

NARRATIVE REPORT

Workshop for the Court Services Council (CSC)

Building effective structure and mechanisms for efficient communication and coordination

within the USAID Judicial Reform Implementation Project (JRIP)

3 – 5 November, 2010

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1. INTRODUCTION

1.1 Performance Tasks

- workshop "Building effective structure and mechanisms for efficient communication and coordination"

1.2 Duration

- 3-5 November, 2010

1.3. Target group

- Court Services Council

1.4. Overview

The Court Services Council (CSC) as a new and independent institution envisioned in the Law on Court Services can play a very important role in protection of the rights of employees of the court administration. The needs assessment process that was conducted in March-April 2010 showed that the Council is facing a number of internal as well as external challenges and needs capacity building. As one of the key areas to be improved and strengthened was building effective organizational structure and increasing the level of internal communication and coordination.

Since there is a lack of institutional memory¹, the previous workshop was focused on defining the key **Council's services** and developing procedures and processes for the same ones as well as agreeing upon the key principles that should be respected in order to ensure solid basis for each Council to use the good practices and provide effective and efficient services.

The needs assessment but also the last workshop showed that a reasonable follow up activity would be to define clear structure, scope of work and internal channels for communication and coordination that will contribute towards effective and efficient work of the Council. Also, considering that this Council is constituted recently, **it was identified that it's crucial for the Council Members to become aware of, and practice the key preconditions for effective team work** such as communication skills, active listening, paraphrasing, facilitation of effective meetings and decision making. Accordingly, this workshop focused on the issues mentioned above and it was interactive and practical, facilitated through use of various methods, using the learning-by doing approach.

2. PROGRAM GOAL AND OBJECTIVES

Overall Goal

The overall goal of the workshop was to strengthen the capacities of the CSC through building an effective organizational structure that will enable and support the Members to work efficiently. Furthermore, the workshop aimed to strengthen the internal coordination and communication of the Council.

Specific Objectives

- ❌ To map the current structure, positions and functioning of the CSC and identify the gaps
- ❌ To provide the participants with an opportunity to discuss the most effective way of communication and cooperation among the member and the secretariat of CSC, thus defining the best structure for the work of CSC.
- ❌ **To reach an agreement on the Council's structure and the mode of functioning that will ensure effects from its activities.**
- ❌ To establish working committees

¹ the mandate of the members is 2 years and there is only one permanent member i.e. the Court Administrator of the Supreme Court of RM

- ✘ To define the roles and responsibilities of CSC Members, the Secretariat of CSC and the working committees
- ✘ To define procedures of internal communication and coordination
- ✘ To practice facilitation of effective meetings and decision making processes

3. PROGRAM DESCRIPTION

3.1. Program, Process and Achievements

The workshop was organized on 3-5 November, 2010 and it was mainly focused on defining the structure of the Council and developing scope of work i.e. roles and responsibilities of CSC Members, the Secretariat of CSC and the working committees.

The first day started with overview of the main steps in building effective organizational structure. Different organizational structures and specifics of each were discussed with the participants. Then, the participants were split in two groups and tasked to analyze the key services/processes and the time spent on each in order to assess the current structure and functioning of the CSC and identify the gaps².

The results were discussed the next day at the morning session when a ***draft structure³ was developed***. The Council identified the need for increased number of employees within the secretariat in order to separate the executive and governance role within the CSC as well as establishment of working committees that will cover different areas of work and increase the efficiency and effectiveness of the Council. Afterward, the participants ***defined the scope of work⁴ i.e. roles and responsibilities of the CSC President, CSC Deputy President, CSC Members, the Secretariat of CSC and the working committees***. Also, the members of each working committee were identified.

The last session covered facilitation of effective meetings and decision making through a role play exercise. Following, there was a plenary discussion focused on the process when the key issues of running effective meetings and the role of facilitator were discussed and clarified. The main characteristics of an effective meeting were emphasized as well as the key aspects before, at and after the meeting. The active listening, asking questions and paraphrasing were highlighted as the most powerful communication and facilitation skills. Furthermore, the influence of perception in communication was discussed with the participant.

The third day started with presentation about the different types of decisions as well as the key steps in the decision-making process. The session also included small group exercise when the participants practiced decision-making by voting and consensus. The plenary discussion covered the meaning and specifics of making decision by voting or consensus. Also, difficult situations that may occur at the meeting and how to deal with the same ones were discussed.

The last session included discussion about the bottlenecks and challenges of the CSC in the decision-making processes as well as the internal communication and coordination. The participants discussed about the previous experiences of the Council, the difficulties encountered and lessons learnt. As a result, they defined the possible improvements and proposed solutions⁵ for effective coordination, communication and decision-making that will support the execution of the defined roles and responsibilities and ensure high quality in service provision.

² Annex 1: Analysis of CSC Structure and processes/services

³ Annex 2: Draft Structure of CSC

⁴ Annex 3: Role and responsibilities of CSC

⁵ Annex 4: Coordination and decision-making – Conclusions of CSC

3.2. Methodology, Techniques and Instruments Used

The workshop was interactive and mostly included practical exercises and mentoring. It was designed based on the learning-by doing approach and gave participants an opportunity to develop understanding of the concepts and attain techniques to translate the concepts into practice. There were plenary sessions and small group work. The plenary sessions were used to introduce the topics as well as for structured discussions and presentation of the results from the small group work.

The consultants provided guidelines, assistance and support throughout the entire process. They facilitated the group and guided the discussions by asking challenging questions and motivating the participants to give answers and express their opinions. The participants were guided to formulate and define their ideas and thoughts. Power Point Presentations and handouts were used during the process.

4. TRAINING EVALUATION

The daily evaluations, the informal discussions as well as the formal evaluation at the end, showed that the overall **goal is achieved and trainees' expectations are largely met.** They evaluated the content workshop **and its usefulness very high. What's more, they** demonstrated high interest and active involvement in the entire process as well as eagerness to learn.

At the end of the training, all participants completed written evaluation forms⁶. The general conclusion is that the participants are very satisfied with the process. All aspects that were evaluated were given the highest scores. They stated that they found the process were useful, their expectations are met and are satisfied with the work of the consultants, their approach and methodology. For more details, please see the attached summary of evaluation forms.

5. CONCLUSIONS and RECOMMENDATIONS

The workshop is assessed as very useful since all participants were eager to learn and engaged in constructive discussions. It was evident that they find this workshop important because they were very committed in the process. The defined structure, roles and responsibilities are seen as essential by the Council Members since, as they stated, it will ensure clear set up and functioning of the CSC. Also, the possibility to practice facilitation of effective meetings and decision-making as well as to discuss and define the most effective way of internal communication and coordination is perceived as crucial for ensuring high quality in service provision.

However, during the role play exercises, especially while practicing facilitation of effective meetings, the participants expressed willingness to gain in-depth knowledge and skills in *facilitation, presentation and communication skills*. The *public relations and presentation skills* were also emphasized as crucial having in mind that the Members also represent the Council and should work on its promotion and creation of a public image.

In addition, having in mind that the Council is constituted recently, *team building* can significantly contribute in the effectiveness having in mind that it refers to the process of establishing and developing a greater sense of cooperation and trust between the team members.

Finally, we as consultants are pleased to provide further assistance and support in meeting the **Council's** needs as well as the JRIP efforts in any manner and/or module where we can respond.

⁶ Annex 5: Summary of evaluations

ANALYSIS OF THE ORGANIZATIONAL STRUCTURE OF CSC

Function in CSC	President, Deputy president	members	Unit	Time per activity	How many times for 12 months	How much time (hours)
Types of activities						
OPERATIONAL ACTIVITIES					Total	45
Giving consent for changes and amendments of the Regulation				15 min/1	40 times	10
Review of the request for assigning a member				15 min/1	40	10
Review of the appeals and objections (1,2,3,4,5,6)				30 min/1	50	25
SUPPORT ACTIVITIES					Total	1313
Reception of the request filed by certain court for changes and amendments to the Regulation (1)				15 min/1	40	10
Registration of the request in registry book with number and date of establishment of the case (1,2,3,4)				15 min/1	150	37,5
Written information (1,2,3) for incomplete requests				30 min/1	150	75
Scanning of the complete request and acts (1,2,3,4)				30 min/1	110	55
Mailing of the scanned documents via email (1,2,3,4)				30 min	110	55
Contacts with the SCS members for scheduling a session (1,2,3,4)				240 min	12	48
Distribution of the agenda to the members by email. (1,2,3,4)				30 min	12	6
Preparing minutes (1, 2,3,4)				30 min	12	6
Preparing a written opinion/information (1,2,3,4)				30 min	100	50
If more than 30% of changes ask for submission of clarified text of the Regulation (1)				15 min	30	7.5
Archiving the case (1,2,3,4)				30 min	90	45
Reception of the request filed to particular court for determining a member and deputy member from CSC in the committees for selection of court employees (2)				15 min	30	7.5

The reception of the appeal filed by the employees in the court service against the decision for pronouncing disciplinary measures initiates the procedure for decision-making in second instance in a disciplinary procedure. (3)				15 min	10	2.5
Reception a mail receipt for performed proper service of the decision. (3)				15 min	120	30
Reception of the response to complaint filed by the court service employees against the decision passed by the court administrator initiates the procedure (4)				15 min	30	7.5
Reception of appeal filed by the candidates not selected for employment or the employees in the court service against the decision passed by the President Judge for start and termination of the employment, initiates the procedure. (5)				15 min	10	2.5
Reception of objection or appeal filed by the court service employees against a decision for fulfillment of labor relations rights in the court service initiates the procedure. (6)				15 min	50	12.5
Logistical support, administrative – technical work (typing, archiving, consultations, contacts with CBC, MOJ, meetings)				2h daily	2 hours x 21 day x 12 months	504
Delivery of report and draft act to all the CSC members by the unit (7)				30 min	1	0.5
Contact with the CSC members for scheduling a session with personal presence (day, hour and place) (7)				5 hours	1	5
Delivery of the agenda for the session (7)				30 min	1	0.5
The unit submits the act for description of the titles of court employees (Act) (7)				30 min	1	0.5
Receiving in CSC the harmonized Regulations (7)				30 min	1	0.5
Convening a session for the Code (8)				20 min	33	11
Determining the form (brochure, placard and similar), design and number of copies (after the analysis on the number of employees in cooperation with CBC) (8)				180 min	10	30
Engaging an expert who will prepare the draft design and form of the Code / Act (8)				180 min		3
Submitting the prepared draft design and form of the Code (8)				60 min		1
Undertaking a public procurement procedure (8)				3 day		24

Accepting and distribution of the Code (8)				120 min		2	
Archiving the case in the Unit and posting it at the website of CSC (8)				15 min		0.25	
Submitting the draft text to all the members of CSC (8)				30 min		0,5	
Summary of the filed written changes and amendments by the Unit (8)				180 min		2	
Organizes process of selection of trainer (preparation of announcement and coordination of the members of CSC i.e. the working group) (9)				2 hours (within one week)	2 hours x 4 weeks = 8 hours per month	96	
Organizes training and provides logistical support during its implementation (9)				Preparations 2 days + training 3 days = 5 days x 8 hours = 40	4	160	
Distribution of a report from the training by the trainer, with included evaluation and recommendations / conclusions (9)				1 hour		1	
Posted at the internet site of CSC (10)				30 min		0.5	
Preparation of meetings (2)				1 hour	12	12	
ACTIVITIES OF PROFESSIONAL STAFF						Total	1013
Analysis of the existing regulations for internal organization and systematization in the courts in respect of the titles of the court employees (7)				5 days or 32 hours (The Committee of 8 members will divide and each member will review 8 regulations) 33 regulations x 5 hours= 165 hours		165	
Preparing a report from the analysis for leading, professional, administrative-technical and other employees in accordance with the law on Labor Relations (LLR) and draft act for description of the titles for the employees in the court service (7)				16 hours x 4 persons = 64 hours Each day per 3 days for writing (3x8 h= 24h/person) 24x4= 96 h		160	
Preparation of a draft text by the employees of the working group (???)				40 hours		40	

Participation of CSC in the drafting and amendments of the legislation (11) - Session for preparation of proposal for amendments of the law. the delegated member participates in the working group and his/her task is to present the positions of CSC for changes of the legislation				3 days per month x 9 = 27 x 3 months= 81 day = 648 hours		648
ACTIVITIES OF THE LEADERSHIP – TOP MANAGEMENT					Total 36 x 9= 324 12 x 9 = 108 40 x 9 = 360 120 x 8 = 960 40 x 8 = 320 Total 2072 h/year 240 hours/annually per person 20 h/monthly	2172
Reviews the request, discusses, keeps minutes, and passes a decision upon it (1,2,3,4,5,6)				3 h	12	36
Passing a decision (1,2,3,4,5,6)				1 h	12	12
Meetings				2 h	20	40
Participation at trainings				24 h	5	120
Development of a program				8	5	40
Establishing a committee (7)				30 min with the writing of the decision		0.5
Preparation of the agenda for the session (7)				30min.		0.5
Presentation of the act by the President of the Committee before the CSC members at the scheduled session (7)				90 min. (report on each court)		1.5
CSC passes act for description of the titles of the court employees (and discussion) (7)				120min x 10		20

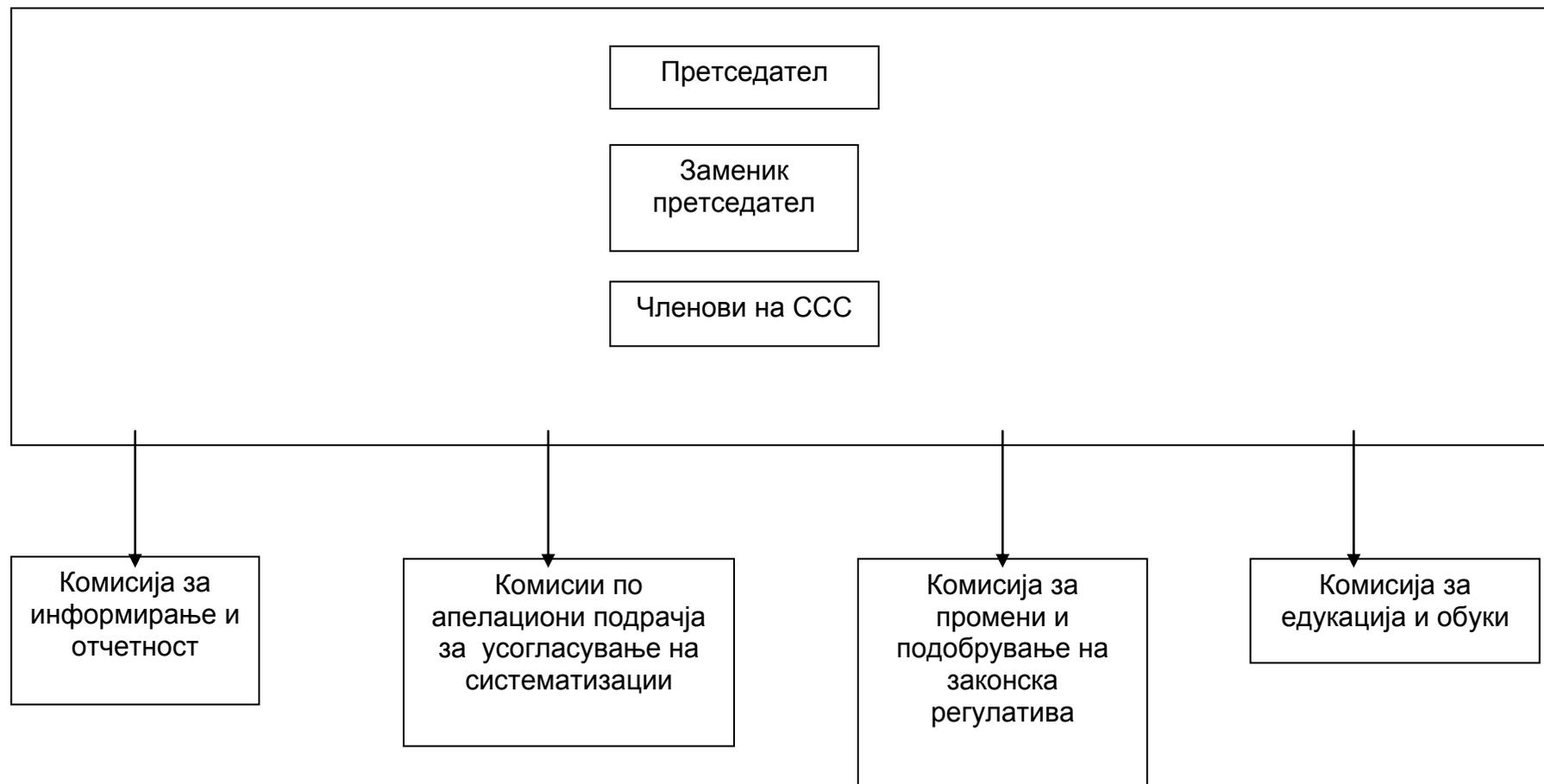
Instruction for harmonization of the Regulations with the act where a time limit for the service of the harmonized Regulations to CSC is determined. (7)				1 hour x 10		10
Decision of CSC for passing the Code (8)				1 hour		1
Decision for establishing a working group for preparation of the draft text of the Code (8)				1 hour		1
Review, discussion and passing of the Code/act (8)				4 hours x 10		40
Decision of CSC for announcement of the Code/Act in the Official gazette of RM (8)				1 hour		1
Review, discussion and adoption of the design and form of the Code/Act (8)				2 hours x 10 = 20		20
Submitting a request to CBC, signed by the president of CSC, for providing means for printing the Code/Act (8)				60 min		1
Decision for establishing a working group (president and two members of CSC) for organizing the training (9)				60 min		1
Passing a decision for selection of trainer				60 min		1
Establishing a working group composed of CSC members, which with the support from the Unit will be responsible for preparation of draft annual report (10)				60 min		1
Adoption of annual report (10)				60 min		1
MEDIUM LEVEL LEADERSHIP ACTIVITIES					Total	721
Assessment of president/deputy president for holding a session with personal presence or conference link.				15 min	15	3.75
Check whether the documents are complete and preparation of written information (for incomplete requests) (1,2,3,4)				30 min/1	100	50
Preparation of the agenda for the session (1,2,3,4)				30 min	12	6
The unite implements the decision of CSC				120 min		2
Review of the harmonized regulations in CSC (7)				2 hours x 10 members x 33		660

Types of activities	hour/year	hour/month	hour/day	%
SUPPORT ACTIVITIES AND OPERATIONAL ACTIVITIES	1358	113,1667	5,388889	25,8%
ACTIVITIES OF THE EXPERT STAFF	1013	84,41667	4,019841	19,2%
ACTIVITIES OF THE LEADERSHIP – TOP MANAGEMENT	2172	181	8,619048	41,3%
MEDIUM LEVEL LEADERSHIP ACTIVITIES	721	60,08333	2,861111	13,7%
TOTAL	5264	438,6667	20,88889	100,0%

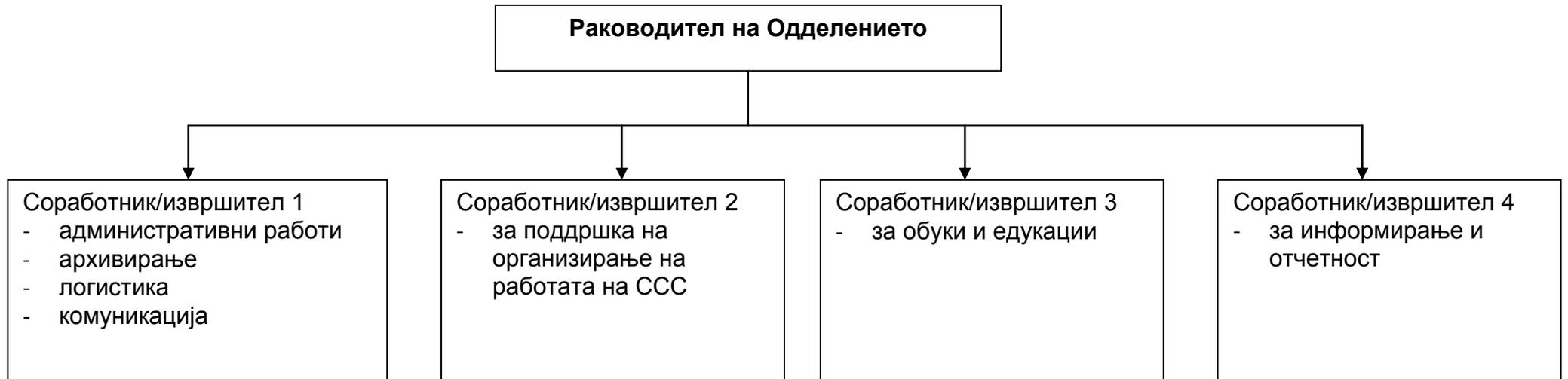
Note:

- *To add the time of travel*
- *To add the participation of the members in the committees for selection of employees*

Предлог Структура на Совет на Судска Служба



Предлог структура на Одделението за административно – технички работи



Можности:

1. Да постојат сите пет позиции согласно систематизација (во перспектива)
2. Да постојат три позиции (приоритетно!):
 - раководител на одделението
 - позиција 1, 2 и 3 да се спојат односно да ги врши едно лице
 - позиција 4

Key organizational processes of the Court Services Council (CSC)

Note:

The registration and archiving of the cases is done in accordance with the Court Book of Rules. The appeals against the decision passed in the repeated procedure in front of the courts is registered under the same number as the registration number in CSC.

REQUEST FOR OBTAINING CONSENT FOR CHANGES AND AMENDMENT OF THE REGULATION FOR INTERNAL ORGANIZATION AND SYSTEMATIZATION IN THE COURTS

In accordance with the Law on Court Service (LCS) one of the legal obligations of CSC is giving consent for changes and amendments of the Regulation for internal organization and systematization of the work positions in the courts (Regulation) within 8 days from the reception of the request (complete request).

With the reception of the request, filed by certain court for the changes and amendments of the Regulation for internal organization and systematization of the work positions it is considered that the procedure for granting consent for changes and amendment of the regulation starts.

The unit for administrative and technical matters of the Court Service Council (Unit) takes up the following steps:

1. Registration of the request in registry book with number and date and establishment of the case
2. The unit performs checks whether the documents are complete by consulting also with the President of the CSC. If the documents are not complete, upon request from the President of the CSC, the Unit prepares a written information, signed by the president of CSC to the court, with a list of documents that have to be submitted.
3. Scanning of the complete request and the writs enclose to the request.
4. Emailing the scanned documents electronically to all the CSC members
5. Upon assessment of the president of CSC the session can either take place with personal presence or by conference link.
6. The Unit contacts the members of CSC for the purpose of scheduling the session (day, time and place/conference link)
7. Preparation of agenda for the session
8. Submitting the agenda to the CSC members by email.

At the session CSC reviews the request, discusses, keeps minutes and passes a decision upon it. The decision can be either giving a positive or negative opinion.

After the session, the Unit undertakes the following steps:

1. Prepares minutes for the session
2. Prepares a written opinion, signed by the President of CSC, registers it, and submits it to the court.
3. If CSC does not give a positive opinion for consent on the Regulation, prepares written information to the president judge of the court with directions which activities have to be undertaken for obtaining a positive opinion.

4. If there are more than 30% changes, asks for integrated copy of the text of the Regulation.

The process ends with archiving the case by the unit.

Bottle necks:

- Equipping the Unit

APPOINTING A MEMBER AND DEPUTY MEMBER OF CSC IN THE COMMITTEES FOR SELECTION OF COURT EMPLOYEES

In accordance with the Law on Court Service (LCS) one of the legal obligations of CSC is appointing a member and deputy member from CSC in the committees for selection of court employees (Committees) within 8 days.

With the reception of the request filed by certain court for appointing a member and deputy member from CSC in the committees for selection of court employees, starts the procedure for determining a member and deputy member in the committees.

The unit for administrative and technical matters of the Court Service Council (Unit) takes up the following steps:

1. Registration of the request in registry book with number and date and establishment of the case
2. Scanning of the request
3. Emailing the request to all the CSC members
4. Upon assessment of the president of CSC the session can either take place with personal presence or by conference link.
5. The Unit contacts the members of CSC for the purpose of scheduling the session (day, time and place/conference link)
6. Preparation of agenda for the session
7. Submitting the agenda to the CSC members by email.

At the session CSC keeps minutes and passes a decision for appointing a member and deputy member from CSC in the committee for selection of court employee, having in mind the territorial positioning of the courts in which the selection will be performed and of the CSC members (from which court they are coming).

After the session, the Unit undertakes the following steps:

1. Prepares minutes for the session
2. Prepares a written information for appointing a member and deputy member in the committee, signed by the President of CSC,
3. Registers the written information and submits it to the court.

The process ends with archiving the case by the unit.

Bottle necks:

- Travel expenses

DECISION MAKING IN SECOND INSTANCE IN DISCIPLINARY PROCEDURES

In accordance with the Law on Court Service (LCS) one of the legal obligations of CSC is deciding in second instance in disciplinary procedures within 8 days from the reception of the appeal (complete appeal).

With the reception of the appeal filed by court service employees against the decision for pronouncing a disciplinary measure, starts the procedure for deciding in second instance in disciplinary procedures.

The unit for administrative and technical matters of the Court Service Council (Unit) takes up the following steps:

1. Registration of the request in registry book with number and date and establishment of the case
2. The unit performs checks whether the submitted documents are complete by consulting also with the President of the CSC. If the appeal is incomplete, upon request from the President of the CSC, the Unit prepares written information, signed by the president of CSC, to the court and/or the appellant, with a list of documents from the undertaken disciplinary procedure that have to be submitted.
3. Scanning of the appeal and the decision.
4. Emailing the scanned documents electronically to all the CSC members
5. The Unit contacts the members of CSC for the purpose of scheduling the session (day, time and place) with personal presence.
6. Preparation of agenda for the session
7. Submitting the agenda to the CSC members by email.

At the session, after the report from one of the Council members on the case, CSC discusses the appeal and the writs from the case, keeps minutes and passes a decision upon it.

After the session, the Unit undertakes the following steps:

4. Prepares minutes for the session
5. Prepares a written decision, signed by the President of CSC,
6. Registers the written decision and submits it to the appellant and the court.

The process ends with archiving the case by the Unit, after the reception of the delivery receipt from a proper service of the decision.

Bottle necks:

- Travel expenses
- Obtaining a quorum for the session with personal presence
- Legal time limit of 8 days

DECIDING UPON APPEALS AND OBJECTIONS AGAINST DECISIONS OF THE COURT ADMINISTRATOR FROM THE FIELD OF HIS/HER WORK

In accordance with the Law on Court Service (LCS) one of the legal obligations of CSC is deciding upon appeals and objections against decisions of the court

administrator from the field of his/her work within 8 days from the reception of the appeal or objection (completed).

With the reception of the appeal or objection filed by court service employee against a decision passed by the court administrator, the procedure starts.

The unit for administrative and technical matters of the Court Service Council (Unit) takes up the following steps:

1. Registration of the appeal or objection in registry book with number and date and establishment of the case
2. The unit performs checks whether the submitted documents are complete by consulting also with the President of the CSC. If the appeal or objection is incomplete, upon request from the President of the CSC, the Unit prepares written information, signed by the president of CSC, to the court and/or the appellant, with a list of documents that have to be submitted.
3. Scanning of the appeal or objection and the decision.
4. Emailing the scanned documents electronically to all the CSC members.
5. Upon assessment of the president and the CSC members the session can either take place with personal presence or by conference link.
6. The Unit contacts the members of CSC for the purpose of scheduling the session (day, time and place/conference link).
7. Preparation of agenda for the session
8. Submitting the agenda to the CSC members by email.

At the session, after the report from one of the Council members on the case, CSC discusses the appeal or objection and the writs from the case, keeps minutes and passes a decision upon it.

After the session, the Unit undertakes the following steps:

7. Prepares minutes for the session
8. Prepares a written decision, signed by the President of CSC,
9. Registers the written decision and submits it to the party filing the appeal/objection and the court.

The process ends with archiving the case by the Unit, after the reception of the delivery receipt from a proper service of the decision.

Bottle necks:

- Travel expenses
- Obtaining a quorum for the session with personal presence
- Legal time limit of 8 days

DECIDING IN SECOND INSTANCE AGAINST THE DECISIONS OF THE PRESIDENT JUDGES FOR START AND TERMINATION OF EMPLOYMENT

In accordance with the Law on Court Service (LCS) one of the legal obligations of CSC is deciding in second instance against the decisions of the president judges for start and termination of employment within 15 days from the reception of the appeal (completed).

With the reception of the appeal filed by the candidates that were not selected for employment or the court service employees against the decision of the president judge for start and termination of the employment, the procedure starts.

The unit for administrative and technical matters of the Court Service Council (Unit) takes up the following steps:

1. Registration of the appeal in registry book with number and date and establishment of the case
2. The unit performs checks whether the submitted documents are complete by consulting also with the President of the CSC. If the appeal is incomplete, upon request from the President of the CSC, the Unit prepares written information, signed by the president of CSC, to the court and/or the appellant, with a list of documents that have to be submitted.
3. Scanning of the appeal and the decision.
4. Emailing the scanned documents electronically to all the CSC members.
5. Upon assessment of the president and the CSC members the session can either take place with personal presence or by conference link.
6. The Unit contacts the members of CSC for the purpose of scheduling the session (day, time and place/conference link).
7. Preparation of agenda for the session
8. Submitting the agenda to the CSC members by email.

At the session, after the report from one of the Council members on the case, CSC discusses the appeal and the writs from the case, keeps minutes and passes a decision upon it.

After the session, the Unit undertakes the following steps:

10. Prepares minutes for the session
11. Prepares a written decision, signed by the President of CSC,
12. Registers the written decision and submits it to the party filing the appeal and the court.

The process ends with archiving the case by the Unit, after the reception of the delivery receipt from a proper service of the decision.

Bottle necks:

- Travel expenses if the session has to take place with personal presence
- Obtaining a quorum for the session with personal presence

DECIDING IN SECOND INSTANCE UPON APPEALS AND OBJECTIONS TO DECISION FOR FULFILLMENT OF RIGHT FROM LABOR RELATIONS IN THE COURT SERVICE

In accordance with the Law on Court Service (LCS) one of the legal obligations of CSC is deciding in second instance against appeals and objections for fulfillment of the rights from labor relations in the court service, within 15 days from the reception of the objection or appeal (completed).

With the reception of the objection or appeal filed by the court service employees against the decision for fulfillment of the rights from labor relations in the court service, the procedure starts.

The unit for administrative and technical matters of the Court Service Council (Unit) takes up the following steps:

1. Registration of the objection or appeal in registry book with number and date and establishment of the case
2. The unit performs checks whether the submitted documents are complete by consulting also with the President of the CSC. If the objection or appeal is incomplete, upon request from the President of the CSC, the Unit prepares written information, signed by the president of CSC, to the court and/or the party filing the objection or appeal, with a list of documents that have to be submitted.
3. Scanning of the appeal or objection and the decision.
4. Emailing the scanned documents electronically to all the CSC members.
5. Upon assessment of the president and the CSC members the session can either take place with personal presence or by conference link.
6. The Unit contacts the members of CSC for the purpose of scheduling the session (day, time and place/conference link).
7. Preparation of agenda for the session
8. Submitting the agenda to the CSC members by email.

At the session, after the report from one of the Council members on the case, CSC discusses the objection or appeal and the writs from the case, keeps minutes and passes a decision upon it.

After the session, the Unit undertakes the following steps:

13. Prepares minutes for the session
14. Prepares a written decision, signed by the President of CSC,
15. Registers the written decision and submits it to the party filing the objection or appeal and the court.

The process ends with archiving the case by the Unit, after the reception of the delivery receipt from a proper service of the decision.

Bottle necks:

- Travel expenses if the session has to take place with personal presence
- Obtaining a quorum for the session with personal presence

PREPARATION AND PASSING THE ACT FOR DESCRIPTION OF THE TITLES OF THE COURT EMPLOYEES

In accordance with the Law on Court Service (LCS), Article 7, paragraph 3, the legal obligation of CSC is to prepare and pass Act for description of the titles of the court employees (Act).

The process starts with passing a decision at a CSCS session for preparation and passing the act.

Steps in the process:

1. Establishing the committee

(The President passes a decision for establishing the committee, composed of 3-5 members. The decision is prepared by the Assembly and submits it for signature/verification to the President, and afterwards to the committee members)

2. The committee analyses the existing Regulations for internal organization and systematization of the courts in relation to the titles of the court employees.
3. The committee prepares a report from the analyses of leading, professional, administrative – technical and other employees according to the Law on labor relations (LLR) and draft act for description of the titles of the employees in the court service.
4. The prepared report and draft act are submitted to all of the members of CSC by the Unit.
5. The Unit contacts the members of CSC for the purpose of scheduling the session (day, time and place/conference link).
6. Preparation and submitting the agenda for the session
7. The draft act is presented by the President of the Committee to the CSC members at a scheduled session.
8. CSC passes the Act for description of the titles of the employees in the court service
9. The Unit submits the act to all the courts and CBC with instruction to harmonize the Regulations with the Act, and determines a time limit for submitting the harmonized Regulations to CSC.

The process end with the reception of the harmonized regulations in CSC.

Bottle necks:

- Finances for undertaking the analysis and preparation of the draft act by the committee
- Travel expenses for CSC
- Time limit

**PASSING AND DISTRIBUTION OF THE CODE OF ETHICS AND ITS
IMPLEMENTATION
(procedures for printing and distribution of the material of CSC)**

In accordance with the Action plan of CSC, one of the key activities is the passing and distribution of the Code of Ethics for the employees in the court service of RM (Code) and its implementation. Therefore, it will be described in a form of a procedure.

The procedure for passing and distribution of the Code will be applied also in all the other procedures for printing and distribution of materials of CSC.

Steps in the process:

1. Decision of CSC for passing a Code/Act
2. Decision for establishing a working group for preparing a draft text of the Code/Act
3. Preparation a draft text by the working group.
4. Submitting the draft text to all the members of the CSC by the Unit in order to receive written proposals for changes and amendments.

5. The Unit summarizes the submitted written proposals for changes and amendments and submits them to all the members.
6. Summoning a session for review, discussion and passing of the Code/Act (coordination of the CSC members and agreement on the date and time for the meeting).
7. Holding a session for review, discussion and passing of the Code/Act
8. CSC passes a decision to print the Code/Act in the Official Gazette of RM.
9. The Unit implements the decision of CSC.

Steps in the procedure for printing and distribution:

1. Determining a form (brochure, placard and similar), design and number of copies (upon the analyses on the number of employees in cooperation with CBC)
2. Engaging an expert who will prepare the draft design and the form of the Code/Act
3. Submitting the prepared draft design and form of the Code/Act to all of the CSC members
4. Holding a meeting of the CSC members for review, discussion and adoption of the design and form of the Code/Act
5. Submitting the request to CBC, signed by the president of CSC, for providing finances for printing.
6. Implementation of the public procurement procedure – selection of printing house by the Supreme Court of RM
7. Accepting and distribution of the Code/Act by the Unit to the courts in RM
 - The unit prepares a list of courts to which the Code/Act will be distributed, by determining the number of copies
 - The president of CSC submits information to all the courts on the manner of distributing the Code/Act
 - CSC submits request to the courts so that they can inform the Council if the Code/Act has been distributed to every employee and if it has been hung in the premises in which the court service employees work.

The process ends by archiving the case in the Unit and posting it at the internet site of CSC.

Note:

The implementation of the Code will be monitored by CSC through the filed appeals upon the undertaken disciplinary procedures for not-respecting the Code.

Bottle necks:

- Finances necessary for preparation (design) and printing
- Gatherings for meetings and workshops

CAPACITY BUILDING OF THE CSC MEMBERS

In accordance with the Action Plan of CSC, one of the key activities is the process of capacity building of the CSC members. Therefore, it will be described in a form of procedure.

The process initiates by passing a decision on enhancement of the capacities of the CSC members through trainings. The decision is passed by the Council of Court Service.

Steps in the process:

1. CSC passes a decision for establishment of a working group (President and two members of CSC) for organization of the training.
2. The Unit in cooperation with the working group organizes the process of selection of trainer
 - Defining a criteria for selection of trainer, contacting the potential trainers to submit offers (CV, overview of the training program and budget) and selection of most appropriate trainer
3. The selected trainer prepares a questionnaire for determining the needs and the level of knowledge and skills of the participants for certain topic and submits it to the Unit for further distribution to the CSC members.
4. The trainer conducts analyses of the questionnaires (summary of the answers and conclusions)
5. On the basis of the analyses, the trainer prepares the agenda and the materials for training
6. The unit organizes the training and provides logistical support during the implementation
 - Prepares and submits invitation to all the CSC members (contacts all the CSC members to arrange the time and place of the training and submits material through email)
 - Prepares a list of participants who have confirmed the participation
 - Submits information to the hotel
7. Implementation of the training
8. Submitting report from the training by the trainer, with included evaluation and recommendations/conclusions

**PROVIDING TRANSPARENCY AND ACCOUNTABILITY OF THE WORK
OF CSC
(Announcement of the annual reports and updating of the website of
CSC)**

In accordance with the Action Plan, one of the key activities is also the provision of transparency and accountability of the work of CSC. Therefore it will be described in a form of a procedure.

The transparency and the accountability of CSC are provided with the announcement of the annual reports on the CSC work and regular publishing of the decisions, as well as publishing and update of the acts and activities of CSC at the website of CSC.

Depending on the structure and content of the report, defined by CSC, a working group will be established composed of CSC members, which with the support from the Unit will be responsible for preparation of draft report and will submit it to all the CSC members for adoption. The adopted report will be published at the website of CSC.

The Unit is responsible for publishing and updating the materials and information on the CSC website. All the decisions at the internet site are made anonymous and approved by the President of CSC.

PARTICIPATION IN THE CREATION AND CHANGES OF THE LEGAL FRAMEWORK

In accordance with the Action Plan, one of the key activities is also the participation of CSC in the creation and changes of the legal framework. Therefore it will be described in a form of a procedure.

Steps in the process:

1. CSC determines the need of change and amendment of the legislation.
2. CSC holds a session for drafting the proposed legislative changes.
3. CSC delegates a member in the working group of the Ministry of Justice
4. The delegated member participates in the working group and his/her task is to present the positions of CSC for changes of the legislation.

Bottle necks:

- Accepting the delegated member to participate in the work of the legislative work group of the Ministry of Justice.
- Travel expenses

Discussion and conclusions regarding the bottle necks and challenges of CSC in the process of communication, coordination and making decisions

1. Good preparation of the meetings/sessions of CSC
 - Timely distribution of information on the CSC meetings (time, place agenda)
 - The information necessary for passing the decision should be complete
2. Effective and efficient chairing the meetings
 - Have a clear focus of the meetings and goals/results that need to be achieved
 - Close the meeting with a definitive decision (clear ideas what the decision should contain and which arguments should be included in the elaboration)
3. CSC members should have in mind the importance of this body from the point of decision making. To give the equal importance to this as to all other activities, since the decisions passed refer to rights of the court employees.
4. Unit:
 - Contacts all the members on the phone and ask for confirmation of their attendance at the meeting
 - Submits by email the complete information and documents necessary for the meeting
5. Use the possibilities for electronic communication (email and spider-phone)
6. When CSC members travel to Skopje, they inform the Unit in order to review the possibilities of scheduling a meeting, if necessary
7. At the agenda of the meetings, besides the decisions passed in reference to the legal authorizations, to have an opportunity to review other matters important for CSC:
 - Capacity building
 - CSC accountability
 - Work of the working committees – discussion and agreement related to their tasks and obligations
 - Cooperation with relevant institutions
 - Exchange of experience and identification of difficulties, challenges, and lessons learned, as well as proposals for improvement

FIELD OF OPERATION
Roles and responsibilities

PRESIDENT / DEPUTY PRESIDENT

- Manages the CSC
- Manages with the Unit for administrative – technical matters (Unit)
- Presents CSC in front of all relevant bodies, institutions and media
- Organizes the work of CSC
- Verifies the agenda, convenes and chairs the CSC sessions
- Verifiers the general and individual acts passed by CSC

CSC MEMBERS

1. Review, discussion and passing decision:
 - For giving consent on the changes and amendment of the Regulation for Internal organization and systematization of the positions in the courts
 - For determining a member and deputy member from CSC in the committees for employment of court employees
 - For participation of some CSC members in the committees for employment of court employees
 - In the second instance in the disciplinary procedures
 - Upon appeals and objections against the decisions of the court administrator from his/her field of work
 - In the second instance against decisions of the President judges for start and termination of the employment
 - In the second instance upon appeals and objections for fulfillment of the labor relation rights in the court service
 - Passing Act for description of titles of the court employees
 - Response / giving opinion upon different filings
 - For preparation (content, form, design) and distribution of the Code of ethics for the employees in the court service of RM
 - For adoption of draft annual report on the CSC work
 - On the basis of filed proposed changes and amendments to the legislation by the appropriate committee
2. Passing a decision for establishing a committees for determining the composition of the committees
3. Participation in working bodies, committees and coordination meetings by appointing from among the CSC
4. Response to the questionnaire for determining the needs and the level of knowledge and skills of the CSC members
5. Participation at trainings and CSC capacity building

6. Approval of promotion materials, press releases, and contents that will be published at the CSC website
7. Review, discussion and conclusions for the future activities on the basis of report submitted by the trainer, after the training.

Court Service Council, on November, 4, 2010 at the session passed the following:

DECISION

For establishing committees with the following jurisdictions and composition:

COMMITTEE FOR UNIFICATION OF THE TITLES AND DESCRIPTION OF THE WORKING POSITIONS

Article 1 Jurisdiction

- Drafting methodology for preparation of the proposal of the acts
- Collecting the current systematizations in cooperation with the Unit
- Conducting analysis of the existing positions according to the systematization and upon changes and amendments of the Law on Court Service (LCS)
- Harmonization of the titles and the description of the positions with LCS
- Preparation of proposals of the act with explanation of the changes and amendments made and submitting it to CSC for adoption.

Article 2 Composition

The composition of the committee for unification of titles and description of the work positions is the following:

Members of the Court Services Council: President, deputy president and Boban Dimoski and Kani Abduli (as replacements).

External members: Ilija Nikolovski (AP Bitola), Suzana Varnalieva (BC Veles), Riste Spasovski (OS1), Violeta Vasileva (AC) and Silvijia Kamceva (CBC) and deputies for each of them

The representative from the Unit Maja Babanova will participate in the work of the Committee.

COMMITTEES PER APPELLATE REGIONS FOR HARMONIZATION OF THE EXISTING SYSTEMATIZATIONS WITH THE NEW LCS

Article 3 Jurisdiction

- Preparing a methodology for preparation of draft act and harmonization of it by all committees
- Collecting the existing systematizations in cooperation with the Unit
- Review and check of the submitted changed draft systematizations with the new LCS by the courts
- Preparation of draft report for each individual act proposal and submitting it for adoption from the CSC members

Article 4 Composition of the Committee

The composition of the committee per appellate regions for harmonization of the existing systematizations with the new LCS is the following:

Appellate region Bitola

Members of the Court Service Council: deputy president and Boban Dimoski, Kani Abduli

External members: Zaklina Doveden, Borce Mirceski, Olivera Maneli Bendevska, Ilija Nikolovski

Appellate region Gostivar, Supreme Court of RM, Administrative Court

Members of the Court Service Council: deputy president and Boban Dimoski, Kani Abduli, Sonja Gruevska, Violeta Vasilevska

External members: Vesna Minovska (secretary in BC Kicevo)

Appellate region Shtip

Members of the Court Service Council: Nade Bajraktarova, Ilija Popov, Marija Stojanova,

External members: Lepa Doneva, Jordanka Dimceva

Appellate region Skopje:

Members of the Court Service Council: Jordan Mitrinovski, Dragica Bozinovska,

External members: Riste Spasovski, Suzana Varnalieva, Nikola Blazevski, Mlagan Mitovski

The representative from the Unit Maja Babanova will participate in the work of the Committees.

COMMITTEE FOR INFORMATION AND ACCOUNTABILITY

Article 5 Jurisdiction

- Preparation of draft materials (content) for promotion of the CSC work (brochure, bulletin, newsletter and similar)
- Submitting a draft promotional material to the CSC members for adoption
- Preparation of draft content and posting it at the CSC website (as a part of the SCRM website)
- Preparation of draft materials for publishing at the CSC website
- Preparing draft press releases

Article 6

The composition of the Committee for information and accountability is the following:

Members of the Court Service Council: Marija Stojanova, Dragica Bozinovska, Hanif Zendeli.

External members: as needed

The representative from the Unit Maja Babanova will participate in the work of the Committee.

COMMITTEE FOR EDUCATION AND TRAINING

Article 7 Jurisdiction

1. Implementing a process of needs assessment and the level of needed skills and knowledge of the CSC members in cooperation with the Unit (once a year, and as needed)

- Preparation of a questionnaire for determining the needs
- Analysis of the responses given by the CSC members
- Preparation of program proposal for trainings and educations and submitting it to CSC for adoption

2. Establishing communication with relevant donors for providing financial support (projects) for implementation of the capacity building program, in cooperation with the president and deputy president.

3. Organization of the process of selection of trainer for the adopted trainings within the framework of the capacity building plan

- Defining a criteria for selection of trainer, contacting the potential trainers to submit offers (CV, overview of the training program and budget) and give proposal to CSC for selection of the most appropriate trainer

4. Organization of study tours

- Preparation of Program of activities upon the undertaken needs analysis
- Analysis of the international experiences that could be applied in the area (selection of state, organization that would undertake / organize the study tour)
- Draft proposal submitted to the Unit for further distribution to all the CSC members in order to make a decision for implementation of a specific study tour

Article 8 Composition

The composition of the Committee for education and training is the following:

Members of the Court Service Council Jordan Mitrinovski, Nade Bajraktarova, Ilija Popov, Sonja Gruevska, Hanif Zendeli

The representative from the Unit Maja Babanova will participate in the work of the Committee

COMMITTEE FOR ESTABLISHMENT OF COOPERATION WITH THE DOMESTIC AND INTERNATIONAL INSTITUTIONS¹

Article 9 Jurisdiction

- Establishment of cooperation with CBC, CAA, MOJ, JTA, CCA and others
- Locating the related international institutions in order to exchange experience and practices
- Establishing cooperation with the international related councils (written communication by mail, internet communication, participation at conferences)

¹ Court Service Council decides

Article 10
Composition

The composition of the Committee for establishment of cooperation with domestic and international institutions will be defined in accordance with the needs.

**Summary of evaluations for the Workshop "Building effective structure and mechanisms for efficient internal communication and coordination"
Court Services Council (CSC)
3-5 November 2010**

Note: The Questionnaire is completed by 6 participants

Questions:

1. Duration of the Workshop

How do you feel about the length of the workshop?

- <i>Too long</i>	1 participant
- <i>Just right</i>	5 participants
- <i>Too short</i>	

2. Workshop content

a. What do you think about the balance between the theory and practice?

- <i>Too much theory</i>	
- <i>Good balance</i>	6 participants
- <i>Too much practice</i>	

b. Expectations

Please try to recall your expectations before you attended the workshop. Have your expectations been met at the end of the workshop?

- <i>Largely</i>	6 participants
- <i>Partly</i>	
- <i>Little</i>	

c. Usefulness of the training?

How useful do you find this training?

- <i>Very useful</i>	4 participants
- <i>Useful</i>	2 participants
- <i>Useless</i>	

What was most valuable at this training? Which techniques and methods did you learn and find applicable in your work?

- *decision making process*
- *how to prepare and listen the arguments*
- *The technique of convincing the client this his/her request is not in accordance with the Law*

d. Additionally training

Do you think that you need additionally training with the same topic?

- No	4 participants
- I don't now	
- Yes	2 participants

3. The organization of the Training

a. What is your opinion about the organization of the training?

1 - Low 3 - Just right 5 - good

- Accommodation	1 - Low	3 - Just right (3)	5 - good (3)
- Food	1 - Low	3 - Just right (2)	5 - good (4)
- Work Conditions	1 - Low	3 - Just right	5 - good (6)

4. Consultants' Performance

a. How did you experience the consultants?

1 - Low

3 - Just right

5 - good

	Clarity of lectures & presentations			Clarity of giving instructions for the exercises			Use of visual aids			Use of practical examples			Interaction with participants & responsiveness to group		
	1	3	5	1	3	5	1	3	5	1	3	5	1	3	5
SVETLANA MILENKOVA			6			6			6			6		1	5
ZORAN STOJKOVSKI			6			6			6			6		1	5

Other comments:

- One more successfully delivered workshop that fulfill my expectations

- I think that the travel expenses should be calculated by kilometers not by Courts