



# Macedonia Court Modernization Project





## I. Introduction

The United States Agency for International Development (USAID) supports a variety of programs to strengthen the Macedonian justice sector, one of the fundamental pillars supporting the ongoing economic and social development of Macedonia. The Macedonian Court Modernization Project (MCMP), since January, 2003, is one of USAID's initiatives in this area and has been funded for an initial period of three years. DPK Consulting, based in San Francisco, California, will implement the project in coordination with USAID and Macedonian governmental and non-governmental counterparts. The objective of the contract is to further the development of the rule of law in Macedonia by assisting the Macedonian judiciary to:

- Develop into a stronger, more effective and independent branch of government
- Resolve legal disputes in a more efficient, transparent, and responsive manner
- Develop the capacity and mechanisms for improving court organization, administration, management, training and performance

## II. Project Methodology

### A. Philosophy

DPK believes that the best implementation and execution of the MCMP depends on an approach encompassing the elements outlined below:

- ✓ Facilitate active participation of Macedonian counterparts in the project
- ✓ Ensure coordination in the donor community
- ✓ Institutionalize technical and training solutions
- ✓ Focus on consistency with European Union standards in light of Macedonia's future accession to the EU

### B. Types of Assistance Available

The MCMP has funding to provide assistance in the following possible forms:

1. Expert long term project staff, both international and local
2. International and Macedonian legal and technical experts on a short term basis
3. Institutional expertise from counterpart institutions outside of Macedonia
4. Material and financial assistance for improvements to court facilities and equipment
5. Study tours for well-defined purposes with measurable impact

## III. Project Summary by Component

### Component 1: Legal Structure and Practices

#### Legislative Reform and Drafting

The goal of the project's legislative drafting and reform section is to assist with the improvement of the overall functioning of the judiciary and the operation of the courts. Legislative reform assistance will be provided in a way that allows Macedonia to meet its long term goal of harmonizing its legislation with European Union standards. Depending on counterpart needs, the MCMP will provide assistance on legislative reform matters related to:

- Court Budget Legislation
- Civil Procedure Code
- Criminal and Criminal Procedure Codes
- Law on the Prosecutors
- Law on the Enforcement of Judgments
- Codes and amendments related to the operation of the courts and misdemeanors
- Other legislation that may arise during the course of the project



## **Establishment of Seven Pilot Courts**

In Component One, the project will also establish “pilot courts” in seven trial courts in the three appellate regions of Macedonia. The idea is to introduce in these pilot courts more effective administrative and managerial methodologies to improve the efficiency of the courts. The pilot courts will serve as showcase locations for how courts can function with improved procedures, facilities, and information technology solutions. These tested methodologies will be disseminated to other trial Courts over the life of the project.

## **Component 2: Court Administration and Management**

### **Improve Court Administration and Management at the National and Local Levels**

The most efficient judicial systems throughout the world recognize a separation between judicial and administrative functions. The project team can assist Macedonian counterparts to establish the procedures, methodologies, and administrative bodies necessary to more effectively administer and manage court resources. Expertise is available from the project in all of the following areas:

- Establishment of an Administrative Office of the Courts
- Budgeting and personnel policies
- Facilities management and logistical support
- Court management and reduction of case delay
- Standardization of forms and procedures at all levels within the court
- Statistical reporting standards
- Information technology systems

### **Upgrade Court Facilities and Equipment**

Physical court facilities should better reflect the needs of the judges, non-judicial personnel, and the public at large. The implementation of IT Systems, as well as modern court administration and management practices, will likely require some changes in the design, layout, and equipment of the standard courthouse. The project team will make a variety of contributions in this area, including the following possibilities:

- Technical expertise for the establishment of the standards, guidelines, and planning tools necessary to redesign and improve court facilities
- Assistance in creating plans for the development of court facilities
- Contributions towards upgrades and improvements in the pilot courts where the facility improvements contribute to improved court administration or service to the public (upgrades will not include major building renovations)

## **Component 3: Legal Training**

### **Develop and Execute Legal Training Programs**

The MCMP will work with our partners to provide for a comprehensive educational program for judicial officers and court personnel. The project will provide expertise to improve the skills of those involved in judicial branch education to assess the educational needs of judges, staff, and other parties and to ensure that those needs are addressed in the delivery of education, training and development programs.

### **Institutional Development**

MCMP will assist our institutional partners to develop strategies and legislation to provide for the continuing growth and sustainability of a national judicial training center.

## **IV. Project Staff**

The strongest asset of the MCMP is its talented and diverse staff. The team includes both Macedonian and international experts in their field. In addition, the project has access to a wide variety of short term international experts, both European and American, who are available to assist the project and Macedonian counterparts as needed.

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