



Improving the Delivery of Justice in the Courts in Serbia

Recently conducted polls indicate that the judiciary and judicial institutions in Serbia enjoy only limited confidence from the citizens. Moreover, various international organizations have identified the Serbian judiciary as the weak point in the process of Serbia's ascension to the European standards.

By means of the project "Improving the Delivery of Justice in the Courts in Serbia", the Norwegian Ministry of Foreign Affairs will continue to support the Serbian judiciary and the Serbian Government through 2009 and 2010 in their efforts to implement some of the goals designated in the National Judicial Reform Strategy.

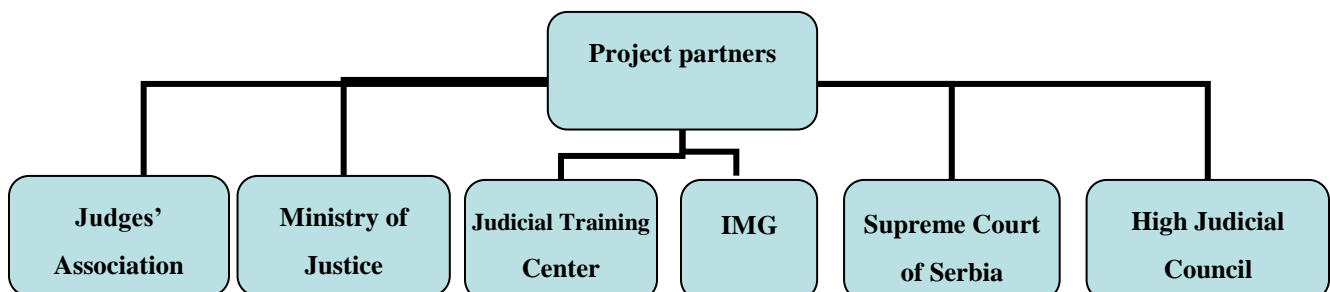
The project seeks to address five priority challenges which have been identified by the Ministry of Justice in the National Judicial Reform Strategy, as follows:

- I. Improving the efficiency of courts and fair and speedy completion of cases;*
- II. Improving coordination between the courts and other institutions (the prosecution, correctional facilities, the police, the local governments);*
- III. Improving transparency through access to information and fair and equal treatment;*
- IV. Contribution to the Serbian Government efforts to combat corruption in the justice sector;*
- V. Support to the Serbian Government program for creation of independent judicial budget.*

Introduction

The project is based on conclusions and recommendations of the previous project "The Balkans Safety, Security and Access to Justice Program", financed by DFID. Notwithstanding the adjustments and minor revisions made to the project by Serbian and Norwegian experts, it still remains focused on the courts in Serbia as institutions whose judicial performance is most conspicuous in the limelight. The first project phase, implemented in the period 2007-2008, comprised work with twenty selected municipal courts, to which no less than five district courts will be added during the second phase of the project.

The project will be implemented by **IMG** – International Management Group. Recommendations applied throughout this project will be in line with EU requirements related to delivery of justice, as well as with guidelines of the Poverty Reduction Strategy, with the objective to restore public confidence in the judiciary. This facilitates and simplifies access to justice to all, with a direct impact on the process of establishing a more transparent, open and efficient judicial system.



Project Description

Once the project is announced, district courts will have the opportunity to submit project applications. No less than five district courts will be selected on the basis of different criteria, including the size and location of the court, size of backlog, court's capacity for project participation, etc.

For the purposes of implementing project activities, each court will assemble a **Project Implementation Team**. One of the

main goals is support to courts in implementation of sustainable changes. During **six training modules (Court and project management, Image and transparency, Efficiency, Coordination, Fight against corruption, Budget planning)**, each team will adopt **Action Plans** comprising project activities in relevant fields, manage the implementation thereof, and undertake further actions in cooperation with representatives of other bodies. Moreover, the teams shall be involved in the process of assessing the situation in courts and evaluating project results. During the course of the project, the courts will be given the opportunity to be equipped with appropriate signage that will enable the citizens to easily find their way through the court building, web pages, information desks, mediation centers, special premises for witnesses and victims, etc.

Depending on the success of implemented action plans, the courts will be approved investment projects related to the listed areas, such as construction of access ramps for the disabled, refurbishment of courtrooms and other court facilities, procurement of relevant equipment, etc.

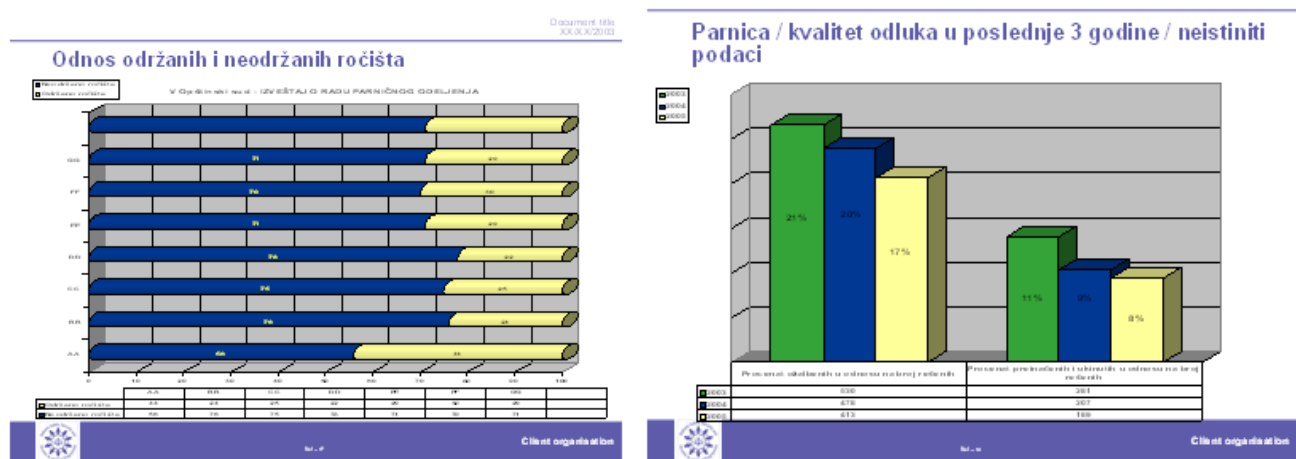
IMPLEMENTATION OF PROVEN SOLUTIONS IN THE TWENTY PILOT COURTS

In compliance with the defined needs, problems and deficiencies, and specific interests of courts, relevant activities that will be undertaken represent proven solutions from the first project phase.

I Improving the efficiency of courts and fair and speedy completion of cases:

- Court's statistical database will enable follow-up of the entire case log as well as the performance of judges, the rising tendencies, and identification of problems in the work of the court. This database will comprise objective data that will be a vital tool in the process of promoting and dismissing judges and instigating disciplinary proceedings.
- The analysis of reasons for postponing trial dates will determine the problems causing inefficiency of each individual department and provide results which will help the court's team identify the areas that require action through coordination techniques or providing better access to information.
- Pamphlets on court proceedings will shorten the time used for providing required explanations, as well as the time used by parties in the proceedings on gathering information on future steps.
- Forms related to court procedures, validation of documents etc. (court team will prepare forms that will be available in the court so as to discontinue the practice of sending the clients back to write and print out a simple statement or start a simple procedure).
- Improving the delivery of court documents (the current procedure makes it very difficult to determine the time and manner of delivery).

Examples



II Improving coordination between the courts and other institutions

- Citizens' Forum (meetings between the court management and citizens or representatives of the local self-government so as to monitor problems in the court's work, to try out possible solutions, and reach agreements thereon)

- Meetings aimed at resolving the problems of judicial institutions (in order to put a stop to the practice of mutual accusations among the state bodies by enabling them to consider the issues and propose solutions related to the daily operation), also highly useful in resolving the problems identified in the analysis of the reasons for postponement
- Mutual information and education (the police would keep the court management informed of their meetings with local schools for the purposes of involving juvenile court judges; the court could organize additional trainings for junior police officers in certain investigation techniques in order to improve the quality of evidence and witness testimony)
- Pamphlets (informing the citizens of the roles of various organizations and bodies that may participate in the court proceedings, as well as of all other services that may provide assistance to citizens)



III Improving transparency through access to information and fair and equal treatment

- Info-desks (introduction of the info-desk as a central point in the court shall facilitate access to information to court users, enable them to find relevant departments more easily, and provide clarification on how to fill out the required forms)
- WEB tools – creation of new websites and promotion of the existing ones, financed by the Norwegian Government (www.judicial-web.org) will make courts more accessible to citizens and especially the professional public
- Signage (making it easier for the citizens to find their way through the court building);
- Public surveys and target group polls (following the citizens' opinions on the work of the courts and treatment given to the users, and providing them the opportunity to comment on proposed solutions and react to the changes)
- Open Court Day (introducing the citizens to the court procedures, organization, etc).
- Leaflets on court proceedings (informing the citizens on their rights, possibility to lodge a complaint against the work of a judge or a court to the Ministry of Justice)
- Publishing results of the performance of courts, each individual judge, and each department



IV Contribution to the Serbian Government efforts to combat corruption in the justice sector

- ***Promotion of anti-corruption conduct in the courts will be conducted in coordination with relevant Serbian Government agencies, as well as assistance in enforcement of the National Anti-Corruption Strategy***

V Support to the Serbian Government program for creation of independent judicial budget

- *In cooperation with the Ministry of Justice, seminars on creation of judicial budget and budget planning in courts will be organized for representatives of the courts participating in the project*
- *Development of manuals on preparation of the judicial budget*