

**USAID Rule of Law Program  
Quarterly Report  
July - September, 2009**

**USAID Rule of Law Program  
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## **Executive Summary:**

This quarter, ROLP assisted the Case Management Department at the Ministry of Justice to draft a case management manual. A report recommending a case management strategy and implementation plan was created by ROLP with the input of consultants Ernest Friesen, Dirk Ehlert and Rolf Bulter. A study on long-pending cases was conducted in July by ROLP with the aim of launching a project to purge old pending cases in all First Instance courts. In September, ROLP developed a simple structural map for the procedures of the new Complex Case Pilot Project to assist judges and court staff to better understand and visualize the upcoming project.

Throughout July and August, the case management team assisted the Chief Judge of Amman's First Instance Court and the MOJ in preparing for the implementation of the Complex Case Pilot Project.

Two complex case management training sessions were held in August; one for the nine-judge panel of the pilot project and the second for staff assigned to work in the complex-cases clerk's office.

ROLP issued an RFP in July to solicit offers from training institutes in Jordan to conduct court administration training. Consultants Moira Rowley and Don Cinnamond managed a mentoring and shadowing program for court administrators.

A court administration workshop was held in August to introduce court administration and educate attendees about the roles and functions of the court administrator. An evaluation test for court administrators and chiefs of diwan was conducted. An RFP has been issued soliciting proposals from management consulting firms, aiming at supporting ROLP's work related to court business practices, financial systems, filing systems, data quality control and process re-engineering. The Minister of Justice gave his approval in September regarding court administration competency training.

The new Service Desk at the Ministry of Justice fielded all calls from throughout the Kingdom this quarter. The transition program was initiated at its third and fourth courts – Rusaifah and Azraq. Throughout August, the ROLP IT team initiated the program to transition the ROLP Client Support Specialists (CSS) to MOJ IT Department (ITD) staff in 12 courts in the Kingdom. Concurrently, an MOJ ITD capacity-building activity is taking place to implement a technology call center. The ROLP IT team began working with eStarta, an IT solutions company, on the secure e-portal for the Ministry of Justice.

The draft of the amendment to the existing law on Industry and Trade was sent to the Economic Policy Consultation Directorate at the Ministry of Industry and Trade (MIT).

Orientation sessions on the basic idea of Mediation for conciliation judges took place from June until the beginning of August. Data was collected from sample cases that were disposed in 2009 to assess the role of courts and mediation departments in expanding mediation.

In the month of Ramadan, two students had the opportunity to attend an iftar, a breakfast during the holy month of Ramadan, under the patronage of His Majesty King Abdullah. Preparations were under way in September for English language lessons with the British Council. The JIJ has received approximately 810 applications. All applications have been screened to make sure they meet the required conditions.

The Grants Committee held their first meeting in July and the Grants Manager was selected and approved by USAID. In August, the Grants component held two focus-group workshops for Jordanian Civil Society Organizations (CSO's).

The financial and administrative department was involved in providing support and coordination for all RFP's issued by technical teams.

## **Objective 1: Enhance Judicial Performance to Reduce Delays and Increase Public Confidence**

### **Case Management**

This quarter, ROLP provided assistance to the Mediation and Case Management Department at the Ministry of Justice to draft a manual on case management. The aim of the manual was to help case management litigants and attorneys in understanding the role of those departments in expediting and facilitating the trial process. The manual has been finalized and sent to Judge Waleed Kanakrieh for final review and will then be printed.

A report was compiled this quarter that included the consultancy of Ernest Friesen and German experts Dirk Ehlert and Rolf Bulter. This report is a set of recommendations for a case management strategy and an implementation plan that ROLP will present to the Minister of Justice.

A closed-case complexity study was carried out by ROLP in July. It was done by reviewing the sample cases of 2007-2008. The study took into account reviewing the case classification of civil cases in order to propose amendments that support the objectives of the case complexity delay study.

ROLP assisted the Chief Judge of Amman's First Instance Court and the Ministry of Justice in preparing for the implementation of the Complex Case Pilot Project which will begin in October 2009. Training on complex case management was conducted for the panel of nine judges who have been nominated by the Chief Judge. The nine judge panel was seconded by the Chief Judge of Amman's First Instance Court to the Case Management Department in order to manage all cases filed. Additionally, they are also managing all trials of complex cases that will be assigned to the judges, based on a complexity rating point system developed with ROLP support.

In September, ROLP developed a process and work flow structure for the procedures of the new Pilot Project to assist judges and court staff to better understand and visualize the upcoming project. In support of the pilot the Chief Judge has decided to establish a clerk's office for complex cases. The clerk's office will be responsible for following up on all cases at the Case Management Department in addition to following up on trial complex cases and assisting the nine-judge panel in the implementation of the pilot project.

A training session was held by ROLP in August, for the nine-judge panel to train them on the management of complex cases and the point system. A separate training session was held to train staff assigned to work at the complex-case clerk's office. The training focused on complex-case management. A meeting took place between two of the nine judges, the Chief Judge and the staff to discuss issues related to the implementation of the Pilot Project.

A study was conducted by ROLP this quarter on long-pending cases in all First Instance courts. The aim of the study is to launch a project to purge old pending cases in those courts. ROLP began the implementation of a purging project in West and North Amman First Instance courts in July. The ROLP case management team compiled a sample report on purging cases for two courts to submit to the head of the Judicial Council (JC) to get a better idea of the purging-cases project.

## **Court Administration**

An RFP was issued in July to solicit offers from reputable training institutes in Jordan. The objective of the RFP is to contract a professional training institute to conduct the court administration core proficiency training, in tandem with the training curriculum. In September, the contract was in the process of some changes and it is estimated to be finalized during October. The curriculum was developed earlier with the support of ROLP's consultant, Jan Bouch. The training will cover the foundational level training from the curriculum.

This quarter, consultants Moira Rowley and Don Cinnamond managed a mentoring and shadowing program for court administrators in Amman and Irbid's First Instance court. The program aimed at enhancing the capacity of court administrators and streamlining the administrative processes in courts. The consultants observed the court administrators' work closely, proposed changes and developed court administration tools to assist them in their daily work.

Based on findings during the mentoring program, Moira Rowley, in collaboration with input from court administrators and chief judges with whom she worked, further developed the court administration practice guide and customized it to Jordan's courts. Don Cinnamond worked on developing the practice guide based on his observations from mentoring the court administrators at the Irbid court. The practice guide is in the process of being translated.

Mr. Cinnamond worked with the MOJ and proposed amendments to the organizational structure of it in order to further enhance the coordination among courts and to strengthen the capacity of the court administration unit at the Ministry of Justice.

A one-day court administration workshop was held in August. It was attended by 34 court administrators, chiefs of diwan and the heads of different units and directorates at the Ministry of Justice. The workshop aimed at introducing court administration and educating attendees about the role and functions of the court administrator. The workshop helped to strengthen the channels of communication among the courts and the MOJ and also helped in asserting the importance of court administrators.

ROLP finalized the evaluation process of the court administration training RFP and training is expected to start next month (October). The training will cover the core competencies of court administration.

All current court administrators and chiefs of diwan have been tested and interviewed by ROLP this quarter. The objective of the interviews was to determine their capabilities and based on the results of this evaluation, IT training will be given to the court administrators and chiefs of diwan.

The Minister of Justice given his approval in regards to the core administration competency training. He requested that ROLP helps in the evaluation of the existing court administrators

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and chiefs of diwan. ROLP consultant Moira Rowley and Court Administration Unit Manager, Hadeel Abdel Aziz, conducted interviews with the court administrators and chief judges. Based on their observations and interviews, they recommended that 5 of the existing court administrators be excluded from the training. ROLP will submit a full report to MOJ with the recommended selection process and criteria.

To support the planned Court Administration training, ROLP contracted two USN consultants, Jan and Steve Bouch. The consultants began developing detailed lesson plans for the seven foundation level court administrator courses. Each course consists of multiple units depending upon the content of the course. The consultants have completed to-date the complete lessons plans for four courses. The lesson plans for the remaining three courses will be developed on-site in Amman during October; and all courses will be customized to Jordan's culture in collaboration with the trainers who will be conducting the training.

## **Technology Systems**

Throughout July, the new Ministry of Justice Service Desk fielded calls from throughout the kingdom. The majority of service desk requests received were service requests such as assigning a typist to a judge and requests to change the status, judges, and parties of a disposed case. Most of the requests came from First Instance Courts due to the fact that they have a large number of Mizan users.

The Client Support Specialist (CSS) team continued to work on data cleaning and supporting the courts as improvements for Mizan V2 are released. Support was also given by the CSS's on the Notification Management System (NMS) at all courts throughout the Kingdom. This quarter, the final NMS department located in the NPOJ was automated. This Notification Management Department processes 35 percent of all notices in the Kingdom.

The CSS's worked alongside the ROLP legal team in July and tested all operational and statistical reports, verifying and validating the results against manually recorded data in case files. The Client Support Specialists worked with two First Instance and two Conciliation Courts in testing these reports. Three minor issues were found and sent for development and remedy.

This quarter, ROLP assisted the MOJ ITD to develop and operate a Call Center for IT related service requests from court users. The call center is currently operational in the ROLP facility and is staffed by ROLP and ITD staff. Eventually the call center will be moved to the MOJ and operations and staffing responsibilities will be transferred entirely to the ITD. In August, 65 incidents were reported to the call center, with the majority of them being service requests (requests for data configuration or code entry). Four of the incidents were reported to second level support for further research.

The ROLP team initiated the CSS transition program in 12 courts throughout the Kingdom. These courts are now fully supported by the MOJ with the call center providing any needed support for the applications. This transition program is a significant activity for transferring roles and responsibilities from ROLP Client Support Services staff to ITD staff for operations and support of Mizan and other MOJ automated systems.

The court transition program was initiated in these courts throughout September: North Amman, East Amman, Karak Palace, Ayy and South Mazar.

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Re-engineering and automation design efforts continued throughout August for the Civil Execution, Criminal Execution and Notary Public departments. Several meetings were held between ROLP, Optimiza and the MOJ staff to address high-level requirements for both business practice changes and possible automation and to address inefficiencies, possible points of corruption and improved accuracy of information.

Work began with eStarta, an IT solutions company, in August on the secure ePortal for the Ministry of Justice Work and on providing both public access and attorney access capability via the internet. The portal will provide secure access to entities accessing MOJ information resources from the internet. eStarta completed the initial design of the ePortal and delivered it to ROLP for review. The recommended technology for the ePortal is currently being procured to satisfy the design. The procurement of this technology will require a source and origin waiver under USAID regulations.

ROLP is working with eStarta on another project; recommending improvements to the statistical reporting solution currently used in Mizan. The goal of this project is to refine gathered statistics and develop an improved interface for the delivery of statistics to the user, whether the user is a Judge, Court Administrator or an MOJ staff member. The improved statistical reports interface will facilitate court and case managers' access to and use of management information to reduce the time to disposition of cases. It is envisioned that a Dashboard like capability exist either within the Mizan solution or through the ePortal that provides the statistical information in a format that is easily understood. Several design discussions were held in September.

Several meetings were held in August with Ministry of Water IT staff members. The meeting involved discussing possible access to MOJ-managed information. A formal request for specific information will be sent to the Ministry of Justice from the Ministry of Water.

## **Legal Amendments**

This quarter a draft of the amendment to the existing law on Industry and Trade (1998) was sent to the Economic Policy and Consultation Directorate at the Ministry of Industry and Trade (MIT). The draft included all suggestions and comments made by the relevant departments, directorates and commissions. The Economic Policy and Consultation Directorate is responsible for reviewing all MIT proposed legislative actions prior to introducing legislation to the Parliament. The Economic Policy and Consultation Directorate's review found that the draft amendment met the original requirements of the MIT; however they requested that ROLP hold an additional workshop with all stakeholders to explore the benefits and ramifications of even more extensive amendments to the law similar to those recently proposed for the Conciliation Law and successfully passed by Parliament. These additional amendments include developing an escalating fee schedule and payment mechanism that could be managed by the MIT prior to infractions becoming court cases. The ROLP will be assisting the MOJ and MIT draft the more extensive amendment based upon similar laws from the US.

## **Mediation as an Alternative to Court Proceedings**

Orientation sessions on the basic idea of Mediation for conciliation judges began in June and continued until the beginning of August. The aim of the orientation sessions was to support referrals to mediation departments. Conciliation judges from all first instance courts throughout the kingdom were encouraged to participate. The impact of the training sessions will be assessed by monitoring the number of referrals to mediation departments.

Data was collected from sample cases that were disposed of in 2009 to assess the role of courts and mediation departments in expanding mediation. The data will be assessed by determining the number of cases that were referred by courts to mediation departments and settled by the latter. The report is currently being drafted.

Approval was given from the Minister of Justice in September to start a mediation department in the First Instance Courts of Irbid and Salt. ROLP staff visited the courts and discussed with their respective presidents, the needs of the new department. ROLP is currently in the process of procuring and installing furniture for the new department.

## **Objective 2: Promote an Independent and Empowered Judiciary While Increasing Its Transparency and Accountability**

### **Judicial Studies Diploma**

The JIJ's 2008-2009 class completed their participation in a training program developed for the summer. It consisted of English language lessons, French language lessons and a computer skills course. In September, the student's marks for the second semester were entered into the system and they have started preparing for their third semester program.

The 2007-2008 class completed their internship program at different courts and prosecution departments in July. In August, they completed collecting their evaluation forms, written by judges, as part of the internship program. In September, the 2007-2008 class sent their names in an official letter to the Minister of Justice informing him that they have completed all the requirements for the Judicial Studies Diploma Program.

After newspaper advertisements were issued to attract new applicants/students for 2009/2010 academic year, all received applications have been screened and audited in order to make sure they meet the required conditions. The competition committee for 2009/2010 was assigned by the JIJ board, which met in September to revise the applications and set the schedule of the competition process.

### **Future Judges Program**

**First Track:** Students at British universities started writing their required dissertations in July and completed them in September. They are now waiting for their results. The selection committee issued the report regarding 17 candidates interviewed in June and the report has been forwarded to the Minister of Justice. In August, three students received acceptances from American Universities and another student received an offer from a British University. Two of those students have now left to the United States. The Selection Committee issued a report regarding candidates interviewed in July. The eight interviewed candidates were enrolled in the Second Track of the Program and want to move into the first track to continue their postgraduate studies. The report was forwarded to the Minister of Justice.

**Second and Third Track:** Students in the Second Track completed their participation in the summer training program which took place this summer from June – August. The program

consisted of English language lessons and skills courses. A field trip program has been developed, and consists of taking students to different governmental organizations for students in the Third Track of the program. The selection committee also interviewed eight candidates in July from the second track of the program who hope to move to the first track and continue their postgraduate studies. Scholarships were announced in August for the new academic year, 2009-2010.

In the month of Ramadan, two students had the opportunity to attend an iftar, a breakfast during the holy month of Ramadan, under the patronage of His Majesty King Abdullah. Preparations were under way in September for English language lessons with the British Council, which will begin in the first semester of the 2009-2010 academic year. A French language program is being developed in cooperation with the French Embassy, scheduled to begin during the 2009-2010 academic year.

As a result of newspaper advertisements published in August, approximately 810 applications were received. All applications have been screened to make sure they meet the required conditions. The Selection Committee interviewed 250 candidates from the third track 2008-2009 students. A report was issued regarding the third track students that were interviewed. The report was forwarded to the Minister of Justice. This report will provide the basis for selection of students for scholarship awards. ROLP is assisting the MOJ develop the administrative capacity to manage the Future Judges Program.

### **Objective 3: Expand Access to Justice, Rule of Law and Public Awareness of the Rule of Law**

#### **Grants**

The grants manager was selected in July after being approved by USAID. The Grants Committee had a meeting and defined the grant objectives and mechanisms for soliciting grant concepts and proposals. As a guideline, the committee used findings from a survey that the Civil Society Strengthening Project (CSSP) conducted to identify how USAID-funded programs can be more effective and better meet the needs of civil society. Based on the discussion and agreements, a draft Grants Component Strategy Paper was developed and submitted to the Grants Committee for review.

Two separate workshops for Civil Society Organizations (CSO's) were held in August. The first was a focus-group workshop for CSO's specifically organized on rule of law interest areas and the second was a focus-group workshop for general interest area CSO's with prior rule of law grant program experience. The ROLP CSO workshops were held in response to the findings of the USAID funded Civil Society Strengthening Project (CSSP) that CSO feel that USAID and other donor programs would be more successful if input was solicited from CSO's prior to USAID programs defining grant contract scope of works. The ROLP grant committee, comprised of representatives of USAID, decided to leverage the CSSP project findings to strengthen the planned ROLP grants; therefore the workshops solicited CSO's ideas and inputs to ensure ROLP's grants activities will reflect the needs and priorities of the CSO's. A total of 29 participants attended the workshop from 20 different CSO's. Subsequently, the grants component compiled participants' remarks from the workshops and developed a report discussing the findings and the recommendations. The report was presented to the Grants Committee in September.

The final focus-group workshop report and a request for concept papers (RCP) have been finalized and submitted to the Grants Committee. A brief meeting was held with the Grants

Committee to discuss the RCP in September. The grants component finalized the Grants Management Manual, the Grantee Handbook and the Grant Agreement Template.

### Financial and Administrative Issues

In July, ROLP received two vehicles (Chevrolet Blazers) from the Local Governance Development Program (LGDP).

The Finance and Administration team was involved in providing support and coordination for all RFP's issued by technical teams. This included receiving and recording vendor requests, drafting responses to queries for registered vendors as well as the financial assessment and evaluation of the received proposals.

At the end of August, the Assistant Finance Manager left the project to join another USAID project. A new candidate was selected to be the Senior Accountant who began work on September 15<sup>th</sup>, 2009.

### Next Month's Planned Activities

DATES	NO. DAYS	ACTIVITY	IMPACTED ENTITY	LOCATION	RESOURCES
<b>Objective One:</b> Enhance judicial performance to reduce delays and increase public confidence					
2009/10/1	Ongoing	Case Management Pilot Project begins	Courts	ADD	ROLP
2009/10/1	20	Court Transition	Courts	Al Qasar, Fegou, South Ghour, Aqaba, Qweera, Mafraq, Rwaished, Badeyah Shamaleyeh, Jerash, Ajloun	ROLP Team, Ministry Team.
2009/10/3-2009/10/4	2	Pilot Training on Human Rights		Irbid	JII/EU
2009/10/3	1	Case Management Workshop for North Amman Court Pilot Project	First Instance Judges	ADD	ROLP, Judge Waleed Kanakrieh

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2009/10/10-2009/10/11	2	Pilot Training on Human Rights		Aqaba	JII/EU
2009/10/13	1	Receive Approval on Grant Management Manual	Grants Component	ROLP	ROLP, USAID
2009/10/14-2009/10/15	2	International Humanitarian Law		Amman	JII/ICRC
2009/10/15	1	Publish announcement in local newspapers	Grants Component	ROLP	ROLP
2009/10/17-2009/10/22	5	Training for New Palestinian Judges	Judges	Amman	JII/ROLP
2009/10/17-2009/10/22	5	Forensic training for Iraqi Prosecutors / Judges and Police officers		Amman	JII/British Embassy, Baghdad

## Acronyms

<b>CMM</b>	Case Management and Mediation
<b>ITD</b>	Information Technology Directorate
<b>JC</b>	Judicial Council
<b>JII</b>	Judicial Institute of Jordan
<b>MIT</b>	Ministry of Industry and Trade
<b>MIZAN</b>	Automated case file management system tailor-made for Jordan courts and supporting departments. MIZAN V2 is the enhanced automated version of MIZAN V1; it will replaced MIZAN V1 in all national courts in Jordan.
<b>MOJ</b>	Ministry of Justice
<b>ROLP</b>	Rule of Law Program