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Prepared by DPK Consulting
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EXECUTIVE SUMMARY

The primary activities of the JRIP for this reporting period included: completion of the Year One Work Plan and PMEP; assistance with nationwide inventory courts IT infrastructure, of meetings with USAID, courts, donors, and other key stakeholders, recruitment for 3 long-term local staff positions (Assistant Communication, Legal Framework Assistant, and Court Admin and Case Delay Assistant), hiring of a ICIS Administrative Assistant, and hiring of two ICIS nomenclatures short-term local consultants; recruitment for 3 long-term local staff positions; ; and implementation of the activities described below.

The JRIP continues to facilitate close coordination with the Supreme Court, AO and MOJ, who represent the project's principal counterparts. Cooperation with the MOJ is encompassed in this report primarily under "Implementation of New Reforms" and "Computerization" (Section 2). Assistance to the Supreme Court, AO and the lower courts is encompassed under "Improvement in Court Practices and Material Resources" (Section 3).

Outline of key activities:

- Held weekly coordination meetings with the Ministry of Justice and the Administrative Office of the Court Budget Council
- Site visits to interview ICIS users and court IT employees in Basic Courts Ohrid, Skopje 1 & 2, Kriva Palanka, Bitola, Appellate Court Skopje, and Supreme Court to clarify ICIS nomenclatures
- Project experts met with the Cabinet Deputy of the President and representatives regarding JRIP concerns regarding proposed specialized commercial court legislation currently under review.
- Worked with MOJ to a new methodology and strategic plan for filtering and purging and estimated 500,000 old enforcements cases necessary to fully implement the Law on Enforcement.
- Assisted the Chamber of Enforcement Agents to evaluate their current software capabilities and explored possible new funding for developing enhanced software application
- Provided 4-day training for MOJ Department for Oversight of Enforcement Agents, Notaries and Mediators on EU best practices and standards for monitoring the work of private enforcement agents.
- Coordination with Academy for Training Judges and Public Prosecutors regarding program assistance in development of training curriculum in case flow management, court administration, and training of public information officers.
- Information sessions regarding the draft Law on Court Services for 140 court administrative employees in the Appellate Courts of Gostivar, Stip, Bitola, and Skopje.
- Attended coordination meeting with the General Secretary of the Supreme Court and AO staff regarding caseflow management and backlog reduction issues
- JRIP experts drafted "talking points" for US Ambassador, Mission Director, and others US Mission Officials to better educated Macedonian Officials regarding the potential impact of proposed changes to the new Law on Courts
- Consulted with the Macedonian Young Lawyers Association and obtained volunteers to aid the courts in the filing and purging of old enforcement cases
- Designed JRIP web-site which will be operational in early April, 2007
- Supervised US experts working on the development of a new case management system
- Established and identified the membership of an automation steering committee.

- Conducted focus groups of court automation users to assist local and foreign experts in developing functional requirements for new case management system
- Reviewed nomenclatures used within the courts and ancillary agencies
- Assisted the Administrative Office in conducting the Public Users Satisfaction Survey in all basic courts.
- Began preparations for a Court Financing Study which will begin with the arrival of a US budget and finance expert who will arrive in May

1. OVERALL PROJECT MANAGEMENT TASKS

1.1 Stakeholder Coordination

The JRIP team held weekly coordination meetings with representatives of the MOJ attended by Dimitar Gjorgievski, Director of the State Administrative Inspectorate, Nikola Prokopenko, head of the Sector and Ilija Petrovski, head of ICT center and USAID CTO Antoaneta Skartova. During the previous quarter, the primary focus of these coordination meetings MOJ included court automation and court IT infrastructure needs. The meetings also addressed JRIP assistance to MOJ in implementing the Law on Enforcement which requires transfer of an estimated 500,000 cases from the basic courts to the enforcement agents by the end of 2008.

The JRIP Chief of Party, Sam Juncker also held weekly coordination meetings with the Director of the Administrative Office of the Court Budget Counsel and selected members of her staff. These meetings have served to help clarify the Project's objectives and strengthen counterpart relationships with both the Supreme Court and MOJ.

The coordination meetings provide an effective forum to address policy issues to be made either by the MOJ or other agencies of the Macedonian government. During the previous quarter policy issues discussed included setting time limits for the resolution of cases, and questions of how to handle cases where litigants have not paid their required fees, etc. The meetings have also helped clarify counterpart responsibilities in the JRIP CMS initiative.

Topics discussed include and update on JRIP- AO plan of cooperation in:

- Caseflow management
- Human resources management
- ICT Inventory
- Fiscal management – planning for financial study and expert consultant
- Public access and satisfaction
- Court facility management

During this quarter topics also included an update on plans for:

- A new Automated Case Management and Information System (CMS);
- MOJ Committee (and workgroups)
- ICIS Nomenclatures coordination
- Training efforts
- JRIP meeting with the Academy
- A three way Memorandum of Understanding with Supreme Court, MOJ and the Project
- Other issues as necessary.

To help define cooperation and goals between counterparts, the JRIP team drafted, a Three-way Memorandum of Understanding (MOU) between the Supreme Court, MOJ and JRIP. With the approval of USAID, the MOU was presented to Supreme Court Chief Justice in March 2008, and is currently under review..

On March 28th, JRIP Chief of Party, Sam Juncker, JRIP consultant, Joseph Traficanti and USAID CTO Antoaneta Skartova met with Director of the Academy for Judges and Prosecutors to discuss coordinating activities with the Academy and to explore ways in which JRIP could assist the Academy in various trainings involving judges, court administrators and court staff. The meeting was very fruitful and resulted in some preliminary plans for future collaboration with the Academy. These plans include having a liaison appointed by the director to work directly with the Project and for JRIP to provide technical and ministerial support for conducting programs for court staff in core competencies. When the Law on Court Services is enacted there will also be a need to train court secretaries as they transition to court administrators under that new law.

1.2 Donor Coordination

On March 25th, the JRIP team was invited to a meeting with the Academy for Judges and Prosecutors which was attended by various donors including OSCE. The meeting provided donors with a clear overview of the Academy's development, progress, and needs to date, and was helpful to donors in assessing their future assistance.

1.3 Consultations with Court Users

In conjunction with the project's initiative to assist with the implementation of the Law on Enforcement,, Nena Ivanovska, Component A leader and Joseph Traficant, JRIP consultant, met with two leaders of the Macedonian Young Lawyers Association. The Association expressed strong interest in providing pro bono interns to assist the courts in identifying and purging old cases that will be transferred to the enforcement agents by the end of 2008,. This type of activity will increase following the hiring of the Communications Coordinator, described above under Section 3.2, Public Access, and below under Section 1.5, Administration.

1.4 Communications

The JRIP team collected quotes to begin design and development of a new website. It was agreed among the JRIP team that the earlier MCMP website should be phased out and the Project would contract with a local firm to design a new JRIP project website. JRIP plans to develop a website for the Administrative Office and possibly some lower courts under the Supreme Court's website, it is in the Project's interest to contract with a local vendor to provide continued support and assistance as necessary..

A local vendor was selected in November 2007 for the JRIP web-site and staff has worked with the vendor to complete the design. The website has been designed according to the USAID branding policy and as of the end of March was still being reviewed for approval being reviewed and will be operational in early April.

1.5 Administration

Due to family medical reasons, David Anderson officially resigned as JRIP Chief of Party effective January 31, 2008. On February 1, 2008, Sam Juncker, lead advisor for Improvement of Court Practices and Material Resources, was named the new JRIP Chief of Party, and will continue to also serve as the Senior Court Administration Advisor for the Project. In lieu of David Anderson's departure from the project and with the approval of USAID, the project has hired the Hon. Joseph Traficanti to provide technical assistance with component A, Implementation of New Reforms from February 10th to August 10th. Judge Traficanti previously served as Chief of Party on the previous Macedonia Court Modernization Project and has served as a Deputy Chief Administrative Judge in the State of New York. USAID has also approved the creation of two new positions; a Legal Framework Assistant and Court Administration and Case Delay Assistant. JRIP expects the two new selected staff members to begin working by the end of April, 2008.

This quarter, Vladimir Manasievski was hired to serve a 6 month contract beginning on February 1st as a ICIS Administrative Assistant. In February and March, Vladimir has completed the field research including the collection and organization of all existing nomenclatures from ICIS users in Basic Courts Ohrid, Skopje 1, Skopje 2, Kriva Palanka, Bitola, Appellate Court Skopje and Supreme Court. His work in these courts was supported and conducted with the help of the court's IT employees.

In addition to this position, in March JRIP engaged two short term consultants: Boban Misoski and Hanis Mehmedi to work for four weeks and provide professional assistance in development of ICIS nomenclatures and legal framework assistance, as needed.

In March 2008, the project help two rounds of interviews for a full time Communication Coordinator position. As of this writing, the project was in the process of selecting a final candidate for this position the selected candidate will begin in early April 2008.

In addition to this position, in March JRIP engaged two short term consultants: Boban Misoski and Hanis Mehmedi to work for four weeks and provide professional assistance in development of ICIS nomenclatures and legal framework assistance, as needed.

2. IMPLEMENTATION OF NEW REFORMS

2.1 Law on Courts

Establishment and Development of Specialized Departments

During the previous quarter, the Government of the Republic of Macedonia proposed establishment of new specialized commercial courts. In response, the JRIP team and USAID expressed a number of strong concerns about this new development (e.g., caseloads and times to disposition do not support the need for a special court and no analysis has been provided that otherwise justifies this reorganization of the court structure). The proposed change would have a substantial impact on the state budget and court budget respectively by draining resources from the general courts and it would negate the project's plan to improve the management of specialized commercial cases in the general courts.

The JRIP team continued its efforts to educate key policy makers regarding the potential negative consequences of this change as well as an amendment to establish a specialized court for labor cases. To date, neither of these amendments have been passed and remain under consideration by the MOJ and Parliamentary committees.

The Project was asked to attend a meeting with a representative of the Cabinet of the Deputy President of the Government to express its views on the proposed amendments. The meeting was held on February 29th and was attended by two Economic Advisor for Regulatory Reform of the World Bank “Doing Business Project”, Jordan Trajkovski, and Luba Zimanova Beardsley and Tea Trumbic. The meeting was requested to solicit the opinion of the Project on the issue of a separate commercial court. Sam Juncker, Chief of Party as well as Nena Ivanovska, JRIP Legal Framework and Reform Manager and Joseph Traficanti, JRIP consultant, attended and expressed their collective concerns and opinions of potential negative consequences of the proposed changes.

The nascent Administrative Court has received the paper files from the Supreme Court and is in the process of organizing itself. There is a need to support the electronic transfer of case information from the Supreme Court to the Administrative Court. There has been a delay in doing this because of a disagreement between the Supreme Court and the MOJ regarding the purchase of the necessary software to facilitate migration of these electronic files. When this problem is worked out, the Project stands ready to assist in offering advise and technical assistance as may be agreed upon with the court and the MOJ.

2.2 Law on Judicial Council of the Republic of Macedonia

Project activities with the Judicial Council of the Republic of Macedonia will be redefined following a decision on the status of the Administrative Office and the Court Budget Council. There is a proposal before the Parliament which, if enacted, will remove the overall jurisdiction and supervision of the Court Budget Council and its Administrative Office from the Supreme Court to the Judicial Council. This will require technical and practical assistance to the CBC/AO and Judicial Council, if enacted.

2.3 Law on Enforcement

Reduction in Old Court Enforcements Cases

The Law on Enforcement introduced a system of private enforcement agents that has been operational since May 2006. Concerns have arisen and which required a Parliamentary remedy is the disposition and/or transfer of cases pending in the courts and not disposed of by the courts by the end of 2008. At a meeting of the Executive Board of the Chamber of Enforcement Agents (Chamber) the JRIP team assisted in identifying priority needs of the Chamber. Among them is the issue of old pending cases in the basic courts. Among the key concerns is the volume of old enforcement cases to be transferred from the courts to the Chamber. The Chamber expressed concerns about parties’ anticipated reluctance to pay fees to the enforcement agents since fees had already been paid once for enforcement proceedings in the courts. Another concern is the significant procedural obstacles to applying modern case flow management techniques to dispose of those old cases more expeditiously. These issues should be addressed in tandem with the review of the Law on Civil Procedure that is being proposed by the MOJ for 2008.

Introduction of New Methodology for Filtering and Purging Enforcement Cases

The MOJ has requested that the Project assist in the development of a methodology to purge as many pending cases as possible and encourage the courts to resolve as many cases as possible before the end of the year when the basic courts will lose jurisdiction over enforcement cases. JRIP has also been asked to assist in the development of a protocol for the eventual transfer of enforcement cases from the courts to the enforcement agents by year’s end. A draft of the methodology and protocol has been prepared by the Project, shared with the MOJ and is being improved upon as more facts become available

The Project hosted a brainstorming session with Mrs. Radica Lazareska-Gerovska, MOJ state advisor and Mr. Antonio Koshtanov, president of the Chamber of Enforcement Agents. Mrs. Gerovska presented the MOJ statistics on the backlog of enforcement cases in all 27 basic courts (total of 393,000 old cases). However, the project has raised concerns that the actual number of backlogged enforcement cases maybe much higher than MOJ's official estimates. In March, JRIP staff gathered from the president of the Skopje 2 Court, which shows that this court alone has a backlog of 434,000 cases.

Basic Courts Veles and Gevgelija were initially selected as pilot courts for testing the accuracy of the MOJ statistical data. Basic Court Veles has 21,000 cases, three times more than the official data. The situation in the Basic Court Gevgelija is better, but the number is still high for a court with basic jurisdiction. Two additional basic courts –Skopje II and Kumanovo were later visited before the team prepared a Methodology and Action Plan for filtering and purging of old enforcement cases. The Project is planning to host a meeting in mid-April 2008 with president judges of basic courts to present the draft methodology and action plan. The feedback from this meeting will determine future course of action.

Collaboratively, the MOJ, Project and Chamber of Enforcement Agents developed forms to be sent to each court in Macedonia in an attempt to get a more precise number of cases which must be dealt with either through purging or transfer. These forms were sent out over the signature of the Minister of Justice and are due back to the MOJ on or before June 1st.

It has also been determined that some courts, (perhaps 5) will need assistance in purging their cases, either due to large backlogs, lack of staff, or both. In order to address this issue the Project and MOJ met on March 27th with representatives of the Macedonian Young Lawyer's Association. The representatives have agreed to solicit members of their association to assist these needy courts to filter cases and determine a more accurate number of enforcement cases than is available.

Changes to the Law on Enforcement that had been pending Parliament approval since August 2007, were passed in January 2008. The relevant change extended the date for the basic courts to have jurisdiction over enforcement cases. The new changes decreased the number of territories of basic courts from sixteen to eleven where fifty-four enforcement agents will have jurisdiction to enforce cases in the Republic of Macedonia. Seven new enforcement agents were also authorized but have not been trained or sworn into office as of this writing. The most crucial change is delaying the transfer of cases from the courts to the enforcement agents until December 31, 2008. The JRIP has proposed focusing on the disposal of as many of these old cases as possible through purging or resolution while the cases are still in the courts. This will relieve the agents of a significant backlog that may exceed 450,000 cases, which the Chamber and agents do not have the capacity to absorb.

Training of MOJ Personnel in Supervisory Capacity

On January 14th and 15th, the Project assisted the MOJ Department for Oversight of Enforcement Agents, Notaries and Mediators by organizing the first training for its new employees. The purpose of the training was to expose participants to European experiences, such as from the Netherlands, and to highlight EU standards and practices for monitoring the work of private enforcement agents. The Minister of Justice, Mr. Mihajlo Manevski opened the training and expressed his gratitude to the USAID and the Project for the continued support of the reform effort. Center For International Legal Cooperation consultant Mr. Jos Uitdehaag, an enforcement agent from the Netherlands and member of the Executive Board of the International Union of Judicial Officers, conducted a two-day training on oversight and monitoring of the work of the enforcement agents' offices.

Participants at this training were employees of the supervisory department and representatives from the Chamber of Enforcement Agents, State Auditor's Office and the Public Revenue Office. Findings and recommendations from the training will be utilized to identify specific training and support needs within the MOJ and Chamber of Enforcement Agents.

During the event, JRIP facilitated highly productive discussions between the MOJ sector and the Chamber of Enforcement Agents, and both agencies agreed to continue to work together in order to improve this process. The participants agreed on seven conclusions which will be the baseline for further development of the work of the MOJ department and Chamber. The Project will support work on changes and amendments to the regulations governing the profession of enforcement agents. The Chamber deems it necessary to clarify the jurisdiction of the MOJ department conducting inspections based upon citizen's complaints.

Introduction of Case Management System for the Chamber of Enforcement Agents

Another key objective will be improving the system for tracking and reporting performance by the Chamber to the MOJ through more effective use of automation. JRIP IT staff has made an assessment of the current IT capabilities of the Chamber and has made recommendations for future IT development. The JRIP staff has also ascertained that World Bank may have funds available for this enhancement and has facilitated collaboration between the World Bank and the Chamber.

Ms Nena Ivanovska, Component A leader, met with Mr. Zoran Stojkovski, executive director of the Center for Institutional Development on March 4, 2008 and discussed possible trainings for capacity building of the Chamber of Enforcement Agents and MOJ Sector for oversight of the work of enforcement agents, public notaries and mediators. It was agreed that CIRA will conduct a series of trainings on Strategic Planning, Project Management Cycle and Governing Boards through April-June 2008 and the MOJ Sector will hold team building training in May 2008.

2.4 Law on Academy for Training Judges and Public Prosecutors

The JRIP Chief of Party, Sam Juncker, consultant Joseph Traficant, and USAID CTO Antoaneta Skartova met on March 28th with Judge Aneta Arnaudova, Director of the Academy for Training Judges and Public Prosecutors (Academy). This followed a coordination meeting conducted by the Academy on March 25th with OSCE. At that meeting the Academy outlined its particular needs and reported that their programmatic funding would be depleted by June 2008.

Assistance with Development of Academy Training Curriculum and Workshop Planning

A planning meeting was held with the Academy director on March 28th, the Project expressed its interest in supporting the Academy in areas that do not conflict with or overlap programs planned with other donors. It was tentatively agreed at the meeting that the Academy would designate a staff member to be a liaison to the Project and that the Project and the Academy would have regular coordination meetings. The Project agreed that, during the first year, it would assist the Academy in conducting possible training for court staff, as resources permit. Tentatively this includes the training of Public Information Offices (PIO) once appointed in each court as has been prescribed by the proposed Law on Court Services. Another area of collaborative assistance is teaching core competencies in case flow management, court administration, time management, etc.. to court staff who had not undergone this training by the MCMP (the previous court modernization project).

2.5 Draft Law on Court Services

Suggested Improvements of the Draft Law through Feedback and Suggestions from Court Personnel

The JRIP team has committed itself to continued support of the MOJ Legislative Drafting Working Group. The Project has offered whatever assistance the Government of Macedonia deems necessary to assist in reviewing the draft law, hosting public discussions and preparing recommendations. The Project conducted four information sessions with court administrative employees in the appellate court regions as follows: Appellate Court Skopje, January 3, 2008. Appellate Court Bitola on January 9, 2008; Appellate Court Gostivar on January 15, 2008. (Appellate Court Stip was conducted in the last quarter on December 28th 2007). The novelties of the proposed law were introduced and more than 6,000 flyers in Macedonian and Albanian were produced for distribution at these sessions and for future use before and after the law is passed. The Minister of Justice sent a “thank you” letter to each participant and enclosed a copy of the aforesaid flyer.

The latest information session was held with the judges’ assistants on February 21, 2008 at the Appellate Court Skopje. The judges’ assistants expressed their concerns about provisions in the draft law which envisions evaluation of their work to be conducted by the court administrator. They would like to be evaluated by the president of the court. Representatives from Basic Courts Skopje 1 and Skopje 2 would like their courts to have a special salary treatment due to the specialized work they do as civil and criminal courts respectively. The MOJ was very responsive to the concerns expressed and has subsequently met internally and with the Ministry of Finance to address these concerns if possible.

The other concerns are related to improving their salaries that are very low when compared to judges’ salaries. The union of court employees called for a strike, and court administration staff went on strike February 18-20, 2008. Court administration staff was dissatisfied with the Law on Judges Salaries that gives judges larger allowances for food than is allowed for other civil servants.

The proposal for enactment of the Law on Court Services was scheduled to be reviewed at the Parliament during the past quarter, however, that review did not occur. The Ministry of Justice Working Group continues to work on improving the provisions of the draft law. Two separate meetings (February 15th and 20th) were held at the Administrative Office of the Court Budget Council. The goal was to discuss budget restrictions and prepare a simulation of the fiscal impact of this law to the court budget if some employees get increased salaries. The Administrative Office of the Court Budget Council prepared and presented this simulation to the members of the working group on March 3, 2008

2.6 Law on Judges Salaries

Revised Law Adopted and Implemented

The Ministry of Justice has prepared changes to Article 12 of the Law on Judges Salaries that will be forwarded to Parliament in an expedited way. This change will reverse the provision that gives judges a privileged financial position in comparison to all other civil servants. It is this privileged financial position that has caused significant court staff unrest. It was objected to by the Minister of Finance and is said to be contrary to the Law on Execution of State Budget. JRIP stands ready to assist in any implementation issues, if requested by the MOJ, should the law be amended as expected.

2.7 Other Laws and Amendments

The Ministry of Justice Work Plan for 2008 was reviewed at the Government session on February 18, 2008. The Ministry will adjust its Working Program for 2008 so it is consistent with the National Program for Approximation with EU Laws. As soon as the Working Program is approved, the Project and the MOJ will discuss future legislative priorities.

Future support will likely include assistance in the implementation of recent amendments to the Law on Courts. On March 14th amendments to the law became effective which, among other things, gives the Supreme Court jurisdiction to review, upon complaint, the delay of cases in the lower courts which were not resolved within “a reasonable time”. The same law created an organized crime and corruption specialized court department in Skopje I which will cover the whole territory of the Republic of Macedonia. The same law designated certain additional courts to maintain registers of political parties in their region.

3. IMPROVEMENT IN COURT PRACTICES AND MATERIAL RESOURCES

3.1 Improved Court Administration Practices

Throughout the quarter the JRIP team continued to meet weekly with Dr. Zanina Kirovska, Director of the AO of the Court Budget Council (CBC), as well as with designated representatives of her staff. The meetings are designed to plan and coordinate Year One Project activities emphasizing coordination of tasks such as increasing the operational effectiveness of the AO. JRIP has focused first on development of specializations and coordination among the AO staff to increase the operational effectiveness of the AO in the areas of caseload management, human resources management, information and communications technology (ICT) management, financial management, public access and court user satisfaction, and court facilities management.

Improved AO Strategic Planning and Operational Capacity

The emphasis throughout the life of the Project will be on strengthening the capacities of the AO and creating a sustainable and effective administrative body. Specific assistance to the AO to date has included: supporting public access, service and information, and a court financing study. These discussions will continue, and activities adjusted, throughout the period of the Project.

As an alternative to regionalization of the AO, in the area of caseload management, the JRIP staff met with Supreme Court General Secretary Sonja Gruvska to review caseload management and delay reduction issues. Also attending the meeting was Dejan Sekulovski and Ana Cicakovska, of the AO who have been designated by the AO Director as JRIP’s counterparts to lead the AO’s efforts in the area of case delay reduction and to increase operational effectiveness in the courts. The JRIP staff reviewed with the general secretary the successful 2003 to 2007 MCMP pilot court activities in this area. Emphasis was placed on the best practices of the pilot court initiative, focusing on the tools used in each pilot court to successfully reduce their case backlog and the parameters and indicators used by the Project USAID to evaluate success.

The general secretary agreed to present these concepts to the Chief Justice and agreed to set up a meeting with him so that the Project could further develop these concepts with him. However, recently the Chief Justice has, at least for the short term, put these plans on hold.

AO Staff Specialization

The AO director has designated a member of her staff –Maja Klifova as AO legal department head to work with the Project in areas of case backlog reduction and human resource management. JRIP staff met with her on February 29th. Possible long and short term strategies were discussed and work will continue on these topics, thus furthering the goal of strengthening the operational capacity of the AO.

3.2 Public Access, Services and Information

The JRIP team has been meeting regularly with designated representatives of the AO to discuss improvements in public access. These discussions included various forms of cooperation, including development of public information officers (PIOs), public brochures, court websites and the public user satisfaction survey that was developed in the earlier Court Modernization Project.

During this quarter the JRIP staff met with the World Bank Implementation Office representative Mrs. Radevska to discuss court public user satisfaction issues. JRIP representatives explained the methodology, the concept, and current status and coordination efforts undertaken with the CBC/AO to implement the satisfaction survey throughout Macedonia.

Development of Public Information Officers

To support improvements in public access, services and information, JRIP has advertised and conducted the selection process for a full-time Communications Coordinator position. The position is designed to support improvements in public access, services and information among stakeholders, and to support development of improved communications resources including web pages, brochures, press releases, project reports, and training materials. This position will also assist with overseeing development of Public Information Officers (PIOs) in the courts and widely disseminate successes and best practices. The previous round of recruiting did not result in a qualified candidate willing to accept the position. As a result, a second round of posting and interviews took place and a selection will be made during April, 2008. The new position was created as an alternative to filling the Training Coordinator position.

Development of Strong Customer Service Orientation in Courts

An important tool for assessing public satisfaction with, and trust and confidence in the courts has proven to be the User Satisfaction Survey conducted semi-annually by the previous project (MCMP). This survey consists of 10 focused questions and was administered to staff and court users alike. The AO has agreed to take over this function with the help and assistance of JRIP, thus making the exercise a sustainable and long-term function of the courts. With the approval of the Supreme Court IT Center, the software application for this survey was installed on one Supreme Court laptop and Ms Ana Cicakovska of the AO was trained by JRIP. During this past quarter the survey was conducted by the AO with the support of the Project in all twenty-seven basic courts in the Republic of Macedonia. The results which follow will become a baseline for future surveys conducted exclusively by the AO with periodic assistance and support, as needed. This is now seen as strictly a Macedonian court system endeavor. The following table reveals those who agreed or strongly agreed with question number 10, "Overall, I think the court performed effectively."

.”Basic Court	%	Basic Court	%	Basic Court	%	Basic Court	%
Skopje 1	52.99	Negotino	84.21	Sv Nikole	92.19	Kochani	80.49
Veles	62.73	Kavadarci	68.69	Gostivar	55.84	Bitola	54.02
Kicevo	62.60	Debar	58.46	Ohrid	70.89	Sturga	67.87
Kratovo	88.57	Delcevo	91.67	Skopje 2	41.23	Berovo	69.51
Vinica	91.18	Kumanovo	48.42	Tetovo	50.83	Resen	83.67
Stumica	73.50	Krushevo	74.55	Prilep	70.34	Stip	63.25
Gevgelija	74.46	Radovish	80.33	K. Palanka	80.00	AVERAGE	70.10

3.3 Court Financing

In the last quarter the JRIP team hosted a planning meeting with Silvija Kamceva of the AO. to develop plans to provide expert assistance to identify options for improving court financial management and for securing higher levels of funding in the future. These planning sessions continued during this reporting period resulting in the selection of a budget and finance expert who will complete a study of Macedonia’s judicial budget and budget process. In the next quarter this consultant will review the Macedonia laws, regulations and forms in order to identify functions that can be streamlined or eliminated resulting in savings, and perhaps recommend legislation to improve services and reduce costs. The expert, Dr. Deborah Botch, will review current budget processes and methods by which the courts are financed in Macedonia and make recommendations, if appropriate, in the following areas and others: protocols for movement of funds, staffing authority, carrying amounts forward, management of arrears, defining priorities, conducting meaningful analysis, tying monetary expenditures to strategic planning and linking expenditures to appropriations.

This study will include a review of budget development processes in light of the current use of automation and the current system of court fees and their relation to services provided. As a result of this consultancy, the CBC/AO and JRIP will be given options for court financing, including new or revised fee-for-services system, and how court financing is handled in other countries. The consultancy will include a review of procedures by which funding is provided to the courts for payment of trial costs (such as courts of experts and interpreters) and for the procurement of materials and services required for court operations. It is expected that the consultancy will result in recommendations for clear fiscal policies and procedures and for the ways to make it more manageable and transparent. Macedonia is in need of a budget process which will result in greater levels of financing with a longer-term basis.

This consultant will be arriving in Macedonia in mid-May. In March 2008, JRIP began the process of collecting data that will support the court finance study. These items are being translated into English and will be forwarded to the budget and finance expert for review and preliminary work prior to her arrival in Country.

3.4 Court Computerization

Assessment of Court IT and Training Needs

Early MOJ Coordination Meetings focused on the “Review of the Integrated Court Information System (ICIS) in Selected Courts in Macedonia” (ICIS Report) that was produced in September 2007, and MOJ’s “Strategy for Justice Information Communication Technology 2007-2010” (MOJ ICT Strategy). This document was published in July 2007 and presented on November 26, 2007 at the MOJ ICT Strategy Donor Conference. These discussions helped in formulating approaches presented in the Year One Workplan resulting in significant work being conducted by the Project in the IT area.

One of the prerequisites for the advancement of IT in the courts is the requirement of a full and complete inventory of all hardware, its capacity, condition and connectivity. In February, in collaboration with the MOJ Computer Center staff, Supreme Court and AO IT staff, JRIP assisted in conducting a nationwide inventory. This included 62 court and prosecutor locations. The study included the IT infrastructure in the courts encompassing technical details and specifications of all hardware (routers, switches, servers, personal computers, and printers) connectivity availability, functionality of the local area networks and interviews with judges and court secretaries regarding the use of current automation in each court. The field work was completed by the end of February and the MOJ is in the process of preparing a detailed report which should be available by early April. Based on the report, an analysis will be made identifying accurate hardware and software needs.

The inventory visits were used also to check the progress and appropriate usage of the Integrated Court Information System (ICIS) and the Automated Budget Management System (ABMS). IT staff were able to talk with the users and help them refresh their ICIS and ABMS knowledge. While visiting the courts, these ICT professionals were also able to clarify and immediately resolve many user issues and provide tips on how to better utilize the applications. Meetings with court administrators and president judges were also held to solicit their views, comments and suggestions.

General conclusions from the February ICT inventory field trips are:

- The majority of the visited courts see the lack of financial and HR (ICT) resources as one of the main obstacles for better usage of the currently available hardware and software;
- No court has identified the lack of equipment/computers as the highest priority;
- At this time, the courts would like to have more ICT trainings instead of new equipment;
- Courts' local server machines are outdated and will have to be replaced with new ones;
- All visited courts were complaining of slow or bad WAN (Wide Area Network) response time;
- Field visits also showed that about half of the courts have no internet connection.

The conditions in the field regarding the quantity and quality of ICT equipment is often fluid. For example, in the last week of February, the MOJ started distributing an additional 300 personal computers (150 already received from the government, plus an expected 150 more from the World Bank). The new computers are entered in the ICT inventory when they arrive in the respective court. In other words, the number, type and quality of IT software and hardware changes rapidly.

Standardization of Court Nomenclatures

It is essential that nomenclatures used by the courts and the ICIS be standardized before any initiative to improve or augment ICIS be undertaken, or any new information management system be designed. Last quarter, the JRIP was asked by the MOJ to provide technical assistance in defining and unifying nomenclatures for the ICIS. To support this activity the JRIP has hired two, short-term consultants Boban Misoski and Hanis Mehmedi to assist the JRIP team in the nomenclature work as well as for other IT and legal framework support. In March the consultants assisted Component A leader Nena Ivanovska, with nomenclature development and have conducted significant research and prepared documents which will be needed to assist two US IT experts who will begin work in April on the development of new case management software to replace the ICIS presently used in several courts. JRIP will provide technical assistance in defining and unifying nomenclatures that will be used in the new case management system. For this purpose, JRIP has formed and facilitated a total of ten expert groups working on the subject of

nomenclatures in the following areas: civil; labor; commercial; non-contested procedure; enforcement; criminal; misdemeanors; prisons; public prosecutors; and mediators, public notaries and enforcement agents.

Development of a Judicial Automation Plan

To further support this effort, on February 1st, JRIP has hired a full time ICIS Technical Assistant on Nomenclatures, Vladimir Manasievski, to work on the Project for a period of six months. He began his work on February 1st and has since conducted on-site research on available existing nomenclatures and their consolidation. His work in the courts has been and will continue to be supported with the help of the courts' IT employees. Since the nomenclature issues go beyond the courts, he along with Component A leader, Nena Ivanovska, have visited notary and prison facilities as well, since eventually the MOJ will move to an integrated system wherein all of the nomenclatures must be consistent.

During February, the MOJ informed the JRIP team that a policy decision was made to completely overhaul the Integrated Court Information System (ICIS) with a new Case Management System (CMS). It was decided that a steering committee would be formed which would consist of the team generally attending the MOJ/ JRIP weekly coordination meeting, with some additions to the committee to widen the scope of expertise. By agreement with the MOJ and the Supreme Court, a steering committee was formed consisting of Sam Juncker, Chief of Party of JRIP, Joseph Traficanti, consultant, Ljupco Tagasovski, JRIP IT Specialist, Nena Ivanovska, JRIP Component A leader, Gordana Stojanova Ribaroski, JRIP Court Administration Coordinator, Dimitar Gjorgievski, and Ilija Petrovski representatives of the MOJ, Maja Hadzi Kimova of the AO and Vesna Bojadzievska from the Supreme Court IT department. Chief of Party, Sam Juncker directed the JRIP Procurement Coordinator to issue a memorandum to all members outlining the USAID/DPK regulations, guidelines and ethical proscriptions applicable to the procurement process.

At its first session the committee reviewed working rules, a code of ethics, procurement methods, resources, action plan and timeline for realization of tasks and activities as well the division of roles and responsibilities. In late March two additional sessions of the Committee were held during which were identified the topics for defining a general and technical environment in which the new application will have to operate.

The steering committee will meet regularly to shepherd the project to completion and oversee the work of consultants and vendors, as appropriate. A time line schedule has been prepared by JRIP's IT specialist which will be followed by all team members to keep the project on schedule. It is anticipated that the RFQ for the new case management software will be completed by and published in early May.

Also established was a focus group that will assist the Committee in the process of designing and verifying desirable functionalities as well in testing and piloting the new Automated Case Management System. The focus group is comprised of 17 relevant and experienced practitioners from 9 courts: 4 typists, 4 registry clerks, 2 ICT administrators, 3 judges, 1 legal assistant and 3 court secretaries.

Based on standards from the US National Center for State Courts, JRIP has developed a questionnaire which lists 214 desirable functionalities of automated court case management software. JRIP used the questionnaire to conduct a survey on desirable functionalities.

Between March 19th and 31st survey sessions were held during which the questionnaires were answered by focus group members, then by 21 employees from Basic Court Skopje 1 as well by 10 Heads of Departments from the Ministry of Justice

Gathered information was compiled in a survey summary report and presented to the steering committee. The general conclusion was that the new automated case management system should incorporate most of the listed functionalities.

In April Two US consultants will arrive to review the functional status of the current ICIS system and define functional requirements for the development of new case management system. Dr. Ronald Stout and Marianna Stout will arrive in Macedonia during the first week in April and begin the work necessary for the preparation of the RFQ to be issued in early May. A large amount of information has been collected and sent to the consultants in preparation for their in-country visit. As part of the preparation for the consultants, Ljupco Tagasovski Nena Ivanovska and Gordana Stojanova-Ribaroska, along with the two part-time local IT consultants, have organized and met with focus groups to develop desired functionalities for a case management system from the Macedonian court users themselves. These groups included court staff, court administrators and judges. Each was asked to complete a questionnaire identifying their views of the desirable functional requirements that an ideal case management system should include. The purpose was to distinguish what functionalities are not necessary for the Macedonian model of case processing and which ones are necessary.

4. SUMMARY OF PLANNED ACTIVITIES FOR NEXT QUARTER:

APRIL – JUNE 2008

DATES	# OF DAYS	COURSE / ACTIVITY	DIRECTED TO	LOCATION	RESOURCES
COMPONENT A: IMPLEMENTATION OF NEW REFORMS					
Task 1: Assistance in implementation of Law on Courts					
May	Ongoing	Assist MOJ, Courts and AO in implementing specialized departments in the courts	MOJ, AO and basic courts	Courts Nation-wide	Ivanovska, Businoksa, Traficanti
May to August	Ongoing	Support for MOJ and AO to implement specialized courts if draft legislation is enacted.	MOJ, AO	Courts Nation-wide	Ivanovska , Businoska, Traficanti
April to June	20	Assist in implementation of recent amendments to law giving jurisdiction to the Supreme Court over complaints of delayed cases	Supreme Court, Judicial Council	Skopje	Ivanovska Businoska, Traficanti
Task 2: Assistance in implementation of Law on Judicial Council					
May to June	Ongoing	Assist with transition of CBC/AO from Supreme Court to Judicial Council oversight if draft law is enacted	CBC, AO, JC	Skopje: Supreme Court and JC offices	Ivanovska, Businoska Traficanti
Task 3: Assistance in implementation of Law on Enforcement					

DATES	# OF DAYS	COURSE / ACTIVITY	DIRECTED TO	LOCATION	RESOURCES
COMPONENT A: IMPLEMENTATION OF NEW REFORMS					
April to December	Ongoing	Assist MOJ and basic courts in filtering and purging old enforcement cases	MOJ, Basic Courts	Skopje Courts and selected courts throughout Macedonia	Ivanovska, Radica Lazareska-Gerovska, Traficanti, Businoska
April-May	4	Conduct 1 or 2 meetings with Basic Court president judges to assist in assessment of need, filtering and purging old enforcement cases	MOJ, Basic Courts	Basic Courts throughout Macedonia	Ivanovska, Radica Lazareska-Gerovska, Traficanti, Businoska
April to June	Ongoing	Support Basic Courts in categorizing, filtering and purging cases by providing and assisting in training interns from the Young Lawyers Association	MOJ, Basic Courts, Chamber of Enforcement Agents	Skopje and selected courts with large backlogs	Ivanovska, Lazareska-Gerovska, Traficanti, Businoska
April to March 2009	30	Provide capacity building training for the Chamber of Enforcement Agents and MOJ Sector for Oversight of the work of Enforcement Agents, Public Notaries and Mediators	Chamber of Enforcement Agents, MOJ	Skopje	Ivanovska, Lazareska-Gerovska, Traficanti, Businoska
April to June	Ongoing	Technical assistance supporting new software application for the Chamber of Enforcement Agents in collaboration with World Bank	Chamber of Enforcement Agents, MOJ	Skopje	Ivanovska, Lazareska-Gerovska, Tagasovski
May June	4	Assist MOJ/Chamber in training of newly appointed enforcement agents	MOJ, Chamber of Enforcement Agents	Skopje	Ivanovska, Lazareska-Gerovska, European expert TBD
Task 4: Assistance in implementation of the Law on Academy for Training of Judges and Public Prosecutors					
May to June	5	Assist Academy in training of courts' staff in core competencies with Component B	Academy,	Skopje and regionally	Juncker, Stojanova-Ribaroski, Ivanovska, Traficanti, Mehmedi
May - June	5	Assist Academy in training of Court Secretaries in their transition to Court Administrators when Law on Court services enacted with Component B	Academy, Court Secretaries/Court Administrators	Academy Skopje	Juncker, Stojanova-Ribaroski, Ivanovska, Traficanti, Mehmedi
Task 5: Assistance in implementation of the Law on Court Services					
April to May	2 to 3	Assist MOJ in providing public and employee informational and discussion sessions	MOJ, Court Employees, Public	Skopje and Regionally, if requested	Ivanovska, Gjeorgjievski, Traficanti
April to June	Ongoing	Continue to assist, as necessary, in drafting amendments to law.	MOJ	Skopje	Ivanovska, Traficanti, Businoska
May to June	TBD	Provide expertise and assist in the drafting of sub-regulations amending the Book of Rules as needed by passage of law and as requested	MOJ	Skopje	Ivanovska, Businoska, Traficanti

DATES	# OF DAYS	COURSE / ACTIVITY	DIRECTED TO	LOCATION	RESOURCES
COMPONENT B: IMPROVEMENT IN COURT PRACTICES AND MATERIAL RESOURCES					
Task #1 Improved Court Administration Practices					
April to June	13	Engage in weekly meetings with the director of the AO and designated staff to continue to build capacity of the director and the administrative office	AO	AO	Juncker, Stojanova-Ribaroski
April to June	Ongoing	Weekly coordination meetings between the project and the MOJ	MOJ and all courts	JRIP or MOJ offices	JRIP team
April to June	Ongoing	Development of specialization among AO staff in caseload management, human resources, financial management, ICT, public access, public user satisfaction, and court facilities	AO staff	AO and JRIP offices	Juncker Stojanova-Ribaroski, Mehmedi Traficanti
May to June	15	Assist the AO in developing a website for the AO and the first edition of a periodic newsletter	AO	AO and JRIP offices	Janevska, Nikolova
April to June	Ongoing	Working with the General Secretary of the Supreme Court and AO staff to enhance the caseload and backlog reduction programs begun with MCMP and replicate throughout Macedonia	Basic and Appellate Courts Nation-wide	Office of the General Secretary of Supreme Court, court venues	Juncker Stojanova-Ribaroski, Mehmedi, Traficanti
April	TBD	Executing a Memorandum of Understanding –separately or jointly- - with Supreme Court and MOJ	Supreme Court, MOJ, JRIP offices	Supreme Court, MOJ	Juncker
May	5	Develop an outline or blueprint for a judicial wide human resources plan	AO and all courts	AO/JRIP	Juncker, Stojanova-Ribaroski, Mehmedi
June	10	Develop 17 Basic Court web-sites	Basic Courts, Supreme Court IT	Basic Courts, Supreme Court, JRIP	Janevska, Juncker, Stojanova- Ribaroski, Mehmedi, Manasieki
May to June	Ongoing	Assist the effort of AO in continuation of the Public User Satisfaction Survey in all courts to be conducted every 6 months	All courts, court users and court employees	AO offices and all Basic Courts	Stojanova-Ribaroski, Mehmedi, Janevska,
May to June	5	Assist Academy in training of courts' staff in core competencies with Component A	Academy,	Skopje and regionally	Juncker, Stojanova-Ribaroski, Ivanovska, Traficanti, Janevska
May to June	4	Assist Academy in training of Court Secretaries in their transition to Court Administrators when Law on Court services enacted with Component A	Academy, Court Secretaries/Court Administrators	Academy, Skopje	Juncker, Stojanova-Ribaroski, Ivanovska, Traficanti, Janevska
May to June	10	Technical assistance to administrators and staff of Administrative Court, if requested in capacity building and transferring data electronically from Supreme Court	Administrative Court, Supreme Court	Supreme Court, Administrative Court	Ivanovska, Traficanti, Tagasovski

DATES	# OF DAYS	COURSE / ACTIVITY	DIRECTED TO	LOCATION	RESOURCES
COMPONENT B: IMPROVEMENT IN COURT PRACTICES AND MATERIAL RESOURCES					
Task 2: Court Financing					
April to May	30	Consult and collaborate with the AO in preparing all necessary information for the arrival of budget and financial expert in May	CBC, AO, and Courts	AO, JRIP offices	Traficanti, Stojanova-Ribaroski ,Mehmedi
May to June	40	Review of all aspects of budgeting and financing with a goal of recommendations resulting in enhanced yearly financing for the judiciary by US expert in-country	CBC,AO, MOF, MOJ, Parliament, courts	AO, MOJ, MOF and selected court venues	Dr. Deborah Botch (US Expert) with JRIP staff support
Task 3: Court Computerization					
April to June	Ongoing	Weekly automation steering committee meeting overseeing the development of the Automated Case Management System	MOJ, AO, Supreme Court IT, and all courts	JRIP or MOJ offices	JRIP team
April	6	Conduct meetings with focus groups to assist in development of case management process diagrams	MOJ, Courts	JRIP offices	JRIP team and US experts (Stouts)
April	5	Collaborate with MOJ IT in completion of the IT hardware inventory report	All courts	MOJ, JRIP	Tagasovski
April to June	Ongoing	Interviewing focus groups, on-site court visits, analyzing feedback, creation of first draft of functionalities, draft of statistical reports, develop first draft of technical specifications; RFQ developed , vetted and posted, bid opening and evaluation.	MOJ, all courts	JRIP offices, MOJ offices, selected court locations	Tagasovski, Stout, R. & Stout M. Ivanovska, Stojanova-Ribaroski
April and May	15	Continuation of nomenclature study and finalization of nomenclatures for future CMS design	MOJ, all courts	JRIP offices, court and RM agencies	Ivanovska, Stojanova-Ribaroski, Mehmedi, Manasiecki

5. PROBLEMS AND REMEDIAL ACTIONS

As reported in the last Quarterly Report the government has proposed a number of changes to laws that may impact the leadership and organization of the AO, as well as the structure of the courts.

As reported above, the Judicial Council intends to have budget responsibilities transferred to its control from the Supreme Court /Court Budget Council. Whether the government initiative to transfer the CBC functions to the Judicial Council prevails or not does not belie the overall goal of, and the need for, a functioning, efficient Administrative Office with staff trained and prepared to lead the court system's administrative responsibilities. To this end, JRIP has been working aggressively to establish specific roles, responsibilities, processes and expectations within the AO in hopes that the new envisioned system of monitoring and supporting the management of the courts by the AO is transferred largely intact and seamlessly to the Judicial Council, if this transfer becomes a reality.

In its session on October 21, 2007, the government decided to introduce a specialized commercial court. Similarly, the Judicial Council reported that the government was contemplating a similar change for labor courts. These political developments, including the transfer of the budget function to the JC, are not consistent with what the Project and USAID consider sound practices. However, JRIP is prepared to move ahead with its implementation mandate in any case.

The USAID mission has asked the Project to assist in the lobbying effort against these proposals, particularly since the new Law on Courts has been in existence for a relatively short time. There is precious little empirical data or anecdotal evidence to rely upon. A recent statistical study conducted by the previous Court Modernization Project fails to justify these changes, as well. JRIP has supported the USAID position when appropriate, and has assisted in the preparation of “talking points” used by the ambassador, mission director and others in their effort to defeat these misguided attempts at reform.

In March, a Deputy Prime Minister asked JRIP representatives to meet with a member of his staff, Jordan Trajkovski in addition to Ms Luba Zimanova- Beardsley and Tea Trumbic representatives of the World Bank-Doing Business Project. This was another opportunity to make the case for the government not to move in the direction of separate commercial courts.

The JRIP team and USAID discuss their shared concerns about these new developments at every opportunity and use every appropriate occasion to advance the negative position on these matters. However, if the proposal to create special commercial courts goes forward, it will be critical that the court be kept within the current court structure, that caseloads be evenly distributed, commercial cases be well defined to cover a broad range of commercial activities, parties in commercial disputes not be limited to registered businesses, and that judges are carefully selected and monitored. JRIP is ready to act in supporting these activities and assisting in the implementation of the new law should the contingency become a reality.

Regarding the Administrative Court, some of the judges were appointed to the newly established Administrative Court last quarter. However, to date only five court staff had been assigned. Although the cases were transferred from the Supreme Court to the Administrative Court this quarter, the ICIS software has not yet been implemented and the network to be provided by the MOJ has not yet been installed. Hence, it has been impractical to begin any constructive trainings or technical assistance to the administrative staff of the Administrative Court. The Project has been advised that there is some dispute between the Supreme Court and the Administrative Court as to the cost of electronically transferring the case data. The MOJ IT Department is aware that the migration has not occurred and advised the Project that it is working on the issue. A follow-up with the MOJ at the next coordination meeting is planned. Providing assistance to the newly appointed administrative staff therefore will be a priority beginning next quarter assuming that sufficient number of judges and staff are in place.