

## APPENDIX II - 2. ROAD MAP TABLE

General recommendation	Continue the capacity-building efforts of the main stakeholders within the justice system (MoJ, HJC and SPC)		
Independence	Short-term	Medium-term	Long-term
<b>Self-governing structure</b>	<p>Implement electoral procedure for permanent composition of the HJC.</p> <p>HJC propose to the National Assembly a list of candidates for the election of court presidents and the invited members to the HJC from the ranks of judges.</p> <p>Adequately fund and compose the Council's administrative office.</p> <p>Establish the full and permanent composition of the SPC. Elections should be transparent and fair and conducted by the SPC.</p> <p>HJC should implement/adopt the following provisions: 1) Criteria, measures and proceedings for evaluation of activities of the judges and court presidents;</p>	<p>Establish other permanent bodies to assist the Council in its tasks.</p> <p>Increase institutional capacity of the HJC's Administrative office and solve human resources problem.</p>	<p>HJC to pass Code of Ethics during the General meeting of all judges in Serbia.</p>

	<p>2) Composition and working methods of the Commission for evaluating work of courts' presidents;</p> <p>3) Regulation of working methods and decision-making procedures in disciplinary bodies;</p> <p>4) Composition and activities of the permanent working groups;</p> <p>5) Transfer personnel and resources necessary to execute transferred activities from the Ministry of Justice.</p> <p>Improve transparency of SPC activities by running a comprehensive website allowing access to non-confidential information.</p>		
<p><b>Independent budget authority</b></p>	<p>MoJ and HJC to cooperate and prepare the budget for the judiciary for 2011.</p> <p>HJC MoJ and SPC to cooperate in the transfer of budget competences.</p> <p>Recruit qualified personnel to Administrative offices of HJC and SPC.</p> <p>Create framework of cooperation between MoJ and two superior Councils in budgetary competences. Establish steering committees on both horizontal and vertical level.</p>	<p>Amend national legislation to prevent problematic supervision of HJC by executive.</p> <p>Reorganise internal administration of the HJC and SPC to implement new budgetary procedure.</p> <p>Provide training courses for members of HJC and SPC relating to competences in budgetary matters.</p>	<p>Develop capacities of administration and management and of monitoring presidents of courts and prosecutors' offices. Create inspectorates for HJC and SPC.</p> <p>Consider full transfer of budget competencies, including IT and capital investments.</p>

		Provide HJC with the authority to propose overall budget for judiciary, including capital investments and include in budgetary negotiations before Parliament	
<b>Independent policy and rule making authorities</b>	Increase organisational, budgetary and personnel measures to increase capacity of both superior Councils.		HJC and SPC to operate in accordance with best comparable practice.  Improve management skills of members of HJC and acquaint them with best comparable practices.
<b>Administration, Management and Monitoring</b>	Develop administrative and managerial capacities.  Introduce a professional court manager.	Improve monitoring of presidents of courts and heads of prosecutors offices.  Create two inspectorates within HJC and SPC composed of judges and prosecutors to prepare guidelines on administration and management.  Internal inspectorates to assess and implement recommendations resulting from inspections of courts and public prosecution services.  Compose inspectorates of competent and well trained staff and guarantee independence from external influence.	

Transparency	Short-term	Medium-term	Long-term
<b>Procedure of general (re-)election</b>	<p>Finalise membership of HJC and SPC in accordance with European standards on transparency.</p> <p>Review procedure of general (re-)election. Try to find an acceptable solution in consultation with all the parties concerned. If this fails, decide on necessity of a new procedure.</p> <p>Carry out transparent elections for open positions of judges and prosecutors.</p> <p>EC, HJC, MoJ and the associations of judges and prosecutors should continue with dialogue and make findings available to the public.</p>		
<b>Rules and procedures about selection, promotion, discipline and dismissal of judges and prosecutors</b>	<p>Rules and procedures, as well as criteria for selection, promotion, discipline and dismissal of judges and prosecutors must be transparent and objective, containing minimum discursion powers. Even more important is a proper and transparent implementation.</p>		
<b>Composition of the Constitutional Court</b>	<p>Composition of Constitutional Court should be completed as soon as possible.</p>		

<p><b>Transparency of the functioning of the self-government institutions</b></p>		<p>Improve rules on secrecy of meetings and data of HJC and SPC. Attain high degree of transparency, as far as possible. Exceptions must be clearly defined and limited to what is strictly necessary.</p> <p>Improve transparency of HJC and SPC activities by creating websites allowing access to non confidential information</p>	
<p><b>Access to jurisprudence and court information</b></p>		<p>Ensure access to jurisprudence, for judges, prosecutors, the media and the general public.</p> <p>Establish websites to this effect. The CoE and other institutions to assist.</p>	
		<p>Internet access provided to all judges and prosecutors.</p> <p>International institutions to provide assistance in funding the purchase of equipment.</p>	
		<p>Review existing rules and procedures on access to court information to public access to court proceedings.</p> <p>Conduct independent survey to identify reforms to support greater public access to court information</p>	

<b>Public image of the judiciary</b>		<p>Implement programme to improve the public image of the judiciary. International institutions to assist.</p> <p>Programme to evaluate results of tests conducted in specific courts.</p> <p>Establish public relations offices within the HJC and courts.</p> <p>Set up comprehensive system of public relations offices / courts' spokespersons.</p> <p>SPC to adopt similar measures.</p> <p>Utilise automated system to track and respond to citizen complaints.</p>	
<b>Changes</b>	Avoid other important changes in near future, unless necessary to ensure the good functioning of the justice system and society, under the rule of law.		
<b>Accountability</b>	<b>Short-term</b>	<b>Medium-term</b>	<b>Long-term</b>
<b>Judicial productivity and performance</b>	HJC, SPC and MoJ to continue efforts to introduce a uniform data collection system for reviewing judicial productivity.	HJC and SPC to set standards of judicial performance and regularly review the performance of the courts, individual judges and prosecutors (including development of a comprehensive performance measurement framework).	

	<p>Develop clear and objective criteria on the amount of judges and cases that judges are expected to handle during a certain period of time.</p> <p>Involve representatives of the Association of Judges in setting up the criteria.</p> <p>A working group to compare different experiences in measuring workload in courts and for individual judges.</p> <p>Identify the required number of judges, prosecutors and other staff members.</p> <p>The same could be recommended, mutatis mutandis, for prosecutors.</p>		
	<p>After or together with introduction of uniform data collection system, possibilities for improving the productivity of judges and prosecutors to be examined i.e. streamlining workflow, establishing specific business procedures, rationalise the use of courtrooms, specialising judges and prosecutors in specific fields of law.</p>		

<b>Backlog of cases</b>	<p>HJC and SPC to work on appropriate measures to decrease the backlog of cases and improve the quality of executing judicial decisions.</p> <p>Recruit additional human resources.</p> <p>Conduct study to identify whether non-judicial tasks could be assigned to other personnel.</p>	<p>Implement Rec (2010) 3 on effective remedies for excessive length of proceedings adopted by the Committee of Ministers on 24 February 2010.</p>	<p>Consider renouncing a written motivation of decisions in simple cases if parties do not request and/or do not appeal against judgment.</p>
<b>Prosecutorial investigation</b>	<p>The CoE to assist build up the new system of prosecutorial investigation.</p>		
<b>Effective Case Management</b>	<p>Solve software problems for courts and prosecutors' offices.</p>	<p>Established transparent procedure of regular assessment of each judge's / prosecutor's work based on multi criteria rules in the light of CoE standards.</p>	



	<p>Provide court/prosecution service administration and management training to judges/prosecutors identified as being electable as president of a court or as head of a prosecutors' office.</p> <p>Decision-makers to retain administration and management skills as criteria for the election of applicants who want to become Court President or Head prosecutor.</p> <p>Presidents of courts / head prosecutors to be assisted by efficient deputy presidents/deputy prosecutors and competent personnel.</p> <p>Deputy presidents'/prosecutors' skills should be assessed in relevant field.</p> <p>Re-evaluate the “mutualisation” of the court and prosecution service – and the administrative personnel who will deal with managing the finances and budget.</p> <p>Establish job description for court manager/director of finance of a prosecution service to list their distinguishable conferred competences.</p> <p>Create a working group composed of representatives of the MoJ, HJC, SPC and the courts/prosecution services to harmonise practices throughout the country.</p> <p>Transparently recruit and train court managers/directors of finances.</p> <p>Create networks for common discussions about practices, problem solving, initiatives etc. Encourage regular official meetings between actors of the administrative and management issues in courts/prosecution services.</p>	
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<b>Integrity and ethical standards</b>		<p>HJC and SPC to conduct surveys to identify unethical behaviour of judges / prosecutors with cooperation from other institutions.</p> <p>HJC and SPC create action plan to improve integrity and ethical behaviour of judges and prosecutors.</p> <p>Organise round table discussions and/or seminars. Include topic of integrity and ethics in curricula of training programmes.</p> <p>CoE to assist HJC and SPC in drafting and implementing programmes on ethics and deontology.</p>	
<b>Disciplinary prosecutor</b>	Cooperation between CoE and SPC, to implement the institution of a disciplinary prosecutor.		
<b>Efficiency</b>	<b>Short-term</b>	<b>Medium-Term</b>	<b>Long-term</b>
<b>Improved Access to Justice</b>	<p>Draft and adopt comprehensive legal framework for the provision of legal aid.</p> <p>Set up a Catalogue of services that that must be provided in order for legal aid to be effective.</p> <p>Provide a regulation suspending limitation periods in cases referred to mediation</p>		

		<p>Fill legislative gap in the implementation of the principle of confidentiality related to mediation.</p> <p>Sanction breaches of the confidentiality duty by a mediator appropriately.</p> <p>Design and adopt comprehensive mediation programmes in the fields of family and civil matters.</p> <p>Introduce mandatory mediation in property disputes.</p> <p>Agreement reached through mediation to enjoy effect of a writ of execution.</p>	
<p><b>Standardised System for Education and Training</b></p>	<p>MoJ, HJC and Law faculties to agree on design of new curriculum for training judges and prosecutors. HJC to approve. Special emphasis on human rights, taking on board the results of the European Programme for Human Rights Education for Legal Professionals (The “ HELP II” Programme).</p>	<p>Involve Law faculties in order to strengthen judicial departments and offer additional practical training opportunities.</p> <p>CoE to support Judicial Academy.</p> <p>Authorities to reconsider the number of candidates to be admitted to the first initial training session.</p>	<p>Implement long term NJRS reforms, in particular the development of the final comprehensive training programme.</p> <p>Judicial Academy/CoE cooperation in in-service training, prosecutor role capacity building, conducting prosecutorial investigations etc.</p>

<p><b>Modern Court Network</b></p>	<p>Relevant authorities to solve problems relating to material resources of courts and prosecution offices. Relevant budgetary allocations to be re-evaluated.</p> <p>MoJ, HJC and SPC to solve problems relating to distance between judges and prosecutors residences and places of work.</p> <p>Solve problem of influx of judicial cases, cases solved, balance of backlogs between different courts and judges.</p> <p>Prepare legislation to ensure proportional burden of work.</p> <p>Establish Committee composed of national and international experts to assess and improve the efficiency of the judicial system in Serbia.</p> <p>Adopt an Action Plan to implement medium and long term NJRS reforms to focus on i) human resource allocation for increasing workload of judicial disputes ii) proportional distribution of judicial workload between judges and courts at same level iii) strengthening internal administration and court management iv) investment in (re) construction of new court facilities</p>	<p>Disseminate European standards to all judges and public prosecutors in Serbian.</p>	<p>Set up working group to focus on whether every case of undue length be brought before the Constitutional Court.</p> <p>If so, reconsider institutional competence between Constitutional Court and other courts, if necessary change Serbian Constitution</p>
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