



# MODEL COURTS PROGRAM FACT SHEET

<p><b>HISTORY</b></p>	<p>The National Center for State Courts (NCSC) has been implementing USAID justice sector activities in Kosovo since 2001. Under the Justice System Reform Activity in Kosovo (JSRAK, 2003-2007), NCSC conducted several pilot projects on sectors such as audio recording, case processing delay reduction, and records management. JSRAK also provided training to Presiding Judges and Court Administrators on core competencies in court administration: case flow management, budget and finance, human resources, and information technology.</p> <p>In July 2007, NCSC started a new project under the aegis of USAID: the Kosovo Justice Support Project (KJSP), which includes among other initiatives the Model Courts Program (MCP).</p>
<p><b>PURPOSE</b></p>	<p>The MCP has a comprehensive approach to improving court operation and administration. This approach will result in the development of standardized processes to improve court efficiency and effectiveness. As a part of its approach, the MCP engages relevant local institutions at all stages of design and implementation to ensure that the vision set by the KJC for the Kosovo judiciary becomes a reality.</p>
<p><b>PARTNERSHIP</b></p>	<p>The MCP is a partnership between the USAID Kosovo Justice Support Project (KJSP), the Kosovo Judicial Council (KJC), and participating courts. With funding from USAID, the KJSP is working with the KJC to develop and implement the MCP with ten participating courts over the course of three years. The participating courts will be active partners in testing and refining standards and best practices in court operation and administration.</p>
<p><b>SELECTION PROCESS</b></p>	<p>In December 2007, a group of six courts—the Commercial Court; Ferizaj, Gjilan, and Prizren Municipal Courts; and Mitrovica and Peja District Courts—were selected to participate in the MCP. The process for selection was designed to allow for all interested courts to apply and be considered through an open competition. The selection process was developed in coordination with the KJC and the criteria were finalized by a task force including judge and court administrator representatives, KJSP staff, and KJC Secretariat staff. The final selection was endorsed by the KJC.</p> <p>An additional four courts were selected in April 2009: Gjakova, Kamenica, Pristina, and Skenderaj Municipal Courts. The courts were selected based on a series of criteria set by KJSP with the intent to include representation from all districts, build partnership with existing Model Courts, and initiate work in all seven largest municipal centers.</p>



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<p><b>COURT IMPROVEMENT STANDARDS: PURPOSE</b></p>	<p>The MCP is governed by Court Improvement Standards as a guide for activities undertaken by participating courts. The Court Improvement Standards are a set of core principles which:</p> <ul style="list-style-type: none"> <li>• Reflect international best practices in court administration and operation.</li> <li>• Provide a road map for participating courts as they implement changes and evaluate their impact.</li> <li>• Provide a tool for communication within the judiciary and with the public.</li> <li>• Standardize reforms considered as priorities under the KJC Strategic Plan for the Kosovo Judiciary 2007-2012.</li> <li>• Suspend existing rules to pilot new ways of operating thereby identifying the best solution to the challenges of the Kosovo judiciary.</li> </ul>
<p><b>COURT IMPROVEMENT STANDARDS: CONTENT</b></p>	<p>The Court Improvement Standards were developed based on best practices in the United States and Europe, the KJC Strategic Plan for the Kosovo Judiciary 2007-2012, the applicable Rules of Internal Court Activity, and the Kosovo Standard Implementation Plan. The Standards were finalized by a task force including judge and court administrator representatives, KJSP staff, and KJC Secretariat staff.</p> <p>Standards fall under five categories:</p> <ul style="list-style-type: none"> <li>• <b>General Administration and Management</b></li> </ul> <p>Leadership is the energy behind court systems and court accomplishments, while management is the organization and harmonization of the resources to achieve excellence. The four pillars of management include: planning, organizing, directing and monitoring. Leadership and management are necessary systems of action. Courts need people who are competent, professional, ethical and committed. Human resource management enables performance and contributes to court effectiveness.</p> <ul style="list-style-type: none"> <li>• <b>Case and Records Management</b></li> </ul> <p>Sometimes referred to as the absolute heart of court administration, case management is the process by which courts carry out their primary function of moving cases from filing to closure, ensuring that every litigant receives procedural due process and equal protection. Records management is necessary to ensure the accuracy, availability and accessibility of all court records, and the proper retention and storage of old records.</p>



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	<ul style="list-style-type: none"> <li>• <b>Case Backlog and Delay Reduction</b> Case delay reduction relies on techniques to identify the causes for delay in processing current and future cases. Case backlog reduction develops strategies to address current backlog and prevent further buildup of backlog, without interfering with the timely processing of incoming caseload.</li> <li>• <b>Finance and Budget Management</b> How court resources are acquired, allocated and managed impacts the operation of every court and determines how well courts fulfill their mandate and serve the public.</li> <li>• <b>Public Access and Transparency</b> Understandable courts, community outreach and public information improve court performance and enhance public trust and confidence in the judiciary. Accessibility to justice includes public awareness of court services, structural accessibility of the court facility, and ways to accommodate participants with language, cultural, or mobility difficulties.</li> </ul>
<p><b>FACILITIES IMPROVEMENT</b></p>	<p>With the support of KJSP, each participating court will have the opportunity to plan building improvements geared towards making the court a more accessible, safe, and functional facility.</p> <p>Renovations of the Ferizaj Municipal Court facility are expected to end in September 2009. Peja Municipal and District Court, Prizren Municipal Court, Skenderaj Municipal Court, and the Commercial Court facilities should receive assistance shortly thereafter. Small renovations in Gjakova Municipal Court, Gjilan Municipal Court, Kamenica Municipal Court, and Pristina Municipal Court are also planned.</p>



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<p><b>COURT IMPROVEMENT ACTION PLANS</b></p>	<p>Following selection, each participating court has developed an individualized Court Improvement Action Plan for implementation of nine Court Improvement Standards:</p> <ol style="list-style-type: none"> <li>1. Administrative responsibilities of court leadership and employees.</li> <li>2. Training of court employees.</li> <li>3. File and records management.</li> <li>4. Backlog reduction.</li> <li>5. Compliance with case processing time standards.</li> <li>6. Procurement, logistics and use of supplies.</li> <li>7. Public communications.</li> <li>8. Access and security.</li> <li>9. Open proceedings.</li> </ol> <p>Each court action plan is the road map for implementation of the MCP and includes:</p> <ul style="list-style-type: none"> <li>• A timeline for accomplishing the requirements of each standard.</li> <li>• The establishment of an internal committee of judges and non-judicial staff to oversee the implementation of the action plan.</li> <li>• Benchmarks and activities for implementation and monitoring purposes.</li> </ul>
<p><b>KJSP ROLE</b></p>	<p>KJSP staff supporting the MCP includes local and international experts. They act as facilitators and mentors for participating courts. KJSP sponsors training to build the capacity of judges and non-judicial staff in participating courts to perform their duties more efficiently and effectively and to act as leaders within the Kosovo judiciary. Participants in the MCP contribute to enhancing professional standards of the court and improving public trust and confidence, thereby serving as models for the judiciary.</p>
<p><b>GOVERNING STRUCTURE</b></p>	<p>The governing process for the MCP is established in coordination with the KJC and the Court Administration Committee.</p> <p>Each participating court will have its own steering group of judges and non-judicial staff to implement and monitor their Court Improvement Action Plan. Presiding judges and court administrators from each of the participating courts will meet periodically as a Model Courts Consortium to exchange information about successes and challenges.</p>