

**ANALYSIS OF OPTIONS FOR IMPROVING
SERVICE DELIVERY OF THE SUPPORT
STAFF UNDER NON-CORE FUNCTIONS IN
COURTS AND PUBLIC PROSECUTOR
OFFICES**

Acknowledgements

The Analysis of Options for Improving Service Delivery of the Support Staff under Non-Core Functions in Courts and Public Prosecutor Offices analyzes the allocation and functioning of the judicial staff employed for support functions in Serbian judiciary. The purpose of this analysis is to identify options for more efficient and streamlined delivery of services of support staff which could result in fiscal savings. Data used in this analysis was provided by the Ministry of Justice. This report was funded by the Multi-Donor Trust Fund for Justice Sector Support in Serbia (MDTF-JSS), which has been established with generous contributions from the United Kingdom Department for International Development (DfID), the Swedish International Development Cooperation Agency (SIDA), Denmark, Netherlands, Slovenia, Spain, and Switzerland. More information about the MDTF-JSS is available at www.mdtfjss.org.rs.

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Executive Summary

- 1. Serbia continues to employ more staff outside of core case processing functions (25% of court and PPO staff) than in other European countries.** These employees provide indirect, but necessary, assistance to the operation of the judiciary. They include general administrative staff (finance, procurement, HR, ICT, facilities maintenance), judicial guards and cleaners. Another 7% of court employees continue to work in enforcement.
- 2. The ratio of non-core to core employees varies widely between institutions.** The most significant ratios of non-case processing to overall staff occur in the Higher Courts (42%) and Basic Courts (24%). Six Higher and one Basic Court allocate more than one half of their positions to these functions. In only a limited number of instances can this be explained by the Higher or Basic Court providing services to other courts with which they shares facilities.¹
- 3. CEPEJ data suggests that Serbia could reduce its complement of non-case processing staff.** In 2012, the proportion of court case processing-related positions was 89% in Croatia and 90% in Latvia, compared with 75% in Serbia. This comparison provides only a general picture across countries. However, it clearly points to areas in which Serbia judicial staffing could be reduced.
- 4. As discussed in the Functional Review, poor planning and constraints in deploying staff are a primary reason for the judiciary’s suboptimal system performance.** Similar to core case processing staff, non-core administrative support staff have been added to prior staffing levels in an ad hoc manner, rather than based on objective criteria. The judiciary does not adhere to ratios setting staff numbers such as employees to square meters (for facility maintenance and cleaning staff), the number of financial transactions (for accounting and finance staff) or total staffing (for human resource staff). There are startling differences between institutions in the ratio of employees to the amount of work.
- 5. The system needs fewer low-level ancillary staff who contribute less to service delivery.** The judiciary should instead invest in specialized and analytic roles, such as advisors, court managers and secretaries, and statisticians. Funding would also be better deployed for investments in infrastructure or ICT, which would support and enable those people remaining to perform at a higher level.
- 6. Personnel appointments are localized, resulting in a collection of isolated units performing similar functions in very different ways.** Once appointed, staff cannot be moved without their consent to a more centralized location and few incentives exist to encourage that consent.
- 7. One option to better utilize staff is to combine functions across institutions.** Combining accounting staff of the Basic and Higher Courts in buildings courts are jointly housed is an example of this. This concept is called “hubbing.” Hubbing can also be done at the city-wide, regional or national level depending upon the service being provided.
- 8. Simply bringing positions together in one institution does not guarantee that fewer positions will be needed or that performance will improve.** Hubbing is effective only if it:

¹ For example, three Higher Courts employ one building maintenance staff person while the other courts in their buildings have none; the Basic Courts provide building maintenance services to other courts in 14 shared buildings.

- Reduces the number of staff in the hubbed functions themselves, resulting in direct cost savings.
- Improves system performance and realizes cost savings in allied organizations by promoting consistency and improved work methods in the courts and PPOs.
- Streamlines management of ancillary functions and relieves managers who should be focused on directing case processing and other core operations of responsibility for miscellaneous tasks.
- Insures adequate proximity to those with whom administrative staff need to work regularly. Hubbing at a city, regional or national level is most effective if it involves positions that are reasonably autonomous.
- Does not undermine the case management independence of a judicial institution (for example, joining financial functions across courts and PPOs may allow the court unwarranted discretion over PPO financial decision making that could affect PPO autonomy).

9. Six functional areas² comprising 2,550 employees in 59 distinct classifications were considered for potential hubbing opportunities and savings. Questions addressed include:

- What should be considered when deciding to centralize a function?
- How many people in which institutions work on functions that could be hubbed?
- What alternatives are there for hubbing services – nationally, regionally, at a municipal level, within buildings? For which functions does each alternative make the most sense?
- For positions best left locally, would performance improve by changing reporting structures?
- Are there functions in addition to those above (for example, cleaners, bailiffs, drivers,) that would be better utilized if they reported centrally? Could their overall numbers be reduced?
- Are there areas for which reengineering needs to take place before hubbing can occur?
- Do vacancies provide an opportunity to reduce staffing levels?
- To what extent does the judiciary continue to rely on temporary employees?

10. There are few specialized analytical or management positions in the functional areas considered. Much of the work performed by judiciary staff in the functions considered carry out routine tasks, requiring only a secondary school diploma.

11. Thus, the recommendations focus on opportunities within individual facilities where similar activities common to multiple institutions at the same site can be consolidated or at a city or national level where appropriate. A more far reaching but longer-term solution, beyond the scope of this study, is an in-depth analysis of the functions and mechanisms of the work performed by staff and the establishment of clearly defined metrics and alignment of staffing nationally to those metrics. The hubbing recommended here should be implemented in the short-term while more rigorous staffing standards are being developed.

12. Centralizing these routine activities of these functions across institutions in each building would be generally efficient, improve operations and, in many cases, could result in personnel savings (see Attachment 1 for summary of hubbing recommendations by function). Site-specific hubbing would allow needed communication with other employees in individual institutions to be maintained. A minimum of 70 positions could be eliminated through site hubbing and elimination of unnecessary positions, as follows:

² Accounting and finance, public procurement, ICT, facilities maintenance, human resources and judicial guards.

Job position	Courts	PPOs
Accounting/Finance	21	18
Procurement	1	N/A
Facility Maintenance	34	Included in court numbers

13. Vastly different ratios of ICT “help desk” technician staff to number of devices or users supported result in some courts having too many ICT technicians while others have too few. However, international standards demonstrate that the Serbian judiciary does not have too many people overall in this function. It is recommended that the average of 84 devices per ICT technician be applied as a standard across all and positions moved between institutions, with smaller institutions receiving assistance from a regional office.

14. Grouping some positions at a citywide or regional level would improve performance and yield further reductions in the personnel complement. In particular, higher-level ICT staff who work on common systems (for example, all systems’ administrators working on AVP) could be joined in citywide units supporting all institutions using that system. Similarly, higher level procurement staff -- those involved in developing purchase plans and making larger purchases -- could be grouped citywide. The few finance staff that are assigned to budgeting should also be conjoined. These types of positions would be more effective working together as systems, approaches and policies could be confirmed. Citywide hubbing could also result in the following minimum 24 position reductions, 21 in court ICT and three in procurement.

15. Managerial staffing should be consolidated where possible. Maintaining separate management and supervisory reporting structures in individual institution results in duplicative, ineffective and possibly contradictory supervision and management. Bringing staff under fewer heads is an effective strategy. Managerial hubbing could result in the elimination of a minimum of 11 additional Head Guard positions and one ICT Administrator.

16. Policy making should occur at as few locations as possible. The judiciary generally lacks adequate policy staff, particularly for Human Resources, procurement and ICT. MOJ has only four staff for ICT policy making and the Councils have no positions devoted to Human Resources or non-capital procurement policy for the courts and PPOs.³ Positions should be added in these areas to the councils and a limited cadre of professional budgeting, human resources and procurement staffing created at a regional level, perhaps organized in the Appellate Courts, to insure procedural consistency and documentation. A portion of the above savings from hubbing could be used to fund these new activities.

³ Procurement policy for capital is set by MOJ. The financial policy setting that does occur in the Councils could be strengthened.

Other Staffing Recommendations

17. Some institutions suffer from a large number of vacancies in authorized staff positions. Vacancies in some courts are as high as 19% and in some PPOs reach 33%. These vacancies need to be regularly examined to insure that the positions are still needed. The 17 vacant positions among positions recommended for downsizing through hubbing should be eliminated immediately.

18. The judiciary employs 1,126 temporary employees in courts and 200 in PPOs, representing 12% and 17% of its their workforces, respectively. Large numbers of temporary staff create a ‘shadow’ workforce which impedes integrated resource planning and inhibits longer-term efficiency.

19. The use of temporaries results in a total workforce significantly exceeding the budgeted complement in all institutional types except the Appellate Commercial Court. 61 courts and 48 PPOs have 10% more staff than their budget complement. The use of temporary employees is most frequent among judicial assistants, typists, registrars, cleaners and deliverers. Of the temporary positions in courts, 14 are in areas recommended for hubbing; these positions should be eliminated in the near term. An additional 73 temporary cleaners (70 in the courts and three in PPOs) should not be made permanent hires while the judiciary clarifies how it can contract out this service instead. For the remaining temporary positions, MOJ should begin by focusing its attention on these institutions by requiring them to provide a specific, detailed plan about how they will bring those figures within requirements. Finally, while enforcement is not addressed in depth in this analysis, we note that there are 39 temporary bailiffs. The judiciary should not make these positions permanent until it examines in more detail how many of the existing 335 bailiffs should continue to be employed in the courts given court enforcement workload in light of the introduction of private bailiffs and recent legal changes encouraging use of private bailiffs.

20. Recent experiments with outsourcing cleaning services by individual courts proved unsuccessful when invoices went unpaid and cleaning firms stopped providing services. The costs and benefits of outsourcing these services should be examined for application to all buildings, rather than contracts being entered into on an ad-hoc basis, and the cost paid centrally rather than from individual institutions’ budgets. Doing so requires a well-crafted contract with private providers that includes specific performance metrics.

21. In interviews, it became apparent that the functions of the judiciary’s 204 drivers and 485 delivery of summons employees overlap at times and that there are opportunities for coordination of their services across institutions in the same or nearby facilities.. The specific duties and detailed metrics for determining the optimum number of employees in both of these functions should be a priority.

22. Finally, the judiciary’s job roster includes 111 separate classifications, many more than in State Administration. This proliferation unnecessarily narrows employees’ responsibilities and makes it difficult to use staff flexibly and effectively, evaluate staffing needs, or determine the optimum organizational structure. For example, the judiciary has 19 classifications in the finance and accounting function compared with State Administration’s nine classifications and 12 facility maintenance positions, compared with eight in State Administration. The World Bank recommends that the judiciary limit the number of classifications in use by broadening their duties to parallel those for the rest of public administration, beginning with those in classifications considered here.

Introduction

23. The Serbian Ministry of Justice (MOJ) has requested that the World Bank examine methods of increasing the judiciary's efficiency and enhancing its performance by reducing overall staffing levels through attrition or centralizing (hubbing) administrative services in the judiciary.

24. The World Bank's 2014 Functional Review examined staffing levels in the courts and public prosecutor offices overall. The Functional Review focused on national staffing levels with some detail provided for judicial and prosecutorial assistants, differences between institutions of the same type (e.g., between basic courts) and regions and the use of temporary employees.

25. This analysis looks more specifically at whether staffing differs widely between like institutions, identifies possible areas for reductions or reallocation of positions and recommends areas where joining services together (hubbing) would result in efficiencies or performance improvements. The employees under support functions are hired under the Civil Service Act and this analysis has not evaluated legal position of employees under this regime.

Approach

26. The assessment was based on statistical analyses of staffing, salary, caseload and facility data provided by MOJ, HJC, SPC and MPALSG, the Office of the Deputy Prime Minister Udovicki and donor-funded projects⁴. After initial discussions on the objectives and scope of the review with senior management of MOJ, the initial data request focused on the number of judges and prosecutors maintained by the HJC and SPC; court staffing and facility data maintained by MOJ; computer inventories collected for the purpose of IPA 2012 procurement (May 2015) and the MC-AMC Inventory Misdemeanor Courts; 2015 caseload data of the HJC and RPPPO; and 2013 BPMIS data on the number of judge chambers and court rooms and details about court ICT equipment; and salary data in the public sector (which apply to judiciary staff) provided by the MPLSG and Cabinet of the Deputy Prime Minister Udovicki.

27. Information concerning the key responsibilities, reporting relationships and interactions with external agencies in court and Public Prosecutor Office (PPO) finance, procurement, ICT, facilities management and human resources functions was gathered through analysis of the Rulebooks on Internal Organization and Systematization and stakeholder interviews in the Ministry of Justice, Supreme Court of Cassation, courts in Belgrade and Pancevo, and PPO in Pancevo. Issues identified and data developed in the 2014 World Bank Functional Review and the Serbian MOJ ICT Strategy Report were key inputs to the assessment. Relevant legislation and other judiciary related analyses were also consulted.

⁴ Information on staffing levels was provided by the listed institutions and from the Register of Employees in Public Sector managed by the Treasury Administration.

28. It should be noted that the resulting judiciary staffing data base (see Appendix 1) was created and the analysis conducted with some data limitations. In particular, staffing data were not made available for the Supreme Court of Cassation, the Administrative Court, the Constitutional Court, the Republic Public Prosecution Office, and the Public Prosecution Office for Organized Crime and the Public Prosecution Office for War Crimes. The number of courts and PPOs, facilities and staff referenced throughout the report exclude those institutions. Also, personnel data is from February 2016 while caseload data is from calendar year 2015 and are summarize at a court level rather than disaggregated at the level of departments, units and facilities. We were also not able in the time available to access information that would help develop more refined staffing ratios, namely the types and values of building maintenance and ICT related contracts, payments processed and deposits made by the finance staff or the number of pieces of mail received and sent through registry offices. Further analysis using these types of data will allow the judiciary to create and continually update better informed and consistent staffing norms.

29. Questions addressed in this analysis include:

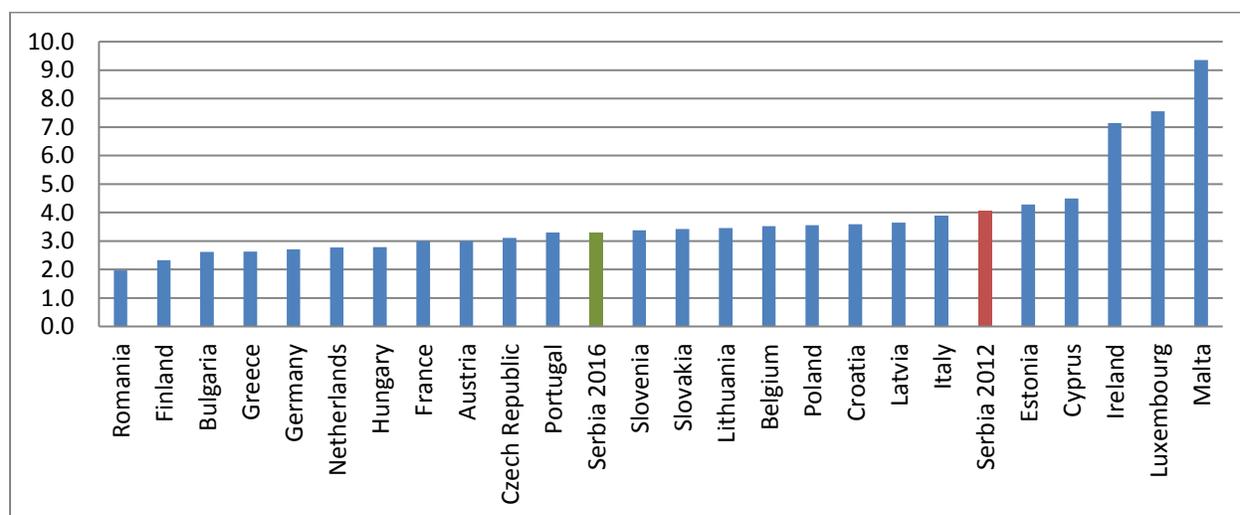
- How many employees support each judge or deputy prosecutor? How does Serbia's staff to judge/prosecutor ratio compare with that in the members of the EU? Which institutions have significantly more staff per judge or prosecutor than the national average?
- Do vacancies provide an opportunity to reduce staffing levels? To what extent does the judiciary continue to rely on temporary employees?
- What should be considered when deciding to centralize a function?
- How many people in which institutions work on administrative functions that could be hubbed? Areas to be considered include accounting, finance and analytics; procurement; human resources; information technology; and facilities maintenance.
- What alternatives are there for hubbing – in MOJ, at each of the appellate courts and the appellate prosecutors' offices, within a single office in each city, etc.?
- For positions best left at a local institution, would performance be improved by changing to whom the position reports? Are there functions in addition to those above (for example, court police, cleaners, bailiffs) that would be better utilized if they reported centrally? If so, to whom should they report?
- Are there easily identified areas in which reengineering the above functions would improve their efficiency, even if not hubbed?
- Are there areas for which reengineering needs to take place before hubbing can occur?

National Judicial Staffing Levels

30. The 2012 Functional Review demonstrated that Serbia had an average of 4.0 non-judicial employees per judge, placing it at the upper end of staff-to-judge ratios in and higher than 20 of the 27 countries considered by CEPEJ.

31. Today, that ratio has been significantly reduced; in February, 2016, there were an average of 3.3 staff per judge (see Figure 1). Assuming ratios in other countries have not also changed, this brings Serbia's ratio of staff to judges much closer to the average in Europe. This occurred largely because the judiciary reintroduced a large number of judicial positions, not because the number of support positions was significantly reduced.

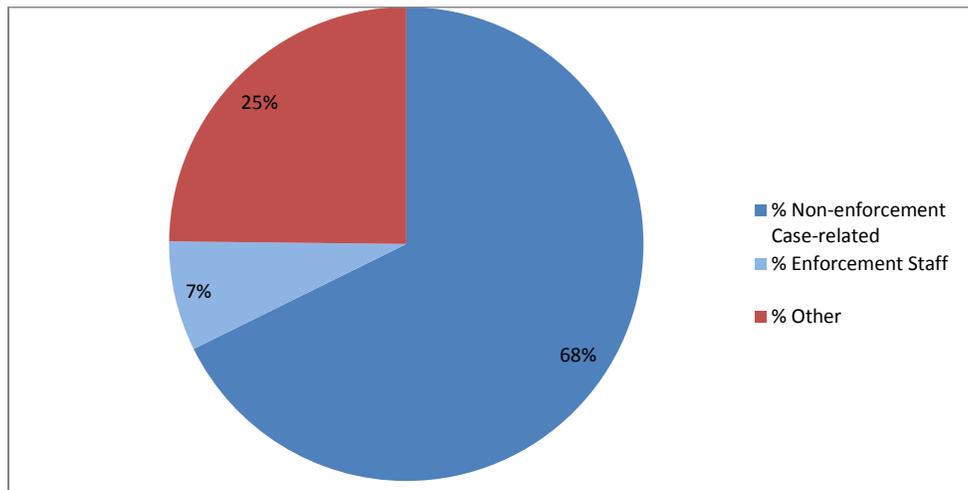
Figure 1: Ratio of Court Staff to Judges, Serbia 2012 and 2016 and EU, 2012⁵



32. Nonetheless, Serbia continues to employ more staff outside of core case processing functions than in other countries. The ratio of ancillary employees to core, non-enforcement case-related staff demonstrates the courts have a significant number of employees who are not engaged in the courts' core functions. In Serbia, these other employees include drivers, cleaners, court police, and general administrative staff (finance, procurement, HR, ICT, facilities maintenance). As seen in Figures 2 and 3 below, 25% of court and PPO staff works in these other functions, while another 7% of court staff continues to work in enforcement:

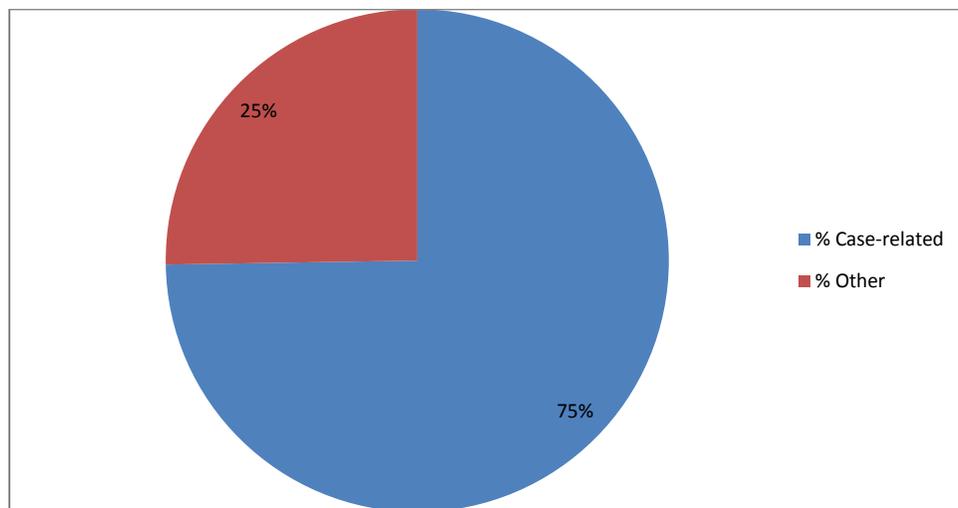
⁵ Data from EU Member states is from the CEPEJ EU Justice Scoreboard 2014 based on 2012 data. (Denmark, Spain, and Sweden not included, as data were unavailable).

Figure 2: Proportion of Core (Case Related), Enforcement and Other Staff in Courts



33. The average ratio of ancillary to core PPOs staff is also 25%.

Figure 3: Proportion of Core (Case-Related) and Other Staff in PPOs



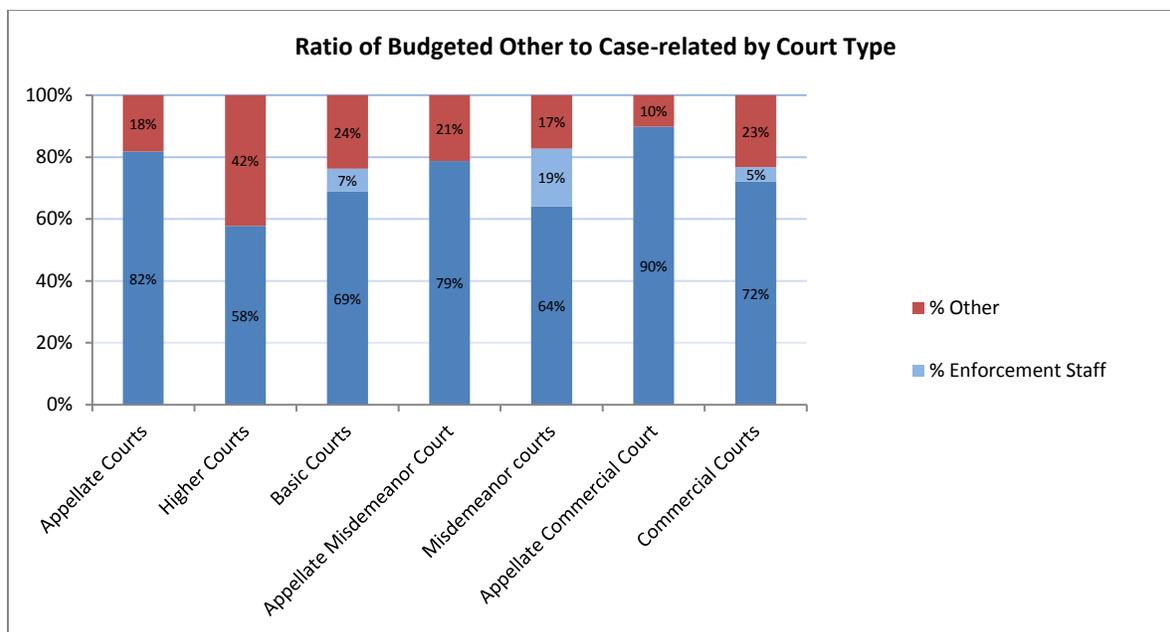
34. The 2012 CEPEJ data suggests that Serbia could reduce its complement of non-case processing staff. CEPEJ data indicates that in 2012 the proportion of case processing-related positions working in courts (defined as employees working with judges and administration) was 89% in Croatia and 90% in Latvia. Since the definition of “working with judges and administration” used by CEPEJ is not further defined, this comparison needs to be seen as providing only a general picture of the use of court support staff.

35. Significant variations also exist between court levels in the ratio of staff to judges, with the Higher Courts enjoying a significantly larger ratio of staff to judge (3.8), the Basic Courts having a medium ratio (3.4 staff per judge) and the Appellate Courts a lower ratio (2.2%). Some of these differences are explained by the different functions of the courts at various levels: Appellate Courts deal significantly less with the public and receive much of the record from

the trial court rather than having to create the record from the beginning.

36. However, much of this difference is driven by a higher number of non-case processing staff in the Higher and Basic Courts. Thus, non-case processing employees make up an average of 42% in the Higher Courts and 24% in the Basic Courts (see Figure 4). There is also a significant range in the proportion of these positions between institutions of the same type: the proportion of non-core staff in Higher Courts range from 34% to 58% and in Basic Courts the range is an even larger 10% to 56%. Six Higher⁶ and one Basic Court⁷ allocate more than 1/2 of their positions to these functions. In a couple of instances, the Higher or Basic Court provides services to other courts with which they shares facilities,⁸ but that only partly explains Higher Courts' significantly higher proportion of non-core staff:

Figure 4: Proportion of Core (Case-Related), Enforcement and Other Staff by Court Type



37. It is in these non-core areas that hubbing could be maximally effective by utilizing excess staff capacity at the Higher Court level to support functions in lower jurisdiction courts. As hubbing is examined below, particular attention will be paid to areas in which the Higher Courts have many more staff and whether those existing staff could be utilized to support non-core functions in first instance courts.

⁶ Vranje, Nis, Pirot, Prokuplje, Sremska Mitrovica and Sabac.

⁷ Dimitrovgrad.

⁸ For example, three Higher Courts employ one building maintenance staff person while no maintenance employees are budgeted by courts that share facilities with them; the Basic Courts provide building maintenance services to other courts in 14 co-shared buildings.

Hubbing

38. The Serbian judiciary has recognized the value of hubbing in the past and continues to join some services across some institutions. In 1998, the President of the District Court Belgrade, the five municipal courts in Belgrade, the district public prosecutor and the five district prosecutors' offices engaged in significant centralization of administrative functions by establishing a Joint Service Department under the auspices of the District Court Belgrade to provide:

- Capital and regular maintenance of buildings and equipment;
- Financial tasks;
- Judicial guards;
- Joint use, and servicing of the vehicle fleet;
- Joint graphic and printing services.

39. This effort was reported to be effective but was discontinued shortly after 2000.

40. Smaller scale centralization continues today in some functions. In all locations, responsibility for electricity and heating and in some, but not all locations, telephones and maintenance services reside with the court registered as the building owner. For example, the Supreme Court of Cassation provides these services to the other courts housed with it.⁹ Some hubbing is in place in ICT as the Commercial Court Belgrade hosts the server and server support staff for all of the commercial courts while servers for Appellate Courts, PPOs and Misdemeanor Court are maintained by MOJ staff. In addition, accounting and finance functions in two court locations and in three PPOs are provided only by the higher institutions located there.

Hubbing Criteria

41. Simply bringing positions together in one institution does not guarantee that fewer positions will be needed or that court and PPO performance will improve. In addition, some administrative functions are difficult to hub because of the degree of interaction with employees in local institutions.

42. Hubbing can be effective if it:

- Allows a reduction in overall personnel needs in the hubbed functions themselves, resulting in direct cost savings.
- Improves system performance by insuring that staff in administrative functions use the same procedures (insuring consistency) and/or are able to identify better methods of work in the courts and PPOs, leading to improved performance or cost savings in those institutions.
- Streamlines management of ancillary functions while allowing managers to focus on directing case processing and other core operations rather than managing miscellaneous tasks.
- Involves positions that are sufficiently autonomous (e.g., the position does not need to remain in close proximity to others in their current local institution).

⁹ The Administrative Court, Appellate Court Belgrade and Appellate Commercial Court

- Does not undermine the case management independence of a judicial institution (for example, joining financial functions across courts and PPOs may allow the court unwarranted discretion over PPO financial decision making that could affect PPO autonomy).

43. Defining which services could be hubbed, and at what level, requires considering differences between institutions concerning their physical plant and their specific operations. For instance, some courts operate in a single building, some are located in up to five¹⁰ different buildings in the same city, some with separate units or departments in several buildings across nearby cities,¹¹ and others share a building with other courts and/or PPOs. Some courts have unique needs for security and/or information technology staffing (for example, the special departments of the Higher Court in Belgrade). These differences are taken into account when recommending hubbing in the areas discussed below.

Functional Areas Considered for Hubbing

44. Six functional areas in which 2,550 employees in 59 distinct classifications were considered in the analysis:

Table 1: Functional Areas Considered for Hubbing

Functional Area	# of Court Staff	# of PPO staff	Total Staff	# of Classifications
Accounting/Finance	335	105	440	19
Public Procurement	26	1	27	8
ICT	215	40	255	11
Facilities Maintenance	135	2	137	12
Human Resources	36	4	40	2
Judicial Guards	726	11	737	5
TOTAL	1930	620	2550	59

Accounting and Finance

45. The Finance and Accounting function in the courts and PPOs encompasses a total of 440

¹⁰ The Basic Court Belgrade First has five buildings.

¹¹ For example, the Misdemeanor Court Pozarevac has seven court departments and offices across eight cities.

employees in 19 separate job titles.¹² In addition, MOJ employs 17,¹³ HJC 9¹⁴ and SPC 7¹⁵ staff in support of these functions in the courts and PPOs. Finance and Accounting functions in the courts and PPOs are fragmented into discrete positions which deal with specific accounting related tasks (bookkeeping, salary calculation, deposits, etc.). Only nine of these employees (all in courts) are identified as budgeting or analytical employees whose performance might be improved by being joined in a common regional¹⁶ or national office.¹⁷

46. Most work in accounting is done by classifications performing routine tasks, many done manually, requiring only a secondary school diploma. These tasks require frequent communication with other employees in the individual institutions. For example, payment orders have to be verified in writing by the Head of Accounting and signed by the Court President.

47. However, centralizing these routine activities of the financial function across institutions in each building would be generally efficient and could result in savings. All but three of the PPOs housed with other PPOs¹⁸ have their own finance and accounting staff. At present, of the 90 PPOs,¹⁹ 40 PPOs share 18 facilities with at least one other PPO while 49 are in their own locations. Were the Higher and Basic PPO finance and accounting staff to be joined in the remaining shared PPO facilities and one position eliminated at each Basic PPO in those facilities, up to 17 positions could be eliminated. In addition, considering facilities where Higher and Basic PPOs are collocated with the Appellate PPO could result in at least two additional position reductions.²⁰ Perhaps even more importantly, hubbing finance and accounting operations across PPOs which share facilities would result in a reduction of 22 distinct finance/accounting *units*, promoting greater consistency in the finance and accounting functions. Presidents of courts interviewed indicated that consolidation of these functions in the higher court in a facility would be cost effective and relieve managers from several courts from having to supervise ancillary activities.

48. Similarly, of the 157 courts,²¹ 85 share facilities with at least one other court.²² These 85

¹² Compared with only nine classifications in the draft Job Catalog for Generic Jobs in the Public Sector adopted by the Ministry of State Administration and Local Self-Government.

¹³ Nine in Finance and Accounting with four devoted entirely to courts and PPOs and four partially working in support of courts/PPOs; eight in Internal Audit for the MOJ, bodies within the ministry and all courts and PPOs.

¹⁴ Five in the Unit for Budget and Planning and Analytical Tasks, three of five staff planned in the Unit for Financial Accounting Tasks, and one Internal Auditor whose level of support to courts rather than the HJC itself is unknown.

¹⁵ One Advisor for Monitoring/Analysis Work of PPOs in the Sector for Public Prosecutors and Deputy Public Prosecutors, four in the Group for Planning and Execution PPO Budgets, and two Internal Audit employees whose level of support to PPOs rather than the SPC itself is unknown.

¹⁶ Under either the auspices of the Appellate Court in the region or a regional MOJ hub, to be absorbed by the Councils when the full finance function is transferred to them.

¹⁷ Two financial analysts in the Appellate Court and the Misdemeanor Appellate Court, one Statistician/Analytics in the Belgrade Basic Court 1, and six budgeting positions in the Appellate Court/Novi Sad, the Higher Court/Belgrade, and the Belgrade Basic Courts 1, 2, and 3.

¹⁸ The Cacak, Negotin and Pirot Basic PPOs.

¹⁹ Including the RPPO and the PPOs for Organized Crime and War Crimes, for which staffing data was not received.

²⁰ Kragujevac and Novi Sad.

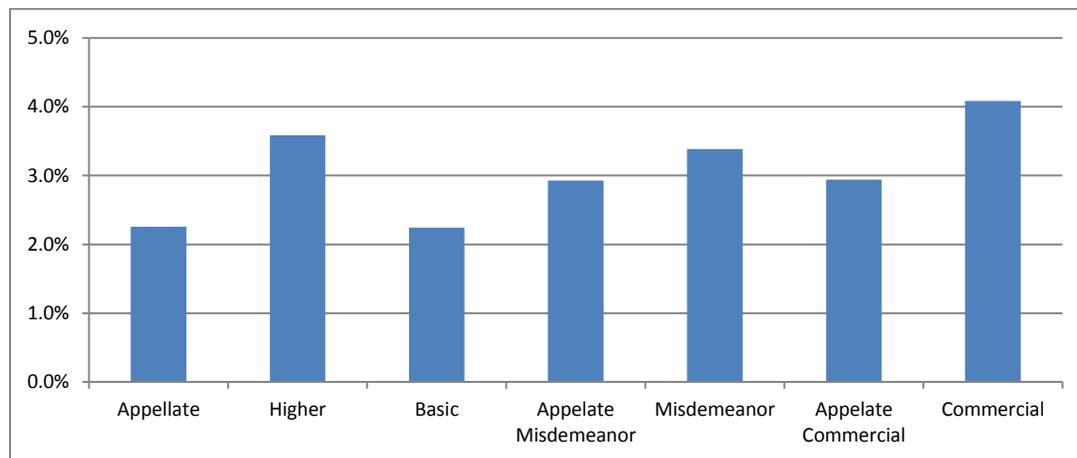
²¹ Including two courts for which the staffing data was not received (the Supreme Court of Cassation and the Administrative Court).

²² All but four stand-alone courts (Aleksinac, Surdulica and Veliko Gradiste Basic Courts and Negotin Misdemeanor Court) have their own finance and accounting staff.

courts have 83 discrete finance units.²³ Were the judiciary to consolidate finance staff in just the 17 cohoused Higher and Basic Courts where there is at least one Basic Court finance position and one position eliminated in each of these joint units, up to another 17 positions could be eliminated. In addition, considering the four facilities where Higher and Basic Courts are housed with the Appellate Court²⁴ could result in at least four and possibly more additional positions reductions. As with PPOs, hubbing finance and accounting operations across Higher, Basic and Appellate courts which share facilities would result in eliminating a large number (19) distinct finance/accounting *units*, promoting greater consistency in finance and accounting. The judiciary may also want to consider consolidating accounting and finance functions in Misdemeanor Courts with those of colocated with Higher and Basic Courts, which could result in the elimination of an additional 17 distinct finance and accounting units. However, given the volume and specificity of the finance and accounting work in Misdemeanor Courts, this option needs to be examined more closely.

49. This recommendation is buttressed by the fact that there is a wide range in the number of finance and accounting people as a ratio of overall staffing working in institutions, with the Higher, Misdemeanor and Commercial courts enjoying a higher proportion of staff devoted to these functions. While the misdemeanor and commercial courts manage more funds than the basic courts,²⁵ it is unclear why the higher courts have the higher ratio of staff devoted to finance and accounting than the basic courts. Thus, there appears to be excess capacity in the Higher Courts to absorb more of the accounting and finance work of the basic courts that are cohoused with them.

Figure 5: Budgeted Finance and Accounting Staff as a % of Total Judges and Staff



50. Before considering consolidating financial and accounting functions beyond buildings, these functions in the judiciary need to be reengineered to significantly reduce manual processing.

51. As each institution implements the Financial Information Management System (FIMS),²⁶ it

²³ The Basic Court Sremska Mitrovica and the Misdemeanor Court Kikinda do not have finance staff.

²⁴ In Kragujevac and Novi Sad.

²⁵ The Misdemeanor Courts in fines and the Commercial Courts funds held in trust in cases pending before them.

²⁶ Introduced at the beginning of 2016 to be rolled out through the judiciary by the end of 2017. FIMS connects courts and public prosecutors offices (who request payments), the Ministry of Justice, High Judicial Council, and State

will become a direct rather than indirect budget beneficiary, requiring it to exercise more responsibility and control for managing expenditures and arrears. As a result, a different mix of staff with higher level skills will also be needed. Simply hubbing the existing employees at a regional or national level will not likely result in further efficiencies. These functions need first to be reengineered with automation in mind.

52. In addition, the differences in number of finance and accounting staff between courts of the same jurisdiction is startling and do not relate to court size. For example, Appendix 2, shows the wide variation in the number of finance and accounting staff as a proportion of total judges and staff - from 0% to 7% - in each basic court (the average is 2%). Even between courts of the same general size, there are wide variations. For example, in medium-sized basic courts,²⁷ the proportion of finance and accounting staff ranges from 1% to 5%. Some of this variation would be eliminated by reducing the number of finance and accounting staff in basic courts that share facilities with higher courts, as recommended above. An in-depth analysis of the differences in working methods and outcomes would be needed before recommending a single workload metric for accounting and finance staff and whether more positions in these functions could be eliminated or consolidated.

Public Procurement

53. Courts report that the level of staff devoted to procurement mostly depends on court size and the number of buildings under a court's supervision. However, this number does not reflect the amount of effort spent by courts in procuring goods and services. According to the Serbian Public Procurement Law, each institution is required to assign a person at least part time for public procurement of goods and services even if the person is not specialized in that function.²⁸ Some institutions utilize Advisers, while others employ Clerks, whose positions require only a secondary school diploma, with the Court Secretary managing the legal aspects of procurement.

54. The courts employ only 26 specifically-identified procurement employees,²⁹ across eight classifications; among prosecutors' offices, only the Belgrade First Basic Public Prosecution has a procurement person. Why some courts have designated public procurement positions while most do not is unclear. Court size is not the determinant: not all courts classified as very large, large or medium sized have procurement staff while one small Higher Court³⁰ has designated procurement staff even though a small court is much less likely to conduct high value procurement procedure requiring a specific position of procurement officer.³¹ Approximately half of the positions specifically dedicated to procurement require

Prosecutorial Council (who verify requests) and the Ministry of Finance/Treasury Administration (which transfers money).

²⁷ Those with 16-30 judges.

²⁸ Public Procurement Law, Article 134 stipulates that each contracting authority shall designate a job position responsible for, among other tasks, public procurement activities, while the institutions whose overall annual value of planned public procurements exceeds RSD 5 million must have at least one public procurement officer.

²⁹ Six of these alone work for the Higher Court in Belgrade.

³⁰ Associate for Public Procurement in the Higher Court Prokuplje

³¹ Article 134 of the Public Procurement Law stipulates that contracting authorities whose overall annual value of planned public procurements exceeds 5 million RSD must have at least one public procurement officer.

at least a bacalaureate.³² MOJ supports courts and PPOs with planning and contracting for capital and investment maintenance of buildings and offices and IT equipment through three staff. Both HJC and SPC have one staff member each³³ in charge of procurement; their role on behalf of the courts and PPOs is limited, primarily procuring personal and property insurance for court and PPO.

55. Almost all of these goods/services courts procure³⁴ are done so through public procurement methods which under Serbia's procurement procedures are to be streamlined. However, some courts reported that they were required to have approval from MOJ when procuring maintenance services above RSD 50,000,³⁵ adding to their workload and the timeframe for purchases. In addition, PPOs are required to have SPC approval for even small building maintenance projects (such as painting walls).

56. Procurement processes also differ between courts, depending on their size. For example, in Belgrade the Higher Court supply needs are greater so it uses the process for higher value purchases while the Second Belgrade Basic Court (in the same building) uses less and therefore utilizes a separate, low value purchase process³⁶. By not combining these purchases, the institutions lose economies of scale and inefficiently use staff. This practice will be amended in the future since both the government and Public Procurement Office encourage utilization of framework contracts.

57. Procurements can be difficult to plan and implement due to uncertain budgeting process in which a significant portion of the funds appropriated and approved for allocation by MOJ might not be transferred to the courts by the Treasury Department. An annual public procurement plan is required by January 31 of each year,³⁷ before allotments have been finalized by MOJ. This creates difficulties as courts have to amend procurement plans as annual financing becomes known. Rather than individual institutions having to develop and rework these procurement plans, this activity would be better handled and more cost effectively executed if procurement planning was hubbed at a higher level.

58. Staff interviewed generally agreed that public procurement should be standardized. Under the existing Public Procurement Law, framework contracts for commonly-purchased items would eliminate the need for employees of individual institutions to conduct required public procurement procedures or engage specialists to draft technical specifications (e.g., for electricity) for most items and align finalization of the annual public procurement plan with allotments by MOJ.³⁸ This approach would reduce the workload

³² In the Higher Court Belgrade, a law degree is required.

³³ One position for Financial Tasks and Procurement in the Unit for Financial Accounting Tasks of HJC, and one Advisor for Public Procurement in the Sector for General and Personnel Issues of SPC.

³⁴ Electricity, heating and telecommunication services, office supplies, A/C, heating, plumbing and sewer systems, IT equipment maintenance and gasoline.

³⁵ This threshold was a requirement of MOJ; the Public Procurement Law provides a 5 million RSD threshold for low-value procurement without MOF approval. There are three distinct levels of purchases under the Serbian Public Procurement Law with different thresholds for 2015: 1) direct purchases for up to RSD 500,000 (only an invoice is required), 2) low-value procurement for up to RSD 5 million (simpler procedures but technical specifications are required and a tender invitation must be published on the Government Public Procurement Portal), and 3) an open procedure for purchases valued at over RSD 5 million.

³⁶ Information about public procurement procedures for Higher Court in Belgrade can be found at <http://www.bg.vi.sud.rs/lt/articles/o-visem-sudu/javne-nabavke.html>, and for Second Basic Court in Belgrade at <http://www.drugi.os.sud.rs/index.php?prf=con&id=61>.

³⁷ Public Procurement Law, Article 51.

³⁸ Alternatively, as is done by the Appellate Commercial Court, agreements could be reached with the Administration for Joint Services of the Republic Bodies (AJSRB) for procurement and delivery of office supplies. The regulation on

of employees engaged in purchasing common items.

59. At a minimum, procurement should be consolidated within shared facilities resulting in economies of scale and savings in material costs. This recommendation is in line with the Public Procurement Law which allows several institutions to conduct joint or centralized^{39 40} public procurement procedures. This has already occurred to some degree because responsibility for electricity and maintenance services generally resides with the registered building owner.⁴¹ Since the majority of positions that carry out this work in courts are not specifically enumerated and have other functions, significant staff reductions may not be possible. However, these employees' time can be redeployed to other functions. Consolidation would also allow these employees to become more specialized in the procurement function.

60. Nonetheless, some staff reductions at shared facilities in Belgrade are feasible. While in most shared locations, only one institution employs procurement staff (see Appendix 3), one Belgrade location⁴² has nine procurement staff spread across three institutions. Two of these are lower-level supply staff in separate warehouses within a single facility in which supplies are not coordinated. Creating a single warehouse staffed by one supply position would reduce staffing and improve coordination of supply distribution.

61. Also, consolidating the higher-level procurement functions in Belgrade at the city level could result in additional staff and material savings. There are six procurement specialists, one manager, and two administrative support staff budgeted by five courts in three locations in Belgrade (see Appendix 4).⁴³ Bringing these nine positions together in a single city unit could result in significant economies of scale, standardization and other improvements in purchasing practices and elimination of at least two of the procurement specialists and one administrative support position.

62. In addition, procurement of large value goods (valued at over 5 million RSD) could be centralized even further at the regional level, resulting in cost savings, better quality purchases and more rapid completion of the purchasing process. Practices vary widely in what types of items are purchased locally with a few courts contracting for their own facility repairs and computer and office

AJSRB prescribes centralized public procurement for state administration bodies, including bodies in judicial sector, as one of the Administration's tasks. The Appellate Commercial Court does not pay for supplies acquired in this manner, making extension of this arrangement to all judicial bodies infeasible.

³⁹ Public Procurement Law, Article 50, also stipulates that all joint contracting authorities are severally liable for the legality and regularity of the procedures used. Article 48 of the Public Procurement Law states that the Centralized Public Procurement Body may be established at the national, provincial or local government level with approval by the Government Public Procurement Office. Parties are not explicitly made liable for the legality and regularity of the procedures used.

⁴⁰ The judiciary could also use the services of the government's procurement specialists but this alternative was not considered here.

⁴¹ E.g., the Supreme Court of Cassation, whose building also houses the Belgrade Appellate Court, Appellate Commercial Court and the Administrative Court (whose staffing complement was not made available).

⁴² Savska 17. Also, in the facility where the Supreme Court of Cassation and the Administrative Court are collocated, each court has procurement staff. The Report on Work of the Administrative Court of 30 March 2016 states that there are two public procurement positions – one for Public Procurements and one Supplies position; <http://www.up.sud.rs/uploads/pages/1465393021~~Informator%20Mart-cir.pdf>.

⁴³ The six other Belgrade locations each have a single supply person who should be left in place to organize supply distribution.

furniture purchases,⁴⁴ items likely to be less expensive and of more certain quality if bought centrally and which do not require immediate receipt. When procuring more expensive or complex services or goods,⁴⁵ staff must conduct a demanding and time consuming market analysis and prepare detailed specifications, requiring expertise not necessarily possessed by employees of individual institutions. Existing staff often struggle to provide the necessary advice, and ask MOJ for support or have had to contract with an expert in specific field. Nonetheless for the most remote locations, relying on central procurement could result in significant delay in receiving services such as facility repairs; the tradeoff between the efficiency of centralization and potential delays and necessity of the work should be examined. The consolidated unit discussed for Belgrade above should also make purchases of these goods for all of the courts in the Belgrade region (e.g., copiers, printers). In regions without procurement specialists currently, it is recommended that they be added at the Appellate Court level in the region and tasked with conducting these purchases. MOJ may also want to consider establishing regional MOJ offices for this function.

Information Computer Technology (ICT) Services

63. Court systematizations list 11 ICT classifications; courts employ a total of 215 information technology (IT) staff in 10 of these classifications;⁴⁶ there are an additional 40 individuals employed in the IT function in PPOs, not including firms hired by courts and PPOs as contractors. MOJ supports the ICT function in courts and PPOs with four employees; while the HJC and SPC do not have staff devoted to ICT in the courts or PPOs⁴⁷.

64. In comparison with international best practice standards that call for 5% of an organization's staff to be employed in the ICT function,⁴⁸ the Serbian courts' and PPOs' overall ICT personnel complement⁴⁹ represents only 2% of total staff.

⁴⁴ For example, the Commercial Court Belgrade conducted the procurement for replacing the roof of its building, while Higher Court in Pancevo conducted procurement of computers.

⁴⁵ Such as electricity, capital investments, computers/ telecommunication equipment or cleaning services.

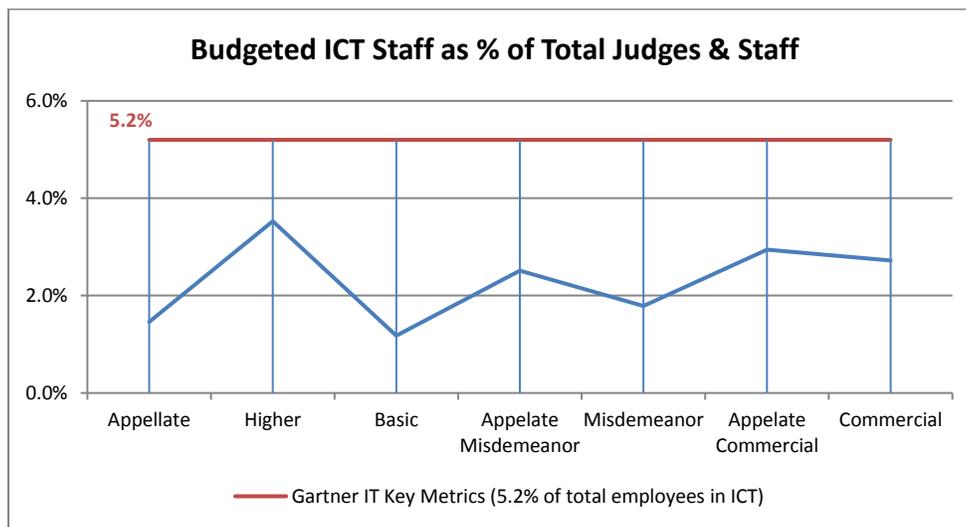
⁴⁶ This is one area in which the judiciary has fewer classifications than State Administration, whose job catalog lists 18 distinct ICT classifications.

⁴⁷ MOJ, HJC and SPC each have one IT employee for internal support.

⁴⁸ See Gartner Group, Gartner IT Key Metrics, 2012. North America and EMEA (Europe, Middle East and Africa).

⁴⁹ Includes judges and deputy and chief prosecutors.

Figure 6: Budgeted ICT Staff as % of Total Judges and Staff



65. In addition, the ratio for courts at the same level varies significantly; in the Basic Courts, some have no ICT staff while others enjoy a ratio of ICT to all staff of over 4%.⁵⁰ The same differences exist between PPOs, where some Basic PPOs have no ICT employees while two others employ 5%⁵¹ of all staff in the IT role.

66. The potential for hubbing IT services may be limited by the many and fragmented information technology services used in the Serbian judiciary⁵² many of which are application-specific.

67. However, activities that are not application-specific (for example, installing and maintaining desktops and printers, insuring internet access) should be examined for efficient redistribution. The majority of the judiciary’s IT staff (125) are technicians who are required to have completed secondary school; these staff deal with fairly simple tasks such as user support, simple hardware maintenance, and coordination with vendors when printers or computers do not function.⁵³ Software is usually preinstalled on computers,⁵⁴ so this task is largely not a judicial staff responsibility. The amount of staff support needed largely depends on the number of computers, scanners, printers, and other IT equipment.

68. **ICT technicians are not evenly distributed.** In Nis, one IT technician supports 373 judges and staff in two locations while in Zajecar there are three IT technicians for only 119 judges and staff. Similarly, one location with four courts has two IT technicians, while another with the same four courts has five. Because the Serbian judiciary falls far below international standards for ICT support staffing at all institutional levels and because ICT is critical to transforming the judiciary, it is recommended that staffing

⁵⁰ Basic Courts Majdanpek and Prijepolje.

⁵¹ Jagodina and Loznica Basic PPOs.

⁵² Three separate AVP systems (for basic, higher and commercial courts), SIPRES in the Misdemeanor Courts, SAPS in the Appellate Courts, and SAPO in a limited number of Serbia’s public prosecutors’ offices.

⁵³ It is assumed that basic user support is provided by System Administrators in the three locations without any budgeted technicians.

⁵⁴ The Second Basic Court and Higher Court also install and use Open Office suite.

be redistributed rather than cut in this area.

69. Providing ICT technicians at each location may lead to large locations with many devices being underserved with resulting interruptions in court proceedings while small locations would have more staff than needed. While generally each location should have support services, it is more critical that the number of devices supported by each ICT technician approximate each other; each location does not need to have its own technicians for basic hardware and internet support. At the smallest locations, “help desk” type services could be provided on a regional level if regional distances are not too great.

70. The average number of computers supported by court ICT technician is 84 (see Table 2 below). If evenly distributed, each technician could, based on a 2,000 hour work year, devote 24 hours/year to supporting each computer.⁵⁵ The same approach should be used with ICT technicians in PPOs. However, there are many fewer of them (27 in total for 87 PPOs).

Table 2: Computers Supported by ICT technicians

	Number of Courts	Number of Primary Locations	Number of ICT Technicians	Number of Computers	Number of Computers to IT Technician
TOTAL	157	115	125	10,438	84

71. Unlike in the finance and accounting function, there are a large number of court ICT employees with university education, serving as ICT and System Administrators (see Table 3):

Table 3: ICT and System Administrators by Application

	AVP – Basic and Higher Courts	AVP – Commercial Courts	SIPRES – Misdemeanor Courts	SAPS – Appellate Courts	All
ICT and System Administrators	56	15	11	7	89

72. The role of these remaining ICT staff (11 IT administrators and 78 Systems Administrators) is generally quite limited. Private vendors (MEGA Libra for AVP for the basic, higher and commercial courts, ATOS Consulting for SAPS in selected basic, higher and appellate courts, and E-smart Systems for SIPRES in misdemeanor court) are contracted by MOJ to provide technical support, amend, and develop all programs. While in-house server support is provided centrally for some systems,⁵⁶ the judiciary is primarily reliant on vendors. A few IT administrators, such as in the Misdemeanor Court Belgrade, have

⁵⁵ Does not include support of printers and scanners.

⁵⁶ According to the MOJ for the SIPRES used in misdemeanor courts, and the Commercial Court Belgrade for all commercial courts.

created applications for internal uses such as basic bookkeeping software, a program for evidence and monitoring of fixed assets, and functionality for producing basic statistical reports and are actively involved in MOJ ICT working groups. Other positive example are IT persons from the Commercial Appellate Court have found ways to make small amendments to the AVP system.

73. Given their limited role and the efforts the judiciary is currently making to consolidate systems, employing this number of ICT and System Administrators, particularly in the Basic and Higher Courts where most support is vendor-supported, seems unnecessary.

74. Consolidated citywide or regional administration of Higher and Basic Courts systems could result in further savings and improved ICT performance. There are more IT and System Administrators for the Higher and Basic Courts (56) than cities (42).

75. In addition, the Appellate Courts have 7 ICT and/or System Administrators for only four courts.⁵⁷ The judiciary should consider limiting their number to one per court.

76. Until systems are consolidated, the remaining ICT and System Administrators should be left in place. AVP ICT and System Administrators for the Commercial Courts are spread throughout the country, being located in 14 of the 17 commercial courts and Misdemeanor SIPRES ICT professional staffing is much more limited, with only 11 IT or System Administrator for 45 Misdemeanor Courts. There are only 13 total System Administrators for 87 PPOs.⁵⁸

77. Further consolidating ICT management across the divisions of the Belgrade Higher Court would also be cost effective. The Belgrade High Court has very specific information technology needs related to its jurisdiction over complex criminal cases, including in the departments for organized and war crimes which justify additional and specialize staffing.⁵⁹ However, the Higher Court's Organized and War Crime Departments also employ an ICT Department Head in addition to that in charge of the rest of the Belgrade Higher Court systems.

78. Some of the funds saved by reducing the number of ICT people in individual institutions would be better spent on an enhanced national ICT staff unit. Expanding and centralizing institutional responsibility for ICT would permit the judiciary to consider consolidating systems and provide a locus for contracts that are better managed, more cost-effective and reduced in scope as MOJ takes over more functions currently provided by vendors. Effectively doing so will require that MOJ substantially increase its investment in ICT planning, management and contract monitoring; the current four ICT staff at MOJ are inadequate to allow migration to integrated systems and insure cost effective contracted services.

⁵⁷ Three of four Appellate Courts have two ICT professionals, but Belgrade only has one.

⁵⁸ SAPO is available in only some of Serbia's PPOs.

⁵⁹ These divisions have specialized courtrooms with modern equipment providing audio/video recordings supported by six A/V technicians and one Television Art Director, who prepare materials, provide direct support during hearings and electronic evidence presentations, backed-up by seven internal IT staff and other court staff as needed. The departments are also located in a separate facility.

Facilities Management and Maintenance

79. There are 135 facility management court staff, spread across 11 classifications.⁶⁰ Serbia's 87 PPOs for which staffing data was provided employ only two facility management staff.⁶¹

80. 100 majordomos⁶² serve as handymen for Serbia's courts and PPOs, but are present in a little more than half (68 of 115) of the judiciary's primary facilities. The remaining 47 primary buildings have no majordomos. Once again, there does not appear to be a staffing standard regarding staff per facility. At the same time, in ten shared locations, 25 majordomos or assistant workers are present. If one majordomo is planned at these locations only, 15 positions could be eliminated and the number functions for court secretaries or managers to direct be reduced without threatening any institution's independence. A greater number of these positions could be eliminated once their functions were more closely examined.

81. In addition, 21 fire-protection staff (including two leads) in the Higher Court Belgrade should be evaluated. These 21 employees represent a substantial share of the 37 remaining total employees in facilities maintenance in the judiciary. The practice of the Commercial Court Belgrade of requiring its judicial guards to provide fire protection instead of hiring separate staff is an example of effective utilization of existing resources (see discussion below in section on Judicial Guards).

82. The need for other types of more specialized facility maintenance staff such as electricians and plumbers is not defined and there is no pattern explaining why certain institutions have the facility staff they do. Of the 16 remaining building maintenance staff, four (including two electricians and two heating/cooling technicians) are located just at the Higher Court in Belgrade. Building maintenance can vary between buildings but this level of staffing seems unnecessary.

Human Resources (HR) Support

83. Human resources support is provided in a scattered fashion, with only 36 identified human resource support staff in the courts and four in PPOs, encompassing two job titles.⁶³ Only 20 of 157 courts⁶⁴, such as the Belgrade Misdemeanor Court, have identified specific positions for the HR function in their systematizations; others use persons from court administration (Court Secretary and Court President) who manage HR along with their other duties. HR support to courts and PPOs is provided by three MOJ staff members; their functions include drafting, approving and monitoring implementation of systematizations and HR plans of judicial institutions, maintaining judiciary staff records, and designing some training programs in cooperation with the Judicial Academy. The SPC employs by two senior advisors

⁶⁰ Compared with eight positions for the rest of civil service. State Administration's Job Catalog includes four positions requiring a baccalaureate and four with secondary school diplomas (two for technical systems, one for technical equipment, and one for housekeeping/general maintenance). In contrast, the judiciary has separate classifications for Electrical Technician, Electrical Technician for Maintenance, Position for Heating and Cooling, Technician for Cooling Systems, Majordomo (with two different job titles), Stoker and Assistant Worker. The judiciary also has separate positions for a Head and Clerk of Fire Protection (with two different job titles for clerks).

⁶¹ One each at the Appellate Public Prosecutor's Office in Kragujevac and the Belgrade First Basic PPO.

⁶² Includes six assistant workers.

⁶³ The Ministry for Public Administration Job Catalog includes only one position in Human Resources: The Advisor for Normative, Human Resources and Administrative Affairs; this position requires a baccalaureate.

⁶⁴ There are specifically-identified HR staff persons in three of the four Appellate Courts, in only one of the 25 Higher Courts, three in the 44 Misdemeanor Courts, 13 in the 66 Basic Courts and none in the Commercial Courts.

dealing with statutory issues of Public Prosecutors and Deputy Public Prosecutors and disciplinary proceedings. In the HJC Department for Statutory Issues of Judges, seven⁶⁵ staff member's deal with HR issues.

84. The Human Resources support persons in courts and PPOs perform largely administrative tasks such as maintaining employee personal files, documenting work shifts, overtime, and annual leave and processing pension benefits. HR employees prepare a number of documents monthly and are engaged in daily communication with other government institutions⁶⁶ and internal departments such as accounting and court administration.

85. The way in which existing HR functions are conducted does not readily offer opportunities for hubbing as much of the work requires daily interaction with local employees and producing and distributing paper documents. Both electronic and paper records about individual employees are maintained. Hard copies are sent to abovementioned institutions and courts report that they sometimes physically deliver documents rather than using courier services.⁶⁷

86. However, as recommended in the Functional Review, the judiciary would benefit from expanded and consolidated human resources planning and policy making. In particular, performance would be enhanced by a central body taking responsibility for reducing the number of classifications and more strictly controlling how over positions are classified in judiciary institutions' systematizations, and determining how employees are selected, trained, evaluated, promoted and disciplined. When the judiciary decides to employ HR professionals for these policy and planning purposes, these individuals would be best utilized in a central office. At the same time, a small cadre of staff, organized either at the Appellate Courts or a regional hub of the HJC, who insured that documents and procedures for employee recruitment, selection, promotion, evaluation, and discipline and discharge were followed correctly at the regional level would improve procedural fairness and consistency.

⁶⁵ One Head of department/Advisor, two independent advisors for statutory issues of judges, one independent advisor for statistical and analytical tasks, one associate for IT support to tasks related to statutory issues of judges and one administrative clerk.

⁶⁶ Such as the Pension and Disability Insurance Fund, the Health Insurance Fund, and the Republic Statistical Office.

⁶⁷ This practice should be examined.

Judicial Guards

87. 726 judicial guards protect Serbia’s 157 courts; an additional 11 guards are employed by three PPOs.⁶⁸ These individuals protect its 115 primary buildings;⁶⁹ no judicial guards are housed at nine primary locations.⁷⁰ Courts with more than one facility in a city may assign their judicial guards between their buildings. Prior staffing norms do not provide for a specific ratio of guards needed to the number of judges or square footage. The number of judicial guards varies between institutions, from zero to one guard per judge and from zero to four guards per 100 square meters. All Higher and Basic Courts, some Misdemeanor and a few Commercial Courts employ guards.

88. Some joint facilities have judicial guards organized centrally, others have separate guard staffs within a single building and still others at the same jurisdictional level have none.

89. In at least eight facilities, institutions in these shared facilities continue to employ separate Head Guards and maintain separate reporting structures (see Table 4). In a couple of these instances, there may be so many guards that more than one head guard position is justified, but in the others, the second head brings to ratio of regular guards to heads to 10 or fewer. In addition, in one location, the Basic Court has both a Head and Deputy Head Guard even though there are only two guards located there and both are employees of a different court. These duplicative reporting structures and 9 lead guards should be eliminated.

Table 4: Court Facilities with More than One Lead Guard

	Institutions with Lead Guards	Lead Guards	Guards	Guards per Lead
Belgrade	2	5	51	10.2
Jagodina	2	2	15	7.5
Negotin	2	2	6	3.0
Nis	2	2	13	6.5
Novi Sad	2	2	29	14.5
Kragujevac	2	2	13	6.5
Krusevac	2	2	9	4.5
Valjevo	2	2	17	8.5

90. Court Police and Fire Protection tasks are combined in one function in most courts in the country. The Commercial Court in Belgrade and the Higher Court in Pancevo confirmed that all Judicial Guards in these courts have completed fire protection training.⁷¹ This is not the case in the Belgrade Higher Court, which employs 21 single-function fire protection guards. These positions should be examined for elimination.

⁶⁸ Six in the Appellate PPO Kragujevac, and three and two, respectively, in the Higher PPOs in Valjevo and Sombor.

⁶⁹ Excludes court units and departments located in separate facilities. The building hosted by the Supreme Court of Cassation is excluded as data was not provided. However, the SCC provides guard services for the Belgrade Appellate Court and Appellate Commercial Court, which do not have any Judicial Guards of their own.

⁷⁰ This includes two stand-alone courts, one building shared by two PPOs and six PPOs in separate locations.

⁷¹ Several judicial guards in Pancevo also perform telephone operators’ tasks.

Hubbing Recommendations

It is recommended that the judiciary:

- 91. Consolidate finance and accounting functions between courts in a single building and between cohoused PPOs.** Given the potential impact of budgeting and finance on institutional independence, it is not recommended that consolidation occur across the courts and PPOs.
- 92. The quality of provided services will significantly improve by hubbing finance and accounting functions.** There are variations in accounting practices which are result of the lack of guidance and fragmentation of this services.
- 93. Reengineer finance and accounting functions as it is key to being able to effectively consolidate them beyond individual facilities.** Finance and accounting functions require roll-out of FMIS throughout all of the courts and PPOs and significant reengineering to eliminate duplicative and manual processes and documenting the new business practices, before other than local hubbing can occur. In addition, the excessive number of classifications employed in this function prevent effective use of staff (see recommendations below).
- 94. Begin to utilize procurement under the framework contract immediately and join together procurement responsibilities for lower value purchases in the highest institution in a facility or even within a city.**
- 95. Consolidate “help desk” type ICT functions across institutions using a standard ratio of ICT technicians to computers.** Staff should reside at some (but not all) local institutions to avoid interruptions in operations caused by equipment failures or immediate user questions. In locations with limited other staffing, ICT support may need to be provided regionally or under contract.
- 96. Consider having all ICT programming staff for AVP for the Higher and Basic Courts work centrally at a municipal level.** Effective ICT planning and implementation demands more centralization. However, the highly technical work and unmet training needs of these positions and the significant savings that could be realized by consolidating systems and contracting approaches points to changing the organizational structure so that all ICT staff report centrally. Doing so through regional offices, organized under the auspices of MOJ,⁷² would allow somewhat faster response time to locally-identified issues than having a single, national office.
- 97. Consolidate facility management responsibilities within buildings and eliminate some positons in the facility maintenance function by consolidating classifications and broadening employees’ responsibilities.** This can occur across courts and PPOs without endangering the independence of either institution.
- 98. Consolidate guard functions in each building and provide guards to some primary facilities that currently lack them.** The judiciary should further consider which institutions require guards, develop

⁷² To be absorbed by the Councils if this function is transferred to them.

a standardized staffing metric for guards and apply the standards nationally.

99. Conduct planning and policy setting for human resources on a national level at the Councils with human resource professionals dedicated to insuring procedures were followed and documentation maintained at a regional level. These staff will need to be added to these higher level HR functions as they are not commonly available now. The local needs of courts in this function do not permit significant amounts of hubbing of the largely clerical staff employed here.

Other possible areas for additional savings

100. While beyond the scope of this assessment, in the course of the analysis, we noted three other specific staffing issues should be examined for reduction, consolidation or outsourcing.

Cleaning Services

101. The Serbian courts employ 457 cleaners for their 115 and 107 ancillary buildings; an additional 14 cleaners are employed by PPOs in the 88⁷³ locations that they occupy. Each institution has its own cleaning staff. A bylaw regulating the number of cleaners adopted in 2009 calls for one cleaner per each 400 square meters; the courts meet that standard as their 457 cleaners clean 183,426 square meters. PPOs, on the other hand are underserved by cleaners as they employ only 14 cleaners for their 28,076 square meters of space. It is unknown if this standard is reasonable.

102. The judiciary should consider outsourcing cleaning services under a well-crafted contract with private providers that includes specific performance metrics. Cleaning services were outsourced by the Belgrade Higher Court and provided by a private company using twenty employees moved from the court from 2010 until 2012(years). This solution proved untenable when the High Court experienced some financial issues, and facilities were not cleaned for a period of time.⁷⁴ A cost benefit comparison of the contracting versus in-house arrangement were not provided to the World Bank team. MOJ should conduct such an analysis for the judiciary as a whole.

Drivers/Delivery of Summons

103. In interviews, it became apparent that the functions of the judiciary's 204 drivers and 485 delivery of summons employees overlap at times and that there are opportunities for coordination of their services across institutions in the same or nearby facilities. The specific duties and detailed metrics for determining the optimum number of employees in both of these functions should be a priority.

Bailiffs

104. The number of bailiffs in courts has significantly declined since 2012, reflecting significant changes in the law on enforcement effective 2011, when private bailiffs were introduced to handle a

⁷³ 8 separate PPOs locations and 80 buildings shared with courts.

⁷⁴ Monthly expenses for cleaning services, covering 70% of facilities, were approximately 1.6 million RSD plus VAT. At present, the Higher Court uses 25 temporary employees to provide cleaning services.

large proportion of new enforcement cases. In 2012 and 2013, there were 864 court-employed bailiffs while there are now only 335, including heads of units. However, further reforms in 2016 allow parties to elect to use private bailiffs in enforcement cases already filed in the courts. A thorough examination of the need for court enforcement staff, recognizing that enforcement of judgments may still be appealed to the court and that the Commercial Courts have a number of older “trailing” enforcement cases on their docket, is needed.

Other Recommendations

Consolidate Classifications

105. The judiciary’s job roster includes many more classifications than State Administration. For example, the judiciary’s position complement includes 19 classifications in the finance and accounting function compared with State Administration’s nine classifications and 12 facility maintenance positions, compared with eight in State Administration. In total, the courts list 111 separate classifications, for which 104 have positions budgeted. As discussed in the function-specific sections above, in most instances, the judiciary uses many more classifications.

106. This large number of classifications unnecessarily narrows employees’ responsibilities and makes it difficult to use staff flexibly and effectively, to evaluate staffing needs, or determine the best organizational structure for administrative or other functions. The World Bank recommends that the judiciary limit the number of classifications used by the judiciary by creating a job catalog that parallels that for the rest of public administration.

Examine Vacancies for Potential Reductions

107. Using attrition to reduce the number of positions overall would be an effective strategy in the Serbian judiciary. Many authorized positions remain unfilled. As shown in Tables 5 and 6 below, court staff vacancies are as high as 19% of the authorized workforce and 33% in PPOs. Vacancies are not concentrated in any particular region but are somewhat higher in courts in the area around Belgrade and PPOs in the Belgrade and the southern regions.

Table 5: Vacancies in Authorized Court Positions – 2015

Region	# of Courts	# of Budgeted Non-Judge Staff	# of Permanent Non-Judge Staff	# Vacant Positions (Budgeted less Permanent)	Average % of Vacant Positions	High End of Range
Belgrade	31	3.215	3.079	136	4%	19%
Kragujevac	52	2.182	2.163	19	1%	16%
Nis	35	1.631	1.621	10	1%	6%
Novi Sad	39	2.169	2.152	17	1%	9%
TOTAL	157	9.197	9.015	182	2%	19%

Table 6: Vacancies in Authorized PPO Positions – 2015

Region	# of PPOs	# of Budgeted Non-Prosecutor Staff	# of Permanent Non-Prosecutor Staff	# Vacant Positions (Budgeted less Permanent)	Average % of Vacant Positions	High End of Range
Belgrade	18	392	386	6	2%	20%
Kragujevac	28	305	288	17	6%	33%
Nis	20	212	204	8	4%	20%
Novi Sad	21	287	267	20	7%	33%
TOTAL	87	1.196	1.145	51	4%	33%

108. Of the total vacancies, 17 are in court positions and two in PPO positions considered for hubbing or contracting out.⁷⁵ These 17 vacant positions can be eliminated immediately.

109. Without an objective basis for staffing ratios for all court and PPO functions, it is not possible to assess whether all vacancies should be filled or whether the ratios should be downgraded and money allocated to other resources.

110. However, MOJ, courts and PPOs do not but could regularly examine vacancies for patterns that might reveal positions to be unneeded or for which recruitment difficulties need to be addressed. Salary savings could be reallocated to other positions that would provide more benefit to the judiciary, for example, court managers, budget and finance staff, IT administrators, planners, and statisticians or to improvements in ICT that would better leverage existing staff to perform their work. Many budget systems automatically deduct a fixed proportion of salary budgets in recognition that there will be vacancies. Some of these savings could be captured at a central level for use in system-wide improvements. Such improvements are much needed and have the potential to more significantly boost performance and morale.

Consider Further Restricting Temporary Employment

111. The judiciary employs 1,126 temporary employees in courts and 200 in PPOs, representing 12% and 17% of its their workforces, respectively. In many instances, they are utilized to fill vacant positions.

112. However, the use of temporaries results in a total workforce significantly exceeding the budgeted complement in all but the Appellate Commercial Court.

⁷⁵ Three deposit or account clerks, two in procurement, four guards, three majordomos, and seven cleaners (five in the courts and two in PPOs). There are other higher-level vacancies in positions in Finance (e.g., for budgeting, financial analysis and heads of accounting) but these as well as vacancies in ICT should be retained in order to improve court performance.

Figure 7: Actual Employment Compared to Budgeted Personnel, Courts, 2015

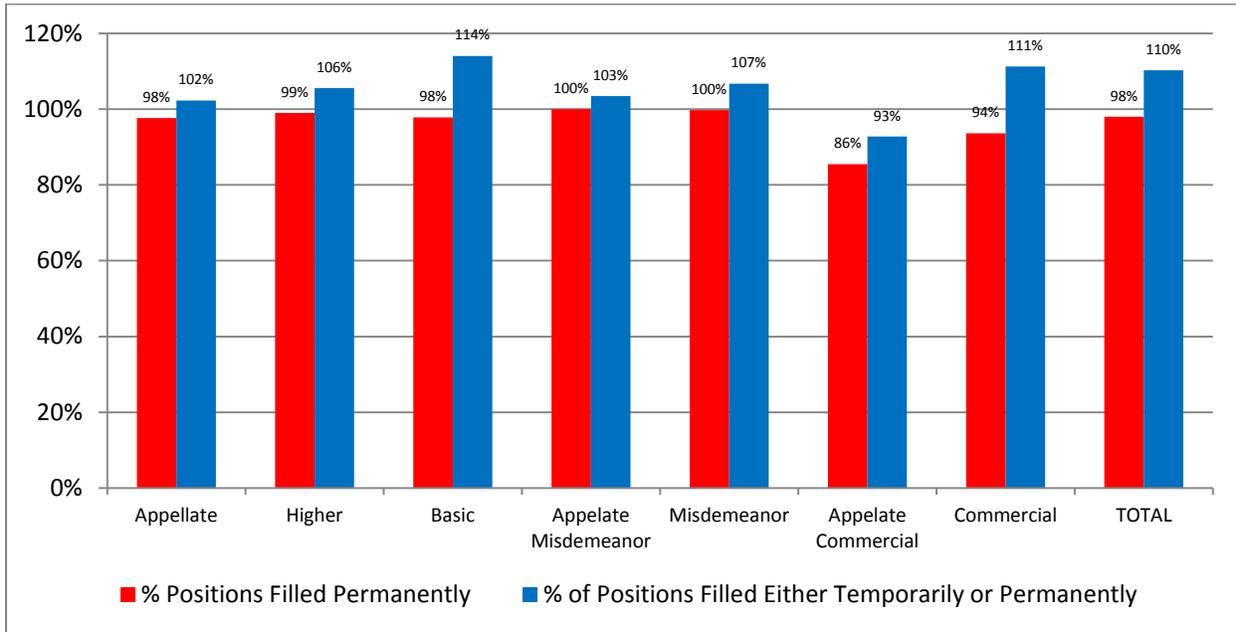
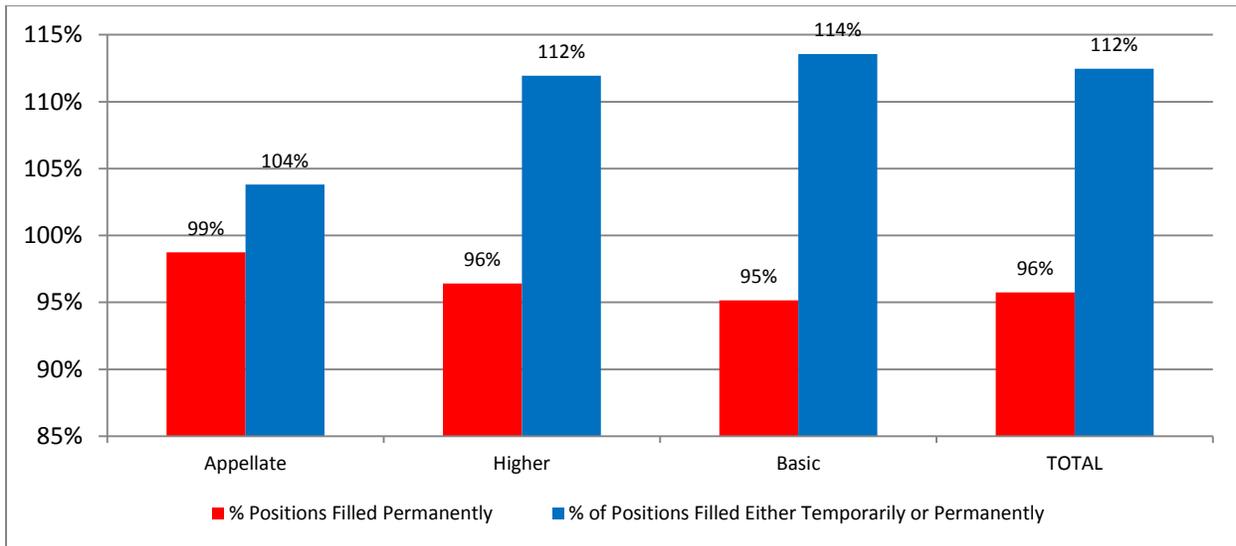


Figure 8: Actual Employment Compared to Budgeted Personnel Complement, PPOs, 2015



113. In total, 61 courts⁷⁶ and 48 PPOs⁷⁷ have 10% more staff than their budget complement. Five courts and 11 PPOs employ more than 30% in excess of their budget complement. Consistent with the Budget System Law, the government has repeatedly mandated that institutions employing more than 10% of its workforce through temporary positions eliminate them. MOJ recently again requested information from courts about their use of temporary and contractual employees with a goal of restricting their use.

⁷⁶ One Appellate, five Higher, 36 Basic, 12 Misdemeanor and seven Commercial Courts

⁷⁷ One Appellate, 11 Higher and 36 Basic PPOs.

These efforts should commence with those courts and PPOs and above the 10% budget standard.

114. The use of temporary employees is most acute in basic courts and highest in the Belgrade region. For example, 55% of the employees at the Belgrade Second Basic Court are employed in a temporary status and over 28% of all employees in the basic courts in the Belgrade region are on temporary status (Table 7).

Table 7: Ratio of Temporary Court Staff to Budgeted Positions by Court Type, 2015

Court Level	# Temps	Average % of Approved	High End of Range
Appellate	24	5%	15%
Higher	90	7%	19%
Basic	774	16%	57%
Appellate Misdemeanor	6	3%	3%
Misdemeanor	116	7%	20%
Appellate Commercial	5	7%	7%
Commercial	111	18%	34%

115. The use of temporaries is more extensive in certain classifications. In particular, while PPOs are budgeted for only 241 prosecutorial assistants, there were 274 employed (see Table 8).⁷⁸ Of the 49 temporary judicial assistants, only 16 are filling vacancies. One institution⁷⁹ has exceeded its personnel complement for prosecutorial assistants by 200%. Since they exceed the personnel complement, these positions are funded through salary transfers made by MOJ at the institution's request.⁸⁰

Table 8: Ratio of Temporary PPO Staff to Budgeted Positions by PPO Type, 2015

Prosecution Type	Prosecutorial Assistants			All Other			Total Staff		
	# Temps	% of Approved	High End of Range	# Temps	% of Approved	High End of Range	# Temps	% of Approved	High End of Range
Appellate	0	0%	0%	4	5%	18%	4	5%	16%
Higher	17	25%	200%	35	13%	50%	52	16%	43%
Basic	32	19%	100%	112	18%	75%	144	18%	80%
TOTAL	49	20%	200%	151	16%	75%	200	17%	80%

116. Within the courts, five classifications make up the largest share of temporary employees and collectively bring staffing to 14% above the budgeted complement, as seen in Table 9 below:

⁷⁸ 225 permanent and 49 temporary.

⁷⁹ Smederevo Higher PPO

⁸⁰ Funds are appropriated by court level (e.g., all basic courts) by object of expenditure (e.g., salaries). MOJ has authority with MOF approval to move funds both within and between court levels at the same object of expenditure.

Table 9: Classifications with Largest Share of Temporary Court Employees

Classification	Budgeted	Filled Permanently	Vacant	Temporary Employees	Total Employees	% Over Budgeted Complement
Judicial Assistant	1,293	1,241	52	210	1,451	12%
Typists*	2461	2422	39	409	2,831	15%
Registrars	903	892	11	131	1,023	13%
Cleaners	455	450	5	70	520	14%
Deliverers	388	386	2	42	428	10%
TOTAL	5,500	5,391	109	862	6,253	14%

* Includes classifications of typist, typist-stenographer, typist-stenographer for Court Administration

117. Of the temporary positions in courts, 14 are in areas recommended for hubbing; these positions should be eliminated in the short term.⁸¹ An additional 73 temporary cleaners (70 in the courts and three in PPOs) should not be made permanent hires while the judiciary clarifies how it can contract out this service instead.

118. Finally, while not addressed in this analysis, we note that there are 39 temporary bailiffs. The judiciary should not make these positions permanent until it examines in more detail how many bailiffs should continue to be employed in the courts.

⁸¹ Eleven accounting clerks and three procurement staff, of whom two are in Belgrade for which we recommend citywide coordination above.

Annex 1 Interview Questions – Hubbing Analysis, Serbian Judiciary

Finance/Accounting

- How is the accounting/financial function organized in your court or PPO?
- Please list some of your everyday tasks, and main responsibilities.
- Who replaces you when you are on annual/sick leave?
- How many other functions are involved in the process? How does the reporting line look like? Who has to verify/sign payment orders?
- Do the SCC, HJC, RPPO, SPC or higher level courts or PPOs provide any finance/accounting services for your PPO?
- Do you conduct your tasks electronically/manually/both? (e.g. keeping records, communicating with other colleagues/external institutions/vendors)? Do you use any specific accounting/financial planning software? (Check if Savetnik software is being used).
- Is your institution a direct or indirect budget user? Is this changing soon?
- What do you see as the advantages and disadvantages of hubbing/centralizing some or all of the accounting/financial function within a building? On a regional basis?

Public Procurement

- What is the role of the PP position (if there is one)?
- Who replaces you when you are on annual/sick leave?
- Who prepares the annual procurement plan? What are the most common types of PP, and which goods and services are mostly procured? Please briefly describe low/high value procurement process, and your role in it?
- Are there any spending thresholds mandated or recommended by the MOJ/SPC/HJC?
- What organizations have to approve expenditures at various thresholds (MOJ, SPC, HJC, SCC)?
- Is there a difference between the regular and investment procurement procedure in your institution?
- How would describe cooperation between the MOJ, SPC or HJC and Treasury in the procurement arena?
- What do you see as the advantages and disadvantages of hubbing/centralizing some or all of the PP function within a building? Regionally?

ICT Department

- How is the IT function organized in your organization? What is the role of the IT staff, and which tasks are performed by internal staff? Do your staff make any programming changes to the CMS system?
- Who replaces you when you are away on annual/ sick leave?
- Which CMS do you use? Are all computers in your institution connected to a single network? Are the computers across PPOs or courts connected?
- Who maintains the network? Are these services provided by the same company? Do they provide these services for all PPOs (or courts) in Belgrade? If so, do you share in the cost?

- Do the RPPO, SCC, HJC, SPC or higher level courts PPOs provide any ICT services to you? (e.g., staff support, network support, device maintenance, website design)? If so, do you share in the cost?
- Who supplies IT equipment (computers, printers, photocopiers)? Who supplies IT software (operational systems, and other programs)? Do you use original software? How frequently do you have to repair computers/ communicate with vendors?
- What do you see as the advantages and disadvantages of hubbing/centralizing some or all of the IT functions within a building? Regionally?

Building Maintenance: Majordomo, Cleaning

- How are maintenance/cleaning services organized?
- What types of repairs do you typically have to do? How is the provider of external maintenance services, if any, selected? How frequently do you have to communicate with them?
- Who replaces you while you are on annual/sick leave?
- Which institution is responsible for organizing heating, electricity for your building? Do you share in the cost of these services?
- Which institution is responsible for organizing telephone services for your building? Do you share in the cost?
- Which institution is responsible for organizing building maintenance and cleaning services for your building (e.g., through staff support, contracting with outside vendors? Do you share in the cost of these services?
- Do the SCC, RPPO, SPC or HJC, or higher level PPOs or courts provide any building maintenance services for your institution?
- Do you share any services with the courts in your building?
- List some of your everyday tasks, and main responsibilities.
- What do you see as the advantages and disadvantages of hubbing/centralizing some or all of the building maintenance functions within a building? Regionally?
- Have you outsourced or considered outsourcing the cleaning function? If so, are you satisfied with the outsourced functions?

HR Department

- How is the HR department organized?
- List some of your everyday tasks, and main responsibilities.
- Who replaces you when you are on annual/sick leave?
- How frequently do you communicate with other departments/external institutions? Is this communication done via official correspondence/emails/phone calls?
- Are you involved in candidate selection process? Employee evaluations? Is there an annual/multiannual HR plan?
- Do the SCC or RPPO,MOJ, SPC or HJC or higher level PPOs or courts provide any HR services for your PPO?
- What do you see as the advantages and disadvantages of hubbing/centralizing some or all of the building maintenance functions within a building? Regionally?

Judicial Guards

- How is the judicial guard function organized in your institution?
- Do you share any guard services with other PPOs or the courts in your building?
- If so, how do you coordinate provision of these services? What happens if a guard is on annual/sick leave?
- List some of your everyday tasks, and main responsibilities.
- How frequently do you communicate with other internal departments/outside organizations?
- Do you work in shifts? Who monitors and supervises your work?