiences to improve the rule of law worldwide.

The International Division of NCSC was created in 1992 to assist courts, legislators, and other justice system components throughout the world. To date, it has carried out more than 70 assignments worldwide. The International Division is staffed with a multi-disciplinary team of dedicated and internationally experienced individuals. This staff is well versed in policy and program development, all aspects of court management and administration, including technology applications, and system assessments related to the courts and other related agencies. Having access to other NCSC staff and a large pool of international consultants with expertise in a broad range of areas relevant to enhancing the rule of law, civil society and the administration of justice, the division provides timely and cutting edge assistance in the form of technical assistance, training and other education programs.

SERBIA RULE OF LAW PROJECT

Duration: April 2004 – May 2006
Donor: US Agency for International Development (USAID)
Implementer: National Center for State Courts (NCSC)

The Serbia Rule of Law Project addresses two areas of concern: 1) increasing efficiency and reducing backlog in Serbia's non-commercial courts; and 2) providing assistance to Serbian law faculties. This project does not include commercial courts, since they are the subject of another USAID-funded project of assistance. This description defines project activities per its Year One Work Plan through May 2005. Subsequent activities will be consistent with these and further defined in NCSC's Year Two Work Plan.

While there are many reports that cases in Serbia's courts are considerably backlogged and that even simple cases take years to resolve, there have been no independent studies in the non-commercial courts looking at the extent of backlogs or the reasons why they exist. The work with the courts will begin therefore with a diagnostic to determine, in a statistically valid fashion, caseload and processing times in Serbia by type of court and types of cases, and to help identify the most common causes of backlog and delay. The diagnostic will focus on the following courts: Belgrade Magistrate, Belgrade 1st Municipal, Belgrade District, Kragujevac Municipal, Kragujevac District, Novi Pazar Municipal, and Novi Pazar District. Time permitting, additional courts may be added later. The diagnostic in the Municipal and District Courts will continue from August 2004 through March 2005. The diagnostic in the Magistrate Court(s), and possibly the Supreme Court, will follow.

Based on the diagnostic study, NCSC will host a series of meetings with the project courts to develop recommendations and action plans on amending procedural rules, and reducing processing times and case backlogs. The recommendations will cover short-, medium- and long-range strategies. These plans and recommendations will be captured in a Final Report to be released in May 2005.

NCSC will assist the law faculties with various activities to improve the quality of legal education and to bring legal education in Serbia also in line with EU members and accession states. The project law faculties include the public law faculties at Belgrade, Kragujevac, Nis, Novi Sad, and the Belgrade Business Law Faculty. Curriculum development will include new courses at select law faculties on: Legal Research and Writing, European Union Law, and Legal Ethics. These courses will be designed with the objective of introducing more interactive teaching and practical exercises for students. Moot court based on the annual Jessup International Law Moot Court Competition will be introduced in all of the project law faculties. Seminars will be provided on: Teaching Methods for professors and teaching assistants; and Implementation of the Bologna Declaration. NCSC will also assist with improving administration at select law faculties.

NCSC will assist both the courts and law faculties to improve resources and access to information. Assessments will be conducted of both the project court libraries and the

law faculty libraries, and resources and materials will be procured based on recommendations from the assessments. In addition, NCSC will host a project website, which will feature project information, materials and resources developed in cooperation with the law faculties and courts, and distribute a regular newsletter on project activities.

In all these tasks, NCSC will coordinate with the relevant offices and officials at the Ministry of Justice, Ministry of Education and Sport, the relevant courts, including the Supreme Court, and other projects assisting with court and law faculty reform.

Within USAID, the project is managed Ellen Kelly, Senior Rule of Law Advisor.
NCSC may be contacted at:

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**Effective Court Performance: Learning from Experience
Belgrade, Hotel Palace, November 12
Serbia and Montenegro**

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TRAINING TEAM BIOGRAPHICAL INFORMATION

Katie Fahnestock

Katie Fahnestock has over twenty-five years of experience working in judicial administration and education, as well as with local non - governmental organizations, to translate human rights guarantees into the everyday life of the community. Her work has focused on those jurisdictions marked by poverty, marginalized populations, and systemic challenges to judicial neutrality and independence.

Until February 2004 she was Chief of Party for the National Center for State Courts' Municipal Court Improvement Project in Croatia preceded by service as Deputy Chief of Party for NCSC's Mexico-US Judicial Partnership for Justice. Ms. Fahnestock worked extensively with judges and NGOs in eastern Ukraine as well as with judicial improvement issues in Haiti, Indonesia and other countries. For eighteen years she was Director of the Rural Justice Center (RJC), a national organization that focused on technical assistance and education for both urban and rural jurisdictions in the areas of case flow management, institutional development, and access to justice. Prior to RJC Fahnestock served on the staff of the Justice Institute and various national non - governmental organizations.

With extensive experience in diagnosis and solution of case flow problems, backlog definition and remedies, and delay reduction Ms. Fahnestock focuses on court administration to protect due process and transparency rights and court practices that can enhance equal protection and access to justice. She designs and implements multidisciplinary collaborative processes among court and community leaders to address justice system problems including family violence and gender bias. Fahnestock has served as faculty for the National Judicial College, the National Conference of Family and Juvenile Court Judges, the National Conference of State Trial Judges, the American Bar Association, and state judicial education programs. She founded community-based judicial reform projects in North Carolina, Indiana, and Missouri that improved local justice systems in such areas as bail policy, pretrial detention, legal services for indigent

defendants, and treatment of minorities and women. She is currently an independent consultant and lives in Marshfield, Vermont.

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Dr. Barry Mahoney

Dr. Mahoney is President Emeritus of The Justice Management Institute (JMI), a Denver-based non-profit organization that conducts research, educational programs, and technical assistance focused on the operations of courts and other organizations involved in the administration of justice. He helped to found JMI in 1993, and served as JMI's President from December 1993 to January 2002.

As President of JMI, Dr. Mahoney was responsible for JMI's development as an organization and for its overall management and program development. He has also directed numerous JMI projects in areas that include caseflow and trial management, court record-making technologies, pretrial services, drug court planning and implementation, pro se assistance programs, indigent defense services, and education and professional development for court managers. During 2004, he is directing JMI projects on strengthening rural courts and on developing more reliable and effective criminal justice systems, and is also leading an assessment of pretrial release/detention decision-making in Harris County, Texas.

In addition to his work with JMI, Dr. Mahoney is serving as a consultant for the American Bar Association in drafting the standards and commentary for new ABA *Standards on Speedy Trial and Timely Resolution of Criminal Cases*; the National Association of Pretrial Services Agencies (NAPSA) as the Reporter for new NAPSA *Standards on Pretrial Release*; and for the Council of State Governments as an advisor and faculty member for its initiative aimed at improving the responses of criminal justice system entities to mentally ill persons. He has also been doing independent international consulting on justice system improvement initiatives in Mexico and Serbia.

Dr. Mahoney's earlier professional experience includes extensive experience in litigation, research, teaching, and consulting. He has led over 20 national scope research and technical assistance projects as well as many projects focused on justice system improvements in single jurisdictions. He has written a number of books and articles on justice system issues, and has served as a faculty member for educational programs conducted by JMI, the National Judicial College, the Institute for Court Management, the National Association for Court Management, and many other national, state, and local

organizations in the US. In earlier years, he had extensive litigation experience handling criminal and constitutional law cases in both state and federal trial and appellate courts as an Assistant Attorney General of the State of New York. He has also been an Associate Director of the National Center for

State Courts, the Director of the London Office of the Vera Institute of Justice, and Director of Research at the Institute for Court Management.

Dr. Mahoney received his undergraduate degree from Dartmouth College and his law degree from Harvard Law School. He also holds a Ph.D. in political science from Columbia University.

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WELCOME

**“EFFECTIVE COURT
PERFORMANCE:
LEARNING FROM
EXPERIENCE”**

November 12, 2004

Seminar Objectives

The objectives of this seminar are to:

- **Review preliminary findings from the diagnostic study;**
- **Identify additional data needs for the study;**
- **Identify key values and characteristics of a well-functioning judicial system;**
- **Identify key factors relevant to court improvement:**
 - **Strengths**
 - **Obstacles**

Today's Agenda

- 9:00** **Welcome; Meeting Objectives and Agenda; Introductions**
- 10:10** **Break**
- 10:25** **Preliminary Research Results**
- 12:15** **Lunch**
- 13:15** **Learning from Experience**
- 14:45** **Break**
- 15:00** **Developing Effective Court Planning and Management**
- Short Break**
- Preparation for January Meeting; Scheduling**
- 16:30** **Adjournment**

Introductions

Please briefly introduce yourself.

- **Name**
- **Court**
- **What is one of your biggest headaches in doing your job? (Please do not use lack of funding or the legal framework.)**

Example: "My name is Judge Vuk Karadjic from the Jabuka Municipal Court and one of my biggest headaches is that expert witnesses never produce their reports on time."

Diagnostic Study Methodology

Currently Participating Courts:

- **Belgrade District Court**
- **Kragujevac District Court**
- **Novi Pazar District Court**

- **Belgrade First Municipal Court**
- **Kragujevac Municipal Court**
- **Novi Pazar Municipal Court**

Diagnostic Study Team:

1. Aleksandar Dimitrov

2. Aleksa Ognjanović

3. Labud Ražnatović

4. Bojan Stanivuk

5. Irena Lakobrija

6. Andrea Feješ

7. Zorica Spasojević

The research and analysis involves:

1) Collection of important case management data for key case types:

Current case types:

- **Criminal**
- **Criminal Investigation**
- **Civil Litigation, including Labor (Municipal Courts only)**
- **Civil Appeals (District Courts only)**

2) Analyze data;

3) Report to participating courts.

4) Collaborate with participating courts, Supreme Court and Ministry of Justice to find solutions to case flow problems identified.

- **Seminars in November, January and March**
- **Action Planning in March**
- **Implementation of plans in Spring 2005**

What data are we collecting ?

From the Registers (K, KI, P, P1, Gž):

- **Caseload profile (types of cases filed between January 1 and June 30, 2004)**
- **A sample of 200 cases disposed between January 1 and June 30, 2004**
- **A sample of 500 pending cases**

From Closed Case Files:

- **100 Criminal cases (K) or all disposed between 1/1/04 and 30/6/04**
- **100 Civil Cases (P/P1 or 2P) or all disposed between 1/1/04 and 30/6/04**
- **50 Civil Appeals cases (Gž) or all disposed between 1/1/04 and 30/6/04**

Data collection form – Criminal K

1.	Control number	
2.	Data collector	
3.	Date of capture	/ /
4.	Court	
5.	Case number	
6.	Case year	
7.	Date of receipt	/ /
8.	Re-filed No, 1- Yes	0- (0) (1)
9.	Prosecution 1. Public Prosecutor, 2. Physical Person, 3. Legal Person	(1) (2) (3)
10.	Number of the defendants	
11.	Gender of the defendant 0-No, 1- Masculine, 2- Feminine	
12.	Date of birth of the defendant	/ /
13.	Criminal act according to the indictment 1. Serbian Criminal Code, 2. Other Criminal Law, 3. Not criminal	(0) (1)(2) (3)
14.	Number of the 1st article	
15.	Number of the articles charged	
16.	In detention from	/ /
17.	In detention until	/ /
18.	Objection versus the indictment submitted on	/ /
19.	Decision of the panel outcome 0. No, 1. Accepted, 2. Rejected	(0) (1) (2)
20.	Decision of the panel date	/ /
21.	Prosecutor's appeal to a KV decision supporting defendant objection 0. No, 1. Accepted, 2. Rejected	/ /
22.	Prosecutor's appeal to a KV decision date	/ /
23.	Hearing date	/ /
24.	Type of disposition 1. Judge dismissal at any stage, 2. Refusal of the indictment, 3. The accused- liberation from accusation, 4. Guilty finding, 5. Transfer, 6. Returned to the investigative judge, 7. Disposed by Article No. 209 or 236, 8. Merged, 9. Separated	

25.	Disposition date	/ /
26.	The conviction article code 1. Serbian Criminal Code, 2. Other Criminal Law, 3. Not criminal	(0) (1) (2) (3)
27.	The 1 st conviction article number	
28.	Number of the conviction articles	
29.	Days	
30.	Amount	
31.	Sentence elements 1. Judicial warning pronounced, 2. Decision about educational measures, 3. Decision about security measures	(0) (1) (2) (3)
32.	Date of decision's mailing	/ /
33.	Prosecutor 1° instance appeal	/ /
34.	Prosecutor 1° instance appeal rejected	/ /
35.	Prosecutor appeal 2° instance decision	/ /
36.	Defendant 1° instance appeal	/ /
37.	Defendant 1° instance appeal rejected	/ /
38.	Defendant appeal 2° instance decision	/ /
39.	Date of Legal Finality	/ /
40.	Enforcement of the decision	/ /
41.	Prosecutor extra remedies 0. No 1. Yes,	(0) (1)
42.	Defendant extra remedies 10. No 1. Yes,	(0) (1)
43.	Re-filed (again) 0. No 1. Yes,	(0) (1)
44.	Fallout 1. Judicial review, 2. After trial begins, 3. Presuda	(1) (2) (3)
45.	1 st hearing date	/ /
46.	Number of hearings 0. No, Number, 27. Can't tell the number	(0) Number__ (27)

Data Collection Form – Civil litigation P

1.	Control number	
2.	Data collector	
3.	Date of capture	/ /
4.	Court	
5.	Case number	
6.	Case year	
7.	Date of receipt	/ /
8.	Re-filed No, 1- Yes	0- (0) (1)
9.	Plaintiff 1.-Individual, 2.-Legal , 3.- Government, 4.-Utility	(1) (2) (3) (4)
10.	Number of Plaintiffs	
11.	Plaintiff gender 0- No gender, 1- Masculine, 2- Feminine	(0) (1)(2)
12.	Defendant 1.-Individual 2.-Legal 3.-Government 4.-Utility	(1) (2) (3) (4)
13.	Number of Defendants	
14.	Defendant gender 0- No gender, 1- Masculine, 2- Feminine	(0) (1)(2)
15.	Cause 1. Payment, 2. Compensation for damages, 3. Dept, 4. Establishment, 5. Divorce, 6. Allowance, 7. Other	(0) (1) (2) (3) (4) (5) (6) (7)
16.	Secondary causes No (0), Yes (Number)	
17.	Value 0- do not require, Amount (Din)	
18.	Objection to the payment order	/ /
19.	Preliminary hearing	/ /
20.	1st hearing date	/ /
21.	Last hearing date	/ /
22.	Number of hearings 0. Empty, Number, 27. Can't tell the number	(0) Number_ (27)
23.	Suspension of the cause	/ /
24.	Disposition	/ /

25.	Type of Disposition 1. Adjudication of facts, 2. Settlement, 3. Default, 4. Complaint rejected-Dismissal for lack of prosecution, 5. Defendant admits, 6. Complaint rejected for other reasons, 7. Merged, 8. Transferred, 9. Break, 10. Complaint withdrawn	(1) (2) (3) (4) (5) (6) (7)(8) (9)(10)
26.	Date of sentence mailing	/ /
27.	Plaintiff 1° instance appeal	/ /
28.	Plaintiff 1° instance appeal rejected	/ /
29.	Plaintiff 2° outcome	/ /
30.	Plaintiff 2° outcome code 1. Appeal rejected 2. Confirmed sentence, 3. Sentence – Abrogation, 4. Sentence modified 5. Complaint rejected (article 369).	(1) (2) (3) (4) (5)
31.	Plaintiff revision	/ /
32.	Plaintiff revision rejected	/ /
33.	Plaintiff revision outcome	/ /
34.	Plaintiff revision outcome code 1. Granted, 2. Denied 3. Modified	(1) (2) (3)
35.	Defendant 1° instance appeal	/ /
36.	Defendant 1° instance appeal rejected	/ /
37.	Defendant 2° outcome	/ /
38.	Defendant 2° outcome code 1. Appeal rejected 2. Confirmed sentence, 3. Sentence – Abrogation, 4. Sentence modified 5. Complaint rejected (article 369).	(1) (2) (3) (4) (5)
39.	Defendant revision	/ /
40.	Defendant revision rejected	/ /
41.	Defendant revision outcome	/ /
42.	Defendant revision outcome code 1. Granted, 2. Denied 3. Modified	(1) (2) (3)
43.	Date of legal finality	/ /
44.	Modifications of the decree absolute 0-No, Number	
45.	Fallout 1-Judic.review 2-Between 1 and 3 3- 1st hearing 4- Between 3 and 5 5- main hearing 6- Between 5 and 7 7- Decision 8- Can not determine	(1) (2) (3) (4) (5) (6) (7)(8)
46.	Re-filed (again) 0- No, 1- Yes	(0) (1)

What can we learn from data samples?

- **Time to disposition (range, median and 90th percentile)**
 - ◆ **By type of case**
 - ◆ **By type of parties:**
 - **Litigants;**
 - **Criminal defendants:**
 - **Complaining witnesses**
 - ◆ **By type of disposition**
 - ◆ **By type of outcome**

- **Age and stage of pending cases**
 - ◆ **By type of case (criminal, civil, and most common charges and causes of action)**
 - ◆ **Aged by months and quarters**

- **Intervals between significant events in the life of a case (filing, appeal to panel, hearing, decision, sent to enforcement and so forth)**

- **Pretrial detention times for Criminal and Criminal Investigation cases**

- **Similarities and differences in profile of filed, disposed and pending cases (do the judicial quotas produce disposition patterns?)**
- **Similarities and differences in record keeping practices in the court registers**
- **Continuances: how many and why?**
 - ◆ **By type of case**
 - ◆ **By type of litigants**
 - ◆ **By type of outcome**
 - ◆ **In relation to disposition time**
- **Failures to appear (defendants, witnesses, expert witnesses, attorneys, prosecutors?)**
- **Reasons for re-numbering cases, mergers, separations**
- **Judicial workload**
 - ◆ **Number and length of written decisions to dispose of different case types**
 - ◆ **Number of hearings**

Ranges, Medians and Percentiles

We will use three terms to describe research findings in a way that is truly representative of the whole:

- **Range**
- **Median**
- **Percentile**

The Range is simply the lowest number or value and the highest number or value in a set of numbers.

For example, if the following numbers represent the number of days to disposition of nine civil cases in a data sample, then the Range is 15 to 3,047 days.

Time to disposition of cases in sample:

15

210

333

387

392

485

996

1,384

3,047

Median:

A value in an ordered set of values below and above which there is an equal number of values or which is the arithmetic mean of the two middle values if there is no one middle number.

For example: Time to disposition (in days) of cases in sample:

**15
210
333
387
392 Median
485
996
1,384
3,047**

Medians are more representative than averages which can be skewed by a single high or low value. For example, the Average days to disposition in the above data sample is 805,4.

90th Percentile:

In a set of numbers, the 90th percentile is the number which is higher than all but ten percent of the total array of numbers.

For example:

Number of days from filing to disposition:

**40
52
65
85
102
128
157
165
194 90th PERCENTILE
215**

**Number of Defendants Per
Criminal Case Number**

Municipal	Ki	K
Belgrade 1	1.7	1.4
Kragujevac	1.2	1.3
Novi Pazar	1.2	1.2
District	Ki	K
Belgrade	1.7	1.4
Kragujevac	1.3	1.3
Novi Pazar	1.3	1.3

PLEASE NOTE: The data in this chart is preliminary and has not been verified. It is presented for purposes of illustration and discussion at a seminar on November 12, 2004 and should not be used for other purposes. The data may be revised on the basis of further examination.

Municipal Courts

Days to Disposition: Criminal Investigation Cases

	Register	Range	Median	90 th Percentile
Belgrade 1	Ki	0-617	58	212
Kragujevac	Ki	Research in progress		
Novi Pazar	Ki	0-868	91	458

Days to Disposition: Criminal Cases

	Register	Range	Median	90 th Percentile
Belgrade 1	K	0-2986	167	497
Kragujevac	K	Research in progress		
Novi Pazar	K	6-2617	281	996

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District Courts

Days to Disposition: Criminal Investigation Cases

	Register	Range	Median	90 th Percentile
Belgrade	Ki	1-967	47	258
Kragujevac	Ki	0-417	67	257
Novi Pazar	Ki	1-609	19	124

Days to Disposition: Criminal Cases

	Register	Range	Median	90 th Percentile
Belgrade	K	4-3097	101	360
Kragujevac	K	7-714	113	392
Novi Pazar	K	8-2968	208	716

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Municipal Courts

Days to Disposition: Civil Litigation Cases

			Days to Case Disposition		
Court	Register	% Total	Range	Median	90th Percentile
Belgrade Municipal 1	P+P1	100	5-3123	287	1064
	P	81	5-3123	326	1064
	P1	19	8-2529	477	895
Kragujevac Municipal	P+P1	100	0-5324	331	1135
	P	51	16-5324	136	1114
	P1	49	0-3969	386	598
Novi Pazar Municipal	P+P1	100	1-5478	225	1269
	P	69	1-5478	299	1525
	P1	31	20-2108	124	678

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District Court

Days to Disposition: Civil Appeal Cases

	Register	Range	Median	90 th Percentile
Belgrade	Gz	11-524	84	227
Kragujevac	Gz	6-605	119	241
Novi Pazar	Gz	0-312	28	79

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Municipal Courts

Age of Pending Caseload: Criminal Investigation

Ki Register							
<i>Courts</i>	Oldest case	0-90 days	91-180 days	181-270 days	271 days-1 year	1-2 years	2+ years
Belgrade 1	920	67.7%	17.2%	7.0%	5.8%	1.9%	0.4%
Kragujevac	1497	72.4%	18.8%	1.5%	0.4%	4.2%	2.7%
Novi Pazar	1064	31.4%	17.9%	20.9%	9.1%	17.6%	3.1%

Age of Pending Caseload: Criminal Cases

K Register							
<i>Courts</i>	Oldest case	0-90 days	91-180 days	181-270 days	271 days-1 year	1-2 years	2+ years
Belgrade 1	3070	11.4%	15.3%	12.8%	11.4%	28.2%	20.9%
Kragujevac	2675	9.5%	19.6%	14.6%	11.9%	27.3%	16.9%
Novi Pazar	3053	20.5%	15.6%	9.3%	7.3%	21.3%	25.9%

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District Courts
Age of Pending Caseload:
Criminal Investigation

Ki Register							
<i>Courts</i>	Oldest case	0-90 days	91-180 days	181-270 days	271 days-1 year	1-2 years	2+ years
Belgrade 1	635	55.5%	18.8%	15.2%	2.9%	7.6%	0%
Kragujevac	654	52.7%	14,3%	2.7%	6.2%	24.1%	0%
Novi Pazar	183	70.6%	23.5%	5.9%	0%	0%	0%

Age of Pending Caseload:
Criminal Cases

K Register							
<i>Courts</i>	Oldest case	0-90 days	91-180 days	181-270 days	271 days-1 year	1-2 years	2+ years
Belgrade 1	2413	18.3%	16.4%	13.9%	9.8%	25.2%	16.4%
Kragujevac	1849	22%	18.6%	9.6%	4.2%	31.3%	14.3%
Novi Pazar	3065	24.4%	19.1%	5.2%	6.9%	11.3%	33.1%

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Municipal Courts

Age of Pending: Civil Litigation Cases

P and P1 Register							
<i>Courts</i>	Register	0-90 days	91-180 days	181-270 days	271 days-1year	1-2 years	2+ years
Belgrade1	P+P1	8.1%	10.7%	13.4%	13.8%	24.3%	29.7%
	P	7.6%	13.4%	16.6%	15.3%	22.1%	25%
	P1	9.2%	3.5%	4.9%	9.9%	30.2%	42.3%
Kragujevac	P+P1	23.6%	11.0%	9.6%	5.2%	31.8%	18.8%
	P	19.3%	11.7%	7.6%	7.6%	16.4%	37.4%
	P1	25.8%	10.7%	10.7%	4.1%	39.4%	9.3%
Novi Pazar	P+P1	13.8%	33.7%	11.2%	6.3%	10.5%	24.5%
	P	7.3%	34.9%	10.3%	5.4%	10.8%	31.3%
	P1	33.3%	30.1%	13.8%	8.9%	9.8%	4.1%

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District Courts

Age of Pending Caseload: Civil Appeal cases

Gz Register							
<i>Courts</i>	Oldest case	0-90 days	91-180 days	181-270 days	271 days-1 year	1-2 years	2+ years
Belgrade 1	495	56.2%	28.9%	12.0%	2.3%	0.6%	0.0%
Kragujevac	977	39.6%	35.5%	18.6%	5.3%	0.9%	0.1%
Novi Pazar	156	70.9%	29.1%	0.0%	0.0%	0.0%	0.0%

PLEASE NOTE: The data in this chart is preliminary and has not been verified. It is presented for purposes of illustration and discussion at a seminar on November 12, 2004 and should not be used for other purposes. The data may be revised on the basis of further examination.

Small Group Discussion

Please discuss the following questions:

- 1. What three findings in the preliminary research results are significant or surprising to you? Why?**
- 2. What further questions come to mind as a result of the preliminary research results? What questions would you like to ask the data base? List two or three items.**

Summarize your answer on the overhead forms. Appoint one of your group to briefly (3-4 minutes) report your findings.

You will have 20 minutes for discussion.

What three findings in the preliminary research results are significant or surprising to you? Why?

1.

2.

3.

What further questions come to mind as a result of the preliminary research results? What questions would you like to ask the data base? List two or three items.

1.

2.

3.

PURPOSES OF COURTS

- 1. To do individual justice in individual cases**
- 2. To appear to do justice—*i.e.*, demonstrate the workings of a fair and responsible judiciary**
- 3. To provide an impartial forum for the resolution of legal disputes**
- 4. To protect against the arbitrary use of governmental power**
- 5. To establish a formal record of legal status**

Values and Characteristics of a Well-Functioning Judicial System

- 1. Fair processes**
- 2. Accessible by all: affordable, easy to use**
- 3. Competent and well-trained judiciary**
- 4. Prompt/timely resolution of cases**
- 5. Adherence to relevant laws**
- 6. Impartial: free from bias**
- 7. Similar cases handled in a similar fashion**
- 8. Free from government and political influence**
- 9. Safe and secure court environment**
- 10. Respectful of all participants**
- 11. Protection of basic human rights**
- 12. Well managed: sound use of resources**
- 13. Transparent processes/accountability**
- 14. Public trust, confidence, and support**

“Traditional” Court Systems

- **Little or no pro-active administrative leadership at either national or local level**
- **Executive Branch sets court budgets, resource levels, and many court procedures**
- **No investment in training for judges or staff**
- **No research capability**
- **Archaic court procedures and record-keeping methods**
- **Lack of reliable information and statistics for planning and management**
- **No concept of “judicial branch community”**
- **In many courts, heavy backlogs and lengthy delays**
- **No systemic approach to managing caseflow**
- **Little interaction between courts and community**
- **Court practices and procedures rarely revised**

COMMON OBSTACLES TO COURT SYSTEM IMPROVEMENT

- 1. Limited resources**
- 2. Public apathy; distrust of legal system**
- 3. Lack of essential information**
 - About court operations and performance
 - About judicial system performance
 - About resource allocation and utilization
- 4. Lack of judicial enthusiasm for “reform”**
- 5. Limited staff capabilities**
- 6. Lack of clear judicial system goals**
- 7. Conflicting priorities and perspectives**
 - Central administration v. local courts
 - Judges’ perspectives v. administrators’ views
- 8. Extra-judicial political influences on policy**
- 9. Lack of a “judicial branch community”**
- 10. No tradition of innovation, experimentation or collaborative problem-solving**
- 11. Limited capacity for in-service judicial branch education and training**

Small Group Discussion

Please discuss the following questions:

- 1. What are three major obstacles to court improvement in Serbia (besides inadequate funding and the legal framework)?**
- 2. What external institutions and factors can affect (for better or worse) improvement of the judicial system?**

Summarize your answer on the overhead forms. Appoint one of your group to briefly (2-3 minutes) report your findings.

You will have 20 minutes for discussion.

What are three major obstacles to court improvement in Serbia (besides inadequate funding and the legal framework)?

1.

2.

3.

What external institutions and factors can affect (for better or worse) improvement of the judiciary?

1.

2.

3.

4.

5.

DEVELOPING EFFECTIVE COURT PLANNING AND MANAGEMENT

Key Components

- 1. Goals (or standards) for system performance**
- 2. Records management/court information**
 - Accurate and accessible information on cases
 - Data on court organization and operations
 - Data on court performance in relation to goals
- 3. Ability to analyze and use information**
 - For identifying and solving operational problems
 - For budgeting and planning
- 4. Structures for Consultation and Feedback**
 - Judicial system bodies
 - Outreach to other institutions and the community
- 5. Financial Management Capability**
- 6. In-service Education and Training Capability**
- 7. Capacity for Innovation and Experimentation**
- 8. Capacity for Synthesis and Priority Setting**
- 9. Leadership Development**
- 10. Capacity for Enabling Accountability**

SUCCESSFUL COURTS AND COURT ORGANIZATIONS

KEY ELEMENTS

- 1. LEADERSHIP**
- 2. GOALS**
- 3. INFORMATION**
- 4. COMMUNICATIONS**
- 5. CASEFLOW MANAGEMENT PROCEDURES**
- 6. JUDICIAL COMMITMENT**
- 7. STAFF INVOLVEMENT**
- 8. EDUCATION AND TRAINING**
- 9. MECHANISMS FOR ACCOUNTABILITY**
- 10. BACKLOG REDUCTION/INVENTORY CONTROL**

Small Group Discussion

Please discuss the following questions:

- 1. Which of these components now exist?**
- 2. Which of these components need improvement?**
- 3. Which of these components are absent?**

Summarize your answer on the overhead forms. Appoint one of your group to briefly (2-3 minutes) report your findings.

You will have 25 minutes for discussion.

Which of these components now exist?

Which key components need improvement?

Which key components are absent?

Preparation for January Meeting

Purpose: to begin thinking about the issues we will discuss at the Case Management Seminar in January.

Please complete the Case Management Self Assessment questionnaire and return it to NCSC via email (if you like, we can send it to you electronically), post, or fax by December 31, 2004.

Group members from the MOJ can use the Municipal or District Courts as a whole when preparing their responses.

Schedule of Future Meetings

**Case Management and Court Performance
Standards**

January 27 and 28, 2005

**Advanced Case Management and
Case Management Strategy Planning**

March 24 and 25, 2005

Case Management Self Assessment for Courts

Based on NCSC's How to Conduct a Caseflow Management Review Guide for Practitioners

The purpose of this self assessment questionnaire is to begin thinking about some of the ideas and data we will begin to discuss in the Case Management Seminar on January 27 and 28, 2005. Please answer each of the following questions by circling the number (on a scale of 1 to 5, with 5 representing the strongest agreement) that most closely reflects the situation in your court or division.

Please send a copy of the completed assessment form to NCSC by email, fax or post by December 31, 2004 and save a copy for yourself. There is no need to include your name.

I serve in the:

- Supreme Court
- Ministry of Justice
- Belgrade District Court
- Belgrade Municipal Court
- Kragujevac District Court
- Kragujevac Municipal Court
- Novi Pazar District Court
- Novi Pazar Municipal Court

Self Assessment Questionnaire

Judicial Culture

1. There is a commonly shared commitment, on the part of the judges, to the principle that the court has the responsibility for ensuring expeditious disposition of cases.

1	2	3	4	5
No shared commitment		Some judges are committed		Virtually all judges are committed.

Policies

2. Your court has a system for distributing workload evenly among judges/panels.

1	2	3	4	5
No - workloads vary greatly		Some efforts are made to equalize workload		Yes

3. Your Court has adopted time standards that establish expected outside limits on case disposition times from filing to disposition for major categories of cases.

1	2	3	4	5
No standards or guidelines		Informal Guidelines		Yes – written standards have been adopted and published

4. Your court has established goals for the maximum size of its pending caseload, and has developed plans for reducing its caseload to that number (or, if the current caseload is at an acceptable size, for ensuring that the caseload does not exceed the goal that has been set.)

1	2	3	4	5
No		Some Goals Exist Status of Plans Unclear		Yes

5. Potentially protracted or complicated cases are identified early for special attention.

1	2	3	4	5
No		Sometimes		Yes

6. Simple cases that may be amenable to swift disposition are identified at an early stage.

1	2	3	4	5
Never	Rarely	Sometimes; mainly if counsel requests	Some categories of cases	Yes, routinely

7. Your court has a standard orientation program for new judges and staff members, in which the court's policies and practices regarding caseload management are covered thoroughly.

1	2	3	4	5
No		Some orientation		Yes, thorough orientation

Current Performance

8. Your court disposes of at least as many cases as are filed each year, in each general category of cases.

1	2	3	4	5
No – filings consistently exceed dispositions		Some years, in some categories of cases		Yes, consistently

9. Judges/panels have, or can readily obtain, all information necessary to enable them to know about the status of a case, its prior history in court(s), and related cases involving the same parties.

1	2	3	4	5
No		Some information usually available		Yes

10. Your court's record keeping system (including management information reports), whether automated or manual:

1	2	3	4	5
Impedes effective caseload management	is not helpful	Has some helpful features	is helpful	Greatly facilitates effective caseload management

11. Attorneys are ready to proceed on the scheduled hearing date.

1	2	3	4	5
Rarely	Less than half the time	50-70% of the time	70-90% of the time	90-100% of the time

12. The judges in your court discuss the status of the caseload and other caseflow management issues at regularly held judges' meetings.

1	2	3	4	5
No		Sometimes		Yes

13. Your court regularly conducts training sessions for practicing lawyers (especially young lawyers) to familiarize them with the court's caseflow management policies, procedures and expectations.

1	2	3	4	5
No		Some training; conducted irregularly		Yes

14. Mechanisms for obtaining the suggestions of court staff about caseflow management problems and potential improvements exist and are used by the court's leaders.

1	2	3	4	5
No		Occasionally		Yes, regularly

15. Assess the structure and frequency of communications between the court's leaders and the bar concerning caseflow management policies and practices.

1	2	3	4	5
No mechanisms; infrequent consultation	No mechanisms; Occasional informal consultation	Consultation as requested by court or bar leaders	Formal mechanisms; occasional consultations	Formal mechanisms; frequent consultations

Monitoring/Evaluation

16. The court has a central unit that regularly monitors caseload, identifies problems (e.g., the pending caseload is increasing; certain cases taking unduly long) and provides recommendations for action to the chief judge or other judge with administrative responsibility.

1	2	3	4	5
No		Some central staff monitoring; Occasional recommendations		Yes

17. Your court regularly produces reports that show trends in filings, dispositions, pending caseloads and case disposition times.

1	2	3	4	5
No		Some trend analysis		Yes, regular analysis of trends in all of these areas

18. Judges/panels regularly receive management information reports that enable them to know the number of pending cases for which they are responsible, the distribution of these cases by age since filing and the status of each case.

1	2	3	4	5
No		Some information provided regularly		Yes, all of this information is regularly provided (at least monthly)

19. The court has established, and uses, a system evaluating the effectiveness of judges/panels in handling the portions of the court's total caseload for which they have responsibility.

1	2	3	4	5
No		Some criteria exist		Yes

20. Your court has established, and uses, a system for evaluating the effectiveness of staff members in performing their duties with respect to caseload management.

1	2	3	4	5
No		Some criteria exist		Yes

Date _____ Collector _____

1. Control number	
2. Court	
3. Filing	/ /
4. Cause of action <small>1. Payment, 2. Compensation for damages, 3. Dept, 4. Establishment, 5. Divorce, 6. Allowance, 7. Other</small>	(0) (1) (2) (3) (4) (5) (6) (7)
5. Value <small>Amount</small>	
6. Preliminary hearing	/ /
7. Hearing	/ /
8. Suspension	/ /
9. Decision	/ /

1. Control number	
2. Court	
3. Filing	/ /
4. Cause of action <small>1. Payment, 2. Compensation for damages, 3. Dept, 4. Establishment, 5. Divorce, 6. Allowance, 7. Other</small>	(0) (1) (2) (3) (4) (5) (6) (7)
5. Value <small>Amount</small>	
6. Preliminary hearing	/ /
7. Hearing	/ /
8. Suspension	/ /
9. Decision	/ /

1. Control number	
2. Court	
3. Filing	/ /
4. Cause of action <small>1. Payment, 2. Compensation for damages, 3. Dept, 4. Establishment, 5. Divorce, 6. Allowance, 7. Other</small>	(0) (1) (2) (3) (4) (5) (6) (7)
5. Value <small>Amount</small>	
6. Preliminary hearing	/ /
7. Hearing	/ /
8. Suspension	/ /
9. Decision	/ /

1. Control number	
2. Court	
3. Filing	/ /
4. Cause of action <small>1. Payment, 2. Compensation for damages, 3. Dept, 4. Establishment, 5. Divorce, 6. Allowance, 7. Other</small>	(0) (1) (2) (3) (4) (5) (6) (7)
5. Value <small>Amount</small>	
6. Preliminary hearing	/ /
7. Hearing	/ /
8. Suspension	/ /
9. Decision	/ /

1. Control number	
2. Court	
3. Filing	/ /
4. Cause of action <small>1. Payment, 2. Compensation for damages, 3. Dept, 4. Establishment, 5. Divorce, 6. Allowance, 7. Other</small>	(0) (1) (2) (3) (4) (5) (6) (7)
5. Value <small>Amount</small>	
6. Preliminary hearing	/ /
7. Hearing	/ /
8. Suspension	/ /
9. Decision	/ /

1. Control number	
2. Court	
3. Filing	/ /
4. Cause of action <small>1. Payment, 2. Compensation for damages, 3. Dept, 4. Establishment, 5. Divorce, 6. Allowance, 7. Other</small>	(0) (1) (2) (3) (4) (5) (6) (7)
5. Value <small>Amount</small>	
6. Preliminary hearing	/ /
7. Hearing	/ /
8. Suspension	/ /
9. Decision	/ /

Date _____ Collector _____

1. Control number	
2. Court	
3. Filing	/ /
4. Cause of action <small>1. Termination of work, 2. Order, 3. Establishment, 4. Candidate election, 5. Housing cases, 6. Other</small>	(0) (1) (2) (3) (4) (5) (6)
5. Value <small>Amount</small>	
6. Preliminary hearing	/ /
7. Hearing	/ /
8. Suspension	/ /
9. Decision	/ /

1. Control number	
2. Court	
3. Filing	/ /
4. Cause of action <small>1. Termination of work, 2. Order, 3. Establishment, 4. Candidate election, 5. Housing cases, 6. Other</small>	(0) (1) (2) (3) (4) (5) (6)
5. Value <small>Amount</small>	
6. Preliminary hearing	/ /
7. Hearing	/ /
8. Suspension	/ /
9. Decision	/ /

1. Control number	
2. Court	
3. Filing	/ /
4. Cause of action <small>1. Termination of work, 2. Order, 3. Establishment, 4. Candidate election, 5. Housing cases, 6. Other</small>	(0) (1) (2) (3) (4) (5) (6)
5. Value <small>Amount</small>	
6. Preliminary hearing	/ /
7. Hearing	/ /
8. Suspension	/ /
9. Decision	/ /

1. Control number	
2. Court	
3. Filing	/ /
4. Cause of action <small>1. Termination of work, 2. Order, 3. Establishment, 4. Candidate election, 5. Housing cases, 6. Other</small>	(0) (1) (2) (3) (4) (5) (6)
5. Value <small>Amount</small>	
6. Preliminary hearing	/ /
7. Hearing	/ /
8. Suspension	/ /
9. Decision	/ /

1. Control number	
2. Court	
3. Filing	/ /
4. Cause of action <small>1. Termination of work, 2. Order, 3. Establishment, 4. Candidate election, 5. Housing cases, 6. Other</small>	(0) (1) (2) (3) (4) (5) (6)
5. Value <small>Amount</small>	
6. Preliminary hearing	/ /
7. Hearing	/ /
8. Suspension	/ /
9. Decision	/ /

1. Control number	
2. Court	
3. Filing	/ /
4. Cause of action <small>1. Termination of work, 2. Order, 3. Establishment, 4. Candidate election, 5. Housing cases, 6. Other</small>	(0) (1) (2) (3) (4) (5) (6)
5. Value <small>Amount</small>	
6. Preliminary hearing	/ /
7. Hearing	/ /
8. Suspension	/ /
9. Decision	/ /

Date _____ Collector _____

1. **Control number**
2. **Court**
3. **Filing**
4. **Cause of action**
1. Payment, 2. Compensation for damages, 3. Dept, 4. Establishment, 5. Divorce, 6. Allowance, 7. Other
5. **Hearing**

/ /
(0) (1) (2) (3) (4) (5) (6) (7)
/ /

1. **Control number**
2. **Court**
3. **Filing**
4. **Cause of action**
1. Payment, 2. Compensation for damages, 3. Dept, 4. Establishment, 5. Divorce, 6. Allowance, 7. Other
5. **Hearing**

/ /
(0) (1) (2) (3) (4) (5) (6) (7)
/ /

1. **Control number**
2. **Court**
3. **Filing**
4. **Cause of action**
1. Payment, 2. Compensation for damages, 3. Dept, 4. Establishment, 5. Divorce, 6. Allowance, 7. Other
5. **Hearing**

/ /
(0) (1) (2) (3) (4) (5) (6) (7)
/ /

1. **Control number**
2. **Court**
3. **Filing**
4. **Cause of action**
1. Payment, 2. Compensation for damages, 3. Dept, 4. Establishment, 5. Divorce, 6. Allowance, 7. Other
5. **Hearing**

/ /
(0) (1) (2) (3) (4) (5) (6) (7)
/ /

1. **Control number**
2. **Court**
3. **Filing**
4. **Cause of action**
1. Payment, 2. Compensation for damages, 3. Dept, 4. Establishment, 5. Divorce, 6. Allowance, 7. Other
5. **Hearing**

/ /
(0) (1) (2) (3) (4) (5) (6) (7)
/ /

1. **Control number**
2. **Court**
3. **Filing**
4. **Cause of action**
1. Payment, 2. Compensation for damages, 3. Dept, 4. Establishment, 5. Divorce, 6. Allowance, 7. Other
5. **Hearing**

/ /
(0) (1) (2) (3) (4) (5) (6) (7)
/ /

1. **Control number**
2. **Court**
3. **Filing**
4. **Cause of action**
1. Payment, 2. Compensation for damages, 3. Dept, 4. Establishment, 5. Divorce, 6. Allowance, 7. Other
5. **Hearing**

/ /
(0) (1) (2) (3) (4) (5) (6) (7)
/ /

1. **Control number**
2. **Court**
3. **Filing**
4. **Cause of action**
1. Payment, 2. Compensation for damages, 3. Dept, 4. Establishment, 5. Divorce, 6. Allowance, 7. Other
5. **Hearing**

/ /
(0) (1) (2) (3) (4) (5) (6) (7)
/ /

1. **Control number**
2. **Court**
3. **Filing**
4. **Cause of action**
1. Payment, 2. Compensation for damages, 3. Dept, 4. Establishment, 5. Divorce, 6. Allowance, 7. Other
5. **Hearing**

/ /
(0) (1) (2) (3) (4) (5) (6) (7)
/ /

1. **Control number**
2. **Court**
3. **Filing**
4. **Cause of action**
1. Payment, 2. Compensation for damages, 3. Dept, 4. Establishment, 5. Divorce, 6. Allowance, 7. Other
5. **Hearing**

/ /
(0) (1) (2) (3) (4) (5) (6) (7)
/ /

Date _____ Collector _____

1. Control number	
2. Court	
3. Filing	/ /
4. Cause of action <small>1. Termination of work, 2. Order, 3. Establishment, 4. Candidate election, 5. Housing cases, 6. Other</small>	(0) (1) (2) (3) (4) (5) (6)
5. Hearing	/ /

1. Control number	
2. Court	
3. Filing	/ /
4. Cause of action <small>1. Termination of work, 2. Order, 3. Establishment, 4. Candidate election, 5. Housing cases, 6. Other</small>	(0) (1) (2) (3) (4) (5) (6)
5. Hearing	/ /

1. Control number	
2. Court	
3. Filing	/ /
4. Cause of action <small>1. Termination of work, 2. Order, 3. Establishment, 4. Candidate election, 5. Housing cases, 6. Other</small>	(0) (1) (2) (3) (4) (5) (6)
5. Hearing	/ /

1. Control number	
2. Court	
3. Filing	/ /
4. Cause of action <small>1. Termination of work, 2. Order, 3. Establishment, 4. Candidate election, 5. Housing cases, 6. Other</small>	(0) (1) (2) (3) (4) (5) (6)
5. Hearing	/ /

1. Control number	
2. Court	
3. Filing	/ /
4. Cause of action <small>1. Termination of work, 2. Order, 3. Establishment, 4. Candidate election, 5. Housing cases, 6. Other</small>	(0) (1) (2) (3) (4) (5) (6)
5. Hearing	/ /

1. Control number	
2. Court	
3. Filing	/ /
4. Cause of action <small>1. Termination of work, 2. Order, 3. Establishment, 4. Candidate election, 5. Housing cases, 6. Other</small>	(0) (1) (2) (3) (4) (5) (6)
5. Hearing	/ /

1. Control number	
2. Court	
3. Filing	/ /
4. Cause of action <small>1. Termination of work, 2. Order, 3. Establishment, 4. Candidate election, 5. Housing cases, 6. Other</small>	(0) (1) (2) (3) (4) (5) (6)
5. Hearing	/ /

1. Control number	
2. Court	
3. Filing	/ /
4. Cause of action <small>1. Termination of work, 2. Order, 3. Establishment, 4. Candidate election, 5. Housing cases, 6. Other</small>	(0) (1) (2) (3) (4) (5) (6)
5. Hearing	/ /

1. Control number	
2. Court	
3. Filing	/ /
4. Cause of action <small>1. Termination of work, 2. Order, 3. Establishment, 4. Candidate election, 5. Housing cases, 6. Other</small>	(0) (1) (2) (3) (4) (5) (6)
5. Hearing	/ /

1. Control number	
2. Court	
3. Filing	/ /
4. Cause of action <small>1. Termination of work, 2. Order, 3. Establishment, 4. Candidate election, 5. Housing cases, 6. Other</small>	(0) (1) (2) (3) (4) (5) (6)
5. Hearing	/ /

Date _____ Collector _____

1. Control number	
2. Court	
3. Filing	/ /
4. Criminal offence upon request <small>1. Criminal Law of Serbia, 2. Other Criminal Law, 3. Not criminal</small>	(0) (1) (2) (3)
5. First article number	
6. Request for investigation ordered	/ /
7. Investigation outcome	/ /
8. In detention now <small>0. Can't tell, 1. Yes, 2.No</small>	(0) (1) (2)

1. Control number	
2. Court	
3. Filing	/ /
4. Criminal offence upon request <small>1. Criminal Law of Serbia, 2. Other Criminal Law, 3. Not criminal</small>	(0) (1) (2) (3)
5. First article number	
6. Request for investigation ordered	/ /
7. Investigation outcome	/ /
8. In detention now <small>0. Can't tell, 1. Yes, 2.No</small>	(0) (1) (2)

1. Control number	
2. Court	
3. Filing	/ /
4. Criminal offence upon request <small>1. Criminal Law of Serbia, 2. Other Criminal Law, 3. Not criminal</small>	(0) (1) (2) (3)
5. First article number	
6. Request for investigation ordered	/ /
7. Investigation outcome	/ /
8. In detention now <small>0. Can't tell, 1. Yes, 2.No</small>	(0) (1) (2)

1. Control number	
2. Court	
3. Filing	/ /
4. Criminal offence upon request <small>1. Criminal Law of Serbia, 2. Other Criminal Law, 3. Not criminal</small>	(0) (1) (2) (3)
5. First article number	
6. Request for investigation ordered	/ /
7. Investigation outcome	/ /
8. In detention now <small>0. Can't tell, 1. Yes, 2.No</small>	(0) (1) (2)

1. Control number	
2. Court	
3. Filing	/ /
4. Criminal offence upon request <small>1. Criminal Law of Serbia, 2. Other Criminal Law, 3. Not criminal</small>	(0) (1) (2) (3)
5. First article number	
6. Request for investigation ordered	/ /
7. Investigation outcome	/ /
8. In detention now <small>0. Can't tell, 1. Yes, 2.No</small>	(0) (1) (2)

1. Control number	
2. Court	
3. Filing	/ /
4. Criminal offence upon request <small>1. Criminal Law of Serbia, 2. Other Criminal Law, 3. Not criminal</small>	(0) (1) (2) (3)
5. First article number	
6. Request for investigation ordered	/ /
7. Investigation outcome	/ /
8. In detention now <small>0. Can't tell, 1. Yes, 2.No</small>	(0) (1) (2)

Date _____ Collector _____

1. Control number	
2. Court	
3. Filing	/ /
4. Article type <small>1. Criminal Law of Serbia, 2. Other Criminal Law, 3. Not criminal</small>	(0) (1) (2) (3)
5. First article number	
6. To KV	/ /
7. Hearing	/ /
8. Decision	/ /
9. In detention now <small>0. Can't tell, 1. Yes, 2.No</small>	(0) (1) (2)

1. Control number	
2. Court	
3. Filing	/ /
4. Article type <small>1. Criminal Law of Serbia, 2. Other Criminal Law, 3. Not criminal</small>	(0) (1) (2) (3)
5. First article number	
6. To KV	/ /
7. Hearing	/ /
8. Decision	/ /
9. In detention now <small>0. Can't tell, 1. Yes, 2.No</small>	(0) (1) (2)

1. Control number	
2. Court	
3. Filing	/ /
4. Article type <small>1. Criminal Law of Serbia, 2. Other Criminal Law, 3. Not criminal</small>	(0) (1) (2) (3)
5. First article number	
6. To KV	/ /
7. Hearing	/ /
8. Decision	/ /
9. In detention now <small>0. Can't tell, 1. Yes, 2.No</small>	(0) (1) (2)

1. Control number	
2. Court	
3. Filing	/ /
4. Article type <small>1. Criminal Law of Serbia, 2. Other Criminal Law, 3. Not criminal</small>	(0) (1) (2) (3)
5. First article number	
6. To KV	/ /
7. Hearing	/ /
8. Decision	/ /
9. In detention now <small>0. Can't tell, 1. Yes, 2.No</small>	(0) (1) (2)

1. Control number	
2. Court	
3. Filing	/ /
4. Article type <small>1. Criminal Law of Serbia, 2. Other Criminal Law, 3. Not criminal</small>	(0) (1) (2) (3)
5. First article number	
6. To KV	/ /
7. Hearing	/ /
8. Decision	/ /
9. In detention now <small>0. Can't tell, 1. Yes, 2.No</small>	(0) (1) (2)

1. Control number	
2. Court	
3. Filing	/ /
4. Article type <small>1. Criminal Law of Serbia, 2. Other Criminal Law, 3. Not criminal</small>	(0) (1) (2) (3)
5. First article number	
6. To KV	/ /
7. Hearing	/ /
8. Decision	/ /
9. In detention now <small>0. Can't tell, 1. Yes, 2.No</small>	(0) (1) (2)

Date _____ Collector _____

1. Control number	
2. Court	
3. Filing	/ /
4. Article type <small>1. Criminal Law of Serbia, 2. Other Criminal Law, 3. Not criminal</small>	(0) (1) (2) (3)
5. First article number	
6. Hearing	/ /
7. Decision	/ /

1. Control number	
2. Court	
3. Filing	/ /
4. Article type <small>1. Criminal Law of Serbia, 2. Other Criminal Law, 3. Not criminal</small>	(0) (1) (2) (3)
5. First article number	
6. Hearing	/ /
7. Decision	/ /

1. Control number	
2. Court	
3. Filing	/ /
4. Article type <small>1. Criminal Law of Serbia, 2. Other Criminal Law, 3. Not criminal</small>	(0) (1) (2) (3)
5. First article number	
6. Hearing	/ /
7. Decision	/ /

1. Control number	
2. Court	
3. Filing	/ /
4. Article type <small>1. Criminal Law of Serbia, 2. Other Criminal Law, 3. Not criminal</small>	(0) (1) (2) (3)
5. First article number	
6. Hearing	/ /
7. Decision	/ /

1. Control number	
2. Court	
3. Filing	/ /
4. Article type <small>1. Criminal Law of Serbia, 2. Other Criminal Law, 3. Not criminal</small>	(0) (1) (2) (3)
5. First article number	
6. Hearing	/ /
7. Decision	/ /

1. Control number	
2. Court	
3. Filing	/ /
4. Article type <small>1. Criminal Law of Serbia, 2. Other Criminal Law, 3. Not criminal</small>	(0) (1) (2) (3)
5. First article number	
6. Hearing	/ /
7. Decision	/ /

1. Control number	
2. Court	
3. Filing	/ /
4. Article type <small>1. Criminal Law of Serbia, 2. Other Criminal Law, 3. Not criminal</small>	(0) (1) (2) (3)
5. First article number	
6. Hearing	/ /
7. Decision	/ /

1. Control number	
2. Court	
3. Filing	/ /
4. Article type <small>1. Criminal Law of Serbia, 2. Other Criminal Law, 3. Not criminal</small>	(0) (1) (2) (3)
5. First article number	
6. Hearing	/ /
7. Decision	/ /

1. Control number	
2. Data collector	Code
3. Date of capture	/ /
4. Court	
5. 1st Instance Court	Code
6. Case number	
7. Case year	
8. Date of receipt	/ /
9. Re-filed 0. No 1. Yes	(0) (1)
10. Number of defendants	
11. Gender of the 1st defendant from 1st instance 0- No gender, 1- Masculine, 2- Feminine	(0) (1) (2)
12. Criminal act according to the indictment 1. Serbian Criminal Code, 2. Other Criminal Law, 3. Not criminal	(0) (1) (2) (3)
13. Number of the 1st article	
14. Number of the articles charged	
15. Appellant type 1. Accused, 2. Victim, 3. Prosecutor	(1) (2) (3)
16. Appellant 1.-Individual, 2.-Legal, 3.-Government, 4. Utility	(1) (2) (3) (4)
17. Appeal dismissed	/ /
18. First session date	/ /
19. Last session date	/ /
20. Number of sessions 0. Empty, Number, 27. Can't tell the number	(0) Number _____ (27)
21. Type of disposition 1. Decision confirmed, 2. Decision modified because of the breach of the law, 3. Decision modified – Increase of penalty, 4. Decision modified – Commutation of the penalty, 5. Decision modified because of some other reasons, 6. Decision remanded because of the wrongly or incompletely established relevant facts, 7. Decision remanded because of the essential breach of CCP, 8. Decision remanded because of the new evidence and facts	(0) (1) (2) (3) (4) (5) (6) (7) (8)
22. Date of decision mailing to 1st Instance Court	/ /
23. Decision of the third instance court	/ /

24. Fallout 1. Judicial review, 2. Hearing, 3. Decision	(1) (2) (3)
25. Public Hearing 1. Yes, 2. No	(0) (1) (2)

1. Control number		27. Plaintiff 1° instance appeal	/ /
2. Data collector		28. Plaintiff 1° instance appeal rejected	/ /
3. Date of capture	/ /	29. Plaintiff 2° outcome	/ /
4. Court		30. Plaintiff 2° outcome code	(1) (2) (3) (4) (5)
5. Case number		1. Appeal rejected 2. Confirmed sentence, 3. Sentence – Abrogation, 4. Sentence modified 5. Complaint rejected (article 369).	
6. Case year		31. Plaintiff revision	/ /
7. Date of receipt	/ /	32. Plaintiff revision rejected	/ /
8. Re-filed	(0) (1)	33. Plaintiff revision outcome	/ /
0- No, 1- Yes		34. Plaintiff revision outcome code	(1) (2) (3)
9. Plaintiff	(1) (2) (3) (4)	1. Granted, 2. Denied 3. Modified	
1.-Individual, 2.-Legal, 3.-Government, 4.-Utility		35. Defendant 1° instance appeal	/ /
10. Number of Plaintiffs		36. Defendant 1° instance appeal rejected	/ /
11. Plaintiff gender	(0) (1) (2)	37. Defendant 2° outcome	/ /
0- No gender, 1- Masculine, 2- Feminine		38. Defendant 2° outcome code	(1) (2) (3) (4) (5)
12. Defendant	(1) (2) (3) (4)	1. Appeal rejected 2. Confirmed sentence, 3. Sentence – Abrogation, 4. Sentence modified 5. Complaint rejected (article 369).	
1.-Individual 2.-Legal 3.-Government 4.-Utility		39. Defendant revision	/ /
13. Number of Defendants		40. Defendant revision rejected	/ /
14. Defendant gender	(0) (1) (2)	41. Defendant revision outcome	/ /
0- No gender, 1- Masculine, 2- Feminine		42. Defendant revision outcome code	(1) (2) (3)
15. Cause	(0) (1) (2) (3) (4) (5) (6) (7)	1. Granted, 2. Denied 3. Modified	
1. Payment, 2. Compensation for damages, 3. Dept, 4. Establishment, 5. Divorce, 6. Allowance, 7. Other		43. Date of legal finality	/ /
16. Secondary causes		44. Modifications of the decree absolute	
No (0), Yes (Number)		0-No, Number	
17. Value		45. Fallout	(1) (2) (3) (4) (5)(6) (7) (8)
0- do not require, Amount (Din)		1-Judic.review 2-Between 1 and 3 3- 1st hearing 4- Between 3 and 5 5- main hearing 6- Between 5 and 7 7- Decision 8- Can not determine	
18. Objection to the payment order	/ /	46. Re-filed (again)	(0) (1)
19. Preliminary hearing	/ /	0- No, 1- Yes	
20. 1st hearing date	/ /		
21. Last hearing date	/ /		
22. Number of hearings	(0) Number _____ (27)		
0. Empty, Number, 27. Can't tell the number			
23. Suspension of the cause	/ /		
24. Disposition	/ /		
25. Type of Disposition	(1) (2) (3) (4) (5) (6) (7) (8) (9) (10)		
1. Adjudication of facts, 2. Settlement, 3. Default, 4. Complaint rejected-D dismissal for lack of prosecution, 5. Defendant admits, 6. Complaint rejected for other reasons, 7. Merged, 8. Transferred, 9. Break, 10. Complaint withdrawn			
26. Date of sentence mailing	/ /		

1. Control number		26. Plaintiff 1° instance appeal	/ /
2. Data collector		27. Plaintiff 1° instance appeal rejected	/ /
3. Date of capture	/ /	28. Plaintiff 2° outcome	/ /
4. Court		29. Plaintiff 2° outcome code	(1) (2) (3) (4) (5)
5. Case number		1. Appeal rejected 2. Confirmed sentence, 3. Sentence – Abrogation, 4. Sentence modified 5. Complaint rejected (article 369).	
6. Case year		30. Plaintiff revision	/ /
7. Date of receipt	/ /	31. Plaintiff revision rejected	/ /
8. Re-filed	(0) (1)	32. Plaintiff revision outcome	/ /
0. No 1. Yes		33. Plaintiff revision outcome code	(1) (2) (3)
9. Plaintiff	(1) (2) (3) (4)	1. Granted, 2. Denied 3. Modified	
1.-Individual, 2.-Legal, 3.-Government, 4.-Utility		34. Defendant 1° instance appeal	/ /
10. Number of Plaintiffs		35. Defendant 1° instance appeal rejected	/ /
11. Plaintiff gender	(0) (1) (2)	36. Defendant 2° outcome	/ /
0- No gender, 1- Masculine, 2- Feminine		37. Defendant 2° outcome code	(1) (2) (3) (4) (5)
12. Defendant	(1) (2) (3) (4)	1. Appeal rejected 2. Confirmed sentence, 3. Sentence – Abrogation, 4. Sentence modified 5. Complaint rejected (article 369).	
1.-Individual 2.-Legal 3.-Government 4.-Utility		38. Defendant revision	/ /
13. Number of Defendants		39. Defendant revision rejected	/ /
14. Defendant gender	(0) (1) (2)	40. Defendant revision outcome	/ /
0- No gender, 1- Masculine, 2- Feminine		41. Defendant revision outcome code	(1) (2) (3)
15. Cause of action	(0) (1) (2) (3) (4) (5) (6)	1. Granted, 2. Denied 3. Modified	
1. Termination of work, 2. Order, 3. Establishment, 4. Candidate election, 5. Housing cases, 6. Other		42. Date of legal finality	/ /
16. Value		43. Modifications of the decree absolute	
0- do not require, Amount (Din)		0-No, Number	
17. Objection to the payment order	/ /	44. Fallout	(1) (2) (3) (4) (5)(6) (7) (8)
18. Preliminary hearing	/ /	1-Judic.review 2-Between 1 and 3 3- 1st hearing 4- Between 3 and 5 5- main hearing 6- Between 5 and 7 7- Decision 8- Can not determine	
19. 1st hearing date	/ /	45. Re-filed (again)	(0) (1)
20. Last hearing	/ /	0. No 1. Yes	
21. Number of hearings	(0) Number _____ (27)		
0. No, Number, (27) Can't tell the number			
22. Suspension of the cause	/ /		
23. Disposition	/ /		
24. Type of Disposition	(1) (2) (3) (4) (5) (6)		
1. Adjudication of facts, 2. Settlement, 3. Default, 4. Complaint rejected-Dismissal for lack of prosecution, 5. Defendant admits, 6. Complaint rejected for other reasons.			
25. Date of sentence mailing	/ /		

1. Control number	
2. Data collector	Code
3. Date of capture	/ /
4. Court	
5. 1st Instance Court	Code
6. Case number	
7. Case year	
8. Date of receipt	/ /
9. Re-filed 0. No 1. Yes	(0) (1)
10. Plaintiff 1.-Individual, 2.-Legal , 3.-Government, 4. Utility	(1) (2) (3) (4)
11. Number of defendants	
12. Gender of the 1st defendant 0- No gender, 1- Masculine, 2- Feminine	(0) (1) (2)
13. Type of disposition 0. No, 1. Appeal rejected 2. Confirmed, 3. Modified, 4. Repealed, 5. Returned to the judge for supplement work	(0) (1) (2) (3) (4) (5)
14. First hearing date	/ /
15. Last hearing date	/ /
16. Number of hearings 0. Empty, Number, 27. Can't tell the number	(0) Number _____ (27)
17. Reason for repeal 0. No, 1. Because of significant injury of the process, 2. Because of the wrongly or incompletely established relevant facts, 3. Because of the new facts and evidences	(0) (1) (2) (3)
18. Date of decision mailing	/ /
19. Decision of the revision	/ /
20. Fallout 1-Judicial review 2-Hearing	(1) (2)

1. Control number	
2. Data collector	
3. Date of capture	/ /
4. Court	
5. Case number	
6. Case year	
7. Date of receipt	/ /
8. Re-filed number 0- No, 1- Yes	(0) (1)
9. Prosecution 1- Prosecutor, 2- Individual, 3- Legal person	(1) (2) (3)
10. Number of the defendants	
11. Gender of the defendant 0- No, 1- Masculine, 2- Feminine	(0) (1) (2)
12. Criminal offence upon request code 1- Criminal Law of Serbia, 2. Other Criminal Law , 3. Not criminal	(0) (1) (2) (3)
13. Number of the 1st article	
14. Total number of articles	
15. Request for investigation outcome 0. No, 1. Order for investigation, 2. Rejected	(0) (1) (2)
16. Request for investigation granted/ rejected	/ /
17. Investigation outcome 0. No, 1. File delivered to the prosecutor, 2. President of Criminal Panel, 3. Dismissed, 4. Break, 5. Merged, 6. Transferred, 7. Separated	(0) (1) (2) (3) (4) (5) (6) (7)
18. Outcome date	/ /
19. Indictment submitted by the prosecutor	/ /
20. Victim prosecutes	/ /
21. Detention initiated	/ /
22. Detention initiated time	Number
23. Detention continued code 0. No, 1. KV Panel, 2. Supreme Court	(0) (1) (2)
24. Detention continued	/ /
25. End of pre-trial detention	/ /

26. Case returned to the investigative judge	/ /
27. Case after the investigation supplement returned to the public prosecutor	/ /
28. Fallout 1. Initial Judicial review, 2. As a result of investigation	(0) (1) (2)
29. New number 0- No, 1- Yes,	(0) (1)

1. Control number		25. Disposition date	/ /
2. Data collector		26. The conviction article code	(0) (1) (2) (3)
3. Date of capture	/ /	<small>1. Serbian Criminal Code, 2. Other Criminal Law, 3. Not criminal</small>	
4. Court		27. The 1st conviction article number	
5. Case number		28. Number of the conviction articles	
6. Case year		29. Days	
7. Date of receipt	/ /	30. Amount	
8. Re-filed <small>0- No, 1- Yes</small>	(0) (1)	31. Sentence elements	(0) (1) (2) (3)
9. Prosecution <small>1. Public Prosecutor, 2. Physical Person, 3. Legal Person</small>	(1) (2) (3)	<small>1. Judicial warning pronounced, 2. Decision about educational measures, 3. Decision about security measures</small>	
10. Number of the defendants		32. Date of decision's mailing	/ /
11. Gender of the defendant <small>0-No, 1- Masculine, 2- Feminine</small>	(0) (1) (2)	33. Prosecutor 1° instance appeal	/ /
12. Date of birth of the defendant	/ /	34. Prosecutor 1° instance appeal rejected	/ /
13. Criminal act according to the indictment <small>1. Serbian Criminal Code, 2. Other Criminal Law, 3. Not criminal</small>	(0) (1)(2) (3)	35. Prosecutor appeal 2° instance decision	/ /
14. Number of the 1st article		36. Defendant 1° instance appeal	/ /
15. Number of the articles charged		37. Defendant 1° instance appeal rejected	/ /
16. In detention from	/ /	38. Defendant appeal 2° instance decision	/ /
17. In detention until	/ /	39. Date of Legal Finality	/ /
18. Objection versus the indictment submitted on	/ /	40. Enforcement of the decision	/ /
19. Decision of the panel outcome <small>0. No, 1. Accepted, 2. Rejected</small>	(0) (1) (2)	41. Prosecutor extra remedies	(0) (1)
20. Decision of the panel date	/ /	<small>0. No 1. Yes,</small>	
21. Prosecutor's appeal to a KV decision supporting defendant objection <small>0. No, 1. Accepted, 2. Rejected</small>	(0) (1) (2)	42. Defendant extra remedies	(0) (1)
22. Prosecutor's appeal to a KV decision date	/ /	<small>10. No 1. Yes,</small>	
23. Hearing date	/ /	43. Re-filed (again)	(0) (1)
24. Type of disposition <small>1. Judge dismissal at any stage, 2. Refusal of the indictment, 3. The accused- liberation from accusation, 4. Guilty finding, 5. Transfer, 6. Returned to the investigative judge, 7. Disposed by Article No. 209 or 236, 8. Merged, 9. Separated</small>	(1) (2) (3) (4) (5) (6) (7) (8) (9)	<small>0. No 1. Yes,</small>	
		44. Fallout	(1) (2) (3)
		<small>1. Judicial review, 2. After trial begins, 3. Presuda</small>	
		45. 1st hearing date	/ /
		46. Number of hearings	(0) Number _____ (27)
		<small>0. No, Number, 27. Can't tell the number</small>	

47.	Control number	
48.	Data collector	
49.	Court	
50.	Case number	
51.	Case life <small>1. New, 2. Remanded, 3. Transferred</small>	(0) (1) (2) (3)
52.	If not new, date of original filing	/ /
53.	Number of previous numbers	
54.	Date complaint accepted	/ /
55.	Date complaint dismissed	/ /
56.	Date notice received by defendant	/ /
57.	Answer received in court <small>1. Yes, 2. No</small>	(0) (1) (2)
58.	Date answer received in court	/ /
59.	Counterclaims <small>1. Yes, 2. No</small>	(0) (1) (2)
60.	Plaintiff counsel <small>1. Yes, 2. No</small>	(0) (1) (2)
61.	Number of changes of counsel	
62.	Defense counsel <small>1. Yes, 2. No</small>	(0) (1) (2)
63.	Number of changes of counsel	
64.	Failures to appear with notice	
65.	Failures to appear without notice	
66.	Number of failures to appear by parties or attorneys	
67.	1st hearing scheduled	/ /
68.	1st hearing held	/ /
69.	Number of hearings scheduled	
70.	Number of hearings held	
71.	Last hearing date	/ /
72.	Decision date	/ /

73.	Number of witnesses	
74.	Number of expert witness reports requested	
75.	Number of hearings continued for failures to appear	
76.	Number of hearings continued for new evidence	
77.	Number of hearings continued for expert report	
78.	Number of hearings continued for convenience of the court	
79.	Number of hearings continued for other reasons	
80.	Date judge requests 1st expert witness report	/ /
81.	Date judge receives 1st expert witness report	/ /
82.	Date judge requests 2nd expert witness report	/ /
83.	Date judge receives 2nd expert witness report	/ /

26. **Defense Counsel**

1. Ex Oficio, 2. Retained, 3. Pro se, 4.
We can't tell which kind of counsel

(0) (1) (2)
(3) (4)

Pre-trial Procedure

47. Control number	
48. Data collector	
49. Court	
50. Case number	
51. Date first Ki filed	/ /
52. Date last Ki filed	/ /
53. Number of Ki filed	
54. Date first K filed	/ /
55. Date last K filed	/ /
56. Number of K filed	
57. Defendant detained when our case filed 1. Yes, 2. No	(0) (1)(2)
58. Alleged incident date	/ /
59. Date of arrest	/ /
60. Time of arrest	:
61. Date arrive MUP	/ /
62. Time arrive MUP	:
63. Order for police custody date	/ /
64. Order for police custody time	:
65. Date of the defendant's interview by the investigative judge	/ /
66. Time of the defendant's interview by the investigative judge	:
67. Counsel at police 1. Ex Oficio, 2. Retained, 3. Pro se, 4. Can't tell what kind of counsel	(0) (1) (2) (3) (4)
68. Prosecution initiates with 1. Acts requested, 2. Investigation requested	(0) (1) (2)
69. Date when prosecution initiates	/ /

Ki Procedure

70. Date investigation sent	/ /
71. Sent to 1. Prosecutor, 2. Other	(0) (1) (2)
72. Number of persons invited	
73. Number of bench warrant issued	
74. Number of persons brought by force	
75. Warrant for arrest of defendant date	/ /
76. Number of interviews held	
77. Number of expert witness reports requested	
78. Counsel at Ki proceeding 1. P.D., 2. Retained, 3. Pro se, 4. Can't tell what kind of counsel	(0) (1) (2) (3) (4)
79. Changed 1. Yes, 2. No	(0) (1) (2)
80. Defendant out 1. Yes, 2. No	(0) (1) (2)
81. Criminal offence upon request code 1- Criminal Law of Serbia, 2. Other Criminal Law, 3. Not criminal	(0) (1) (2) (3)
82. Number of the 1 st article	
83. Total number of articles	

Detention

84. Date in	/ /
85. Time in	:
86. Detention first reviewed by the court - date	/ /
87. Number of times detention extended	
88. Judge orders detention	/ /
89. Detention continued <small>0. No, 1. KV, 2. Supreme Court</small>	(0) (1) (2)
90. End of PTD	/ /

104. Number of expert witness reports requested	
105. Number of hearings continued for FTA	
106. Number of hearings continued for new evidence	
107. Number of hearings continued for expert report	
108. Number of hearings continued for convenience of the court	
109. Number of hearings continued for other reasons	
110. Number of hearings scheduled	
111. Number of hearings held	
112. Date hearing ends	/ /
113. Number of pages of the decision	

K Procedure

91. Date the indictment submitted	/ /
92. Summary or ordinary process <small>1. Summary, 2. Ordinary</small>	(0) (1) (2)
93. Date of 1 st hearing scheduled	/ /
94. Date of 1 st hearing held	/ /
95. Number of persons invited	
96. Number of persons FTA	
97. Number of bench warrant issued	
98. Number of persons brought by force	
99. Warrant for arrest of the defendant date	/ /
100. Trial in absentia <small>1. Yes, 2.No</small>	(0) (1) (2)
101. Number of FTA of officers of the court	
102. Counsel in K proceeding <small>1. Ex Officio, 2. Retained, 3. Pro se, 4. Can't tell what kind of counsel</small>	(0) (1) (2) (3) (4)
103. Number of counsel changes	

21. Cause of Action

1. Payment, 2. Compensation for damages, 3. Dept, 4. Establishment, 5. Divorce, 6. Allowance, 7. P Other, 8. Termination of work, 9. Order, 10. Establishment, 11. Candidate election, 12. Housing cases, 13. P1 Other, 14. Extra Judicial, 15. Heritage

(0) (1) (2)
(3) (4) (5)
(6) (7) (8)
(9) (10)
(11) (12)
(13) (14)
(15)

22. Plaintiff Counsel

1. Ex Oficio, 2. Retained, 3. Pro se, 4. We can't tell which kind of counsel

(0) (1) (2)
(3) (4)

23. Defense Counsel

1. Ex Oficio, 2. Retained, 3. Pro se, 4. We can't tell which kind of counsel

(0) (1) (2)
(3) (4)