



**USAID** | **KAZAKHSTAN**  
FROM THE AMERICAN PEOPLE

# JUDICIAL EDUCATION PROJECT (KJEP)

**YEAR 2 WORK PLAN**  
**OCTOBER 1, 2010 – SEPTEMBER 30, 2011**

**A Task Order Under the Rule of Law IQC**  
**Contract No. DFD-I-06-04-00171-00**  
**USAID/CAR Regional Mission**

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## INTRODUCTION

### CONTRACT BACKGROUND

Chemonics signed the Kazakhstan Judicial Education Project (hereinafter referred to as KJEP or Judicial Education Project) contract on October 1, 2009 with an end date of October 1, 2011. This contract builds upon the existing successful partnership between the U.S. Government and the Supreme Court of the Republic of Kazakhstan and aims to provide targeted assistance to help Kazakhstan's judiciary enhance its understanding and treatment of commercial law issues and fuller participation in the global trading system. Key areas of focus improve judicial education and the judiciary of Kazakhstan's capacity to effectively administer commercial law cases in accordance with international standards, which creates an environment fostering investor confidence that Kazakhstan's judiciary will handle any disputes justly and fairly.

This work plan is for Year 2 of the KJEP contract: October 1, 2010 – September 30, 2011.

### PROJECT OVERVIEW

Kazakhstan is simultaneously reforming its economic and legal infrastructure to become one of the 50 most competitive economies in the world. While the country has significantly improved commercial laws in recent years, difficulties implementing such laws undermine confidence in the judiciary's ability to uphold contractual rights and to fairly resolve commercial disputes. The Judicial Education Project is working to enhance quality and competence in commercial adjudication through interventions focus on two areas: (i) judicial education; and (ii) court personnel capacity. These program areas are mutually reinforcing and by strengthening the court system contribute to the realization of Program Sub-Element 2.1.3.1: Justice System Actors which ultimately feeds into the U.S. Government Foreign Assistance Objective: Governing Justly and Democratically.

In Year 1 of the contract, KJEP delivered the following education programs: 1) a study tour to the Czech Republic exposed 20 judges of the economic courts, oblast courts, and the Supreme Court to subject matter in trademarks, copyright, author's rights and patents; 2) 16 peer trainings led by study tour participants expanded knowledge on intellectual property to an additional 276 judges and justice sector personnel, and enhanced practical application skills through case analysis; 3) a regional, two-day seminar on intellectual property engaged 27 judges from six regions and resulted in recommendations for unifying practice in applying trademark laws, for amending the Law on Trademarks for conformity with TRIPS regulations, and for developing methodological guidelines for judges on how to consider intellectual property disputes; 4) a seminar on the legal regulation of transactions conducted as part of the Institute of Justice's annual program benefited 27 economic court judges and five non-economic court judges, whose recommendations will be used as a basis for drafting the Supreme Court's regulation on judicial practice in transactions. Because some of KJEP's Year 1 participants attended more than one training, the total number of justice sector personnel KJEP has trained to date is 329. Of these, 16 are judge-trainers with enhanced interactive teaching skills. KJEP seminar materials for the intellectual property study tour to Prague and the regional intellectual property seminar in Schuchinsk have been compiled and

posted on the Supreme Court Web site<sup>1</sup>. These and other KJEP training materials have also been distributed to economic courts, the Institute of Justice, and the Union of Judges.

In Year 2 the project will work to train approximately 150 more judges and about 100 justice sector personnel in enforcement of international arbitral awards and other commercial law training needs identified in Year 1, and will further advance the training capacity of at least eight model judges and sixteen regional training coordinators to meet the ongoing adult education needs of the judiciary beyond the period of KJEP assistance. Additionally, the project will work with the Supreme Court and Institute of Justice to develop and approve guidelines for the preparation of training materials, introducing a practice of making training materials available electronically not only to facilitate participant learning, but to benefit those who cannot individually attend training sessions.

In Year 1 KJEP determined the following with respect to the institutional training capacity of the judiciary: 1) a training needs assessment of 139 economic court judges from all *oblasts* identified judges' self-assessed priorities for closing knowledge and skill gaps, and informed the subject matter of KJEP-sponsored trainings; 2) project technical assistance to the Institute of Justice helped revise the 2010 curriculum, assess the revised curriculum, and recommend improvements for 2011 concerning delivery mechanisms, curriculum design, training methodology, and information management and dissemination; and 3) data gathered during a knowledge, skills, attitudes and abilities analysis suggests that the absence of professional court administration is one of the most pressing issues facing the economic courts' capacity for improving performance.

In Year 2 the project will mentor counterparts in conducting training needs assessments and incorporating modern learning approaches, as well as prepare and deliver a variety of tools and resources to judicial training institutions, enabling them to meet both near-term and continuous training needs. One of KJEP's proposed resources, a court administration manual for economic courts, addresses the need to increase core competencies in court management in the economic courts, as identified in Year 1's knowledge, skills, abilities, and attitudes analysis.

## ROLE OF THE PROJECT

KJEP has two components, both related to the project's goal of increasing the capacity of Kazakhstan's judiciary, with particular focus on economic courts, to handle commercial law issues:

1. Judicial Education and Commercial Law Training Improved
2. Court Personnel Capacity Increased

These two components are divided into distinct "tasks," each of which contributes to the realization of the component.

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<sup>1</sup> See [http://www.supcourt.kz/system/inter.php?SECTION\\_ID=3444&ELEMENT\\_ID=17198](http://www.supcourt.kz/system/inter.php?SECTION_ID=3444&ELEMENT_ID=17198) and <http://www.supcourt.kz/upload/materialy.doc>.

The Kazakhstan project team consists of a two-person technical team: the Chief of Party (COP) and the Deputy Chief of Party (DCOP). The field office (FO) is in Almaty, Kazakhstan, the DCOP is based in Astana as the project representative.

The Washington, DC-based home office (HO) management team consists of a director, manager, and associate. This team of development professionals provides daily support to the field office at no additional cost to the contract, being covered out of HO overhead.

## **DONOR COORDINATION**

Given the number of USAID and other donor initiatives providing in-country assistance and the resulting need to coordinate KJEP's work, we will convene semi-annual meetings with other donor programs providing commercial law assistance and training to the judiciary. Meeting locations will alternate between Almaty and Astana to foster participation by both European and other bilateral donors, as well as counterparts like the International Department of the Supreme Court and USAID. When USAID cannot attend, COP Julia Maliyeva will keep the USAID technical office apprised of discussions from these meetings. DCOP Sholpan Tashmukhambetova will likewise brief the U.S. Embassy Political-Economic Officer on judicial sector developments as necessary.

Participants of the donor coordination meetings will share information about program activities, challenges, solutions, and lessons learned, enabling the KJEP team to effectively plan activities, identify opportunities for collaboration, and avoid duplication. At the same time, KJEP staff can compile a master list of activities in the justice sector for the International Department of the Supreme Court, to facilitate their future coordination for donor activities once KJEP ends. KJEP demonstrated the benefits of collaboration with its successful transaction law training held at the Institute of Justice in May 2010, where the Gesellschaft für Technische Zusammenarbeit (GTZ) sponsored the participation of a German professor of civil and commercial law, Dr. Hans Schraam, from the University of Bremen, as a trainer (along with two Supreme Court Justices). The European Union's (EU) Judicial and Legal Reform Development Project will complement KJEP's donor coordination efforts by holding additional meetings with donors as well as with representatives of the Supreme Court of Kazakhstan and the Ministry of Justice of Kazakhstan, in which KJEP will participate.

## **DETAILED WORK PLAN**

### **Component 1: Judicial Education and Commercial Law Training Improved**

The Supreme Court of the Republic of Kazakhstan through the Institute of Justice (hereafter referred as the "Institute") is responsible for ensuring the comprehensiveness of judicial education for judge candidates and ongoing education for sitting judges. Building the Institute's capacity with respect to subject matter knowledge about commercial law issues is critical for providing initial and continuing education to economic court judges.

#### **Task 1: Coordination with Supreme Court and Institute of Justice**

**Overview:** USAID designed KJEP's scope of work based on the Supreme Court's request for specific assistance to help Kazakhstan's judiciary enhance its adjudication in commercial law issues. Ensuring that KJEP's programming addresses the Supreme Court's needs and

ultimately meets its overarching goal, in Year 1 USAID and the Supreme Court signed a Memorandum of Understanding (MOU) to document mutual intentions and expectations for advancing the commercial law qualifications of judges and court personnel. Year 1 activities were outlined in Attachment 1 to the MOU. In Year 2 these Parties will identify new activities to be represented with an Attachment 2 to the MOU.

**Key Activities under this task area include:**

- Facilitating development and finalization of an Attachment 2 to the MOU signed on March 18, 2010 to govern USAID's assistance and the Supreme Court's contribution. KJEP project staff will meet with the Supreme Court's Head of the International Department, the Director of the Institute of Justice, and the Supreme Court's Judicial Education Department.
- Further identify Supreme Court's priorities for substantive training courses and its cost-share contributions (e.g., either in-kind or partial funding of training participant expenses) as demonstration of its commitment to reform efforts.
- Organize and hold Attachment 2 to the MOU signing between the USAID and the Supreme Court.

**Resources:** KJEP staff, in coordination with USAID, will lead this task to frame the obligations for both the Supreme Court and the USG that form the foundation for the project's assistance. The KJEP home office will serve as a resource and provide any necessary assistance.

**Expected results/Timing:** Signed Attachment 2 to the MOU between USAID and the Supreme Court of the Republic of Kazakhstan. Signing of the Attachment 2 is anticipated for September-October 2010.

**Task 2: Regional Study Tour**

**Overview:** In line with call in the Concept of Legal Policy for 2010 – 2020 for more extrajudicial protections for civil rights, the Supreme Court is keenly interested in increasing judges' knowledge not only in commercial law issues but also in international arbitral awards enforcement. Judges' lack of knowledge about enforcement of arbitration awards has hampered foreign investment and contributed to mistrust of Kazakhstan's judicial independence. To alleviate this problem, KJEP will work to improve judges' knowledge in arbitration and expose them to best international practice in collaboration with state courts and arbitration courts.

A study tour to a country with well-developed arbitration enforcement systems can provide an opportunity for the judges of Kazakhstan to learn about potential solutions to their challenges, and to glean from international best practice in improving court involvement in this area.

**Key Activities under this task area include:**

- Identify the most appropriate study tour destination, taking into account activities undertaken by the EU, GTZ, and other donor projects for joint programming opportunities or other resource leveraging. Discuss with the Supreme Court any

specific expectations it may have with respect to this activity. Two institutions KJEP will investigate at the suggestion of the Kazakhstan International Arbitrage are the Arbitrage Institute of the Stockholm Chamber of Commerce and the T.M.C. Asser Institute in The Netherlands.

- Work with the Supreme Court to select one judge each from eight economic courts to participate in the study tour. Cooperate with the Kazakhstan International Arbitrage to identify a study tour participant from KIA at a cost-share, whereby KJEP pays only the logging and program costs for the participant at the study tour site (i.e., photocopied materials, miscellaneous supplies). Selection criteria will be collaboratively determined. Additionally, the project plans to have each of the selected attendees and the KIA expert deliver one peer training in their home court as a condition for participating in this activity.
- COP Julia Maliyeva and DCOP Sholpan Tashmukhambetova will accompany study tour participants.
- Third country training logistics will be administered either through a training center or organization under a subcontract as well as the use of a TCN consultant.
- Conduct orientation prior to study tour. The location of the orientation will depend on the point of departure for the study tour, whether Almaty or Astana.
- Incorporate a Training of Trainers (TOT) session during the study tour to provide the judges and KIA representative with the skills and materials to begin planning for their post-study tour peer trainings.
- Collect pre-training evaluations from each identified participant.
- Collect post-training evaluations from each study tour participant.

**Resources:** DCOP Sholpan Tashmukhambetova will liaise with the Supreme Court and the organization or individual handling logistics for the study tour. COP Julia Maliyeva and DCOP Sholpan Tashmukhambetova will organize and complete a TOT session during the study tour. The project's Training Specialist Tatyana Pushkina will coordinate with the Chemonics home office to ensure that training participants are properly reported to TrainNET. The Chemonics home office will assist with formal approval requests and waivers (if necessary) for this activity.

**Expected results/Timing:** Study tour completed on or about November –December 2010. Increased substantive knowledge and training capacity for an anticipated eight economic court judges and one KIA representative.

### **Task 3: Seminar for Economic Court Judges**

**Overview:** The Institute plans to hold its annual two-week continuing legal education program for judges in spring 2011 – the dates will be solidified during the fall 2010 planning session. The project will seize this opportunity to deliver one, two-day training on commercial law issues. The project will also invite at least four model judge-trainers from KJEP's previous programs to build their subject matter capacity and result in additional possible peer training topics. The subject areas presented at the Institute will likely include contract law or other topical, relevant subject areas consistent with the findings of the Year 1 training needs assessment. Training priorities were identified as: international private law, banking law, transactional law, and defense of property and ownership law. In addition, contract law was considered a high priority, particularly in the areas of annuities, insurance, trusts, commissions, and manufacturing.

**Key Activities under this task area include:**

- Develop training materials and resource materials.
- Review training materials with the Supreme Court's judicial education department and the Institute to confirm that the contents meet their needs. Finalize materials.
- Deliver training. Whenever possible, the project will seek to identify a sitting judge from Kazakhstan's judiciary to team with a subject matter specialist to increase participant receptivity.
- Collect participant evaluations following each training, polling their opinion as to the content's usefulness and effectiveness of the trainer.
- Package training materials and evaluations and submit to the Supreme Court and the Institute of Justice for ongoing training purposes.
- Sponsor at least four follow-up peer trainings taught by model judges attending the seminar, with KJEP staff participating in these peer trainings as possible.

**Resources:** DCOP Sholpan Tashmukhambetova will lead this component with assistance from local and international subject matter specialists as appropriate. The Project will investigate the possibility of cost-sharing expenses with the current GTZ project for subject matter specialists, based on Year 1 collaboration.

**Expected results/Timing:** The seminar will take place in May 2011 or when scheduled by the Institute. Increased substantive knowledge of approximately 30 judges and at least four model judges identified from Year 1 or the Year 2 post-study-tour peer trainings, who will employ their training capacity to expand their substantive knowledge. Follow-up peer trainings will take place in June and July 2011.

**Task 4: Regional Commercial Law Seminar for Economic and Civil Judges**

**Overview:** In October 2009, a letter from the Supreme Court specifically identified its interest in two regional trainings for economic court judges focusing on intellectual property rights and other commercial law issues. In Year 1 KJEP supported a training on intellectual property in Schuchinsk; in Year 2 the project will select another region, likely in the south of the country, and another topic for the training, seeking to target judges who were unable to attend the study tour, peer trainings, or the Institute's continuing education program. The location of the regional training will depend on which area had the least representation during prior project training activities, or which exhibits the greatest need for training in commercial law. Ideally training needs will also reflect caseload trends from individual economic courts.

**Key Activities under this task area include:**

- Develop training materials and resource materials.
- Review training materials with the Supreme Court's judicial education department to confirm that the contents meet their needs. Finalize materials.
- Work with the Supreme Court to select up to 25 judges from five regions to participate in the seminar. Selection criteria will be agreed upon with the Supreme Court.

- Deliver training. Whenever possible, the project will seek to identify a sitting judge from Kazakhstan's judiciary to team with a subject matter specialist(s) to increase participant receptivity.
- Collect participant evaluations following each training polling their opinion as to the content's usefulness and the effectiveness of the trainer.
- Package training materials and evaluations and submit to the Supreme Court for ongoing training purposes.
- Sponsor at least four follow-up peer trainings taught by model judges attending the seminar, with KJEP staff participating in these peer trainings as possible.

**Resources:** DCOP Sholpan Tashmukhambetova will lead this component with assistance from COP Julia Maliyeva and Training Specialist Tatyana Pushkina. The project may also need to call upon subject matter experts as needed to review training materials and deliver the training.

**Expected results/Timing:** The regional training will be held in June 2011. Follow-up peer trainings will take place starting in June and ending in August. The trainings will increase the substantive knowledge of approximately 25 members the judiciary, and the training capacity of four judge-trainers.

## **Component 2: Court Personnel Capacity Increased**

### **Task 1: Judge-Trainers and Peer Trainings; Identification of Model Judge-Trainers**

**Overview:** Increasing the judiciary's knowledge and understanding of international arbitral awards enforcement issues will be achieved through subject matter trainings for all judges, but the project will also build sustainability through the creation of trained judge-trainers who will further train their peers. This activity will also increase sustainability of training skills by pairing, whenever possible, training coordinators nominated by the Supreme Court with the judge-trainers. The end goal is to build internal capacity within Kazakhstan's judiciary, specifically the country's economic courts and court personnel in other courts (rayon courts) which also review commercial law cases. This activity will engage participants from the study tour (Component 1, Task 2) to prepare and deliver one training session to court personnel from their home region. At least one month before any peer training takes place, KJEP staff will seek to create a two-person team (one judge-trainer and one training coordinator) for each peer training. KJEP staff will provide the team with ongoing mentoring and support throughout their partnership. *Oblast* training coordinators will utilize the skills and abilities gained through the project's TOT activity as they work with the judge-trainer, the subject matter specialist. The training coordinator and judge-trainer work together to analyze participant needs, prepare training content, resources, a training outline, and work together to deliver the peer training, all the while using interactive delivery approaches. Upon completion, judges will have the knowledge to enforce international arbitral awards and have developed training expertise upon which the Supreme Court and the Institute may rely for future training delivery or curriculum development. To build on Year 1 gains, KJEP intends to select a group of another two to four model judges to join the four model judges from Year 1 in delivering subject matter trainings in Year 2.

**Key Activities under this task area include:**

- Each judge who attends the Year 2 regional study tour (Component 1, Task 2 described above) will deliver one training to judges and relevant court personnel in their home courts.
- KJEP staff will work with the Supreme Court to identify interested and available training coordinators. Whenever possible, at KJEP's cost, an *oblast* training coordinator will be partnered with a judge trainer to prepare and deliver the peer training.
- Project staff will support the *oblast* training coordinator and each judge as they develop or compile training materials, provide advice on training delivery (i.e., identifying the most effective means for relaying the subject matter through presentation, case studies, discussion groups, etc.), and assist with training logistics (e.g., advertising the course to appropriate target audience, producing training materials).
- Prior to training delivery, each *oblast* training coordinator and judge-trainer will collect and analyze pre-training evaluations to gauge participant knowledge of the training topic.
- Following each training, KJEP will collect participant evaluations polling their opinion as to the content's usefulness and effectiveness of the trainers.
- COP Julia Maliyeva will review all of the training evaluations and identify two to four judges who successfully delivered their trainings and recommend them to the Supreme Court to serve as Year 2 model judge-trainers. Project staff will attend all post-study-tour peer trainings.
- Package training materials and evaluations and submit to the Supreme Court and the Institute of Justice for ongoing training purposes.

**Resources:** COP Julia Maliyeva will lead this component with assistance from DCOP Sholpan Tashmukhambetova and training specialist Tatyana Pushkina as training observers. In Year 2, KJEP will work with the model judge-trainers and support them as they work with *oblast* training coordinators to develop and deliver additional trainings to their peers, after the study tour, and/or after the planned, regional commercial seminar (in addition to peer trainings taught by model judges identified in Year 1), and/or after the spring seminar at the Institute of Justice, to best prepare them to train their peers beyond the project period.

**Expected results/Timing:** The activities under this task will begin on or about January 2011. We anticipate that all third-country study tour participants will complete training delivery by the end of April 2011. This activity is intended to reach a wider target audience of individuals who work with the courts on arbitration enforcement matters. If each post-study tour training targets 15-20 participants (e.g., judges, lawyers, court personnel), this activity will have increased the capacity of 120 – 160 judicial sector personnel.

**Task 2: Training of Trainers (TOT) for Supreme Court Training Coordinators**

**Overview:** At the request the Supreme Court, the project will organize a training of trainers (TOT) event for a new cadre of 16 *oblast* training coordinators. The project will deliver a two-day activity focused on TOT workshops, materials, and hands-on, practical exercises. The end goal of this activity is to ensure that *oblast* training coordinators have the skills and knowledge to independently assess participant training needs, develop and implement a

training curriculum using interactive and modern delivery approaches, and the ability to conduct post-training evaluations. In response to KJEP Year 1 consultant assessments calling for participatory and e-learning approaches, the TOT will also incorporate workshops on modern learning methods. Modern learning solutions range from the simplest of reading and comprehension exercises to Web-based programs offering dynamic content and interactive learning networks. In the middle of this spectrum are a variety of useful training solutions, including approaches to engage a participant's presentation skills, develop analysis and report writing, and foster learning through group practicums. To allow for easy distribution and user-friendly upgrading of TOT materials in the future, KJEP will present TOT materials on CD-ROM. During the TOT training coordinators will learn how to assess audiences and needs to more effectively deliver training solutions and materials.

The Training Needs Assessment Toolkit from Component 2, Task 3, will be introduced and discussed. During the TOT activity, participants will also be introduced to the concepts of assessing for learning impact and measuring the application of knowledge, through post-training evaluations. Post-training evaluations not only furnish training providers an important tool in evaluating their performance, they can also uncover details about how training recipients are applying their new knowledge. The training delivery and evaluation capacity built into this activity will be leveraged during KJEP's peer trainings under Component 2, Task 1.

**Key Activities under this task area include:**

- Develop training materials and resource materials.
- Review training materials with the Supreme Court's judicial education department to confirm that the contents meet their needs. Finalize materials.
- Deliver training.
- Deliver to the training coordinators a resource package on CD for each training activity KJEP conducted in Year 1, including agendas, relevant background and research documents, training materials, and administrative templates (e.g., short-term employment contracts for technical services, vendor contracts), to promote e-learning, and to promote replicability for delivered trainings.
- Collect participant evaluations following each training, polling their opinion as to the content's usefulness and effectiveness of the trainer.

**Resources:** DCOP Sholpan Tashmukhambetova will liaise with the Supreme Court. COP Julia Maliyeva and Training Specialist Tatyana Pushkina will support with logistics and technical assistance. The project will also use an international or third-country training expert to help develop components of the TOT activity.

**Expected results/Timing:** The activities under this task will begin on or about November 2010. This activity will increase the training capacity for 16 *oblast* training coordinators.

**Task 3: Training Needs Assessment Toolkit**

**Overview:** Prior to the start of KJEP the Supreme Court identified training needs in the follow substantive technical areas: intellectual property, copyrights, patents, and international arbitration. During Year 1 the project conducted a comprehensive training needs assessment of all economic court judges and the Institute of Justice, which identified additional training

priorities (see Component 1, Task 3). While KJEP will continue to deliver trainings in the identified priority areas, the project will also mentor the Supreme Court training coordinator and 16 *oblast* training coordinators through a training needs assessment exercise, to help ensure their ongoing ability to regularly assess the knowledge and skills of economic court judges.

**Key Activities under this task area include:**

- To build internal capacity of Kazakhstan judiciary to conduct needs assessments the project will develop and submit to the Supreme Court and 16 regional training coordinators a Training Needs Assessment (TNA) Toolkit, which will include all training needs assessment methodologies used by the project during Year 1. These include survey forms, a list of GOK-produced documents to review, interview guides, focus group guides, case data, data tabulation spreadsheets, and report templates. The TNA Toolkit will also feature an introduction to the concepts of assessing for learning impact and measuring the application of knowledge.
- Work closely with the Supreme Court's judicial education department (Justice Suleimenova and her staff) to help them to conduct an assessment for the next training year.
- Assist Supreme Court to tabulate and analyze the results of the training needs assessment, to identify the knowledge gaps that should be prioritized in future training plans. Likewise, assist the Supreme Court to draft a report summarizing the findings.

**Resources:** DCOP Sholpan Tashmukhambetova, based in Astana where counterpart offices are, will lead this activity. The project will also use international or third-country expertise to develop sections of the Toolkit focused on assessing impact and the application of knowledge.

**Expected results/Timing:** The Training Needs Assessment Toolkit will be developed and delivered to the Supreme Court and 16 *oblast* training coordinators by November 30, 2010.

**Task 4: Institute of Justice Curriculum Development**

**Overview:** KJEP recruited a technical expert to advise the Institute of Justice, Kazakhstan's principal judicial education facility, on the development of a training curriculum for priority commercial law issues in Year 1. The resulting report presents opportunities to strengthen training for economic court judges through: 1) delivery mechanisms (i.e., use of Web sites and CD ROM); 2) curriculum design; 3) training methodology; and 4) information management and dissemination. During Year 2 the project will work with the Institute of Justice to incorporate such recommendations into the Institute's commercial law training program, and to deliver training curricula to the Institute for its future use, supplementing intellectual property and transaction law curricula delivered to the Institute following KJEP-supported trainings in Year 1.

**Key Activities under this task area include:**

- Administer a survey to Institute of Justice instructors to help validate KJEP recommendations for approaching training delivery, training subjects, the

development of training materials, training methodology, training evaluation, and information management in Institute of Justice programs.

- Participate in the Institute's upcoming planning session that will set its 2011 programs.
- Assist in developing the Institute of Justice Annual Program curriculum. KJEP will work to promote the recommendations for improving this program made in the Year 1 report by expert Mark Segal, including use of the Proposed Training Curriculum for Economic Court Judges appearing as Appendix B of the report, and featuring:
  - a) A reduction in the number of general subjects (i.e., constitutional law, court administration, ethics) addressed in the curriculum compared to 2010, adding more time for commercial subjects.
  - b) Differentiation of the time devoted to commercial subjects, rather than assigning a flat, two-hour time allotment for each subject, to better reflect priority training needs identified in the KJEP Year 1 TNA.
  - c) Offer mini-courses within the two-week program, like May 2010's "Legal Regulation of Transactions" mini-course, with "training teams" involving a co-instructor (like Dr. Schraam or Dr. Louzhina) paired with a Supreme Court Justice, with each team responsible for preparing electronic resource materials.
- Develop guidelines on the preparation of training materials and guidelines for presentations for instructors. Such guidelines will stipulate the delivery of training materials in electronic format, for further use by the Institute, with appropriate recognition and publicity given to the authors of the material.
- Deliver to the Institute a resource package on CD for each training activity, which includes agendas, relevant background and research documents, training materials, and administrative templates (e.g., short-term employment contracts for technical services, vendor contracts), to promote e-learning for judges who cannot attend Institute trainings, and to promote replicability for delivered trainings.
- Conduct survey to measure faculty satisfaction with the delivered curricula.

**Resources:** DCOP Sholpan Tashmukhambetova will attend the Institute's planning meetings.

**Expected results/Timing:** About four new training curricula delivered to the Institute. The activities under this task will begin on or about September 2010 and continue for the remainder of the project's second year.

#### **Task 5: Develop Court Administration Manual for Economic Courts**

**Overview:** During Year 1 a Knowledge, Skills, Attitudes and Abilities (KSAA) analysis was conducted in three economic courts to examine some of the challenges courts face in their handling of commercial law issues. This analysis will be delivered to the Supreme Court and 16 training coordinators as a part of the TNA Toolkit described in Task 2 Component 2. Supporting the recommendations made within the analysis, the project will develop a Court Administration Manual for court administrative staff to help them improve their performance in addressing commercial law issues.

#### **Key Activities under this task area include:**

- Find experts to contribute to the Court Administration Manual development, possibly through an advisory committee structure. These experts will help determine the

content of the manual, based on recommendations from Year 1's KSAA analysis. Content may address recruiting, selecting, training, developing, and counseling court employees; establishing and adhering to ethical standards; preparing court budgets; developing and implementing systems (both automated and procedural) that support effective calendar management; collecting and publishing data on pending and completed judicial business and internal functions of the court system; and other functions.

- Develop the Court Administration Manual for the economic court administrative staff.
- Deliver the Court Administration Manual to all economic courts of Kazakhstan. In addition the project will seek the contribution from other donor organizations to deliver the manual to other courts.
- KJEP will investigate producing electronic and interactive formats for the Court Administration Manual.

**Resources:** COP Julia Maliyeva will lead this component with assistance from DCOP Sholpan Tashmukhambetova and Training Specialist Tatyana Pushkina. The project will also call upon local, regional, and international expert assistance to help draft relevant portions of the manual.

**Expected results/Timing:** The activities under this task will begin in February or March 2011 and be delivered to the economic courts by August.

## REPORTING REQUIREMENTS

KJEP will submit all reports as stipulated by the KJEP task order and the Rule of Law IQC, including monthly, semi-annual, annual, and final reports.

Annex A: KJEP Year 2 Work Plan and Implementation Schedule with Budget Forecast														
		Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
<b>Task 1.1 Coordination with Supreme Court and Institute of Justice</b>	Collaborate with the Supreme Court’s Head of the International Department, the Director of the Institute of Justice, and the Supreme Court’s Judicial Education Department on priorities and cost-share agreements for Year 2. Develop and finalize Attachment 2 to the MOU signed on March 18, 2010.													
<b>Task 1.2: Regional Study Tour</b>	In collaboration with the Supreme Court, identify and subcontract with the most appropriate third-country training center, work with the Supreme Court to identify one judge from each economic court, collaborate with the Kazakhstan Institute of Arbitrage to select their representative, recruit and identify for qualified third-country subject matter expert to present at study tour, conduct pre-orientation for participants, implement the event, and conduct pre- and post-training evaluations of participants.													
<b>Task 1.3: Seminar for Economic Court Judges</b>	Develop and finalize training materials and resource materials in collaboration with the Institute of Justice, recruit and identify local and international subject matter specialists as appropriate, select expert judge-trainers to attend seminar, conduct seminar, and undertake pre- and post-training evaluations of all participants.													
<b>Task 1.4: Regional Commercial Law Seminar for Economic and Civil Judges</b>	Develop and finalize training materials and resource materials in collaboration with the Supreme Court, recruit and identify subject matter experts to review materials and deliver trainings, conduct seminar, undertake pre- and post-training evaluations, and distribute resulting materials.													

Annex A: KJEP Year 2 Work Plan and Implementation Schedule with Budget Forecast														
		Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
<b>Task 2.1: Judge-Trainers and Peer Trainings; Identification of Expert Judge-Trainers</b>	Identify expert judge-trainers to lead this activity, identify available training coordinators to partner with judges, provide logistical, material, and technical assistance to support preparation and delivery of peer trainings, implement peer trainings, conduct pre- and post-training evaluations, and distribute resulting materials.													
<b>Task 2.2: Training of Trainers (TOT) for Supreme Court Training Coordinators</b>	Recruit and identify subject matter specialist to advise on instructional materials and deliver trainings, develop and finalize training materials and resource materials in collaboration with the Supreme Court and technical advisor, deliver trainings and introduce resource materials to training coordinators, and conduct pre- and post-training evaluations.													
<b>Task 2.3: Training Needs Assessment Toolkit</b>	Recruit and identify subject matter specialist to advise on additional materials regarding modern learning approaches, collect, translate, and produce all training and resource materials for Toolkit, and provide the Supreme Court with technical assistance assessing and analyzing judicial educational needs for 2012.													
<b>Task 2.4: Institute of Justice Curriculum Development</b>	Survey knowledge, skills, and programmatic needs of Institute of Justice instructors, provide strategic advice to Institute in development of 2011 curriculum programming, develop and deliver guidelines and training resources to instructors, and conduct follow-up survey to assess satisfaction of delivered curricula.													
<b>Task 2.5: Develop Court Administration Manual for Economic Courts</b>	Recruit and identify local, regional, and international subject matter specialists to provide resources and guidance in manual content, and develop and deliver the manual to all economic courts in Kazakhstan.													
<b>KJEP Year 2 Budget Forecast</b>		\$28,523	\$23,107	\$107,777	\$54,538	\$56,215	\$41,144	\$67,794	\$49,249	\$53,626	\$43,957	\$42,615	\$28,816	\$63,503

## **ANNEX B. Amendments to Performance Monitoring and Evaluation Plan**

This annex presents proposed changes to KJEP's approved Performance Monitoring and Evaluation Plan (PMEP) involving indicator definitions, indicator targets, discontinuing a context indicator, proposing a replacement, and modifying data collection frequencies. Following the relevant explanations below, a new indicator table (Exhibit) and new Indicator Reference Sheets are attached. In the indicator table (Exhibit), text that diverges from that in the approved PMEP appears in **red font** for clarity.

**INDICATOR DEFINITIONS.** The definitions for two of KJEP's indicators have been refined as follows:

- We have expanded the definition of indicator 1.3 to include the Supreme Court as well as the Institute of Justice in the count, so that the indicator reads, "Number of substantive training curricula on commercial law issues delivered to **the Supreme Court and** Institute of Justice." Since both entities have authority for judicial training in the Republic, it is appropriate to consider deliveries to both as institutional assistance.
- We have expanded the definition of indicator 1.4 to replace the "Institute of Justice" designation with "GOK," such that the indicator reads, "Percentage of **GOK justice** personnel satisfied with project developed training courses." This change also reflects a wider institutional presence involved in Kazakhstan's judicial training, including the Supreme Court and its 16 oblast training coordinators, who will receive project capacity-building assistance with the proposed Training Needs Assessment Toolkit in Year 2.

**INDICATOR TARGETS.** We have revised targets for four of KJEP's indicators, with three targets going up and one target going down, as follows:

- The target for indicator 1.1, "Number of judges trained with U.S. government assistance," has been raised from 185 to 461. The previous indicator target was for a count of economic court judges only, whereas in Year 1 the project has also trained *rayon* court, *oblast* court, and administrative court judges.
- The target for indicator 1.2, "Number of (non-judge) justice sector personnel who received U.S. government training," has been lowered from 300 to 118, based on Year 1's performance of training 18 non-judge justice sector personnel. The project expects that non-judge justice sector personnel can be reached with peer trainings following the Year 2 study tour on international arbitration enforcement.
- The target for indicator 1.3, "Number of substantive training curricula on commercial law issues delivered to the Supreme Court and Institute of Justice," has been raised from 4 to 6, based on Year 1's performance of three training curricula delivered based on KJEP-sponsored programs. Specifically, these were the study tour agenda and materials, the transaction law curriculum, and the Schuchinsk intellectual property seminar curricula.

- The target for indicator 2.1, “Number of trainings on commercial law issues funded or delivered by the judiciary of Kazakhstan,” has been raised from 22 to 39, based on Year 1’s performance of co-funding by the Supreme Court for each of KJEP’s sponsored activities. The project expects the same dynamic in Year 2, and is estimating slightly conservatively to account for variance in peer trainings.
- In addition, a target for indicator 2.3, “Percentage of justice sector personnel satisfied with project trainings,” has been set based on Year 1 outcomes. The Year 1 outcome is 80%, and the life-of-project target is 90%.

**DISCONTINUED INDICATOR.** We must recommend discontinuing one of KJEP’s indicators, as follows:

- Indicator 2.4, “Change in time between case filing and disposition in economic courts,” cannot be collected through the courts’ EAIAS information system, as originally thought. We therefore cannot monitor this trend to extrapolate any anecdotal information about how economic court judges may be applying KJEP training.

**NEW INDICATOR.** To substitute for the removal of Indicator 2.4, we recommend the following indicator:

- 1.5, “Number of e-learning resources disseminated to the judiciary.” This indicator will count the number of training materials and resources distributed to judges, court staff, and justice sector institutions, like the Institute of Justice and the Supreme Court, in electronic format. Likewise, the project will track whether e-learning resources are posted online, such as through the Supreme Court Web site. To ensure reliability of data, online availability of resources will be reported but not quantified, so that the target count for this indicator will only include CD-ROMS or electronic files transferred offline.

**DATA COLLECTION FREQUENCY.** While we will report on indicators as events are conducted, we have replaced the PMP’s original quarterly review of data with a semi-annual review, to coincide with semi-annual reporting to USAID. Our remaining context indicator 2.2, “Number of commercial law cases filed,” will be collected annually to align with the Supreme Court’s own data collection practices.

Indicator/Milestone	Data Source/Collection Methodology, Disaggregation, and Frequency	Baseline/ Year One Outcome	Life-of-Project Targets/Outcomes
<b>US Government Foreign Assistance Objective: Governing Justly and Democratically</b>			
<b>Program Area 2.1: Rule of Law and Human Rights</b>			
<b>Program Element 2.1.3: Justice System</b>			
<b>Program Sub-Element 2.1.3.1: Justice System Actors</b>			
<b>Program Goal: Assist Supreme Court of the Republic of Kazakhstan increase the capacity of judges, lawyers, legal associations and court personnel for resolving commercial disputes.</b>			
<b>KRA 1: Judicial education and training on commercial-law-related areas improved.</b>			
1.1: Number of judges trained with U.S. government Assistance	<ul style="list-style-type: none"> <li>Supreme Court and SIEC records</li> <li>Gender, location (i.e., oblast court, rayon court), subject matter</li> <li>Continuous as training events occur; Semi-annual review</li> </ul>	311 (139 economic court judges and 172 other judges)	461 (former target 185)
1.2: Number of (non-judge) justice sector personnel who received U.S. government training	<ul style="list-style-type: none"> <li>Project training records</li> <li>Gender, geographic location, subject matter</li> <li>Continuous as training events occur; Semi-annual review</li> </ul>	18	118 (former target 300)
1.3: Number of substantive training curricula on commercial law issues delivered to the Supreme Court and Institute of Justice	<ul style="list-style-type: none"> <li>Project training records</li> <li>Subject matter, medium</li> <li>Continuous as training events occur; Semi-annual review</li> </ul>	3 (intellectual property, transaction law, study tour materials)	6 (former target 4)
1.4: Percentage of GOK justice personnel satisfied with project developed training courses	<ul style="list-style-type: none"> <li>Survey</li> <li>Position title, experience, subject matter expertise of respondent (if any), subject matter of training course, gender</li> <li>Continuous as training events occur; Semi-annual review</li> </ul>	Not applicable	90%

Indicator/Milestone	Data Source/Collection Methodology, Disaggregation, and Frequency	Baseline/ Year One Outcome	Life-of-Project Targets/Outcomes
1.5 Number of e-learning resources disseminated to the judiciary	<ul style="list-style-type: none"> <li>• Project records</li> <li>• Format, medium, location(i.e., oblast court, rayon court), subject matter</li> <li>• Continuous as resources are developed; Semi-annual review</li> </ul>	0	300
<b>KRA 2: Capacity of court personnel addressing commercial-law-related issues increased.</b>			
2.1: Number of trainings on commercial law issues funded or delivered by the judiciary of Kazakhstan	<ul style="list-style-type: none"> <li>• Monitoring forms; Court records</li> <li>• Position title of trainer, geographic location, subject matter, gender</li> <li>• Continuous as training events occur; Semi-annual review</li> </ul>	19 (study tour, peer trainings, Schuchinsk, Institute spring seminar)	39 (former target 22)
2.2: Number of commercial law cases filed	<ul style="list-style-type: none"> <li>• Supreme Court records</li> <li>• Court location, case type (subject matter), court</li> <li>• Annual review</li> </ul>	77 (intellectual property cases filed; 39 considered)	None defined as this is a context indicator included to identify trends that will inform project activities.
2.3: Percentage of justice sector personnel satisfied with project trainings	<ul style="list-style-type: none"> <li>• Pre- and post-training evaluations</li> <li>• Position title, employer, geographic location, training subject matter, gender</li> <li>• Continuous as training events occur; Semi-annual review</li> </ul>	80%	90%

<b>Key Result Area:</b> Judicial Education and Training on Commercial-Law-Related Areas Improved			
<b>Indicator:</b> 1.1 - Number of judges trained with U.S. government assistance			
DESCRIPTION			
<b>Precise Definition(s):</b> The number of judges who received training on commercial law issues from project-led or project facilitated events. Training may occur in-country or abroad.			
<b>Unit of Measure:</b> Number			
<b>Disaggregated by:</b> Position, location of court (specialized economic court, Oblast court, city court), subject matter, gender			
<b>Justification &amp; Management Utility:</b> Monitoring the number of judges trained will enable the project to track the reach of its training activities and to ensure that appropriate members of the judiciary of Kazakhstan are building their skills to handle complex economic and commercial-law-related issues.			
PLAN FOR DATA ACQUISITION			
<b>Data Collection Method:</b> The project will design a training sign-in form that will be used to collect data.			
<b>Data Source(s):</b> Primary data from training sign-in form, Supreme Court and SIEC records			
<b>Frequency/Timing of Data Acquisition:</b> Continuous as training events occur			
<b>Estimated Cost of Data Acquisition:</b> Minimal: Time required for designing forms, compiling data, and data entry.			
<b>Responsible Individual(s) at the Project:</b> Training Specialist			
DATA QUALITY ISSUES			
<b>Date of Initial Data Quality Assessment:</b> N/A			
<b>Known Data Limitations and Significance (if any):</b> Training attendees may not fill in the form, especially those arriving late.			
<b>Actions Taken or Planned to Address Data Limitations:</b> The trainer or moderator for the training event will assist to ensure that everyone has completed the sign-in form.			
<b>Date of Future Data Quality Assessments:</b> N/A			
<b>Procedures for Future Data Quality Assessments:</b> N/A			
PLAN FOR DATA ANALYSIS, REVIEW, & REPORTING			
<b>Data Analysis:</b> Time trends, cross-tabulation			
<b>Presentation of Data:</b> Narrative, charts			
<b>Review of Data:</b> Data will be reviewed by the COP to ensure data integrity.			
<b>Reporting of Data:</b> Via monthly, semi-annual, annual, and final reports (as applicable given timing of the trainings.)			
OTHER NOTES			
<b>Notes on Baselines/Targets:</b> 0/0 Number; Cumulative.			
Other Notes: N/A			
PERFORMANCE INDICATOR VALUES			
Year	Target	Actual	Notes
2010	90	311	139 economic court judges and 172 other judges
2011	461		
THIS SHEET LAST UPDATED ON: 08/31/2010			

<b>Key Result Area:</b> Judicial Education and Training on Commercial-Law -Related Areas Improved			
<b>Indicator:</b> 1.2 - Number of (non-judge) justice sector personnel who received U.S. government training			
DESCRIPTION			
<b>Precise Definition(s):</b> The persons included in this count comprise all (non-judge) personnel working for the judiciary of Kazakhstan, as well as legal professionals or arbitration specialists (e.g., private practitioners) not formally employed by the judiciary who have received project training.			
<b>Unit of Measure:</b> Number			
<b>Disaggregated by:</b> Position title, organization (employer), type of court (specialized economic court, Oblast court, city court), geographic location, subject matter, gender			
<b>Justification &amp; Management Utility:</b> Monitoring the number of court personnel, legal professionals, and specialists who were trained will enable the project to track the reach of its training activities and knowledge of economic issues and commercial-law-related matters.			
PLAN FOR DATA ACQUISITION			
<b>Data Collection Method:</b> The project will design a training sign-in form that will be used to collect data.			
<b>Data Source(s):</b> Primary data from training sign-in form.			
<b>Frequency/Timing of Data Acquisition:</b> Continuous as training events occur			
<b>Estimated Cost of Data Acquisition:</b> Moderate: Time required for designing forms, compiling data, and data entry.			
<b>Responsible Individual(s) at the Project:</b> Training Specialist			
DATA QUALITY ISSUES			
<b>Date of Initial Data Quality Assessment:</b> N/A			
<b>Known Data Limitations and Significance (if any):</b> Training attendees may not complete the form, especially if they arrive late. Additionally, the project will deliver varied trainings by subject matter and the attendance of one trainee to one or more project-sponsored training is highly possible.			
<b>Actions Taken or Planned to Address Data Limitations:</b> The trainer or moderator for the training event will help ensure that each participant completes the sign-in form. Further, the sign-in form design will take the latter into account to avoid double counting.			
<b>Date of Future Data Quality Assessments:</b> N/A			
<b>Procedures for Future Data Quality Assessments:</b> N/A			
PLAN FOR DATA ANALYSIS, REVIEW, & REPORTING			
<b>Data Analysis:</b> Time trends, cross-tabulation			
<b>Presentation of Data:</b> Narrative, charts.			
<b>Review of Data:</b> Data will be reviewed by the COP to ensure data integrity.			
<b>Reporting of Data:</b> Via monthly, semi-annual, annual, and final reports (as applicable given timing of the surveys).			
OTHER NOTES			
<b>Notes on Baselines/Targets:</b> 0/0 Number			
Other Notes: N/A			
PERFORMANCE INDICATOR VALUES			
Year	Target	Actual	Notes
2010	200	18	
2011	118		
THIS SHEET LAST UPDATED ON: 08/31/2010			

<b>Key Result Area:</b> Judicial Education and Training on Commercial-Law -Related Areas Improved			
<b>Indicator:</b> 1.3 - Number of substantive training curricula delivered to the Supreme Court and Institute of Justice			
DESCRIPTION			
<b>Precise Definition(s):</b> The number of training materials from KJEP-sponsored seminars, workshops, and training courses delivered to the Supreme Court and Institute of Justice, both of which are primary providers of judicial education.			
<b>Unit of Measure:</b> Number			
<b>Disaggregated by:</b> Subject matter, medium			
<b>Justification &amp; Management Utility:</b> Monitoring the number of training methodologies delivered to judges, legal professionals, technical specialists, and court personnel captures the availability and access to resources. Further, pending the prospects for the project to incorporate distance learning tools the project will demonstrate access to a wide community of practice and long-term prospects for cost-effective learning.			
PLAN FOR DATA ACQUISITION			
<b>Data Collection Method:</b> Training records			
<b>Data Source(s):</b> Project records, Institute of Justice, and Supreme Court			
<b>Frequency/Timing of Data Acquisition:</b> Continuous as training events occur			
<b>Estimated Cost of Data Acquisition:</b> Minimal: Information available in project training logs and/or communication with the Institute.			
<b>Responsible Individual(s) at the Project:</b> Training Specialist			
DATA QUALITY ISSUES			
<b>Date of Initial Data Quality Assessment:</b> N/A			
<b>Known Data Limitations and Significance (if any):</b> None			
<b>Actions Taken or Planned to Address Data Limitations:</b> N/A			
<b>Date of Future Data Quality Assessments:</b> N/A			
<b>Procedures for Future Data Quality Assessments:</b> N/A			
PLAN FOR DATA ANALYSIS, REVIEW, & REPORTING			
<b>Data Analysis:</b> Cross-tabulation			
<b>Presentation of Data:</b> Narrative, table			
<b>Review of Data:</b> Data will be reviewed by the COP to ensure data integrity.			
<b>Reporting of Data:</b> Via, semi-annual, annual, and final reports (as applicable given the timing of the surveys).			
OTHER NOTES			
<b>Notes on Baselines/Targets:</b> N/A			
Other Notes: N/A			
PERFORMANCE INDICATOR VALUES			
Year	Target	Actual	Notes
2010	2	3	Intellectual property, transaction law, study tour materials
2011	6		
THIS SHEET LAST UPDATED ON: 08/31/2010			

<p><b>Key Result Area:</b> Judicial Education and Training on Commercial-Law -Related Areas Improved  <b>Indicator:</b> 1.4 - Percentage of Government of Kazakhstan justice personnel satisfied with project developed training materials</p>			
DESCRIPTION			
<p><b>Precise Definition(s):</b> Measures the proportion of Government of Kazakhstan justice personnel who are satisfied with the quality of the training materials developed and delivered by the project.</p> <p><b>Unit of Measure:</b> Percentage</p> <p><b>Disaggregated by:</b> Position title, experience, subject matter expertise of respondent (if any), subject matter of training course, gender</p> <p><b>Justification &amp; Management Utility:</b> Tracking justice personnel satisfaction will enable the project to validate quality and usefulness of content, and delivery methodology based on feedback. Additionally, this will inform the project about the effectiveness of project training materials.</p>			
PLAN FOR DATA ACQUISITION			
<p><b>Data Collection Method:</b> Survey</p> <p><b>Data Source(s):</b> Training participants</p> <p><b>Frequency/Timing of Data Acquisition:</b> Continuous as trainings occur</p> <p><b>Estimated Cost of Data Acquisition:</b> Moderate: Time to develop survey, compile data, and data entry,.</p> <p><b>Responsible Individual(s) at the Project:</b> DCOP and Training Specialist</p>			
DATA QUALITY ISSUES			
<p><b>Date of Initial Data Quality Assessment:</b> N/A</p> <p><b>Known Data Limitations and Significance (if any):</b> None</p> <p><b>Actions Taken or Planned to Address Data Limitations:</b> N/A</p> <p><b>Date of Future Data Quality Assessments:</b> N/A</p> <p><b>Procedures for Future Data Quality Assessments:</b> N/A</p>			
PLAN FOR DATA ANALYSIS, REVIEW, & REPORTING			
<p><b>Data Analysis:</b> Time trends, cross-tabulation</p> <p><b>Presentation of Data:</b> Narrative</p> <p><b>Review of Data:</b> Data will be reviewed by the COP to ensure data integrity.</p> <p><b>Reporting of Data:</b> Via semi-annual, annual, and final reports (as applicable given timing of the surveys).</p>			
OTHER NOTES			
<p><b>Notes on Baselines/Targets:</b> N/A</p> <p>Other Notes: N/A</p>			
PERFORMANCE INDICATOR VALUES			
Year	Target	Actual	Notes
2010	75%	NA	
2011	90%		
THIS SHEET LAST UPDATED ON: 08/31/2010			

<b>Key Result Area:</b> Judicial education and training on commercial-law-related areas improved			
<b>Indicator:</b> 1.5 - Number of e-learning resources disseminated to judiciary			
DESCRIPTION			
<p><b>Precise Definition(s):</b> The number of training materials (such as curriculums, case studies, and toolkits) transferred to judicial personnel either partially or entirely through electronic media (such as CD-ROMs or videos) or posted to a public website or online portal.</p> <p><b>Unit of Measure:</b> Number</p> <p><b>Disaggregated by:</b> format, medium, location (i.e. oblast court, rayon court), subject matter</p> <p><b>Justification &amp; Management Utility:</b> According to Section 7 of Kazakhstan's Judicial Education Strategy, judicial education professionals should increase utilization of Distance Learning in development of training solutions, including use of the Supreme Court website. KJEP's Year 1 analysis of judicial education needs also called for an electronic collection of training materials and an increased focus on making materials available for dissemination online or in electronic media format. Though internet and internet connections are not widespread in Kazakhstan modern computers can be found frequently in homes, schools, and workplace, meaning low technology forms of Distance Learning should be explored. E-learning resource dissemination helps ensure that capacity building materials are properly categorized and stored, reducing changes of duplicative efforts as well as provides a platform for collaboration and networking across distances. E-learning materials also remain accessible references for training participants outside of the classroom and create opportunities to impact a wider audience, an important tool for building judicial capacity in Kazakhstan.</p>			
PLAN FOR DATA ACQUISITION			
<p><b>Data Collection Method:</b> Project staff will collect data.</p> <p><b>Data Source(s):</b> Project records.</p> <p><b>Frequency/Timing of Data Acquisition:</b> Continuous as resources are developed.</p> <p><b>Estimated Cost of Data Acquisition:</b> Minimal: Project staff will gather the information as they disseminate e-learning materials.</p> <p><b>Responsible Individual(s) at the Project:</b> DCOP</p>			
DATA QUALITY ISSUES			
<p><b>Date of Initial Data Quality Assessment:</b> N/A</p> <p><b>Known Data Limitations and Significance (if any):</b> None</p> <p><b>Actions Taken or Planned to Address Data Limitations:</b> N/A</p> <p><b>Date of Future Data Quality Assessments:</b> N/A</p> <p><b>Procedures for Future Data Quality Assessments:</b> N/A</p>			
PLAN FOR DATA ANALYSIS, REVIEW, & REPORTING			
<p><b>Data Analysis:</b> Time trends, cross-tabulation.</p> <p><b>Presentation of Data:</b> Narrative, chart.</p> <p><b>Review of Data:</b> Data will be reviewed by the COP to ensure data integrity.</p> <p><b>Reporting of Data:</b> Via semi-annual, annual, and final reports.</p>			
OTHER NOTES			
<p><b>Notes on Baselines/Targets:</b> N/A</p> <p>Other Notes: N/A</p>			
PERFORMANCE INDICATOR VALUES			
Year	Target	Actual	Notes

2010	<b>N/A</b>	2	1) Year 1 intellectual property study tour materials were published on the Supreme Court's website at: <a href="http://www.supcourt.kz/system/inter.php?SECTION_ID=3444&amp;ELEMENT_ID=17198">http://www.supcourt.kz/system/inter.php?SECTION_ID=3444&amp;ELEMENT_ID=17198</a> ; and 2) Training materials from the regional intellectual property seminar in Schuchinsk were posted at: <a href="http://www.supcourt.kz/upload/materialy.doc">http://www.supcourt.kz/upload/materialy.doc</a> .
2011	<b>300</b>		This will include 160 diskettes containing Court Administration Manual, 40 diskettes Arbitrage regional study tour materials, 40 copies of materials each from the Regional Economic Seminar and Regional Commercial Law Seminar, 25 CD-ROMs with Training of Trainer materials, and more than 25 copies of the Training Needs Assessment Toolkit.
THIS SHEET LAST UPDATED ON: 08/31/2010			

<b>Key Result Area:</b> Capacity of Court Personnel Addressing Commercial-Law-Related Issues Increased			
<b>Indicator:</b> 2.1 - Number of trainings on commercial law issues funded or delivered by the judiciary of Kazakhstan			
DESCRIPTION			
<b>Precise Definition(s):</b> The number of formal trainings (includes seminars, workshops, training courses) delivered by a member of the judiciary of Kazakhstan or the Institute of Justice, or sponsored by these organizations.			
<b>Unit of Measure:</b> Number			
<b>Disaggregated by:</b> Position title of trainer, geographic location, subject matter, gender			
<b>Justification &amp; Management Utility:</b> Monitoring the number of trainings delivered by Kazakhstan's judicial officials and members of the Institute of Justice will enable the project to demonstrate the counterpart's increased capacity and sustainability to deliver training activities beyond the period of project assistance.			
PLAN FOR DATA ACQUISITION			
<b>Data Collection Method:</b> The project will design a simple form to collect data.			
<b>Data Source(s):</b> Primary data from designed form.			
<b>Frequency/Timing of Data Acquisition:</b> Continuous as training events occur			
<b>Estimated Cost of Data Acquisition:</b> Moderate: Time required for designing forms, compiling data, and data entry.			
<b>Responsible Individual(s) at the Project:</b> DCOP and Training Specialist			
DATA QUALITY ISSUES			
<b>Date of Initial Data Quality Assessment:</b> N/A			
<b>Known Data Limitations and Significance (if any):</b> Training attendees may not complete the form, especially if they arrive late. Additionally, the project will deliver varied trainings by subject matter and the attendance of one trainee to one or more project-sponsored training is highly possible.			
<b>Actions Taken or Planned to Address Data Limitations:</b> The trainer or moderator for the training event will ensure that each participant completes the sign-in form. Further, the sign-in form design will take the latter into account to avoid double counting.			
<b>Date of Future Data Quality Assessments:</b> N/A			
<b>Procedures for Future Data Quality Assessments:</b> N/A			
PLAN FOR DATA ANALYSIS, REVIEW, & REPORTING			
<b>Data Analysis:</b> Time trends, cross-tabulation			
<b>Presentation of Data:</b> Narrative, charts.			
<b>Review of Data:</b> Data will be reviewed by the COP to ensure data integrity.			
<b>Reporting of Data:</b> Via monthly, semi-annual, annual, and final reports (as applicable given the timing of the surveys).			
OTHER NOTES			
<b>Notes on Baselines/Targets:</b> Prior to starting project activities, project staff will collect baseline information from the Supreme Court's judicial education office and the Institute of Justice.			
Other Notes: <b>N/A</b>			
PERFORMANCE INDICATOR VALUES			
Year	Target	Actual	Notes
2010	<b>16</b>	19	Study tour, peer trainings, Schuchinsk seminar, Institute of Justice spring seminar
2011	<b>39</b>		
THIS SHEET LAST UPDATED ON: 08/31/2010			

<b>Key Result Area:</b> Capacity of Court Personnel Addressing Commercial-Law-Related Issues Increased			
<b>Indicator:</b> 2.2 - Number of commercial law cases filed			
DESCRIPTION			
<b>Precise Definition(s):</b> The number of cases categorized as commercial law (per the subset of cases the Supreme Court already tracks, such as: intellectual property, copyright, patent). Pending clarification on the functionality and capacity of the Supreme Courts case information system, EAIAS, additional subset areas may be added to this list.			
<b>Unit of Measure:</b> Number			
<b>Disaggregated by:</b> case type (subject matter), court			
<b>Justification &amp; Management Utility:</b> Tracking the subject matter involved in cases filed in courts will enable the project to better assist the Supreme Court and Institute of Justice determine future training needs by case prevalence trends.			
PLAN FOR DATA ACQUISITION			
<b>Data Collection Method:</b> Project staff will request from Supreme Court			
<b>Data Source(s):</b> Supreme Court's EAIAS case register system			
<b>Frequency/Timing of Data Acquisition:</b> Annual			
<b>Estimated Cost of Data Acquisition:</b> Minimal: Project staff will request information already generated by Supreme Court on a quarterly basis.			
<b>Responsible Individual(s) at the Project:</b> D COP			
DATA QUALITY ISSUES			
<b>Date of Initial Data Quality Assessment:</b> N/A			
<b>Known Data Limitations and Significance (if any):</b> None			
<b>Actions Taken or Planned to Address Data Limitations:</b> N/A			
<b>Date of Future Data Quality Assessments:</b> N/A			
<b>Procedures for Future Data Quality Assessments:</b> N/A			
PLAN FOR DATA ANALYSIS, REVIEW, & REPORTING			
<b>Data Analysis:</b> Time trends			
<b>Presentation of Data:</b> Narrative, chart.			
<b>Review of Data:</b> Data will be reviewed by the COP to ensure data integrity.			
<b>Reporting of Data:</b> Via annual and final reports (as applicable given the timing of the surveys).			
OTHER NOTES			
<b>Notes on Baselines/Targets:</b> Collect baseline information from 2009 court records prior to project activities.			
Other Notes: <b>No targets have been established as this is a context indicator intended to inform the project of trends that may affect technical assistance activities.</b>			
PERFORMANCE INDICATOR VALUES			
Year	Target	Actual	Notes
2010	N/A	77	77 intellectual property cases were filed in 2009, 39 considered
2011	N/A		
THIS SHEET LAST UPDATED ON: 08/31/2010			

<b>Key Result Area:</b> Capacity of Court Personnel Addressing Commercial-Law-Related Issues Increased			
<b>Indicator:</b> 2.3 - Percentage of justice sector personnel satisfied with project trainings			
DESCRIPTION			
<b>Precise Definition(s):</b> This is the proportion of justice sector training participants who claim that the trainings are useful and their knowledge was increased or that their skills were enhanced during training, based on post-training evaluation forms.			
<b>Unit of Measure:</b> Percentage			
<b>Disaggregated by:</b> Position title, employer, geographic location, training subject matter, gender			
<b>Justification &amp; Management Utility:</b> Tracking trainee satisfaction will enable to project to validate delivery methodology and/or apply different learning styles based on feedback. Additionally, this will inform the project about the effectiveness of project training materials.			
PLAN FOR DATA ACQUISITION			
<b>Data Collection Method:</b> Pre- and post- training evaluations			
<b>Data Source(s):</b> Training participants			
<b>Frequency/Timing of Data Acquisition:</b> Continuous, as training events occur, semi-annual review.			
<b>Estimated Cost of Data Acquisition:</b> Moderate: Time required for designing forms, compiling data, and data entry.			
<b>Responsible Individual(s) at the Project:</b> DCOP			
DATA QUALITY ISSUES			
<b>Date of Initial Data Quality Assessment:</b> N/A			
<b>Known Data Limitations and Significance (if any):</b> N/A			
<b>Actions Taken or Planned to Address Data Limitations:</b> N/A			
<b>Date of Future Data Quality Assessments:</b> N/A			
<b>Procedures for Future Data Quality Assessments:</b> N/A			
PLAN FOR DATA ANALYSIS, REVIEW, & REPORTING			
<b>Data Analysis:</b> Time trends, cross-tabulation			
<b>Presentation of Data:</b> Narrative, chart, table.			
<b>Review of Data:</b> Data will be reviewed by the COP to ensure data integrity.			
<b>Reporting of Data:</b> Via annual and final report.			
OTHER NOTES			
<b>Notes on Baselines/Targets:</b> N/A			
Other Notes: N/A			
PERFORMANCE INDICATOR VALUES			
Year	Target	Actual	Notes
2010		80%	
2011		90%	
THIS SHEET LAST UPDATED ON: 08/31/2010			