

### In This Issue:

*Memorandum of Understanding Signed with CCE*.....1

*Training for Court Secretaries and Accountants*.....2

*A Ribbon Is Cut In Shtip*.....2

*Security Training*.....3

*New Pilot Courts Selected*.....3

*War Crimes / Organized Crime Court*.....4

### To Our Readers

The winter rains proved a period of gestation for the USAID Macedonia Court Modernization Project (DPK Consulting). As the season ends and spring commences, our Project has grown. MCMP now has 10 Pilot Courts and more than 25 employees. Eleven of these are full-time coordinators working in each Pilot Court (Skopje-2 has two coordinators) to carry out the Project's goals of modernized court administration: caseload management, backlog reduction, and public satisfaction.

These Pilot Courts are the crucible in which we are tested. Here the Project surveys the court registers to analyze what actually happens with cases in the court: how often they are set for hearing, how often they are postponed, on what grounds postponement occurs, and so on. Equally important, in the Pilot Courts the Project responds to the facts it encounters so as to achieve results.

This process is not an exact science. The Project not only guides, it learns. It learns how to work with the judges and the court staff. It learns how to work in the court environment. It learns how to organize the available resources within the existing procedure laws in order to apply the modern administrative techniques which the Project believes should be put into practice. Above all the project must be flexible, accommodating, and persistent.

"By our fruits ye shall know us." The Project encourages the Pilot Courts to measure their performance in two critical areas: backlog reduction and public satisfaction. These results are shared with judges, leading court administrators, USAID, and others. The results to date are gratifying. They also point out where additional effort and improvement is needed. As long as the Project is active in Macedonia, we are willing to be accountable for our goals: that the people's business in the courts be promptly and competently decided.

## Memorandum of Understanding Signed with CCE

A Memorandum of Understanding between MCMP/DPK and the Center for Continuing Education (CCE) of the Association of Judges of the Republic of Macedonia (AJRM) was signed on February 4, 2005 by Judge Agim Miftari, Judge Vera Koco, and Executive Director Tanja Temelkoska-Milenkovic of the CCE. MCMP Chief of Party, Douglas Myers, and Judge Ernest Borunda signed on behalf of MCMP/DPK.

The signing was witnessed by USAID representatives Kathy Stermer and Antoaneta Skartova and signed by Ms. Stermer for USAID.

The signing of the MOU represents another positive step in strengthening the continuing relationship between the CCE/AJRM and MCMP/DPK. Specifically, the MOU describes the working relationship between the two parties which is designed to facilitate effective and coordinated cooperation for the benefit of the judicial branch of Macedonia.

The three identified areas of cooperation include court administrative staff training, institutional development of the CCE, and support and cooperation concerning joint MCMP/CCE training programs.

The MOU formalized expanded education for judges of the Courts of Appeal. Initially, such training will include modules to strengthen the capacity of the President Judges and other judges with administrative duties in the following areas: budget and finance; human resource management; procurement and strategic planning and leadership.



*Participants at the signing ceremony of the Memorandum of Understanding between CCE and DPK / USAID.*

An additional advantage of cooperation under the MOU is to ensure that the resources and experience of the CCE will be available to provide a basis for the new, independent, and sustainable Judicial Training Institute which is expected to open in early 2006.

The signing resulted in a flurry of positive activity, including agreement on four programs to be held from January 1-June 30, 2005, and the writing of a development grant in support of the CCE for 2005.

## Training for Court Secretaries and Accountants

Two training programs entitled “Court Budget for Court Secretaries and Accountants” were organized by the Macedonian Court Modernization Project and the Administrative Office of the Court Budget Council for 27 Basic Courts and 3 Appellate Courts. The training programs took place in Bitola (December 9-10, 2004) for appellate districts Bitola and Stip, and in Skopje (December 13-14, 2004) for appellate district Skopje.



*Judge Janko Marinko, during his presentation.*

The purpose of these trainings was to introduce the development of the budgeting process and creation of the court budget in order to improve the efficiency in the court system by developing a unified court budgeting process.

The court budget trainings focused on specific budget areas such as: court budget and budget users, budget classification, budget papers, budget policy, strategic planning for budget users, and public procurement concerning the court’s capital investment programs.

The team of presenters was comprised of experts from the Ministry of Finance, the AO/CBC, and the Slovenian judiciary. In addition, the presenters from the Slovenia Supreme Court and Ljubljana District Court, Judge Janko Marinko and Ms. Tina Bretcelj, met with the Director of

the AO, court secretaries, and court accountants to discuss specific issues related to court budget processes. They recommended best practices to the court secretaries and court accountants to become more effective in the development of court budgets.

These educational events helped the AO of the courts develop a unified court budgeting process for court budget users. Sixty basic and appellate court secretaries and accountants were trained to explain and to use best practices in court budget preparation, and how to apply budgeting principles to their courts.

The court budget trainings were successful in establishing a network of close cooperation between the court secretaries and court accountants at the Basic and Appellate courts level.



*Participants at the seminar for court secretaries and accountants.*

“Education is part of the official duty”

## A Ribbon Is Cut In Shtip

Court facility improvements at the Basic Court in Shtip were opened on November 24, 2004. Two new courtrooms and the intake center were highlighted by Judge Milanco Rambabov, President of the Basic Court, and USAID Deputy Mission Director, Alfreda Brewer.

This renovation work was supported by the USAID Mission in Macedonia through the Macedonia Court Modernization Project. USAID invested \$ 89,931 in this project. The purpose of the Court Facility Improvement



*President Judge Milanco Rambabov and Alfreda Brewer, Deputy Mission Director, USAID cutting the ribbon at the opening ceremony at the Basic Court Shtip.*

Program is aimed to encourage modern court management practices, promote improved efficiency and public access to the courts, and assist in the effective administration of justice.

The Shtip Basic Court was selected to be one of the MCMP Pilot Courts because of its reform-minded leadership and progressive staff members and judges. The new President Judge Rambabov, as the previous one, Hon. Nikolcho Lazarov, has demonstrated his understanding and commitment to court reform in Macedonia. MCMP’s work with this court to date has included renovation of a snack bar and garage area into a modern court intake and records center. This will provide public access and efficiency by allowing an easily accessible location with open counters for civil and criminal filing of cases.

In her remarks at this opening, Ms. Brewer noted that “a predictable legal system with fair, transparent, and effective judicial institutions is essential to Macedonia’s efforts to develop democratic institutions.” She said that “this in turn will promote business investment, fight organized crime and corruption, and continue the development of democracy and a market-based economy.”

## Security Training

Gilbert Skinner and Max Harnish, training security experts from the United States, provided two educational programs during January. Both programs were held in the Holiday Inn in Skopje.



*Max Harnish during the presentation.* The first presentation was for the Court Police from the Project's Pilot Courts and from courts which received security equipment from the Project during the past year. This program was held on January 25th and 26th and dealt with the following aspects of court security:

- Court Security: Prevention and Assessment
- Court Security: Officer's Duties
- Court Security: Judicial Protection
- Court Security: Personnel, Policies, and Procedures

This training was well received and highly interactive. For most officers it was the first opportunity to be involved in formal security training and to consider these issues in depth.

The second training was held on January 27th for Court Presidents, Court Secretaries, and Court Coordinators from the Pilot Courts and courts which received security equipment. The program covered the same subjects with the exception of Officer's Duties.

One issue that was discussed at length by both groups is the fact that the Court Police are employed by the Ministry of Justice while they work in the Courts. Both groups indicated that they felt this issue needed to be considered in order to develop a uniform policy and understanding of the respective rights and responsibilities of the President Judges, the Court Police and the Ministry of Justice.

Products of the training included a written Court Security Manual and an Emergency Procedures Manual. These items will be disseminated to all courts in Macedonia as part of the future training plan.

The Project considers this training to be a significant step in the development of the educational process for court police and court staff. The next step will include training for all court police in Macedonia as well as for all staff members in the court system.



*Court police officers together with the presenters in front of the Supreme Court Building on a walk-thru demonstration of court security.*

es of judicial officers and court staff"

## New Pilot Courts Selected

Seven Pilot Court sites were implemented in September 2003 to demonstrate application of modern case management methods, to increase proactive court management by judges and administrative staff, to focus program resources on improving the court's ability to provide better access to the public, and to reduce case backlog and eliminate unnecessary delays.

Today, after 17 months, the results of the hard work of these 7 Pilot Courts show a general level of 65 percent public satisfaction. This represents a 9 percent increase from the baseline of public user satisfaction established in November 2003. We also note a 28 percent reduction in the backlog of cases over 3 years old. Effort for further backlog reduction through the established Court Management / Backlog Reduction Committees is ongoing. Finally, court facility improvements support public access to each of the seven courts.

The path is directed, the lesson is learned, different practices were tried and the best ones are to be replicated and implemented in the new three additional pilot court sites. This will promote greater initiative and proper delegation of administrative authority and control to local levels. Effective court operations management is the fu-

ture task to be accomplished in MCMP's new Pilot Courts: Basic Court Ohrid, Basic Court Gostivar, Basic Court Skopje II, as follows:

Assessment of the existing criminal, civil, and commercial system and case flow management process; development of case management procedural standards; training and best practices to reduce backlog and delay; introduction of methods to assess and improve public access and satisfaction with the court; design of court improvements in public access/facilities design; and basic case tracking automation.



*From left to right, Basic Court Ohrid: Mircheski Borce, Court Secretary; Judge Risto Siljanoski; Ljubin Aleksieski, President Judge; Basic Court Skopje 2: Sande Zikov, Court Secretary; Judge Jovanka Paneva, Head of Civil Department; Bojan Eftimov, President Judge; Judge Jani Nicha, Head of Criminal Department; Aleksandar Mladenovski, Vice-President.*

## War Crimes / Organized Crime Court

A delegation from the Republic of Macedonia realized a study trip to the Supreme Court of Serbia. This tour took place on January 19-21, 2005. The study trip was supported by the USAID Macedonia Court Modernization Project (DPK) upon invitation by the Supreme Court of Serbia.



*Macedonian delegation in front of the Supreme Court in Belgrade.*

*From left to right: Judge Ernest Borunda, MCMP; Zhanina Kirovska, AO/CBC, Director; Sonja Nikolich, Secretary, Supreme Court of Serbia; Sonja Gruevska, Secretary General, SC; Boban Misoski, Coordinator, MCMP / AO.*

The delegation consisted of four members: Sonja Gruevska, Secretary General of the Supreme Court of the Republic of Macedonia; Zanina Kirovska, Director of the AO of the CBC; Judge Ernest Borunda, Consultant for Legal Education in the MCMP; and Boban Misoski, MCMP Coordinator with the Administrative Office of the Court Budget Council.

The delegation had a number of meetings with the highest authorities both from the judicial and executive branches of Serbia. The host was the Secretary of the Supreme Court of Serbia, Ms. Sanja Nikolic.

A warm welcome was given to the Macedonian delegation by the Acting President of Supreme Court of Serbia Justice Lazarevic. At this meeting the IT specialist in the Supreme Court and Counselor for Projects in Su-

preme Court, Ljupka Savic, were also present. They informed the delegation about their automated system for registering cases that is operational in the Supreme Court.

The Macedonian delegation also met with the head judges of the Criminal, Civil and Administrative departments of the Supreme Court of Serbia.

The Special Department for War Crimes and Organized Crime of the District Court in Belgrade provides maximum protection to all parties in the case, particularly to protected witnesses. Its courthouse was renovated with help from the U.S. Government.

The actual working conditions and procedures for allocation of court assets were presented at a meeting with the Assistant to the Minister of Justice, Mr. Srbislav Cveic. The judiciary in Serbia is now in a phase of preparation for enacting a law on an independent court budget.

The work that has been done in Macedonia by MCMP was presented thoroughly to counterparts from the Project for Reform of Commercial Courts (PRCCS). They were interested in the work of the Administrative Office in Macedonia, facility improvement in the courts, and education of the judges and administrative personnel.



*AO Director Zhanina Kirovska, center left, leads panel.*



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