



REPUBLIC OF ALBANIA  
SCHOOL OF MAGISTRATES

# STRATEGY OF THE SCHOOL OF MAGISTRATES OF THE REPUBLIC OF ALBANIA



2019-2023

**Title:** Strategy of the School of Magistrates of Republic of Albania

**Prepared:** SoM working group in cooperation with EURALIUS Mission

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## CHAPTER I INTRODUCTION AND METHODOLOGY

### 1.1. INTRODUCTION

In 21 years of activity and operation, the School of Magistrates has laid the foundations of the justice system through the preparation of judges and prosecutors to a higher professional, ethical and moral standard, as well as the creation of a new culture and physiognomy on the model new magistrate.

As a fully independent institution comprised of the most prominent jurisprudence professors and magistrates, who managed to maintain their integrity and bring the practice experience and the principle of academic freedom, the School of Magistrates has aimed at selecting the best teaching modules, which undoubtedly have contributed to the enhancement of the quality and professionalism of young magistrates. It is the only institution that provides professional training for judges and prosecutors on duty, fulfilling the legal obligation for their continuing training through a rich program and scientific methods.

The continued aid and the incredibly important contribution that international organizations have provided has been and remains a determining factor for highlighting the School of Magistrates as an elite institution of knowledge, but also as one of the few, appreciated bodies within the criticized justice system. It has been this activity appreciated over the years that has served to set up the Magistrates' School at the level of a constitutional institution, ranking next to the new organs of the justice system governance.

After two decades of activity, at the stage in which the justice system finds itself, it is up to the School of Magistrates to write the history of a new justice that is based on the principles of independence, accountability, transparency and efficiency and that will guarantee fundamental human rights and freedoms. It is the direct responsibility of the School of Magistrates to increase the trust of Albanian citizens in the training of the magistrates who should guarantee the independence of the justice system and the well-functioning of the rule of law.

We are witnessing what is happening to the justice system in Albania. Following the constitutional changes and the adoption of laws on judicial reform, the School of Magistrates functions and carries on its activity with more challenges and greater responsibilities. Any lawyer seeking to be part of the justice system has no other entry gateway, except for the School of Magistrates.

In accordance with the directions and objectives of the Justice Reform, the School of Magistrates has the functional duty not only to ensure the initial and continuous training of magistrates (judges and prosecutors), but also the provision of initial and continuous training programs, suitable for different categories of jurists, including state attorneys, legal assistants, and chancellors in the courts and prosecutors. The role of the School of Magistrates in the process of selecting the representatives of the High Judicial Council and the High Prosecutorial Council, as well as the presence of the heads of these bodies in its Steering Council, create all the necessary legal space for having a cooperation to exchange experiences and to present needs and requirements in the successful fulfillment of institutional tasks.

A new path is being set up for the Albanian justice system and the School of Magistrates assumes its weight of responsibility. To ensure a quality and sustainable development of the justice system, there are many more tasks that need to be planned, programmed and implemented in time before the School

of Magistrates in order to ensure efficient justice. In order to assume new responsibilities and successfully fulfill its activity, a need has naturally emerged for drafting a new Strategy for the

School of Magistrates through which the mission and tasks assigned to it should be broken down in concrete terms.

In this context, a new Strategy has been prepared in close consultation with the School of Magistrates' pedagogical and administrative staff and with the assistance of experts from the EURALIUS V mission. This strategy carefully analyzes the needs and problems faced by the School during the exercise of its activity in order to resolve urgently the problems that are dictated by the current situation, without ceding to the standard of teaching quality and in order to plan in a realistic medium term and long-term the objectives to be achieved.

By making a legal and institutional analysis the Strategy clearly reflects the priorities and strategic goals, objectives and policies of the School of Magistrates for the development and improvement of its further activity in terms of the initial training, continuous training, publications and the scientific-research work, infrastructure, financial and human resources.

The School of Magistrates' main orientation is the continuation of all the valuable work that others have started before and which have brought it to this stage. We already find ourselves in another reality requiring a redesign of the road to be followed.

The School of Magistrates of the Republic of Albania is oriented towards the necessary capacities required for the implementation of this Strategy, with the aim of enabling the realization of the justice we desire.

The strategic mission is and remains the professional training of magistrates as well as other relevant actors of the justice system, with high professional, moral and ethical skills and qualities, in order to increase the quality of justice, the service to citizens and strengthening the rule of law. As an elite institution of knowledge for the initial training of magistrates and other officials of the justice system and in the forefront of legal education institutions, in continuous cooperation with all national and international bodies, the School of Magistrates will continue to be oriented towards improving and developing the skills and capacities of the scientific research work with a view to turning itself into a center for the active exchange of ideas regarding legal topics on national and international case law. However, the identification of candidacies with professional and moral integrity, selected to perform the duty of the magistrates, as well as their preparation and the preparation of the magistrates of the system, is the main mission of the School of Magistrates. If we want to know how future judges and prosecutors will be, we need to see the challenges facing the School of Magistrates today in fulfilling its mission to implement the justice reform. This is the great responsibility of the School of Magistrates, seen in a completely new reality that the implementation of this deep reform in justice imposes on it and which requires a redefinition of its role in preparing for the next five years the model of the magistrate we want in the hope that justice will be done.

**Prof. asoc. dr. Sokol SADUSHI**  
**Director of the School of Magistrates**

## 1.2. PREFACE

**B**ased on Law no. 8136, dated 31.07.1996 “On the School of Magistrates of the Republic of Albania” (amended by Law No. 9414, dated 20.05.2005 and Law No. 97/2014), the School of Magistrates in the Republic of Albania was established as a strong foundation stone in the field of law, specifically (but not only) for the realization of professional education in this field. In the current situation, with a comprehensive reformation being made in the justice system, the School of Magistrates is already at the level of an institution anticipated by the Constitution. These activities and functions are regulated through several laws with qualified majority, such as: the Law No. 115/2016 “*On the governance institutions of the justice system*”, Law No. 96/2016 “*On the status of judges and prosecutors in the Republic of Albania*”, Law No. 98/2016 “*On the organization of judicial power in the Republic of Albania*”, Law No. 97/2016 “*On the organization and functioning of the prosecution office in the Republic of Albania*”, Law No. 84/2016, “*On the transitional re-evaluation of judges and prosecutors in the Republic of Albania*”.

The school is responsible for the Initial and Continuous Training of magistrates (judges and prosecutors), state advocates, legal assistants and chancellors in courts and prosecution offices. At the same time, in cooperation with the High Judicial Council and the High Prosecutorial Council, the School has an important role in the professional training of judicial administration.

Within the framework of fulfilling this responsibility, a strategy was developed (2019-2023), in accordance with the criteria and methodology recommended by EURALIUS V mission, who have contributed with the support of their experts.

**The mission of the School** as sensitive, as well as essential and professional, requires a most robust and sustainable Strategy to ensure the functioning of the first element of the justice system and a continuous influence on long-term consequences and results. Increasing access to justice, increasing public trust in Albanian justice, in parallel with strengthening and further enhancing the contribution of this sector to the development of Albanian society, will also serve as an incentive for accelerating European integration.

**The vision of the School** is the sustainable and professional preparation and development of magistrates and other important actors of the justice system in the Republic of Albania, such as: state advocates, legal assistants, legal advisers and chancellors of courts and prosecution offices with high ethical and moral integrity in order to work towards restoring the trust of society to justice and to contribute the an improvement of the legal culture in the society.

### 1.3. METHODOLOGY

The design and conceptualization of this strategy is based on the existing Albanian government policies that orientate towards the perspective for accession to the European Union. Presentation of these policies is provided through key documents such as: “*National Strategy for Development and Integration*”, “*Cross-sectoral Strategy of Justice*”, “*National Plan for European Integration*” and “*European Commission Progress Report 2018*”. The strategy of the School of Magistrates also takes into consideration the fact that specific issues or fields are addressed by specific strategies, such as the Cross-Sectoral Strategy of Justice 2018-2021, which includes the objectives of the School of Magistrates.

The drafted strategy is a proposal for the improvement and development of the School of Magistrates through its most efficient planning, administration and management. The objective of the drafters of this document is, inter alia, that the policies identified in its content contribute to the promotion of cooperation with partners within and beyond the justice system, but, of course, where possible, it is also aimed at co-operating with Albanians and foreign intergovernmental actors, with the sole purpose of drafting further and more broadly based policies and plans.

The process of drafting this strategy has been all-inclusive, including stakeholders, key institutions of the justice system in Albania, and close co-operation with Euralius experts. A working group with full-time lecturers of the School and the administrative staff was established by an Order of the School Director to discuss and analyze the situation in which the School of Magistrates is found reflecting the changes to Legislation in the framework of the Justice Reform and what the challenges are for its future.

The working group has identified the strategic goals for the period 2019-2023 and presents their findings and related measures. All these initial findings were elaborated, analyzed and harmonized in the working group meetings and with the experts of the Euralius V mission and then in further discussions with the Pedagogical Council and the Steering Council of the School of Magistrates. All the recommendations made are included in the final text of this document.

All measures in the Action Plan of this strategy are prioritized, budgeted and divided into phases. The division of these measures into discrete phases is based on the expected absorption capacities of the School of Magistrates. The purpose of the division into phases follows a logical course ensuring that their implementation is realized chronologically.

## CHAPTER II CONTEXT REASONING AND RISK ASSESSMENT

### 2.1. LEGAL AND INSTITUTIONAL ANALYSIS

The School of Magistrates of the Republic of Albania, based in Tirana, is an organisation of institutional, academic and administrative independence, provided, first of all, in the Constitution, and regulated by Law No. 115/2016 “*On the governance institutions of the justice system*”, Law No. 96/2016 “*On the status of judges and prosecutors in the Republic of Albania*”, Law No. 98/2016 “*On the organization of Judicial Power in the Republic of Albania*”, Law No. 97/2016 “*On the organization and functioning of the prosecution office in the Republic of Albania*”, Law No. 84/2016, “*On the transitional re-evaluation of judges and prosecutors in the Republic of Albania*”.

Legislation amendments within the justice reform process have increased the role of the school several times, turning it into one of the key bodies of the justice system with responsibility for meeting the following obligations:

- Recruitment and initial professional theoretical and practical training of candidates for magistrates;
- Recruitment and initial theoretical and practical training of candidates for positions in State Advocacy;
- Theoretical and practical nine-month professional training of candidates for legal assistants and legal advisers;
- Recruitment and theoretical and practical initial training of candidates for court and prosecution office chancellors of three-month duration;
- Continuous training of on-duty judges and prosecutors, state advocates and legal assistants and chancellors working in courts and prosecution offices;
- Fulfillment of all functions deriving from Law No. 84/2016 “*On the transitional re-evaluation of judges and prosecutors in the Republic of Albania*”, regarding the obligation to follow the 1-year training program of the assessors, with shortcomings in their professional skills.
- Cooperation with the HJC/HPC, the Ministry of Justice for the realization of professional training activities of judicial administration employees, and other professions related to the justice system, in accordance with the law or at the request of the interested institutions;
- To provide editions and publications, to conduct scientific research and to prepare analyzes, memos and expertise with a view to becoming a true research and scientific center.

### 2.2. RELATION OF THE SCHOOL WITH BENEFICIARIES AND COLLABORATORS

The service of strengthening the judicial system and prosecution office and close cooperation with other Albanian state institutions is one of the main directions of the School’s work. We have had and will continue to have, very good cooperation with all the beneficiaries of the academic and professional activity of the School, but at the same time fruitful relations with key institutions such



as: the High Judicial Council, the High Prosecutorial Council, the General Prosecution Office, the Ministry of Justice and the communities of magistrates, advocates, legal assistants, chancellors, and all other actors interacting with the school.

The direct beneficiaries of the academic and professional activities of the school are the magistrate candidates, on-duty magistrates, candidates for legal advisers/legal assistants and those in office, candidates for state advocates and state advocates in office, candidates for chancellors and chancellors in office who have to attend the respective professional training programs delivered by the School of Magistrates.

Indirect beneficiaries of its academic activity are Lawyers, Notaries, Bailiffs, Judicial Police Officers, and Judicial Administration who may be beneficiaries of trainings on specific topics and increase the efficiency of magistrates' professionalism.

Collaborators of its programs are various institutions such as: the Parliament of Albania, the Ministry of Justice, the Ministry of Finance and Economy, the High Judicial Council, the High Prosecutorial Council, the State Advocacy, International Donors, various International Judicial Training Networks, the School of Public Administration, the Academy of Security, which offer their support and cooperation to increase and strengthen the organizational and institutional capacities of the school.

Other state institutions with an interest in the activities of the School include: the Department of Public Administration, the Commission for Personal Data Protection, the Public Procurement Commission, the Supreme State Audit who provide assistance with expert groups and audits of the school's activity.

## **2.3. ANALYSIS OF PROBLEMS**

Changes to the legislation on justice reform has added new responsibilities and obligations to the School, which are difficult to be implemented given the current state of the school in terms of its infrastructure, academic and administrative staff, professional training programs, and scientific research work.

### **2.3.1. LACK OF INFRASTRUCTURE CAPACITIES**

The school started its activity on 01.10.1997 at the premises of the Faculty of Geology and Mining of the Polytechnic University, covering half of the fourth floor, according to the letter no. 882/1, dt.03.09.1997 of the Minister of Education and Science. In the framework of the development of its activity, dictated by the obligation to meet the increasing demands for the training of judges and prosecutors in office, and upon the Prime Minister's order no.173 dated 07.07.2000, the whole fourth floor of this building was transferred to the administration of the School of Magistrates.

In these facilities there is only one hall for the initial training, attending courses of about 25-30 candidates for each year, a hall for continuous formation, where groups of about 30 people are trained, a hall for the simulation of the court with a maximum of 30 seats, a library and eight offices for academic staff and administrative staff.

There is a lack of human resources, infrastructure in terms of information technology and means of transport, which are elaborated in the following sections.

### 2.3.2. LACK OF HUMAN AND FINANCIAL RESOURCES CAPACITIES

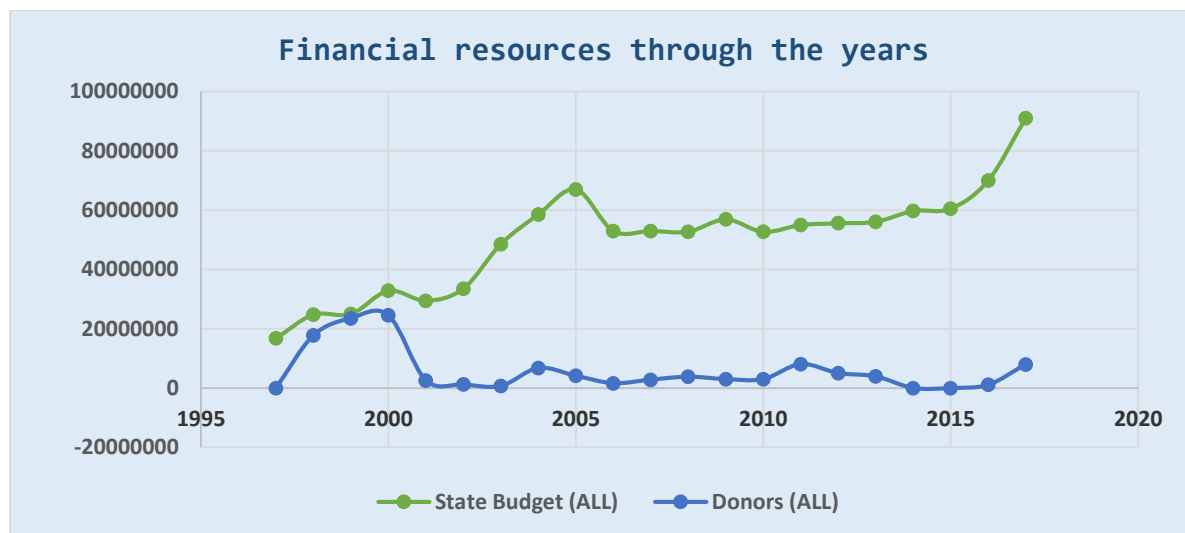
At present, the School of Magistrates has a staff of 31 employees, divided in three departments consisting of eight full-time lecturers and six sectors consisting of 21 civil servants and two supporting staff.

In order to fulfill the new commitments, the internal staff of 31 persons is insufficient to carry out all necessary activities of academic and administrative profile. Additionally, the current part-time staff engaged in the initial and continuous training program are insufficient to cover the growing needs of professional training programs.



*Information taken from payment lists through the years*

The above provides the necessary financial support from the state budget, with a substantial increase from previous years, which can cover a considerable part of the school's activity, but nevertheless remains insufficient to cover the costs of the continuous training program, scientific research work, investments for a new and suitable building for its activity, information technology, means of transport, but also the necessary financial support of additional human resources in the framework of increased obligations.



### 2.3.3. LACK OF ACADEMIC CAPACITIES

#### *I. Lack of training curricula for new groups/categories and review of existing curricula for magistrate candidates*

In the scope of its engagements, the school faces insufficient numbers of staff available to prepare and review curricula for the categories specified below:

- ✓ Programs and curricula for magistrate candidates, who attend the three-year cycle of studies.
- ✓ New syllabus and curricula for state advocates and legal assistants/advisers, who will attend the initial training for a nine-month period at the School of Magistrates.
- ✓ Syllabus and curricula for the chancellors, who will attend the initial training program for about three months at the School of Magistrates.
- ✓ Integrated curricula and modules in the e-learning platform for distance training.

#### *II. Review of the admission examination program and the test sample.*

Albania is now moving towards accession to the European Union and the Albanian judge and prosecutor will be seen as a European magistrate. For this, it is necessary to:

- ✓ Review the examination program and a new test model appropriate for recruiting candidates for magistrates, state advocates and legal assistants in the required quality and number in order to absorb competitors with high logical and interpretative competencies of the law, who have been graduated inside and outside the country;
- ✓ Preparation of an examination and a test model suitable for chancellors on duty and candidates for chancellors.

### 2.3.4. INSUFFICIENCY OF QUALITY PUBLICATIONS

- ✓ Lack of scientific research due to the lack of sufficient human and financial resources.
- ✓ Insufficiency of qualitative and quantitative legal publications from various fields.
- ✓ Limited market for the sale and distribution of legal publications of the school.

### 2.3.5. LIMITED CAPACITY OF RECRUITMENT

School of Magistrates is facing an extraordinary challenge because it has to increase its capacities in the initial training program by 300% in order to train up to 75 magistrate candidates a year for a period of 5-7 years, in order to ensure the replacement of vacancies created by the dismissal of magistrates, who fail to pass the vetting process or leave the system for different reasons.

The difficulties to recruit more than 75 candidates a year are due to a number of factors mainly comprised of:

- the lack of quality of recruited applicants, who cannot pass the qualifying threshold of 60% of the points, (according to the experience of the past years, presented in the table below) as well as:
- the insufficient academic capacities for teaching because of the high requirements provided for by law for the selection of pedagogues, especially for part-time pedagogues (in-service judges and prosecutors) who, because of the specifics of the School of Magistrates as a professional school, are in the proportion of 80% part-time pedagogues to 20% full-time pedagogues.

Academic year	Competitors	Vacancies	Qualified with 60 % of the points	Percentage of qualified applicants
2012-2013	73	8	20	28%
2013-2014	98	11	39	40%
2014-2015	0	0	0	0
2015-2016	119	16	19	16%
2016-2017	153	25	59	39%
2017-2018	77	25	15	20%
2018-2019 (ex-officio subjects)	47		10	22%

### 2.4. EFFECTS OF IDENTIFIED PROBLEMS

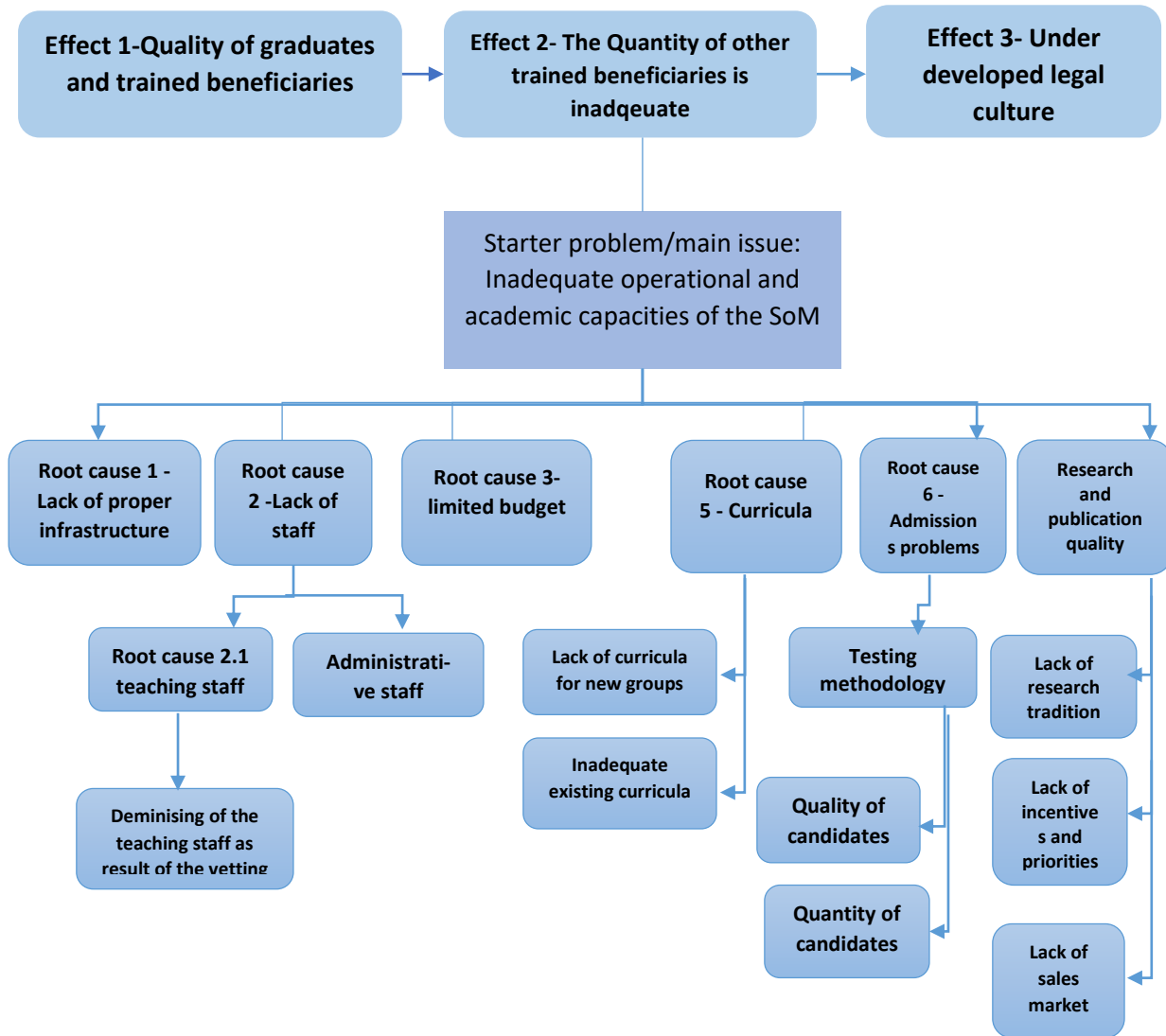
From the perspective of the problems identified above, the school is facing the direct effects of shortages or insufficiencies of:

1. Proper quality of the recruited candidates;
2. Quantity of graduates and beneficiaries of various professional trainings, which produce as a result;

3. A legal culture that is not at the desired level.

The causes of problems highlighted above are presented in the graphic below.

### Problem Tree



## CHAPTER III STRATEGIC PRIORITIES AND OBJECTIVES

**Overall objective:** **Contribute to the increase in the capacities of the justice system in view of the needs surfacing from the ongoing Justice Reforms as well as to contribute to improving the legal culture in the sector and the country and to increase public trust in the justice system.**

**Specific Objective:** The School of Magistrates will have the sufficient academic and administrative capacities for the normal performance of its activities.

Fulfillment of the school's strategic objective will be achieved through the achievement of the following results:

**Result 1** - The School has all the necessary infrastructure for the normal performance of academic and administrative activities, and temporary infrastructure and financing secured to manage the temporarily higher demand for output of Magistrates to secure the replacements necessary as a consequence of the vetting process such as:

Having the temporary premises to copy with the transitory situation with an area of not less than 2500 m<sup>2</sup> and a new building with necessary facilities, with a surface of approximately 3500 m<sup>2</sup>, with the aim of increasing the number of new training rooms, offices for the pedagogical and administrative staff and other facilities, sufficient for the realization of professional training programs for 120-150 candidates for magistrates, state advocates, legal assistants, chancellors, etc. per year.

Additionally, the premises will meet the needs for continuous training in duty for approximately 700 magistrates, 50 legal assistants, 80 state advocates, and 50 chancellors; the premises required for conducting the admission examinations, annual conferences and other facilities for the development of distance training programs, laboratories, libraries and publications.

Sufficient infrastructure, logistics capacities, provision of candidates with the necessary material base (laptops, computers, desks, book shelves, library), provision of vehicles for the transfer of material base, consolidation of the online system of statistical data regarding various fields of activity of the School, where (candidates for magistrates, judges, prosecutors, lecturers, experts etc.) have the opportunity to use the necessary information through the internet and the intranet.

**Result 2** - Human and financial resources, sufficient to cope with future needs.

The expected increase in the work volume regarding the curricula, which will require double-time engagement to both full-time and part-time teaching staff and administrative staff; improving the performance of academic staff selected from the line of justice professionals, career magistrates and those with experience in teaching and administrative staff through the provision of continuous trainings in training activities organized by the School of Magistrates itself and/or in cooperation with the School of Public Administration;

Sufficient financial resources to provide provisional training curricula, and institutional capacities in terms of infrastructure, logistics, provision of candidates with the necessary material base (laptops, computers, desks, book shelves, library);

Vehicles for the transfer of material base, consolidation of the online system of statistical data regarding various fields of activity of the School, where (candidates for magistrates, judges, prosecutors, lecturers, experts etc.) have the opportunity to access the necessary information through the internet and the intranet.

**Result 3** - Initial professional training programs for magistrates and other categories according to existing legislation are implemented according to a recruitment methodology and up-to-date, comprehensive, and appropriate training curricula.

Consolidated programs for the admission examination, general test and professional test programs, which enable not simply the absorption of the subject knowledge but also captures the abilities of the best competitors in both stages of the exam; improved syllabus and curricula, according to Western models, rich in contemporary knowledge and methods, while at the same time ensuring the consolidation of their implementation with rigor and professionalism; curricula developed for new groups (legal assistants, state advocates and chancellors); third year active internship program, professional internship, improved with regard to its organization, supervision and evaluation; specific training programs for trainers, aiming at using the most advanced teaching methods while maintaining the principles of academic independence.

Use of information technology for teaching through the e-learning platform in the form of organization of training activities in the distance and the use of a database with regard to the realization of professional training programs (initial and continuous).

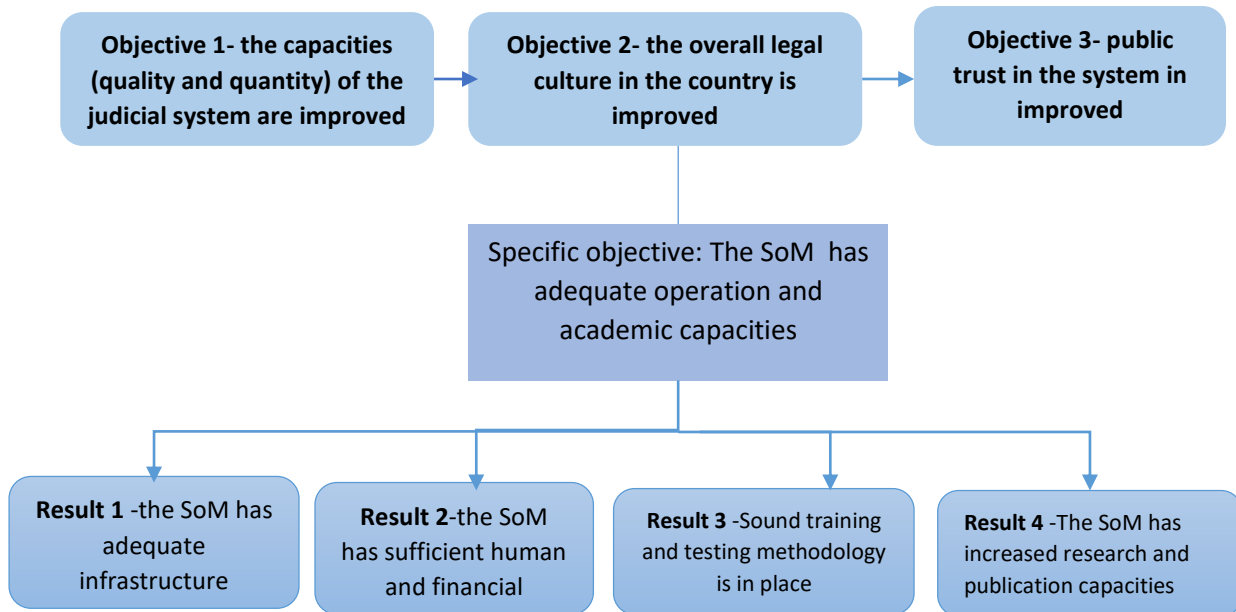
Sustainable relationship of cooperation with the High Judicial Council, the High Prosecutorial Council, the State Advocacy in meeting the needs of judges, prosecutors and other categories with legal amendments as a result of judicial reform.

**Result 4** - Increased capacities for carrying out research work and publications in order to increase the quality and provision of scientific and contemporary legal literature,

- through continuous analysis of research and jurisprudence through periodical publications;
- through electronic comments, opinions and information on the laws and judicial practice after the relevant research work;
- accessible publications for all actors and law practitioners;
- through increased research and translation activities;

The objectives and the expected results are presented graphically below. The plan of action gives specific details on these results measurable in time and financial figures.

## Solution tree





## Institutional development plan - Activity plan for 2019 to 2023 with indicators and targets for SOM

Specific Objective; Expected result; activity	Indicator	Baseline 2018	Targets				Means of verification	Assumptions/comm ents
			2019	2020	2021	2022-23		
<b>Overall objective:</b> The SoM is contributing to improve the performance of the justice system and the overall legal culture.								
<b>Specific objective:</b> The SoM has adequate operation and academic capacities	Percentage of magistrates graduated a year							
<b>Expected result 1:</b> the SoM has adequate infrastructure	Obtaining Temporary premises	Transitory needs of 2500 m <sup>2</sup> are identified	SoM functioning in the transitory premises (Oct-Dec)	Temporary premises	Temporary premises	<ul style="list-style-type: none"> <li>Use of temporary premises finished</li> </ul>	Administrative record	The Government provides transitory premises.
	Progress of the construction of the new SOM building	Present capacity fulfils 20-25% of the needs.	<ul style="list-style-type: none"> <li>Financing of implementation project</li> <li>Design</li> <li>Construction permit</li> <li>Provide funding from budget funds for construction of the building</li> <li>Bidding procedures for</li> </ul>	<ul style="list-style-type: none"> <li>Signature of contract of construction</li> <li>Start of construction</li> <li>Supervision and construction</li> </ul>	<ul style="list-style-type: none"> <li>Supervision and construction</li> <li>Completion of the construction</li> </ul>	<ul style="list-style-type: none"> <li>Provide the necessary infrastructure</li> <li>SoM operates in new premises</li> </ul>	Administrative records	The Government provide the necessary finances for the construction of the building, which will be reimbursed by EU funds, foreseen in IPA 2018 program.

			construction contract					
<b>Expected result 2:</b> the SoM has sufficient human and financial resources	Percentage of funding compared <sup>1</sup> to the one planed	Currently we have only 56% of budget needed for the coming years, ensured from the state budget and the donors	99%	51%	45%	36%	SoM finance reports and budgets <sup>2</sup>	Government and donors provide the necessary finances
	Percentage of the necessary staff in place	Only 30% of staff resources needed	<ul style="list-style-type: none"> <li>• Staff development policies</li> <li>• 70% of staff is in place</li> </ul>	80% of staff is in place	90% of staff is in place	100% of staff is in place	Administrative records	Recruitment of qualified teaching, research and administrative staff is an ongoing process, monitored by the Steering Council, Director and the Chancellor

<sup>1</sup> Without including the investment on constructing new premises, which amounts to 6 million euro (unconfirmed by the design studio) for a 3-year period (construction + furnishing)

<sup>2</sup> The foreseen budget is based on the Mid-Term Draft Budget 2019-2021 and the methodology of calculating the draft budget affects the availability of budgetary funds according to the years. This budget is negotiated before the start of each fiscal year.

<b>Expected result 3:</b> - Sound training and testing methodology is in place and training output according to needs	Milestones for development of the curriculum	The existing curricula for initial and continuous training is in process of revision	<ul style="list-style-type: none"> <li>Needs Assessments for admission exams for candidate magistrates, legal advisers and state advocates</li> <li>Needs Assessment on the existing curricula for the initial training for candidate magistrates, legal advisers and state advocates</li> <li>Test of chancellor in duty designed</li> <li>Admission exam for chancellors designed</li> <li>New curricula for chancellors designed</li> </ul>	<ul style="list-style-type: none"> <li>Admission exam for candidate magistrates updated</li> <li>Existing curricula for initial training for candidate magistrates, legal advisers and state advocates is improved</li> </ul>	<ul style="list-style-type: none"> <li>Training of trainers on the improved curricula and teaching methodology</li> </ul>	<ul style="list-style-type: none"> <li>Training of trainers on the improved curricula and teaching methodology</li> </ul>	Administrative records	
	The number of recruitment candidate magistrates by year	At this stage only 9 candidate magistrates (ex officio subjects)	50	75	75	75+75	Administrative records	

	The number of graduated candidate magistrates by year	At this stage only 16 candidate magistrates are graduated	25	23	0	50+75	Administrative records	The number of 50 candidates envisaged for 2019 may be increased by 25 (75 in total), if there are no applications in the competition process for legal assistants and state attorneys.
	Number of training sessions of continuous training per year	230	120	130	140	150	Administrative records	Here are included up to 2 activities a year realized through the e-learning platform
	Number of chancellors initial training per year <sup>3</sup>	0	Not more than 25	0	0	Not more than 20	Administrative records	
	Number of sessions of continuous training for chancellors per year	2	10	10	10	10	Administrative records	

<sup>3</sup> Training period for this category is 3 months only, once in 3 years.

	Number of legal advisers and state advocates initial training <sup>4</sup> of per year	0	Not more than 25	Not more than 25	Not more than 25	Not more than 25	Administrative records	
	Number of sessions of continuous training for legal adviser and state advocates per year	0	10	10	10	10	Administrative records	
<b>Expected result 4:</b> The SoM has increased research and publication capacities	Increasing number of scientific publications	6	7 - Develop knowledge management policy	7	8	8	Publications	
	Further development and maintenance E-commentary (number of articles of laws commented)	247 articles (from 4 laws)	100 articles	150 article	160 article	200 article	Online publications	

<sup>4</sup> The training program is the same.

	Milestones for the development of the concept of the excellence center of <i>EU acquis</i> and human rights and improve the SoM participation in the international research networks	Project proposal designed			Program and road map	Implementation of the road map		
	Improve awareness raising and visibility work	Plan for publications exist Website exist	Development of plan and improvement of the awareness raising visibility including development of the knowledge management policy	Implementation of the developed plan	Implementation of the developed plan	Implementation of the developed plan		

## CHAPTER IV

### MONITORING AND ANALYSIS OF THE IMPLEMENTATION OF THE ACTION PLAN

This Action Plan is based on the general and specific objectives set forth in the Strategy of the School of Magistrates 2019-2023 with the aim of presenting, anticipating and defining as clearly as possible the preparation, sustainable and professional development of all categories subject to the activity of the school.

In implementing a clear and comprehensive methodology, the AP provides concrete actions with clear indicators for the improvement and effective management of the School activity in terms of academic, financial and administrative policies for the fulfillment of strategic goals, or more specifically the new obligations and decisive role of the School in the process of judicial reform in Albania.

All measures in the Action Plan of this strategy are prioritized, budgeted and in phases. The division of the measures to be undertaken according to the phases is carried out in accordance with the expected absorption capacities of the School of Magistrates. The purpose of the separation in phases follows a logical course so that their implementation can be realized chronologically.

The School of Magistrates will monitor the Strategy through its internal structures. This management structure collects and analyzes periodic reports on the implementation of the action plan. Each sector reports on the level of implementation of each policy and activity, the problems encountered and the overall progress assessment of the strategy. Consequently, this mechanism will enable the determination of corrective measures, the structure responsible for correction and appropriate sanctions. For this purpose, performance indicators will be analyzed for each activity, for example evaluation reports, recommendations, completed questionnaires, the consequences that have been incurred.

The structure responsible for monitoring this strategy will be:

- School chancellor
- Academic counselor
- 3 full-time pedagogues (Initial Training, Continuous Training and Publications)
- 3 heads of sectors (Initial Training, Continuous Training and Publications)

The implementation of the Strategy will be monitored through the performance assessment system and the results envisaged in the Action Plan, which supports policy goals and program objectives and ensures that policy planning, budgeting and monitoring are linked and operate efficiently. This system will serve as the basis for the preparation of the annual budget process, providing policy objectives, which are included in the Ministry of Finance's budget preparation instructions for all institutions.

Performance indicators are created by the monitoring structure to achieve:

**General objective:** To contribute to capacity building of the justice system in function of the needs arising from the ongoing justice reform and to contribute to the improvement of the legal culture in the sector and in the country and the increase of public trust in the justice system,

**Specific objective:** The School of Magistrates aims at having sufficient academic and administrative capacities for the normal performance of its activity.

**Expected result 1:** All the necessary infrastructure for the normal performance of academic and administrative activities, and temporary infrastructure and financing secured with the temporarily

higher demand for the output of Magistrates to have the replacements necessary as a consequence of the vetting process such as

Concerning the expected result 1, or the infrastructure, it plays a key role in increasing the capacity to meet the expected requirements for the vocational training not only of young judges and prosecutors but also of legal advisers, state lawyers and chancellors. The expected increase in the number of beneficiaries of vocational training offered by the School as a result of the effects of the reform will require the provision of the necessary and appropriate facilities/classes for the above-mentioned categories. This result will be measured by two indicators:

**1. Having the temporary premises.** After identifying that the actual capacities meet only 25% of needs, the School should be transferred immediately in 2019, in other premises for a period of 3-5 years, with a minimum area of 2500 m<sup>2</sup>, until the new school building of Magistrates is available. These premises should be provided by the Council of Ministers. In case there is no possibility of transfer to public buildings then the only solution remaining is for the School to prepare itself for renting the halls for the realization of the continuous training program (2-3 rooms per day), while having to manage the current facilities (3- 4 rooms) for the initial training of candidates for magistrates, counselors / legal assistants / state attorneys and chancellors.

**2. Progress of constructing the new building of SoM.** By decision of the Council of Ministers No. 442, dated 20.05.2015, the NTPA (National Territorial Planning Agency) is responsible for organizing the design competition and the implementation of the project for the new building of the School of Magistrates. For the implementation of DCM, contracts were signed with the winning firm "Sadar & Vuka and Varka Architecture" for the implementation project worth 18,500,000 ALL, with a deadline until June 2019. During 2019, the fund should be provided and the respective administrative structure for holding the procurement procedure for the construction of the new building, which should be completed in 2022. As far as the source of funding is concerned, this will be initially provided by the state budget, which will be reimbursed from EU funds, IPA project, when the School of Magistrates takes delivery of the building.

**Expected result 2:** Sufficient human and financial resources.

The expected result 2 continues to supplement the panorama of increasing school efficiency. Of course, enhancing internal capacities and successfully coping with new challenges requires meeting the appropriate budgetary and employee needs that will respond to the internal organizational and infrastructure changes of the school.

This result will be measured by two indicators:

- 1. Percentage of funding compared to the planned funding.** Currently, the School has provided the annual funding needed to develop its activity for 2019. It intends to provide financial sustainability through the state budget, which will provide 100% of its needs, through the PBA. The Action Plan foresees for these needs to be met according to the PBA by 2020 with 51%, for 2021 by 45% and for the years 2022-23 by 36%.
- 2. Percentage of staff needed currently in office.** Currently, the School has a staff of 31 full-time employees and meets about 70% of its needs. It aims to add 2-3 employees to it (academic and administrative staff) each year by reviewing its organizational structure and aiming to have 45-50 internal staff members in 2023.

**Expected result 3:** Initial and continuous professional training programs for magistrates and other categories according to law are implemented according to a recruitment methodology and training curricula, which is up-to-date, comprehensive, and sufficient to meet the requirements for the positions.

This score will be measured through seven indicators:



**1. Key points in curricula development.** There is a need to review the existing curricula for the initial and continuous training. In order to achieve this result, the needs assessment for admission tests and the existing curricula for initial training for magistrates' candidates, legal counselors and state attorneys are needed in order to improve the admission exam for magistrate candidates and upgrade the existing curricula for the initial training for candidates for magistrates, legal advisors, and state attorneys. A new curriculum for chancellor candidates has been prepared.

**2. Number of candidates for magistrates recruited each year in the Initial Training.**

**1. Number of magistrates candidates to be recruited every year.**

HJC and HPC set the number of vacancies. Because of the vetting process, the needs of the Justice system can be extremely high, but the School can not recruit from 2019 more than 50 candidates a year<sup>5</sup> (with an exceptional increase of 25 candidates each year), for several reasons:

- **First**, due to the small and unqualified number of candidates competing to participate in the admission exam.
- **Second**, due to the inability to recruit part-time pedagogical staff, which should be of a high level of professionalism and not impairing the quality of teaching.

**2. Number of legal advisors and state advocates in the initial training every year.**

This category follows the same theoretical program as the candidates for magistrates. Their number is determined respectively by the HJC as well as from an agreement that the School of Magistrates makes with the State Advocacy. The School is foreseeing a need to provide initial training for a class of not more than 25 candidates a year.

**3. Number of candidates for magistrates graduated every year.** This number is the same for those entering the school and when exiting it.

**4. Number of continuous training seminars for magistrates per year.** Due to the legal obligation to attend training seminars for each magistrate in office of at least 5 days a year and a maximum of 40 days a year, the School has tried for 2018-2019 to provide about 230 training seminars a year, giving each magistrate the opportunity to attend 20 training days per year. But, in response to the emergency situation to increase the number of candidates for all groups in the initial training program, the school will focus more on this requirement and expects to reduce the number of training activities for the coming years to around 120-150 training sessions per year, enabling each magistrate to attend an average of 10 days of training a year.

**5. Number of chancellors in the initial training per year.** This number is determined by the HJC and HPC. The school has foreseen to provide training for a class of 20 -25 people every three years.

**6. Number of continuous training seminars for chancellors per year.** For this category as well, it is foreseen to offer up to 10 training seminars a year.

**7. Number of continuous training sessions for legal advisors and state attorneys per year.** Separate training seminars have been envisaged for these categories of about 10

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<sup>5</sup> 25 will be added to this number (for a total of 75) for the year 2019, in case there will be no applications in the competition process for legal advisors and state advocates.

training seminars a year that can be coordinated with the training seminars offered to the magistrates in office.

**Expected result 4:** Increased capacities for carrying out research work and publications in order to increase the quality and delivery of scientific and contemporary legal literature.

Ensuring continuous analysis of quality based on research and case law through periodicals is a necessary component in meeting the school's strategic goal of improving the legal culture in the country.

This result will be measured through four indicators:

1. **Increasing the number of scientific publications.** The aim is to increase the number of scientific publications with periodicals, manuals, lectures, various scientific translations, etc.
2. **Further development and maintenance of the e-commentary (number of articles of the commented laws).** This commentary is a novelty in terms of scientific research work and interpretation of various legal provisions, giving every law practitioner the opportunity to become familiar with the case law. The school should take measures to ensure the funds needed to develop and maintain this commentary as well as ensure its sustainability for the future.
3. **Key points for developing the concept of the EU acquis and human rights excellence center and improving the participation of the SoM in international research networks.**

There is currently a project proposal on the excellence center, but a concrete program and its implementation in the near future need to be developed, providing the necessary financial and human resources for a period that may exceed the period of this Strategy. The monitoring can be achieved through the realization of components such as:

- Provision of specialized trainings for magistrates and candidates for magistrates in accordance with EU law and standards;
- Drafting and realization of training modules and activities for magistrates of different careers in different fields of law;
- Provide tailor-made training for judges/prosecutors according to their current position and perspective;
- Consolidate the cooperation with international partner institutions for the exchange of knowledge;
- Administering and providing practical programs with international institutions.

4. **Improving awareness and image of work.** With regard to this indicator, there is a website, which dynamically presents all the academic activity of the school. There are annual plans for the scientific publications that the School makes but there is a need to develop a plan to improve awareness raising, including the development of knowledge management policy.

### Financial effects plan according to indicators for 2019-2023

Specific objective; expected result; activity	Indicator				Targets				
	Base line 2018		2019	2020		2021		2022-23	
		No.	Value in Euro	Nr	Value in Euro	No.	Value in Euro	No.	Value in Euro
<b>Expected result 1 : SoM has sufficient infrastructure</b>	Obtaining the temporary premises	Hall rent	4,878	rent	31,707	rent	34,146	rent	36,585
	Construction + refurbishment				2,000,000		2,000,000		2,000,000
<b>Expected result 2: SoM has sufficient human and financial resources</b>	Budgetary funds according to Mid- Term Draft Budget 2019-2021		1,452,846		1,910,569		1,910,569		1,910,569
	Percentage of needed staff in office		70%		80%		90%		100%
<b>Expected result 3: - Sound training and testing methodology is in place and training output according to needs</b>	Number of candidate magistrates recruited every year, judges/prosecutors	50	420,052	75	591,136	75	1,199,660	75+75	1,427,810

	Number of candidate magistrates graduated every year	25	127,207	23	204,316			125	861,468
	Number of continuous training sessions for magistrates per year	120	466,041	130	448,511	140	473,307	150	499,084
	Number of chancellors in the initial training per year	25	67,098					20	65,056
	Number of continuous training sessions for chancellors per year	10	34,447	10	23,951	10	24,073	10	24,185
	Number of legal advisors and state advocates in the initial training per year	25	194,687	25	285,244	25	304,193	25	252,976
	Number of continuous training sessions for legal advisors and state advocates per year	10	22,089	10	23,951	10	24,073	10	24,185

<b>Expected result 4; The SoM has increased research and publication capacities</b>	Increasing number of scientific publications	7	121,225	7	151,407	8	165,649	8	174,592
<b>TOTAL</b>			<b>1,457,724</b>		<b>3,760,225</b>		<b>4,225,103</b>		<b>5,365,942</b>

**Note:** The annual budget value includes: payment of social insurance/health insurance of the internal staff, teaching hours for the Initial and Continuous Training Programs, scholarships and payments for candidates for magistrates, legal advisors and chancellors, study visits of the candidates for magistrates in framework of the teaching program (ECtHR and ECJ), Organization of the annual conference of the School, rent of halls for the Continuous Training Program as well as other operational expenses for the maintenance of the normal activity of the School. In addition, it has also been foreseen the value of investments for new premises of the School, (construction of the building and purchase of electronic equipment), furnishings, books for the School library.