

## **IPA 2009 CROATIA PROJECT FICHE**

**HR2009-01-23-04**

### **1. Basic information**

**1.1 CRIS Number:** IPA/2009/21661

**1.2 Title:** Further improvement of institutional capacity of all misdemeanour courts and development of ICMS compatible modules at selected misdemeanour courts

**1.3 ELARG Statistical code:** 01.23. - Judiciary and fundamental rights

**1.4 Location:** Croatia, Zagreb

#### **Implementing arrangements:**

##### **1.5 Implementing Agency:**

The Central Finance and Contracting Agency (CFCA) is responsible for the tendering, contracting and disbursement of all the project's components in line with DIS principles and the EC Financial Regulation.

##### **The Programme Authorising Officer (PAO) for the project is:**

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##### **1.6 Beneficiary (including details of SPO):**

The Senior Programme Officer (SPO) at the Croatian Ministry of Justice is responsible for the technical management and authorisations associated with the project, including submission of the detailed technical design for the project's components to the CFCA, inputs in relation to the corresponding evaluation of technical offers, plus follow-up contract implementation and monitoring, approval of contract outputs and confirmation to the CFCA that no technical constraints (as opposed to procedural or budgetary constraints) exist in relation to the CFCA's processing contractual payments.

##### **The Senior Programme Officer SPO for the project is:**

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### **Financing:**

**1.7 Overall cost (VAT excluded)<sup>1</sup>:** EUR 2 365 000

**1.8 EU contribution:** EUR 2 048 250

**1.9 Final date for contracting:** 2 years following the date of conclusion of the Financing Agreement

**1.10 Final date for execution of contracts:** 2 years following the end date for contracting

**1.11 Final date for disbursements:** 3 years following the end date for contracting

## **2. Overall Objective and Project Purpose**

**2.1 Overall Objective:** To further enhance the functioning of the Croatian judiciary system.

**2.2 Project purpose:** To improve functioning and management of misdemeanour courts.

### **2.3 Link with AP/NPAA/EP/SAA**

#### **Accession Partnership**

On 12 February 2008, the Council adopted the Croatia Accession Partnership 2007 that updated the first Accession Partnership adopted in 2006 and identifies new as well as remaining priorities for action. The Accession Partnership which forms an integral part of this decision contains inter alia following project relevant key priority:

-Update and implement the strategy and action plan for judicial reform

- Substantially reduce the case backlog in courts and ensure an acceptable length of judicial proceedings.

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<sup>1</sup> The total cost of the project should be net of VAT and/or other taxes. Should this not be the case, the amount of VAT and the reasons why it should be considered eligible should be clearly indicated (see Section 7.6)

– Rationalize the organization of courts, including the introduction of modern information technology systems.

### **National Programme for the Accession of the Republic of Croatia into the European Union -2009 (NPAEU)**

The final Draft of the National Programme for the Accession of the Republic of Croatia into the EU – 2009 (NPEAU) was sent in December 2008 to the Ministry of Foreign Affairs and the European Integration. The NPAEU gives the current sectoral overview with planned activities within both legal framework and implemented measures to be undertaken in the forthcoming year within priorities in harmonization of Croatian legislation with *acquis communautaire* as well as general principles. This final version contains within Judicial Reform inter alia following project relevant *key priorities*:

#### **Effectiveness of the High Misdemeanour Court**

From January until July 2008, High Misdemeanour Court has received 18 % cases (35,277) less than in period from January until July 2007 when 41,736 cases had been received. Also in the same period of the year 2008, 32,616 cases have been solved compared with the period from January to July 2007 when 24.498 cases had been solved. The reason for the decreased cases intake is the adoption of the new Misdemeanour Act on 3 October 2007, which came into force on 1 January 2008. High Misdemeanour Court has started with implementation of the Action plan additional measures for solving old misdemeanour cases, which should have to further reduce the number of the unsolved cases together with measures already carried out. It is expected that consistent implementation of this measures by the end of year 2011, will obtain satisfying degree of effectiveness of the High Misdemeanour Court of the Republic of Croatia. Within these measures ‘simple cases’ will be prioritized and assigned to judges and court advisors and resolved by ‘accelerated’ proceedings within the law. The number and assignment criteria will be proscribed with the Enforcement Instruction in form of Judicial Administration Act by the president of the court. Based on number of cases on 31 July 2008 when it was determined that the highest number is deriving from the traffic sector, 60,339 (of which 28,283 are misdemeanour orders issued by a police body), it was defined that the focus should be solving this cases by the end of 2009, that is achieving completely prompt functioning of the traffic department. Beside cases prioritized due to their nature or severity (misdemeanours deriving from Act on Family Violence Protection, Labour Law, Law on Working Conditions Protection or some other misdemeanours), application of rules for prioritizing severe sentencing cases, i.e. imprisonment or higher fines (especially in economic sector) continues.

#### **Croatia 2008 Progress Report**

Croatia 2008 Progress Report (Commission Staff Working Document) - COM(2008)674<sup>2</sup> from 5th November 2008 points out that Concerning regarding political criteria, implementation of the judicial reform strategy has continued even if adequate monitoring of its measures has not been possible due to weak administrative capacity. There has been some progress with new legislation such as the adoption of a new misdemeanour Act and a new Act on the seats and jurisdiction of courts, a first

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<sup>2</sup> [http://ec.europa.eu/enlargement/pdf/press\\_corner/key-documents/reports\\_nov\\_2008/croatia\\_progress\\_report\\_en.pdf](http://ec.europa.eu/enlargement/pdf/press_corner/key-documents/reports_nov_2008/croatia_progress_report_en.pdf)

step in the court rationalisation process. The system of judicial inspection is starting to show results. A revised Action Plan addressing all major reform issues was adopted in June 2008. However, in certain areas the action plan lacks measurable objectives that will allow effective monitoring of its implementation. While the action plan is a step forward, implementation will be crucial and concrete results are needed.

The case backlog remains large and the length of judicial procedures excessive. Court rationalisation has not yet begun in earnest and the current plans lack ambition. Further improvements in the accountability, professionalism and competence of the judiciary are required

Chapter 23: Judiciary and Fundamental Rights of the Progress Report alleges that there has been some progress in the area of the judiciary.

[...] In relation to the *efficiency of the judiciary*, the Supreme Court continues to monitor closely the backlog and supports the transfer of non-disputed enforcement cases to public notaries as well as mainly civil cases to less burdened courts. Changes to the Misdemeanour Act entered into force in January 2008 aimed at relieving misdemeanour courts of minor cases by transferring work to administrative bodies. The backlog of pending cases before all courts has been reduced by around 7% to 937,000 cases. Efforts have been made to accelerate the solving of old cases and establish more reliable statistics on the backlog.

However, statistical tools have principally been improved in relation only to municipal court cases. Previous reductions in the backlog have not been sustained and the number of old cases remains high. The roots of the backlog and lengthy proceedings have not been tackled adequately. (...) Misdemeanour cases account for 37% of the backlog. More than half of these cases are dismissed because of the statute of limitation. Changes to the Misdemeanour Act extended the statute of limitation for misdemeanour cases from two to four years. While this will lead to the expiry of the statute of limitation in fewer cases, it could have a negative impact on the case backlog.

There continues to be limited progress in the rationalisation of the courts network and many issues remain open. Steps taken so far are non-ambitious. The Law on the Seat and Jurisdiction of Courts adopted by Parliament in July 2008 foresees full rationalisation of municipal courts by 2019 with a reduction from 108 to 67 municipal courts. It remains unclear how this rationalisation will be implemented in practice. There is no plan for the rationalisation of other types of court: commercial courts, misdemeanour courts, county courts or state prosecution offices.

With regard to the infrastructure and equipment of courts, there has been limited progress. The pilot testing of the integrated case management system (ICMS) was finalised in four courts and testing has begun in several other courts. However, the foreseen roll-out of ICMS to 60 courts by 2009 is behind schedule. Misdemeanour courts continue to suffer from a shortage of equipment and a very low standard of premises.

The system of judicial inspections has shown good results. However the inspections have been carried out mainly in municipal courts and not in other courts or prosecution offices. With only five part-time inspectors, the Ministry of Justice does not have the capacity to enlarge the inspections to other courts.

[...]

Implementation of the judicial reform strategy has continued even if adequate monitoring of its measures has not been possible due to weak administrative capacity. A revised Action Plan addressing all major reform issues was adopted in June 2008. However, in certain areas it lacks measurable objectives that will allow effective monitoring of its implementation. The Strategic Planning unit in the Ministry of Justice has become a Directorate in charge of the monitoring of the reform of justice and anti-corruption strategy and has been reinforced with additional staff. However, there is no statistical department nor a Directorate for IT issues to cover the roll-out of the case management system in the courts. There has been a lack of leadership and ownership in reform implementation.

## 2.4 Link with MIPD

**The Multi-annual Indicative Planning Document (MIPD) 2009-2011 Republic of Croatia** establishes the strategic objectives and choices for assistance against the 6 areas of intervention. In particular the MIPD has a reinforced emphasis on the political criteria priorities reflecting the increased importance given to these issues in the Strategy Paper<sup>3</sup>.

The project is in line with the MIPD for Croatia for the years 2009-2011 where within *strategic objectives* for IPA assistance over the period 2009-2011 is stated further sustained efforts in order to build on the progress made, and to accelerate the pace of reforms, notably as regards the *political criteria*, inter alia in the fields of judiciary including corruption fight against corruption and organised crime (as these problems remain widespread and a culture of accountability is lacking) and public administration reform. In translating the above mentioned objectives into *strategic choices* for assistance to Croatia within the area of the *political criteria* the possible areas of support over the period 2009-2011 are on assisting the Croatian authorities among others in implementing their strategy for the reform of the public administration and in the judicial system including inter alia enhancing the independence, accountability and professionalism in the judiciary.

Under **IPA Component I** which core activity is Institution Building, the priorities as regards the *political area* (first area of intervention under this MIPD) which were envisaged in the previous MIPD 2008-2010 will be maintained, i.e. inter alia some possible support in the implementation a comprehensive public administration reform which shall be conceived as of a whole-of-government approach to capacity building including among others legal and judicial reform and in addition some possible support in the implementation of an efficient judicial reform including among others the enhancing the independence, accountability and professionalism in the judiciary. So, one of the expected results in the area of the political criteria is that judiciary functions more effectively and proper access to justice is ensured.

## 2.5 Link with National Development Plan (where applicable)

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<sup>3</sup> *Strategic Paper* for the region and the *Croatia 2008 Progress Report*, the publication by the Commission on 5 November 2008

*Not applicable*

## **2.6 Link with national/ sectoral investment plans(where applicable)**

*Not applicable*

### **3. Description of project**

#### **3.1 Background and justification:**

In 2007, the High Misdemeanour Court of the Republic of Croatia received 70,097 cases (8.5% more than in 2006) while in 2007 the High Misdemeanour Court of the Republic of Croatia worked on a total of 154,533 cases. Of the total number of pending cases 55,160 cases have been resolved, of which 32,373 as the result of stay of proceedings by reason of misdemeanour prosecution having become barred by the limitation period. The number of cases which fall into the limitation period is quite high, because the legislation until recently in force, in the form of the Act on Misdemeanours, contributed quite significantly to the situation, especially its provisions concerning the trial and the provisions on limitation periods on misdemeanour prosecution (the absolute limitation period of two years as of the date of committing the misdemeanour offence for the greatest number of misdemeanours). For that reason, **the new Misdemeanour Act (2007)** extends the absolute limitation period from two to four years as of the date of committing the misdemeanour offence, while the trial is specified as an exception, and not as a general rule. In view of the foregoing, 2007 saw continued implementation of measures to resolve the backlog from the previous years, although to a lesser extent than in 2006 (in view of court limitations in terms of human resources and finances). Furthermore, there was a 10% higher resolution rate of regular cases, i.e. 2,259 cases more than in 2006. In addition, with the aim of preventing misdemeanour prosecution becoming barred by the limitation period, in 2007 case records were also kept in such a way that the folder cover of each file included the date of expiration of the limitation period. As the date is also recorded electronically, it was possible to obtain information on cases which were about to fall into the limitation period, to single them out and to assign them for work outside their scheduled order.

With that aim in mind, in 2007 the electronic program for the “transfer register” (kretalica) was also installed and used. The software monitors the movement of the file from the moment of its entry into the court records to its dispatch from the court. The e-programme enables fast and easy access to all stages of case flow in court, and identifies the person who has caused a delay, i.e. or failed to perform his or her job within a reasonable time. Along with cases which in view of the seriousness of the offence or the nature of the subject-matter require priority resolution (such as misdemeanour offences specified in the Act on the Protection Against Domestic Violence, the Labour Code, the Safety at Work Act or some other misdemeanour offences), the rule that cases subject to more serious punishment, such as imprisonment or larger fines (especially in the domain of the economy), are singled out to receive priority treatment, still applies. However, it is the standpoint of the High Misdemeanour Court that along with the high inflow of cases as in previous years, the most important reason for the increase in the number of cases which fall into the limitation period is the delayed recruitment of the required number of judges and court advisors proportionate to the inflow of new cases, based on the criteria set out in the Framework Criteria (in order to determine the number of judges needed, the three-year inflow rate was determined based on the judge’s norm). Currently there is a vacancy procedure open for

three positions of judges and a competition for admission to the civil service for eight court advisors and four court clerks. It is undoubted that the appointment of judges and the admission of court clerks will improve the overall efficiency of the work of the High Misdemeanour Court. However, as none of the activities has managed to improve, and objectively speaking could not improve, the overall efficiency of the work of the court, additional court-administrative measures were taken to ensure the more effective work of the High Misdemeanour Court. In that regard, and with a view to ensuring the preconditions for legal operation, i.e. for the consistent application of the Rules of the Court, the High Misdemeanour Court has launched an initiative to change the Rules of the Court, and an initiative to change the current Framework Criteria, i.e. to adopt new Framework Criteria for Misdemeanour Judges, as well as an initiative to draw up new forms for statistical reporting with the aim of having a uniform methodology of statistical reporting. The said measures, in parallel with the application of the new Misdemeanour Act, which significantly simplifies and accelerates misdemeanor proceedings, should raise the level of responsibility of judges and the quality of adjudication, which, in the opinion of the High Misdemeanour Court, should result in the improved work efficiency of selected misdemeanor courts over a period of three to five years, and in particular first-instance misdemeanor courts.

However, as in view of the objective reasons and the current limitations it is certain that the measures and activities undertaken cannot bring about major improvements in terms of efficiency within a short-term period, the High Misdemeanour Court started on September 1, 2008 with the implementation of additional measures which should result in significant improvements to the situation by the end of 2011. The implementation of these (additional) measures will be subject to monthly, quarterly, semi-annual and annual follow-up by an expert team that is appointed by the president of the High Misdemeanour Court. New employees would be recruited on temporary contracts (as a result of the increased scope of work), funds for increased material costs ensured, and quality IT support provided for the duration of the above measures. The High Misdemeanour Court estimates that by the end of 2011, along with the expected effects of the new Misdemeanour Act, in terms of the reduced inflow of new cases (in the first seven months, the inflow of new cases at the High Misdemeanour Court of the Republic of Croatia dropped by 18%), the additional measures should lead to acceptable efficiency in the work of the High Misdemeanour Court of the Republic of Croatia. This is the numerical status of cases as on 31 July 2008 with comparative indicators for the first seven months of 2008 in comparison to the seven months of 2007, and the number of actors (judges, court advisors and other court clerks) at the High Misdemeanour Court of the Republic of Croatia on 31 July 2008.

Ministry of Justice will implement IGEA in all misdemeanour courts by 2011 so that there is a unique case management system that migration/interoperability is ensured with ICMS and will develop unified system of statistical reporting from misdemeanour courts. Ministry of Justice will assure installation of LAN and WAN in selected misdemeanour courts in Pakrac, Grubišno Polje, Garešnica, Daruvar, Buzet, Labin, Pazin, Omiš, Makarska and High Misdemeanour Court in Zagreb. Those ten "pilot" courts will be supported with IT solution for e-Spis. Also, through this project eleven selected courts in Crikvenica, Knin, Korčula, Krk, Nova Gradiška, Senj, Starigrad, Supetar, Zabok, Zagreb and Županja will be equipped with LAN/WAN network.

**STATUS OF CASES:**

<b>STATE</b> 31 July 2008		<b>Number of judges, court advisors, clerks and employees</b>	
<b>Unresolved:</b>	98,923	<b>Judges:</b>	41+1(president) 42
<b>Received:</b>	35,277	<b>Court advisors:</b>	17+1 (secretary) 18
<b>Total:</b>	134,200	<b>Clerks:</b>	30
<b>Resolved:</b>	32,616	<b>Employees:</b>	5
<b>(of which limitation period):</b>	16,771		
<b>Unresolved:</b>	101,584		

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**HIGH MISDEMEANOUR COURT Jan – Jul**

	2007	2008	
<b>Received:</b>	41,736	35,277	18%
<b>Resolved:</b>	24,498	32,616	
<b>Regular:</b>	15,830	15,845	
<b>Limitation period:</b>	8,668	16,771	

Based on an analysis of the presented state, while taking into consideration the (expected) fall in the inflow of new cases (in the first seven months of 2008, there was a fall in the inflow by 6,459 cases or by 18%) as a result of the new Misdemeanor Act, we hold that through consistent implementation of the "regular" and "additional" measures, whose implementation began on 1 September 2008, the High Misdemeanor Court of the Republic of Croatia can achieve a satisfactory level of efficiency in its work by the end of 2011. Namely, as part of the measures, during 2008, 2009, 2010 and 2011, judges and court advisors will also work on "simpler" regular cases (such as misdemeanour orders), by taking such cases for processing as a matter of priority and allocating them for work, along with "complex" regular cases and cases that have fallen into the limitation period for misdemeanour prosecution, as has been the case so far. Such "simpler" cases would be resolved under an "accelerated" procedure subject to the full application of the Act on Misdemeanours and the Misdemeanour Act, and they would be assigned based on criteria and in the quantity (number of cases per judge and court advisor) depending on the state of efficiency of the court department in question. The criterion for the assignment and number of cases to be resolved in the said manner will be laid down by the president of the High Misdemeanour Court in the Instruction for Implementation as an act of the court administration. In elaborating the measures,

based on the situation as on 31 July 2008 (as presented below the title of this chapter) and the fact that of the number of 101,584 cases in progress, traffic-related cases (60,339) account for the greatest number, of which 28,283 cases are misdemeanour orders issued by the police (4,204 cases from 2006, 19,239 cases from 2007, and 4,840 cases from 2008), the set primary goal was to resolve the said cases by the end of 2009, i.e. for the work of the traffic department to come fully up to date in the cases concerned. There would be five court advisors from the Traffic Department who would participate in the implementation of the said goal and task. They would resolve the greatest number of such misdemeanour orders by the end of 2009 at the pace of each advisor resolving 320 cases per month, i.e. 1,600 in total per month. It must be noted that of the total number of misdemeanour orders issued by the police, around 20% cannot be resolved in summary proceedings, so these would then be resolved in regular proceedings (misdemeanour orders connected with the application of the principle of "more favourable" law). At the same time, along with "complex" regular cases (based on the number stated in the Framework Criteria), judges in the Traffic Department would also work on misdemeanour orders which cannot be resolved according to the above procedure (misdemeanour orders connected with the application of the principle of "more favourable" law, i.e. those connected with the application of the new Road Traffic Safety Act), which account for around 20% of the total number of misdemeanour orders issued by the police. Thus, an attempt would be made to resolve all misdemeanour orders issued by the police by the end of 2009. Naturally, a certain number of these orders would in the meantime fall into the limitation period in view of the pace and quantity of resolution, so that such cases would be resolved subsequently in the quota of cases barred by the limitation period. Based on the statistics to date, it is estimated that around 10% of the total number of such cases would in the meantime fall into the limitation period. Judges and court advisors in other departments (other than the Financial Council in the Department the Economy), along with "complex" regular cases (based on the number stated in the Framework Criteria), would also resolve "simpler" cases based on the pace and quantity of work which would result in the achievement of satisfactory work efficiency in the Department for the Economy, and the Department of Public Law and Order and Public Safety by the end of 2011. Furthermore, based on the status of the number of cases that have fallen into the limitation period on misdemeanour prosecution, all judges and court advisors, with the exception of the five court advisors in the Traffic Department, would resolve cases barred by the limitation period according to the pace and quantity of work which would serve to resolve by the end of 2011 all cases that fell into the limitation period on misdemeanour prosecution on 31 July 2008. However, based on the nature of things, it is clear that in view of the earlier described limitations, a certain number of cases received after 31 July 2008 will, in the meantime, fall into the limitation period.

## **RATIONALIZATION OF COURT NETWORK**

In May 2005, based on a decision of the Minister of Justice, municipal and misdemeanour courts in 8 towns were merged. After an analysis of the effects of the mergers, the working group in charge of making a proposal of the rationalisation of the network of courts concluded that the said approach to the problem of rationalisation would not achieve all benefits that had been planned to arise from the rationalisation process in terms of specialisation of judges and organisation of on-duty services, better functioning of courts at the time of holidays and annual leaves and the like, i.e. that the rationalisation must be performed by merging courts of the same type. Based on the said proposal of the working group, in March 2007 the Government of the Republic of

Croatia adopted the Conclusion stating that the rationalisation would be performed by merging courts of the same type, in line with the criteria laid down by the working group which should be applied consistently. Regarding misdemeanour courts, **Act on Jurisdictions and Seats of Misdemeanour Courts was discussed by the Government on 12<sup>th</sup> December 2008 and sent to Parliament on 15<sup>th</sup> December 2008.** If accepted the proposed rationalisation of the network of misdemeanour courts will be completely finalised at the latest by the beginning of 2019. Currently there are 114 misdemeanour courts in the Republic of Croatia. From 114 established misdemeanour courts 106 of them are operational. According to the Merger Plan after the rationalization there will be 59 misdemeanour courts left.

## **JUSTIFICATION**

HMC on a **monthly bases monitors 1<sup>st</sup> instance misdemeanour courts performance indicators** and court statistics which are regularly manually collected by 1<sup>st</sup> instance MCs and sent to HMC. Special administrator for processing of statistics was allocated and trained through CARDS 2004 project and template for monthly reporting to President of HMC which contains executive data with some important indicators was defined. The purpose of the report is regularly monitoring of 1<sup>st</sup> instance MCs performance indicators, identification of some critical MCs and proposing concrete measures for improvement of performance. Report presents some basic figures concerning situation in the 1<sup>st</sup> instance MCs for the reporting period and in the period of a whole covered year. Report also presents the situation on particular courts with some basic figures concerning situation in courts which show positive trend or are critical taking into account predefined criteria. Through this IPA project manually kept statistics must be transformed to e-statistics which will be kept through Case Management System. Project must also secure regular and sustainable system of monitoring of 1<sup>st</sup> instance of misdemeanour courts and provide environment for backlog mitigation activities within 1st instance misdemeanour courts.

**Accelerated procedure approach** was defined and developed as independent module for HMC through CARDS 2004 project. Through this IPA project it must be transferred to other first instance misdemeanour courts. This brings a new challenge to court organisation having in mind that this kind of approach improves court business process.

CARDS 2004 project delivered *so called little white book* which contains all basic information on court premises working conditions and expenses on 1<sup>st</sup> instance misdemeanour courts. Through the project survey was also drafted which shows inadequate working conditions in most of selected misdemeanour courts (nine of them). Through this IPA project **complete white book** which will cover all misdemeanour courts which will remain after merging should be drafted.

PHARE 2006 Support to the Court Administration and Case Management started in November 2008. It aims at the roll-out of ICMS to Croatian municipal and county courts. The intention of beneficiary is roll-out of ICMS to selected misdemeanour courts after the PHARE 2006 project ends. ICMS compatible modules were defined through CARDS 2004 project and technical and functional specification were delivered. As mid term solution outsourced ICMS system was selected and implementation of this application should be finished until the end of 2009.

Through this new IPA project ICMS compatible modules must be developed and implemented to the ICMS and roll out should be performed. This should be done through technical assistance component. In order to secure smooth roll out and appropriate environment for ICMS additional procurement of ICT must be provided through the supply component. Monitoring of equipment delivery and development of ICMS compatible modules will be performed through the Twinning component.

Also, through this project eleven selected courts in Crikvenica, Knin, Korčula, Krk, Nova Gradiška, Senj, Starigrad, Supetar, Zabok, Zagreb and Županja will be equipped with LAN/WAN network. Ministry of Justice will implement IGEA in all misdemeanour courts by 2011 so that there is a unique case management system that migration/interoperability is ensured with ICMS and will develop unified system of statistical reporting from misdemeanour courts. Ministry of Justice will assure installation of LAN and WAN in selected misdemeanour courts in Pakrac, Grubišno Polje, Garešnica, Daruvar, Buzet, Labin, Pazin, Omiš, Makarska and High Misdemeanour Court in Zagreb. Those ten “pilot” courts will be supported with IT solution for e-Spis.

### **3.2 Assessment of project impact, catalytic effect, sustainability and cross border impact (where applicable)**

#### **Project impact**

Project should directly improve the organisation of High Misdemeanour Court and all first instance misdemeanour courts which should reflect on reducing of backlogs and efficiency of work. Some of business functions should be concentrated and centralized. Project should also improve daily work within particular courts and monthly monitoring of court performances of High Misdemeanour Court and misdemeanour courts. Project should provide conditions for roll out of ICMS during the life cycle of the project and secure monitoring and supervision of the development of ICMS compatible modules through the Twinning Component.

#### **Sustainability**

Additionally is ensured. EU funding will not replace other funding from the Government or other donors and the EU funded intervention/project will result in benefits which would not occur otherwise.

#### **Catalytic effect**

Business processes developed through the implementation of this project could be also implemented in some other business processes of first instance courts of general competences.

#### **Cross border impact**

Not applicable

### 3.3 Results and measurable indicators:

#### Contract No 1: Twinning contract

#### **Result 1: Business process re-engineering (e.g. Mandatory misdemeanour order, enforcement) at selected misdemeanour courts established**

Measurable indicators:

- Analyses of the existing business process drafted
- New business process define
- Ten selected misdemeanour courts for piloting defined
- Supervising the new business process on the selected misdemeanour court preformed
- Recommendations for legal implementation of new business process prepared

#### **Result 2: Concentration and centralization of some business processes (e.g. enforcement) in accordance with EU best practices established**

Measurable indicators:

- Study visits organized
- Analyses of EU best practices delivered
- Recommendations for Solution proposal prepared

#### **Result 3: Interoperability – co-operation concerning exchanging of information within misdemeanour justice chain (police ↔ MCs) developed**

Measurable indicators:

- Analyses – goal: integrate all core players into unique criminal process chain made
- Recommendations for Solution proposal prepared

#### **Result 4: Backlog mitigation project performed**

Measurable indicators:

- Analyses prepared
- Action plans define
- Monitoring of selected court performance indicators established

#### **Result 5: Legal information subsystem for misdemeanour case law implemented**

Measurable indicators:

- Module for HMC implemented (based on SUPRA SC System)

#### **Result 6: Inventory and cost benefit analyses of court premises developed**

Measurable indicators:

- Analyses (white-book of working conditions on misdemeanour courts including assessed budget and time frame) delivered
- Action plan for MC premises to reach a status in line with EU standards for court buildings drafted

Contract No 2: Technical Assistance**Result 7: ICMS compatible modules defined through CARDS 2004 project developed**

Measurable indicators:

- ICMS compatible modules developed and implemented to the ICMS
- Piloting of new business process on the selected misdemeanour court
- Training for end user (judges, docket clerks, typists) preformed

Contract No 3: Supply contract**Result 8: Necessary ICT equipment needed for roll out of ICMS purchased**

Measurable indicators:

- Selected misdemeanour courts equipped with necessary ICT equipment needed for roll out of ICMS
- LAN/WAN network on eleven selected courts in Crikvenica, Knin, Korčula, Krk, Nova Gradiška, Senj, Starigrad, Supetar, Zabok, Zagreb and Županja built

**3.4 Activities:**Contract No 1: Twinning contract

1.1 Analysing the existing business process

1.2 Defining a new business process

1.3 Performing the supervision of new business process on the selected misdemeanour courts

1.4 Preparing the recommendations for legal implementation of new business process

2.1 Organizing study visits

2.2 Analyzing the EU best practice regarding the concentration and centralization of some business processes

2.3 Preparing recommendations for Solution proposal

3.1 Integrating all core players into unique criminal process chain

3.2 Preparing recommendations for Solution proposal

4.1 Analyzing backlog mitigation

4.2 Defining Action plans for backlog mitigations

4.3 Establishing indicators for monitoring of court performance

5.1 Implementing module for HMC (based on SUPRA SC System)

6.1 Delivering a white-book of working conditions on misdemeanour courts including assessed budget and time frame

6.2 Drafting an Action plan for MC premises to reach a status in line with EU standards for court buildings

Contract No 2: Technical Assistance

7.1 Piloting of new business process on the selected misdemeanour court

7.2 Developing ICMS compatible modules

7.3 Implementing ICMS compatible modules to the ICMS

7.4 Performing training for end user (judges, docket clerks, typists)

Contract No 3: Supply contract

8.1 Equipping selected misdemeanour courts with necessary ICT equipment needed for roll out of ICMS

8.2 Building LAN/WAN network on eleven selected courts

**3.5 Conditionality and sequencing:**

Twinning component must be contracted before technical assistance and supply component in order to secure monitoring that will be done through twinning contract. Technical assistance should be contracted before supply component.

**3.6 Linked activities**

**CARDS 2002 Capacity building for the Office for prevention of corruption and organised crime** finished in December 2006. The project aimed at strengthening of the institutional capacities of USKOK (Office for prevention of corruption and organised crime) in order to support the work of The Office which is section of State Attorney's Office specialized for prevention of corruption, criminal prosecution of corruption and organized crime, including international cooperation related to these issues.

**CARDS 2002 Reform of the Croatian Court System** ended in February 2006. The project purpose was to improve efficiency of Croatian courts, which should result with better quality of judgments and backlog reduction per case and per judge, as well as increasing the Croatian public trust in judiciary.

**CARDS 2003 Preventing and combating money laundering** started with implementation in June 2006 and finished in December 2007. The purpose of the

project was to provide institutional support to the respective institutions involved in anti-money laundering in Croatia, through, among other things, structural consultations between the involved institutes, improvement of the international cooperation and optimizing the legal framework. It consisted of following components: 1 – Strengthening management – cooperation establishment and information exchange among Ministry of Justice, Ministry of the Interior and Ministry of Finance, as well as the establishment of the National Supervisory Body; 2 – Legal overview – legislation analysis and modification proposal; 3 – International cooperation; 4 – Setting up of AMLS and IT supply.

**CARDS 2003 Training and Education of Prosecutors** has been implemented by the French Republic and the Kingdom of Spain. The end of the project was in July 2007 and its main purpose was to support the integration of this project within the current institutional structure of the Judicial Academy and its Regional centres, strengthening the managerial capacities of the General Attorney's Office representative and administrative staff as well as to develop a self-sustainable training delivery system for prosecutors including programme design, curricula development, ToT and carry out training courses, workshops, seminars and study visits.

**CARDS 2003 Support to the Reform of the Croatian Court System – phase II** has been implemented by the Austrian partners. The project ended in June 2008 and its main purpose was to further enhance the operation and functioning of the Courts as a whole and the pre-selected Courts in particular - Improving the management and information system; Supporting rationalisation of court networks in Croatia; Developing standards in court produced documents; Ensuring modernisation/computerisation of courts.

**CARDS 2004 Improving case management at the High Misdemeanour Court and selected Misdemeanour Courts** started in September 2007. It consists of Twinning and Supply Contract. The project purpose is to support and enhance operation and functioning of the court case management at High Misdemeanour Court and selected misdemeanour courts as well as IT education and training for judges.

**PHARE 2006 Support to the Court Administration and Case Management** started in November 2008. It aims at the roll-out of ICMS to Croatian courts. ICMS will bring in the transparency in work of courts by way of automatic assignments of cases to judges and monitoring of their work which will reduce the possibility of corruption.

**PHARE 2006 Harmonisation and Publication of Case Law** started in November 2008 the project aims at increasing the accessibility and dissemination of national case law from the 50 pre-selected courts (including county, municipal and commercial courts) for all interested parties (on national and international level).

**IPA 2007 Strengthening Capacities of USKOK** scheduled to start in September 2009 aims at improving the institutional capacity and efficient functioning of USKOK and continuing efficient implementation of National anticorruption strategy.

**IPA 2008 Support to the Reform of Criminal Proceedings** is scheduled to start in 2010 and will last for 24 months. The purpose of this project is to support courts, State prosecutors offices and Ministry of Interior in implementing new criminal proceedings.

### **3.7 Lessons learned**

Past activities within CARDS 2004 project showed inadequate working conditions in selected misdemeanour courts and a strong need to improve the current situation concerning working conditions and organization and management issues. Knowhow concerning business process reengineering gained through CARDS 2004 project should be followed up in this IPA project.

#### 4. Indicative Budget (amounts in EUR)

					SOURCES OF FUNDING								
			TOTAL EXP.RE	TOTAL PUBLIC EXP.RE	IPA COMMUNITY CONTRIBUTION		NATIONAL PUBLIC CONTRIBUTION					PRIVATE CONTRIBUTION	
Further improvement of institutional capacity and roll out of Case management system at misdemeanour courts	IB (1)	INV (1)	EUR (a)=(b)+(e)	EUR (b)=(c)+(d)	EUR (c)	% (2)	Total EUR (d)=(x)+(y)+(z)	% (2)	Central EUR (x)	Regional/ Local EUR (y)	IFIs EUR (z)	EUR (e)	% (3)
Twining	X		900 000	900 000	855 000	95	45 000	5	45 000				
Technical Assistance	X		630 000	630 000	567 000	90	63 000	10	63 000				-
Supply		X	835 000	835 000	626 250	75	208 750	25	208 750				-
TOTAL IB			1 530 000	1 530 000	1 422 000	93	108 000	7	108 000				
TOTAL INV			835 000	835.000	626 250	75	208 750	25	208 750				
<b>TOTAL PROJECT</b>			<b>2 365 000</b>	<b>2 365 000</b>	<b>2 048 250</b>	<b>87</b>	<b>316 750</b>	<b>13</b>	<b>316 750</b>				

NOTE: DO NOT MIX IB AND INV IN THE SAME ACTIVITY ROW. USE SEPARATE ROW

Amounts net of VAT

(1) In the Activity row use "X" to identify whether IB or INV

(2) Expressed in % of the **Public** Expenditure (column (b))

(3) Expressed in % of the **Total** Expenditure (column (a))

### 5. Indicative Implementation Schedule (periods broken down per quarter)

Contracts	Start of Tendering	Signature of contract	Project Completion
Contract 1 Twinning	1Q 2010	3Q 2010	3Q 2012
Contract 2 Technical assistance	1Q 2010	3Q 2010	3Q 2011
Contract 3 Supply	3Q 2010	4Q 2010	1Q 2011

All projects should in principle be ready for tendering in the 1<sup>ST</sup> Quarter following the signature of the FA

### 6. Cross cutting issues (where applicable)

#### 6.1 Equal Opportunity

Based on the fundamental principles of promoting equality and combating discrimination, participation in the project will be guaranteed on the basis of equal access regardless of sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation.

Specifically in relation to the issue of equality between men and women, Croatia's population (2001 census) constitutes 51.87% women and 48.13% men, with those in active employment (based on Labour Force Survey statistics, conducted in accordance with ILO methodology, for the second half of 2002) divided 45.31% women and 54.69% men.

All contractors shall be requested to provide monitoring data recording the participation of men and women in terms of expert inputs (in days) and of trainees benefiting under the project (in days) as an integral component of all project progress reports

#### 6.2 Environment

Not applicable

#### 6.3 Minorities

Not applicable

## ANNEXES

- 1- Log frame in Standard Format
  - 2- Amounts contracted and Disbursed per Quarter over the full duration of Programme
  - 3- Description of Institutional Framework
  - 4 - Reference to laws, regulations and strategic documents:
    - Reference list of relevant laws and regulations
    - Reference to AP /NPAA / EP / SAA
    - Reference to MIPD
    - Reference to National Development Plan
    - Reference to national / sector investment plans
  - 5- Details per EU funded contract (\*) where applicable:
    - For *TA contracts*: account of tasks expected from the contractor
    - For *twinning covenants*: account of tasks expected from the team leader, resident twinning advisor and short term experts
    - For *grants schemes*: account of components of the schemes
    - For *investment contracts*: reference list of feasibility study as well as technical specifications and cost price schedule + section to be filled in on investment criteria (\*\*)
    - For *works contracts*: reference list of feasibility study for the *constructing works* part of the contract as well as a section on investment criteria (\*\*); account of services to be carried out for the *service part* of the contract
- (\*) non standard aspects (in case of derogation to PRAG) also to be specified
- (\*\*) section on investment criteria (applicable to all infrastructure contracts and constructing works):
- Rate of return
  - Co financing
  - compliance with state aids provisions
  - Ownership of assets (current and after project completion)

**ANNEX 1: Logical framework matrix in standard format**

<b><u>Further improvement of institutional capacity of all misdemeanour courts and development of ICMS compatible modules at selected misdemeanour courts</u></b>		Programme name and number <b>IPA 2009</b>	[Cris number]
		Contracting period expires 2 years following the date of conclusion of the FA	Disbursement period expires 3 years following the end date for contracting
		<b>Total budget: EUR 2 365 000</b>	<b>IPA budget: EUR 2 048 250</b> <b>Co-financing: EUR 316 750</b>
<b>Overall objective</b>	<b>Objectively Verifiable Indicators</b>	<b>Sources of Verification</b>	
To further enhance the functioning of the Croatian judiciary system.	Improved and more efficient functioning of the judicial system in Croatia (in longer term)	Ministry of Justice reports & statistics  Court statistics/National statistical office reports  Progress report	
<b>Project purpose</b>	<b>Objectively Verifiable Indicators</b>	<b>Sources of Verification</b>	<b>Assumptions</b>
To improve functioning and management of misdemeanour courts	Recommendations for legal implementation of new business process prepared Recommendations for Solution proposal prepared Monitoring of court performance indicators established ICMS compatible modules developed and implemented to the ICMS	MoJ documentation  MoJ reports  Project reports  Misdemeanour Court statistics  MoJ documentation including Revised Strategy, Training Strategy, Recruitment Strategy, Performance	Human resources for the project are assured  Successful continuation of the reform in the judiciary  Results achieved through CARDS 2004 project are followed up

		Management Reports, etc.	
<b>Results</b>	<b>Objectively Verifiable Indicators</b>	<b>Sources of Verification</b>	<b>Assumptions</b>
<p><b>1. Business process re-engineering (e.g. Mandatory misdemeanour order, enforcement) at selected misdemeanour courts established</b></p>	<ul style="list-style-type: none"> <li>- Analyses of the existing business process drafted</li> <li>- New business process define</li> <li>- Ten selected misdemeanour courts for piloting</li> <li>- Supervising the new business process on the selected misdemeanour court preformed</li> <li>- Recommendations for legal implementation of new business process prepared</li> </ul>	<p>Project reports</p> <p>Book of rules of the Misdemeanours courts</p> <p>Publications and statistics of MoJ</p>	<p>Best practice developed under CARDS 2004 taken into account</p> <p>Human resources for the project are assured</p> <p>Commitment of the MoJ, Supreme court and High Misdemeanour court to engage in the project</p>
<p><b>2. Concentration and centralization of some business processes (e.g. enforcement) in accordance with EU best practices established</b></p>	<ul style="list-style-type: none"> <li>- Study visits organized</li> <li>- Analyses of EU best practices delivered</li> <li>- Recommendations for Solution proposal prepared</li> </ul>	<p>Project reports</p> <p>Recommendations</p>	<p>Best practice developed under CARDS 2004 taken into account</p> <p>Human resources for the project are assured</p>
<p><b>3. Interoperability – co-operation concerning exchanging of information within misdemeanour justice chain (police ⇔ MCs) developed</b></p>	<ul style="list-style-type: none"> <li>- Analyses – goal: integrate all core players into unique criminal process chain made</li> <li>- Recommendations for Solution proposal prepared</li> </ul>	<p>Publications and statistics of MoJ</p>	<p>Commitment of the MoJ, Supreme court and High Misdemeanour court to engage in the project</p>
<p><b>4. Backlog mitigation project performed</b></p>	<ul style="list-style-type: none"> <li>- Analyses prepared</li> <li>- Action plans define</li> <li>- Monitoring of court performance indicators established</li> </ul>	<p>Analyses</p>	

<p><b>5. Legal information subsystem for misdemeanour case law implemented</b></p> <p><b>6. Inventory and cost benefit analyses of court premises developed</b></p> <p><b>7. ICMS compatible modules defined through CARDS 2004 project developed</b></p> <p><b>8. Necessary ICT equipment needed for roll out of ICMS purchased</b></p>	<ul style="list-style-type: none"> <li>- Module for HMC implemented (based on SUPRA SC System)</li> <li>- Analyses (white-book of working conditions on selected misdemeanour courts including assessed budget and time frame) delivered</li> <li>- Action plan for MC premises to reach a status in line with EU standards for court buildings drafted</li> <li>- ICMS compatible modules developed and implemented to the ICMS</li> <li>- Piloting of new business process on the selected misdemeanour court</li> <li>- Training for end user (judges, docket clerks, typists) preformed</li> <li>- Selected misdemeanour courts equipped with necessary ICT equipment needed for roll out of ICMS</li> <li>- LAN/WAN network on eleven selected courts Crikvenica, Knin, Korčula, Krk, Nova Gradiška, Senj, Starigrad, Supetar, Zabok, Zagreb and Županja built</li> </ul>	<p>Monitoring charts</p> <p>Web page of Supreme court</p> <p>Inventory book</p> <p>ICMS modules</p> <p>Training materials</p> <p>List of trainees</p> <p>Inventory list</p>	
Activities	Means	Costs	Assumptions
<p>1.1 Analysing the existing business process</p> <p>1.2 Defining a new business process</p>	<p><b>Twinning covenant</b></p>	<p><b>Twinning: EUR 900 000 (5% co-financing) :</b></p>	<p>Human resources for the project are assured</p>

<p>1.3 Performing the supervision of new business process on the selected misdemeanour court</p> <p>1.4 Preparing the recommendations for legal implementation of new business process</p>		<p>EUR 855 000 IPA budget</p> <p>EUR 45 000 national co - financing</p> <p><b>Technical assistance: EUR 630 000 (10% co-financing):</b></p> <p>EUR 567 000 IPA budget</p>	<p>Commitment of the MoJ, Supreme court and High Misdemeanour court to engage in the project</p>
<p>2.1 Organizing study visits</p> <p>2.2 Analyzing the EU best practice regarding the concentration and centralization of some business processes</p> <p>2.3 Preparing recommendations for Solution proposal</p>	<p><b>Twinning covenant</b></p>	<p>EUR 63 000 national co - financing</p> <p><b>Supply: EUR 835 000 (25% co-financing):</b></p> <p>EUR 626 250 from IPA budget</p> <p>EUR 208 750 national co- financing</p>	
<p>3.1 Integrating all core players into unique criminal process chain</p> <p>3.2 Preparing recommendations for Solution proposal</p>	<p><b>Twinning covenant</b></p>		
<p>4.1 Analyzing backlog mitigation</p> <p>4.2 Defining Action plans for backlog mitigations</p> <p>4.3 Establishing indicators for monitoring of court performance</p>	<p><b>Twinning covenant</b></p>		

5.1 Implementing module for HMC (based on SUPRA SC System)	<b>Twinning covenant</b>		
6.1 Delivering a white-book of working conditions on misdemeanour courts including assessed budget and time frame 6.2 Drafting an Action plan for MC premises to reach a status in line with EU standards for court buildings	<b>Twinning covenant</b>		
7.1 Piloting of new business process on the selected misdemeanour court 7.2 Developing ICMS compatible modules 7.3 Implementing ICMS compatible modules to the ICMS 7.4 Performing training for end user (judges, docket clerks, typists)	<b>Technical Assistance</b>		
8.1 Equipping selected misdemeanour courts with necessary ICT equipment needed for roll out of ICMS 8.2 Building LAN/WAN network on eleven selected courts	<b>Supply covenant</b>		

**Preconditions:**

Best practice developed under CARDS 2004 taken into account

Successful continuation of the reform process

Commitment of all involved (MoJ, Supreme Court and High Misdemeanour Court) to actively participate in the project

IGEA is implemented at all misdemeanour courts

Unified statistical reporting system developed

LAN and WAN installed in selected misdemeanour courts (Pakrac, Grubišno Polje, Garešnica, Daruvar, Buzet, Labin, Pazin, Omiš, Makarska and High Misdemeanour Court in Zagreb)

MoJ has to provide IT support to set up ICMS on selected misdemeanour courts

Act on Jurisdictions and Seats of Misdemeanour Courts adopted

**ANNEX II: amounts (in €) Contracted and disbursed by quarter for the project**

Contracted	2010				2011				2012		
	I	II	III	IV	I	II	III	IV	I	II	III
Contract 1.1 Twinning					900 000						
Contract 1.2 Technical Assistance					630.000						
Contract 1.3 Supply				835 000							
<b>Cumulated</b>				<b>835 000</b>	<b>1 530 000</b>						
Disbursed	2011				2012				2013		
	I	II	III	IV	I	II	III	IV	I	II	III
Contract 1.1 Twinning		360 000				225 000			225 000		90 000
Contract 1.2 Technical Assistance		252 000				315 000					63 000
Contract 1.3 Supply	501 000				334 000						
<b>Cumulated</b>	<b>501 000</b>	<b>1 113 000</b>			<b>1 447 000</b>	<b>1 987 000</b>			<b>2 212 000</b>		<b>2 365 000</b>

### ANNEX III INSTITUTIONAL FRAMEWORK

Misdemeanour Courts in the Republic of Croatia are specialized courts ruling on misdemeanours in first instance, and conducting actions of international legal assistance in procedures under their own jurisdiction. The High Misdemeanour Court of the Republic of Croatia decides on claims against decisions of the first instance courts as well as administrative and misdemeanour bodies, resolves jurisdiction conflict among Misdemeanour Courts, decides on requests for exemption of the president of the court and extraordinary diminution of sentences as well as extraordinary review of valid decisions on a misdemeanour. The misdemeanour court system consists of High Misdemeanour Court and 114 first degree misdemeanour courts located throughout the country. The **Act on Jurisdictions and Seats of Misdemeanour Courts was discussed by the Government on 12<sup>th</sup> December 2008 and sent to Parliament on 15<sup>th</sup> December 2008.** If accepted the proposed rationalisation of the network of misdemeanour courts will be completely finalised at the latest by the beginning of 2019. Currently there are 114 misdemeanour courts in the Republic of Croatia. From 114 established misdemeanour courts 106 of them are operational. According to the Merger Plan after the rationalization there will be 59 misdemeanour courts left.

**ANNEX IV: Reference to laws, regulations and strategic documents**

- Law on courts (OG 113/08, 16/07, 150/05)
- Misdemeanour Act (OG 107/07)
- Act on Jurisdiction and Seats of Misdemeanour courts (OG 36/98)
- Bill of Act on Jurisdiction and Seats of Misdemeanour courts with the final version of the Act (December 2008)
- Reference to Croatian strategic documents
- Judicial reform strategy and its action plan
- Strategic Development Framework for 2006 – 2013, under IX. The new role of the state, 2. Judicial reform- legality, fairness and efficiency
- Reference to AP/NPAA/EP/SAA
  - Accession Partnership; under KEY PRIORITIES, Political Criteria, Democracy and the rule of law, judicial system
  - National Programme for the Accession of the Republic of Croatia into the European Union (NPAAEU) – 2009, under I. Political criteria, 1.2. Democracy and the rule of law, 1.2.1. Judicial Reform, Key priorities
- Croatia 2008 Progress Report, under Chapter 23: Judiciary and fundamental rights
- Stabilization and Association Agreement, under Reinforcement of institution and the rule of law
- The Multi-annual indicative Planning Document (MIPD) 2009-2011 Republic of Croatia (draft), under strategic objectives and strategic choices within the area of the political criteria and under IPA Component I – Transition Assistance and Institution Building, priorities as regards the political area

## **ANNEX V: Details per EU funded contract**

**Result 1: Business process re-engineering (e.g. Mandatory misdemeanour order, enforcement) at selected misdemeanour courts established**

**Result 2: Concentration and centralization of some business processes (e.g. enforcement) in accordance with EU best practices established**

**Result 3: Interoperability – co-operation concerning exchanging of information within misdemeanour justice chain (police ↔ MCs) developed**

**Result 4: Backlog mitigation project performed**

**Result 5: Legal information subsystem for misdemeanour case law implemented**

**Result 6: Inventory and cost benefit analyses of court premises developed**

### *Twinning contract*

1.1 Analysing the existing business process

1.2 Defining a new business process

1.3 Performing the supervision of new business process on the selected misdemeanour court

1.4 Preparing the recommendations for legal implementation of new business process

2.1 Organizing study visits

2.2 Analyzing the EU best practice regarding the concentration and centralization of some business processes

2.3 Preparing recommendations for Solution proposal

3.1 Integrating all core players into unique criminal process chain

3.2 Preparing recommendations for Solution proposal

4.1 Analyzing backlog mitigation

4.2 Defining Action plans for backlog mitigations

4.3 Establishing indicators for monitoring of court performance

5.1 Implementing module for HMC (based on SUPRA SC System)

6.1 Delivering a white-book of working conditions on misdemeanour courts including assessed budget and time frame

6.2 Drafting an Action plan for MC premises to reach a status in line with EU standards for court buildings

### **Resident Twinning Adviser**

- University degree in law, public/business administration, management or similar relevant discipline

- At least 5 years proven experience in the organization of the Courts at managerial level

- Previous experience with EU twinning projects on judicial reform issues would be an advantage.

-Excellent communication skills, with fluency in written and spoken English language, including excellent report-writing English language.

-Computer literate

## **Result 7: ICMS compatible modules defined through CARDS 2004 project developed**

### Technical Assistance

7.1 Piloting of new business process on the selected misdemeanour court

7.2 Developing ICMS compatible modules

7.3 Implementing ICMS compatible modules to the ICMS

7.4 Performing training for end user (judges, docket clerks, typists)

### **Team leader:**

- University degree in law, management, IT, public/business administration or in a similar relevant discipline or equivalent work experience;

- Excellent communication skills, with fluency in written and spoken English language, including excellent report-writing English language;

- Computer (MS Office/MS Project) and office automation literacy required;

- Proven organisational and leadership/management skills, experience on this jobs has to be proven in the written form with the list of the jobs and projects in which he participated;

- Minimum of 3 years experience in the organization of the courts at senior managerial level, or minimum 5 years experience on successful judicial (or related) project implementing IT supported processes is required. Confirmation of successful participation in the project by the beneficiary is required.

## **Result 8: Necessary ICT equipment needed for roll out of ICMS purchased**

### Supply contract

8.1. Equipping selected misdemeanour courts with necessary ICT equipment needed for roll out of ICMS

8.2 Building LAN/WAN network on eleven selected courts