

HUMAN RESOURCES NEEDS ASSESSMENT OF THE HIGH JUDICIAL COUNCIL ADMINISTRATIVE OFFICE



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Acknowledgments

The Human Resources Needs Assessment of the High Judicial Council (HJC) Administrative Office (AO) provides in-depth assessment of the HJC AO human resource capacities compared to the newly introduced jurisdiction, followed by recommendations for improving the efficiency and quality of their work.

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The team would like to thank Serbian stakeholders for their engagement in this study. Appreciation goes to officials from the High Judicial Council, members of the HJC and employees of the HJC Administrative Office for their time and willingness to discuss issues in a frank and open manner.

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1. Introduction

1. In February 2022, Serbia amended its Constitutional provisions on the judiciary, followed by the adoption of a new package of judicial laws in 2023 to ensure compliance with the amended Constitution. These changes, encompassing the Law on Judges,¹ the Law on the High Judicial Council,² and the Law on the Organization of Courts,³ significantly strengthened the role of the High Judicial Council (HJC, Council) in judicial administration and established a clearer division of jurisdiction between the Ministry of Justice and the HJC.

2. The Constitutional amendments were a response to the 2007 recommendations of the Venice Commission aimed at enhancing judicial independence and removing impact of legislative and executive power over the judiciary. Under the 2006 Constitution, judges were elected by the National Assembly for an initial three-year probationary term before the HJC could elect them for a permanent mandate. Additionally, the National Assembly has been responsible for the election of court presidents. The new Constitution, however, grants the HJC the authority to elect judges and lay judges, decide on the termination of their functions, elect the president of the Supreme Court and other courts, decide on their terminations, manage the transfer and assignment of judges, determine the necessary number of judges and lay judges, and address other issues related to the position of judges, court presidents, and lay judges.

3. Legislative changes also impacted the HJC composition to improve its independence. According to the former Law on HJC,⁴ the Council comprised 11 members, including the president of the Supreme Court of Cassation, the Minister of Justice, and the president of the National Assembly's competent committee, with the remaining eight members elected by the National Assembly. This structure allowed significant influence from other branches of government. Post-reform, the HJC still has 11 members, but now includes six judges elected by their peers, four members elected by the National Assembly qualified majority, and the president of the Supreme Court as an ex officio member. The Minister of Justice and the president of the National Assembly's committee are no longer members, significantly limiting the influence of the executive and legislative branches.

4. The new Law on the HJC has broadened its competencies and fortified its role, especially in the selection and appointment of judges. The most notable change is the removal of the National Assembly from the judicial election process, granting the HJC full responsibility for appointing all judges, including those new to the judiciary. Additionally, the HJC now has the authority to directly appoint the President of the Supreme Court, a role previously limited to proposing candidates to the National Assembly.

5. The most significant change in the new Law on the HJC relates to the Council's budget and the strengthening of its financial authority. The expansion of the HJC's roles, including greater involvement in budgetary, human resources, financial, and material management, requires a reassessment of the support provided by the AO.

¹ Official Gazette RS, No. 10/2023.

² Official Gazette RS, No. 10/2023.

³ Official Gazette RS, No. 10/2023.

⁴ Official Gazette RS, No. 116/2008, 101/2010, 88/2011, 106/2015, 76/2021.

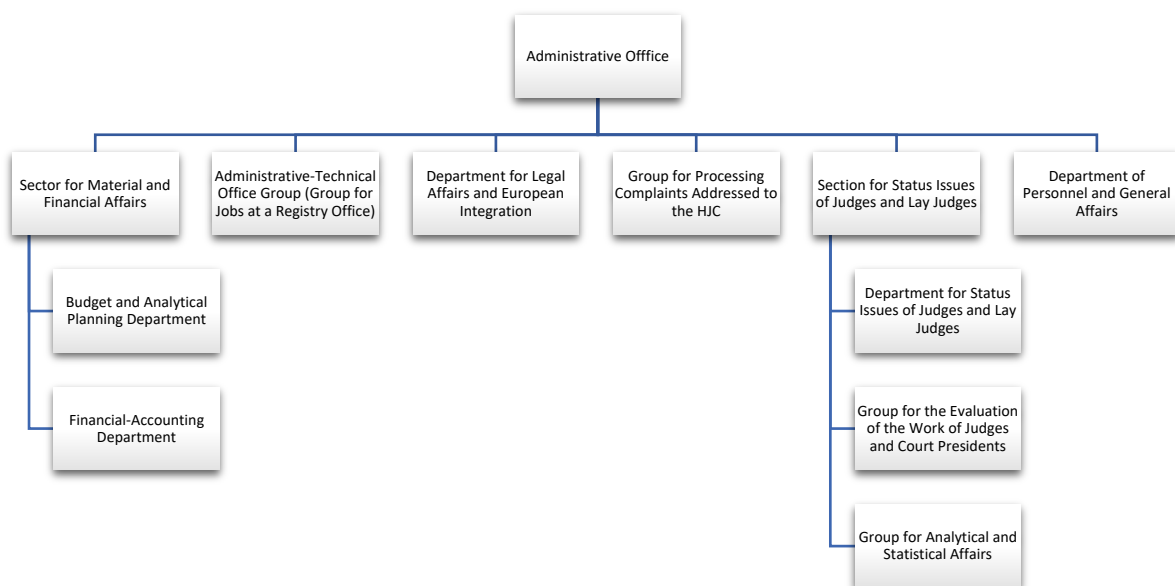
6. Under the new Law, the financial resources for the HJC's operations and functioning are provided through the budget of the Republic of Serbia, based on the HJC's proposal. Importantly, the HJC independently manages the budget funds allocated for its operations. This means the Government cannot suspend, delay, or limit the execution of the HJC's budget, including funds allocated for court operations, without the HJC's consent. The procedure for determining the HJC's budget proposal is clearly regulated by this law.

7. The AO performing professional, administrative, and other tasks within the Council. The effectiveness and productivity of the HJC are directly linked to the capacity, efficiency, and quality of work of the AO. If the AO is well-equipped, organized, and capable of handling its responsibilities effectively, it can significantly enhance the overall performance of the HJC. There is an interdependent relationship between the HJC and the AO. The Council relies on the Office for essential support services, while the AO's performance is influenced by the priorities, decisions, and demands of the HJC. However, several issues affect its operations and effectiveness.

8. The AO consists of six organizational units. Those internal units are Sector for Material and Financial Affairs, the Administrative-Technical Office Group (Group for Jobs at a Registry Office), the Department for Legal Affairs and European Integration, the Section for Status Issues of Judges and Lay Judges, Group for Processing Complaints Addressed to the HJC and the Department of Personnel and General Affairs.

9. As of December 1, 2023, out of the planned 64 positions, 41 individuals had been employed on a permanent basis.⁵ Throughout 2023, the AO's tasks were managed by a team comprising 36 permanent employees, with an additional two on sick leave and two newly hired in the second half of the year. Additionally, approximately four individuals worked under contract arrangements outside of the standard employment relationship, with a total of seven individuals collectively contributing for approximately 47 months.

Chart 1. Organigram of the HJC Administrative office



⁵ Data is from December 1, 2023.

10. To ensure informed decision-making of the HJC the World Bank conducted Human Resource Needs Assessment of the Council's AO. A robust methodology was applied to ensure the high quality of the analysis and the accuracy of the findings. This process included conducting interviews with judges and members of the HJC and employees of the Administrative Office. In addition to the interviews, both normative and comparative analyses were utilized.

11. The normative analysis focused on examining laws and by-laws to understand the legal framework. The comparative analysis looked at best practices from countries with comparable legal systems, traditions, and general similarities, such as Croatia. In Croatia, the State Judicial Council consists of 11 members with a slightly different composition: seven judges, two university professors of legal sciences, and two members of parliament, one of whom is from the opposition. However, similarly to the new Law on HJC and its provision, in Croatia, the members of the State Judicial Council elect a president from among themselves. While the analysis also contributed to estimating the number of employees and making significant human resource recommendations, the primary focus was on assessing the needs of the HJC in the context of the current situation and projecting future needs. The robust role of the Secretariat in Bosnia and Herzegovina, despite critiques regarding its independence, stands out as a compelling example to follow. Unlike in Serbia, where judges and prosecutors are separate, in Bosnia and Herzegovina, they are merged within one Secretariat. This setup underscores a strong organizational capacity. Emulating a similar position in Serbia would significantly contribute to the effectiveness and seamless functioning of the High Judicial Council.

12. This comprehensive approach aimed to provide a thorough evaluation and informed policy-making for improving the functioning of the HJC. It will help identify the appropriate number and profile of positions necessary in the AO to support the expanded functions. Additionally, the analysis will aid in the preparation of a draft Act on internal organization and systematization of working posts and will contribute to the development of the Annual Plan for the HJC and the Annual Plan for its AO.

2. Identified challenges

2.1. Strategic planning issues

13. A strategic approach, or rather the lack thereof, remains a persistent problem for the HJC. This issue was highlighted in two previous Judicial Functional Reviews conducted by the World Bank in 2014 and 2021. Although the HJC has legal obligation provided in the Law of HJC, where it is provided that HJC “Collects and analyzes statistical data and formulates annual and multi-year plans with the aim of efficiently managing the court's personnel, financial, and material resources”, the practice and consistency in developing and implementing effective plans have yet to meet expectations.

14. In February 2022, the HJC adopted its Strategic Plan for the period from 2022 to 2025. This plan aims to enhance the work and capacities of the HJC by promoting five strategic goals: Independent and Autonomous Judiciary, Professional, Responsible, and Efficient Judiciary, Improved Status of Judges and Judicial Employees, Transparent Judiciary, and Functional High Judicial Council. These goals focus on enhancing the judiciary's independence, professionalism, and transparency, while improving the status and working conditions of judges and judicial staff and ensuring the effective operation of the HJC.

15. Despite its existence, the plan does not provide sufficient information for planning the execution of all tasks, leaving gaps that contribute to ongoing issues. It is crucial to analyze and identify the shortcomings of the current plan. Since the plan expires in 2025, it is essential to monitor its implementation to ensure a new plan can be adopted in a timely manner, addressing the deficiencies of the existing one.

16. The existing organizational structure of the HJC designates the Secretary of the HJC as responsible for developing work plans related to the AO activities and ensuring their implementation. Despite this clear expectation, these plans were not prepared during the observed period. A well-structured work plan is the basis for a clear strategic direction, outlining the goals, objectives, and priorities of the AO. This alignment is essential for coherent and coordinated efforts across the organization. Without a work plan, AO operations become reactive, responding to issues as they arise rather than anticipating and addressing them in advance. Proactive management would allow the AO to identify potential challenges and opportunities early, enabling better resource allocation and problem-solving.

17. To create an adequate and effective plan, the HJC must have a well-defined set of objectives that the AO's work plan will support. This requires input from key stakeholders and a thorough understanding of the organization's needs and strategic goals. Additionally, the plan should be based on accurate data, including historical performance data, resource availability, and environmental scans to understand external factors that may impact the AO's activities.

18. The Needs Assessment has determined that the tasks of organizational units within the HJC are described using different approaches, leading to a lack of clarity regarding their respective scopes of work. The roles and responsibilities of both organizational units and individual employees in achieving certain objectives are inconsistently defined, resulting in some tasks being overlooked and other critical tasks being omitted entirely. It is also challenging to assess all the functions of the organizational units due to the varying levels of detail in their job descriptions, making it difficult to obtain a comprehensive understanding of each unit's duties and responsibilities.

19. Furthermore, the statistical data and the manner in which they are presented in the annual reports on the HJC's activities do not provide a clearer picture of the actual scope of work performed by the HJC and its working bodies. The lack of standardized and detailed reporting hinders the ability to accurately evaluate performance, identify gaps, and implement improvements, resulting in inefficiencies and a reduced ability to strategically manage and optimize the HJC's operations.

20. A comprehensive work plan facilitates effective resource allocation, helping to identify the necessary human, financial, and material resources needed to achieve set objectives. This prevents wastage and ensures that resources are utilized efficiently and effectively. Annual work plans for the AO serve as crucial tools for better understanding the scope of work in the upcoming year. These plans do not need to be lengthy textual documents but rather simplified tabular representations.

2.2. Inconsistencies in defining roles of the AO's organizational units

21. The HJC has implemented various approaches to delineate the responsibilities of its organizational units. However, this has led to several issues that hinder a clear understanding of the tasks within their scope of work. Without a standardized framework, ensuring comprehensive coverage of all duties and avoiding duplication of efforts becomes challenging. This lack of clarity can

also impede effective communication and coordination between different units, ultimately affecting the overall performance and effectiveness of the HJC.

22. Inconsistent role definitions within the organization pose a significant challenge to operational efficiency. The roles of organizational units and individual staff members in fulfilling the Council's jurisdiction are not always clearly defined. This lack of clarity is particularly problematic in terms of providing support to the Council and its working bodies during the implementation of procedures. Without clear definitions, it becomes difficult to understand who is responsible for what, leading to potential overlaps or gaps in responsibilities.

23. Incomplete task allocation within the organization undermines its overall performance. There is an issue with the incomplete transfer of sector responsibilities to more specific organizational units and individual job positions. This means that some tasks remain unassigned or are not explicitly stated, causing confusion and inefficiency in task execution. Each unit and position need a clear, complete set of tasks to ensure all responsibilities are covered. A prime example of this is the monitoring of performance and proposing measures for improvement, which are not assigned to relevant units. This omission can lead to a lack of accountability and missed opportunities for enhancing the efficiency and effectiveness of the HJC's operations. Every unit needs to include these key responsibilities to maintain high standards of performance and improvement.

24. There is a noticeable practice within the organization where employees perform tasks assigned to other organizational units. For instance, the selection of judges and lay judges is officially the responsibility of the Section for Status Issues of Judges and Lay Judges. However, this task is also performed by employees from other organizational units.

25. In several instances, individuals who are officially assigned to one unit are, in practice, performing tasks in another unit. For example, one of the five individuals systematized in the Complaint Processing Group, which handles complaints addressed to the council, has been working for an extended period in the President's Office. This situation exemplifies the broader issue of employees being redirected to tasks outside their designated organizational units, leading to potential inefficiencies and ambiguities in role definitions and responsibilities.

2.3. Inadequate systematization

26. The ineffectiveness caused by inadequate systematization is not only a problem in practice, but it also contradicts one of the main priorities of the Strategic plan. This issue must be addressed promptly. The High Judicial Council's Strategic Plan for the period 2022-2025, emphasizes Strategic Priority 2: Creating a Professional, Responsible, and Efficient Judiciary.⁶ While this issue might be addressed within the current organizational structure, the analysis provides an alternative solution: the formation of a new Sector/Department/Division for Monitoring and Improving Court Operations. This will be further elaborated in the Recommendation section of this report.

27. Following the prescribed guidelines, it is essential to provide appropriate spatial, technical, and other conditions for the effective functioning of the HJC. Strategic Goal 5 highlights the need to strengthen the functionality of the Council through professional development. The expected results of

⁶ Among other things, it states, "Given the authority entrusted to judges by society, it is necessary to improve their expertise and efficiency, as well as the system of their accountability, all with the aim of ensuring the realization of Constitutionally guaranteed rights and freedoms of citizens."

this goal include improved knowledge and skills of Council members, enhanced administrative capacities of the AO, ensured spatial and technical working conditions for the Council, and increased visibility and transparency of the Council's work.

28. One of the key issues identified within the systematization and strategic documents is the absence of an organizational unit dedicated to several crucial responsibilities, notably the training of judges. There is no department, section, or group tasked with approving training program for judges and court employees, overseeing its implementation, designing the initial training program for judges, or determining mandatory training in scenarios such as changes in specialization, significant regulatory amendments, the introduction of new work methodologies, or addressing deficiencies identified in a judge's performance evaluation. This deficiency in systematization contradicts the Strategic Plan of the HJC, particularly under Strategic Priority 5: Functional High Judicial Council. This priority emphasizes that the functionality of the Council directly hinges on enhancement of the knowledge and skills of its members, alongside ensuring an appropriate number of staff with expertise in the AO.

29. This inadequate systematization has resulted in certain tasks being carried out without a clear organizational unit responsible for them. Additionally, resource allocation and work optimization have become critical concerns due to a lack of adherence to outlined job duties. Employees often perform tasks meant for other organizational units, leading to inefficiencies and reduced productivity. The absence of a clear protocol for task assignment further exacerbates the issue, resulting in a lack of prioritization and overloading of certain units. Consequently, resources are suboptimal allocated, and overall work efficiency is hindered.

30. Addressing these inefficiencies is imperative to align with the strategic goals of the HJC and ensure the realization of a professional, responsible, and efficient judiciary. By establishing clear responsibilities and improving the systematization of tasks, the HJC can better support its members and employees, ultimately enhancing the Council's functionality and effectiveness.

2.4. Understaffing

31. Understaffing emerges as one of the primary concerns within the AO. Since its establishment in 2009, the Council has never had enough human resources to fill job positions. This deficiency is evident across the AO's sectors, departments, and groups. This issue is most evident in the Department for Legal Affairs and European Integration and Section for Status Issues of Judges and Lay Judges. Within the Department for Legal Affairs and European Integration only 2 out of the planned 8 positions are currently filled, compounded by significant long-term absences. This critical understaffing severely impacts the Department's operations. The Section for Status Issues of Judges and Lay Judges is operating with only 4 out of 8 planned employees. This is causing a strain on existing staff and potentially affecting efficiency and effectiveness.

32. In addition to understaffing as a general issue, several important positions remain unfilled or are absent from the systematization. Currently, key roles such as the Secretary of the HJC, Chief of Staff, Public Relations Officer, and Internal Auditor are vacant. Furthermore, there is a lack of provision for IT support, despite the clear need for such assistance, which currently falls under the responsibility of a network engineer.

3. Recommendations

3.1. Strategic planning recommendations

33. To enhance the efficiency of planning and task implementation, the AO should regularly prepare its Annual work plan. These plans should include a detailed breakdown of tasks, timing, and human and financial resources necessary for operational management

34. It is also crucial to enhance the structure and presentation of statistical data in the annual reports of the HJC. This enhancement is necessary to provide adequate information for understanding the workload preceding each decision made by the HJC. Such improvement would not only facilitate the assessment of needs and enhance the effectiveness of the HJC's work but would also increase the transparency of the HJC.

35. There are several examples where this type of planning would enable the HJC to react proactively, preventing issues from arising or escalating. Good example is situation within Department for Legal Affairs and European Integration. Following the enactment of new laws on judges and the HJC, there are high expectations from this department to provide expert support in preparing regulations within the Council's jurisdiction. With only one employee handling normative tasks, the Council is in a position where it will need to independently manage a significant portion of these tasks or form working groups to draft specific documents, which also requires coordination. With adequate planning, this situation can be anticipated and prevented from escalating.

36. If yearly planning had been conducted, the Council could have proactively addressed the issue by selecting one of two potential solutions. Either reassigning the current Independent Advisor for Normative Affairs to the Legal Affairs and European Integration Department or hiring additional personnel to manage the complex tasks of preparing regulations over the next 6-9 months.

37. A recommendation to focus more on training emerges from the evident lack of emphasis, underscoring the necessity for prompt and effective action to align with strategic objectives. The significance of continuous training is exemplified by the General Council of the Judiciary of Spain. It demonstrates commendable practices in competencies related to the selection and training of judges and magistrates. These responsibilities are vested in the Judicial School, which is structured and organized into three main services: Selection, Initial Training, and Ongoing Training.

3.2. Recommendations on improving definition of the AO's organizational units roles

38. To prevent unclear descriptions of tasks, it is essential to standardize the descriptions of roles. This harmonization will avoid overlapping tasks and responsibilities within internal units, making it easier to understand the full scope of each unit's responsibilities and ensure alignment with the HJC's objectives. Standardizing role descriptions will clarify specific duties and how they contribute to the overall functioning of the HJC.

39. The tasks of the Secretariat in Bosnia and Herzegovina include, among other things, providing administrative support, conducting legal, financial, and other research necessary for the Secretariat to fulfill its mandate in accordance with the law, and offering strategic advice on issues

related to the execution of the Secretariat's mandate. It is important to emphasize the explicitly prescribed support provided by the members of the Secretariat, which is an excellent solution and also applicable to AO of the Republic of Serbia, as stated in the proposed model of the institution's organization at the end of this analysis. This model demonstrates the importance of adhering to legal provisions and strategic goals to fulfill its duties and highlights the critical role of the Secretariat/administrative office in this process. Additionally, the Secretariat drafts decisions adopted by the Council, implements these decisions, and regularly reports to the Council on its activities.

40. Employees should primarily be affiliated with one specific organizational unit. Currently, several instances exist where one organizational unit performs work that is more appropriate for another department or sector. For example, the Department for Legal Affairs and European Integration handles requests for access to public information, updates the HJC Work Information Booklet, processes internal whistleblowing reports, and maintains records of gifts reported to the Anti-Corruption Agency. These tasks are more suitable for the Department of Personnel and General Affairs.

41. If an individual consistently undertakes tasks from another unit, they should be transferred to that unit as needed. Additional responsibilities should predominantly be allocated to employees within the organizational unit responsible for those tasks. The undertaking of tasks from other units should be minimized whenever feasible, unless such support is explicitly outlined in the unit's job description.

42. To streamline efficiency and enhance organizational effectiveness, it is imperative to consolidate similar tasks within relevant organizational units. For example, support for conducting the election process for lay judges should be provided by the Section for Status Issues of Judges and Lay Judges, rather than the Department for Legal Affairs and European Integration. Tasks related to supporting the appointment process of Ethics Committee members and the work of the Ethics Committee should be assigned to the appropriate unit responsible for supporting the Council's working bodies. A particularly striking issue is that the task of deciding on appeals in disciplinary proceedings is currently managed by the Assistant Secretary of the Council. This responsibility should be transferred to the Department for Legal Affairs and European Integration, which possesses the adequate competencies within the HJC.

3.3. Recommendations on strengthening systematization

43. Ensure that all support tasks required by the HJC and its working bodies, which originate from the jurisdiction of the HJC, are thoroughly encompassed in the systematization. The current systematization does not fully capture the breadth of support tasks needed for the effective functioning of the HJC and its working bodies. This oversight can lead to critical responsibilities being neglected or inadequately managed. By systematically identifying and including all support tasks within the official systematization, the HJC can ensure that these tasks are assigned to appropriate organizational units. This will create a more structured and reliable framework for handling support activities, thereby improving overall coordination and performance.

44. It is recommended to review and incorporate any additional tasks currently being performed but not accounted for in the existing act into the systematization. Over time, certain tasks may have emerged that were not initially foreseen or included in the original systematization. These tasks, while currently being performed, may lack formal recognition and proper allocation of resources. Conducting a thorough review to identify such tasks and formally incorporating them into the systematization will

ensure that they are officially acknowledged and resourced. This process will prevent gaps in responsibility and ensure that all operational activities are properly managed and supported.

45. To ensure effective implementation, the process can generally be delineated into three key steps. Step 1 involves conducting a comprehensive audit of all tasks currently being performed by the HJC and its working bodies. This has been provided by the analysis. Step 2 requires developing a detailed systematization plan that includes all identified tasks, ensuring each task is assigned to an appropriate organizational unit with the necessary resources and expertise. A recommendation is given as a result of this analysis. Step 3 entails regularly reviewing and updating the systematization to adapt to new responsibilities and changing operational needs, maintaining alignment with the HJC's legal mandate and objectives.

46. As a general recommendation, it is of utmost importance to achieve greater consistency in organizational practices. Standardizing job descriptions across all organizational units is essential. Aligning these descriptions provides clear definitions of the roles and responsibilities of each unit in fulfilling specific tasks. This alignment ensures consistency and clarity in understanding the scope of work throughout the organization.

3.4. Recommendations to Resolve the Understaffing Issue

47. Understaffing is an urgent issue that requires immediate attention. To address this effectively, it is necessary to assess the scope of tasks and project the optimal number and structure of employees as accurately as possible. According to the projections made in this analysis, for existing tasks, there should be 3 civil servants in position and 57 staff members (employees, not the number of systematized positions). Additionally, for new tasks arising from new responsibilities and the proposed organizational model, there should be 1 civil servant in position and 15-20 staff members. The total number of employees according to the proposed organizational model should be 5 civil servants in position and approximately 80 employees. Finally, it is recommended that the number of systematized staff positions should not exceed 100.

48. To address the staffing deficiencies and organizational gaps effectively, it is recommended to prioritize filling the vacant positions and incorporating the missing roles into the systematization. Specifically, urgent attention should be given to recruiting individuals for crucial positions like the Secretary of the HJC, Chief of Staff, Public Relations Officer, and Internal Auditor. Additionally, considering the indispensable role of IT support in modern organizations, it is essential to establish a dedicated IT support function, separate from the responsibilities of a network engineer, to adequately address technological needs and ensure operational efficiency.

49. A good example of the possibility for proactive action is evident in Bosnia and Herzegovina. The Secretariat there establish commissions composed of at least three members, predominantly judges and prosecutors, to fulfill its tasks and obligations efficiently, as determined by the law. These commissions are empowered to make decisions and carry out tasks in accordance with the Secretariat's Rules of Procedure. The work and authorities of these commissions are regulated by the Rules of Procedure.

3.5. Recommended systematization based on analysis

50. One of the main findings of this analysis is that not all responsibilities mandated by the law, particularly the Law on the HJC, are being appropriately addressed. Some responsibilities, which fall under the jurisdiction of the HJC, are either not being performed at all or are being managed by organizational units that are not inherently suited for these tasks. To elaborate, the analysis indicates significant gaps in the current organizational structure and functioning of the HJC. Certain legally mandated duties are being neglected, leading to inefficiencies and potential oversight issues. Additionally, tasks are sometimes assigned to units lacking the necessary expertise or focus, resulting in suboptimal performance.

51. The discrepancy between responsibilities and the appropriate organizational units indicates a necessity for restructuring. While there are potential solutions to address the issues within the existing systematic framework, restructuring would offer greater clarity and efficiency. By realigning responsibilities with the most suitable units, the organization can enhance its effectiveness and streamline its operations.

52. Combining all horizontal functions into a single organizational unit is not appropriate because the tasks are not related, nor are the required competencies. Given the anticipated increase in workload and the specialized skills required, statistical and analytical tasks can be organized within a separate organizational unit. The purpose of this organizational unit suggests the possibility of linking it with one of the units that perform primary functions, forming a larger organizational unit aimed at improving court operations. This larger unit could consist of two internal units: one for monitoring and enhancing court operations and another for analytics and statistics.

53. Normative and legal tasks, international cooperation, and projects cannot be considered very related tasks. Moreover, the workload in these areas does not justify the creation of a separate organizational unit. It is more rational to perform these tasks within another unit: either in an organizational unit that performs primary functions (which the purpose of this organizational unit indicates to be the organizational unit for monitoring and improving court operations) – a more suitable option; or within the organizational unit for general affairs or the organizational unit for personnel and general affairs; or at the level of independent executors outside the existing organizational units.

54. A sector, as a primary organizational unit, is established to perform tasks that represent a complete area of work, which relates to the three primary functions: budget management of the courts and the Council, selection and status issues, and monitoring and improving court operations. Creating only two sectors is not advisable. Assuming the Sector for Budget is accepted, the question arises of how to organize the other two primary functions: whether to form a Sector for selection and status issues and organize monitoring and improving court operations within a department – which implies giving more significance to one function; or combine both functions into a Sector for Court Operations Improvement, with two internal units (departments) – consolidating most of the Council's competencies in one sector, and only a few in the Budget Sector. This sector would have three managers and 21 executors, compared to the Budget Sector, which would have three managers and eight executors.

55. Establishing specialized units or departments to handle specific tasks would ensure that all legal obligations are met effectively, enhancing the overall efficiency and effectiveness of the HJC. In the current structure of the HJC, there are responsibilities that are either neglected or are being

managed by units that are not specialized or appropriately designed to handle them. To address this issue and enhance efficiency and effectiveness, the following organizational changes are proposed:

- **Sector/Department/Division for Monitoring and Improving Court Operations**, where all tasks deriving from the jurisdiction of the HJC and related to court operations would be consolidated,
- **Department/Division/Group for Supporting the Council's Working Bodies** (excluding the working bodies for the election of judges and lay judges and the evaluation of the work of judges and court presidents).

56. Sector/Department/Division for Monitoring and Improving Court Operations unit would be responsible for overseeing and enhancing the performance and operations of courts. This would align seamlessly with Strategic Goal 5 of the HJC's Strategic Plan. By centralizing these functions into a dedicated unit, the HJC can ensure that these responsibilities are managed by specialized staff with a clear mandate. This would likely lead to more consistent monitoring, better implementation of improvements, and overall enhanced court performance.

This proposed organizational unit would serve to fill the gap alongside another strategic unit and would be tasked with handling responsibilities that are currently unassigned or allocated to units where they do not fit. It is recommended that this unit:

- Reviews and decides on the report of the Ethics Committee regarding compliance with the Code of Ethics
- Establishes general guidelines for the internal organization of the court
- Issues instructions on the preparation of court work reports
- Monitors the work of the courts
- Ensures accurate, timely, and complete public information about court work and the functioning of the judicial system
- Provides opinions on the act of internal organization and job classification within the court
- Supervises the application of the Court Rulebook, in accordance with the law, and creates an annual supervision plan
- Decides on a judge's objection to the annual work schedule in the court or changes to the annual work schedule in the court
- Designates courts where support and assistance services for victims and witnesses are organized and regulates the operation of these services, in accordance with the law
- Provides opinions on criteria for determining the number of court staff
- Provides opinions on the act regulating the procedure for the appointment of judicial assistants and judicial trainees
- Provides opinions on the number of judicial trainees for each court
- Prescribes the form and manner of maintaining the personal record for court staff employed in the court
- Decides on the immunity of judges and elected members of the Council Commission for Monitoring the Proper Allocation of Cases.

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57. Department/Division/Group for Supporting the HJC's Working Bodies would provide support to the working bodies of the HJC. It would support all working bodies of the HJC except those specifically involved in the election of judges and lay judges, and the evaluation of the work of judges and court presidents. Establishing a dedicated support unit for the HJC's working bodies would ensure that these bodies have the necessary administrative and operational support to function effectively. This specialization would allow for a more focused and efficient approach to handling the diverse needs of the HJC's working bodies.

Within its mandate it is recommended that this unit:

- Decides on ethical issues (compliance with the Code of Ethics)
- Decides on the existence of undue influence on the work of judges and courts and measures to prevent undue influence

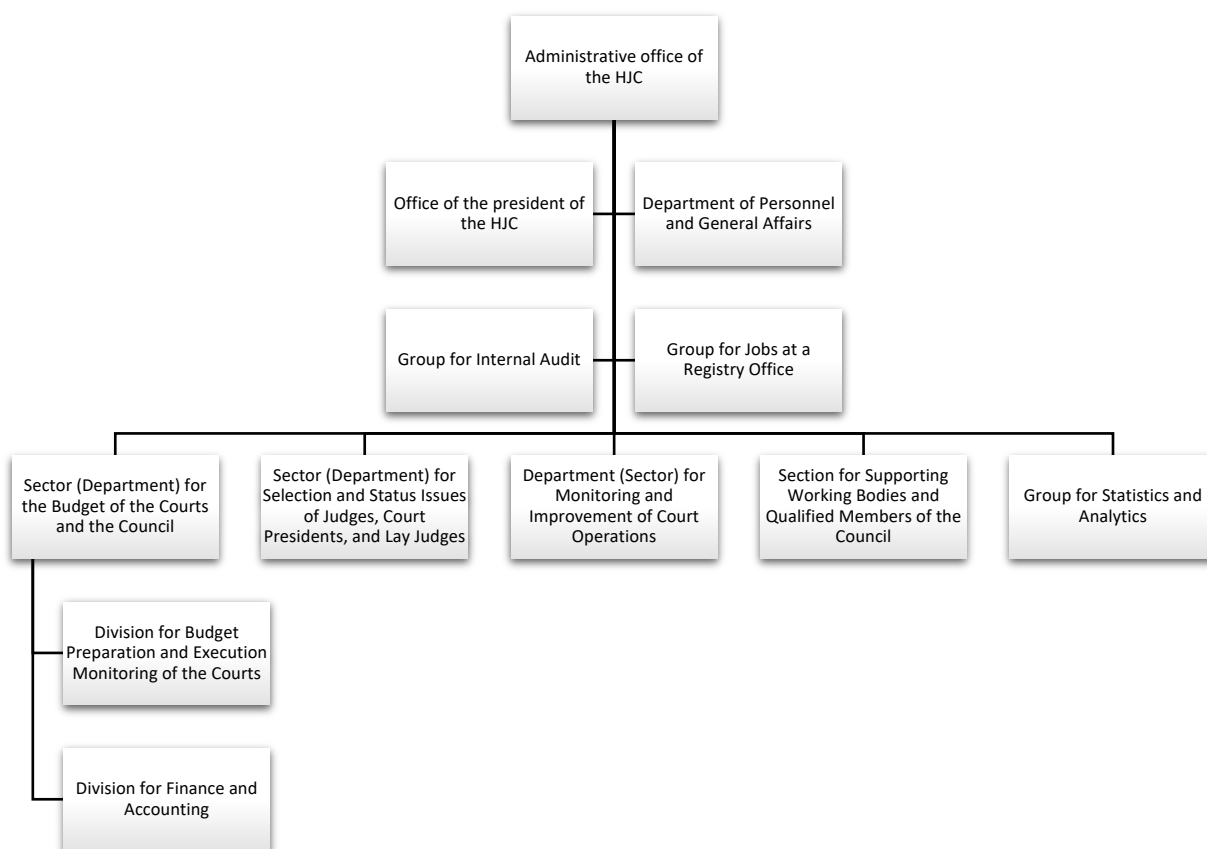
This Unit should deal with:

- Budget Commission
- Ethics Committee
- Commission for Conducting the Procedure for Appointing a Member of the Ethics Committee
- Judge for Handling Cases of Inappropriate Influence on the Work of Judges and Courts
- Commission for Deciding on Appeals Against Decisions on the Evaluation of Judicial Assistants Court
- Appeal Commission
- Other Working Bodies - Commissions, Expert Teams, or Working Groups
- Disciplinary Prosecutor
- Disciplinary Commission
- HJC Election Commission

58. If the proposal to introduce two new organizational units is accepted, two restructuring options are available for the AO. Each option has its own set of pros and cons, but they both share the common goal of addressing the shortcomings identified in the analysis and enhancing the efficiency of the AO.

59. At the core of the first proposal lies the consolidation of administrative tasks into seven organizational units situated at the second tier of the hierarchical structure. These Organizational units are strategically designed to accommodate basic, horizontal, and support functions, with five Organizational units dedicated to basic and horizontal tasks and the remaining two focused on support functions.

Chart 2: Option 1 for the AO restructuring



60. Option two proposes consolidating basic, horizontal, and support functions into five organizational units at the second level of hierarchy. Basic and horizontal functions would be divided among three organizational units, while support functions would be allocated to two organizational units. At the third level of hierarchy, each Organizational unit handling basic functions would have two organizational sub-units. The diverse types of organizational units at the same level of hierarchy indicate varying workloads. However, the substantial number of diverse tasks within some Organizational units (responsibilities divided between the HJC and the Ministry of Justice) does not suggest their logical consolidation into smaller organizational units.

Chart 3: Option 2 for the AO restructuring

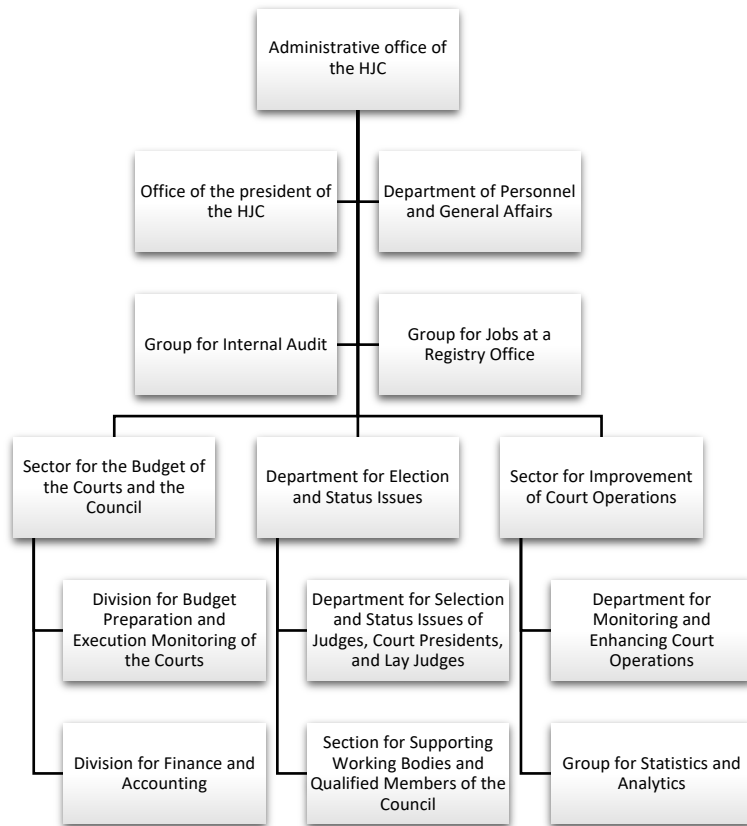


Table 1. Pro and cons for proposed options

Pros and cons for Option 1	Pros and cons for Option 2
All organizational units are at the same level.	More suitable for large organizations with a significant number of specialized employees.
Workloads vary, leading to the formation of different types of organizational units at the same level: sector/department, division, and group.	All basic function tasks are organized within sectors, maintaining uniformity at the same hierarchical level.
A higher number of organizational units at the same level requires more involvement from Council secretaries in their coordination.	Sector managers oversee only two units (two internal unit managers).
Fewer hierarchical levels exist.	More hierarchical levels: Council - Council President - Council Secretary - Assistant Council Secretary - Unit Manager - Employees.
Communication between top-level managers and employees is facilitated (information flows faster and more accurately from the top to the lowest levels in the organization, and vice versa).	Communication between top-level management and employees is hindered (information reaches lower levels of the organization slower and is not always clear).
Decision-making processes are more efficient.	Slower decision-making due to the hindered flow of information caused by a large number of hierarchical levels.
Managers are responsible for more employees.	Employees are highly specialized and focused solely on their tasks.
Employees have a certain degree of autonomy in their work (they are skilled enough that managers don't need to constantly supervise them).	Strong control over task performance (limited autonomy in task execution).
Employees feel greater responsibility and are more productive.	Weak collaboration between employees from different organizational units.
Employees feel loyalty towards the organizational unit rather than the organization as a whole.	Employees feel loyalty towards their organizational unit, not the organization as a whole.
There are fewer managerial positions, thus reducing the opportunity for employees to advance to managerial positions.	Clear communication and reporting channels.
Collaboration between employees from different organizational units is facilitated.	

Annex 1

A) Sector for Material and Financial Affairs

The Sector for Material-Financial Affairs within the judicial system aims to manage budgetary allocations for courts and provide financial oversight. Despite existing job descriptions, there's a need for clearer delineation of tasks related to budget management for courts as indirect budget users. The workload peaks during budget preparation periods and financial reporting deadlines. While automation streamlines processes, increased staffing may be necessary for enhanced financial control and to support the Sector's role in judicial planning. Recommendations include revising job descriptions, adjusting staffing levels, and potentially hiring additional senior staff to meet evolving demands, especially if the Sector's responsibilities expand.

Detected issues	Recommendations for improvement
<p>Job description: Existing job descriptions lack clarity and fail to provide a comprehensive understanding of all tasks and activities of organizational units involved in the preparation, execution, and reporting of budget implementation.</p>	<p>Job Description Revisions: Revise job descriptions to clearly differentiate tasks related to the HJC and court operations. Specifically describe tasks related to court budget management for indirect users and those related to HJC budget management.</p>
<p>Staffing Needs: Although sector leaders believe no significant increase in staff is necessary, there is an intent to improve financial control over court operations and to enhance the HJC's role in planning for efficient resource management. Additionally, interviews indicated that managers, including the assistant secretary, perform operational tasks, and one employee is working beyond their job's prescribed scope.</p>	<p>Staffing Adjustments: Based on the intention to improve financial control over court operations, as well as the fact that managers, including the assistant secretary, perform operational tasks, and one employee is working beyond their job's prescribed scope, it is necessary to consider adding another higher-level position.</p>
<p style="text-align: center;">General staffing projection:</p> <p>The total number of staff needed in the Sector is projected to be 8. It is recommended to transfer the Senior Financial Accounting Advisor from the Financial Accounting Department to the Statistical-Analytical Group and fill the resulting vacancy. This will help reduce the operational workload of the managers (the assistant and the department head). If the HJC intends to intensify activities related to monitoring and improving court operations, including direct financial control over court operations, or if there is an expectation for the Sector to significantly contribute to the HJC's responsibilities in creating annual and multi-year plans for efficient management of the courts' human, financial, and material resources, it is highly likely that it will be necessary to hire at least one additional senior staff member in both departments.</p>	

B) Section for Status Issues of Judges and Lay Judges

The Section's operations are particularly demanding compared to other organizational units due to the number and structure of employees required to complete tasks within relatively short deadlines, allowing the HJC's working bodies to proceed. The section has 4 out of the 8 planned positions filled—2 senior advisors, 1 junior advisor, and 1 clerk. Additionally, 2 employees from other organizational units (1 independent advisor and 1 clerk) are also contributing to the section's work. Further support is provided by other organizational units' employees and external staff, resulting in a total of 7 individuals performing the section's tasks

Detected issues	Recommendations for improvement
<p>Understaffing: The Section is operating with only 4 out of 8 planned employees, causing a strain on existing staff and potentially affecting efficiency and effectiveness. The ongoing and anticipated future workload, particularly in the selection of judges and lay assessors, is significantly high and challenging to manage with current resources</p>	<p>Staff Augmentation: Fill the remaining 4 planned positions to meet the operational demands. Consider hiring additional temporary or permanent staff to manage peak workloads, especially during large selection processes.</p>
<p>Resource Allocation: The substantial resource requirement for conducting interviews and evaluations is a critical bottleneck, especially during large-scale selection processes.</p>	<p>Process Optimization: Implement more efficient administrative processes for handling applications, evaluations, and interviews. This may include better use of technology and streamlined workflows. Develop a robust scheduling system to optimize the use of available resources during peak periods.</p>
<p>Dependence on Temporary Support: Reliance on temporary staff and employees from other units indicates a need for a more stable and dedicated workforce.</p>	<p>Long-term Strategic Planning: Develop a strategic plan that anticipates future workload trends and prepares for them by ensuring adequate staffing and resource allocation. Explore alternative methods for conducting interviews and evaluations to reduce the burden on existing resources, such as virtual interviews or automated evaluation systems.</p>

C) Group for the Evaluation of the Work of Judges and Court Presidents

The group's tasks include evaluating the performance of judges and court presidents. Currently, there are three permanent staff members instead of the planned four. Among them, one employee works in another department, while two handle both technical and administrative duties. The group leader (a senior advisor) also partially manages tasks from another unit, specifically drafting decisions on judge selection. The workload of the evaluation group varies significantly each year, ranging from evaluating 157 judges in 2019 to 1,834 in 2021. Regular evaluations coincide with judges' evaluation deadlines, while ad hoc assessments occur during judge selection competitions. The workload is expected to increase due to extending the evaluation period from three to five years. Additionally, the group processes an average of 18 complaints annually regarding judges' performance.

Detected issues	Recommendations for improvement
<p>Understaffing: The Group operates with fewer employees than planned, with only 2 effectively handling the workload.</p>	<p>Staff Augmentation: Hire a new Clerk to support both the Group and the other organizational unit requiring assistance. Ensure all 4 planned positions are filled to manage the increased workload effectively.</p>
<p>High Workload and Complexity: The extension of the evaluation period and new judicial legislation increases the complexity and volume of tasks. The Group Leader and Advisor have additional responsibilities outside their primary scope, reducing their availability for core tasks.</p>	<p>Process Optimization: Streamline administrative processes and ensure efficient task distribution among staff. Implement advanced scheduling and tracking systems to manage evaluations and related tasks more effectively.</p>
<p>System Inefficiencies: The IS - HJC and MP systems have deficiencies that hinder efficient workflow, such as decision creation bugs and lack of automated notifications.</p>	<p>System Improvements: Upgrade the IS - HJC and MP systems to accommodate new evaluation criteria and processes. Fix existing system issues, such as decision creation bugs, and introduce automated notifications for evaluation procedures.</p>
<p>Potential Increase in Appeals: New evaluation procedures might lead to a significant increase in appeals, adding to the workload.</p>	<p>Strategic Planning: Develop a strategic plan anticipating future workload increases and ensuring adequate resource allocation. Explore options for optimizing the evaluation process to reduce the burden on existing staff, such as digital tools for evaluation and decision drafting. By addressing these issues and implementing the recommended improvements, the Group can enhance its capacity to manage its workload effectively, ensuring timely and efficient execution of its responsibilities.</p>

D) Group for Statistical-Analytical Tasks

The Group for Statistical and Analytical Tasks undertakes responsibilities stemming from the jurisdiction of the HJC, while also providing support in carrying out tasks for other organizational units. Their duties include maintaining personal records of judges, court presidents, and jurors, determining the number of judges and jurors for each court through statistical analysis, collecting data on court activities, preparing statistical reports, and offering advisory support to courts upon request. Currently, the Group is staffed with two employees: one supervisor (advisor) and one independent advisor from another organizational unit. Their workload peaks during judge elections and during the preparation of statistical reports, typically mid-year and at the end of the current or beginning of the next year.

Detected issues	Recommendations for improvement
<p>Understaffing and Misallocation of Duties: Only one out of the three planned positions is filled, with an Independent Advisor from another unit assisting. The current staff is insufficient to manage the growing workload effectively.</p>	<p>Staff Augmentation and Reallocation: Formally reassign the Independent Advisor to the Group if they are performing Group tasks. If no suitable position exists, create one. Ensure all three planned positions are filled to handle the increased workload effectively.</p>
<p>Inefficient Data Entry Process: Data entry tasks are performed by the Group but logically belong to other units, leading to inefficiencies.</p>	<p>Optimize Data Entry Processes: Delegate data entry tasks to the appropriate units within their scope of responsibilities. Train employees from other units to update the IS database, reducing the burden on the Group.</p>
<p>Lack of IT Support: Statistical-analytical tasks are mixed with IT maintenance duties, which should be handled by the IT Infrastructure Sector.</p>	<p>Separate IT and Analytical Tasks: Establish a clear distinction between statistical-analytical tasks and IT maintenance duties. Create a dedicated IT support position within the Department for Personnel and General Affairs to handle necessary IT support.</p>
<p>Increasing Workload: New responsibilities and the preparation of statistical reports are expected to increase the Group's workload.</p>	<p>Strategic Planning for Increased Workload: Anticipate future workload increases due to new responsibilities and ensure adequate resource allocation. Develop a strategic plan for the efficient management of the Group's tasks, including annual and multi-year plans for resource management and support for the HJC's working bodies.</p>
<p>Training and Access Issues: There is a need for internal training and better access to databases to streamline data collection and entry processes.</p>	<p>Enhance Training and Access: Provide internal training for staff accessing the database (at least two employees from each relevant unit). Ensure the Group has access to comprehensive court case databases to minimize manual data collection and entry.</p>

E) Department for Legal Affairs and European Integration

The Department for Legal Affairs and European Integration primarily supports tasks under the HJC's jurisdiction, including EU accession processes, international development assistance, and judiciary improvement projects. Currently, it operates with two key employees: a Senior Advisor for normative affairs and a Senior Advisor for international cooperation. Out of eight planned positions, five are filled, but two employees are on long-term leave and one Independent Advisor works in a different department. Due to staff shortages, remaining employees handle a broad range of tasks beyond their primary responsibilities. These include preparing regulations, supporting lay judge elections, assisting the Ethics Committee, and managing transparency and anti-corruption duties. With new laws on judges and the HJC, the Department is expected to provide extensive expert support for regulation preparation and with current staff it can be a challenging task.

Detected issues	Recommendations for improvement
<p>Understaffing and Absenteeism: With only 2 out of 8 planned positions actively filled and long-term absences, the Department is critically understaffed.</p>	<p>Address Staffing Issues: Redirect the Independent Advisor currently working in another unit to focus on normative tasks in the Department, or formally reassign them to the unit where they currently work and hire a new person for this position. Hire at least one additional person for complex regulatory tasks for the next 6-9 months through temporary transfer from another body or a temporary employment contract.</p>
<p>Overlapping and Additional Tasks: Employees are covering multiple roles, including those outside their primary responsibilities, such as tasks for the EU integration and project management.</p>	<p>Improve Task Allocation: Transfer tasks related to the support for the election of lay judges to the Department for Status Issues. Assign support tasks for the Ethics Committee's operations to the appropriate organizational unit or position responsible for supporting the HJC's working bodies. Delegate tasks concerning freedom of information requests, updating the HJC's Informator, and handling internal whistleblowing processes to the Department for Personnel and General Affairs</p>
<p>Increased Workload Due to New Laws: The adoption of new laws increases the workload, requiring the preparation of regulations and hence department lack normative capabilities.</p>	<p>Enhance Normative Support: Compile a list of all regulations that need to be prepared, identify those requiring external support, and specify activities in the process. Ensure the Department has adequate normative support to handle the preparation of a large number of regulations required by the HJC's new jurisdiction.</p>

Coordination of Working Groups: Better coordination of multiple working groups for drafting specific acts adds to the workload is needed.

Evaluate and Redistribute Workload: Assess whether additional tasks stemming from the HJC's jurisdiction can be assigned to this Department. Given the expected steady workload, support tasks for the Ethics Committee should be included in the job description of an existing position. Ensure efficient handling of freedom of information requests by redistributing this responsibility to the Department for Personnel and General Affairs.

F) Department of Personnel and General Affairs

The Department of Personnel and General Affairs indirectly contributes to the functioning of the HJC. Key highlights include: One employee from the Department directly supports the HJC by providing expert and administrative support to the body responsible for deciding on appeals against decisions regarding judicial assistants' evaluations. The head of the department is appointed as the secretary of this body. Annually, between 2 and 20 appeals from judicial assistants are received. Not all personnel and general affairs are covered by job descriptions, and some tasks are assigned to the Secretary of the HJC or are performed in other organizational units. Personnel tasks performed are largely administrative, highlighting a lack of strategic human resources management functions.

Detected issues	Recommendations for improvement
<p>Incomplete Job Descriptions and Task Allocation: Not all personnel and general affairs tasks are covered in the current job descriptions. Some tasks, such as providing expert and administrative support to the body for appeals against judicial assistants' evaluations, are performed by employees whose primary roles are not aligned with these tasks.</p>	<p>Expand Job Descriptions: Broaden the Department's job descriptions to cover all personnel tasks. Transfer general legal tasks currently performed in other units to the Department, such as handling requests for public information access, updating the HJC's Informator, managing internal whistleblowing processes, maintaining a gift registry, and submitting data to the Anti-Corruption Agency.</p>
<p>Lack of Strategic Human Resources Management: The current focus on administrative tasks means there is insufficient strategic management of human resources. Personnel data management lacks an electronic system.</p>	<p>Focus on Strategic Human Resources Management: Develop a strategic human resources management function within the Department to plan workforce needs, support managers, and develop employees. Implement an electronic system for maintaining personnel records to improve data management and efficiency.</p>
<p>Understaffing for Key Functions: The Department is currently understaffed for both administrative and auxiliary roles, leading to the frequent need for additional temporary staff. Recommendations for Improvement</p>	<p>Reassign and Hire Staff Appropriately: Reassign the business secretary and driver positions to the President's Office, where they organizationally belong. Consider hiring an additional administrative assistant to allow expert staff to focus on strategic human resources functions such as workforce planning, managerial support, and employee development. Hire a dedicated IT support staff member instead of an engineer for computer networks to meet the objective IT support needs. Given the clear need for another cleaner, hire an additional staff member for hygiene maintenance on a permanent basis. Assess the need for an additional driver considering the obligations of the HJC members.</p>

G) Group for Processing Complaints Addressed to the HJC

The Group for Processing Complaints Addressed to the HJC plays a pivotal role in addressing complaints submitted to the HJC. The following points summarize the current state of the Group: **Role and Function:** The Group’s name and job descriptions clearly define its role and the phases involved in processing complaints. **Leadership and Staffing:** The Group leader is currently serving as the Acting Assistant Secretary, which may affect the Group's efficiency. This appointment is temporary and will end by mid-March 2024, after which the leader will resume their original position. Despite the absence of higher-ranking positions within the Group, the leader continues to handle the most complex tasks.

Detected issues	Recommendations for improvement
<p>Staffing Shortages: The position of archivist is unfilled, potentially overburdening existing staff. Additional tasks performed by clerks in other units may detract from their primary responsibilities and create inefficiencies.</p>	<p>Staffing Enhancements: Fill Archivist Position: Recruit and fill the vacant archivist position to ensure efficient archiving and reduce the workload on current staff. Additional Clerk: If the Group takes over standard mail preparation tasks currently performed by other units, hire an additional clerk to manage the increased workload</p>
<p>Workload Distribution: The workload and responsibilities of the Group are not fully reflected in available reports, making it difficult to assess and manage resource needs accurately. Preparation for mail dispatch is labor-intensive and might be more efficiently handled if centralized within the Group.</p>	<p>Centralization of Tasks: Mail Preparation: Reassign standard mail preparation tasks (weighing, data entry, addressing, packaging) to the Administrative-Technical Office to streamline operations and free up clerks in other units for their primary tasks. Improved Reporting and Assessment: Enhance the reporting mechanisms to provide a more comprehensive view of the Group’s workload. This includes tracking not just the number of new cases but also other activities such as mail preparation and archiving. Use this data to better assess staffing needs and operational efficiency.</p>
<p>Efficiency and Coordination: The current distribution of tasks across units may lead to inefficiencies and a lack of centralized oversight.</p>	<p>Operational Efficiency: Implement standardized procedures and training for all clerks handling administrative and technical tasks to ensure consistency and efficiency across the organization. Consider technological solutions to automate repetitive tasks where possible, further increasing efficiency. By addressing these recommendations, the Administrative-Technical Office Group can improve its operational efficiency, better manage its workload, and ensure that all administrative and technical functions are handled effectively within the HJC.</p>

H) Administrative-Technical Office Group (Group for Jobs at a Registry Office)

<p>The Administrative-Technical Office Group is responsible for a range of essential administrative functions within the HJC. These include the receipt and logging of cases into the automated data processing system, distribution to organizational units, mail preparation and dispatch, and case file archiving.</p>	
Detected issues	Recommendations for improvement
<p>Staffing Shortages: The position of archivist is unfilled, potentially overburdening existing staff. Additional tasks performed by clerks in other units may detract from their primary responsibilities and create inefficiencies</p>	<p>Staffing Enhancements: Fill Archivist Position: Recruit and fill the vacant archivist position to ensure efficient archiving and reduce the workload on current staff. Additional Clerk: If the Group takes over standard mail preparation tasks currently performed by other units, hire an additional clerk to manage the increased workload.</p>
<p>Workload Distribution: The workload and responsibilities of the Group are not fully reflected in available reports, making it difficult to assess and manage resource needs accurately. The person employed in this Group has been performing tasks for another organizational unit for an extended period.</p>	<p>Redistribute workload: Improve the system of report creation. The person employed in this Group, who has been performing tasks for another organizational unit for an extended period, should be transferred to an appropriate position in that unit.</p>
<p>Efficiency and Coordination: The current distribution of tasks across units may lead to inefficiencies and a lack of centralized oversight. Part of the clerk's office tasks are also performed by other clerks for the needs of the organizational units in which they are employed.</p>	<p>Operational Efficiency and centralization: Implement standardized procedures and training for all clerks handling administrative and technical tasks to ensure consistency and efficiency across the organization. Mail Preparation: Reassign standard mail preparation tasks (weighing, data entry, addressing, packaging) to the Administrative-Technical Office to streamline operations and free up clerks in other units for their primary tasks.</p>

I) President's Office of the HJC

<p>The President's Office of the HJC is responsible for handling protocol, public relations, and administrative tasks.</p>	
Detected issues	Recommendations for improvement
<p>Unfilled Key Positions: The roles of Chief of Staff and Public Relations Officer are vacant, leaving gaps in protocol and public relations management.</p>	<p>Fill Vacant Positions: Chief of Staff and Public Relations Officer: Immediately fill these critical roles to ensure the proper management of protocol and public relations.</p>
<p>Misallocated Staff: Employees from other departments, such as the Complaints Processing Group, are performing tasks meant for the President's Office, which can lead to inefficiencies and overburdening of those employees.</p>	<p>Reassign and Hire Staff Appropriately: Reallocate Existing Staff: Transfer employees who are currently performing business secretary tasks in the President's Office from other units to officially designated positions within the Office. Hire Additional Personnel: If necessary, recruit additional personnel to fill any gaps, ensuring that each critical function has two designated staff members to manage the workload efficiently.</p>
<p>Insufficient Organizational Alignment: The current organizational structure does not fully reflect the practical assignment of duties, particularly the roles of business secretary and driver, which should be officially part of the President's Office.</p>	<p>Organizational Realignment: Integrate Roles: Officially integrate the roles of business secretary and driver into the President's Office, ensuring that the organizational structure accurately reflects the practical assignment of duties.</p>

J) Independent Executors

a) Professional and Administrative Support to Disciplinary Bodies

<p>Independent executors provide professional and administrative support to disciplinary bodies, operating independently from other internal organizational units. Tasks include those defined by job descriptions for professional roles, while referents occasionally assist other organizational units (e.g., assisting the Section for Status Issues during candidate interviews or substituting the business secretary in the President's Office).</p>	
Detected issues	Recommendations for improvement
<p>Parallel Record Keeping: The existing IS does not provide comprehensive data tracking and reporting for disciplinary cases, necessitating parallel records.</p>	<p>Detailed Job Descriptions: Develop more detailed job descriptions for roles providing professional and administrative support to disciplinary bodies to ensure clarity and efficiency in task execution. Organizational Restructuring: Consider establishing a new organizational unit dedicated to supporting multiple working bodies of the HJC. This unit could provide consolidated support and optimize resource use. Proposed Structure: The new unit would handle support for disciplinary bodies, the Ethics Committee, the judge responsible for requests for protection against undue influence, the Budget Commission (mainly administrative support), and the Appeals Commission for courts. Reevaluate the necessity of providing support for appeals against decisions of working bodies, possibly incorporating this into the legal affairs organizational unit.</p>
<p>Limited Space for Archiving: The allocated space for archiving disciplinary cases is fully utilized, and additional space or a new archiving solution is needed.</p>	<p>Expand Archiving Capacity: Allocate additional space for archiving disciplinary cases or explore digital archiving solutions to manage the overflow and ensure permanent storage of documents.</p>
<p>Understaffing: The current staffing does not fully meet the demands of the Disciplinary Prosecutor, who has expressed the need for an additional senior advisor to improve efficiency.</p>	<p>Staffing Adjustments: Consolidate existing positions for professional and administrative support within the new organizational unit. Assess the need for additional support staff, including a senior advisor to manage complex tasks and fulfill the Disciplinary Prosecutor's request for additional professional support. Projected Staffing Needs Current Staffing Needs: 1 unit head (senior advisor), 2 executors for professional tasks, and 2 referents for</p>

	<p>administrative tasks. Potential Expansion: If the new organizational unit is tasked with providing support for appeals against decisions of working bodies, an additional senior advisor should be hired. Future Adjustments: After determining the distribution of all tasks arising from the HJC's competencies, the projected number of required staff may change. Regular reviews and adjustments will ensure the unit remains responsive and adequately staffed. By addressing these recommendations, the support structure for disciplinary bodies can be improved, leading to enhanced efficiency, better resource allocation, and more effective handling of disciplinary cases.</p>
<p>Role Overlap and Misallocation: Staff from other units (e.g., Complaints Processing Group) are occasionally performing tasks for the disciplinary bodies, indicating a need for more specialized and dedicated support.</p>	<p>Improving Information Systems: Upgrade the existing IS to enable comprehensive data tracking, reporting, and archiving of disciplinary cases. This enhancement will reduce the need for parallel record-keeping and improve data accuracy and accessibility.</p>

b) Position of Independent Internal Auditor

<p>Internal financial control in the public sector encompasses: Financial management and control for users of public funds. Financial management and control are organized as a system of procedures and responsibilities for all individuals within the organization. Internal audit for users of public funds. Internal audit is organizationally independent of the activities it audits. It is not part of any business process or organizational unit within the organization and is directly accountable to the head of the public funds user. The functional independence of internal audit is ensured through autonomomorganizational units decision-making regarding the audit area based on risk assessment, the manner of conducting the audit, and reporting on the audit performed.</p>	
<p style="text-align: center;">Detected issues</p>	<p style="text-align: center;">Recommendations for improvement</p>
<p>Vacant position of internal auditor: The position of internal auditor is provided for in the Systematization but is currently unfilled. In the second half of 2023, one individual was engaged on a temporary and occasional basis under a contract to provide consulting services related to financial management, control, and internal audit.</p>	<p>Filing the position of the internal auditor: Filling the position of internal auditor is essential. By doing so, effective internal financial control will be ensured, organizational independence will be maintained, and the functional independence of the internal audit function will be upheld. This will enhance the accountability and transparency of financial management within the organization.</p>

c) Administrative-technical Assistance to the Appellate Committee of Courts

The Appeals Commission of the Courts is responsible for adjudicating appeals from court officials regarding administrative decisions affecting their rights and duties, as well as appeals from participants in internal and public competitions. The jurisdiction of the HJC over the Appeals Commission is defined by the Law on Civil Servants, which includes determining the number of members and appointing and dismissing the president and members of the Commission. The AO of the HJC provides technical and administrative support to the Appeals Commission

Detected issues	Recommendations for improvement
<p>Decreased Workload: There has been a significant decline in the workload of the Appeals Commission: The total number of cases handled by the Commission decreased from 1180 in 2018 to 163 in 2022. Despite the reduced workload, the same number of personnel (one independent executor) continued to provide support, without any additional assistance.</p>	<p>Expand Job Description: Given the reduced workload, consider expanding the job description of the current administrative and technical support role to include additional responsibilities. This could involve: Assisting other departments or commissions within the HJC. Taking on supplementary administrative tasks that could optimize overall operational efficiency.</p>