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Prepared by DPK Consulting— A Division of ARD, Inc.

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EXECUTIVE SUMMARY

During this quarter the Judicial Reform Implementation Project (JRIP or Project) entered its closed-out phase, finalizing planned activities and providing support to the judiciary through its two components: *Implementation of New Reforms* and *Improvement in Court Practices and Material Resources*.

The Project started the training cycle on the new Law on Civil Procedure, enacted in August 2010. Four trainings were organized for over 140 civil judges from all four appellate court regions. The trainings provided an introduction on the concept of the major changes and amendments to the Law on Civil Procedure, followed by a detailed presentation and discussion of the legal provisions by eight trainers, judges from basic courts, appellate courts and the Supreme Court, who tackled various aspects of processing civil cases according to the recent amendments.

During this quarter, the MOJ finalized the text of the Law on Case Flow Management in the Courts, prepared with JRIP assistance. The law was adopted by the Parliament on December 27th and published in the Official Gazette of Republic of Macedonia on December 30th, 2010. It is envisioned that this Law will contribute to more expeditious resolution of cases and reduction of court backlog by defining precise timeframes for case processing from filing to disposition for judges and court administration.

Through two workshops and ongoing mentoring, JRIP supported the Court Services Council to develop a model Act for unification and standardization of job descriptions in the courts, in line with the Law on Court Service. This Act will be sent to the courts to help them develop their individual court acts for internal organization and systematization. The unified job position nomenclatures will be incorporated within the Register of court service employees maintained by the Court Budget Council (CBC).

To enhance CBC's capacities to obtain additional funding for the judiciary, on December 1st-3rd, 2010, JRIP organized a training in Project Cycle Management and Fundraising. Participants included members of CBC, Judicial Council, and the administrative offices of these two bodies. The group gained knowledge and skills in the key phases of the project cycle management, stakeholder analysis, problem analysis, analysis of objectives, analysis of strategies, logical framework matrix, activity schedule, project budget, monitoring and evaluation, and project reporting. As result of the training, the group developed two project proposals –“Energy efficiency within the court system” and “So the citizens can trust the judiciary”- that could be submitted for funding.

1. IMPLEMENTATION OF NEW REFORMS

1.1 LAW ON ENFORCEMENT

During the previous quarter, the Parliament adopted an amendment to the Law on Enforcement and reset the transfer of old enforcement cases from courts to private enforcement agents to commence on July 1st, 2011, instead of 2010. In accordance with this amendment, the courts kept their jurisdiction over the old enforcement cases until the day of the actual transfer and continued processing these cases. Therefore, during this quarter, the work of JRIP legal interns in the basic courts Skopje 2, Tetovo and Prilep was focused primarily on assisting the enforcement judges with checking the regularity of the service of process, composing decisions for merging cases with the same debtor, and writing conclusions. Upon request of the two delegated enforcement judges, in October, three legal interns were transferred from the company “EVN” to other public utility companies with considerable amount of enforcement cases: “Toplifikacija-Istok”, “Toplifikacija-Zapad” and “PUIK”. This shift was made because the company “EVN” recently started a campaign by which citizens can voluntary pay their debts without the default interest. As a result, many citizens have started to pay their bills thus reducing the amount of work of the enforcement judges and legal interns in this company. Furthermore, the company “EVN” engaged internal resources to work on the enforcement cases and assist the enforcement judges. In early December, the legal interns from “Toplifikacija-Istok” and “Toplifikacija-Zapad” were reassigned again to EVN after the completion of their tasks and activities in these two companies.

On November 16th, the Project held a coordination meeting with the enforcement judges from the Basic Court Skopje 2 to follow up on the current situation of the enforcement cases in this court and the assignments of the legal interns. JRIP staff emphasized the need for regular update of the electronic database of enforcement cases: As cases that were previously electronically registered were closed or withdrawn by the creditors, they have to be erased from the electronic data base so it accurately reflects the situation of the enforcement cases. As a result, in December, the two legal interns in this court focused on updating the electronic database of enforcement cases. Also, they started to train the court volunteers that will take over this task after the end of the Project and until the cases are transferred to enforcement agents on July 1st, 2011.

In the Basic Court Kumanovo, the legal interns were engaged with registration of around 3,000 new unregistered cases that were identified in September. This process was completed in early December. In the Basic Court Gostivar, the electronic registry of enforcement cases finalized in early December. For approximately ten months, two legal interns successfully registered a total of 46,800 cases in this court, in addition to their regular work with the enforcement judge. Also, during this quarter, the companies “T-Home” and “Komunalec” withdrew from Basic Court Gostivar 1,000 cases. Therefore, besides the electronic registry, the legal interns assisted in preparing these cases to be sent back to the creditors.

The Ministry of Justice (MOJ) requested JRIP to support the electronic registry of unenforced cases that should be transferred from the Public Defender’s Office (PDO) to the Public Revenue Office (PRO)¹. The PRO asked to receive an electronic database of all

¹ According to the amendments to the Law on Enforcement from April 2010, the competence for enforcing fines and expenses pronounced in civil, misdemeanor, criminal and administrative procedures was transferred to the PRO, starting from November 1st, 2010

cases that should be transferred. Unfortunately, the PDO does not have neither human nor technical resources to accomplish this task, which encompasses about 170,000 cases.

On November 30th JRIP met with Olivera Kitanova, the Public Defender of the Republic of Macedonia and discussed the possibilities for providing support for electronic registry of these cases. JRIP offered support for creating a database of the cases that were already submitted to enforcement agents' offices. The PDO turned down the offer arguing that what it needs are typists to transfer the data from their registries to the excel tables already created by the PRO. At the end, it was concluded that JRIP could not provide this type of support as it is not compatible with the way of registering unenforced civil cases in the courts by its legal interns.

The part-time service contracts of the legal interns from the Basic Courts Tetovo, Prilep and Kumanovo expired on December 10th, 2010, and the contracts of the Skopje 2 and Gostivar legal interns were extended for an additional forty days, until January 20th 2011, due to the amount of work that remains to be completed.

1.2 LAW ON CIVIL PROCEDURE

During this quarter, the Project started the training cycle on the changes and amendments to the Law on Civil Procedure that were enacted in August 2010. These trainings, organized in partnership with the Academy for Judges and Public Prosecutors, aim to train all 325 civil judges in the country on changes made to the law.

In October, the Project held two coordination meetings with the JTA trainers to plan the curriculum and finalize the last details of the training program. The MOJ State Secretary Biljana Brishkoska-Boshkovski attended these meetings and provided her input on the curriculum. She emphasized that based on the major issues and concerns to be identified during the trainings, the MOJ would prepare a *Commentary* to the Law on Civil Procedure to ensure the unified implementation of the amendments in all court levels.

The first training was held on October 29th-30th, in Strumica, and included 35 civil judges from basic and appellate courts from Skopje and Stip appellate regions. The MOJ representative provided an introduction on the concept of the major changes and amendments to the Law on Civil Procedure, followed by a detailed presentation and discussion of the legal provisions by eight JTA trainers and judges from basic and appellate courts, and the Supreme Court, who tackled various aspects of processing civil cases according to the recent amendments. The same concept was followed during the next three trainings: on November 5th-6th in Ohrid, attended by 36 judges of basic and appellate courts from Bitola and Gostivar appellate regions; on November 19th-20th in Strumica, attended by 38 judges of Skopje and Shtip appellate regions; and on December 3rd-4th in Strumica, attended by 34 judges from Skopje and Shtip appellate regions.

The Minister of Justice Mihajlo Manevski and the MOJ State Secretary Biljana Brishkoska-Boshkovski participated in the training held on November 19th-20th in Strumica, and expressed great satisfaction concerning the high attendance, importance of topics and quality of speakers. The Minister of Justice addressed the participants and explained that the goal of the amendments from August 2010 are expected to improve courts' efficiency in resolving civil disputes, as well as to improve access to an impartial justice system. The Minister also focused on the importance of the electronic recording of court hearings, and the electronic delivery of court summons, which will make the civil processes more transparent and expeditious.

The key issues raised and discussed during these trainings were: the new concept of disclosure of evidence and specifically the expert testimony and super expertise; short deadlines for certain process actions introduced with the amendments; trial in a reasonable time; and mediation as alternative mechanism for dispute resolution.

One of the suggestions provided by the moderators, Supreme Court judge Nikolco Nikolovski was that once the implementation of the amendments commences in September 2011, it would be important that all civil judges receive refresher trainings. JRIP will follow up with the JTA to promote the delivery of such refresher trainings after the end of the Project.

1.3 LAW ON CASE MANAGEMENT

During this quarter, the MOJ finalized the text of the Proposed Law on Case Flow Management in the Courts. The law was adopted by the Parliament on December 27th and published in the Official Gazette of the Republic of Macedonia on December 30th, 2010.

It is envisioned that this Law will contribute to a more expeditious resolution of cases and reduction of court backlog by defining precise timeframes for case processing from filings to disposition, for judges and court administration. The proposed law provides establishing a working body for case flow management in each court to propose measures for preventing case delay and reducing the court backlog. This law also introduces the obligation for publishing all court decisions on courts' web-sites. This provision is in compliance with the principle of transparency set forth with the Law on changing and amending the Law on Courts, which was enacted on November 17th 2010, but also with the jurisprudence of the European Court for Human Rights regarding the personal data protection.

Since February 2009, JRIP has provided extensive support to the MOJ legislative drafting committee in preparing the Law on Case Management. JRIP sponsored four legislative drafting sessions and two roundtable discussions for all court presidents and all court administrators. The Project also engaged the US consultant, Retired Judge Joseph Traficanti, who suggested the necessary improvements in the draft law.

1.4 LAW ON COURTS

The Project continued its work to finalize the "*Labor Case Analysis*" report. On October 14th, JRIP Nena Ivanovska and Keti Bushinoska met with the MOJ representatives Nada Penova and Valentina Shaurek, who were part of the team that conducted the analysis. Ms. Penova and Ms. Shaurek gave their input on the report drafted by the Project and provided specific suggestions and modifications. On October 21st, the Project met with the Head of the labor department of the Basic Court Skopje 2, Judge Vlatko Samardziski to discuss and obtain his feedback on the proposed recommendations. After the final report is approved by the Minister of Justice, the Project and the MOJ will present the findings and recommendations to the labor judges of the two pilot courts, Skopje 2 and Bitola.

2. IMPROVEMENT IN COURT PRACTICES AND MATERIAL RESOURCES

2.1 IMPROVED COURT ADMINISTRATION PRACTICES

Improved Judicial Council functions and capacities

During this quarter, the Project continued to support the Judicial Council (JC) in developing its institutional capacities.

From December 1st to December 3rd, JRIP provided training in Project Cycle Management for the Council. For more information, please refer to the subtitle "Building capacities in project cycle management" in the following section.

Improved AO Strategic Planning and Operational Capacity

JRIP continued to provide daily support to the work of the Court Budget Council (CBC) and the Administrative Office (AO) in an effort to ensure greater judicial branch independence and autonomy. During the reporting quarter, progress was made in the following areas:

Budget request preparation, analysis and adoption

The Project continued to support the implementation of the recommendations of the Macedonia Judiciary Budget and Finance Study, related to budget request preparation, analysis, and adoption.

On October 11th, expert opinion on the budget preparation guidelines and formats was obtained by the US expert on court financing Deborah Botch. Ms. Botch's feedback and recommendations were incorporated into the budget guidelines and presented to the Administrative Office of the Court Budget Council on November 2nd, 2010. The AO will send the document for final review and update to a number of court administrators of different court regions, levels, and specialization and then submit the final draft of the document for official review and approval to the CBC.

Judicial branch budget execution and financial management

To achieve a higher level of accountability, the CBC determined necessary to implement appropriate internal control mechanisms. JRIP will support the CBC to revise the existing Internal Act of Control for execution of court budget. This support is in line with the second group of recommendations of the Budget and Finance Study, related to budget execution and financial management.

In October, the Project conducted a procurement process and selected vendor Deloitte to implement this activity. The revision of the Internal Act of Control was conducted in two phases: the internal control needs assessment and the development of Act of Internal Control.

The needs assessment phase was conducted during the week of November 15th and completed the following:

- Prepared a list of CBC organizational processes, needs, and improvements
- Documented the key CBC organizational procedures
- Defined the teams that will develop the remaining CBC organizational policies and procedures
- Determined the most applicable structure and content of the Act of Internal Control.

On December 7th, JRIP received Deloitte's final needs assessment and send it to the AO. The report presented recommendations regarding the structure of the Act of Internal Control, based on international practices.

By January 10th, the AO will send the finalized policies and procedures and the draft Act to Deloitte for their feedback. It is expected that the Act of Internal Controls and the procedures will be finalized by mid January 2011.

Building capacities in project cycle management

To enhance CBC's capacities to obtain additional funding for the judiciary, on December 1st-3rd, 2010, JRIP organized a training in Project Cycle Management and Fundraising. Participants included members of CBC, Judicial Council, and the administrative offices of these two bodies. The group gained knowledge and skills on the key phases of project cycle management, stakeholder analysis, problem analysis, analysis of objectives, analysis of strategies, logical framework matrix, activity schedule, project budget, monitoring and evaluation and project reporting.

Through practical exercises, implementing the learning-by-doing approach, the group developed the key elements of two projects: "Energy efficiency within the court system", a project developed by the CBC representatives, and "So the citizens can trust the judiciary", a project developed by the Judicial Council's representatives. The training and mentoring were provided by JRIP's consultants Zoran Stojkovski and Svetlana Milenkova.

Functional Court Administration Association (CAA)

On November 9th-11th, 2010, JRIP provided capacity building training for the CAA in advocacy and establishing effective partnerships and cooperation. Fourteen participants from the CAA Management Board, the Supervisory Board, and the Committees for Public Relations, Lobbying and International Relations took part in the training.

The training focused on defining strategies of cooperation with the media, government institutions, donor community, and civil society organizations. During the training sessions, participants discussed the key objectives of CAA advocacy efforts, defined target groups, developed key messages for each target group and practiced different advocacy methods and tools. In support to CAA's advocacy activities, participants developed a strategy and detailed plan. To enhance cooperation with key institutions, the CAA developed a collaboration matrix for each institution and prepared an action plan to achieve their goals.

Functional Court Services Council (CSC)

JRIP supported the Court Services Council (CSC) by implementing following activities:

Developing CSC capacities

On October 14th and 16th, JRIP delivered a capacity building training for the Court Service Council. Thirteen participants -eight of the nine new members of CSC, three members of the previous Council and one employee of CSC's Administrative Office- took part in the training.

The training focused on the concept of provision of effective and efficient services, client relations, and ensuring quality services. Furthermore, it focused on the specific needs of the CSC, review of key services, and quality of CSC's work. During the workshop, participants developed a comprehensive procedures manual for this body, which compiled CSC's experiences and international best practices for providing efficient and effective services. The workshop was delivered by Zoran Stojkovski and Svetlana Milenkova, local consultants from the Center for Institutional Development.

On November 3rd and 5th, JRIP provided a capacity building training for the Court Services Council to build an effective structure and mechanism for an efficient internal communication and coordination. Ten participants, including seven of the nine new members of CSC, and one employee of CSC's Administrative Office took part in the training.

During the workshop, participants mapped the current structure, positions and functioning of the CSC. The participants identified the gaps, defined the most effective ways for improving the communication and cooperation among the members and the administrative office of the CSC. They also reached an agreement on the following:

- The Council's structure and the model of functioning that will ensure positive results
- Establishment of working committees
- Roles and responsibilities of the CSC members, the Administrative Office, and the working committees
- Systems of communication and coordination.

Code of Ethics for Court Service Employees

JRIP partnered with the CSC for developing a Code of Ethics for the Employees of the Court Service. This work was carried out in close cooperation with the Court Administration Association (CAA).

On October 25th, 2010, the Code of Ethics was published in the Official Gazette. JRIP supported printing of 2,500 brochures for all court service employees and 500 posters to be hanged at the official court offices and corridors.

Implementation of the Law on Court Service: Development of the Act for unification and standardization of job descriptions

According to the Law on Court Service (Article 7, Paragraph 3) the description of titles of court employees is determined with an act developed by the Court Services Council. In support to the implementation of the law and CSC plan of activities, JRIP provided two workshops on development of the Act for job descriptions of the court service employees. The workshops were organized on December 15th-16th and 22nd-23rd.

The CSC appointed fifteen participants to take part in the workshop. The list included ten of the eleven members of CSC, court administrators of Basic Courts Skopje 1, Skopje 2 and Kriva Palanka. The CBC's AO Director and the employee of CSC's Administrative Office.

During the workshops participants analyzed the existing job titles, reached an agreement on the nomenclatures, and defined the structure and content of each of the job descriptions. The group also defined the correlations between the old and new job titles and positions.

JRIP's Court Administration Coordinator Gordana Stojanova-Ribaroski set the methodology for the workshops and facilitated the work. The Act for unification and standardization of job descriptions will be sent to the individual courts to help them develop individual court acts for their internal organization and systematization. The unified job position nomenclatures will be incorporated within the Register of court service employees maintained by the AO/ CBC.

2.2 IMPROVEMENT OF PUBLIC ACCESS, SERVICE, AND INFORMATION

Public Information Officers (PIO)

During this quarter, JRIP continued to provide mentoring and support to the Public Information Officers (PIOs) as a mechanism for fostering more open and transparent courts.

After the series of trainings and mentoring support delivered by the Project in the past two years, courts have proved to become much more organized and proactive in opening their work to the public. On the occasion of the European Day of Justice (October 25th), basic and appellate courts and the Supreme Court organized open days for the public. Upon the Basic Court Skopje 2's request, JRIP provided mentoring for the PIO of this court Judge Antoaneta Dimovska. On this day, she organized a tour of the court for law students from public and private faculties in the country. The students had a chance to closely see how the court operates, meet the President Judge, judges, and Court Administrator. They also had the opportunity to attend court hearings. The second part of the day was dedicated to local nongovernmental organizations that work on issues related to human rights and justice. The NGOs had a chance to get information about the work of the Basic Court Skopje 2 and initiate cooperation in the areas of common interest. The events for the European Day of Justice were covered by the printed and electronic media.

During the reporting period, the Project started preparing for the final activity that will mark the successful implementation of the Public Information Officers (PIOs) concept in the courts: the award for the best PIO in the courts for 2010. This award will emphasize the achieved results, acknowledge the work of the best PIOs, and motivate others to have a more active role in opening the work of their courts to the public. At the same time, this activity will publicly promote the role of the PIOs in the courts.

In December, JRIP established a Selection Board for the award, consisted of eleven members:

- Four journalists/editors that cover issues of the judiciary
- A representative of the Macedonian Institute for Media
- A representative of the High School of Journalism and Public Relations
- A representative from the Supreme Court
- A representative from the Academy for Judges and Public Prosecutors
- A representative from the Judicial Council
- Two representatives from JRIP (Chief of Party and Communications Coordinator)

By January 6th, 2011, the Selection Board members will submit their votes. Subsequently, the Board will meet to discuss the nominations and make the final decision.

The ceremony for awarding the best Public Information Officers in the Courts will be organized on January 26th, 2011. It is designed as a one and a half hour ceremony, with participation of USAID's Mission Director, all PIOs, all president judges, court administrators, representatives of the Judicial Council, Academy for Judges and Public Prosecutors and media. During this event, JRIP will promote the brochure "Tools for Promoting the Work of Courts". The second, unofficial part of the event is planned for networking among participants and to give statements to the media.

2.3 COURT COMPUTERIZATION

Automated Court Case Management and Information System (ACCMIS)

ACCMIS usage in courts

Throughout the reporting period, all courts continued using ACCMIS in their daily operations. During the reporting period, JRIP continued with its practice of regular field visits to the courts and meetings with court management. At these meetings JRIP presented reports with figures on the court's workload and cases per judge and analyzed the progress on the use of ACCMIS. The meetings also focused on further improvements to the system. Success stories and good practices, tips and tricks were presented to court management as well.

Among the visited courts, the greatest usage of ACCMIS in this period was noticed in Appellate Court Bitola, Appellate Court Skopje, followed by Basic Courts Prilep, Bitola, Tetovo and Kumanovo.

A small decline in the level of keeping ACCMIS records up-to-date was noted in the basic courts Kratovo and Negotino. Both courts were successfully using ACCMIS but after firing their experienced IT personnel and replacing them with new less experienced ones, they started to fall behind. To support these courts, JRIP provided training for these new employees. Nonetheless, it was clear they will need more time to gain knowledge as their professional IT skills are inadequate. Similarly, the IT employee in Basic Court Kriva Palanka left her position to go on maternity. No temporary replacement was approved nor provided by the higher authorities, leaving this court without any IT support. The recent appointment of new president judge in this court also resulted in tensions among judges, which additionally contributed to a decrease on the use of ACCMIS. JRIP provided additional assistance to this court. By the end of December, the court improved its electronic records consistency.

The appointment of new president judges in the basic courts of Kicevo and Gevgelija caused these once good performing courts to start falling behind. Lastly, the lack of motivation and low capacity for adopting and managing technological changes and habit is caused the two smallest courts of Resen and Debar to also pay the price.

This round of field visits showed that all courts are using the basic functionalities of ACCMIS, including: registering cases with all relevant information, random assignment of cases, scheduling hearings, writing minutes from hearings, generating all official documents regarding a case, tracking horizontal movement of cases within the court, case disposition and archiving. Courts generate their monthly reports through ACCMIS, for their internal management needs as well as for submission to the Judicial Council, Supreme Court and Ministry of Justice.

Some courts are using more advanced ACCMIS features like scanning hard copy documents and attaching them to the electronic case file, posting schedules of the hearings, and monthly reports on court's websites, etc.

In October, JRIP ended its active assistance to the biggest Macedonian basic court, the Basic Court Skopje 2. As a result of this several month long on-site assistance and support, the Basic Court Skopje 2 showed significant progress in the efficiency of ACCMIS usage.

As of October 2010, JRIP focused on assisting Basic Court Skopje 1 to increase its ACCMIS usage. The Project held regular weekly meetings with the court management, helping them in analyzing weekly reports from ACCMIS, checking and balancing its figures for various reports, and identifying and correcting inconsistencies in reporting numbers. Different approaches were also explored for improving the current situation. In coordination with the President Judge, on October 29th, the Project organized an orientation meeting with the judges of this court. 48 out of 72 judges participated in the meeting. JRIP provided them with a live demonstration of case processing steps, emphasizing the legal grounds and obligation for judges to use ACCMIS, as well as the benefits from using the system and advocating for its regular usage. The Project introduced three IT consultants to help this court. Throughout this quarter, the IT consultants helped Basic Court Skopje 1 to purge and update its electronic list of pending cases and move towards more effective and more advanced usage of ACCMIS. The consultants supported typists, judge assistants and judges in checking and synchronizing the electronic data entered into ACCMIS as well in more advanced usage of

predefined templates for minutes, summons, decisions and verdicts. By the end of December, a significant progress was made in the Basic Court Skopje 1. JRIP believes that there is still considerable room for improvement in this court, mostly on the internal organizational and management side. The leadership weakness and lack of knowledge and skills of the current IT staff are the greatest obstacles for better usage of ACCMIS in this court. JRIP will continue to actively support Basic Court Skopje 1 in accordance to its mandate and approaching closeout.

The Supreme Court is still reluctant to effectively use ACCMIS. Although the Supreme Court judges were cooperative and satisfied from ACCMIS refresher trainings that were organized by JRIP in September and October, the practical results in this court are poor. The reports show major discrepancies between actual and electronic data. For example, according to ACCMIS electronic records, at the beginning of December there were 19,551 pending cases. However, in the manual report, the Supreme Court reported a real number of 1,700 pending cases. In December JRIP, held several meetings with the Supreme Court representatives advocating for more effective usage of ACCMIS. As a result of those meetings, a modification of ACCMIS will be introduced in mid January that will push the Supreme Court users to update their electronic records.

In this quarter, JRIP participated in several meetings of the Supreme Court Working Group in charge of standardization and improvement of ACCMIS usage in courts. The suggestions and requests received from court users for improvement of ACCMIS software were reviewed and addressed accordingly.

Sustainability of ACCMIS

As part of ACCMIS sustainability strategy, in October and December, JRIP purchased additional computers to help selected courts overcome their IT infrastructure needs. 89 computers were acquired for appellate courts Skopje and Gostivar and basic courts Bitola, Prilep, Tetovo, and Kumanovo.

Issues related to the servers purchased by the MOJ through a World Bank loan continued to threaten ACCMIS sustainability. This activity is far behind schedule (the deadline was the end of May) and there are serious concerns about the quality of the work. Although the purchase and use of the new servers is not within JRIP's mandate, it significantly impacts ACCMIS implementation. Because of that, the Project initiated a special meeting on this issue on October 4th, 2010 with the Chief Justice and the Minister of Justice. It was concluded that the Supreme Court has the responsibility to strengthen the supervision and control over the agreed deliverables and deadlines of new servers and LANs. Unfortunately no progress was noticed afterwards.

By mid December courts' complaints on the technical conditions increased so the Project urgently demanded another meeting with the Minister of Justice and the Chief Justice. The Minister called up the meeting at the end of December but no representative from Supreme Court attended it. The meeting took place, nonetheless, and it was concluded again that it is the Supreme Court's responsibility to strengthen its monitoring over the fulfilling of the contract for installation and proper use of the new servers and switches. In the meantime, JRIP initiated and held joint meetings with the IT staff from the Supreme Court and their subcontractor. It was agreed that it is urgent to shut down the old domain controller servers and switch all courts to work only on newly acquired servers. Also agreed were regular weekly follow-up progress meetings. JRIP stressed that without achieving a stable and reliable technical environment in each court, it will be impossible to enhance ACCMIS and implement the Digital Audio Recording System in the Macedonian courtrooms.

The absence of continuous supervision and regular periodical inspections continues to be the biggest threat to ACCMIS long-term sustainability in courts. The field visits, interaction with courts, and ACCMIS reports during this reporting period confirmed the absence of external and internal control mechanisms. JRIP is the only entity that actively and continuously monitors and supports courts in ACCMIS usage. JRIP concern is that once the Project ends, the usage of ACCMIS starts to decline if the state does not implement regular control mechanisms. JRIP will continue conveying this message to the authorities to get their buy-in and thus ensure the sustainable use of this important system.

Also the insufficient number of quality ICT professionals employed in courts continues to be a serious problem and threat to long-term sustainability of ACCMIS. There were no new IT hires in this period and none is expected to occur in the near future. This issue of chronic IT understaffing is a serious obstacle for expanding and advancing ACCMIS usage.

ACCMIS' functionality for vertical movement of cases between basic and appellate courts is still not used due to a lack of reliable and optimal technical infrastructure (WAN and LANs). However, in October the MOJ published an open tender for purchasing required network elements (switches, routers, etc.) which will contribute the refurbishment of WAN and LANs. By the end of December the MOJ did the evaluation of bids and awarded the contract to local vendor NeoCom. It is expected that early next year courts will have the optimal WAN and LANs put in place, which will be a solid ground for using more advanced ACCMIS features for electronic data exchange among courts and other judicial and government bodies. A solid and reliable LAN infrastructure is also a technical prerequisite for JRIP's donation of digital audio recording equipment planned for January 2011.

Electronic Court Recording

In November 2010, JRIP completed the evaluation of bids for the provision of a Digital Audio Recording Systems (DARS). ICS, a local company, was selected as the best offer. The favorable US dollar exchange rate and vendor's lower price than expected, will allow the purchase of equipment for additional courtrooms. The implementation of this initiative will take between two-and-a-half and three months. As of the date of this report, the administrative procedure for obtaining the required USAID approvals and waiver to purchase the DARS equipment was underway.

3. ADMINISTRATIVE TASKS

JRIP Communications

In the reporting period, JRIP's website was updated with five new articles on Project activities and achievements, both in English and Macedonian language.

**4. SUMMARY OF PLANNED ACTIVITIES FOR NEXT QUARTER:
JANUARY 2011**

DATES	# OF DAYS	COURSE / ACTIVITY	DIRECTED TO	LOCATION	RESOURCES
COMPONENT A: IMPLEMENTATION OF NEW REFORMS					
Task 3: Supporting Civil Law Codification					
January	3 days (on site)	Meetings of the Dutch expert, Mr. Jan Vranken, Research Professor at the University of Tilburg, with the MOJ Working Group for Civil Law Codification, and initial discussions in order to prepare Methodology and develop detailed Action plan for the codification of the Macedonian Civil Law	MOJ	MOJ	Ivanovska, foreign expert

DATES	# OF DAYS	COURSE / ACTIVITY	DIRECTED TO	LOCATION	RESOURCES
COMPONENT B: IMPROVEMENT IN COURT PRACTICES AND MATERIAL RESOURCES					
Task 1: Improved Court Administration Practices					
January	Ongoing	Engage in regular coordination meetings with the Court Services Council	Court Services Council	Court Services Council	Stojanova-Ribaroski
Task 2: Court financing					
January	Ongoing	Engage in regular coordination meetings with the Court Budget Council and its AO	CBC and its AO	JRIP	Stojanova-Ribaroski
January	5 days	Support the work of the engaged team of local Court System Internal Controls Experts	CBC and its AO	JRIP	Stojanova-Ribaroski
Task 3: Court Computerization					
January	Ongoing	Monthly meetings of the Supreme Court Committee in charge for standardization and improvement of ACCMIS usage	Supreme Court IT, and all courts	Supreme Court	Tagasovski, JRIP team
January	Ongoing	Weekly joint meetings for follow-up on progress in improvement of the technical environments (implementation of new servers, LANs and Wan)	Supreme Court IT staff, subcontractor NeoCom and all courts	Supreme Court	Tagasovski, JRIP team
January-	Ongoing	Organizing and Coordinating changes and modifications of ACCMIS in accordance with users requests and suggestions as well with newly adopted laws	EduSoft, all courts	Courts, EduSoft	Tagasovski, EduSoft experts
January-	Ongoing	Monitoring and evaluating implementation of the DARS in selected courts	awarded vendor, selected courts	JRIP, courts, awarded vendor	Tagasovski, JRIP team, EduSoft and awarded vendor

DATES	# OF DAYS	COURSE / ACTIVITY	DIRECTED TO	LOCATION	RESOURCES
COMPONENT B: IMPROVEMENT IN COURT PRACTICES AND MATERIAL RESOURCES					
Task 4: Communications					
January 26	1	Award for the best PIOs in the courts	Courts, public	Hotel Holiday Inn, Skopje	Janevska, JRIP staff
January	Ongoing	Publishing and distribution of brochure in Public and Media Relation Tools for promoting the work of the courts	Courts	JRIP offices	Janevska
January	Ongoing	Support to PIOs in preparing press-releases, developing promotional materials, support to their initiatives, etc.	Courts	JRIP offices, courts	Janevska
January	Ongoing	JRIP's communication issues (preparing promotional materials, articles, reports, website update, press-clipping, etc.)	JRIP	JRIP offices	Janevska

5. PROBLEMS AND REMEDIAL ACTIONS

The late enactment of the amendments to the Law on Civil Procedure (August 2010) caused a significant delay in the procurement of Electronic Court Recording Systems for sixty civil court rooms in the Republic of Macedonia. The selection of vendor and awarding the contract was finished early December 2010. The project's main concern is the short period of time (around six weeks) for the awarded vendor to procure and install the equipment to sixty court locations. The second concern is that there is not enough time to train around 200 judges and court employees to use this equipment.

During this quarter, the functioning of the Automated Court Case Management and Information System continued to be interrupted in a number of courts on daily basis due to delays in the delivery of the new servers' proper functionality. Project raised its concerns about these continuing problems at the two meetings held with the Minister of Justice and Supreme Court Justice (October 4 and December 27, 2010). It was concluded that IT department of the SC and IT center of the Ministry will work closely with the vendor to enable technical environment for smooth functioning of ACCMIS. The procurement of the digital audio recording equipment will be revisited if these issues are resolved in the following months.